

# The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China<sup>1</sup>

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This article develops an interactive and relational conception of infrastructural state power for studying the capacity of authoritarian regimes to absorb popular protests. Based on an ethnography of the grassroots state in moments of unrest in China, the authors identify three microfoundations of Chinese authoritarianism: protest bargaining, legal-bureaucratic absorption, and patron-clientelism. Adopting, respectively, the logics of market exchange, rule-bound games, and interpersonal bonds, these mechanisms have the effect of depoliticizing social unrest and constitute a lived experience of authoritarian domination as a non-zero-sum situation, totalizing and transparent yet permissive of room for maneuvering and bargaining. This heuristic framework calls for bringing the subjective experience of subordination back into the theorizing of state domination.

Social scientists grappling with the phenomenon of “durable authoritarianism” in the post–Cold War era have invoked a plethora of adjectives to capture this purportedly new tendency of an old regime type. In countries

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such as Russia, Iran, and Venezuela, the term “competitive” (Levisky and Way 2010; Robertson 2011) highlights the paradoxical coexistence of robust authoritarianism and competitive elections. In the Middle East and North Africa, especially before the Arab revolts in 2011, “enduring” autocratic regimes were the norm that sparked the debate about the sources of their durability (Posusney 2004). China stands out as a particularly intriguing case of “resilient” (Nathan 2003), “adaptive” (Shambaugh 2008; Chen 2010), or “contentious” (Chen 2011) authoritarianism: not only has the Chinese Communist regime survived unscathed in the wake of the collapse of Communism in the former Soviet Union and Eastern Europe as well as a massive domestic rebellion in 1989, it has remained remarkably stable in the face of mounting domestic social unrest for more than a decade. China’s Ministry of Public Security released stylized statistics of “mass incidents” showing staggering increases in the volume of popular protests from 10,000 in 1993 to 60,000 in 2003, and then to 180,000 in 2010.<sup>2</sup> How has the Chinese state preserved stability?

#### FROM INFRASTRUCTURAL POWER TO MICROFOUNDATIONS OF AUTHORITARIANISM

Existing literature emphasizes either the state’s coercive capacity (Bellin 2005) or elite cohesion (Nathan 2003; Posusney 2004; Shambaugh 2008; Slater 2010) as the dominant factor underpinning durable authoritarian regimes. But having what Mann (1984) calls “despotic power”—that is, the state elite’s power over civil society—is a blunt, ineffective, and often counterproductive tool in the face of petitions and protests erupting on a daily basis across the country, as in the case of China. According to Mann, authoritarian regimes score high also on another type of power, “infrastructural state

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<sup>2</sup> These security statistics are from Sun Liping, “Social Disorder Is a Present and Serious Challenge,” *Economic Observer*, February 28, 2011, [http://www.eeo.com.cn/Politics/by\\_region/2011/02/28/194539.shtml](http://www.eeo.com.cn/Politics/by_region/2011/02/28/194539.shtml) [in Chinese]. The official definitions and parameters of these statistics have been inconsistent and vague. In this article, popular unrest refers to the large numbers of “ordinary” social protests grassroots governments handle. These are to be distinguished from at least two other types of contentious politics that often galvanize more media attention and that are dealt with differently by the state. They are, on the one hand, political dissent sustained by intellectuals, lawyers, and artists and, on the other hand, mass riots involving violent outbursts of rage and rampage against the government, including those in Tibet and Xinjiang.

power,” the capacity of the state “to penetrate civil society and to implement logistically political decisions throughout the realm” (p. 113), often through routine institutionalized negotiations. Applying the concept to more contemporary contexts, Slater and Fenner (2011) identify four infrastructural mechanisms that sustain and stabilize authoritarian regimes: coercing rivals, extracting revenues, registering citizens, and cultivating dependence. Missing from this list is an account for the state’s time- and place-sensitive capacity to handle, contain, and absorb collective mobilization when and where it occurs. In authoritarian societies, public display of defiance generates disproportionate risks for the regimes (Pfaff and Yang 2001; Bayat 2009), demanding a flexible and timely capacity of state penetration and negotiation.

A key merit of the state infrastructural power perspective is that it zeroes in on state practices to achieve staying power rather than infers power from some structurally conducive conditions, such as economic (under)development, demographic pressures, income gaps, or external political intervention. However, the idea of “infrastructural state power,” denoting the state’s intention and potential capacity to dominate, still leaves the critical question of efficacy unanswered. How are state infrastructural techniques received and perceived by citizens or challengers to bring about political stability? Durable power, or domination, as sociological classics by Weber, Marx, Gramsci, and Bourdieu have theorized, is relational and entails subordination, which also requires an explanation. Concepts such as consent, hegemony, habitus, legitimacy, ideology, and false consciousness all pertain to the subjective experience of subordination as an integral element of durable systems of power, be it capitalism, socialism, colonialism, or in our case authoritarianism. In this article, we seek to develop an interactive and relational analysis of state infrastructural capacity to absorb dissent by bringing into our analytical frame the lived experience of domination and subordination from both sides of the state-society divide. Therefore, we prefer to deploy the more encompassing notion of “microfoundations.”

By microfoundations, we do not mean either the reductionist, individualistic motivation of self-interest that purportedly underlies macro political economic phenomena (Elster 1985) or the ritual interaction orders whose aggregation becomes social structure (Collins 1981). Instead, we refer first to the microapparatuses of the state that have direct interaction with aggrieved citizens and protesters. Grassroots officials are the first line of defense or offense of the authoritarian state, and their behaviors, interests, and motivations are shaped by and set limits on other levels of the state machinery. Second, microfoundation calls for an analysis of practice, that is, “who does what, when, and how,” and not mere inference of “who gets what” from a static class or power structure (Burawoy 1989, p. 61). Third, from practice flows “lived experience,” or the combined influence of the economic, political, and ideological moments (Burawoy 1979). Just as a lived experience of class

is indispensable for class formation, as E. P. Thompson (1966) has so memorably illustrated, the lived experience of subordination is an equally necessary condition for forging political domination. Finally, the microfoundations of authoritarian power are historically specific in that they are structured by national institutions and mediated by past struggles. Therefore, the following empirical and theoretical analysis has to be grounded in the political and historical realities of China. Rather than generating lawlike predictive propositions, our goal is a modest one of rendering a vision-enhancing heuristic framework for analyzing power mechanisms that have elective affinity to an authoritarian political order.

#### REKINDLING DOMINATION AFTER STATE SOCIALISM

The three microfoundations of authoritarian domination we identify in our research—protest bargaining, bureaucratic absorption, and patron-clientelism—have partial roots in state socialism in general and in its Chinese variant in particular.<sup>3</sup> The command economy and the repressive apparatus, as the scholarly literature has argued, were the twin institutional pillars for their effectiveness. Yet, in today's China, when the command economy has for all practical purposes been substituted for by a market economy, the second largest in the world no less, and the scope of applying direct force and coercion has been significantly curtailed, how are these mechanisms of domination rekindled, and with what effect on the lived experience of subordination?

##### Patron-Clientelism

Andrew Walder's *Communist Neo-traditionalism* (1986) trained a sharp Weberian focus on patron-clientelism as the foundation of Communist state authority, dispelling the myth that repression and terror were all that sustained the Soviet-type regime. Walder showed that, by meshing economic and political control, the Chinese Communist Party (CCP) penetrated society through its numerous party branches staffed by party officials and managers of the socialist work unit. Absent the market providing an alternative source of livelihood resources, the party-state organized the populace's material, political, and social dependence and spawned a stable, vertical network of party activists and loyal clients who exchanged political loyalty for preferential material rewards, careers, and life chances.

<sup>3</sup> Elizabeth Perry's (2002, 2008) work suggests historical parallels in imperial China when the state allowed and accommodated self-limiting protests that focused on socioeconomic but not political grievances. How such historical antecedents are transmitted or perpetuated over time will require institutional and longitudinal analysis that goes beyond noting the parallels.

Power relation was based on dependence, deference, and particularism, and hence the term “traditional,” to be distinguished from a relation that pivoted around bargaining, independence, conflict, and contract (Walder 1986, p. 10).

Yet, how can state domination be secured when market reform has broken the material dependence for the majority of the population who now have access to alternative sources of income, status, and life chances and when the direct presence of the party-state apparatus in nonstate workplaces has been extensively attenuated? We will show that patron-clientelism continues to exist but that, as a mechanism of state power, it has become organizationally weakened, geographically dispersed, and politically peripheral. Its targets are now limited to those segments of Chinese society that are still relatively dependent on the party state: civil servants, party members, and the elderly. To maintain stability in times of unrest, the party still attempts to induce and activate compliance and assistance through a mix of material and symbolic rewards, but its clients have much more autonomy to exit or exploit these state-sponsored patron-clientelist networks to their own advantage, doing so with minimal deference and loyalty.

### Hidden Bargaining

Instead of society's dependence on the state, a second perspective of state socialism highlights bargaining. Charles Sabel and David Stark (1982) found “hidden forms of bargaining,” or what Michael Burawoy and János Lukács (1992) called “shop floor games,” symptomatic of the power relation between the party-state and the working class. Sabel and Stark suggest that adaptation to the planned but shortage economy (shortage in labor, materials, parts, and breakdowns of machinery) compels management to cede autonomy and leverage to workers, who then use these to bargain with management. Everyday work life was dominated by worker-management negotiations over production norms, wages, and opportunities to participate in the second economy using state factory resources. Sabel and Stark (1982) emphasized the economic structural power of the working class under state socialism: they cannot be dismissed. On the other hand, Burawoy and Lukács (1992) focused on workers' oppositional consciousness emerging from the contradiction between ideology and reality: the party-state organizes the shop floor ritual of celebrating its virtues to affirm its legitimate domination, ironically reminding workers of the contradiction between the ideology of justice, efficiency, and equality and the reality of exploitation, inefficiency, and inequality. But these scholars concur that state domination resulting from bargaining is fragile. Given the right conditions, the ever-present and systematically produced dissent would find expression in counterhegemonic

organization to challenge despotism or workers in key firms would up the ante by demanding the bargaining gains be spread to other plants. "Even limited rights give subaltern groups hidden power to paralyze the economy. . . . It is a perpetual threat to those in command" (Sabel and Stark 1982, p. 475).

The similarity between Eastern European state socialism and China today is the political monopoly of the Communist party-state, or as Sabel and Stark put it, "a blockage of democracy." But the pervasive bargaining we document in this article differs from workers' shop floor bargaining with management under state socialism. First, because most Chinese citizens have access to the market for alternative sources of livelihood, their autonomy and leverage is greater. Whereas only privileged and skilled workers had bargaining power in the hidden abode of state socialist production, now aggrieved Chinese citizens hail from different class backgrounds, pursue public and visible action, and most importantly, can opt for "exit" and reject or derail the bargaining routine. Second, the citizens' bargaining chip is no longer the skills needed for fulfillment of the plan and production targets but instead acts of civil insubordination. What is exchanged is state authority and citizens' rights, a process that we will elaborate below as a "commodification of politics," which leads to very different consequences from the critical consciousness and dissent anticipated by previous analysts.

### Bureaucratic Absorption

Scholars of traditional and Communist China have shed light on a third mechanism that we conceptualize as "bureaucratic absorption." The idea is that the state deployed a range of semilegal and bureaucratic institutions explicitly tasked with resolving social conflicts. Written mostly by legal scholars and historians, this literature shows that mediation, litigation (Lubman 1967; Huang 2006), and petitions (Luehrmann 2003; Minzner 2006) contributed to political control and social stability because these institutions are politicized. Chinese justice allowed for the state's aggressive and discretionary intervention in delivering outcomes that suited state objectives. The petition, in particular, by opening a channel for the upward transfer of information from the aggrieved populace to the authoritarian state, is widely regarded as a multipurpose tool of governance and stability preservation (Minzner 2006).

Economic reform has energized the promulgation of laws and the promotion of an ideology of law-based government. There are now laws targeting labor, land, and property rights, the Labor Contract Law (2008), the revised Law on Land Management (2004), and the Property Rights Law (2009), respectively, as well as laws and regulations on petition and admin-

istrative litigation. The apparatus for the bureaucratic absorption of social conflict has no doubt expanded, aided by a rapidly expanding legal profession keenly interested in creating a market for its services, spawning a steady rise in petitions and litigations nationwide. However, in our research, we find two aspects of bureaucratic absorption that have been ignored in previous studies. First, by focusing on the outcome rather than the process of these legal and bureaucratic institutions, previous studies have failed to shed light on how conflicts are defused. We argue that, regardless of the outcome, once conflicts enter the processes of petition, mediation, and litigation, officials can and do rely on the effects of bureaucratic procedures to buy time and reduce the visibility of unrest. Attrition, atomization, and demobilization of resistance often result, allowing the state to absorb challenges through bureaucratization, not politicization as others have argued. Second, past studies have not paid attention to the subjective experience of legal-bureaucratic absorption that must be accounted for if the credibility of and citizen participation in these procedures are to be sustained. Our fieldwork finds that aggrieved citizens are willing and willful players of these legal-bureaucratic games that lend legitimacy and protection to their actions and motivate them with a real chance of winning material or symbolic compensations. However, as arbitrary official intervention to reset the rules of these games makes state power transparent, active participation in legal-bureaucratic games only breeds an instrumental and pragmatic acceptance of these rules, rather than a mystification of the rule's neutrality, such as that generated by shop floor games in advanced capitalist workplaces in support of capital's hegemonic domination (Burawoy 1979). As a matter of fact, the three mechanisms we analyze here produce a popular experience of subordination as pervasive gamesmanship and instrumental bargaining. They are also indicative of a regime of domination by "depoliticization,"<sup>4</sup> that is, steering contestations away from the terrain of political values, power structure, and inequality and turning them into manageable, non-zero-sum quid pro quo, legal-bureaucratic games and webs of instrumental personal relations. This depoliticized domination is, in turn, conditional on the state's readiness to make material concessions to the populace.

#### AN ETHNOGRAPHY OF THE AUTHORITARIAN STATE

Between 2008 and 2012, we conducted ethnographic fieldwork and in-depth interviews among grassroots officials in two Chinese cities, Shenzhen and Beijing, and their suburban areas. Above all, we focused particularly on the

<sup>4</sup>The cultural critic Wang Hui (2006) uses the term "depoliticization" to describe the "de-revolutionary" political tendencies and discourses of China and the West since the 1960s.



political trenches, where and when grassroots officials and aggrieved citizens confront each other. Thanks to both personal and professional connections, we obtained permission to shadow officials in five street governments in Shenzhen, participating in their meetings, appearing on site with them when protests and negotiations took place, attending training sessions for officials handling unrest, talking with officials in their offices, and visiting aggrieved citizens. In Beijing, we interviewed district, street, and township government officials responsible for stability maintenance, and we talked to some of the protesters to reconstruct events of instability and the processes of interaction before and after the events.

### The Grassroots State

A Chinese expression poignantly captures the political significance of the basic-level (*jiceng*) state: “A thousand threads from above, one needle point below.” We term this “needle point,” or the lowest level of the Chinese government, the “grassroots state” to spotlight (1) its direct interaction with aggrieved citizens making claims on the government and (2) the roots it extends into the local community through its practices of stability maintenance. In urban and suburban areas, the grassroots state consists primarily of the street government and its executive arm, the community work station.<sup>5</sup> However, higher-level governments, especially the district and the municipal governments, will get involved in resolving particularly serious “extraordinary incidents” or incidents caused by the state at these higher levels. While the “local state” as the crucible of China’s exceptionally robust economic growth has been extensively theorized and documented (e.g., Montinola, Qian, and Weingast 1995; Walder 1995; Oi 1998; Zhou 2008), the political significance of the grassroots state as the lowest level of the local state remains underexamined. We know that the institutional logic of the Chinese polity gives grassroots officials a fair amount of flexibility and autonomy (Zhou 2010; Cai 2011), as in street-level bureaucracies in other systems (Lipsky 1983), but not with what they do with this discretion, especially now that the bulk of stability maintenance work has fallen squarely on this level of the Chinese state.<sup>6</sup>

<sup>5</sup> A community work station is the executive arm of the street government. It is usually staffed by a dozen or so full-time civil servants who are supported by a large contingent of part-time staff. It aims at integrating resources of many functional departments of the grassroots state, and it is charged with 130 tasks, of which stability maintenance work is of particular emphasis. In many places, the community work station staff are the same as for the residents’ committee, an allegedly mass-initiated organization in the community since the beginning of the People’s Republic of China (PRC) (Read 2012).

<sup>6</sup> In China studies, there exists a substantial literature on collective mobilization by peasants, workers, middle-class homeowners, and other social movement actors. Framed



### What Is Stability Maintenance?

In the Chinese context, the focus of “stability maintenance” (*weiwen* in Chinese) has shifted from “strike hard campaigns” targeting criminals, vices, and cults in the 1980s and 1990s to the more recent notion of “social management” (Xu and Li 2011), a vague and all-encompassing term that proposes building a “people-centered” and “services-centered” government to resolve “the masses’ legitimate and rational appeals” under the leadership of the CCP (Fewsmith 2012). First officially enunciated in 2003, “the heart of social management is decisively the grassroots government, especially the one at the community level” (Gong 2011), even though this line of work is led by two dragonhead organs at the central government, the Politics and Law Committee and the Ministry of Civil Affairs. A downward transfer of responsibility for stability maintenance began in the early 1990s, right after the Tiananmen incident. Several foundational documents issued by the central committee of the CCP and the state council on strengthening social control and public security laid down the administrative principle of “jurisdictional management.”<sup>7</sup> In the 2000s, the tendency to localize the responsibility of maintaining social stability has become increasingly codified, most prominently in the 2005 National Petition Regulation and the 2008 CCP decision on strengthening the implementation of integrated public security management. Intended to overcome the long-standing conflicts and overlaps between the hierarchies of functional departments and geographical jurisdictions, the policy of jurisdictional management gives municipal governments and above the power to evaluate, reward, or punish lower-level officials. If social disturbances, industrial accidents, or over-quota births occur in one jurisdiction, the hierarchy of leaders responsible for that jurisdiction will all be subject to the “one veto rule” (i.e., failure in one

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around notions of rights consciousness (Bernstein and Lu 2003; O’Brien and Li 2006), resistance (Hsing 2010; Perry and Selden 2010), class formation (Lee 2007; Chan and Pun 2009), and citizenship (O’Brien 2001), these studies have painted a view of a Chinese society with remarkable capacity and willingness to challenge state authority. However, most of these studies explain the emergence of protests giving short shrift to official responses, which decisively determine the effects and effectiveness of these mobilizations. Two exceptions are studies by Yongshun Cai (2010) and Xi Chen (2011), which differ from the current study in empirical scope and theoretical intent. Cai attempts to explain how the Chinese government chooses between accommodation and repression in dealing with mass incidents. But the disparate and uneven newspaper accounts that form his database do not offer quality data about these encounters, much less about the method and meanings of “accommodation” and their effects on aggrieved citizens. Chen (2011) looks only at the official petition system, not the varied modes of unrest and protests we examine here. Rather than theorizing the basis and nature of state domination and popular subordination, Chen’s theoretical project is to seek the institutional roots of popular contentions in the organizational and ideological contradictions within the Chinese state.

<sup>7</sup> “Decision on Strengthening the Integrated Governance of Public Security” by the CCP Central Committee and State Council, February 19, 1991.

policy area will negate all other accomplishments by the government unit and deprive officials of bonuses, promotion, and the eligibility of the unit to compete for organizational honors). In practice, the cascade of bureaucratic pressure falls most heavily on the lowest rank in the state hierarchy—rural township and urban street officials. It is these officials who carry out the actual work of building connections with the local populace, arriving at the scenes of social unrest, negotiating with aggrieved citizens, and gathering information about the local communities. The power processes that transpire in these interactions form the empirical subject of this article.

While a study of two cities cannot claim statistical representativeness of all of China, Shenzhen and Beijing are arguably the most theoretically significant cases for understanding the state's dissent absorption capacity. This is because these two cities (and their suburban fringes) witness a large number of the three most common types of popular unrest in China: labor, land, and property rights protests.<sup>8</sup> Shenzhen is not just a major industrial powerhouse in southern China and the most popular destination of the country's 250 million strong migrant workforce, its rapid and ever expanding urban sprawl has spawned a ferocious new enclosure movement into the surrounding villages. As the host city of the Summer Universiade (World University Games), the Shenzhen government's concern for social stability reached its zenith in 2011. Beijing, the capital, is the leading destination of many aggrieved citizens seeking official redress to a plethora of injustices and conflicts, the host city of the 2008 Olympics, and the location of intense housing and property conflicts thanks to a sizable class of affluent homeowners and the many Olympics-related demolition and road projects. Even though labor, land, and property rights violations are seemingly private disputes, as our data will show, they almost always become state-centric contentions, thanks to the state's expansive legal, institutional, economic, and political power and reaches in an authoritarian context.

#### MICROFOUNDATIONS OF AUTHORITARIANISM

Stability maintenance is achieved and contested through three mechanisms, in descending order of importance: (1) non-zero-sum bargaining, (2) bureaucratic absorption, and (3) patron-clientelism. We will devote most of the following discussion to protest bargaining due to its prevalence and effectiveness, but it is important to emphasize that the other two are critical supplements. These mechanisms are analytically distinct, but they are empirically intertwined as officials and citizens invoke them flexibly

<sup>8</sup> We do not have any cases of pollution and environmental unrest in our fieldwork. Also, the grassroots state in some rural areas may be more coercive and thuggish than those in the cities.

in any single protest. As state power is now mediated, respectively, by the logics of market exchange, bureaucratic rules, and interpersonal bonds, the popular experience of subordination is depoliticized, absorbed by the many bargains that the state is ready to strike with aggrieved citizens.

### Buying Stability: Non-Zero-Sum Protest Bargaining

The strategy of “buying stability” (*huaqian mai pingan*, literally meaning “paying cash for peace”) is the most prevalent means of pacifying aggrieved citizens involved in labor, land rights, and property disputes. In our research in Beijing, all district governments have reported the existence of a “stability maintenance fund,” with annual budgets varying between RMB 2 million and RMB 1 billion.<sup>9</sup> In Shenzhen, we were told that the municipal government has demanded that each district government allocate between RMB 20 million and RMB 30 million each year for stability maintenance.<sup>10</sup> The aggregate size of these *weiwen* funds has ballooned in recent years. Nationwide, in 2010, according to the finance minister, for the first time ever spending on public security (RMB 549bn) overtook spending on national defense (RMB 533.4bn), and it would be more than the combined budgets for healthcare, diplomacy, and financial oversight (Hook 2011) in 2011. “Buying stability” had its origin in the central government’s concern for preserving stability prior to and during the 2008 Olympics Games. Aggrieved citizens seized the sensitive moment of the games to put pressure on officials to resolve historical grievances expediently. The practice seemed to have worked, and it has become a lasting mechanism.<sup>11</sup>

Besides cash payments to people who stage direct and public acts of defiance, “buying stability” takes the form of grassroots governments paying for urgent services and utilities (e.g., water supply, electricity, garbage

<sup>9</sup> Our interviewees reported the following amounts (in RMB) by district in 2008 in Beijing: XW, 10 million; FT, 5 million; CW, 49 million; HD, 1 billion; SJS, 20 million; CP, 30 million; YQ, 4 million; DQ, 3 million; HR, 2 million; and FS, 2 million. Overall, rural counties/districts have smaller funds than urban districts. In both Shenzhen and Beijing, the stability maintenance fund is financed by the city and district governments and is charged to the account of the government unit responsible for causing a particular incident. Every time the fund is used, local party committee approval is required *ex post facto*. Street-level officials could also use extrabudgetary incomes (e.g., transaction fees collected from factory rental contracts or fines from over-quota births) to cover stability maintenance. In both cities, officials were less concerned with the financial burden the task of stability maintenance incurs than whether or not money could indeed buy stability.

<sup>10</sup> Interview in T street, Shenzhen, November 23, 2011. However, officials also emphasized that there is no precise balance sheet for stability maintenance expenses, which can be billed as payments for environmental protection, demolition cost, low-income household subsidies, or other kinds of government expenditure.

<sup>11</sup> Hu Ben, “The Codification of Weiwan Mechanisms,” *Southern Weekend*, March 4, 2010. <http://www.chinaelections.org/NewsInfo.asp?NewsID=170708>

collection, new school construction) when these become the subject of disputes. For instance, in order to prevent angry residents from demonstrating in the streets, a street government located in the embassy district in Beijing had to use its own funds to repair the water pipes during a protracted dispute between homeowners and the management company.<sup>12</sup> In a housing-quality dispute involving low-income housing developed by the Shenzhen municipal government, officials sweetened the bargain with aggrieved homeowners by building a new primary school for homeowners' children (counted as an education expenditure), improving the environment by planting shrubs (as an environmental improvement item), and providing "services," such as augmenting community security by adding a guarded gate, assisting unemployed residents to find jobs, and even providing some petty jobs in the community work station (run by the street government) to family members of the protest leaders. As a result, a straight accounting of the total expenditure for stability maintenance is elusive, as expenses often hide behind more routine government expenditures.

Deceptively ad hoc and arbitrary, dishing out cash payments or other material benefits in exchange for compliance has become a patterned and routinized response to popular unrest, summed up in a widely circulated popular jingle: "Big disturbance, big resolution; small disturbance, small resolution; no disturbance, no resolution." The grassroots state has turned into a marketplace where gamesmanship (or *boyi*, meaning strategic game playing) between officials and citizens determines the price tag of stability. But, as the following examples throw into sharp relief, the essence of buying stability is not the amount of payment but the processes leading to it. One Shenzhen official put it most succinctly: "Cash is only the outcome. The key is in the process. It is through processes of mass work, thought works, and education work" that state power is practically realized. "With the passage of time, we turn confrontations (*jiao feng*) into dialogues (*jiao liu*), personal understanding (*liao jie*) into cognitive alignment (*li jie*)."<sup>13</sup> Rather than residing in institutions of law, government bureaucracy, or the armed forces, state power realizes itself as and through a transformative, non-zero-sum bargaining process of fragmenting protesters, protecting and harassing activists, defining and limiting citizens' "realistic" rather than "legal" rights, controlling and capitalizing on instability, and turning leaders of dissent into informants for the government, all leading to a pragmatic but precarious alliance between state and citizens.

Based on cases of protest bargaining collected from our field sites, we can break down "buying stability" into these component processes: (i) categorization of unrest and emotion control, (ii) fragmentation and co-optation,

<sup>12</sup> Interview in Beijing, December 16, 2009.

<sup>13</sup> Interview in Shenzhen, November 23, 2011.

- (iii) joint construction of citizen's rights, (iv) the use or threat of force, and
- (v) coordinated capitalization of instability.

*Categorization of unrest and emotion control.*—Since the run-up to the Olympics in 2008, street-level governments in both Beijing and Shenzhen have set up “integrated security, petition, and stability maintenance centers,” with the explicit mandate to handle conflicts and disputes. Sometimes these centers are located in stand-alone buildings, with huge signs announcing their presence. Alternatively, as is the case at T Street in Shenzhen, the center is prominently located on the ground and first floors in the 10-story headquarters of the street government, with a 24-hour emergency call center. Staffed by officers on shifts, this is the nerve center that receives all kinds of information about instability incidents and responds according to a triage system. Street and district governments have developed an elaborate classification of four or five types of events, according to the “number of people,” the “amount of money” involved, and the “contagious potential” of the incident. For each type, there are designated officials of primary and secondary responsibility, who are required to arrive on the scenes immediately, as well as other higher-ranking officials who would be informed. In an hour-long Power Point presentation given by the director of stability maintenance in T Street to officials from another street government in Guangzhou, the director showed detailed flowcharts and spreadsheets of the names and numbers to call for each category of event. Often when we were having dinner with street officials, text messages came in constantly to their smart phones, which they jokingly nicknamed “stability maintenance phones” and to which they paid constant and undivided attention even when eating, drinking, and socializing. The efficiency of this system is impressive, as this official recalled with palpable pride a labor protest he handled: “At 11:15 p.m., about 500 workers blocked the main road leading to the hotel hosting leaders from Beijing. By 11:35 p.m., we had assembled on the scene officials from the street, the district, the trade union, the police together with 200 of our hired security officers. By 11:45 p.m., we cleared the road. Only 30 minutes. Then we started working and negotiating.”<sup>14</sup>

Upon arrival at the scene of a mass incident, the typical first move is to accomplish “emotion control.” Grassroots officials display remarkably astute sensitivity to people’s psychology, character, and social dynamics. They used metaphors of “making friends” and “talking love” to describe the social skills entailed in stability preservation work. Even highly charged confrontations, such as threats of suicide by homeowners resisting a demolition order or workers threatening to jump off high-rise buildings to demand wage payment, are handled calmly by grassroots officials, who see such displays as routinized performances by citizens trying to strengthen their bargaining

<sup>14</sup> Interview in Shenzhen, November 24, 2011.

position. A grassroots official with seven years of experience in handling demolition and property compensation in Beijing stressed the importance of emotion in official and citizen interactions:

The period from 2000 to 2007 was the climax of demolition for the Olympics. We were given annual demolition targets of 8,000 to 13,000 households. As demolition officials, we have to be thoroughly in touch with people's psychology. It's 24-hour work. Demolition and relocation are more about psychological gamesmanship than anything else. All you need to do is to let people see the hope of making some profit and solving their real livelihood problems. Once a woman threatened to drink poison in front of me. I have come to know her pretty well through the long negotiation process. I knew she did not want to die. So I said, "Okay, drink, Big Sister. You know you will not die. I will call the police and the ambulance will come immediately to take you to the hospital. Why do you want to punish yourself?" I personally think that Chinese people are really easy to govern because all they want from you is economic interest. But dealing with different kinds of people, we will have to use different languages and methods. For instance, teachers. They are shy to talk about money. So they talk about the law and regulations, beat around the bush, but their real goal is still money. Peasants are straight forward, they make direct demands for money.<sup>15</sup>

A Shenzhen labor dispute official expressed a similar emphasis on the priority of emotion control: "Money is workers' only motive. But on site, the first thing is to manage their emotion, keep them calm. I also always give my cell phone number to the workers, to increase their sense of security, to give them an outlet to voice their grievance. This will eliminate the need for them to launch petition to higher-level government, and give me access to their thoughts."<sup>16</sup>

*Fragmentation and co-optation.*—Channeling passions and emotions into rational discussion of interest is the next step (see Hirschman 1977). As making scenes of instability and disorder provides a powerful leverage for protestors, grassroots officials waste no time in creating order in the midst of chaos. Many talked about the urgency of finding the "access point" to the crowd—identifying their leaders. If no one comes forth, officials will ask them to elect their representatives, usually not more than five. The imperative is to aggregate interests so that demands are expressed in an orderly manner and to create target intermediaries between the state and the aggrieved. To generate the desired effects, the election of representatives has to be handled with tactful considerations, as this labor dispute official explained after resolving a labor dispute involving 400 workers protesting at the factory gate: "The next critical thing is to mobilize them to elect their representatives. Disorder is their bargaining chip. Electing representatives is the beginning of a process of orderly negotiations, because only then

<sup>15</sup> Interview in Beijing, Dec 18, 2009.

<sup>16</sup> Interview in Shenzhen, October 19, 2010.

would everyone know what the demands are about. But we have to avoid having all representatives coming from the same native-place. So we ask them to elect 'workshop' representatives."<sup>17</sup>

Experienced officials realize that ordinary citizens are fearful and indecisive in moments of conflict, but protest leaders are the elite who are more recalcitrant, bold, articulate, educated, and knowledgeable about how the world works. The emergence of these representatives is the beginning of a process of co-optation and fragmentation. A Beijing official explained how he exploited protest leaders' personal interest: "In 2005, when a developer of luxurious villas obtained a piece of (suburban) land without the proper permit, 200 peasants surrounded the government demanding compensation for illegal demolition. I first asked them to select 10 representatives, and then talked to these representatives individually about their own domestic and personal situations. I know I can fragment them and exploit their conflict of interest. As soon as they see some opportunity for making a profit, they will eventually agree."<sup>18</sup>

The significance of protest leaders as handles for co-optation and fragmentation can be demonstrated by a "negative" case where the government almost failed to maintain stability because officials failed to identify the leaders or the leaders they identified were rejected by their constituency. In December 2011, a strike broke out in a Japanese factory in Shenzhen, where 4,000 workers demanded overtime wage payment and restructuring compensation in anticipation of the company's merger with an American company. It developed into the longest strike ever in Shenzhen's history, dragging on for 22 days, and it escalated into warehouse blockages and clashes with the police that were widely reported in the press. The crux of the problem, from the perspective of the officials handling this incident, lie in the lack of "handles." Eventually, when the real organizers were apprehended and dismissed, workers accepted the deal negotiated on their behalf by the official unionist parachuted in by the government.<sup>19</sup>

*Joint construction of "rights."*—Once simmering emotion and disruptive action are defused, bargaining will begin, with officials making a conscious effort to transform the citizens' imagined legal rights stated in the law book into realistic and feasible rights under the circumstances. On the part of the citizens, negotiation is a process of adjusting their strategies and demands upon discovering the extent and limits of state power at various levels. Some will come to realize that if their grievance is caused by higher-level governments, there will be less or little wiggle room for bargaining, while others will learn how to exert the right amount of pressure on the right

<sup>17</sup> Ibid.

<sup>18</sup> Interview in Beijing December 18, 2009.

<sup>19</sup> Fieldwork in Shenzhen, December 22, 2011.



departments to maximize results. The point is that “rights consciousness” is jointly constructed by both the officials and the citizens through a transformative and malleable process of engagement. It is not, as is often assumed in the current China literature, a static state of mind that is fully formed prior to protests and to which protestors are committed from beginning to end.

The lived experience of bargaining as one of discovery and cognitive adjustments regarding “rights” was most clearly conveyed to us by an activist in a case of homeowners’ struggle against the construction of a major highway in Shenzhen. The “Western Corridor” was a central government project intended to boost Hong Kong’s economy after the SARS epidemic hit the city in 2003. Tens of thousand of residents living in different residential neighborhoods along the highway mobilized to complain about noise and environmental degradation brought about by the construction. One of the elected leaders of several thousand residents in one segment of the road project was a retired navy intelligence officer, a proud 20-year veteran member of the CCP. His investigation into the project led him to discover ever-more irregularities and vested interests by various government departments (e.g., environmental evaluation of the project was undertaken by a company owned by the Environmental Protection Bureau). Meetings with the police chief and the street-level party secretary, which sometimes escalated into verbal confrontations, also convinced him that there was little chance for the citizens to reverse the decision. Instead of seeking an end to the project, which he and others increasingly came to realize as an illusionary goal because the decision to build the road came from Beijing, he adjusted his perspective and settled for an “optimization of policy.” Showing us the noise mitigation structures erected by the government along the highway, he took pains to rationalize the outcome of the protest with a touch of resignation, saying, “The government has increased its budget for optimizing this road, from RMB 700 million to RMB 2.1 billion. We stopped mobilizing because the government had made concessions.”<sup>20</sup>

To reconstitute the citizens’ notion of rights, officials often preach pragmatism to the parties involved in disputes, explaining to them why their legal rights cannot be realized given the objective realities of China. For instance, many factory workers or casualized construction workers protesting against wage defaults do not have labor contracts, pay slips, or time cards to legally support their claims or their employers are illegal and unregistered to begin with. Under such circumstances, when unrest occurs, officials strain to persuade both workers and employers to agree on some discounted compensation as their best option, regardless of the law: “To the boss, we talk to him

<sup>20</sup> Fieldwork in Shenzhen, December 1, 2011.

about potential losses if the standoff continued. We ask the boss, ‘How much would you lose if they stop working for one day?’ And once he calculates, he will agree to pay. . . . To the workers who refuse to accept a reduced payment by the boss, we make them see the possibility of the factory going under. In the end, both sides would usually come to a compromised rate of compensation.<sup>21</sup>

Toward the end of the aforementioned 22-day-long strike in Shenzhen, with augmented pressure exerted from the municipal government to end this protracted labor strife, the union official responsible for handling the incident made a passionate plea with the workers’ representatives, marshaling legal, moral, and strategic arguments to define and limit their “rights” and “interest”:

Our national law does not say whether a strike is legal or illegal. But it is not in our workers’ interests to make the company go under. Your biggest interest is income maximization, a win-win result. . . . We have bargained a compensation package that is higher than what the law stipulates. . . . I have been here many days to negotiate with the company. Anyone among you thinks you are a better negotiator? With this result, you should stop pressing and calm down. I have to be honest with you: besides the union, different government departments have already arrived, and are investigating. Everything everyone of you has done has been recorded, and you have to be responsible for that. Occupying the warehouse and stopping others from work are illegal. Distributing handbills and instigating strikes are illegal. You cannot escape. We do not want to see you get hurt. As the vice chair of the union, I implore you, my worker brothers and sisters, it’s time to quit. For the few organizers behind the scenes, I tell you to stop now. What you are doing is very dangerous. We know who you are.<sup>22</sup>

*The use or threat of force.*—Protest bargaining does not happen on a level playing field for citizens and officials because the latter could resort to the use or the threat of police force. The invocation of coercive power is never too far from the realm of possibility, an ever-present factor that armors the construction of consent through bargaining. However, since the Wengan incident in Guizhou in June 2008, the Beijing authorities have imposed the injunction “to use force judiciously.” Only when “disruption of public order” occurs, such as blocking highways or vandalizing public property, can the police arrest protestors. Stability officials reported that most of the time the police arrive to watch and are reluctant to take action lest they become responsible for any casualty or escalation of conflict. To enhance their range of options and flexibility, street governments deploy security officers who are employees of security companies and normally work full time as guards at factory gates or residential neighborhoods. For instance, the T Street government has about 2,000 hired security officers at

<sup>21</sup> Interview in Shenzhen, October 19, 2010.

<sup>22</sup> Fieldwork in Shenzhen, December 23, 2011.

its disposal. When an incident requires a show of force to maintain order, street officials can call on them and pay for their services on a piece-rate basis, for example, at RMB 100 per person per incident.

We can use the largest-ever land requisition project in Shenzhen to illustrate the several occasions when police force was used. The construction of a new "University City" in Shenzhen to house satellite campuses of several higher education institutions involved land requisition of 1.47 million square meters, displacing 700 enterprises and a total population of 50,000. In March 2008, the arduous process of compensation negotiation started, with the government proposing a compensation scheme used for nonprofit projects, claiming that the land was for educational facilities. The district government proposed that a household would obtain either a new housing unit of 480-square meters or monetary compensation at the rate of RMB 6,000 per square meter of its existing village home for native villagers and a lower rate for village residents who had moved in more recently as property owners of illegally built village houses. Conflicts flared when native villagers wanted higher rates, pointing to other cases in the same district where the compensation rate was twice that of this project, and when newer villagers demanded the same rates as the natives. The protest leader was the chairman of the shareholding company that owned and controlled the land owned by the village collective. He organized villagers to protest in front of the Shenzhen city government, banging on the main entrance of the Shenzhen municipal government building. According to villagers, the police deliberately dragged villagers away from the surveillance cameras before beating them up and arresting six activist villagers. The district government, which initiated the project, also ordered an investigation into the financial records and commercial activities of the village shareholding company, with an eye to discovering irregularities that it could use as leverage against the village leader. With what officials claimed to be evidence of embezzlement of collective income, the village leader was forced to sign a move-out agreement on behalf of all the villagers, and some of the other village leaders were arrested by the police on charges of fraud. Finally, the day before the groundbreaking ceremony officiated by the provincial governor was to take place at the University City site, more than a thousand police officers were sent to rip down protest banners hoisted by the remaining 160 nonnative households, and they encircled the village to prevent villagers from disrupting the ceremony. Two months later, when the final deadline for signing compensation documents approached, the government sweetened the deal by giving additional awards, and the police arrested the leaders of the last remaining nail households (i.e., those who refused to evacuate).

Arrests like these were the exception rather than the rule. Normally a display of police force on the scene would suffice to convey to the masses the peril of pushing too hard. As this official explained, striking a balance

between force and protection toward protestors is a recurrent tactic for turning dissent into cooperation:

We usually tolerate minor infractions at the beginning, but we will also collect evidence of such behavior so we can use the evidence against them later on if they go beyond a certain reasonable limit. . . . We officials have to sing both red songs and black songs. We have to order their arrest when they violate the law, but also secure their release afterwards. . . . We do not normally arrest the leaders because we want them to persuade their people. We arrest mostly the minor characters, unimportant airheads. To the leaders, I would tip them off, to show that I protect them in critical moments so they would listen and be thankful to me. This requires tact and skills. Only after experiencing this process will they trust you.<sup>23</sup>

*Capitalizing on instability.*—One surprising discovery for us in this research is that grassroots officials and aggrieved citizens actually share a common interest in sustaining a certain level of instability. That is, both the state and the society capitalize on instability to generate power. We came to realize the officials' interest in maintaining a persistent but controllable level of instability through incidents in which stability maintenance officials instructed aggrieved workers on the correct and effective way to protest (e.g. blocking the warehouse to prevent goods from reaching the buyers) or counseled peasants to petition one and not the other government department. They would advise protestors with whom they bargained on how to push but not exceed the boundary of the legally permissible in order to generate the maximum political effect. Also, during a "quiet" period without much unrest in their jurisdiction, officials would prolong the resolution of existing cases by channeling them into the court, keeping unrest alive. Why?

As citizens use instability as the bargaining chip, grassroots officials also capitalize on instability to augment their departmental and personal career interests. The existence of instability justifies demands for an augmented budget for the departments and personnel involved in preserving stability. Both figuratively and literally, as one official admitted, "without popular unrest, we (officials) won't have good meals to enjoy," referring to the lavish dinners in one of the most upscale clubhouse restaurants officials routinely arranged for "cooperative" representatives of protests. Other than justifying a request for larger budgets and expenses at their disposal, officials capitalize on instability to demonstrate the importance of their department, thereby facilitating their career mobility. In the past few years, we have observed that officials receiving promotion from the street to the district and municipal governments have come from the line of stability maintenance

<sup>23</sup> Interview in Shenzhen, November 23, 2011.

work. More routine and ordinary rewards for good performance take the form of annual bonuses, which could amount to one-third of officials' salaries, in addition to symbolic honors and prizes. Negative incentives exist to punish officials who fail to maintain stability, but these are usually dodged with the same ingenuity and flexible improvisation that officials apply to bargaining with citizens. For instance, the seemingly harsh policy of "one veto rule" can be dealt with by keeping the district informed of unfolding difficult cases, seeking a superior's advice, and thereby sharing or shedding responsibility in the event of a negative outcome.

In short, protest bargaining is a non-zero-sum game by which officials seek to transform what is originally a conflictual relation between the grassroots state and aggrieved citizens into a pragmatic, albeit precarious, alliance. Both sides exploit the specter of instability to create bargaining power for material benefits in the forms of career advancement, budget increments, monetary compensation, and government services. The process of bargaining also transforms people's subjective experience with state authoritarianism. Grassroots officials bring a human and negotiable face to an otherwise impersonal and inflexible bureaucratic juggernaut, while bargaining recasts citizens' rights consciousness along officially permissible lines. In terms of regime stability, the implications are twofold. On the one hand, at the grassroots of the authoritarian regime, both state authority and citizens' rights are commodified. As money is the medium of exchange, popular unrest is depoliticized, deradicalized, and rendered manageable. On the other hand, however, authority and rights are "fictitious commodities," à la Polanyi, because turning them into commodities with a price tag for sale in the marketplace necessarily destroys their essence and purpose. Even as the officials manage to defuse imminent instability, their lived experience of domination is wrought with ambivalence at best. We found that the officials lament the decline of respect and authority in the eyes of citizens, for they realize their lack of authority when it depends on making payment. Echoing other officials in Beijing, this Shenzhen official put it bluntly: "The people don't trust the government, and they don't respect the authority or the law. The government's authority has been eroded for a long time; that's why the masses use every opportunity to eke out more benefits for themselves."<sup>24</sup>

Grassroots officials were the first to understand the peril of what they call "passive stability maintenance," as they manage unrest but leave intact its root causes (e.g., the lack of institutional representation and resolution of class interests and weak enforcement of the law). The constant shuffling of leading cadres across localities as they move up the bureaucratic ladder means that the superiors of these grassroots officials are interested only in short-term pacification. Using market logic to maintain stability likely

<sup>24</sup> Interview in Beijing, December 17, 2009.

spawns persistent unrest, both because of its avoidance of underlying problems and because of the opportunity it creates for joint capitalization by basic-level officials and protestors.

Equally, even after compensation is obtained, protest bargaining does little to mitigate citizens' sense of injustice and violation. Equating the settlement with the government as an "unequal treaty," a protest leader of the Shenzhen University City land dispute articulated an experience of subordination under duress: "We ordinary citizens can never successfully fight the government. They set the price and you either take it or leave it. . . . The power holders can use all kinds of methods. At times they listened, and sent you away with their buses. Other times, they used scare tactic, taking some influential villagers or villagers with problematic businesses for interrogation. They returned shaken and made everyone nervous. We don't trust the government anymore. . . . We won't threaten suicide or pursue any radical behavior, because we Shenzhen villagers actually have decent livelihoods. But as a village, we have been crushed."<sup>25</sup>

For all the short-term stability effect and the mutual reaping of material gains that nonzero sum protest bargaining has brought about, a significant number of officials and citizens came out of the process feeling diminished, resentful, and reticent. The authority of authoritarianism suffers, with uncertain implications for regime durability. Looking ahead, the materialist expectation and exchange relation that protest bargaining cultivates may backfire if the Chinese regime ever finds itself in a fiscal crisis and can no longer buy stability expediently.

#### "Fighting an Integrated Battle": Legal-Bureaucratic Games

Extending from Beijing down to each street government are a variety of legal and bureaucratic institutions that function as the Chinese state's front-line tentacles and provide a structure of engagement, incorporating citizens into its machinery of rule. The grassroots judiciary bureaus, mediation committees, labor bureaus, labor dispute arbitration offices, and petition bureaus in a locality are explicitly given the task of resolving conflicts. In ordinary circumstances, the protracted and arduous processes of petition, arbitration, and litigation demobilize collective action by consuming aggrieved citizens' time, emotion, energy, and solidarity through endless rounds of red tape, paper chases, interminable waiting, and appeals (Lee 2007). The perverse phenomenon of "professional petitioners," whose entire social existence is trapped in the struggle for justice within the state machinery for years, attests to the power of bureaucratic absorption (Gallagher 2006; Liu 2011; Cheng 2013). In recent years, when these legal and paralegal bureaucracies

<sup>25</sup> Interview in Shenzhen, December 17, 2010.

are also required to contribute to stability preservation, we discover specific “games” that officials and citizens play with unequal effectiveness, often leading to the grassroots state’s gaining an upper hand in terms of process and result. In our fieldwork, officials often described their stability maintenance work as “fighting an integrated battle.” This refers to a salient strategy of deploying “joint action” across government institutions and of arbitrarily invoking rules across different bureaucratic arenas. In response, aggrieved citizens come up with their own strategies, also couched in a military metaphor, of “fighting a simultaneous sea, land, and air battle,” meaning a mix of legal and extralegal mobilizations.<sup>26</sup> The specific legal-bureaucratic games officials invoke to absorb unrest, as we illustrate below with cases of labor, property, and land disputes, include litigation, mediation, and election. For officials, channeling conflicts into these procedural games buys them time and order, removing the physical and public display of disharmony that can spark escalation or contagion. For protesters, playing by government-sponsored legal-bureaucratic rules offers one of the few institutional protections and leverages for their activism in an authoritarian context, and it also provides a chance of winning material and symbolic rewards.

In Shenzhen, a case in point was the grassroots state’s opportunistic deployment of the new Labor Contract Law that allows workers to win their cases when and only when doing so also furthers officials’ interests. When this law went into effect at the beginning of 2008, the grassroots governments saw it as a tool to achieve the goal of industrial upgrading demanded by the Guangdong Provincial Government—removing low-wage, low-skill, sweatshop-like export processing factories and inviting high-tech, high-wage, environmentally friendly manufacturing. When emboldened workers pressed their demands for different kinds of compensations stipulated by the new law, the street-level labor disputes arbitration committees and the Labor Bureau were supportive of their claims, leading to the collapse of a number of financially weak, low-tech factories. However, after May 2008, when the new Labor Dispute Arbitration Law eliminated the fee for labor dispute arbitration, officials looked on anxiously as more and more workers learned from each others’ success and filed for arbitrations demanding higher wages and payment of years of unpaid overtime wages. Street officials realized that they needed to change course to protect employers; otherwise the local economy, which had become entirely dependent on renting out factories, would be ruined. The ripple effects of the global financial crisis reaching Shenzhen in the fall of 2008 only gave them added impetus to deploy all kinds of bureaucratic rules to protect local industries. Playing the integrated battle game, the PS Street government instructed the local labor disputes arbitration committee officials not to support workers’ demands

<sup>26</sup> Interview in Beijing, December 17, 2009.



and the court not to handle workers' lawsuits. At the same time, to the relief of grassroots officials, the Provincial High Court and the City Intermediate Court both issued "opinions" providing guidelines for the calculation of the overtime wage, resulting in a lower standard of "overtime wage." Employers quickly learned to recalibrate the categories in their wage slips so that they could comply with the law without actually paying higher wages. By mobilizing different state institutions and tweaking the rules set down by the new Labor Contract Law, grassroots officials managed to effectively block workers' access to the provisions of the law, preempting an economic tsunami they feared would happen. As for the workers, when the law failed to protect their interests, the more daring among them brought their grievances to the street and accepted a discounted compensation when officials bargained with them (as described in the previous section). But many workers were also defeated and demobilized by arbitration and litigation, compelled at pains of unemployment to quit the fight and look for jobs elsewhere. Either way, the appearance of stability was maintained.

Another salient procedural game of choice among grassroots officials is the widespread substitution of mediation for litigation. Mediation is preferred because it "blurs citizens' rights" and leads to expedient, even immediate, resolution through compromises by the parties concerned. In one district in Beijing, we were told that 55% of all cases admitted by the court have been resolved by mediation before court hearing. In another district, the volume of mediated cases is seven times that of court cases. Many "mediators" based in the local police stations, street government offices, judiciary offices, or the people's mediation committee offices are retired lawyers and long-time residents. In recent years, there are systematic efforts to professionalize mediators by giving them regular training and a regular salary of RMB 1,400 a month plus other benefits. The Beijing Municipal Justice Bureau, for instance, allocated RMB 2.3 million for mediation work in 2008. Mediators admitted that oftentimes they have to ignore the law in order to achieve stability by removing the potential for any imminent disorder. We have collected many cases of property rights disputes in which the court refused to process but instead "forced" (according to the homeowners involved) the parties involved into mediation inside the courtroom. According to a leader of an informal alliance for promoting property rights, the judge would usually ask the land developers to compensate or the management company to offer a discount of the owed management fee, while he would insist that the homeowners accept these compromises in order that peace and services be resumed.<sup>27</sup> Homeowners involved in these cases often found themselves trapped and powerless to resist imposed mediation because in launching the lawsuits, they had already placed themselves in-

<sup>27</sup> Interview in Beijing October 17, 2010.

side the system and recognized the authority of the court, and so they had to accept the outcome be they winning or losing.

Mass incidents caused by land grab in suburban China reveal yet another procedural game engaging both officials and citizens—elections. Different from labor and urban property disputes, rural land disputes trigger mobilizations by long-time local residents with entrenched and extended kin, clan, and communal ties, posing a particularly challenging threat to social stability. Direct elections of village committees, which since the 1980s have been given substantial power to manage village finance, land allocation, and basic services under the supervision and leadership of the Communist Party secretary, have now become the institutional origin and target of land rights struggles. In our fieldwork in Beijing's rural counties, township officials see the three-year cycle of village elections as the occasion for resolving some knotty land-related conflicts. In a land requisition dispute lasting for three years and involving a thousand villagers threatening petitions to top leaders in Beijing, township officials waited out the storm. In the 2007 election, petitioning villagers elected the protest leader as the village head, to the officials' relief. Once elected, this village head became the target of co-optation, depriving the aggrieved villagers of leadership. It is the same time-tested tactic used by other grassroots officials dealing with labor unrest or homeowners petitions—divide and rule by co-opting the elected representatives of the aggrieved.<sup>28</sup>

Elsewhere we have seen how grassroots officials use their power to set election rules to play one group of villagers against another, with the goal of maintaining stability and state control over rural politics. In Shenzhen, where urbanization proceeded apace and ahead of the rest of the country in the early 1990s, villages near the city were transformed into "shareholding cooperatives companies," while villagers became shareholders of land assets and factory premises, receiving bonuses as income. Regular elections, heavily influenced by local party leaders and clan affiliations, return directors and board members of the cooperatives who manage land investment and development projects and shoulder the responsibility of family planning, public security and safety, and so forth. In recent years, as land values have risen, disputes have flared between some villagers and the elected leaders of these cooperatives about fraudulent land lease transactions and irregular financial practices. In the spring of 2012, in the wake of the mass revolt in Wukan, two land-related mass petitions hit one of the districts in our study. Hundreds of angry villagers from the two villages marched to protest in front of the municipal and district governments, demanding investigation of the cooperatives' finances and pushing for recall elections. Given the sensitivity and contagious potential of land disputes and in light of the central leadership

<sup>28</sup> Fieldwork in Beijing, June 23, 2008.

transition just a few months away, government officials reacted quickly, first to “protect villagers’ emotional rights,” calming them down by sending “work teams” to implement independent audits of the cooperatives. Then the government used its power to regulate and certify elections to exploit the power struggle between the incumbent village committee and the opposition to make sure that whichever side prevailed, they would recognize that the government could sway the election one way or the other. In one village, where the officials wanted to protect but discipline the incumbent power holders, they insisted on the lack of evidence of fraud as the grounds to reject the opposition’s demand for reelection, but they also ordered that the Mercedes Benz the incumbent cooperative director had acquired for his personal use with village funds be made available for all villagers’ wedding and funeral ceremonies. In another village, the strength of the opposition was strong enough to force the government to suspend the director and send in a grassroots official as a temporary replacement to listen to villagers’ grievances. But unwilling to set the precedent of a villager-initiated recall elections, officials refused to grant a new election on technical and procedural grounds (e.g., the rule of two-thirds voter support to launch a recall election). Not only that, but to maintain stability and minimize election-related disputes, the district government decided to lengthen the election cycle from three to five years and stipulated that at least 60% of the elected board had to be Communist Party members.<sup>29</sup>

For villagers, elections are a means to advance and protect their land-related incomes and are valued as a tool to make personal and collective gains rather than as a sacrosanct and inalienable right. Their conviction, as they expressed to us matter-of-factly, is that whoever gets elected will use the position to make material gains. To them, rules mean opportunities. In the above example, villagers actually tried to collect signatures to fulfill the two-thirds majority rule for reelection, but they failed because officials found that some of the signatures were fraudulent. Then, realizing the pressure of the one-veto rule on the grassroots officials, they threatened to mobilize a mass petition to Beijing. Complex acts of balancing and bargaining that circle around technical rules like these consume the daily lives of both officials and aggrieved villagers, unwittingly contributing to regime stability.

In a nutshell, to maintain stability, grassroots officials leverage institutional processes such as litigation, mediation, and election, deploying them arbitrarily, mixing their institutional logics, buying time, and bureaucratizing conflicts. It is no accident that the reform period in China has witnessed a vigorous and self-conscious state-engineered attempt to promulgate a plethora of laws and regulations, strengthen the petition and arbitration systems, and enforce and propagate grassroots elections in both rural and urban

<sup>29</sup> Fieldwork in Shenzhen, July 23–September 13, 2012.

areas. The Chinese populace has responded and has taken these structures of power quite seriously, as is evident in the impressive and sustained increases in the volumes of petitions, arbitration, lawsuits, and election turn-outs. We show that these procedures offer legitimate opportunities for the governed to make demands and that they inspire the hope that ordinary citizens can master the techniques to win or bargain, especially when officials are also somewhat constrained by those same rules in exercising their power.

### Revamping Patron-Clientelism

After decades of market reform, patron-clientelist relations are still actively fostered by the party, even though they are less institutionally focused on the work unit and more based on the local community, at least when it comes to preserving stability. We find four types of people with whom grassroots officials cultivate patron-clientelistic ties to help resolve social conflicts in their jurisdictions: CCP members, civil servants, the elderly and retirees, and former protest leaders and participants. However, as our data demonstrate, these patron-clientelist relations are less effective and compliance is less guaranteed today than before, thanks to the breakdown of organized dependence on the party state. Ideological commitment is admittedly weak, if present at all, making instrumental calculation and bargaining a continuous and ubiquitous condition for clientelist cooperation. Nevertheless, this revamped clientelist network of weaker ties can become a formidable resource for real time information collection and influencing public opinion in the neighborhoods.

The social group that is still highly dependent on the party-state for employment, status, and life chances are civil servants, most of whom are also CCP members. There are more or less direct ways of using civil servants to resolve conflict. In a Beijing riot triggered by freeway construction before the Olympics, civil servants who originated from villages instigating the protests were sent back home to persuade their families and relatives to quit making trouble lest they lose their jobs. Such high-handed use of civil servants is reserved for serious incidents. More typical is the requirement that civil servants and CCP members should actively participate in neighborhood affairs, as in a Shenzhen campaign called "Join Hands to Construct a Harmonious Community." Each government employee and party member is given a red booklet with a detailed and precise scoring scheme against a list of community activities. For instance, party members are to "assist in resolving community conflict and maintaining stability," with two points awarded for "participating" in an instance of conflict resolution and five points given for "successful resolution." One to two points are given to members who "collect and report timely information on public security,

production safety, labor conflicts, and other social stability matters.” A party member receives one point for becoming a candidate in the election of the homeowners’ association in his or her neighborhood, two points for getting elected as a member or vice chair, and three points for becoming chair. The scheme may be meticulous, but party members enjoy some leeway to follow or ignore it. As one government employee snapped while explaining to us the scoring scheme, “You can always say, ‘I try but people don’t elect me!’ Ordinary party members like me don’t care too much about these scores. They are only for those who really want to move ahead in the party.”<sup>30</sup>

Due to the high volume of labor protests, the CCP branch in T Street responded by launching a membership drive among its 25,000-strong migrant workforce in one of its industrial zones. CCP membership among migrant workers, technicians, and managers has since expanded from 176 in 2007 to 1,120 (of which 360 are women) in 2011. According to the organization officer of this party branch, the goal is to “manage conflicts at the level of the workshop, resolve problems at the level of the enterprise, and dissolve confrontation within the zone.” The contribution of party members is primarily in supplying timely information, from mundane complaints about food quality in factory canteens to rumors of factory relocation, work stoppage, and identities of ring leaders in strikes. Again, as with civil servant party members, migrant worker party members are very relaxed about their membership status and party discipline. In a gathering among migrant party members, one young technician was forthcoming about the meaning of party membership for his peers: “Among migrant workers of the ’80s generation, there is no commitment to political ideology. I can only encourage my co-workers to join the party by saying: ‘The CCP is the largest political party in the world. No one knows the future but perhaps some day, some year, your party membership will be useful. We young people have to look farther, think higher.’ We want social stability, because it is the condition for a good and prosperous life.”<sup>31</sup>

The elderly and retirees in urban neighborhoods form another highly visible social force that the grassroots state has consciously tried to cultivate and leverage for the task of stability preservation. In many high-rise residential neighborhoods, young middle-class couples are too preoccupied with their careers to be involved in community affairs, but their elderly and retired parents living with them are active members of the community. A spectacular range of civic groups have sprung up in cities focusing on elderly recreation, from calligraphy and painting to singing, folk music, hiking, fitness, badminton, ping pong, and elder universities. But the most

<sup>30</sup> Fieldwork in Shenzhen, November 23, 2011.

<sup>31</sup> Interview in Shenzhen November 23, 2011.

popular activity, by a large margin, is dancing, which gives rise to the ubiquitous scene in many Chinese cities in the early morning and evening of mass dancing in public parks and recreation centers. Choices abound—from ballroom dancing and sword and fan dancing to fitness dancing and folk dancing—for elderly participants, male and female, many of whom are organized into teams, complete with hired instructors and music players, competing with each other in officially sponsored community festivals. At the beginning, elderly people with time on their hands were dancing and exercising spontaneously in neighborhood parks, mostly because of its health benefits and the opportunity to socialize and also because dancing, like many sports, is addictive. In recent years, in light of their popularity and the purported benefits to the health of the elderly population, the Ministry of Civil Affairs in Shenzhen has promoted the development of these clubs by providing modest funding, drawn from lottery revenues, for their activities. In T Street, since 2008, each of the 70 or so registered teams of 15 or more elderly members has received between RMB 3,000 and RMB 10,000 a year.

Through these material benefits, grassroots officials foster personal relations and goodwill among the elderly, who in turn become their bridges to the larger community (Read 2012). We have found elderly activists with party membership particularly crucial to the work of grassroots officials. Still full of energy in their late fifties, sixties, and seventies, their cast of mind shaped by years of political indoctrination and activism under Mao, these elderly party members still value the sense of responsibility, importance, and honor associated with doing activist work for the party. Actually, for many this seems to be the only source of status they can aspire to given their age and retiree status.

In ordinary times, elderly residents form a sizable mass of volunteers and helpers to distribute population census registration forms, government publicity materials, or residents' committee election ballots. They also mobilize and influence voters, helping to produce the election results preferred by the street government. In times of conflict and unrest, elderly residents have proven to be a stabilizing force; they are not only a source of human intelligence in the community but also quite effective in capitalizing on the familial norm of filial piety to talk their children out of participating in protests.

Yet again, these patronage ties are both instrumental and affective, personal and tenuous, illustrating the many guises and fragility of state power. The elderly's private interests and considerations easily trump their loyalty to grassroots officials. Sister Wu, a female elderly activist in recreational and community activities, has helped pacify many neighborly disputes and promote the party's designated candidates in elections for the residents' committees. Yet she also had no qualms in lodging a complaint to the Shenzhen mayor's office opposing the street government's policy of

letting youth groups use the recreational space in the community hall previously reserved for the elderly.<sup>32</sup>

Finally, and ironically, patron-clientelist relations exist between grassroots officials and former protest leaders. As we have mentioned previously in our discussion of protest bargaining, grassroots officials often take the initiative to befriend agitated citizens, winning them over or buying their cooperation (e.g., providing job opportunities to them or their family) during the protracted process of bargaining. The most successful cases have resulted not just in conflict resolution but also in planting and cementing patron-clientelist ties in the local community. For instance, while visiting a community work station known for dealing with serious conflicts, the assistant director checked her phone and said: "Look, this message says 'today 20-some ex-military service men are petitioning to the district petition office and will hold a sit in there.' The sender is one of the petitioners. We gave him advice on how to put pressure on the district government without getting caught. Others were reprimanded but not him. Now, every time the group went, he would inform me."<sup>33</sup>

Embedding the state among the masses is nothing new under Chinese Communism, just as state power has always relied on informal or unofficial relations to accomplish its tasks (Sun and Guo 2001). Our data simply point to both the tenacity and tenuousness of the methods. Compared to the state socialist period, the political effectiveness of patron-clientelism is today more subject to processes of bargaining than to formal top-down institutional command or the periodic campaign-style reassertion of party discipline in the Maoist era (Walder 1986, p. 132). Now that deference and dependence are gone, material rewards, ranging from petty job opportunities to hiking outfits or dance costumes for the elderlies' competitions, are the main nexus between activists and the state, and these have to be replenished continuously in order to elicit cooperation.

## CONCLUSION: ONE PARTY, MANY BARGAINS

In postsocialist China, when the market economy has substantially reduced popular dependence on the authoritarian state, the use of force has become politically undesirable, and ideological indoctrination ineffective, the Chinese government has developed a multipronged repertoire for the quotidian management of popular unrest: protest bargaining, legal-bureaucratic absorption, and patron-clientelism. These processes preserve stability by depoliticizing state-society confrontation and by allowing aggrieved citizens a certain degree of political leverage and relatively expansive opportunities to

<sup>32</sup> Interview in Shenzhen November 23, 2011.

<sup>33</sup> Fieldwork in Shenzhen, November 28, 2011.



obtain material concessions and symbolic rewards from the state. We term this “bargained authoritarianism,” as all three practices of domination pivot on bargaining, be it during street protests, inside the bureaucratic labyrinths, or in communities and neighborhoods. Thanks to the pervasive practices of bargaining, state domination is experienced as nonzero sum, totalizing and transparent yet permissive of rooms for maneuvering. Material gain has become the linchpin of subordination. This explains why the majority of social unrest in China seldom challenges the legitimacy and system of one-party rule but has mostly focused on issues of livelihood and material interests. We maintain that this is not a result of any deep-seated tendency in Chinese political culture (Perry 2008) but at least partly of the state’s strategy of domination. A poignant moment in our fieldwork well illustrates the popular subjectivity of instrumental gamesmanship in participating in and thereby reproducing state authoritarianism. A demobilized soldier, who staged protests with several dozen others demanding higher pensions, was asked by a street official to state his demands in exchange for stopping the protests. The demobilized soldier self-righteously responded, without losing a beat: “How come you can be a civil servant and I cannot? I want my daughter to be a civil servant too.”<sup>34</sup> Notwithstanding the large numbers of mass incidents, polls show that government employment has consistently been the most preferred career option among university graduates in China. A government post brings employment security, handsome salaries, and superior benefits (especially in terms of housing), in addition to family prestige and personal status.

While we have mostly trained our sociological gaze at the molecular interactions between the grassroots state and disgruntled citizens in the critical moments of unrest, we are not oblivious to macroscopic forces and institutional reforms that have over time contributed to the Chinese regime’s resilience and stability. On the one hand, selective but systematic repression is still meted out to dissident intellectuals, human rights lawyers, and organized religious and political dissenters who show any inkling of cross-class and cross-locality mobilization. On the other hand, the government has launched policy reforms to address the most salient socioeconomic grievances. Eliminating the millennia-old agricultural taxes, introducing a rural social insurance scheme, and imposing programmatic increments in minimum wages indicate the Chinese state’s responsiveness, albeit one without accountability, to decades of farmer and worker unrest. More recently, the state’s rhetorical responses to popular livelihood concerns such as pollution, land grab, and income inequality seem to have become even more expedient and proactive. Last but not least, the Chinese state’s overall capacity to orchestrate

<sup>34</sup> Fieldwork in Shenzhen, July 31, 2010.

and maintain economic growth, even as the global economy slows, has allowed it to continue making claims of “performance legitimacy” (Zhao 2001).

With these caveats in place, unraveling the microfoundations of “bargained authoritarianism” reveals the often invisible vulnerability of Chinese authoritarianism. Even as depoliticization has effectively managed and contained popular unrest on a day-to-day basis, it can over time chip away at the roots of domination. When state-society bonds are commodified and depend so heavily on market-like exchange of compliance for benefits, there is no authority in authoritarianism, no noncontractual elements of contract, and arguably no durability beneath the façade of stability. A fiscal crisis, a recalcitrant and principled protest leadership, or any unexpected derailment of the bargaining process can provoke the state’s repressive machinery, politicizing state-society interaction. As our data demonstrate, even as aggrieved citizens are pacified, they are embittered and indignant at the unequal playing field on which bargaining takes place and that is always armored by the possible infliction of state violence. Domination by depoliticization is therefore precarious, a far cry from the kind of durable domination that Gramsci and Bourdieu have posited as characteristic of advanced capitalism. There, domination rests on mystification and misrecognition, arising, respectively, from institutional arrangement of class compromise and hegemonic regimes of production and from inculcation and internalization of habitus and symbolic order (Burawoy 2012). Both of these are absent in the Chinese case, at least at the many moments of popular unrest we discuss here.

Comparative insights from authoritarian regimes beyond China suggest some promising future directions for research. Scholars (e.g., Boudreau 2004; Beinín 2011; Lorentzen 2013) have found targeted transfers to disgruntled communities in, for instance, Egypt under Mubarak and Indonesia under Suharto. Such strategies of permitting and regularizing narrowly economic protests tend to be more prevalent when the authoritarian state pursues decentralization and marketization. Because decentralization tends to weaken the regime’s administrative monitoring capacity, popular protests can provide signals of local government malfeasance. Market liberalization also compels the regime to use repression more judiciously for fear of scaring away foreign investors. With more research focusing on the microfoundations of bargained authoritarianism in different times and places, we might be in a better position to formulate more general theories about their mechanisms, capacity, and limits.

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