



HANDBOOK OF Protest and Resistance in China

Edited by
Teresa Wright



HANDBOOKS OF RESEARCH ON CONTEMPORARY CHINA

HANDBOOK OF PROTEST AND RESISTANCE IN CHINA

HANDBOOKS OF RESEARCH ON CONTEMPORARY CHINA

Series Editor: David S.G. Goodman, *Xi'an Jiaotong-Liverpool University, China*

China has undergone a period of intense and rapid social and economic change in its path to becoming a modern industrial superpower. This timely and exciting multidisciplinary series includes *Handbooks* that offer comprehensive overviews of the very latest research on contemporary China. Prestigious, high-quality works of lasting significance, the *Handbooks* explore a range of issues affecting China in the 21st century. The emphasis of the series is on the most important concepts and research as well as expanding debate and indicating the likely research agenda for the future.

Titles in the series include:

Handbook on China and Developing Countries

Edited by Carla P. Freeman

Handbook of the Politics of China

Edited by David S.G. Goodman

Handbook of Chinese Migration

Identity and Wellbeing

Edited by Robyn R. Iredale and Fei Guo

Handbook on Class and Social Stratification in China

Edited by Yingjie Guo

The Handbook of Cultural and Creative Industries in China

Edited by Michael Keane

Handbook on Ethnic Minorities in China

Edited by Xiaowei Zang

Handbook of Welfare in China

Edited by Beatriz Carrillo Garcia, Johanna Hood and Paul I. Kadetz

Handbook of Education in China

Edited by W. John Morgan, Qing Gu and Fengliang Li

Handbook on the Family and Marriage in China

Edited by Xiaowei Zang and Lucy Xia Zhao

Handbook on Urban Development in China

Edited by Ray Yep, June Wang and Thomas Johnson

Handbook on China and Globalization

Edited by Huiyao Wang and Lu Miao

Handbook on Human Rights in China

Edited by Sarah Biddulph and Joshua Rosenzweig

Handbook of Protest and Resistance in China

Edited by Teresa Wright

Handbook of Protest and Resistance in China

Edited by

Teresa Wright

Chair & Professor, Department of Political Science, California State University, Long Beach, USA

HANDBOOKS OF RESEARCH ON CONTEMPORARY CHINA



Cheltenham, UK • Northampton, MA, USA

© Teresa Wright 2019

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic, mechanical or photocopying, recording, or otherwise without the prior permission of the publisher.

Published by
Edward Elgar Publishing Limited
The Lypiatts
15 Lansdown Road
Cheltenham
Glos GL50 2JA
UK

Edward Elgar Publishing, Inc.
William Pratt House
9 Dewey Court
Northampton
Massachusetts 01060
USA

A catalogue record for this book
is available from the British Library

Library of Congress Control Number: 2019930682

This book is available electronically in the **Elgaronline**
Social and Political Science subject collection
DOI 10.4337/9781786433787

ISBN 978 1 78643 377 0 (cased)
ISBN 978 1 78643 378 7 (eBook)

Typeset by Servis Filmsetting Ltd, Stockport, Cheshire

Contents

<i>List of contributors</i>	viii
Introduction <i>Teresa Wright</i>	1
PART 1 OVERVIEWS	
1 Unrest and regime survival <i>Andrew Wedeman</i>	12
2 Social unrest in China: a bird's-eye view <i>Christian Göbel</i>	27
PART 2 PROTEST, DISSENT, AND THE LAW	
3 Governing political expression: legitimacy and legal culture <i>Pitman B. Potter</i>	47
4 Legal advocacy as liberal resistance: the experience of China's human rights lawyers <i>Eva Pils</i>	62
5 Mass disputes and China's legal system <i>Hualing Fu</i>	75
6 Dissent below the radar: contention in the daily politics of grassroots organizations <i>Sophia Woodman</i>	91
PART 3 URBAN LABOR	
7 Labor legislation, workers, and the Chinese state <i>Jenny Chan and Mark Selden</i>	105
8 Worker protests and state response in present-day China: trends, characteristics, and new developments, 2011–2016 <i>Lu Zhang</i>	119
9 China's contentious cab drivers <i>Manfred Elfstrom</i>	137
10 Thinking like a state: doing labor activism in South China <i>Darcy Pan</i>	151

PART 4 RURAL RESIDENTS

- | | | |
|----|--|-----|
| 11 | Collective petition and local state responses in rural China
<i>Lei Guang and Yang Su</i> | 167 |
| 12 | Land protests in rural China
<i>Christopher Heurlin</i> | 184 |

PART 5 URBAN HOMEOWNERS

- | | | |
|----|---|-----|
| 13 | Homeowners' rights protection actions in China: why some succeed and others fail
<i>Zhiming Sheng</i> | 204 |
| 14 | Homeowners' activism in urban China: old goals, new strategies
<i>Dragan Pavličević, Long Sun and Zhengxu Wang</i> | 219 |

PART 6 ENVIRONMENTAL PROTEST

- | | | |
|----|--|-----|
| 15 | Environmental public interest campaigns: a new phenomenon in China's contentious politics
<i>H. Christoph Steinhardt</i> | 235 |
| 16 | Networked contention against waste incinerators in China: brokers, linkages and dynamics of diffusion
<i>Björn Alpermann and Maria Bondes</i> | 253 |
| 17 | Possibilities for environmental governance in China? Anti-incinerator activists turned participants in municipal waste management in Guangzhou
<i>Natalie W.M. Wong</i> | 266 |
| 18 | Anti-nuclear protest in China
<i>Simona A. Grano and Yuheng Zhang</i> | 280 |

PART 7 RELIGION

- | | | |
|----|--|-----|
| 19 | Religious charity, repurposing, and "claim-staking" resistance: the case of Gospel Rehab
<i>Susan K. McCarthy</i> | 290 |
| 20 | Informality as resistance among Catholics and Protestants in China
<i>Marie-Eve Reny</i> | 305 |
| 21 | Protestant resistance and activism in China's official churches
<i>Carsten Vala</i> | 316 |

PART 8 INFORMATION AND COMMUNICATIONS TECHNOLOGIES

- | | | |
|----|---|-----|
| 22 | From mobilization to legitimization: digital media and the evolving repertoire
of contention in contemporary China
<i>Jun Liu</i> | 332 |
| 23 | Patriotism without state blessing: Chinese cyber nationalists in a predicament
<i>Rongbin Han</i> | 346 |
| 24 | Microblog dissent and censorship during the 2012 Bo Xilai scandal
<i>Christopher Cairns</i> | 361 |

PART 9 HONG KONG

- | | | |
|----|--|-----|
| 25 | Hong Kong's struggle to define its political future
<i>Suzanne Pepper</i> | 378 |
| 26 | Dissenting media in post-1997 Hong Kong
<i>Joyce Y.M. Nip</i> | 394 |

PART 10 ETHNIC MINORITIES

- | | | |
|----|---|-----|
| 27 | The environmental protest movement in Inner Mongolia
<i>Uchralt Otede</i> | 406 |
| 28 | Ethnic unrest and China's multiple problematic others
<i>Tom Cliff</i> | 417 |
| 29 | More creative, more international: shifts in Uyghur-related violence
<i>Justin V. Hastings</i> | 432 |

- | | |
|--------------|-----|
| <i>Index</i> | 447 |
|--------------|-----|

Contributors

Björn Alpermann – University of Würzburg

Maria Bondes – German Institute of Global and Area Studies

Christopher Cairns – Cornell University

Jenny Chan – Hong Kong Polytechnic University

Tom Cliff – Australian National University

Manfred Elfstrom – University of Southern California

Hualing Fu – University of Hong Kong

Christian Göbel – University of Vienna

Simona A. Grano – University of Zurich

Lei Guang – San Diego State University

Rongbin Han – University of Georgia

Justin V. Hastings – University of Sydney

Christopher Heurlin – Bowdoin College

Jun Liu – University of Copenhagen

Susan K. McCarthy – Providence College

Joyce Y.M. Nip – University of Sydney

Uchralt Otede – Australian National University

Darcy Pan – Lund University

Dragan Pavlićević – Xi'an Jiaotong – Liverpool University

Suzanne Pepper – City University of Hong Kong

Eva Pils – King's College London

Pitman B. Potter – University of British Columbia

Marie-Eve Reny – University of Montreal

Mark Selden – Cornell University

Zhiming Sheng – Shanghai University

H. Christoph Steinhardt – University of Vienna

Yang Su – University of California, Irvine

Long Sun – Renmin University of China

Carsten Vala – Loyola University Maryland

Zhengxu Wang – Fudan University

Andrew Wedeman – Georgia State University

Natalie W.M. Wong – City University of Hong Kong

Sophia Woodman – University of Edinburgh

Teresa Wright – California State University, Long Beach

Lu Zhang – Temple University

Yuheng Zhang – University of Zurich

Introduction

Teresa Wright

Chinese citizens are far from docile; they regularly and vociferously rise up in collective protest and engage in resistance. In some cases, they successfully pressure political and economic elites to satisfy their demands, while in others they are brutally suppressed. In most instances, the results are mixed. A glance at the headlines in just the first nine months of 2018 illustrates the wide array of contentious acts that Chinese citizens have felt compelled—and sufficiently empowered—to undertake. In July and August 2018 in the southern city of Shenzhen, the non-profit *China Labour Bulletin* recorded 279 worker protests, twelve of which involved police intervention. Among these, workers at Jasic Technology launched a push to establish a union branch and were joined by a coalition of students, grassroots Maoist organizations, and retired Communist Party officials.¹ Meanwhile, truck drivers in at least twelve cities across China participated in a massive strike in which they blocked roads for dozens of miles, demanding lower gas prices, higher pay, and an end to excessive tolls and arbitrary fees and fines.² In March 2018, as the #MeToo movement spread in China, the online publication *Feminist Voices* was “permanently suspended” from popular social media platforms.³ In September, hundreds of Christian believers flocked to their church in the city of Zhengzhou (in central Henan province) to stop local authorities from confiscating and destroying church items and structures that had been designated as facilities for “illegal” religious gatherings.⁴ The same month, more than 600 citizens in the city of Leiyang (in central Hunan province) gathered outside the local police headquarters to protest the city’s plans to deal with public school over-crowding by forcing students into low-quality private schools with relatively high fees.⁵ And through 2017 and 2018, hundreds of thousands of China’s ethnic minority Uyghurs have been surveilled and forced into extrajudicial detention camps as part of the government’s “Strike Hard Campaign against Violent Extremism.”⁶

These are just a few of the tens of thousands of yearly protests that have emerged in China in recent years. In 2005, the last year that the Chinese government published official statistics on “mass incidents,” there were 87,000 such occurrences, as compared with roughly 5,000–10,000 per year in the early 1990s and fewer than 1,000 a year in the 1980s. Since 2005, reliable statistics have been more elusive, but most sources agree that the number of yearly *popular protests* has remained in the high tens of thousands. In 2010, according to some mainland Chinese scholars, there were as many as 180,000.⁷

Spanning the vast terrain and wide array of demographic groups within the People’s Republic of China, this Handbook explores individual and collective acts of protest and resistance that have been undertaken by Chinese citizens since 1989. Bringing together new and original research from top scholars and rising stars based in mainland China, Hong Kong, Australia, Canada, Europe, and the United States, the volume collects some of the best work being done on protest and resistance in China today.

A key contribution of this Handbook is empirical: it provides readers with a rich body of data on protests and acts of resistance, painstakingly collected, insightfully analyzed,

2 *Handbook of protest and resistance in China*

and clearly presented. Thus, the volume serves those interested in knowing the details of specific types and occurrences of individual and collective contention in China—including environmental protests, cyber-activism, religious resistance, “rights protection” by lawyers, urban homeowner activism, factory worker strikes, rural opposition to land-takings, and movements calling for greater autonomy and democracy in Hong Kong and among ethnic minority groups.

While illuminating the complexity and diversity of protest and resistance in contemporary China, this Handbook also explores a number of unifying underlying themes. Most generally, the chapters herein examine the ways in which acts of resistance and protest have affected government–society relations in recent years. Included in this inquiry is discussion of how, when, and why individuals and groups have engaged in contentious acts, and how the targets of their complaints have responded. Through this exploration, the chapters shed light on the stability of China’s existing political system, and its likely future trajectory.

The Handbook is organized as follows. In Part 1, Andrew Wedeman and Christian Göbel look broadly at protest and resistance in China, providing overviews of recent trends. Wedeman opens the section, examining the puzzling confluence of widespread popular unrest and remarkable regime resilience, and laying out the major types and general progression of protest from the 1990s through the present. The chapter employs the literature on collective contention to question common assertions that pervasive popular protests presage a “coming collapse” of the CCP-dominated regime, demonstrating that such a view does not sufficiently recognize the complicated and contingent nature of popular protest—both in China and elsewhere. In the second chapter in this section, Göbel utilizes a more quantitative approach, drawing on a massive data set of nearly 75,000 protest incidents. Along with tracking the rise, extent, and decline of different kinds of protests by various demographic groups (including migrant workers, middle-class homeowners, and evictees from rural land and urban housing), Göbel examines the factors that influence the likelihood of repression. In addition, he presents data on the nature of protestors’ goals. Overall, the chapters in this section show that simple generalizations about popular protest and regime stability do not withstand empirical scrutiny. At the same time, the data examined in this section do not suggest that China’s CCP-dominated political system is fundamentally unstable.

In Part 2, Pitman Potter, Eva Pils, Hualing Fu, and Sophia Woodman look at protest and resistance involving China’s legal system and other political entities. Potter traces the CCP’s use of law to control dissent, protest, and political expression from the early post-Mao era through the present. In recent years, he shows, the regime’s formalistic use of the law (claiming to protect political rights and to abide by domestic and international documents on the topic, while ignoring them in substance) has engendered popular expectations that conflict with political authorities’ desire to use the law to buttress their authority and legitimacy. Pils drills deeper into this phenomenon with a detailed examination of human rights lawyers that have challenged the regime to follow its own legal commitments. Although such individuals have been subjected to official repression since the time of their emergence in the early post-Mao period, under the administration of current CCP leader Xi Jinping, the disjunction between the regime’s statements and actions has become much starker. At the time of this writing, rights lawyers’ use of the law to protect citizen rights has not only been categorized as treasonous, subversive political

opposition, but also has led to the portrayal of rights defenders as enemies to be crushed. Many key individuals in the Chinese human rights defense movement have suffered arrest, torture, “TV trials,” and criminal punishment as a consequence. Also in this section, Fu examines use of the law by both the regime and citizens, but focuses on collective legal claims—such as class action suits and public interest litigation (PIL)—from the early 1990s through the present. In contrast to the suppression of rights lawyers, in recent years upwards of 2,000 PIL cases have been filed by government procuratorates in areas of demonstrated public discontent: the natural environment, food and medicine safety, and state-owned land and assets. This represents an attempt by CCP elites to address popular concerns in a manner that ensures regime control over the process and outcome. However, as Fu emphasizes, the potential for PIL to successfully ameliorate public dissatisfaction is severely circumscribed by current constraints on activist lawyers and public interest nongovernmental organizations (NGOs). The final chapter in this section, by Woodman, focuses on local-level interactions between citizens and governmental authorities, looking at specific instances wherein citizens have voiced complaints and requests to urban resident and villager committees, and tracing iterative processes of officials’ responses and citizens’ counter-responses. Together, these chapters illustrate the complexity of interactions and outcomes that have arisen when citizens engage the courts and other official entities in pursuit of redress or support. Although in some respects the regime has appeared to almost entirely disregard its own laws, in other respects the courts and local political bodies have been responding positively to expressed public concerns.

Part 3 examines the experiences and acts of resistance undertaken by rank-and-file urban workers. The first chapter in the section, by Jenny Chan and Mark Selden, examines the development of labor law from the early 1990s through the present, tracing both how this evolution has been a reaction to worker protest, and how workers have used the law to engage in activism to protect their rights and interests. Overall, they show that CCP authorities have evidenced a clear desire to improve worker–employer relations, with the goal of ensuring social stability. Official encouragement of labor mediation and arbitration is a prime case in point. The results have been mixed; the basic rights of certain categories of workers have been strengthened, yet earlier protections of state sector workers have been diminished and the use of temporary and contract “dispatch laborers” lacking legal protection has increased.

Next, Lu Zhang provides an overview of trends and developments in worker resistance and government responses, with a particular focus on 2010 through the present. She finds that over time, workers across many categories have become more prone to engage in protest activities, with increased organization and unity (in part due to the use of social media), and more varied demands. In turn, amidst various accommodative and repressive reactions, government authorities have pressured the official trade union (the All China Federation of Trade Unions, ACTFU) to become more representative of worker interests.

The chapters in this section by Manfred Elfstrom and Darcy Pan look at how these broad developments have played out in two detailed case studies, both of which underscore the uncertain, precarious context experienced by China’s rank-and-file workers. Looking at taxi drivers during the first two decades of the new millennium, Elfstrom examines their working conditions, complaints, and acts of resistance, including the specific tactics that they have employed. In so doing, he assesses the factors that influence employer and government responses to taxi driver protests. He finds that while many such actions have

been successful in eliciting at least partial concessions, they also have involved repressive government actions. Moreover, Elfstrom shows that these dynamics have come to be seen as “normal” by the drivers, their employers, and local authorities. As such, they have been able to ameliorate taxi drivers’ complaints while simultaneously containing them within the existing CCP-controlled political structure.

In the final chapter in this section, Pan examines grassroots labor NGOs in South China, with a particular focus on the harassment and suppression of some such organizations beginning in 2012. Drawing on interviews and participant observation, Pan shows how the unpredictable political environment experienced by labor NGOs has engendered guarded behavior, speculation and rumor, and self-censorship among their leaders. Overall, the chapters in this section underscore the importance of recognizing the agency and potential for protest success of rank-and-file workers—even those in precarious employment circumstances within an authoritarian state. As pointed out most explicitly by Elfstrom, studying how this can occur may provide lessons for the many workers around the world who have been experiencing increasing precariousness in their employment conditions.

In Part 4, Lei Guang and Yang Su, and Christopher Heurlin focus on rural protest and resistance. Guang and Su examine the evolution of China’s petition system, which typically is the first stop for aggrieved citizens. Next, they scrutinize over 1,200 collective petitions submitted in a largely rural province in 2002–2003, elucidating the nature of petitioners’ demands and showing how their social status, tactics, and numbers may affect their access to officials, but not necessarily their likelihood of success in resolving their grievances. Reaching a conclusion that coincides with many other chapters in this volume, they argue that the petition system both enables and constrains citizen mobilization. The second chapter in this section, by Heurlin, examines the massive wave of land-related protests that arose in relatively wealthy rural areas of Zhejiang province during the first decade of the 2000s. Drawing on archival material from Chinese government sources and interviews conducted in 2009–2010, Heurlin shows how sudden changes in perceived land values and local injustices explain the geographic distribution of this protest wave. He finds that Zhejiang authorities responded quite favorably to the protests, largely addressing the farmers’ demands. The reasons for this, Heurlin argues, were: (i) that the scale of the unrest attracted the attention of central CCP authorities, and (ii) that Zhejiang province had the financial wherewithal to make material concessions. As with the chapter by Elfstrom, Heurlin’s study indicates the circumstances under which even resource-poor and relatively low-status groups in China can successfully engage in protest.

Part 5 turns to protests by relatively well-off Chinese citizens: urban middle-class homeowners. In comparison to other demographic groups, this group has been the most successful in achieving their goals via protest. At the same time, there are important qualifications to their success. The first chapter in this section, by Zhiming Sheng, draws on domestic media coverage, personal interviews, and participant observation to examine nearly 200 cases of homeowner resistance over roughly 13 years—laying out the factors that correlate with homeowner protest success. Sheng finds that in civil disputes, homeowners are successful roughly half the time, but when government agencies are implicated in the homeowners’ complaints, their success rate drops to about one-third. Looking at participant mobilization, he finds that when half or more of all homeowners

in a community join a protest action, they are highly likely to achieve their goals. More generally, protests involving 50 or more homeowners have a greater chance of succeeding than do those with fewer than 50, but the likelihood of success does not continue to rise as numbers further exceed 50. Further, Sheng shows that when homeowners engage in non-institutionalized radical actions, they are less likely to succeed.

The second chapter in this section, by Dragan Pavlićević, Long Sun, and Zhengxu Wang, underscores this finding via a somewhat different focus: the emergence of and activities undertaken by cross-community homeowner organizations, especially in Beijing. Based on interviews with homeowners and homeowner leaders, participant observation, and homeowners' internal documents spanning 2006–2017, the authors detail how homeowners have capitalized on legal and institutionalized frameworks, strategically avoiding conflict with political authorities and acting within the “boundaries of permissible and desirable participation in local politics.” In doing so, Pavlićević et al. document concrete successes, including changes in government policy and behavior. At the same time, they emphasize that homeowner organizations remain politically vulnerable, and that their gains have come only through stressing their conformance with the state's desire to maintain “social harmony.”

Some of the same features are evident in environmental protests, the subject of Part 6. The four chapters in this section—by H. Christoph Steinhardt, Björn Alpermann and Maria Bondes, Natalie Wong, and Simona Grano and Yuheng Zhang—examine recent trends and developments in this category of protest, finding that those undertaken primarily by well-to-do urbanites have been quite successful. At the same time, these chapters highlight the boundaries within which even successful contention has occurred, and note that China is still quite far from having anything resembling a developed “environmental movement.” Examining more than two dozen major cases of environmental contention between 2007 and 2016, Steinhardt argues that the notion of an “environmental public interest campaign” best characterizes a majority of these events. Unlike “NIMBY” demonstrations, activists in these cases pressed for policy changes related to collective goods and large and diverse groups of people. They also were critical of China's policy-making process, and framed their demands in affection for their collectively owned local homeland. At the same time, these protests lacked ideological and organizational coherence, such that they cannot be categorized as an emergent “environmental movement.” Alpermann and Bondes take a somewhat more focused approach, looking at nine cases of environmental activism against waste incineration facilities. They demonstrate that—at least through 2014—national experts, lawyers, and NGOs played crucial roles in the spread and success of these citizen efforts, resulting in a pattern of “networked contention” that has been quite successful even within the limits of the CCP-controlled political system. More recent moves by Xi Jinping to repress rights lawyers and constrict the operation of NGOs are likely to undermine these gains.

The other two chapters in this section, by Wong, and Grano and Zhang, analyze more specific cases of successful environmental protests. Looking in detail at citizen opposition to the construction of a waste incinerator in the Panyu district of Guangzhou beginning in 2009, Wong shows how activists effectively pressed the Guangzhou city government to abandon the project. Even more, she finds that the protests resulted in the establishment of institutionalized mechanisms for citizens to participate in decision-making about city waste management, and the creation of a “green” civic group that promotes waste sorting

in the city. Perhaps the most hopeful story found in this volume, it allows us to assess the factors that contribute to positive developments in state–society relations within China’s current political environment. The chapter by Grano and Zhang is also optimistic, though more boundedly so. Providing one of the first scholarly examinations of anti-nuclear activism in China, the chapter focuses in particular on opposition to a nuclear facility in the northeastern city of Lianyungang in 2016. Based on interviews with participants in the protests, the chapter shows how international and domestic events—such as the Fukushima nuclear disaster in 2011 and anti-waste incinerator protests in mainland China— influenced both citizens and local authorities, and led to the abandonment of the project in that locality. At the same time, Grano and Zhang emphasize that, as has been the case in anti-incinerator protests, the project is likely to be moved to a location where residents are less likely to protest—typically more rural and poor areas where citizens have fewer resources and options. Overall, the chapters in this section highlight the different experiences of groups occupying higher and lower positions within China’s polarized socioeconomic structure.

Part 7 looks at a quite different type of resistance in late post-Mao China—that which revolves around religion. This topic also relates to Part 10, on ethnic minority resistance and unrest, but differs in that it does not have a clear ethnic component.

The chapters by Susan McCarthy and Marie-Eve Reny both examine subtle but real forms of resistance—highlighting how citizens often defy regime authorities in a manner that is neither public nor disruptive. They also highlight the wide variation in relations between religious groups and the Party-state. Focusing on underground Catholics and unregistered Protestant churches, Reny argues that informality is a form of defiance—that of central government regulations on the co-optation of religious organizations. Underground Catholic and unregistered Protestant churches have defied such regulations for different reasons. Informality has had mixed socioeconomic and political implications for both, but unregistered Protestant churches are less coerced than underground Catholics. Turning to the work of religious charities (including those that are Buddhist, Muslim, Catholic, and Evangelical Protestant), McCarthy also reveals variation and nuance in their relations with political authorities. She finds that even though those engaged in religious charity generally see their work in patriotic terms, they also can “repurpose” their charity work in a form of non-confrontational resistance against political restrictions. Perhaps most interestingly, McCarthy shows how such actions “can enable relatively marginal social actors to alter the behavior and attitudes of government officials and agencies.”

Carsten Vala’s chapter, which examines official Christian groups’ open resistance to the CCP’s anti-cross campaign in 2014–2016, provides further illustration of the wide variation in the forms of resistance undertaken by religious adherents in contemporary China. At the same time, Vala documents the “growing assertiveness and organizational capacity” of some Christian believers, including their pursuit of linkages with other citizens (both locally and nationally) as well as foreign groups. At present, regime authorities have not responded favorably to these developments; to the contrary, they have increased their efforts to restrict and repress this kind of open resistance.

Part 8 turns to another form of resistance and protest that has ranged from open to ambiguous, and that has elicited varied Party-state responses: information and communications technology (ICT)-based resistance and opposition, including blogs and

mass online “incidents.” Jun Liu’s chapter links with those in Part 6 in that it examines anti-petrochemical protests. Its focus, though, is on the use of ICTs. Examining collective actions in six cities from 2007 to 2014, Liu shows how digital media have allowed the storage and retrieval of protest information after a protest event, even when political leaders try to eradicate all related information online. Importantly, this has made it possible for citizens to find out about and imitate previous events. However, Liu cautions that under Xi Jinping, regime authorities have stepped up efforts to censor such information, and have been increasingly successful in doing so. Liu notes that this has been true even though protesters against PX (the petrochemical feedstock para-xylene) have not challenged CCP rule.

The chapters in this section by Rongbin Han and Christopher Cairns illustrate how online activism can both support and challenge Party-state aims. Looking at the 2016 “Diba Expedition” wherein Chinese citizens inundated the Facebook page of Taiwan’s president in defense of the “One China” principle, Han illustrates how “nationalistic netizens” simultaneously support the Chinese state and collectively mobilize in ways that political authorities find threatening. The Diba Expedition occurred even though Facebook is banned in China, and despite CCP authorities’ efforts to censor threads with mobilizing potential. Nonetheless, most Diba activists did not seem to feel that China’s authoritarian system conflicted with their patriotism. At the same time, participants in the Diba Expedition were exposed to new ideas, as liberal activists repeatedly posted entries with links to dissident websites.

Cairns analyzes online discussion surrounding the 2012 downfall of former CCP Politburo member and Chongqing Party Secretary Bo Xilai. He finds that although Party authorities actively censored posts that questioned CCP legitimacy, they allowed criticism directed solely at Bo, including that which involved more general discussions of political corruption in China. Cairns argues that the latter is particularly noteworthy given that these online debates coincided with a sensitive leadership transition (ultimately concluding in the ascension of Xi Jinping to the top CCP post). Noting that official tolerance of such posts parallels other cases where regime leaders have allowed relative information openness, such as nationalist and environmental online activism, Cairns concludes that in this respect CCP elites may appear responsive to the online public’s demands even under conditions of harsh digital repression.

In Parts 9 and 10, we turn to protests originating in China’s “Special” and “Autonomous” regions—including Hong Kong, Xinjiang, and Inner Mongolia. In Hong Kong and Xinjiang, in recent years collective contention has overtly challenged the legitimacy of CCP rule. However, the actions of protestors and regime authorities have been quite different in Hong Kong and Xinjiang, with the former being fundamentally peaceful and the latter involving no small amount of violence. The chapters herein illustrate how different political contexts shape the character of collective contention.

The two chapters in Part 9 focus on Hong Kong. Suzanne Pepper traces the evolution of popular protest in Hong Kong from the 1980s through 2018. During this period, the political context in Hong Kong shifted dramatically—from British rule to CCP rule, and with varying degrees of liberal democratic and authoritarian features over the course of each period. Political contention has centered on the “Basic Law” that has governed Hong Kong since its reunification with mainland China as a “Special Autonomous Region” of the PRC—an arrangement known as “one country, two

systems.” Pepper details the increasing tension and conflict between Hong Kong protesters and pro-Beijing authorities over time. She argues that this development reflects the growing realization that Hong Kong residents and PRC leaders have had very different understandings of the Basic Law and Hong Kong’s political status—especially under Xi Jinping. Simply put, Hong Kongers want genuine political autonomy and basic liberal democratic rights, while PRC authorities believe that Hong Kong is an appendage of the PRC that must be firmly under CCP control. Joyce Nip’s chapter focuses more specifically on developments in Hong Kong since the territory’s 1997 handover to the PRC, looking in particular at the ways in which independent media have served as “voices of dissent.” Examining mass media and social media content, and drawing on Chinese and English journalistic and academic studies, Nip analyzes the spectrum of political positions represented in Hong Kong’s independent media, as well as their impact on political developments on the ground. In doing so, she lays out the actions of an “oppositional public sphere” in which dissenting media provide information and arguments that contravene those of Hong Kong’s pro-Beijing political establishment. Overall, these chapters show how the unique status of Hong Kong has enabled a far greater degree of overt political opposition and dissent than has been the case in the mainland PRC.

The final section of this volume—Part 10—highlights the complexity of activism on the part of China’s ethnic minority groups, as well as varied governmental responses to it. Uchralt Otede examines protests undertaken by ethnic Mongolians in China’s “Inner Mongolia Autonomous Region.” In response to the destruction of grasslands by the influx of polluting industries into the region, which have brought serious harm to the health and livestock of Inner Mongolian herders in the region, ethnic Mongolians in the area have engaged in a range of collective protests—some of which have entailed violence and casualties. As Otede shows, these protests have been supported by not only herders but also by intellectuals, students, and lawyers across China. Engaging the scholarly literature on “self-relief” and “rightful resistance”—and also making comparisons with protests in Taiwan, Japan, and Han Chinese-dominant areas of the PRC—Otede argues that these protest actions in Inner Mongolia are best categorized as environmental struggles rather than as ethnic conflict.

The chapter by Tom Cliff in this section underscores how notions of ethnic conflict can be used to undermine the legitimacy of activism—highlighting how CCP authorities’ relatively sympathetic response to protests in Inner Mongolia reflect their view that these actions have not been fundamentally ethnic in nature. Cliff makes the case that CCP leaders’ harsh response to protests and resistance by ethnic minority “others” derives from leaders’ fear of unrest on the part of Han Chinese. Further, he argues that Chinese authorities have used the “threat” of ethnic minority unrest to justify Party-state controls over the Han population—what he refers to as the “securitization” of the Chinese populace.

Closing the volume, Justin V. Hastings focuses on acts of contention by Uyghur groups—which, unlike the other protests examined in this Handbook, have been characterized by violence and international connections. Hastings shows that in recent years, a combination of increased domestic repression by CCP authorities and heightened recruitment efforts by transnational Islamist terrorist groups have led to changes in Uyghur-related unrest. Along with an uptick in “creative” protests and attacks requiring minimal

planning and logistics—and targeting Han Chinese civilians and government personnel both inside and outside China’s “Xinjiang Uyghur Autonomous Region”—many Uyghur activists shifted away from their earlier focus on achieving separation from the PRC, instead leaving China to join international Islamist terrorist groups.

CONCLUSION

If there is one overarching conclusion that can be reached from reading the chapters herein, it is that Chinese citizens regularly engage in acts of protest and resistance. At the same time, their actions—and official responses to them—are so varied that they defy sweeping generalizations. This also means that it is impossible to assert that popular resistance in China either supports or undermines CCP rule. In reality, it does both. When citizens are able to use the law, legal mechanisms, and official political institutions to resolve their grievances, CCP legitimacy is buttressed. When these venues fail, skepticism and cynicism with the political system grow.

The chapters in this Handbook also underscore the increasingly divided nature of Chinese society.⁸ In general, groups with higher socioeconomic status have encountered greater success. Perhaps most notably, the chapter by Pavlićević et al. shows how well-off urban homeowner activists have been able to help craft new laws related to their interests. Groups that face lower status and higher marginalization have achieved fewer gains, and often have been subjected to violent treatment by political authorities. Rural residents fall into this category, as do Uyghurs. At the same time, even poor and marginalized groups (such as taxi drivers and migrant workers) have at times been able to successfully press political elites to attend to their demands.

Since the ascension of Xi Jinping to the Chinese Party-state’s top posts, CCP authorities have heightened their efforts to constrict popular expression via social media and on the Internet, and have evidenced less tolerance for popular protest and resistance. The mass arrests and harsh punishment of China’s “human rights” lawyers is the most glaring example. At the same time, the chapters herein show that even in the Xi Jinping era, Chinese citizens have continued to actively resist policies and practices with which they disagree, and in many cases regime officials have been responsive to public concerns. Although Xi and other political leaders may feel threatened when citizens engage in protest and resistance, the chapters in this volume suggest that if CCP elites wish to remain in power and strengthen their legitimacy, their best course of action is to allow citizens to express their grievances and to make the resolution of those complaints governing authorities top concern.

NOTES

1. China Labour Bulletin, “Police raid student group as support for Shenzhen Jasic workers grows,” 24 August 2018, <https://www.clb.org.hk/content/police-raid-student-group-support-shenzhen-jasic-workers-grows>; China Labour Bulletin, “Jasic not an isolated case: rare spike in arrests and violent police intervention to dissolve worker protests across China,” 3 September 2018, <https://www.clb.org.hk/content/jasic-not-isolated-case-rare-spike-arrests-and-violent-police-intervention-dissolve-worker>.
2. They also opposed monopolistic practices in the industry. Tan Jiangying, “Truckers on Strike and the

10 *Handbook of protest and resistance in China*

- Structural Contradictions of China's Logistics Industry," *China Change*, 15 June 2018, <https://chinachange.org/2018/06/15/truckers-on-strike-and-the-structural-contradictions-of-chinas-logistics-industry/>.
3. Yaqiu Wang, "Is #MeToo Changing China?" *Washington Post*, 17 September 2018, <https://www.washingtonpost.com/news/global-opinions/wp/2018/09/17/is-metoo-changing-china/>.
 4. David Cowhig, "Christian Church Standoff in Zhengzhou, China," David Cowhig's Translation Blog, 10 September 2018, <https://gaodawei.wordpress.com/2018/09/10/christian-church-standoff-in-zhengzhou-china/>.
 5. Josh Chin, "China Protest Over Cash-Strapped City's School Plan Turns Violent," *Wall Street Journal*, 7 September 2018, <https://www.wsj.com/articles/china-protest-over-cash-strapped-citys-school-plan-turns-violent-1535886485>.
 6. Human Rights Watch, "China: Massive Crackdown in Muslim Region," 9 September 2018, <https://www.hrw.org/news/2018/09/09/china-massive-crackdown-muslim-region>.
 7. Sun Liping, "China's Challenge: Social Disorder," *Economic Observer* 508 (28 February 2011): 10–11, <http://www.eeo.com.cn/ens/feature/2011/05/09/200868.shtml>.
 8. For an excellent investigation of this phenomenon in urban China, see Dorothy Solinger, ed., *Polarized Cities: Portraits of the Rich and Poor in Urban China* (New York: Rowman and Littlefield, 2018).

PART 1

OVERVIEWS

1. Unrest and regime survival

Andrew Wedeman

INTRODUCTION

The collapse of China’s communist regime has been predicted for nearly two decades. Yet despite ample evidence of unrest, the regime has displayed remarkable resilience. In this chapter, I begin by examining the evidence on China’s internal security environment, highlighting the range and complexity of the challenges the regime faces. I then analyze the “coming collapse” thesis both as it has been applied to China and as it is related to the literature on contentious politics. Ultimately, the key flaw with the coming collapse argument lies in its determinism. It seems clear that there is considerable unrest in China, but the dynamics of contention are far more complex and contingent than as presented in the coming collapse thesis.

In the late 1990s, Shambaugh and others sought to answer the “big” question: “Is China unstable?”¹ At the time, communism in the Soviet Union and Warsaw Pact had imploded a decade earlier and been swept into the “dustbin of history.” Deng Xiaoping, the regime’s strongman, had died in 1997. The double-digit growth rates of the mid-1990s had fallen sharply, and social unrest was increasing. In 1993, the Ministry of Public Security reported there had been 8,700 “mass incidents”—illegal assemblies (24 a day). Five years later, the ministry reported the number had increased nearly three-fold to 25,000 (69 a day).²

A major effort to restructure the money-losing state industrial sector by shutting down or “restructuring” bankrupt enterprises had produced massive layoffs of members of the old Maoist “proletariat” and the transformation of many old industrial areas into rustbelts. Poorly educated and often unskilled, laid-off workers faced devastating losses of income and benefits. Many also felt betrayed by a regime that had lionized them as the vanguard of the revolution and promised them an “iron rice bowl.” A wave of massive strikes rocked the rustbelt. Migrant workers in the new industrial “sunbelt” in south China also rose in protests against low wages, poor working conditions, and discrimination.³

Farmers, whose incomes had risen in the 1980s, saw their incomes first stagnate in the 1990s and then fall as cash-starved local governments hit them with new taxes and fees.⁴ In 1993 10,000 farmers in Sichuan rose up, attacking officials, sacking government buildings, and battling with police.⁵ In 1997, some 130 protestors reportedly died in clashes between villagers and police after local governments failed to provide disaster relief for hundreds of thousands displaced by flooding.⁶

In April 1999, over 10,000 adherents of a theretofore relatively obscure group named Falun Gong emerged out of nowhere to surround Zhongnanhai, the Chinese Communist Party (CCP) leadership compound in central Beijing, to silently protest allegations that the group was an “evil cult.”⁷ With a claimed membership of 70 million, many of them retired party cadres and state functionaries, Falun Gong seemed to attract those disillusioned by the Party’s loss of an ideological vision and embrace of a “soul-less”

materialism which stressed getting rich at any cost. More critically, not only had Falun Gong mobilized a massive protest without tipping over the public security apparatus, it had also refused to meekly retreat underground when banned. On the contrary, members of the group mounted a sustained campaign of small-scale “guerrilla” protests.⁸ Falun Gong was moreover just one of dozens of religious groups challenging the state’s claims to ideological hegemony.⁹

There were new rumblings of ethnic unrest in Tibet, Xinjiang, and Inner Mongolia. In Tibet, which had experienced unrest during 1987 and 1988, a wave of separatist protests erupted in 1993 that continued into 1996.¹⁰ In Xinjiang, armed assaults, assassinations, and bombings increased sharply as discontent spread among ethnic Uyghurs.¹¹ Serious ethnic rioting occurred in the city of Yining in early 1997, followed by a series of bus bombings and ethnic clashes.¹²

Criminal gangs were reportedly spreading rapidly and had imposed a “reign of terror” on some communities.¹³ By the early 1980s, the regime reportedly feared it “was losing control over . . . the ‘balance of awe’ between the Party-state and criminals” and turned to a “bloody” strategy of “Strike Hard” anti-crime crackdowns.¹⁴ Yet every year crime seemed to get worse.

Corruption ceased to be a local party problem in the spring of 1995 when Wang Baosen, a Vice Mayor of Beijing, committed suicide after being questioned about bags of cash delivered to a Ponzi scheme. Investigators quickly identified Beijing Party Secretary and Politburo member Chen Xitong as the source of Wang’s money. Several years later, the official media revealed that smugglers had suborned customs agents, local officials, police officers, provincial officials, and senior officials in Beijing and were running entire shiploads of smuggled cars, tankers full of crude oil, containers of cigarettes, tons of steel, and other commodities through several ports. Elements of the Peoples’ Liberation Army Navy (PLAN) were said to be running illegal goods in from Hong Kong.¹⁵

Despite ample evidence of what appeared to be mounting unrest, the Shambaugh group concluded that the outlook for political stability was far from grim and that China’s internal security was best characterized as one of “rocky stability” or “stable unrest.”¹⁶ Others were less sanguine. In 2001, Chang famously announced that CCP rule would collapse within a decade, arguing that economic reform and rapid growth had begun to tear China apart.¹⁷ He Qinglian warned: “Chinese society currently resembles a volcano on the verge of a major eruption. Nearly all Chinese can feel the heat from the subterranean fires.”¹⁸ Less dramatically, Shirk asserted that although sustained growth had given China trappings of a rising power, rising “domestic threats” had rendered China a “fragile superpower.”¹⁹

The late 1990s economic slowdown proved short-lived. By 2003, growth rates had once again reached double digit levels, hitting 14.2 percent in 2007. Far from collapsing, China was booming. This “boom,” however, ran afoul in the 2008 economic crisis and the subsequent worldwide recession. After growing over 20 percent a month during 2006 and 2007, by early 2009—as migrant workers headed home for the Chinese New Year holiday—exports had “fallen off a cliff.”²⁰ An estimated, 670,000 small enterprises shut down, throwing 6.7 million workers out of work. Dissident Wei Jingsheng warned that if the crisis was not quickly resolved, “the people will rise up.”²¹ A Western analyst described the prospect of returning migrants finding themselves without jobs as a “real recipe for instability.”²² Even the official Chinese press warned that mobs of unemployed migrant workers “milling around in cities” could riot.²³

The explosion never happened. By the fall of 2009 the economy had begun to revive. In December, exports were up 17.6 percent compared to December 2008. Industrial output growth rates nearly doubled, rising to a strong 10.6 percent in 2010.²⁴ In part, the relatively quick revival of the Chinese economy was the result of prompt intervention by the central government. The leadership swiftly cobbled together a US\$586 billion stimulus package that pumped money into infrastructural construction.²⁵ Tax breaks were created to induce consumers to replace older cars and buy new appliances.

However, China's internal security outlook did not appear to improve. On the contrary, collective unrest had continued to grow rapidly, with the number of mass incidents doubling to an estimated 187,000 in 2010, an average of 512 a day.²⁶

In March 2008, rioting in Lhasa left two dozen Han civilians and an unknown number of Tibetans dead, and ushered in a new wave of unrest among ethnic Tibetans. Whereas unrest in the 1990s had focused on the Tibetan Autonomous Region, during 2008 the locus shifted to "Inner Tibet," an arc of territory in the neighboring provinces of Gansu, Qinghai, and Sichuan where in-migration of Han Chinese had tipped the ethnic balance against Tibetans.²⁷ After mass protests subsided in 2009, Tibetans turned to a new form of protest: self-immolation. Between August 2011 and April 2013, 116 Tibetans self-immolated or attempted to self-immolate, with 30 setting themselves alight in November 2012. Thereafter, the incidence of Tibetan self-immolation fell, but sporadic self-immolations nevertheless continued into 2017.²⁸

Nineteen months after the Lhasa riot, Urumqi erupted on July 5, 2009.²⁹ Following a march protesting the killing of several Uyghurs in Guangdong, Uyghur demonstrators clashed with ethnic Han, many of them recent migrants from other parts of China. According to state media: "rock-flinging and knife-wielding thugs . . . killed nearly 200 people and injured another 1,700."³⁰ Uyghur activists, however, claimed that when the peaceful protesters approached the central business district, police opened fire on them.³¹ The following morning the police found themselves confronting thousands of ethnic Hans armed with improvised weapons in anticipation of striking back at Uyghur neighborhoods. According to Uyghur sources, Han civilians beat innocent Uyghurs as the police went house to house arresting Uyghurs and killing upwards of 800.³² A semblance of order was eventually restored, but the city was swept by a new hysteria in September by rumors of Uyghurs attacking Han with contaminated syringes.³³

Inner Mongolia, which witnessed anti-Han protests in the early 1980s, was rocked in late 1989 when tens of thousands of Mongols joined protests calling for democracy and independence. Despite a police crackdown, ethnic nationalists formed the Southern Mongolian Democratic Alliance and a new round of demonstrations took place in 1995.³⁴ Thereafter, ethnic tensions appeared to die down, only to return in 2011 when clashes between Mongol herders, Han farmers, and Han coal haulers sparked a new wave of protests.

Conflicts between the state and dissent religious groups continued. Overseas Protestant organizations reported a new wave of "persecutions" beginning in 2006. Overseas Catholic groups reported arrests of underground believers. In 2013, government statistics show a 60 percent increase in arrests for illegal "cult" activity.

The press carried a steady stream of reports of "revenge against society" attacks by disgruntled individuals. In some cases, these attacks involved the use of improvised explosives. In other cases, disgruntled individuals attacked school children with knives.

Bomb threats added to the tensions, as did frequent accidental industrial and mine blasts, as well as occasional gas explosions at shopping malls, restaurants, apartments, and nightclubs. Bus bombings unnerved commuters. Attacks on doctors and hospital staff were reportedly on the rise.³⁵

In the later 2000s, indictments for “endangering state security” shot up from 349 in 2005 to 1,407 in 2008 as the state battled a rising tide of what the 1993 State Security Law calls “subversion”: organized, conscious efforts to undermine, disrupt, and overthrow the state and socialism.³⁶

In sum, although there were signs of a deteriorating internal security environment at the time that the worldwide economic recession struck the Chinese economy, the regime survived a second major economic downturn of the type that some had argued would trigger a terminal political crisis. Flush with cash built up during the preceding boom years, the Party spent heavily and was able once again to muscle its way through. The quick recovery of the economy did not, however, lead to observable improvements in the internal security environment. On the contrary, things seemed to get worse after the economy improved.

THE COMING COLLAPSE

The apparent continued worsening of the internal security environment intensified speculation the CCP was entering its end game. In 2010, year before he predicted the CCP’s collapse, Chang again claimed the regime’s strength had become a mere façade that would remain standing only as long as the economy grew rapidly.³⁷ Few ordinary Chinese, however, believed in the Party, and many no longer feared it. Even members of the Party and the police anticipated that “this regime will not last long.”³⁸

However, public opinion polls showed that the Party remained surprisingly popular. Informed by conventional theories linking the rise of capitalism to demands for democracy, many were surprised to find that support for the regime was high, particularly among China’s emerging capitalist class and its new middle class.³⁹ In retrospect, Wright observes, this finding should not have been surprising. China’s new capitalists and middle class were, after all, the major beneficiaries of the Party’s economic reforms.⁴⁰ Rapid growth had vastly increased their incomes; moved them from rundown walkup apartments; replaced their bicycles with cars; bought them flat screen TVs, laptops, and smartphones; allowed them to vacation overseas; and enabled them to send their children to expensive overseas universities. Moreover, the new-found wealth of the upper and middle classes was earned on the backs of the working class, whose low wages were essential to China’s comparative advantage in low-cost labor. China’s new “exploiters” thus had good reason not to demand mass democracy because the more numerous “have-nots” might use their weight in numbers to democratically expropriate the “haves.”⁴¹

The haves’ fear of the “threat from below” was not born out of pure paranoia. Although the Party’s economic reforms had raised incomes and improved living standards for China’s lower classes, they had benefited far less than the upper and middle classes. In fact, income inequality, which had fallen during the later Maoist period, had increased rapidly, with the result that China’s GINI coefficient jumped from 30.0 in the 1980s to upwards of 50.0 in 2015.⁴² A long academic tradition posits that rising inequal-

ity can create new threats to entrenched elites, particularly in non-democratic regimes.⁴³ Worsening inequality “creates incentives for disadvantaged groups to press for to press for more open and competitive politics.”⁴⁴

Polls, however, suggested that inequality was not creating a “social volcano.”⁴⁵ A 2004 poll by Whyte found that most of those surveyed, including those whose income had not grown significantly, accepted growing income disparities and were optimistic about the future. Even the quarter of respondents who said they or someone they knew had suffered abuse at the hands of officials had a positive outlook. In a 2009 poll, Whyte found that even though income inequality had continued to increase, there had not been an increase in anger.⁴⁶ A 2014 poll also failed to reveal rising discontent over increasing social injustice.⁴⁷

Having three times concluded that the social volcano was a “myth,” Whyte suggested that “inequalities in power,” “procedural injustice,” and corruption were fueling the observed worsening of unrest. Half of those surveyed felt “officials don’t care what ordinary people think.” A majority felt it unfair that the rich and powerful received special treatment and privileges.⁴⁸ A quarter were pessimistic about the prospects for greater social justice.⁴⁹ Upward of a quarter reported that they or a member of their family had “experienced unfair treatment by local officials within the past three years.”⁵⁰

Like Whyte, Pei sees corruption as the major threat to the CCP. In 2014, he asserted that “the rot inside the CCP is now so deep and extensive that it is now threatening the regime’s . . . survival.” Autocratic regimes decay when officials and cadres become self-interested, focused on amassing their private wealth without regard for the long-term survival of the regime.⁵¹ As officials focus on plunder, the regime splits into rival bands of looters, the integrity of the pillar institutions deteriorates, and ultimately the leadership fragments into hostile camps.⁵² Attempts to fight corruption actually deepen internal fissures by creating a “Hobbesian” political environment dominated by bitter “winner-take-all” power struggles. Internally weak and fractured, such regimes become vulnerable to “exogenous . . . shocks . . . and unanticipated black swan events.”⁵³ In 2016, Pei concluded that “regime decay has not reached its terminal stage”; but the CCP faced “a self-reinforcing dynamic” that could “accelerate quickly” and produce a “sudden authoritarian breakdown” in the not-too-distant future (perhaps within the next decade and half).⁵⁴

In 2011, the year he had predicted the CCP would collapse, Chang declared that he had not been wrong about the collapse, only its timing. Protests, he wrote, were increasingly erupting into “uprisings, insurrections, rampages, and bombings” and hence “instead of 2011, the mighty Communist Party of China will fall in 2012.”⁵⁵ After it did not, in 2016 Chang asserted: “China looks like it is entering another period of extreme political instability” and “another decade of chaos and madness or perhaps . . . regime failure.”⁵⁶

In 2015, Shambaugh abandoned his earlier thesis that the CCP was hidebound but durable,⁵⁷ writing instead that “China’s political system is badly broken . . . the endgame of the Chinese communist rule has now begun.”⁵⁸ Wealthy Chinese were preparing to “flee en masse,” political repression was intensifying as “deep anxiety and insecurity” gripped the leadership, and the rank and file had begun “just going through the motions.” He thus concluded: “We cannot predict when Chinese communism will collapse, but it is hard not to conclude that we are witnessing its final phase.”

Shambaugh argued that in 2009, the leadership abandoned the cautious soft authoritarianism introduced by Jiang Zemin in 1998. Although the new hard authoritarianism’s

emphasis on “stability maintenance” might hold social pressures at bay, it would lead first to political atrophy and then “inexorable decline,” “economic stagnation,” and “political instability.” Collapse was not “imminent” or inevitable. But so long as the CCP leadership remained wedded to hard authoritarianism, the political system would steadily corrode as the “progressive” and “terminal” political cancer “metastasized.”⁵⁹

After two decades of unfulfilled predictions, it might be tempting to dismiss the proponents of the coming collapse thesis as gloomy and alarmist “prophets of doom” and embrace the counter thesis that the CCP has evolved a resilient authoritarianism that has proven capable of containing a shifting range of internal security threats.⁶⁰ The coming collapse thesis and resilience thesis are not, of course, mutually exclusive or contradictory. In both constructs, corruption occupies a central position. In the collapse thesis, reform has generated new wealth but has also led elites to corruptly grab at this new wealth, thus fueling popular discontent and sapping regime capacity. Attempts to assuage the public’s anger by attacking corruption, however, expose the extent of corruption and further undermine public support while triggering power struggles among the elite and demoralizing the rank and file. As elite infighting worsens and popular cynicism deepens, officials begin to look for the exits while intensify their plundering. Ultimately, some “black swan” shock triggers the final collapse. The resilience thesis begins with similar assumptions about corruption, but assumes that the regime can slow the rot with a combination of anti-corruption and limited reforms, and thus render itself less vulnerable to random shocks. Both theses, moreover, predict the CCP is likely to hang on for another decade or more.

If collapse is not imminent, what then does it mean to say that China is “unstable”? Political stability is a fuzzy concept and is generally negatively defined. One definition holds that a stable regime is one that “possesses the capability to prevent its own forced non-survival.”⁶¹ Another defines stability as the extent to which a regime is vulnerable to “illegitimate political” challenges and “regime change.”⁶² A third defines stability as “the absence of violence, government longevity, the absence of structural change, legitimately, and effective decision making.”⁶³ By this logic, if China is neither stable nor facing political collapse, we might best characterize its internal security environment as “contentious,” which Tarrow defines as an environment characterized by “episodic, public, collective interaction” between rival political claimants whose interests impinge on the interests of other claimants, including the state.⁶⁴

THE DYNAMICS OF CONTENTION

The dynamics of contentious politics are complex. Early theorists argued that anger and grievances drove individuals to rebel.⁶⁵ However, their assumptions proved to be problematic. Because deprivation, from whence anger and grievance presumably flowed, was not an objective condition but instead subjective and relative, it was subject to sudden shifts and reframing.⁶⁶ Others found that grievance was not just a product of economic inequality but was also perceived political inequality, lack of political freedom, and injustice, with the result that protestors did not have to be poor to be angry.⁶⁷

Scholars thus rejected the argument that misery leads to rebellion in favor of the assumption that protestors were rational actors driven by their assumptions about the

expected utility of passively accepting adverse conditions or the more dangerous alternative of standing up to power.⁶⁸ Yet assuming that protestors and rebels were rational brought forth new complications. As Olson argued, one of the great political paradoxes of rebellion is that although deprivation and injustice are widespread, the downtrodden tend to suffer them. Only rarely do the poor and abused rebel.⁶⁹ Revolt, Olson argued, is rare because the oppressed face a “collective action” problem that discourages risky confrontations with power. Rather than risk arrest, injury, or death by rising up, the discontented should prefer to sit by while others battle the police and storm the “palace.” If the rebels win, “free riders” can swoop in to enjoy the fruits of victory. If the rebels are crushed, the free riders can run home and hide. Widespread free riding will, however, strip the opposition down to the few rash, desperate, or crazy enough to risk injury, jail, and death—with the result that revolts are apt to be easily crushed.⁷⁰

If deprivation was not sufficient, theorists argued that leadership and organization could overcome collective action problems.⁷¹ Like Lenin,⁷² these theorists argued that “political entrepreneurs” are needed to frame and focus discontent, build an “organization weapon,” and then push the masses into the streets.⁷³ “Greed” for power or loot may motivate would-be rebel leaders and lure rebel fighters into the ranks.⁷⁴ Even when grievances spontaneously drive protestors into the streets, the availability of organization and resources determines whether such protests morph into open challenges to authority or sputter.⁷⁵

Although political entrepreneurs may “manufacture” popular discontent out of thin air, in most cases they draw together diverse grievances and disaffected groups into a united front of resistance. United fronts and the appearance of a single “battle line” with authority, however, obscures the reality that rebellious movements are generally rooted in webs of diverse grievances.⁷⁶ Some who rise up against the status quo are motivated by anger born of deprivation and oppression, while others are driven by the lure of loot, power, and glory.⁷⁷

Unrest is thus not a singular, uni-linear sequence of causal events, but rather multiple, evolving spirals or cascades that can unexpectedly erupt and unfold when tempers and frustrations begin to boil. Even when they reach some ill-defined threshold and spawn isolated acts of defiance, protests may fizzle out if the hardcore cannot convince others that a tipping point has been reached.⁷⁸ Once begun, however, protest tends to become “auto-regressive,” with each round of protest fueling and swelling protests as new protestors jump on the bandwagon.⁷⁹ Given the right combination of anger and organization, therefore, even a seemingly minor spark can trigger a whirlwind of protest.⁸⁰ Collective action cascades can, however, also suddenly implode.⁸¹

Even when anger and organization combine, protests and demonstration often unfold in a complex and chaotic fashion. Protests designed to express grievances can morph into rioting and looting as “legitimate protestors”—those who want to air their grievances—are joined by others with less “legitimate” motives, including “hooligans” motivated by hatred of authority, a thirst for plunder, or a blind lust for mayhem.⁸² Peaceful demonstrators can become enraged by the response of police and lash out with “blind fury.” Or they may join because they get swept up by all the “excitement.”⁸³ Temporary breakdowns of order can lead to widespread looting and arson that diverts the attention of protesters away from seeking political change in favor of “grabbing stuff.”⁸⁴

The state plays a central role in the dynamics of political contention. On a fundamental level, the state decides what are “acceptable forms of collective protest” against injustice

and what are unacceptable “riotous” challenges and “subversion.”⁸⁵ If the disaffected protest, the state can allow small-scale protests and airing of grievances.⁸⁶ The state may ignore the protestors, assuming that they will cool off once they have “blown off steam.”

Conversely, the state can brand dissent as illegitimate and actively repress it. This can take many forms.⁸⁷ The state can seek to nip unrest in the bud by preemptively putting potential protestors and political dissidents under surveillance, asking them to “have tea” and discuss the repercussions of “anti-social” behavior, or detaining individuals for short periods. It can deploy undercover agents to infiltrated dissident circles with the goal of gathering intelligence or provoking mutual suspicion and paranoia among the dissidents. The police and other security forces can take the offense against dissidents, using “state terror” to “neutralize” individual dissidents and harass, disrupt, intimidate, and paralyze dissident groups.⁸⁸ If small protests erupt, it can send in the police to forcibly break up demonstrations, arrest protest leaders, and signal that further protests will be met with truncheons, tear gas, and, if needed, deadly force.

If the state opts for active repression, it may crush visible dissent. Repression can, however, fail and actually increase unrest. Attacks on “enemies of the state” can backfire if peaceful dissents turn to defensive violence or embrace terrorism. “Collateral damage” caused by unfocused repression can alienate groups that otherwise might not have supported anti-regime dissent.⁸⁹ Harassment of civilians by the police conducting routine sweeps and searches for dissidents can create a hostile political environment that triggers new resistance and marginalizes other groups.⁹⁰

On even a tactical level, how the police respond to demonstrations can determine whether protests remain peaceful or morph into rioting.⁹¹ An aggressive response may cow; yet a forceful police response to non-violent protests may produce a shift toward violence.⁹² Once unleashed, protest and repression may interact dynamically, with each continuously reshaping the perceived incentive structures of both protestors and police.⁹³ Protest and repression may thus interact in a pattern resembling an upward spiral in which protest triggers repression which causes a temporary decrease in dissent and a period of apparent quiescence during which the repression generates new and more intense discontent that then erupts in a new round of protest and increasingly harsh repression.⁹⁴ Spirals of protest and repression can be contagious, with protests in one locality triggering protests in others.⁹⁵ A half-hearted police response, conversely, may encourage an escalation of protest, and perhaps even a transition from protest to revolt as protestors find they can push the police aside and take control of the streets.⁹⁶

A final factor affecting whether and how grievances and anger erupt into visible political unrest is the strength, cohesion, and will of the regime. In simple terms, a strong, cohesive regime whose leadership is willing to resist challenges is presumably both more likely to deter challenges and, should deterrence fail, defeat its challengers. Conversely, a weak regime riven by internal conflicts will likely encourage challenges and be less capable of countering them. In either instance, if the leadership is unwilling to fight back and is perceived to be wavering and unsure, then the discontented are more likely to believe that challenges will succeed.⁹⁷ The relationship between unrest and state capacity is thus not linear but rather curvilinear, with the highest levels of political violence associated with moderate levels of state capacity.⁹⁸

How the state reacts to challenges depends on their subjective—and hence potentially flawed—beliefs about the current and future political environment. A self-confident

leadership may not see protests as a tangible threat; or it may believe it can deal with challenges should they emerge, and tolerate a certain level of open dissent. A less confident leadership may react aggressively to even minor threats because it fears that any sign of weakness will only encourage more challenges.⁹⁹ Misperception of the severity of the threat posed by protests can also lead the state to “overreact,” believing that harsh repression will crush dissent, only to exacerbate tensions and radicalize dissenters. Conversely, misperception can lead the state to “underreact,” underestimating the severity of its challenges until protests have reached a point where the security forces can no longer cope.¹⁰⁰ The perceived reliability of the regime’s forces, finally, may affect how the leadership responds to challenges. When the police are strong and trustworthy, repression may be a viable option. If the police are weak and wavering, repression may not be an option or only a last, desperate resort.¹⁰¹

Corruption plays a complex role in the dynamics of unrest and repression. Abstractly, perceptions of widespread corruption undermine a regime’s moral authority and legitimacy. Corruption is, quite simply, a ready symbol of gross violations of the public interest.¹⁰² If officials seem wealthy, it becomes easier to convince the poor that elites have grown rich by feeding off “the people.”¹⁰³ If officials are unjust, disgruntled citizens are apt to point to “corruption” as the root reason for misrule.¹⁰⁴ Just as the Riot Act allows the state to legitimate repression by branding protesters “hooligans,” “bandits,” or “rebels,” invoking “corruption” enables protesters and rebels to justify challenging the existing political order.¹⁰⁵

In China, corruption has been an enduring justification for resistance.¹⁰⁶ In the classic novel *Water Margin*, for example, the outlaws are portrayed as “loyal citizens,” the “bulwarks of the moral order” who carry out the “Will of Heaven” by attacking “corrupt officials” and protecting “filial sons and virtuous women.”¹⁰⁷ In the nineteenth century, the Taiping rebels claimed that Chinese society was locked into “a process of moral decline, an entropic movement in which bad practices, passed generation to generation, gradually produced ever deeper corruption” which justified the overthrow of a “dynastic house whose misgovernment and moral decay . . . violated the order of the relationship between Heaven and Earth” and robbed it of “Heaven’s mandate to rule.”¹⁰⁸ Chinese bandits frequently claimed to be “Robin Hoods” fighting greedy landlords and corrupt officials on behalf of the poor.¹⁰⁹

The communists held up corruption as a central justification for their revolution. In his 1927 “Report on Hunan,” Mao Zedong repeatedly pointed to the depredations of “corrupt officials” as the reason why the peasants rose up against the rural power structure.¹¹⁰ Similarly, communist cadres in southern Henan called on the “reactionary” and “superstitious” Red Spear militia to join forces with the Party to defend rural society from the “predation of corrupt officials,” “renegade soldiers,” “local bullies,” and “evil gentry.”¹¹¹ In northern Shaanxi, the peasants associated “just revolution” not with the overthrow of the landlords, but rather with attacks on “corrupt power-holders.”¹¹² More recently, members of “superstitious” local cults in northern Shaanxi justified anti-state agitation by charging that “local official[s] are good-for-nothing and corrupt, spending all their time eating, drinking . . . and dancing with prostitutes,” and that “the local state is better at squeezing the people, not serving the people.”¹¹³ In the 1990s, laid-off workers frequently blamed the loss of their jobs on “managerial corruption.”¹¹⁴

Concretely, corruption saps state resources, leaving it less able to finance the public goods that might ameliorate grievances and adequately fund the repressive apparatus needed to deter challenges.¹¹⁵ The stereotypical “failed state” is, in fact, often portrayed as having been hollowed out by corrupt politicians, generals, and bureaucrats who plunder the treasury, loot the economy, and prey on the weak.¹¹⁶ In failing states, “corruption flourishes,” “the state becomes criminal and oppressive, lawlessness spreads, gangs . . . control . . . the streets . . . ordinary police forces become paralyzed.”¹¹⁷ Corruption creates a particularly vicious cycle within ranks of the security forces by sapping the state’s ability to adequately pay them and forcing individual officers and soldiers to prey on the public.¹¹⁸

In sum, the literature on dynamics of contention suggests that although we may observe examples of widespread unrest and even subversion in contemporary China, it is not clear how the diverse sources of unrest “add up,” and hence how unstable China is internally. In broad terms ethnic unrests in Tibet, Xinjiang, and Nei Menggu (the Inner Mongolia Autonomous Region) do not combine with farmers’ protests over the expropriation of their farmland by corrupt local officials in the rapidly urbanizing coast provinces. Dissent by members of underground churches need not be a direct threat to the regime, and may actually be rendered “subversive” if the state decides to brand it as such. Moreover, the regime has demonstrated an ability to at least “cope” with a wide and shifting range of challenges.

CONCLUSION

After two decades of unfulfilled predictions of the CCP’s imminent demise, it is tempting to dismiss the coming collapse thesis as naïve and built on the belief that communism is bankrupt and doomed, and to treat its advocates as prophets of doom who fixate on each new report of political instability and social unrest as a potential precursor of political Armageddon. The coming collapse thesis, at least in its more sophisticated forms, is not necessarily flawed. In essence, it posits that rapid economic growth has yielded negative externalities that have created political alienation, rising anger, and deepening grievances. Left unaddressed or answered with heavy-handed repression, such a rising tide of unrest could morph into a web of localized confrontations. Absent corruption, the state might meet or crush such challenges individually and prevent them from flowing into a broader, more unified rebellion. Widespread and worsening corruption, however, has hollowed out the state and weakened the security forces. At some juncture, the thesis thus contends, a random event will trigger an escalating cascade of unrest in the face of which the security forces may either crumble or, even worse, turn their guns on the regime, as happened in Romania in 1989. As simmering unrest gives way to mounting turmoil in the streets and the security forces begin to lose control, the leadership will allegedly split as the “moderate” throw their lot in with the rebels, believing they can ride the tide of revolt, while “hardliners” desperately battle to avert political collapse. The coming collapse thesis actually rests on a fairly conventional description of how moribund authoritarian regimes fail. As such, its primary flaw is that it gets reduced to a simplistic, deterministic model in which collapse is treated as an inevitable outcome but one whose timing cannot be predicted with any certainty. The thesis thus ends up asserting that the CCP will collapse at some point in an ever-shifting future.

The literature on contentious politics clearly cautions against such determinism, and makes clear that the dynamics of unrest are complex and the outcome of collapse is highly contingent. First, grievance, alienation, and anger are present in all societies and must reach some ill-defined “threshold” before they become a necessary but not sufficient precondition for a transition from latent discontent and scattered, short-lived protests to large-scale open unrest. Second, “unrest” is not necessarily a singular phenomenon that can be collapsed into a crude catchall descriptor of diverse grievances and challenges to the status quo. Third, transitions from latent discontent to open confrontations between state and society are contingent on the ability of those most disaffected to frame broadly held but diffuse grievances into a coherent narrative of rebellion. Fourth, how the regime reacts to incipient dissent matters. Political authorities’ response may, however, also fuel popular anger and a widening of anti-regime demonstrations. Fifth, regime capacity affects a regime’s response to challenges and the effectiveness of its response.

In conclusion, there is considerable evidence that China is “unstable” and that the extent of turbulence has increased since the 1990s. Rising unrest, worsening corruption, and nagging subversion could lead to the collapse of the CCP-dominated regime. But collapse is only one of many possible outcomes. Whether the CCP collapses depends on a hierarchy of alternatives. Are grievances stimulated by the state framed into a popular narrative of oppression and injustice? Are dissident leaders able to convince the masses to take to the streets or do the masses remain passive? Does the state respond to stirrings of dissent and unrest with conciliation, negotiation, or repression? If the state represses dissent, does it crush it, drive it deep underground, or inflame greater anger and dissent? If citizens take to the streets, do the police stand by or do they attack the protesters? If the police attack, do protestors flee or do they fight? If protesters resist, do protests morph into riots? If riots erupt, are the police able to restore order or does the violence spiral out of control? As the situation deteriorates, do the police stand firm or do they flee? As order collapses, does the leadership close ranks or does it split apart? Does the army come to the rescue or does it defect? And, more critically, does the leadership have the will to hang onto power at any cost? The key question is thus not whether the CCP faces a potentially fatal revolt from below at some ill-defined future point, but rather: (1) how do corruption, unrest, and subversion evolve and interact; and (2) how does the state respond to turbulence and pressure from the streets?

NOTES

1. David Shambaugh, ed., *Is China Unstable? Assessing the Factors* (East Armonk, NY: M.E. Sharpe, 2000).
2. Murray Scot Tanner, “China Rethinks Unrest,” *Washington Quarterly* 27, no. 3 (2004): 137–56.
3. Chung Kwan Lee, *Against the Law: Labor Protests in China’s Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007).
4. Thomas P. Bernstein and Xiaobo Lu, *Taxation without Representation in Contemporary China* (New York: Cambridge University Press, 2008).
5. Lena Sun, “China’s Peasants Hit Back,” *Washington Post*, 20 June 1993.
6. Li Tzu-ching, “Classified Flood Conditions Disclosed,” *Cheng Ming*, 1 September 1998.
7. James Tong, “Anatomy of Regime Repression in China: Timing, Enforcement Institutions, and Targets,” *Asian Survey* 42, no. 6 (2002): 795–820.
8. David Ownby, *Falun Gong and the Future of China* (New York: Oxford University Press, 2010).
9. Australian Centre on China in the World, “The Eleven Most Active Religious Cults in China,” <https://www.thechinastory.org/dossier/the-eleven-most-active-religious-cults-in-china/>.

10. Based on Steven D. Marshall, *Suppressing Dissent: Hostile Elements II—Political Imprisonment in Tibet, 1987–2000* (London: Tibet Information Network, 2001).
11. Brent Hierman, “The Pacification of Xinjiang: Uighur Protest and the Chinese State, 1998–2002,” *Problems of Post-Communism* 54, no. 3 (2007): 48–62.
12. David Wang, “The East Turkistan Movement,” *Journal of Chinese Political Science* 4, no. 1 (1998): 1–18.
13. An Chen, “Secret Societies and Organized Crime in Contemporary China,” *Modern Asian Studies* 39, no. 1 (2005): 77–107.
14. Murray Scot Tanner, “State Coercion and the Balance of Awe: The 1983–1986 ‘Stern Blows’ Anti-Crime Campaign,” *The China Journal* 44 (2000): 93–4.
15. Shawn Shieh, “The Rise of Collective Corruption in China: The Xiamen Smuggling Case,” *Journal of Contemporary China* 14, no. 42 (2005): 67–91.
16. Martin King Whyte, “Chinese Social Trends: Stability or Chaos?” in Shambaugh, ed., *Is China Stable?*: 160.
17. Gordon G. Chang, *The Coming Collapse of China* (New York: Random House, 2001).
18. Qinglian He, “A Volcanic Stability,” *Journal of Democracy* 14, no. 1 (2003): 71.
19. Susan L. Shirk, *Fragile Superpower* (New York: Oxford University Press, 2007).
20. “China Jobless Toll is the Worst in 30 Years,” *Evening Standard* (London), 20 January 2009.
21. Geoffrey Barker, “Dissident Predicts China Uprising,” *Australian Financial Review*, 7 February 2009.
22. Calum MacLeod, “Factory Closures, Layoffs Stir Unrest in China,” *USA Today*, 3 December 2008.
23. Jane Macartney, “Jobless Surge Will Test Communist Rule in China,” *The Times* (London), 7 January 2009.
24. World Bank, “Supporting China’s Infrastructure Stimulus under the Infra Platform,” June 2010, available at <http://www.worldbank.org/infra>.
25. Barry Naughton, “Understanding the Chinese Stimulus Package,” *China Leadership Monitor* 28, no. 2 (2009): 1–12.
26. David Shambaugh, *China’s Future?* (Cambridge, UK: Polity, 2016): 63.
27. Yuchao Zhu and Dongyan Blachford, “Economic Expansion, Marketization, and their Social Impact on China’s Ethnic Minorities in Xinjiang and Tibet,” *Asian Survey* 52, no. 4 (2012): 714–33.
28. “Self-immolations by Tibetans,” available at <https://www.savetibet.org/resources/fact-sheets/self-immolations-by-tibetans/>.
29. Thomas Cliff, “The Partnership of Stability in Xinjiang: State–Society Interactions Following the July 2009 Unrest,” *The China Journal* 68 (2012): 79–92.
30. “A Year without Internet in Xinjiang,” *China Daily*, 20 April 2014.
31. Unrepresented Nations and Peoples Organization, “Repression in China: Root and Repercussion of the Urumqi Unrest,” November 2009, available at <http://www.uighurcongress.org/en/wp-content/uploads/13-November-2009.pdf>.
32. Colin Mackerras, “Causes and Ramifications of the Xinjiang July 2009 Disturbances,” *Sociology Study* 2, no. 7 (2012): 497.
33. Elaine Chow, “Xinjiang Syringe Attacks Spur Protests,” *New York Times*, 4 September 2009.
34. William R. Jankowiak, “The Last Hurrah? Political Protest in Inner Mongolia,” *Australian Journal of Chinese Affairs* 19/20 (1988): 269–288; Human Rights Watch, “Continuing Crackdown in Inner Mongolia,” 20 March, 1992, available at http://www.smhric.org/Hada/Alban_6.htm; and Human Rights Watch, “World Report 1997: China,” available at <https://www.hrw.org/reports/1997/WR97>.
35. Zhang Yiwei, “Hospital War Zones,” *Global Times*, 31 October 2013 and Zhang Yan, “Police Act against Hospital Attacks,” *China Daily*, 5 March 2014.
36. “State Security Law of the People’s Republic of China,” February 1993, available at <http://www.china.org.cn/english/China/218754.htm>. Also see R.T. Spjut, “Defining Subversion,” *British Journal of Law and Society* 6, no. 2 (1979): 254–61.
37. Gordon G. Chang, “The Party’s Over: China’s Endgame,” *World Affairs* 172, no. 4 (2010): 61–70, 69.
38. Ibid.: 66 and 69.
39. Bruce J. Dickson, *Red Capitalists in China: The Party, Private Entrepreneurs, and Prospects for Political Change* (New York: Cambridge University Press, 2003).
40. Teresa Wright, *Accepting Authoritarianism: State–Society Relations in China’s Reform Era* (Stanford, CA: Stanford University Press, 2010).
41. Jonathan Unger, “China’s Conservative Middle Class,” *Far Eastern Economic Review* (April 2006): 27–31.
42. Yu Xie and Xiang Zhou, “Income Inequality in Today’s China,” *Proceedings of the National Academy of Sciences* 111, no. 19 (2014): 6928–33.
43. Daron Acemoglu and James A. Robinson, *Economic Origins of Dictatorship and Democracy* (New York: Cambridge University Press, 2006).
44. Stephan Haggard and Robert Kaufman, “Inequality and Regime Change: Democratic Transitions and the Stability of Democratic Rule,” *American Political Science Review* 106, no. 3 (2012): 495–516.

45. Martin King Whyte, *Myth of the Social Volcano: Perceptions of Inequality and Distributive Injustice in Contemporary China* (Stanford, CA: Stanford University Press, 2010): 181–200.
46. Martin King Whyte and Dong-Kyun Im, “Is the Social Volcano Still Dormant? Trends in Chinese Attitudes toward Inequality,” *Social Science Research* 48 (2014): 62–76.
47. Martin King Whyte, “China’s Dormant and Active Social Volcanos,” *China Journal* 75 (2016): 9–37.
48. Ibid.: 25.
49. Ibid.: 22.
50. Ibid.: 34–5.
51. Minxin Pei, “The Chinese Political Order: Resilience or Decay? *Modern China Studies* 21, no. 1 (2014): 1–27.
52. Minxin Pei, *China’s Crony Capitalism: The Dynamics of Regime Decay* (Cambridge, MA: Harvard University Press, 2016): 256–68.
53. Minxin Pei, “The Beginning of the End,” *Washington Quarterly* 39, no. 3 (2016): 131–42.
54. Minxin Pei, “Transition in China? More Likely than You Think,” *Journal of Democracy* 27, no. 4 (2016): 5–19. Ironically, Pei made the same prediction thirteen years earlier. Minxin Pei, “Contradictory Trends and Confusing Signals,” *Journal of Democracy* 14, no. 1 (2003): 73–81, 80.
55. Gordon Chang, “The Coming Collapse of China: 2012 Edition,” *Foreign Policy*, 29 December 2011.
56. Gordon Chang, “China’s Coming Revolution,” *The National Interest*, 21 May 2016.
57. David Shambaugh, *China’s Communist Party: Atrophy and Adaptation* (Berkeley: University of California Press, 2009).
58. David Shambaugh, “The Coming Chinese Crackup,” *Wall Street Journal*, 6 March 2015.
59. Shambaugh, *China’s Future?*: 129 and 134.
60. Andrew Nathan, “Authoritarian Resilience,” *Journal of Democracy* 14, no. 1 (2003): 6–17.
61. Keith M. Dowding and Richard Kimber, “The Meaning and Use of ‘Political Stability’,” *European Journal of Political Research* 11, no. 3 (1983): 229–43, 229.
62. Claude Ake, “A Definition of Political Stability,” *Comparative Politics* 7, no. 2 (1975): 271–83.
63. Leon Hurwitz, “Contemporary Approaches to Political Stability,” *Comparative Politics* 5, no. 3 (1973): 449–63.
64. Sidney Tarrow, “Contentious Politics,” in *Encyclopedia of Social and Political Movements* (Malden, MA: Wiley-Blackwell, 2013).
65. See Ted Gurr, “Psychological Factors in Civil Violence,” *World Politics* 20, no. 2 (1968): 245–78.
66. James B. Rule, “Rationality and Non-Rationality in Militant Collective Action,” *Sociology Theory* 7, no. 2 (1989): 145–60.
67. Patrick M. Regan and Daniel Norton, “Greed, Grievance, and Mobilization in Civil Wars,” *Journal of Conflict Resolution* 49, no. 3 (2005): 319–36.
68. Ted Gurr, “A Causal Model of Civil Strife: A Comparative Analysis Using New Indices,” *American Political Science Review* 62, no. 4 (1968): 1104–24.
69. Mancur Olson, *The Logics of Collective Action: Public Goods and the Theory of Groups* (Cambridge, MA: Harvard University Press, 1971).
70. Ted Robert Gurr, *Why Men Rebel* (Abingdon, UK: Routledge, 2010). Mark Lichbach, *The Rebel’s Dilemma* (Ann Arbor: University of Michigan Press, 1995).
71. Joan Neff Gurney and Kathleen J. Tierney, “Relative Deprivation and Social Movements: A Critical Look at Twenty Years of Theory and Research,” *Sociological Quarterly* 23, no. 1 (1982): 33–47.
72. See Philip Selznick, *The Organizational Weapon: A Study of Bolshevik Strategy and Tactics* (New York: McGraw-Hill, 1952).
73. Ted Robert Gurr, “Why Minorities Rebel: A Global Analysis of Communal Mobilization and Conflict since 1945,” *International Political Science Review* 14, no. 2 (1993): 161–201.
74. Paul Collier, “Rebellion as a Quasi-Criminal Activity,” *Journal of Conflict Resolution* 44, no. 6 (2000): 839–53.
75. Patrick M. Regan and Daniel Norton, “Greed, Grievance, and Mobilization in Civil Wars,” *Journal of Conflict Resolution* 49, no. 3 (2005): 319–36.
76. See Stathis N. Kalyvas, *The Logic of Violence in Civil Wars* (New York: Cambridge University Press, 2006).
77. Stathis N. Kalyvas, “The Ontology of ‘Political Violence’: Action and Identity in Civil Wars,” *Perspectives on Politics* 1, no. 3 (2003): 475–94.
78. James DeNardo, *Power in Numbers* (Princeton, NJ: Princeton University Press, 1985).
79. Edward N. Muller and Karl-Dieter Opp, “Rational Choice and Rebellious Collective Action,” *American Political Science Review* 80, no. 2 (1986): 471–88.
80. Tumur Kuran, “Sparks and Praise Fires: A Theory of Unanticipated Political Revolutions,” *Public Choice* 61, no. 1 (1989): 41–74.

81. Susanne Lohmann, "Collective Action Cascades: An Informational Rationale for the Power in Numbers," *Journal of Economic Surveys* 14, no. 5 (2000): 655–84.
82. Clark McPhail and Ronald T. Wohlstein, "Individual and Collective Behaviors within Gatherings, Demonstration, and Riots," *Annual Review of Sociology* 9 (1983): 579–600.
83. David O. Sears and John B. McConahay, "Participation in the Los Angeles Riot," *Social Problems* 17, no. 1 (1969): 3–20.
84. Anthony Oberschall, "The Los Angeles Riot of August 1965," *Social Problems* 15, no. 3 (1968): 322–41.
85. Clive Unsworth, "The Riots of 1981: Popular Violence and the Politics of Law and Order," *Journal of Law and Society* 9, no. 1 (1982): 63–86.
86. Will H. Moore, "Repression and Dissent: Substitution, Context, and Timing," *American Journal of Political Science* 42, no. 3 (1998): 851–73.
87. Jennifer Earl, "Tanks, Tear Gas, and Taxes: Toward a Theory of Movement Repression," *Sociological Theory* 21, no. 1 (2003): 44–68.
88. Bruce B. Campbell, "Death Squads: Definition, Problems, and Historical Context," in Bruce B. Campbell and Arthur D. Brenner, eds., *Death Squads in Global Perspective* (New York: St. Martin's Press, 2000): 1–26.
89. T. David Mason and Bale A. Krane, "The Political Economy of Death Squads: Toward a Theory of the Impact of State-Sanctioned Terror," *International Studies Quarterly* 33, no. 2 (1989): 175–98.
90. Simon Ezra Balto, "'Occupied Territory': Police Repression and Black Resistances in Postwar Milwaukee, 1950–1968," *Journal of African American History* 98, no. 2 (2013): 229–52.
91. Herbert M. Kritzer, "Political Protest and Political Violence: A Nonrecursive Causal Model," *Social Forces* 55, no. 3 (1977): 630–40.
92. Mark Irving Lichbach, "Deterrence or Escalation," *Journal of Conflict Resolution* 31, no. 2 (1987): 266–97.
93. Dean Hoover and David Kowalewski, "Dynamic Model of Dissent and Repression," *Journal of Conflict Resolution* 36, no. 1 (1992): 150–82.
94. George Tsebelis and John Sprague, "Coercion and Revolution: Variations on a Predator-Prey Model," *Mathematical and Computer Modeling* 12, no. 4–5 (1989): 547–59.
95. Ronald A. Francisco, "Theories of Protest and the Revolutions of 1989," *American Journal of Political Science* 37, no. 3 (1993): 663–80.
96. Edward N. Muller and Erich Weede, "Cross-National Variation in Political Violence," *Journal of Conflict Resolution* 34, no. 4 (1990): 624–51.
97. Theda Skocpol, *States and Social Revolution: A Comparative Analysis of France, Russia, and China* (New York: Cambridge University Press, 1979).
98. Erich Weede, "Some New Evidence on Correlates of Political Violence: Income Inequality, Regime Repression, and Economic Development," *European Sociological Review* 3, no. 2 (1987): 97–108.
99. Jan Henryk Pierskalla, "Protests, Deterrence, and Escalation: The Strategic Calculus of Government Repression," *Journal of Conflict Resolution* 54, no. 1 (2010): 117–45.
100. Ronald A. Francisco, "The Relationship between Coercion and Protest," *Journal of Conflict Resolution* 39, no. 2 (1995): 263–82.
101. Erich Weede and Edward N. Muller, "Rebellion, Violence, and Revolution: A Rational Choice Perspective," *Journal of Peace Research* 35, no. 1 (1998): 43–59.
102. Angus MacKay, "Popular Movements and Pogroms in Fifteenth-Century Castile," *Past & Present* 55 (1972): 33–67.
103. Robert J. Anthony, "Peasants, Heroes, and Brigands: The Problem of Social Banditry in Early Nineteenth-Century South China," *Modern China* 15, no. 2 (1989): 123–48.
104. Donald Richter, "The Role of Mob Rule in Victorian Elections, 1865–1885," *Victorian Studies* 15, no. 1 (1971): 19–28.
105. Lowri Ann Rees, "Paternalism and Rural Protest: The Rebecca Riots and the Landed Interests of South-West Wales," *Agricultural History Review* 59, no. 1 (2011): 36–60.
106. Elizabeth J. Perry, *Rebels and Revolutionaries in North China 1845–1945* (Stanford, CA: Stanford University Press, 1980).
107. John Fitzgerald, "Continuity within Discontinuity: The Case of Water Margin Mythology," *Modern China* 12, no. 3 (1986): 361–400.
108. Philip A. Kuhn, "Origins of the Taiping Vision: Cross-Cultural Dimensions of a Chinese Rebellion," *Comparative Studies in Society and History* 19, no. 3 (1977): 350–66.
109. Phil Billingsley, *Bandits in Republican China* (Stanford, CA: Stanford University Press, 1988).
110. Mao Zedong, "Report on an Investigation of the Peasant Movement in Hunan," available at https://www.marxists.org/reference/archive/mao/selected-works/volume-1/mswv1_2.htm.
111. John Williams, "Attacking Queshan": Popular Culture and the Creation of a Revolutionary Folklore in Southern Hunan," *Modern China* 36, no. 6 (2010): 644–75.

112. Joseph W. Esherick, “Revolution in a Feudal Fortress: Yangjiaguo, Mizhi County, Shaanxi, 1937–1948,” *Modern China* 24, no. 4 (1998): 339–77.
113. Adam Yuet Chau, “The Politics of Legitimation and the Revival of Popular Religions in Shaanbei, North-Central China,” *Modern China* 31, no. 2 (2002): 236–78.
114. Feng Chen, “Industrial Restructuring and Workers’ Resistance in China,” *Modern China* 29, no. 2 (2003): 237–62.
115. Joel S. Migdal, *Strong Societies and Weak States* (Princeton, NJ: Princeton University Press, 1988).
116. William Reno, *Warlord Politics and African States* (Boulder, CO: Lynne Rienner, 1999).
117. Robert I. Rotberg, “The New Nature of Nation-State Failure,” *Washington Quarterly* 25, no. 3 (2002): 83–96.
118. International Crisis Group, “Dangerous Little Stones: Diamonds in the Central African Republic,” *African Report*, no. 167 (2010), available at <https://www.crisisgroup.org/africa/central-africa/central-african-republic/dangerous-little-stones-diamonds-central-african-republic>.

2. Social unrest in China: a bird's-eye view

*Christian Göbel**

IMAGING SOCIAL UNREST IN CHINA

Judged by protest frequency estimates, China is a country where protests have become routine. In 2011, a study published by Landesa survey claimed that, according to “Chinese researchers,” in 2010 China saw “180,000 mass incidents . . . 65 percent of them related to land disputes.”¹ Drawing on this figure, a headline in *The Atlantic* made the misleading claim that “500 protests [occurred] every day.” Despite the fact that little is known about how the unnamed “Chinese researchers” cited in the Landesa survey arrived at this figure, most publications, including that of the author, refer to it.² However, these figures contribute little to a better understanding of social unrest in China. Instead, they conjure up the powerful image of a China in serious turmoil. If we take the results of a Google Images search as a representation of how the public mind might imagine “protests” or “social unrest” in China, we see hundreds of angry people holding up banners, raising their fists, and shouting slogans. Some photos show combat-ready riot police, and more extreme images feature overturned cars and the use of teargas canisters.

While such scenes certainly occur, it is unclear whether or not they are representative of most instances of social unrest in China. Our knowledge about protests in China is sketchy: the media tends to cover large-scale events, which, as will be shown, are very infrequent; and academic research is mainly based on small-N case studies of protesters³ and of local officials.⁴ Fewer attempts have been made to understand how protests influence governance in China at large,⁵ and only a handful of studies provide insights into the spatial and temporal distribution of protests in China, which grievances they address, how many people they involve, and how likely protests are to meet with repression.⁶

A macro-perspective of social unrest in China is needed to judge the impact of social unrest on the stability of China’s one-party authoritarian regime. For example, while a violent protest that draws a large crowd is a major challenge to the regime, a gathering joined by only a handful of people is not. Low attendance signals a lack of public interest and assures the authorities that a grievance can be safely ignored.⁷ Also, demands for financial compensation are relatively easy to defuse by, for example, “buying stability,” whereas civil rights protesters cannot be bought off so easily.⁸ Finally, protests can be an indicator of specific local problems; but they can also highlight systemic deficiencies, for example when grievances are not confined to a particular locality or region.⁹

Drawing on a dataset of 74,452 protests that occurred in China between 2 June 2013 and 13 June 2016, this chapter provides a bird's-eye view of social unrest in China by addressing the issues just outlined. The results show that most protests are nothing like the image evoked above would suggest: protests in China are widespread but tend to occur seasonally and involve fewer than 30 participants. Most protests are recorded in the days before Chinese New Year, when factories close their accounts and migrant workers return home. Financial compensation, not substantive rights, are at the heart of

most protests. Another noteworthy finding is that the number of protests against land grabs and evictions has remained stable at a low level, while those staged by (prospective) homeowners against real estate developers and property management companies have increased steeply.

Homeowners represent, as Jean-Louis Rocca puts it, “the politically conscious vanguard of the Chinese middle classes,” which means that a steep rise in such protests has important implications for China’s political and social stability.¹⁰ As David Goodman points out, however, 88 percent of households in urban China own at least the leasehold to their own home, so homeownership does not necessarily equate to middle-class status.¹¹ Still, their activism closely matches the behavior the literature on political transformation associates with the middle classes. According to Rocca, homeowners “disseminate laws and regulations protecting their rights, as well as newspaper articles criticizing developers and management companies. In their eyes, the problem comes from the local authorities whose power is still beyond control.”¹² Rocca points out that, as of present, homeowners are not interested in political change and, at least in Beijing, are “incorporated in the wheels of bureaucracy”; but widespread discontent among this group will have to be taken seriously.¹³

The findings discussed so far might suggest that the authorities have only the increase in homeowner protests to worry about. According to the logic espoused above, most of the small protests can be ignored, and the participants in larger ones can be compensated. However, the findings highlight some additional trends that should concern the leadership in Beijing. For one, protesters frequently take their grievances to the capital, which is one of the hotspots where protests occur. Second, the fact that labor-related protests are both frequent and widespread suggests that there exists a major systemic problem that has not yet been resolved and might endanger stability in the long run. Third, it is well known that protesters engage in “troublemaking” because their demands will be ignored otherwise. However, by allowing themselves to be goaded into cracking down on such protests, the authorities demonstrate to onlookers how fundamentally authoritarian China is. Consequently, an event that would otherwise not have concerned bystanders is turned into a display of how local governments, who struggle to cast themselves as caring, responsive and service-oriented, routinely act against the legitimate interests of China’s citizens.

THE DATASET

As much as we know about social unrest in China from the perspective of protesters and local officials in individual locations, we still lack a macro-perspective of the phenomenon. Representative statistical data that could shed light on this issue does exist, but suffers from important limitations. Such data comes in two forms: (a) survey data indicating whether survey participants have ever witnessed or participated in a protest; and (b) protest event data collected by the China Labor Bulletin¹⁴ and the political scientist Manfred Elfstrom.¹⁵ All of these datasets are detailed and of high quality, and they cover several years. However, they record only a few thousand cases, which greatly limits analysis at the subnational level. Furthermore, the protest event data is confined to labor issues and, more specifically, strikes.

To gain a more comprehensive insight into social unrest in China, this chapter draws on an archive of protest-related “tweets” collected and published online by Lu Yuyu, who is also known by his alias “Wickedonna.” Each entry is a collection of different sources, most prominent among which are eyewitness accounts in the form of Weibo tweets by eyewitnesses. Several pictures are attached to each entry, thus increasing the credibility of the source. The posts span the period from July 2013 to June 2016, when Lu and his girlfriend Li Tingyu were arrested on charges of “picking quarrels.” More than one year later, on 3 August 2017, Lu was sentenced to four years in prison,¹⁶ while Li Tingyu had been released from captivity in June that year without an official court verdict having been issued.¹⁷

Lu, who sustained himself by means of donations,¹⁸ had made collecting protest posts a full-time occupation. He manually searched Weibo and other social media platforms for relevant material, examined each post for its veracity, and published the results on his website.¹⁹ All entries were downloaded, and meta-information such as the date and location of a protest and the estimated number of participants was extracted with the help of dictionaries and regular expressions. The resultant database contains tweets documenting more than 70,000 protests, roughly 29,000 of which took place in 2015. The textual data was then coded and analyzed with the help of unsupervised and supervised machine learning algorithms, which will be briefly introduced in the relevant sections.

The database entries provide information on the reason for a protest and sometimes also on the type of collective action engaged in by participants, for example demonstration, strike, or riot. In some cases posts are composed not by participants but by observers. Most observers seem to sympathize with the protesters, but some also complain about the inconvenience that a protest caused them. Finally, around one-third of all entries provide clues on how the local authorities reacted to a protest. The posts do not usually reveal whether or not the demands of the protesters were met, but often mention the presence of (armed) police, public security, urban law enforcement officials (*chengguan*) or hooligans allegedly hired by local officials to intimidate protesters: 16 percent of all entries mention that protesters were beaten by security forces or hired hands.

Since the protest accounts have been hand-collected by one person, it is possible that the dataset is not representative of all protests in China. Three factors in particular could cause selection bias: censorship, the predispositions by Lu Yuyu, and a geographical bias caused by different degrees of Internet penetration across China.

Regarding censorship, H. Christoph Steinhardt convincingly illustrates that protests are now more intensely discussed by Party leaders in public. Moreover, censorship of protest reports in the media has significantly loosened up, not least as a consequence of “more assertive Internet and news media.”²⁰ As for Lu’s choice of protests for inclusion on the website, comparing the entries to existing scholarly works, it appears that the database is quite representative of the protests described in the print media and on the Internet. Finally, since most entries constitute social media information supplied by eyewitnesses, it is possible that protests occurring in underdeveloped regions, where Internet penetration is low, were less likely to make it onto the webpage. The presence of a geographical and technological selection bias was ruled out by regressing the log number of protests in a city against a dummy variable for each province and the city-level broadband penetration rate. When controlling for a number of structural variables—gross regional product (GRP) per capita, contribution of the primary sector and foreign direct investment

(FDI) to GRP, government expenditure per capita, population density, average wage level, banking deposits per capita, enrolment in pension, and medical and unemployment insurances—broadband penetration and the provincial dummies lose their significance.

A BIRD'S-EYE VIEW OF PROTESTS IN CHINA

Drawing on the data just described, the following sections provide insights into the grievances that cause social unrest, the spatial distribution of protests in China, their size, seasonal variation, and likelihood of crackdown.

Protest Issues

This section investigates the grievances that motivated the protests recorded in the database, revealing many surprising findings. First of all, the proportion of land-related protests, which the Landesa survey estimated to constitute the absolute majority of all protests, is comparatively small and follows a downward trend. Instead, protests by homeowners are on the rise. Also surprising is that environmental protests, which have gained significant media attention in recent years, are few and far between. The largest category by far is labor protests, which account for more than 40 percent of all events in the dataset. Finally, the data reveals that very few protests are related to the protection of civil or political rights, and the database contains not a single anti-regime protest.

To gain some initial insights into the structure and contents of the corpus, I used Mallet, a Java-based natural language processing software,²¹ to create “topic models,” i.e. weighted lists of words that frequently co-occur in a corpus (topics) and scores indicating the relative weight of each topic in a document (document-topic scores).²² Each topic takes a value between 0 and 1, and all topics add up to 1. Short documents describing only a grievance and not much else will score highly on only one topic, whereas long entries that contain more information will score intermediate values on several topics. Each topic in turn consists of a number of terms more or less related to that topic, with each term also receiving a score to indicate its weight.

The creation of meaningful topic models is not a simple matter; the researcher needs to decide on a number of parameters, such as: the choice of algorithm; words that should be excluded; how often the corpus should be iterated over; the threshold for considering a model as “converged”; whether some topics should be allowed to be stronger than others; and, last but not least, the number of topics that should be produced. All this is a matter of trial and error and assumes familiarity with the corpus. For the present analysis, I generated a model with 30 topics (T1–30) by letting the algorithm iterate 10,000 times over the corpus with an optimization step every ten iterations.

Table 2.1 shows the results of the analysis. It lists the ten most frequent terms for each topic along with an average document topic score which indicates the weight of a topic in the corpus. Although these scores are useful for estimating which topics figure more prominently than others, they should not be misinterpreted as a measure of the frequency of a topic. To recap, if a labor protest is mentioned in a short tweet, the topic score for “labor” will be higher than for a longer tweet that provides additional information. While either describes a labor protest, the topic score of the former will be higher than that of

Table 2.1 Topic model of Wickedonna corpus

ID	Topic strength	10 most frequent terms
1	0.16	migrant workers wages workers hard-earned money pay talks arrears boss migrant workers home government
2	0.15	government people petition people people leadership rights call the shots district government video
3	0.14	traffic jam avenue trouble transportation highway police road vehicle traffic jams banner
4	0.13	police hit SWAT assault video ordinary people government people police station violence
5	0.10	forwarding government hope people help friends video attention thankyou fair
6	0.09	people government hope society national rights leadership interest maintenance support
7	0.09	owners developers rights submitted house real estate cell problem commitment deception
8	0.08	banner rights square Wanda protest video broke news trouble users official
9	0.05	villagers farmers land government land forced forced recruitment people wounded mafia
10	0.05	owners district property rights developers residents garden poly heating problem
11	0.05	live events issues represent department representative understand staff processing leader
12	0.04	employees strike workers company boss limited wages factory rights compensation
13	0.04	demolitions demolition villagers government house houses demolition placement church cross
14	0.03	villagers land secretary corrupt officials corruption rights government village village leaders village
15	0.03	family members dead dead bodies children killed police station hospital family police
16	0.03	government protest marches police SWAT people out demonstrations live masses
17	0.03	government regulations construction national problem resettlement compensation projects immigration policy
18	0.03	company investment hard-earned money the government funding limited guarantee fraud bank victims
19	0.02	merchants rights rent protest shops collective shopping business owners rent
20	0.02	taxi strike drivers companies taxi collective rental bus black car bus
21	0.02	workers workers company employees group business leadership wages rights limited
22	0.02	rights Wanke pan-Asian mobile petitioner national site protest Tanglong video
23	0.02	urban management beat law enforcement people police crowd violence live events police
24	0.02	children parents school kindergarten elementary school school student department of education education school district
25	0.02	hospital family members doctors people children death patients patients surgery rescue
26	0.02	pollution residents garbage villagers government protest chemical plants waste incineration projects people
27	0.02	villagers government masses reservoir housing coal mining farmers leaders people
28	0.01	teacher teacher student school wages strike rights college highschool collective
29	0.01	court attendance membership use report comments lawyer applications attention register
30	0.01	veterans people government SWAT rights war railway people Zhongtai people

the latter. For example, labor-related topics (T1, T21, T28) together account for around 20 percent of all document-topic scores; but, as will be seen later in the chapter, more than 40 percent of all protests are related issues.

The topics fall into three groups. The first highlights the reasons for protests and will be discussed below. The second (nine topics) contains various activities and descriptions of states of affairs, including reports that petitioners have assembled in front of the district or city government (T2), complaints about protest-related traffic jams (T3), and terms describing large-scale protests (T16). The first two topics, which perhaps identify the tweeters as onlookers rather than participants, account for 29 percent of the corpus. Tweets that urge Internet users to help a cause by retweeting constitute another 10 percent (T5). This topic nicely illustrates how people are employing social media to further their causes. Phrases urging the government to protect the interests of the people (T6) are equally common, followed by T8, another topic that probably fits into the “onlooker” category. The remaining topics are relevant in only a fraction of the corpus. They include words related to the legal process (T29), phrases (T11), labor-related synonyms (T21), and a residual category (T30).

The third group consists of two law enforcement-related topics. Both include the names of law enforcement agencies as well as vocabulary related to acts of violence. T4, which combines the noun “police” with verbs such as “hit,” “assault” and “violence,” indicates that tweeters mainly associate the police with acts of repression (and not, say, protection). That this topic accounts for 13 percent of the total topic score suggests that police brutality occurs not infrequently. T23 refers to both urban management officials and the police, and also contains violence-related terms. As will be discussed in more detail, other topics contain such terms as well.

The following subsections introduce the grievance-related topics in more detail. It has already been established that labor issues are the main trigger for social unrest in China. They fall into four broad groups, among which protests by migrant workers, an especially vulnerable group in China’s labor market, are the most common (T1).²³ Other topics simply mention “workers” (T12, T21) and refer to the plight of taxi drivers (T20) and teachers (28). It is well known that taxi drivers go on strike because they are dissatisfied with the government-regulated fare system, which does not compensate drivers for sudden increases in the price of gasoline. As oil prices plummeted in 2014, this is less an issue in the dataset than the unfair competition by illegal taxis (“black cabs”). In recent years, taxi strikes have been aimed at forcing local leaders to fight illegal taxis and protect cabbies from the competition by ride-sharing companies such as Didi Chuxing. School teachers are another status group that occasionally engages in social unrest, the main reason being wage arrears. Because of local budget shortages, teachers are frequently owed months of salary by their public employers, are not paid as much as they are entitled to, or fail to receive the subsidies they had been promised.

Property-related protests constitute the second largest category overall and can be subdivided into three distinct groups: land grabs and forced evictions; conflicts related to the sale of real estate; and dissatisfaction with services provided by property management companies. Different from what might have been expected from both the Landesa survey and the existing literature, protests related to land grabs and evictions are not prominent in the dataset, but homeowner protests are.²⁴ While it is possible that previous research has overestimated the significance of land grabs and evictions as drivers of social unrest,

it is not likely. It seems more reasonable to assume that such protests have indeed declined, which might well be the result of disincentives set by the central government. Citizens are now better protected against wanton land grabs and evictions than in the early 2000s, and compensation is fairer than it was.

Still, T9, T14, T13 and T17 illustrate that there is still much room for improvement. As becomes clear from T9, land reacquisition takes the form of forced expropriation so frequently that the algorithm fails to separate the nature of the grievance from the heavy-handed means applied by local authorities. As can be seen, words like “forced,” “forced appropriation,” “wounded” and “mafia” figure prominently in T9. That officials in rural China and companies hire ex-convicts or organized gang members to intimidate or use force against people who resist land grabs or development projects is well established in the literature, so the presence of terms related to hooliganism makes sense.²⁵ T14 also refers to land grabs, but puts more stress on allegations of corruption. Sometimes protesters seek to obtain justice not by directly voicing an instrumental demand, but by accusing the village authorities of corruption.²⁶ T27 might also be related to this subcategory of property-related issues.

Eviction-related terms dominate T13 and T17, each of which highlights a different aspect. T13 is more about the owners, whereas in T17 terms related to construction projects and the question of resettlement are more prominent. Tweets loading high on T13 tend to describe protests against an impending eviction, while those falling into T17 come from people who have already abandoned their homes but are meeting with difficulties during resettlement. Examples here are relocations from the city center to the outskirts, and apartments that are too small or too expensive. It is interesting to note that the decapitation or complete demolition of church buildings in Zhejiang province also feature in T13.

It seems that, in terms of property-related protests, homeowners might have taken the place of the victims of land grabs and evictions. T7, which describes conflicts between real estate developers and buyers, constitutes the second largest grievance. Judging from the tweets that load on this topic, the most prevalent issue seems to be that buyers fail to receive their ownership certificate despite having already made a down payment on a new apartment. Frequently, the construction of an apartment complex has fallen behind schedule, and owners complain that they cannot move in. Other tweets report how developers have gone bankrupt and buyers have lost all their investments. In some cases, protesters occupy the construction site, often still a vacant space, and demand that construction continue. Dissatisfaction with developers cutting corners or erecting buildings where a garden had initially been planned also falls into this category.

The third category of property-related grievances is related to the availability, quality and cost of utilities (T10). Property management companies are often accused of negligence—examples in this case being elevators in disrepair, low water pressure or deficient heating systems. Charges for services that should be free also motivate homeowners to stage demonstrations.²⁷ While much ink has been spilled on land grabs and evictions, the far more frequent conflicts between buyers and developers are comparatively under-researched and constitute a promising avenue for future research.

The topic related to environmental protests (T26) is surprisingly weak given how prominent environmental issues are both in the news and in China-related research.²⁸ Remarkably, people hardly ever protest against air and water pollution, which is a

major grievance in most cities. In fact, most environmental protests are of the “not in my backyard” (NIMBY) kind, with protesters mobilizing against the construction of waste incinerators or chemical factories near their homes.²⁹ That said, the paucity of environmental protests should not be interpreted to mean that environmental issues do not matter to Chinese people: they tend to draw large and heterogeneous protest crowds, and are therefore more likely to turn into anti-regime protests if the situation escalates.³⁰

T24 consists of terms related to education. Education-related protests are initiated by parents, students and teachers. Parents mostly protest against the impending closure of a kindergarten or a primary school, or, in the case of migrants, that their children are excluded from the education system altogether. High school and university students tend to take to the streets because they perceive university entrance examinations as being unfair to them. Finally, as mentioned above, wage arrears are a common reason for protests by teachers. Surprisingly, only very few protests are initiated because of well-documented problems such as teachers charging irregular fees or forcing students to take costly private classes,³¹ a phenomenon still commonplace, especially in rural China.³²

Social unrest because of medical mistreatment (T25) and the death of a family member (T15) is the subject of two further topics. These topics correlate to some extent because family members sometimes assemble in front of a hospital to vent their anger over the death of a loved one. The term “treated to death” (*zhishi*) frequently appears in tweets in this category. However, there are also events that are unique to each category. With respect to medical mistreatment, fake medicine or high bills are common reasons for people taking to the streets. The tweets belonging to the death of a family member category are even more heterogeneous—people demand justice after a family member has died in a workplace or traffic accident, a student has jumped to her death, or a person has drowned in a pond. Two kinds of event load heavy on this topic: protests resulting from the death of a family member, or the death of a family member resulting from a protest. Some protests were started because urban management officials or police officers allegedly killed someone during an interrogation or while trying to contain a protest.

Finally, the analysis also identified topics related to protests initiated by investors claiming they were defrauded when purchasing financial products (T18); and by shopkeepers and hawkers complaining about sudden rent increases, not having their deposit returned, or being chased away by urban management officials (T19).

GEOGRAPHY OF PROTESTS

So where in China do protests occur? Are they confined to individual regions, or are they a nationwide phenomenon? Understanding the regional distribution of protests is important for any assessment of China’s social and political stability. For example, protests that occur in only a small number of localities are less likely to link up with other protests.³³ Further, it is far easier for a government to remedy grievances and shortcomings in one location than in the whole country. In a similar vein, the geographical distribution of protests related to a particular grievance provides important clues as to whether a problem is systemic or isolated. With regard to labor protests, for example, Manfred Elfstrom and Sarosh Kuruvilla conclude that even though labor protests occur especially often in the Pearl River Delta, “a distinct regional pattern is less pronounced than previously

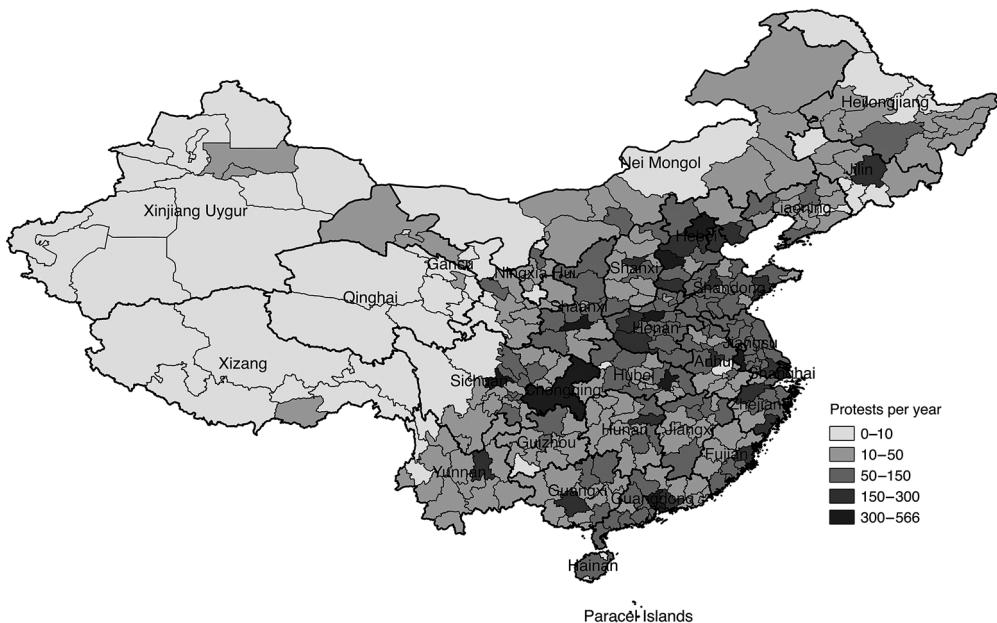


Figure 2.1 Number of protests per year

suggested.”³⁴ In other words, labor-related grievances are not particular to manufacturing hubs in Guangdong, but are common everywhere in China. The following paragraphs will expand the analysis by accounting for other grievances besides labor.

Figure 2.1 illustrates the annual number of protests that have taken place in each prefecture-level city between July 2013 and June 2016: the darker the field, the more protests. The map confirms that protests indeed occur almost everywhere in China, although they are more common in some regions than others. This might accurately describe the reality in a location, but might also be the result of censorship. Furthermore, it should be kept in mind that the outbreak of a protest is the function of at least two factors: a grievance serious enough to motivate people to take to the streets, and the capacity of local elites to prevent this from happening.³⁵ It is very likely that the paucity of observed protests in Xinjiang, Tibet and Qinghai can be attributed to this last factor. Security forces have been so present in the period under observation that it would have been extremely risky and difficult to initiate social unrest.

Still, the map shows that most cities experienced, on average, at least 50 protests per year in the period of observation. As can also be seen, there are several cities that stand out for their high number of protests, most importantly Beijing, Xi'an, Shenzhen, Chongqing, Chengdu, Zhengzhou, Guangzhou and Shanghai.³⁶ These localities experienced between 365 and 577 protests per year. If only labor protests are included, the map (not shown here) confirms the findings by Elfstrom and Kuruvilla: labor issues are the primary reason for protests in most Chinese cities; and they are especially common in the Pearl River Delta, but also in Beijing and Chongqing. This confirms once more how serious and systematic the violation of (migrant) worker interests in China is.

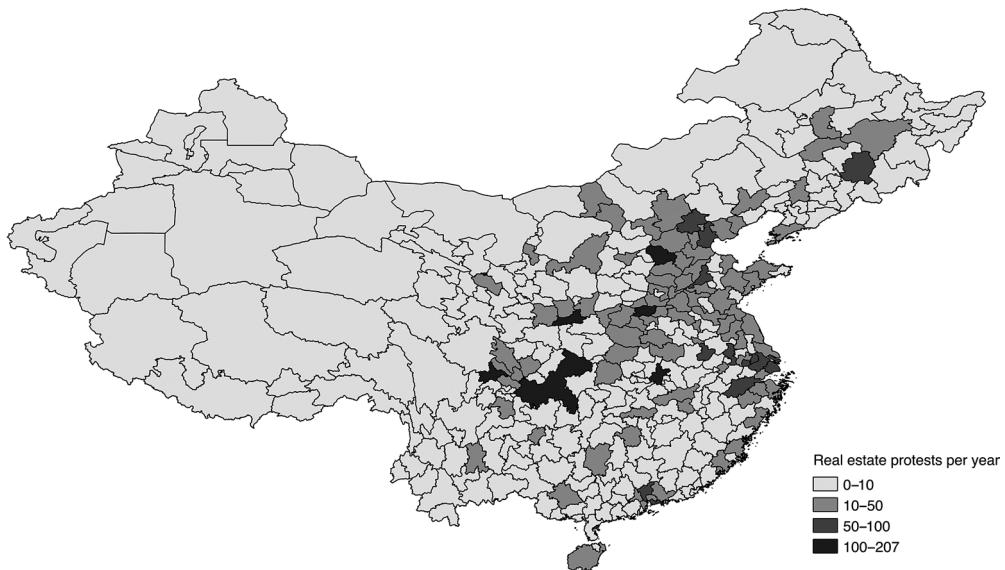


Figure 2.2 Real estate protests per year

By contrast, protests related to real estate issues are regionally more concentrated. As Figure 2.2 illustrates, they are prevalent in the coastal provinces of Zhejiang, Shanghai, Jiangsu and Shandong, but also in the inland provinces of Hebei, Henan and Sichuan. Land grabs, the third most common reason for protests, also display a regional pattern—they are mainly concentrated in southern China (Figure 2.3).

Figure 2.3 highlights a very interesting phenomenon: the cities where such protests occur often form a cluster that crosses provincial boundaries, and they share at least one border with other cities where such protests occur. The cluster spans three provinces: Guangxi, Guangdong and Fujian. As opposed to migrant worker protests, which are evenly spread across all of China, land grabs seem to constitute a more local problem particular to southern China.

CROWD SIZES

A total of 180,000 protests per year would be an imposing figure only if each of these protests were as big as we might imagine them to be based on a Google Images search. Put differently, 180,000 protests attended by 15 persons each would be less impressive than the same number of protests each attended by thousands of people. If a cause manages to rally the population of a small city, the authorities are well advised to address this cause because the same or even a larger number of people might take more extreme measures if their demands are not satisfied.³⁷ Conversely, there is no incentive for the authorities to take action where there are only a few protesters and no onlookers. A low turnout might signal to the authorities that an issue can be safely ignored.³⁸

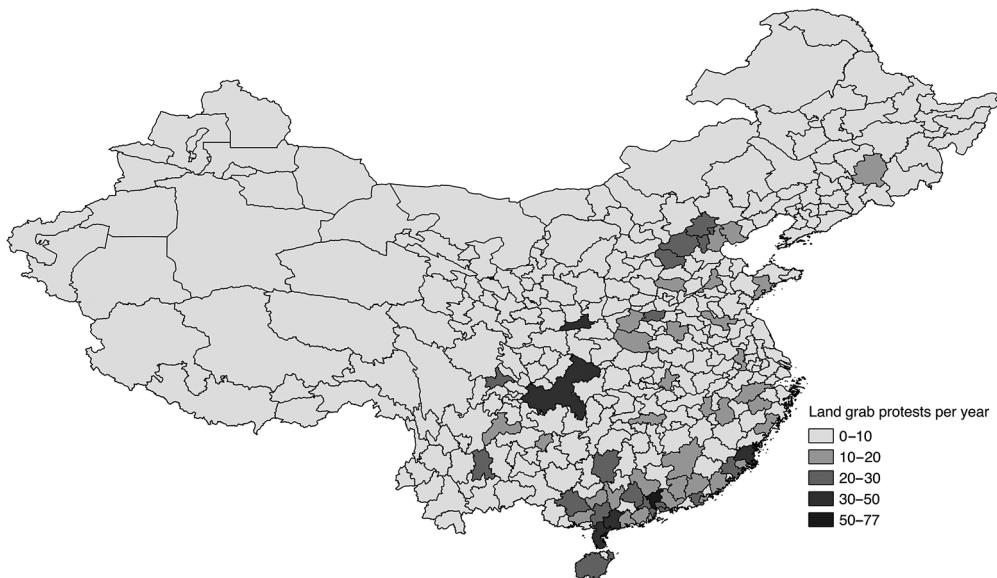


Figure 2.3 Land-related protests per year

That said, estimating protest sizes is notoriously difficult, the more so for large-scale protests, and especially if no aerial photos are available that would allow grid-based information.³⁹ Unfortunately, the only information we have are crowd estimates by eyewitnesses. A Boolean search query employing regular expressions was used to extract such information. Specifically, it searched for numbers in the immediate neighborhood of verbs denoting participation in protest activities and nouns describing different categories of participants. Unfortunately, such data is available only for 8,044 of the 74,452 events in the database. The result is displayed in Figure 2.4, which shows that there is a logarithmic relationship between the size of a protest and its likelihood to occur. In simple terms, small protests occur exponentially more frequently than large protests. The overwhelming majority of protests in China are very small, mustering fewer than 50 participants. Still, more than 2,000 events were believed by participants to have been attended by 1,000 persons or more.

Figure 2.4 also indicates a characteristic that is particular to rough estimations—they become less precise as crowd sizes increase. If only a couple of dozen people participate, estimates are often very precise because it is possible to count the number of participants. The more people there are, the more difficult it is to guess precisely how large the crowd is—for example to estimate a crowd to number 500 people rather than 400, 300 or 200. The same is true for a count of 1,000, which might in fact span an attendance of between 500 and 2,000 persons. Another spike, not visible in the graph, occurs at 10,000 persons which, according to the logic just explained, might indicate a crowd size of anywhere between 1,000 and 100,000 persons.

Overall, the overwhelming majority of protests in China average between ten and 100 participants. Large-scale protests of more than 1,000 people are exponentially less likely to occur. Yet these large protests are more likely to be reported in the Chinese and overseas

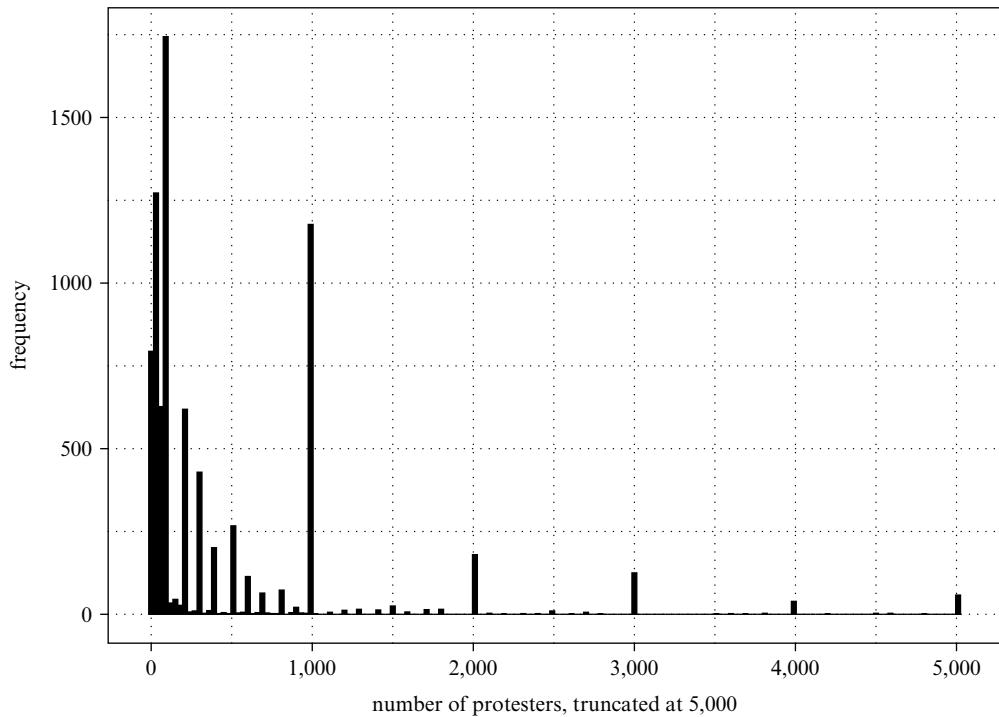


Figure 2.4 Distribution of protest sizes

media, thus forming our image of social unrest in China. In reality, the more likely a protest is to be reported in the news, the less likely it is that a protest of that size occurs frequently. Most protests in China go unreported, and perhaps even unnoticed, signaling not a weakness of the regime but that social groups are demanding to be heard.

PROTEST FREQUENCY

It makes a difference if a country experiences a steady flow of protests, as the “500 protests a day” headline in *The Atlantic* might suggest, or if protests display ebbs and flows. A sudden and unexpected burst of protest activity would be considered a national emergency, while a steady flow might signal that protests are tolerated to some degree by those in power.⁴⁰ Our data suggest that there is large variation in the number of protests that take place on any given day. The number fluctuates between 100 and 200 in spring and fall and during the winter months; it then builds to a peak of between 400 and 500 events just after the new year, then falls back into the 100–200 range. Not coincidentally, the peak coincides with Chinese New Year.

A closer look at the data suggests a likely explanation for this phenomenon: as evidenced in Figure 2.5, the overwhelming majority of protests, on average more than 40 percent, concern labor-related issues—in particular claims by migrant workers that their

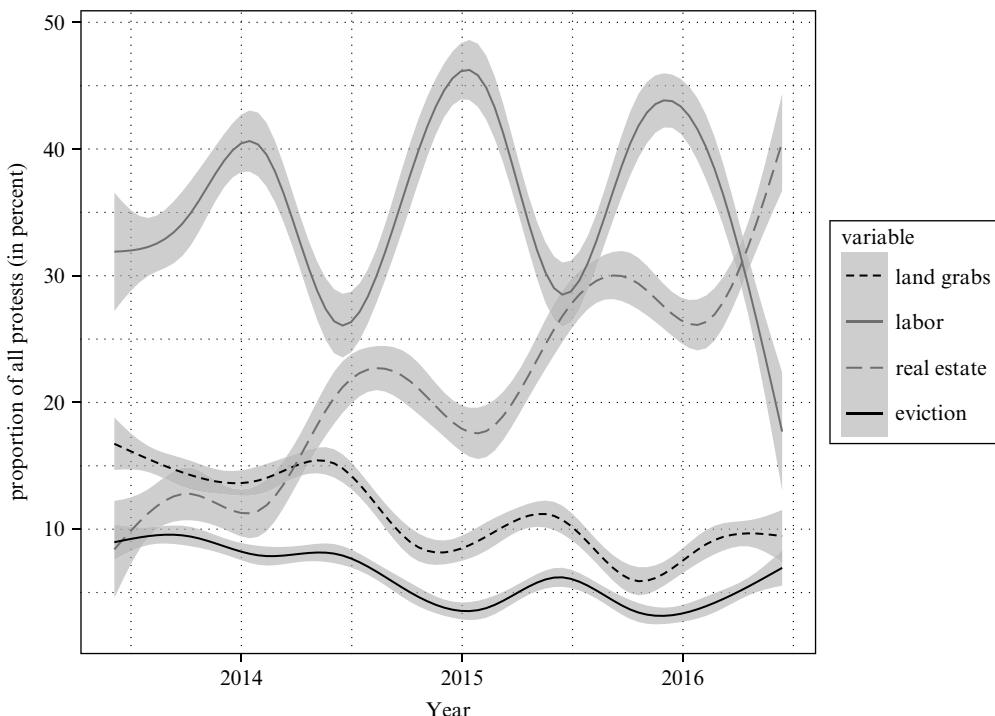


Figure 2.5 Seasonality of major grievances

wages have not been paid fully by their employers. It follows that most protests occur at a special time, i.e. the closing of accounts and the start of a new hiring season, and have a specific aim, i.e. the fair compensation of (migrant) workers for their labor.⁴¹

This might explain why so many protests are unable to gather followers. As important as migrant workers have been for China's economic development, they have not been able to mobilize others in support of their cause. This is not surprising—migrant workers constitute a marginalized group that members of the middle class tend to look down on, and see little reason to support. The situation might be different if labor protests were routinely repressed. China's citizens witness not only the demands made by the protesters, but also how the regime interacts with those who take to the streets. Protesters might not succeed in mobilizing China's citizens for their demands; but if their actions meet with repression, they at least help expose the violent side of local government. The repression of legitimate interests flies in the face of the image of responsive and "service-oriented" government that the CCP wishes to nurture, and might concern onlookers more than the violated interests themselves.⁴² This is perhaps one of the reasons why, as will be seen in the next section, the authorities tend to act carefully when confronted with labor unrest.

Another interesting tendency is the apparent decline of land-related unrest. Land protests made up around 17 percent of all protests in 2013, but only 10 percent in 2016. A similar trend pertains to eviction-related protests, which have also declined. This does not necessarily mean, however, that land protests have become less frequent. Possibly, the decline in

land-related protests has been effected by an increase in another category of protest. Real estate-related grievances, which display a steep incline, seem to be a good candidate.

Indeed, an inspection of the absolute number of protests reveals that land- and eviction-related events have remained constant at around five incidents per day with no discernible seasonal variation. The number of real estate protests, on the other hand, has increased more than five-fold within only three years. Throughout 2013, they had been less common than land protests, but were approaching the mark of 30 protests per day in June 2016.

The steep increase of social unrest within the period of observation is perhaps the most relevant finding this study has to offer. As outlined in the previous section, such protests differ from most others in that they are driven by homeowners, many of whom are members of the middle class, and others perhaps aspiring to join their ranks. Also, many of these protests are initiated by persons who have invested a significant amount of money in their new home, so their grievance is significant. As is the case with environmental issues, such grievances pose an enormous risk to the regime because they might affect how China's various social groups relate to each other.

According to structuralist theory,⁴³ protests by peasants and the working class often have the effect of aligning the middle class more closely with the regime because the latter might be confronted with demands for income or property redistribution if the poor manage to seize political power. If the regime is perceived as being unable to protect the interests of the middle class, however, alliances cutting across classes become possible. Even though the specific interests of homeowners and workers might not align, they might become united in their desire for a regime that is more responsive to their interests. Along with environmental issues, real estate-related grievances pose a formidable challenge to the legitimacy of China's one-party regime.

PREVALENCE OF ISSUES

This final section investigates the prevalence of various grievances. A Support Vector Machine (SVM) was used to arrive at a more accurate classification of protest events than the one discussed earlier. SVMs are supervised machine-learning algorithms that are known to perform well in supervised document classification. In an SVM, the terms in a corpus are represented in a multi-dimensional vector space, and the association with a particular topic is assessed by calculating the distance between terms and specific vectors. A training set of documents provides the benchmark for the classification, which consists of the calculation of support vectors that delineate the spaces between clusters of vectors. New documents are classified based on their distance from these support vectors. The model was trained with a hand-coded sample of 1,600 documents, 800 of which were randomly chosen and 800 more which were added after a first run of the model. The latter set of documents was purposely chosen to fill gaps where the first round did not yield enough training material for a certain topic.⁴⁴ Eventually, I arrived at 12 different categories of protest that are largely consistent with the grievance-related topics identified by the topic model. The quality of the SVM was assessed by splitting the 1,600 documents into a training and a test set, and calculating precision and recall values for each category: 75 percent of the documents were randomly selected for training, and 25 percent for testing; and the procedure was repeated 1,000 times to arrive at robust estimates of the

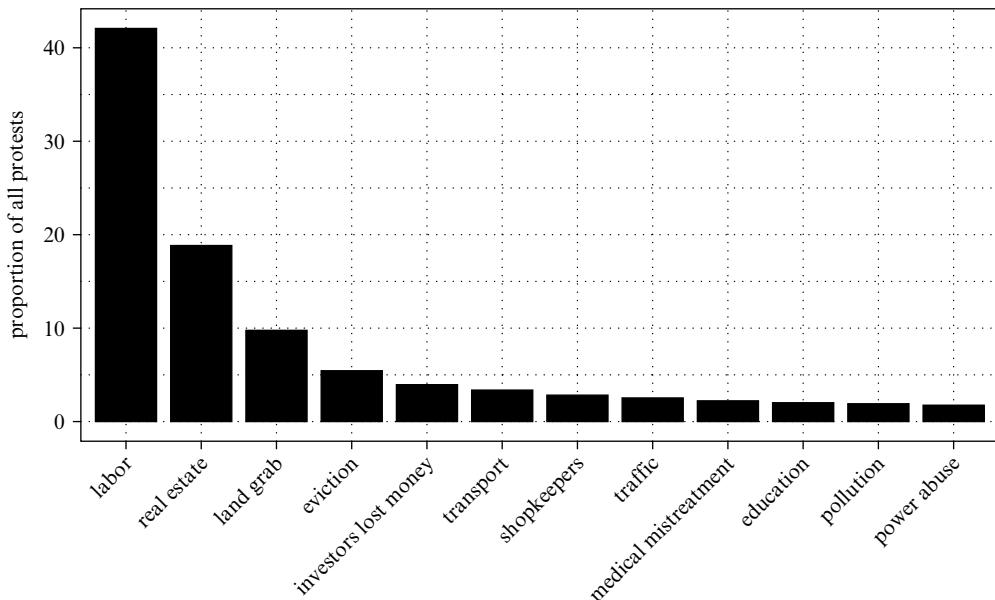


Figure 2.6 Prevalence of issues

scores. The result is very encouraging—all but two categories yield precision and recall scores above .90, and no category falls below .85. This is a very high level of convergence, especially for such a large number of categories.

Figure 2.6 illustrates the prevalence of various kinds of protest in China. As indicated earlier, labor issues are by far the most common motivator for protests, and a whopping 42 percent of all protests in the sample are related to unpaid wages, arrears and other labor issues. Real estate-related grievances motivate almost 20 percent of all protests. As explained, this category includes conflicts between owners and developers as well as between owners and property management companies. It should also be kept in mind that such protests increased rapidly over the period of observation, both in absolute and relative terms. The average displayed in Figure 2.6 betrays the fact that real estate-related grievances motivated only 10 percent of all protests in mid-2013, but 40 percent in mid-2016.

Land grabs and evictions together account for only 15 percent of all protests, which is less than expected given the prominence of the topics in the literature. Other issues motivate only a fraction of all protests. These include environmental protests; protests against power abuse; medical mistreatment; social unrest as a result of unequal access to or insufficient quality of education; and protests by defrauded investors, dissatisfied shopkeepers or bus and taxi drivers.

CONCLUSION

Drawing on a dataset derived from social media representations of popular protest, this chapter has provided a bird's-eye view of social unrest in China. It was shown that protests

are widely spread across China, but primarily occur around the Chinese New Year; and that protests are motivated mainly by instrumental demands, first and foremost the settling of wage arrears. Other grievances such as the expropriation of land and buildings or environmental pollution, are less frequent than expected, whereas protests related to real estate occupy an unexpectedly large—and increasing—part of the protest landscape in China.

These findings have important implications for our understanding of social unrest in China. First, against the background of recent scientific and journalistic concern with social unrest in China, it needs to be kept in mind that the causes of social unrest are less heterogeneous than might be assumed.⁴⁵ Labor protests are by far the largest category of social unrest, which means that investigations into the impact of social unrest on regime stability in China need to closely study China's precarious working conditions.

Second, while valuable case studies on grievances related to real estate do exist, the fact that such grievances have increased to become the second most prevalent cause of social unrest in China is both surprising and significant. The fact that members of the middle class are now habitually taking to the streets has important implications for regime stability in China.

Third, the analysis has also revealed that most of the protests are small in scale, but have a propensity to turn violent. Protesters are beaten up in around 16 percent of all protests. It follows that it might not primarily be the grievances themselves that pose a threat to stability in China, but rather the escalation of violence when protesters are beaten up by security forces or hired thugs.

Although the data used in this chapter improves our understanding of the macro-dimension of social unrest in China, it suffers from limitations. First, we do not know how representative the data really is. If the estimation of 180,000 protests in 2010 is correct, it seems likely that my dataset captures only a fraction of all protests. Future studies must establish whether this data is representative of the universe of cases or whether it suffers from selection bias. Second, the data is subjective because it represents the observations and attitudes of people who have either participated in or observed a particular event. Third, it is impossible to separate tweets by participants in a protest from those written by spectators. If, for example, the latter oppose a particular protest, the event will be misrepresented. Fourth, given the large number of small-scale protests in China, this study is biased towards such protests. Not enough data was available to study aspects like the relationship between affectedness and protest size, or protest size and protest outcome.

These issues notwithstanding, the present chapter shows the potential for analyzing event data derived from social media reports. Hopefully, more pieces will be added to the puzzle in future studies.

NOTES

* The research for this chapter was funded by the European Research Council (Grant No. 678266). I am grateful to Simon Musgrave for introducing me to word embeddings, and to David Goodman, Li Jie, Christoph Steinhardt and Andrew Wedeman for valuable comments on a previous draft. Lu Yuyu and Li Tingyu have done a great service to science by collecting the data this chapter is based on, and I acknowledge their sacrifice.

1. See Chris Buckley, "China Villagers Defy Government in Standoff over Death," Reuters World News, 15

- December 2011, <https://www.reuters.com/article/us-china-unrest/china-villagers-defy-government-in-stand-off-over-death-idUSTRE7BE0VR20111215>.
2. Christian Göbel and Lynette H. Ong, "Social Unrest in China," Long Briefing, Europe China Research and Academic Network (ECRAN) (2012).
 3. See, for example, Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (Cambridge: Cambridge University Press, 2006); Elizabeth J. Perry, *Challenging the Mandate of Heaven: Social Protest and State Power in China* (Armonk, NY: M.E. Sharpe, 2002); Lianjiang Li and Kevin J. O'Brien, "Protest Leadership in Rural China," *The China Quarterly* 193 (2008): 1–23; Xianwen Kuang and Christian Göbel, "Sustaining Collective Action in Urbanizing China," *The China Quarterly* 216 (2013): 850–71.
 4. See, for example, Peter Lorentzen, "Designing Contentious Politics in Post-1989 China," *Modern China* 43, no. 5 (2017): 459–93; Peter Lorentzen, "Regularizing Rioting: Permitting Public Protest in an Authoritarian Regime," *Quarterly Journal of Political Science* 8, no. 2 (2013): 127–58; Xiaowei Gui, "Handling of Small-Scale Protests in China: Process Dynamics and Outcomes," (Master's Thesis, Københavns Universitet, Department of Cross-Cultural and Regional Studies, 2015); Yanhua Deng and Kevin J. O'Brien, "Relational Repression in China: Using Social Ties to Demobilize Protesters," *The China Quarterly* 215 (2013): 533–52; Ching Kwan Lee and Yonghong Zhang, "The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China," *American Journal of Sociology* 118, no. 6 (2013): 1475–508; Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010); Yongshun Cai, "Power Structure and Regime Resilience: Contentious Politics in China," *British Journal of Political Science* 38, no. 3 (2008): 411–32.
 5. For a book-length monograph on this issue, see Xi Chen, *Social Protest and Contentious Authoritarianism in China* (Cambridge: Cambridge University Press, 2012).
 6. Exceptions are Elfstrom and Kuruvilla's study on labor unrest in China (Manfred Elfstrom and Sarosh Kuruvilla, "The Changing Nature of Labor Unrest in China," *ILR Review* 67, no. 2 (2014): 453–80); Ong's analysis of newspaper reports on social unrest more generally (Lynette H. Ong, "Reports of Social Unrest: Basic Characteristics, Trends and Patterns, 2003–12," in *Handbook of Research on Politics in China*, ed., David S.G. Goodman (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2015), 345–60); and Chen Chih-Jou's research on the structure of protests (Chih-Jou Jay Chen, "Demanding Justice: Rising Popular Protests in China," in *Facing an Unequal World: Challenges for Global Sociology*, ed., Raquel Sosa Elizaga (New York: Sage, 2018), 250–63; Chih-Jou Jay Chen, "Growing Social Unrest and Emergent Protest Groups in China," in *Rise of China: Beijing's Strategies and Implications for the Asia-Pacific*, eds., Hsin-Huang Michael Hsiao and Cheng-Yi Lin (London and New York: Routledge, 2009): 87–105; and on protest policing in China Chih-Jou Jay Chen, "Youxiao zhili de zhigu: Dangdai Zhongguo jiti kangzheng yu gojia fanying [The shackles of effective governance: collective resistance and state reactions in contemporary China]," *Taiwan Shehuixue* 33 (2017), 113–64).
 7. On the issue of credibility and rebellions, see Ravi Bhavnani and Michael Ross, "Announcement, Credibility, and Turnout in Popular Rebellions," *Journal of Conflict Resolution* (2003): 340–66.
 8. Lee and Zhang, "The Power of Instability."
 9. Lorentzen, "Regularizing Rioting."
 10. Jean-Louis Rocca, "Homeowners' Movements: Narratives on the Political Behaviours of the Middle Class," in *Middle Class China: Identity and Behaviour*, eds., Minglu Chen and David S.G. Goodman (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2013), 110–34, at 111; see also Jean-Louis Rocca, *The Making of the Chinese Middle Class: Small Comfort and Great Expectations* (Berlin: Springer, 2016).
 11. This point was made in email correspondence with the author.
 12. Rocca, *The Making of the Chinese Middle Class*, 186.
 13. Ibid., 188. For a compatible view on middle-class protests related to garbage incinerators, see Andrew Wedeman, "Not in My Backyard: Middle Class Protests in Contemporary China" in *The Middle Class in Emerging Societies: Consumers, Lifestyles and Markets*, eds., Leslie L. Marsh and Hongmei Li (London: Routledge, 2015), 200–222.
 14. <http://maps.clb.org.hk/strikes/en>.
 15. <https://chinastrikes.crowdmap.com>.
 16. <http://www.clb.org.hk/content/lu-yuyu-and-li-tingyu-activists-who-put-non-news-news>.
 17. <https://www.nchrd.org/2017/02/li-tingyu/>.
 18. <http://foreignpolicy.com/2014/04/03/meet-chinas-protest-archivist/>.
 19. Ibid.
 20. H. Christoph Steinhardt, "From Blind Spot to Media Spotlight: Propaganda Policy, Media Activism and the Emergence of Protest Events in the Chinese Public Sphere," *Asian Studies Review* 39, no. 1 (2015): 119–37; H. Christoph Steinhardt and Zhao Litao, "From 'Stability Overrides Everything' to 'Social Governance': The Evolving Approach to Social Order in China," in *China Entering the Xi Jinping Era*, eds., Zheng Yongnian and Lance L.P. Gore (London: Routledge, 2015), 193–215.

21. Andrew Kachites McCallum, “Mallet: A Machine Learning for Language Toolkit” (2002), <http://mallet.cs.umass.edu>.
22. For excellent introductions to topic modeling in political science, see Christopher Lucas et al., “Computer-Assisted Text Analysis for Comparative Politics,” *Political Analysis* 23, no. 2 (2015): 254–77; Margaret E. Roberts, Brandon M. Stewart and Dustin Tingley, “Navigating the Local Modes of Big Data: The Case of Topic Models,” in *Computational Social Science: Discovery and Prediction*, ed., R. Michael Alvarez (Cambridge: Cambridge University Press, 2016), 51–97; Justin Grimmer and Brandon M. Stewart, “Text As Data: The Promise and Pitfalls of Automatic Content Analysis Methods for Political Texts,” *Political Analysis* 21, no. 3 (2013): 267–97. For a more technical introduction by the developers of the technique, see David M. Blei, Andrew Y. Ng and Michael I. Jordan, “Latent Dirichlet Allocation,” *Journal of Machine Learning Research* 3 (2003): 993–1022.
23. Keung Wong et al., “Rural Migrant Workers in Urban China: Living a Marginalised Life,” *International Journal of Social Welfare* 16, no. 1 (2007): 32–40; Chih-Jou Jay Chen, “Die Zunahme von Arbeitskonflikten in China: Ein Vergleich von ArbeiterInnenprotesten in Verschiedenen Sektoren,” in *Arbeitskämpfe in China: Berichte von der Werkbank der Welt*, eds., Georg Egger, Daniel Fuchs, Thomas Immervoll and Lydia Steinmassl (Vienna: Promedia, 2013), 78–105.
24. Xiaolin Guo, “Land Expropriation and Rural Conflicts in China,” *The China Quarterly* 166 (2001): 422–39; You-tien Hsing, *The Great Urban Transformation: Politics of Land and Property in China* (Oxford: Oxford University Press 2012).
25. Sally Sargeson, “Violence as Development: Land Expropriation and China’s Urbanization,” *Journal of Peasant Studies* 40, no. 6 (2013): 1063–85; Kathy Le Mons Walker, “From Covert to Overt: Everyday Peasant Politics in China and the Implications for Transnational Agrarian Movements,” *Journal of Agrarian Change* 8, no. 2–3 (2008): 462–88.
26. Kuang and Göbel, “Sustaining Collective Action in Urbanizing China.”
27. On conflicts related to property management companies, see Luigi Tomba, *The Government Next Door: Neighborhood Politics in Urban China* (Ithaca, NY: Cornell University Press, 2014); Ying Wu and Junhua Chen, “The Constructive Significance of Homeowners’ Rightful Protest in China,” in *Neighbourhood Governance in Urban China*, ed., Ngai-Ming Yip (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2014); Yongshun Cai, “China’s Moderate Middle Class: The Case of Homeowners’ Resistance,” *Asian Survey* 45, no. 5 (2005): 777–99.
28. See for example H. Christoph Steinhart and Fengshi Wu, “In the Name of the Public: Environmental Protest and the Changing Landscape of Popular Contention in China,” *The China Journal* 75, no. 1 (2016): 61–82; Anna Lora-Wainwright and Benjamin Van Rooij, “Learning to Live with Pollution: The Making of Environmental Subjects in a Chinese Industrialized Village,” *The China Journal* 68 (2012): 106–24; Lei Xie, “China’s Environmental Activism in the Age of Globalization,” *Asian Politics & Policy* 3, no. 2 (2011): 207–24; Benjamin Van Rooij, “The People vs. Pollution: Understanding Citizen Action against Pollution in China,” *Journal of Contemporary China* 19, no. 63 (2010): 55–77. Phillip Stalley and Dongney Yang, “An Emerging Environmental Movement in China?,” *The China Quarterly* 186 (2006): 333–56; Jun Jing, “Environmental Protests in Rural China,” in *Chinese Society: Change, Conflict and Resistance*, eds., Elizabeth J. Perry and Mark Selden (London and New York: Routledge, 2003), Chapter 9.
29. Graeme Lang and Ying Xu, “Anti-incinerator Campaigns and the Evolution of Protest Politics in China,” *Environmental Politics* 22, no. 5 (2013): 832–48; see also Wedeman, “Not in My Backyard.”
30. Steinhart and Wu, “In the Name of the Public.”
31. Thomas P. Bernstein and Xiaobo Lü, *Taxation without Representation in Contemporary Rural China* (Cambridge: Cambridge University Press, 2003).
32. Gerard A. Postiglione, *Education and Social Change in China: Inequality in a Market Economy* (Abingdon: Routledge, 2015).
33. On the diffusion of protests across state boundaries, see Stuart Hill and Donald Rothchild, “The Contagion of Political Conflict in Africa and the World,” *Journal of Conflict Resolution* 30, no. 4 (1986): 716–35.
34. Elfstrom and Kuruvilla, “The Changing Nature of Labor Unrest in China”: 465–66.
35. https://www.nytimes.com/2017/02/20/world/asia/xinjiang-china-police-rallies.html?_r=0; <https://www.hrw.org/news/2015/01/29/china-political-repression-high-mark>.
36. The number of protests is somewhat correlated with population size—other things being equal, cities with larger populations are also more likely to experience protests. If population size is controlled for, however, very small prefectures that experience only one or two protests are highlighted as extremely prone to protests.
37. Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics* (Cambridge: Cambridge University Press, 2011).
38. See, for example, Mark Granovetter, “Threshold Models of Collective Behavior,” *American Journal*

- of Sociology 83, no. 6 (1978): 1420–43; Mark Granovetter and Roland Soong, “Threshold Models of Diffusion and Collective Behavior,” *Journal of Mathematical Sociology* 9, no. 3 (1983): 165–79.
- 39. John D. McCarthy, Clark McPhail and Jackie Smith, “Images of Protest: Dimensions of Selection Bias in Media Coverage of Washington Demonstrations, 1982 and 1991,” *American Sociological Review* 61, no. 3 (1996): 478–99; Clark McPhail and John McCarthy, “Who Counts and How: Estimating the Size of Protests,” *Contexts* 3, no. 3 (2004): 12–18; Mike Raybould et al., “Counting the Herd. Using Aerial Photography to Estimate Attendance at Open Events,” *Event Management* 6, no. 1 (2000): 25–32.
 - 40. On the relationship between different kinds of protests and state responses, and protests being “culturally sanctioned” in China, see Perry, *Challenging the Mandate of Heaven* and Elizabeth J. Perry, “Challenging the Mandate of Heaven: Popular Protest in Modern China,” *Critical Asian Studies* 33, no. 2 (2001): 163–80.
 - 41. Ching Kwan Lee, “Pathways of Labor Insurgency,” in *Chinese Society: Change, Conflict and Resistance*, eds., Elizabeth J. Perry and Mark Selden (London and New York: Routledge, 2000), 73–95, 61; and Anita Chan, “Recent Trends in Chinese Labour Issues: Signs of Change,” *China Perspectives*, no. 57 (2005): 1–13.
 - 42. Zhou Guanghui, “Towards Good Government: Thirty Years of Administrative Reforms in China,” in *The Reform of Governance*, ed., Keping Yu (Leiden: Brill, 2010), 137–80.
 - 43. Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1993); Dietrich Rueschemeyer, Evelyne Huber Stephens and John D. Stephens, *Capitalist Development and Democracy* (Chicago: University of Chicago Press, 1992).
 - 44. I used a pipeline of Tfifdf vectorizer, Tfifdf transformer and Linear Support Vector Classification, a standard combination that was obtained from the machine learning library scikit-learn; see Fabian Pedregosa et al., “Scikit-learn: Machine Learning in Python,” *Journal of Machine Learning Research* 12 (2011): 2825–30.
 - 45. The literature is far too extensive to be mentioned here. A comprehensive overview is provided in Kuang and Göbel, “Sustaining Collective Action in Urbanizing China” and Göbel and Ong, “Social Unrest in China.”

PART 2

PROTEST, DISSENT, AND THE LAW

3. Governing political expression: legitimacy and legal culture

*Pitman B. Potter**

CONTEXT: CONTROLLING POLITICAL EXPRESSION IN EARLY POST-MAO CHINA

Efforts to control political expression in China reflect historical contexts for regime legitimacy and the emergence of competing legal cultures. Consistent with patterns of legal development elsewhere, ideological and policy preferences have been key determinants in the operation of law and legal organizations throughout the history of the People's Republic of China (PRC) and its ruling Communist Party (CCP).¹ During the Maoist period prior to 1976, the role of formal law was subordinated to Maoist notions about class struggle and revolution.² This changed at the 3rd Plenum of the 11th CCP Central Committee in November–December 1978, which saw the post-Mao leadership announce a series of legal and economic reform measures justified by ideological conclusions about the decline of class struggle.³

In the aftermath of the tumult of the Cultural Revolution (1966–76), Party policy supporting development of a legal system continued to diminish the role of class struggle in political expression.⁴ The 1982 Constitution removed provisions on the right to strike, and eliminated the “Four Big Freedoms” (including the rights to speak freely, air views fully, hold great debates, and put up big character posters) that had been enshrined in the 1975 and 1978 texts associated with the Cultural Revolution. Restoring the provision that “all citizens are equal before the law,” which had been formalized in the 1954 Constitution but then removed from the 1975 and 1978 versions, the 1982 Constitution suggested that legal compliance rather than class status would define the scope of permissible political activity.

Restoring the Party’s authority also involved formalizing the political imperative of CCP leadership as one of the “Four Cardinal Principles” (*sixiang jiben yuanze* / 四项基本原则) underpinning the 1982 Constitution.⁵ Since they were first articulated in 1979, the Four Cardinal Principles have been a core feature of PRC governance and require fealty to (1) socialism; (2) the people’s democratic dictatorship; (3) the leadership of the CCP; and (4) “Marxism-Leninism Mao Zedong thought.” The requirement of loyalty to CCP leadership remains the most fundamental of the Four Cardinal Principles, effectively prohibiting the exercise of legal rights not endorsed by the Party.⁶

The post-Mao era saw a concerted effort to shift the mechanisms of government from reliance on political and ideological directives to use of formal edicts and regulations. This affected the regime’s responses to political expression, as illustrated by the examples of the Democracy Wall protests in 1978–79 and the Tiananmen Square democracy movement of 1989.

DEMOCRACY WALL: ENFORCING LOYALTY TO THE PARTY

The Democracy Wall movement of 1978–79 presented the post-Mao regime with the first major challenge to its rule, and the regime's response reflected a changing approach to protest and dissent.⁷ Following the Third Plenum of the 11th CCP Central Committee in November–December 1978, the policy theme of economic and legal reform associated with the return to power of Deng Xiaoping was widely publicized, although there were significant disagreements as to its scope. The regime's policy focus on economic development included attention to the so-called "Four Modernizations" associated with Zhou Enlai and later Deng Xiaoping.⁸ Within the governing elite and in politically involved sectors of society (which were considerable following the political campaigns of the Maoist period), questions also emerged as to the potential for political reform. Calls for as yet ill-defined notions of greater democracy emerged from intellectuals who hoped for more liberalization after 30 years of CCP-led authoritarian rule, and (paradoxically) from Cultural Revolution hold-overs who remained in the government despite the return of Deng Xiaoping, and who chafed against the efforts by Deng loyalists to suppress opponents within the system. Emboldened by these diverse hints of support, beginning in late 1978 people in Beijing began putting up wall posters (*dazibao* / 大字报) at the corner of Xidan Street and Chang'an Avenue in central Beijing calling for broader political liberalization. More than 50 unofficial publications were distributed in Beijing under such headings as *Beijing Spring* (北京之春), *Seeking Truth* (求是报), and *Chinese Human Rights Alliance* (中国人权同盟). As with many instances of protest in Maoist and post-Mao China, activities on the streets were closely linked with policy debates within the governing elite.

After the Democracy Wall activities had been tolerated for several months, an indication of significant intra-elite conflict, the government cracked down in March, removing the wall posters and arresting a number of participants, including most famously human rights activist Wei Jingsheng.⁹ Wei had been a Red Guard during the Cultural Revolution, and later worked as an electrician. He posted an essay on Democracy Wall entitled "Democracy: The Fifth Modernization" calling for greater political reform and criticizing Deng Xiaoping by name. Wei was also associated with the critical political journal *Inquiry* (探索), which, during its short tenure, published numerous articles critical of the regime. Wei was arrested in March 1979 and tried for *inter alia* "counter-revolutionary propaganda and agitation," exemplifying the regime's use of newly rebuilt legal structures to repress dissent.¹⁰ Representing himself at trial, Wei claimed the right to freedom of expression as provided for in the 1978 PRC Constitution Article 45.¹¹ Drawing on the discourse of the Four Cardinal Principles, the state's response was that individual rights were contingent upon support for the leadership of the Party, not the freedom to oppose it.¹² Wei was convicted and sentenced to 15 years in prison. He was released in 1993 in anticipation of a vote of the International Olympic Committee on China's (ultimately unsuccessful) bid for the 2000 Summer Games. Wei was rearrested in February 1994, convicted for "attempting to overthrow the state," and sentenced to a new term of 14 years' imprisonment.¹³ He was deported to the United States in 1997.

The regime's response to the democracy movement suggested that the regime's response to protest and dissent was gradually changing from a focus on class struggle to reliance on law to support Party rule. The trial and conviction of Wei Jingsheng put into sharp relief an emerging orthodoxy that conditioned the exercise of rights under China's Constitution

and laws upon obedience to the Four Cardinal Principles. Citing detailed provisions of China's "Act for the Punishment of Counter-Revolution," the trial verdict attempted to place a legal gloss on repression of dissent by the Party-state. As the trial of Wei Jingsheng showed, constitutional language on freedoms of protest and dissent had no power to restrain the repressive power of the Party-state, whose monopoly on interpretation of its own Constitution and laws enabled the regime to claim legal authority in rejecting challenges to its rule.

TIANANMEN: LEGAL PROTECTIONISM FOR THE PARTY-STATE

As with the Democracy Wall movement, the Tiananmen movement of 1989 combined popular dissatisfaction with intra-regime policy conflict. While the principle of Party leadership remained important, the response to the Tiananmen protests was couched more specifically in terms of the formalistic use of law to protect regime rule.

The story of the Tiananmen democracy demonstrations and their aftermath (witnessed by the author) is well documented and well told.¹⁴ What is often under-appreciated is the regime's reliance on legal and quasi-legal arguments to justify its crackdown. The declaration of Martial Law was itself a legal motion put before the State Council.¹⁵ After Martial Law was announced on May 20, regulations and edicts of the Martial Law Authority appeared regularly in the press and were posted on street corners.¹⁶ Charges against student demonstrators tended to rely on claims that student organizations were "illegal" even while attempting to refute constitutional challenges to regime actions.¹⁷ Charges that student demonstrators violated lawful regulations on public order and edicts issued by the Martial Law Command were combined with assertions that these violations nullified whatever free speech rights the students might claim.¹⁸ The regime's official announcement of the attack against protesters on June 3–4 made similar arguments, as did subsequent official reports on the events.¹⁹ Party supremacy discourse was evident but less prominent, not least because few demonstrators and even fewer of their leaders openly challenged the principle of Party leadership, instead considering themselves as calling for patriotic reform within the Party. Instead, the justification for the regime's violent suppression of the Tiananmen democracy demonstrations was couched largely in terms of law enforcement and protecting stability.²⁰

Yet the regime's use of legal forms to justify its exercise of repression carried risks, as legal specialists and other intellectuals challenged the lawfulness of the Martial Law decision and called for an emergency meeting of the National People's Congress Standing Committee.²¹ The prominence given legal arguments was echoed by the demonstrators, whose demands included calls that theirs be recognized as a "patriotic movement" and that the April 26 *People's Daily* editorial labeling the demonstrations as "counter-revolutionary" be retracted.²² As the regime's use of law as an instrument of repression faced legal challenges, questions about regime legitimacy multiplied. Despite persistent efforts by the regime to erase the memory of Tiananmen, commemorations in Hong Kong and elsewhere around the world coupled with the resilience of social groups such as "Tiananmen Mothers" continue to raise questions about the demonstrations and the issues of regime legitimacy they raised.

The political crisis of 1989 remains a painful example of the regime's willingness to use deadly force against China's own citizens to retain power.²³ However, in contrast to the regime's prior behavior, whether the class struggle discourse of the Maoist period or the primacy of the Party leadership principle in response to Democracy Wall, the regime in 1989 attempted to justify its behavior through greater reference to formal rules. This continued following the crisis, as the government revised the PRC Criminal Law to change the crime of counter-revolution to one of endangering state security, replacing complex determinations of class status and counter-revolutionary intent as the basis for finding guilt with simple determinations by the Party-state of perceived threats to its authority.²⁴

The regime's responses to political expression during the early post-Mao era suggest an important transition in the use of law to preserve the power of the Party-state. As regime responses to protest and dissent began to depart from the class struggle discourse of Maoism, the Four Cardinal Principles set a standard for political expression that required submission to CCP control. Hence the regime's response to the Democracy Wall and the call by Wei Jingsheng and others for greater democracy rested mainly on the claim that such protest and dissent violated the principle of Party leadership. Ten years later, during the Tiananmen demonstrations, the regime attempted to justify political repression by reference to claimed violations of laws and regulations, albeit ones designed and imposed by the regime to protect its power.

CONTROLLING POLITICAL EXPRESSION IN THE PRC TODAY: LEGITIMACY AND CONTENDING LEGAL CULTURES

In light of the CCP's conflicted uses of law to preserve its power, government responses to protest and dissent in contemporary China invite consideration of legitimacy and legal culture about which I have written previously.²⁵ Legitimacy involves claims to authority for local and non-local legal standards and the institutions and processes that interpret and apply them. To the extent that legitimacy derives from the assent of affected communities,²⁶ it reflects legal cultures—ways of thinking and acting in relation to law²⁷—among such communities. In tandem with the government's formalistic uses of the rule of law to ensure outcomes that suit its political imperatives, people in China seem increasingly willing to use the legal system to assert their rights.²⁸ Challenges for regime legitimacy emerge when intellectual, institutional and social movements seek legal rights that conflict with regime demands for compliance enforced through the legal system.

Governance Legal Culture: Formalism and International Legal Standards

China's socialist legal system embodies the governance norms of the Party-state, representing the orthodox legal culture of the ruling regime. This includes engagement with international legal standards in support of the government's economic growth agenda and to build legitimacy at home and abroad. Yet the PRC has also interpreted and applied international legal standards selectively, seeking the legitimacy that comes from participation in the international legal regime while still preserving the unfettered power of the Party-state.²⁹

China is a signatory to the Universal Declaration of Human Rights (UDHR), and is thereby bound to principles on freedom of opinion and expression (Article 19); freedom of peaceful assembly and association (Article 20); and others.³⁰ China is also party to the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which it ratified in 2001, and thus is subject to its provisions on protection of civil and political rights.³¹ In addition, China is obliged to respect rights to freedom of expression under the International Covenant on Civil and Political Rights (ICCPR), which it signed in 1998.³² China's signature creates an obligation "to refrain from acts that would defeat the object and purpose" of the treaty.³³

Despite its obligations under international law, the PRC continues to control political expression through censorship³⁴ and harassment and punishment of individuals expressing dissenting views,³⁵ even while asserting that all in China enjoy freedom of expression.³⁶ This contradiction is embodied in the PRC Constitution, Article 35 of which recognizes a right to freedom of expression, while Article 33.4 conditions such rights on performance of the "duties prescribed by the Constitution and the law," which includes the principle of Party leadership enshrined in the Four Cardinal Principles.³⁷ As well, Article 51 of the PRC Constitution requires that citizens of the PRC, "in exercising their freedoms and rights, may not infringe upon the interests of the State, of society or of the collective, or upon the lawful freedoms and rights of other citizens." Thus, rights to political expression remain conditional on loyalty to the Party-state.

Limits on political expression appear elsewhere among the PRC's socialist laws and regulations. Acts of protest and dissent frequently are deemed a violation of the PRC Criminal Law.³⁸ Article 13 of the Criminal Law of the PRC prohibits activities that "endanger the sovereignty, territorial integrity, and security of the state; split the state; subvert the political power of the people's democratic dictatorship and overthrow the socialist system."³⁹ Further, the PRC Criminal Law Article 293 imposes penalties for "picking quarrels and provoking trouble," which has been used to suppress dissent.⁴⁰ Publishing works critical of the regime is banned under the PRC Regulations on Administration of Publishing.⁴¹ In addition, China's National Security Law prohibits dissemination of information considered harmful to national security, which can include virtually any expression with which the government disagrees.⁴²

Where political expression is permitted, this is reserved for politically trustworthy elites, who remain subject to the organizational controls of the Party-state.⁴³ Party organs (*Dangzu / 党组*) are embedded across the government's leading legislative, administrative and judicial agencies, including the NPC Standing Committee, the State Council, the Chinese People's Political Consultative Congress, the Supreme People's Court and the Supreme People's Procuracy.⁴⁴ Party-led adjudication committees (*shenpan weiyuanhui / 审判委员会*) in the People's Courts ensure that judicial decisions and appointments are consistent with CCP policy priorities,⁴⁵ under the discourse of the "three supremes" (*sange zhishang / 三个至上*).⁴⁶ The 4th Plenum of the 18th Central Committee in October 2014 reiterated the CCP's leadership over the socialist legal system. The Party's institutional control, coupled with an orthodoxy requiring submission to Party leadership, effectively bans any exercise of dissent or protest that the Party opposes.

The regime's suppression of political expression despite international obligations to the contrary reflects a formalistic approach that extols participation in international legal regimes while departing from the substance of international legal standards. China's

2009 White Paper highlighted the country's participation in the international human rights system: "China is an active participant in the work of UN's human rights agencies . . . China, as always, proactively participated in reviews and discussions of the human rights issues."⁴⁷ Yet, even as the regime seeks legitimacy from international participation, China's 2012–15 Human Rights Action Plan claimed authority to interpret and apply international standards to suit local conditions: "The Chinese government respects the principle of universality of human rights, but also upholds proceeding from China's national conditions and new realities to advance the development of its human rights cause on a practical basis."⁴⁸ Thus, the regime seeks to build legitimacy, emphasizing its participation in international legal systems while distorting substantive international standards to justify control over political expression. The formalist dynamic by which the Party-state claims adherence to international legal standards even as it disregards their substance represents a conflicted orthodoxy that seeks legitimacy through law while using law to reject challenges to the political power of the regime.

Contending Legal Cultures: Regime Responses to Institutional Challenges

The orthodox legal culture of the ruling regime faces contending alternatives as China's decades-long process of reform and opening up has permitted unprecedented access across Chinese society to international standards of law and governance. As a result, expectations continue to emerge and develop about legal rights drawn from conventional discourses about the rule of law that challenge the regime's formalistic use of law to protect its authority. The regime's responses to the "Charter 08" reform movement and the emergence of public interest lawyers and "rights defenders," and the subsequent Party Document 9 each reflect efforts of the Party-state to defend its legitimacy in the institutional sphere.

Resisting External Critique from the Charter 08 Movement⁴⁹

Charter 08 presented a series of proposals for political and legal reform issued in December 2008.⁵⁰ Challenging the Party-state's preoccupation with maintaining political power, the Charter decried the complicity of governance institutions in abuses of the rule of law. Charter 08 proposed principles of freedom, human rights, democracy and constitutional rule in ways that challenged existing arrangements for regime governance, and thus had powerful implications for the legitimacy of the ruling regime.

Consistent with a long tradition in China of patriotic intellectuals and officials challenging abusive governance,⁵¹ the Charter's authors claimed theirs was a patriotic call for reform. Nonetheless, like many of their historical counterparts, the Charter's authors faced harsh repression. Principal author Liu Xiaobo was sentenced to 11 years' imprisonment,⁵² and other signatories were harassed and detained.⁵³ The regime's response to Charter 08 reflected not simply a reflex reaction against challenges to the authority of the Party-state, but also revealed a perspective on regime legitimacy. As the Charter did not emerge from within the organizational confines of the Party-state; and nor were its drafters members of the Party-state orthodox elite (Liu Xiaobo, for example, had been a prominent protester during the Tiananmen demonstrations), the external critique represented by Charter 08 represented by both its very existence and its content an

unacceptable challenge to regime legitimacy. In fact, Charter 08 contained proposals on issues such as transparency, democracy and the rule of law that were broadly consistent with positions taken by establishment political leaders such as then premier Wen Jiabao.⁵⁴ Yet Charter 08's proposals arose from outside the orthodox organizations and discourses of the Party-state, and thus represented unsanctioned external critique raising issues of legitimacy that might not have arisen in the context of internal policy debates within established channels of government. The repressive reaction of the Party-state seemed to derive as much from the source of the critique as from its content. The regime's reaction to similar reform proposals—such as the “New Citizens' Movement” associated with Xu Zhiyong and Teng Biao that resulted in their imprisonment⁵⁵—reflected the unwillingness of the Party-state to accept dissent from outside.

Repressing Challenges from Within the Legal System

While Charter 08 embodied a challenge to regime legitimacy from outside the Party-state system, challenges to the authority of regime officials from within the legal system are perhaps more threatening. As discussed in by Eva Pils in Chapter 4 of this volume, with the development of the PRC's socialist legal system has emerged a small but active group of public interest (*gongyi* // 公益) lawyers and “rights defenders” (*weiquan* // 维权) willing to take on politically sensitive clients and their claims. Working within the existing legal system and relying on existing laws and regulations, such legal activists challenged regime orthodoxy on political issues such as freedom of expression, and also confronted local power holders over matters such as tax corruption, pension delays, labour and environmental rights, and family planning.⁵⁶ In response, the regime has arrested and abused hundreds of lawyers under the guise of enforcing regulatory requirements protecting the Party-state⁵⁷—such as the Lawyers Law in 2007 that imposes duties to positively uphold the interests of the Party-state;⁵⁸ the Criminal Law (Article 306) and the Criminal Procedure Law (Article 42) that permit criminal charges against lawyers for submitting evidentiary arguments that the state rejects;⁵⁹ and the code of practice of the All China Lawyers Association that requires loyalty to the Party-state.⁶⁰

The crackdown on public interest lawyers and rights defenders reflects the extent to which the Party-state is particularly sensitive about challenges to its legitimacy from within the political-legal system. While legal appeals against decisions and behavior by local government officials certainly involve questions about political and legal authority, they become a challenge to regime legitimacy when the Party-state attacks the lawyers involved. The behavior of the regime toward public interest lawyers and rights defenders suggests that the Party-state remains intolerant to challenges from within the institutions of governance. Protecting regime legitimacy requires regime control over the institutions and processes of governance to prevent unsanctioned uses for causes the government does not accept.

Directing Compliance in Education

The PRC regime has responded to external policy critique and internal institutional challenge not only through direct repression, but also with assertions of orthodox standards for compliance. Document 9 issued by the CCP Organization Department in 2013

represented a response to challenges to regime legitimacy from contending non-orthodox legal cultures.⁶¹ Document 9 espoused themes of political and ideological conformity: “disseminating thought on the cultural front as the most important political task; . . . expanding and strengthening positive propaganda; strengthening guidance on deep-seated problems; strengthening the management of ideological fronts; [and] promoting unification of thought.” Issued to provinces, autonomous regions and centrally governed municipalities, central ministries and state organs, Party ministries, People’s Liberation Army headquarters, major Party committees and Party leadership groups of civilian organizations, Document 9 proscribed a range of political expression:

1. Promoting Western constitutional democracy: an attempt to undermine the current leadership and the “socialism with Chinese characteristics” system of governance.
2. Promoting “universal values” in an attempt to weaken the theoretical foundations of the Party’s leadership.
3. Promoting civil society in an attempt to dismantle the ruling Party’s social foundation.
4. Promoting neoliberalism, attempting to change China’s basic economic system.
5. Promoting the West’s idea of journalism, challenging China’s principle that the media and publishing system should be subject to Party discipline.
6. Promoting historical nihilism, trying to undermine the history of the CCP and of new China.
7. Questioning reform and opening and the socialist nature of “socialism with Chinese characteristics.”
8. Seven Not to Be Spoken Of (七个不要讲): “Universal values, freedom of the press, civil society, civil rights, CCP historical errors, crony elites, judicial independence.”

Document 9 has particular significance for indoctrinating compliance through China’s educational system. Post-secondary education remains a key pillar in the regime’s efforts to support social development and maintain political stability.⁶² The Higher Education Law of the PRC promotes education as a basis for building the foundations of economic development and “socialist material civilization and spiritual civilization.”⁶³ Yet students have long been a source of troublesome political expression—the Tiananmen crisis of 1989 being but one example. Following the Tiananmen crisis, the government imposed restrictions on university student activities, required university students to undergo compulsory military training, and heightened political oversight—all in an effort to prevent student dissent. Document 9 has particular application at China’s universities, where regime goals on political and ideological guidance conflict with ideals of expression held by many faculty members and students, and where many of Document 9’s prohibited elements of political expression were already in play.⁶⁴

Xi Jinping’s December 2016 speech on strengthening ideological work in higher education reflects themes of Document 9, extolling Party leadership over education and stressing China’s socialist traditions and policies over international norms and content.⁶⁵ The CCP Central Propaganda Department, Central Organization Department and Ministry of Education’s “Opinion on Strengthening and Improving Ideological and Political Work in Higher Education in the New Period” reiterated the need for ideological purity in education measured by fealty to Party leadership and prizes Chinese socialism over foreign standards.⁶⁶ An earlier 2015 version from the CCP Central Committee and

State Council had referred to higher education as a “propaganda and ideology battlefield” over which Party leadership should be ensured and the values of socialism with Chinese characteristics be guaranteed (and, by clear implication, international and particularly Western norms rejected).⁶⁷ As university faculties remain under control of CCP officials who control teaching assignments and access to research and travel funding, as well as promotion and tenure, Document 9 and its legacy present powerful tools for ensuring compliance with the governance norms. Facing intellectual and institutional resistance embodied in Charter 08 and public interest lawyers and rights defenders, the Party-state seeks through Document 9 to set the terms for legitimate political expression through its control of the boundaries of acceptable discourse.

CONTROLLING PUBLIC EXPRESSION: SELECTIVE APPROACHES TO LEGITIMACY

Public demonstrations in China have long been a source of regime anxiety, as they challenge the state’s control over political expression. Regime efforts to control public political expression reveal the priorities of the Party-state as to legitimacy in the public sphere. Regime support for popular demonstrations that resonate with favored themes of nationalism and Party tradition contrasts with repression of artistic expression that challenges regime policies and practices.

Public Expression Endorsed: Promoting Nationalism and Tradition

Nationalism was a key theme in the public demonstrations against the United States following the May 1999 bombing of the PRC embassy in Belgrade, when US Air Force bombers in Yugoslavia during the Kosovo war struck the embassy.⁶⁸ Three Chinese nationals were killed and more than two dozen injured. Official reaction from China was immediate, and condemned the attack as a violation of Chinese sovereignty. Public demonstrations broke out across China. Rock throwing at the US embassy in Beijing and a fire at the US consulate in Chengdu signaled the potential for more violence. Demonstrations at the US consulate in Shanghai (witnessed by the author) were vigorous but peaceful. While the government claimed that the demonstrations were not authorized, it was clear to observers that authorities had provided transportation for the protesters and had provided information on the Belgrade events to mobilize public hostility against the US. The theme of the protests echoed the government’s expanding reliance on nationalism and the theme of historical grievance.

Nationalism in public protest has also been evident in recurring demonstrations against Japan related to atrocities in China during World War II.⁶⁹ Whether in the context of annual commemoration of the Nanjing Massacre or contemporary boundary disputes in the East China Sea and over the Diaoyu/Senkaku Islands, regime support for public demonstrations and consumer boycotts against Japan has been consistent. Protests in 2005 arose in response to a particular Japanese history book and a proposal that Japan be granted a seat on the UN Security Council.⁷⁰ Protests in Beijing and in major cities across China as well as in Hong Kong indicated both the depth of anti-Japan sentiment and the complicity of the regime in permitting these public demonstrations that supported the

regime's long-standing legitimacy trope of nationalist grievance. In 2012, public demonstrations protested the decision by the prefectural governor of Tokyo, Shintaro Ishihara, to allow the prefecture to purchase of one of the Diaoyu/Senkaku Islands previously held by a private Japanese owner.⁷¹

State-approved public expression extends to themes of Party tradition. When Deng Xiaoping died on 19 February 1997, a period of national mourning ensued. Along with the formal tributes and lengthy moments of silence at public events, the postponing and cancellation of commercial and diplomatic meetings, and the organizing of memorial events at government offices, universities and work units across the country, massive street demonstrations occurred in cities such as Chengdu, capital of Deng's home province of Sichuan. The Chengdu demonstrations (witnessed by the author) involved tens of thousands converging on the central square bearing placards praising Deng's contributions to the new China. The demonstrations were peaceful, but their size and vigor brought careful scrutiny from police and security forces. Comparisons with the Tiananmen demonstrations were unavoidable, as Chengdu's central square bore an uncanny resemblance to central Beijing in the hot summer of 1989. And not far under the surface was implicit criticism of Deng's successor, Jiang Zemin, for not living up to the promise of Deng's example. The demonstrations were permitted to continue, although by the next day Chengdu's central square had largely been cleared.

Thus, public demonstrations on political topics are tolerated when carried out either at the behest of the regime or to espouse ideals that the regime favors, such as nationalism and tradition. Wariness is still evident, as the legacies of nationalist demonstrations that implicitly critique regime passivity or demonstrations celebrating past leaders that imply critique of present successors are never far from mind. Nonetheless, the examples of anti-US and anti-Japan demonstrations and memorials to the legacy of Deng Xiaoping reveal the extent to which dynamics of legitimacy can militate in favor of regime tolerance for public expression.

SUPPRESSING CRITICAL EXPRESSION: ATTACKING ARTISTS

In contrast to public demonstrations on approved themes, the Party-state has vigorously suppressed public expression critical of regime policies, such as expanded civic activism by artists.⁷² Painting and calligraphy have historically been vehicles for political expression in China. During the Song Dynasty, independent and often critical artists struggled to find official patrons, while their work was marginalized in favor of more conventional efforts by court-appointed painters. During the Yuan Dynasty, bamboo painting signified the virtues of patient resistance to Mongol rule. Later on, the CCP revolutionary movement called upon painters and illustrators such as Shi Lu (石魯) to popularize revolutionary slogans and CCP resistance efforts.

The CCP has been ever mindful of art's importance as political commentary. Mao Zedong's iconic speech to the Yan'an Forum on Literature and Art in 1942 articulated CCP orthodoxy that art and literature should serve the regime's political and ideological goals. Nonetheless, artists in contemporary China have resisted such controls. While the Tiananmen demonstrations of 1989 focused attention on issues of political reform, the National Art Museum managed briefly to host an exhibition of avant-garde art

challenging state control under the theme of “no turning back.” Political criticism was more explicit in the statue “Goddess of Democracy” created by students at the Beijing Art Academy and wheeled out by tricycle pedi-cab to Tiananmen Square early on the morning of 30 May 1989 (witnessed by the author)—serving as something of a last straw before the regime cracked down a few days later.

The regime’s efforts to suppress artistic criticism include the attacks on multi-media artist Ai Weiwei.⁷³ The son of one of China’s most prominent literary figures, Ai has had more liberty for political expression than lesser-known artists. He has become world famous through international exhibitions, ranging from his Tate Modern presentation of “Sunflower Seeds” to his sculpture exhibition at Washington, DC’s Hirshhorn Museum, to his design of Beijing Olympic Bird’s Nest Stadium, as well as two documentary films on his life and work. Ai has used his art and status to challenge corruption and other abuses of governance. His blog, in which he targeted corruption in connection with the 2008 Sichuan earthquake, was censored and then shut down, his personal residence has been surveilled and his studio threatened with demolition; ultimately Ai was arrested and held in solitary confinement for alleged tax evasion. None of these efforts succeeded in silencing Ai, who remains deeply revered in China and internationally, and continues to challenge the legitimacy of the PRC Party-state by publicizing abuses and corruption.

Lesser-known artists have had a more difficult time. Efforts by a community of feminist artists to highlight the problem of domestic violence and the regime’s apparent inaction were thwarted when an exhibit they organized was shut down in November 2015.⁷⁴ The closing of the exhibition spoke to the extent to which feminist discourse and critiques of regime (and social) inaction against domestic violence challenge deeply embedded norms of patriarchy and the claim to privacy in family matters, while also challenging regime legitimacy supported by such norms. Earlier that year, five feminist demonstrators were arrested and charged under a new catch-all provision of the PRC Criminal Law Article 293 on “picking quarrels and provoking trouble,” further indication of the regime’s use of law to suppress public political expression.⁷⁵

CONCLUSION

The CCP’s responses to political expression reflect efforts to maintain unfettered power for the Party-state. In the early post-Mao years, regime responses to Democracy Wall in 1978–79 and to the 1989 Tiananmen demonstrations illustrated the use of law to protect Party rule and suppress challenges to regime authority. In contemporary China, engagement with international treaty standards on freedom of expression suggests a formalistic approach that trumpets participation in international systems while resisting application of standards that jeopardize the power of the Party-state. In response to calls for broader reform of political and legal institutions, political authorities have responded with repression coupled with proactive enforcement of ideological and political guidance. While encouraging political expression that supports regime norms of nationalism and tradition, the PRC regime continues to resist public criticism. Yet as more people in China become aware that free political expression cannot easily be dismissed either by ideological arguments about class struggle or by legal arguments that restrict rights at the regime’s whim, the Party-state faces continued challenges to its legitimacy. China’s political leaders

face the challenge of adopting standards on freedom of expression that build legitimacy in response to both local expectations and global norms. The Party-state in its current form seems unprepared to meet this challenge at present.

NOTES

- * Pitman B. Potter is Professor of Law at Peter A. Allard School of Law at the University of British Columbia (UBC), Canada. He has authored many books about law in China, including most recently *Assessing Treaty Performance in China: Trade and Human Rights* (Vancouver: UBC Press, 2014) and *China's Legal System* (Cambridge: Polity Press, 2013). Dr. Potter is a Fellow of the Royal Society of Canada. UBC doctoral student (now alumna) Dr. Liu Yue provided research assistance in connection with this chapter. This chapter contains original research as part of a broader research program on “Coordinating Performance of International Trade and Human Rights Standards” supported by the Major Collaborative Research Initiatives (MCRI) program of the Social Sciences and Humanities Research Council (SSHRC) of Canada, for which the author is deeply grateful.
- 1. Gregor Benton and Alan Hunter, eds., *Wild Lily, Prairie Fire: China's Road to Democracy, Yan'an to Tian'anmen, 1942–1989* (Princeton: Princeton University Press, 1995).
- 2. Graham Young, “Mao Zedong and the Class Struggle in Socialist Society,” *Australian Journal of Chinese Affairs* 16 (1986): 41.
- 3. “Communiqué of the Third Plenum of the CCP Eleventh Central Committee,” trans. Juan Li, Liu Huan, Yue Liu, and Pitman B. Potter, 22 December 1978, <http://cpc.people.com.cn/GB/64162/64168/64563/65371/4441902.html>.
- 4. Stanley B. Lubman, *Bird in a Cage: Legal Reform in China after Mao* (Stanford: Stanford University Press, 1999).
- 5. Deng Xiaoping, “Jianchi sixiang jiben yuanze (Uphold the Four Cardinal Principles),” in *Deng Xiaoping wenxuan 1975–1982* (Collected Works of Deng Xiaoping 1975–1982), Vol. 2 (Beijing: Foreign Languages Press, 1984), 144.
- 6. “Yang Jingyu yi 82 xianfa zhiding: Sixiang jiben yuanze shifou ruxian cun zhengyi (Yang Jingyu on Enactment of the 1982 Constitution: The Existing Controversy over Whether the Four Cardinal Principles Are Part of the Constitution),” *Zhongguo xinwenwang* (China News Net), 11 September 2014, <http://www.chinanews.com/gn/2014/09-11/6579284.shtml>.
- 7. See generally, Merle Goldman, *Sowing the Seeds of Democracy in China: Political Reform in the Deng Xiaoping Era* (Cambridge, MA: Harvard University Press, 1994), 41; I. Mu, ed., *Unofficial Documents of the Democracy Movement in Communist China 1978–1981* (Stanford: East Asian Collection, Hoover Institution, 1986), <https://searchworks.stanford.edu/view/1918712>.
- 8. The “Four Modernizations” included modernization of agriculture, industry, national defense, and science and technology. Immanuel C.Y. Hsü, *China without Mao: The Search for a New Order* (New York: Oxford University Press, 1990), ch. 4.
- 9. US Congress, House Subcommittee on International Relations, Subcommittee on International Operations and Human Rights, “Trial, Conviction and Imprisonment of Wei Jingsheng: How Should it Affect U.S. Policy?” 18 December 1995, http://chrissmith.house.gov/uploadedfiles/1995.12.18_trial_conviction_and_imprisonment_of_wei_jingsheng_how_should_it_affect_u.s._policy.pdf.
- 10. Amnesty International, “Wei Jingsheng,” in *China: Violations of Human Rights: Prisoners of Conscience and the Death Penalty in the People's Republic of China* (London: Amnesty International, 1984), 25; Liu Qing, “Sad Memories and Prospects: My Appeal to the Tribunal of the People,” in Benton and Hunter, *Wild Lily, Prairie Fire*, Document 40, 247.
- 11. *Constitution of the People's Republic of China 1978*, in Chen Hefu, ed., *Zhongguo xianfa leibian* (Varieties of China's Constitutions), trans. Liu Huan, Juan Li, and Pitman B. Potter (Beijing: Academy of Social Sciences Press, 1980) 16, Article 45.
- 12. Amnesty International, “Unofficial Transcript of the Trial of Wei Jingsheng,” Document ASA 17/01/80 (June 1980).
- 13. US Congress, “Trial, Conviction and Imprisonment of Wei Jingsheng.”
- 14. See e.g., Liang Zhang, Andrew Nathan, and Perry Link, eds., *The Tiananmen Papers* (New York: Little, Brown, 2001); Jeffrey Riche and Michael L. Evans, eds., *Tiananmen Square, 1989: The Declassified History* (Washington, DC: George Washington University National Security Archive, 1999), <http://nsarchive.gwu.edu/NSAEBB/NSAEBB16/>; Michel Oksenberg, Lawrence R. Sullivan, and Marc Lambert, eds., *Beijing Spring 1989: Confrontation and Conflict: The Basic Documents* (Armonk, NY and London: M.E. Sharpe, 1990).

15. Li Peng, "The Order of the State Council on Enforcing Martial Law in Part of Beijing Municipality," 21 May 1989, in Oksenberg, Sullivan and Lambert, *Beijing Spring 1989*, 315.
16. Zhang, Nathan, and Link, *The Tiananmen Papers*, ch. 6. See e.g., Beijing shi renmin zhengfu jinyan budui zhihui bu (Command Office of the Beijing Municipal Government Martial Law Unit), "Guanyu jinkuai huifu shoudu zhengchang zhixu de tonggao (Notice on Quickly Restoring Order in the Capital)," 22 May 1989 (author's copy).
17. Office for Ideological and Political Work of the State Education Commission, ed., *Jingxin dongbo de 56 tian* (A Soul-Stirring 56 Days) (Beijing: Earth Publishing, 1989), 149, 151, 171, 179.
18. "It is Necessary to Take a Clear-Cut Stand Against Disturbances," *Renmin ribao* (People's Daily), 26 April 1989, in Oksenberg, Sullivan, and Lambert, *Beijing Spring 1989*, 206–8; Beijing Municipal Party Committee Propaganda Department, "Recognize the Essence of Turmoil and the Necessity of Martial Law," 3 June 1989, in Oksenberg, Sullivan, and Lambert, *Beijing Spring 1989*, 342–53.
19. "State Council Spokesman Yuan Mu Holds News Conference," in Oksenberg, Sullivan and Lambert, *Beijing Spring 1989*, 363–76. Also, see generally, Office for Ideological and Political Work of the State Education Commission, *Jingxin dongbo de 56 tian*; Zongzheng wenhua bu zhengwen bangongshi (Solicitations Office of the Cultural Department of the General Office), ed., *Jiyan yi ri* (One Day in Martial Law) (Beijing: PLA Literature Publishing, 1989).
20. "Jiyan budui zhihui bu jinji tonggao (Emergency Notice of the Command Office of the Martial Law Unit)," in *Renmin ribao* (People's Daily), 4 June 1989, 1; "Zhonggong zhongyang, guowuyuan gao quanti zhonggong dangyuan he quanguo renmin shu (Notice from the Party Central Committee and the State Council to all CCP Members and People across the Country)," *Renmin ribao* (People's Daily), 6 June 1989, 1.
21. "Beijing Intellectuals' Declarations," in Zhang, Nathan and Link, *The Tiananmen Papers*, 286; "Cao Siyuan Collects Signatures from Members of the NPC Standing Committee," in Zhang, Nathan and Link, *The Tiananmen Papers*, 292–93; Yan Jiaqi and Bo Zunxin, "Solve the Current Problems in China Along the Track of Democracy and the Legal System," 26 May 1989, in Oksenberg, Sullivan and Lambert, *Beijing Spring 1989*, 328–31; "Zhongguo zhengfa daxue quanti jiaoshigong jinji huyushu (Letter of Appeal by the Entire Teaching Staff of Chinese University of Politics and Law)," Handbill, 18 May 1989 (author's copy).
22. "Li Peng deng huijian jueshi qingyuan xuesheng daibiao (Li Peng and Others Meet with Representatives of the Petitioning Hunger Strike Students)," *Renmin ribao* (People's Daily), 19 May 1989, 1, 4; "Hunger Strike Goes on as Dialogue with Students Adjourns," *China Daily*, 15 May 1989; Handbill from Peking University Dispatch Unit (*Beida zhandan*) addressed to "Gongheguo gongminmen, tongbaomen, jueshi xuesheng, zhonggong dangyuanmen, Jiefangjun zhizhanyuan (Citizens of the Republic, Compatriots, Student Hunger Strikers, CCP Members, Officers and Soldiers of the PLA)" (author's copy).
23. See generally, Pitman B. Potter, "Understanding the Tragedy of Tiananmen: A Review Essay," in *CCP Research Newsletter* 8 (1991): 1–18.
24. Human Rights in China and Human Rights Watch/Asia, "China: Whose Security? 'State Security' in China's New Criminal Code," April 1997, accessed 22 June 2017, <https://www.hrw.org/reports/1997/china5/>.
25. Pitman B. Potter, *Assessing China's Treaty Compliance: Trade and Human Rights* (Vancouver: UBC Press, 2014), Introduction.
26. Joseph A. Conti, "Legitimacy Chains: Legitimacy of Compliance with International Courts Across Social Fields," *Law & Society Review* 50 (2016): 154, 156–61.
27. Lawrence M. Friedman, *The Legal System: A Social Science Perspective* (Englewood Cliffs, NJ: Prentice Hall, 1975), 15. For a critical perspective, see David Nelken, "Thinking about Legal Culture," *Asian Journal of Law and Society* 1 (2014): 255–74.
28. See generally Fu Hualing, "Mass Disputes and China's Legal System," Chapter 5 in this volume.
29. See generally, Pitman B. Potter, "China and the International Human Rights Regime: Orthodoxy, Resistance, and Legitimacy," in Jacques deLisle and Avery Goldstein, eds., *China's Global Engagement: Cooperation, Competition, and Influence in the 21st Century* (Washington, DC: Brookings Institution, 2017), 291.
30. *Universal Declaration of Human Rights*, accessed 7 January 2015, <http://www.un.org/en/documents/udhr/index.shtml>.
31. *International Covenant on Economic, Social and Cultural Rights*, adopted 16 December 1966, entered into force 3 January 1976, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>, Preamble.
32. *International Covenant on Civil and Political Rights*, adopted 16 December 1966, entered into force 23 March 1976, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>, Article 19.
33. *Vienna Convention on the Law of Treaties*, adopted 23 May 1969, <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>, Article 18.
34. International Federation of Journalists, "Strangling the Media: China Tightens Its Grip," 20 January 2017, http://www.ifj.org/fileadmin/documents/170120_China_PF_Report_ENGLISH_01.pdf.

35. Simon Tisdall, "China's Repression of Dissent Intensifies under Ruthless Xi Jinping," *The Guardian*, 30 December 2014, <https://www.theguardian.com/world/2014/dec/30/china-repression-dissent-xi-jinping>.
36. PRC Ministry of Foreign Affairs, "Zai Zhongguo, ren ren dou you fayanquan (In China Everyone Has Freedom of Expression)," 9 November 2016, http://www.fmprc.gov.cn/web/wjdt_674879/zwbd_674895/t1414163.shtml.
37. References to the PRC Constitution are to: "Zhonghua renmin gongheguo xianfa (Constitution of the People's Republic of China)," rev. 2004, http://www.gov.cn/gongbao/content/2004/content_62714.htm.
38. Bureau of Democracy, Human Rights and Labor, "Country Reports on Human Rights Practices for 2015: China," <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252755>, s. 2a.
39. "Criminal Law of the People's Republic of China," rev. 2011, <https://www.cecc.gov/resources/legal-provisions/criminal-law-of-the-peoples-republic-of-china>.
40. Congressional-Executive Committee on China, "Annual Report 2016," https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/AR16%20Expression_final.pdf, s. 2.
41. See generally, Congressional-Executive Commission on China, "International Agreements and Domestic Legislation Affecting Freedom of Expression," accessed 30 March 2016, <http://www.cecc.gov/international-agreements-and-domestic-legislation-affecting-freedom-of-expression>.
42. Congressional-Executive Committee on China, "Annual Report 2015," <https://www.cecc.gov/sites/chinacommission.house.gov/files/documents/2015%20AR%20Expression.pdf>, s. 2.
43. Congressional-Executive Committee on China, "Freedom of Expression in China: A Privilege, Not a Right," <https://www.cecc.gov/freedom-of-expression-in-china-a-privilege-not-a-right>.
44. "Zhengzhi jianchangweihui tingqu Renda Guowuyuan deng dangzu gongzuo huibao (Politburo Standing Committee Hears Reports on Work of Party Organs at NPC, State Council, etc.)," *Xinwen zhongxin* (Sina), 16 January 2015, <http://news.sina.com.cn/c/2015-01-16/195331409709.shtml>. CCP regulations enacted in 2015 require establishment of "Party organs" in all government departments. "Shehui zuzhi lingdao jiguan yao sheli dangzu (Leadership Organs in Social Organizations Must Establish Party Organs)," *Beijing News*, 30 May 2015, <http://www.bjnews.com.cn/news/2015/05/30/365259.html>.
45. He Xin, "Black Hole of Responsibility: The Adjudication Committee's Role in a Chinese Court," *Law and Society Review* 46, 4 (2012): 681–712.
46. Susan Finder, "2010 Reforms in the Chinese Courts: Reforming Judicial Committees," *Bloomberg Law Reports* 3, 5 (2010), <https://chinaspcl.files.wordpress.com/2014/12/reforming-judicial-committees.pdf>.
47. State Council Information Office, "Progress in China's Human Rights in 2009," 26 September 2010, http://www.china.org.cn/government/whitepaper/2010-09/26/content_21007490.htm, s. 7.
48. State Council Information Office, "National Human Rights Action Plan of China: 2012–2015," 11 June 2012, http://www.china.org.cn/government/whitepaper/2012-06/11/content_25619560.htm.
49. See generally, Pitman B. Potter and Sophia Woodman, "Boundaries of Tolerance: Charter 08 and Debates over Political Reform," in Jean-Philippe Beja, Fu Hualing, and Eva Pils, eds., *Liu Xiaobo, Charter 08 and the Challenges of Political Reform in China* (Hong Kong: Hong Kong University Press, 2012), 97–117.
50. Perry Link (trans. and commentary), "China's Charter 08," *New York Review of Books*, 15 January 2009, <https://www.nybooks.com/articles/2009/01/15/chinas-charter-08/>, 54.
51. See generally, Jonathan Spence, "China: How Much Dissent?," *New York Review of Books*, 13 August 1981, <http://www.nybooks.com/articles/1981/08/13/china-how-much-dissent/> and sources cited.
52. Peter Foster, "China Upholds 11-Year Sentence for Dissident Liu Xiaobo," *Daily Telegraph*, 11 February 2010, <http://www.telegraph.co.uk/news/worldnews/asia/china/7210857/China-upholds-11-year-sentence-for-dissident-Liu-Xiaobo.html>.
53. Amnesty International, "Countdown for China: Charter 08's Legacy & China's Failure to Honor Human Rights Obligations," 9 December 2013, <https://www.amnesty.org.uk/blogs/countdown-china/charter-08s-legacy-chinas-failure-honor-human-rights-obligations>.
54. "Transcript of Interview with Chinese Premier Wen Jiabao," *CNN*, 29 September 2008, <http://www.cnn.com/2008/WORLD/asiapcf/09/29/chinese.premier.transcript/>.
55. Tania Branigan, "China Jails Activist Xu Zhiyong for Four Years for 'Disturbing Public Order,'" *The Guardian*, 26 January 2014, <https://www.theguardian.com/world/2014/jan/26/china-jails-activist-xu-zhiyong>.
56. See also Eva Pils, *China's Human Rights Lawyers: Advocacy and Resistance* (London: Routledge, 2014).
57. Human Rights in China, "Mass Crackdown on Chinese Lawyers, Defenders and International Reactions: A Brief Chronology," last updated 15 September 2017, accessed 13 June 2017, <http://www.hrichina.org/en/mass-crackdown-chinese-lawyers-defenders-and-international-reactions-brief-chronology>.
58. "Zhongguo lushi fa (Law of the PRC on Lawyers)," *Zhongguo Xinwenwang* (China News), 28 October 2007, <http://www.chinanews.com.cn/gn/news/2007/10-28/1061502.shtml>.
59. "Editorial: 'Big Stick 306' and China's Contempt for Law," *New York Times*, 5 May 2011, <http://www.nytimes.com/2011/05/06/opinion/06fri3.html>.
60. All China Lawyers Association, "Code of Practice for Lawyers (Second Revision)," 9 November 2011, <http://en.pkulaw.cn/Display.aspx?lib=law&Cgid=163990>.

61. "Communiqué on the Current State of the Ideological Sphere: A Notice from the Central Committee of the Communist Party of China's General Office," April 2013, <http://www.chinafile.com/document-9-chinafile-translation>.
62. W. John Morgan and Fengliang Li, "Education: From Egalitarian Ideology to Public Policy," in David S.G. Goodman, ed., *Handbook of the Politics of China* (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2015), ch. 13.
63. "Higher Education Law of the PRC," Rev. 1998, <http://www.china.org.cn/english/education/184667.htm>.
64. Tom Phillips, "'It's Getting Worse': China's Liberal Academics Fear Growing Censorship," *The Guardian*, 6 August 2015, <https://www.theguardian.com/world/2015/aug/06/china-xi-jinping-crackdown-liberal-academics-minor-cultural-revolution>.
65. Xi Jinping, "Ba sixiang zhengzhi gongzuo guichuan jiaoyu jiaoxue quanguocheng (Enrich the All-Round Process of Education and Teaching through Ideological and Political Work)," *Xinhua*, 8 December 2016, http://news.xinhuanet.com/politics/2016-12/08/c_1120082577.htm.
66. "Zhongyang xuanchuanbu, zhongyang zuzhibu, jiaoyubu, fuze ren jiu 'Guanyu jiachiang he gaijin xin xingshixia gaoxiao sixiang gongzuo de yijian' da jizhe wen (Responsible Persons from the Central Propaganda Department, Central Organization Department and Ministry of Education Answer Reporters' Questions on the 'Opinion on Strengthening and Improving Ideological and Political Work in Higher Education')," *Xinhua*, 27 February 2017, <http://politics.people.com.cn/n1/2017/0227/c1001-29111234.html>. Also see "Zhonggong zhongyan Guowuyuan yinfu 'Guanyu jiachiang he gaijin xin xingshi xia gaoxiao sixiang gongzuo de yijian' (CCP Central Committee and State Council Release 'Opinion on Strengthening and Improving Ideological and Political Work in Higher Education')," *Xinhua Net*, 27 February 2017, http://news.xinhuanet.com/2017-02/27/c_1120538762.htm.
67. CCP Central Committee General Office and PRC State Council, "Opinions Concerning Further Strengthening and Improving Propaganda and Ideology Work in Higher Education Under New Circumstances," *China Copyright and Media*, 19 January 2015, <https://chinacopyrightandmedia.wordpress.com/2015/01/19/opinions-concerning-further-strengthening-and-improving-propaganda-and-ideology-work-in-higher-education-under-new-circumstances/>.
68. Peter Hays Gries, "Tears of Rage: Chinese Nationalist Reactions to the Belgrade Embassy Bombing," *The China Journal* 46 (2001): 25–43.
69. Chang Jui-te, "The Politics of Commemoration: A Comparative Analysis of the Fiftieth-Anniversary Commemoration in Mainland China and Taiwan of the Victory in the Anti-Japanese War," in Diana Lary and Steven MacKinnon, eds., *The Scars of War: The Impact of Warfare on Modern China* (Vancouver: UBC Press, 2001), 136–61.
70. Jonathan Watts, "Violence Flares as the Chinese Rage at Japan," *The Guardian*, 17 April 2005, <https://www.theguardian.com/world/2005/apr/17/china.japan>.
71. Alan Taylor, "Anti-Japan Protests in China," *The Atlantic*, 17 September 2012, <https://www.theatlantic.com/photo/2012/09/anti-japan-protests-in-china/100370/>.
72. See Pitman B. Potter, "Law and Art in China: Domination and Resistance," *Les Cahiers de Droit* 58, 1–2 (May–June 2017): 137–61, and sources cited.
73. See generally, Evan Osnos, "It's Not Beautiful: An Artist Takes on the System," *The New Yorker*, 24 May 2010, <http://www.newyorker.com/magazine/2010/05/24/its-not-beautiful>; "China Cracks Down on Outspoken Artist," *CBC News*, 12 July 2009, accessed 11 March 2016, <http://www.cbc.ca/news/arts/china-cracks-down-on-outsaid-artist-1.789696>; Andrew Jacobs, "Artist Ai Weiwei Loses Appeal Over Tax Evasion Conviction," *New York Times*, 20 July 2012, <http://www.nytimes.com/2012/07/21/world/asia/chinese-artist-loses-appeal-in-tax-evasion-case.html>.
74. Tom Phillips, "Beijing Shuts Down Art Exhibition on Violence against Women," *The Guardian*, 26 November 2015, <http://www.theguardian.com/world/2015/nov/26/beijing-shuts-down-art-exhibition-on-violence-against-women>; "China: Authorities Ban Art Exhibition on Violence against Women," *Arts Freedom*, 1 December 2015, <http://artsfreedom.org/?p=10276>.
75. Andrew Jacobs, "Taking Feminist Battle to China's Streets, and Landing in Jail," *New York Times*, 5 April 2015, <https://www.nytimes.com/2015/04/06/world/asia/chinese-womens-rights-activists-fall-afoul-of-officials.html>.

4. Legal advocacy as liberal resistance: the experience of China's human rights lawyers

*Eva Pils**

INTRODUCTION

When in 2001, the Chinese Ministry of Justice awarded lawyer Gao Zhisheng a coveted citation as one of the annually awarded “Ten Most Outstanding Lawyers Nationwide,” who could have predicted the terrible falling-out between him and the Party-State honouring his legal advocacy a few years later?¹ It was a time full of hope for rights advocates, an era in which liberal transition was paradigmatically expected. It was not then possible to foresee that some six years after the award, Gao would suffer horrendous torture and long-term incarceration at the hands of the Party-State; or that he would become a model human rights lawyer whom dozens, even hundreds, of fellow lawyers would seek to emulate in the decades to follow. His and their careers are illustrative of a peculiar relationship between legal advocacy and liberal resistance – here understood as a form of political action that expresses as well as aims to defend liberal political values against authoritarian governance practices – which is the topic of this chapter.

In China’s non-democratic and increasingly anti-liberal political-legal system, it has always been difficult to challenge government. Mechanisms to do so that are available in liberal democracies – such as oppositional politics and public political commentary – have been either unavailable or very limited. But, as the following section discusses, the post-Mao legal revival between 1980 and around 2010 opened up some limited avenues of rights advocacy. Initially, as Gao’s and others’ stories illustrate, Party-State authorities even supported the use of legal advocacy to defend rights (weiquan) within Party-State-defined limits. Later, as advocates gathered experience, insight and strength, they presented more fundamental challenges to the Party-State system. As they did so, their advocacy was increasingly perceived as subversive. As human rights lawyers’ advocacy evolved to meet the specific challenges of the institutions they confronted, their advocacy became a form of resistance. They have come under unprecedented pressure in the era of Xi Jinping, driving them to test the boundaries of the right of resistance as a human right.

LEGAL ADVOCACY

Lawyers had been persecuted as part of the “Stinking Ninth Category” of bourgeois intellectuals, “revisionists,” “capitalist-roaders” and “counter-revolutionaries” during long periods of the Mao era.² This era culminated in the Cultural Revolution, one of whose features was the wholesale rejection of basic liberal ideas such as equality before the law. As a result, there was little space for legal advocacy right up until the end of the Mao era, when the trial of the Gang of Four afforded a wider Chinese public a first opportunity

to witness a legal trial process featuring professional legal advocates. It was also in the 1980s, under Deng Xiaoping, that draft laws kept locked away for 20 years and longer were drawn on to initiate a legal revival with important consequences for professional legal advocacy.³ The legal institutions of the judiciary, the procuracy, and the police, as well as the Ministry of Justice (which had been completely shut down), were re-established and revived; new laws and regulations were created; law schools were re-opened and many new ones were established; the Party-State “propagated legal knowledge” (*pufa* 普法); and the legal process allowed for, in principle, adversarial trials allowing for the legal defence of the accused, regardless of their class status. More widely, the idea of “ruling the country in accordance with law” (*yi fa zhi guo* 依法治国)⁴ seemed to indicate a promise on behalf of the authorities that they would be bound by the new laws they had created, too.⁵

We cannot be sure if the Party-State leadership was aware of law’s counter-authoritarian potential, as they must have been raised and trained in Marxist and related conceptions of law, which take a broadly instrumentalist view of law: law as a tool used by the ruling power. The implications of the idea that law-bounded governance or mechanisms to protect individual legal rights would limit public power may not have been fully realised. Nor did, for the first decade or so of legal reform, the law become a prominent tool of opposition to power.⁶ For example, the experience of the democracy movement that culminated in “June Fourth” in 1989 is shaped by the activism not of lawyers but of workers and students, as well as young academics such as Liu Xiaobo. It does not appear that they had a profound understanding of legal norms and their operation, even though they called for human rights and democracy. In the 1980s, few Chinese could have experienced a legal process that could be described as well-functioning in liberal and human rights terms; even the principle of separation of powers upon which such a process rests would have been an abstract idea unconnected to experience for many.

It was the generation that was still in high school in 1989 that fully awoke to the idea of using law to challenge power. Several now-prominent rights lawyers (not including Gao Zhisheng) remember the excitement of reading and debating news reports of this politically seismic event in the schoolyard, followed by the taboos, silences and (in some cases) disappearances of the post-June Fourth clampdown,⁷ but for most of them, June Fourth did not stop them as it did the immediate participants – even though they were close enough to the Cultural Revolution and the June Fourth massacre to consider these as spectres to be avoided. Even when they moved on to study law at university, some barely knew what “law” (法律) stood for.⁸ Their formal studies at university gave them little opportunity to develop a more profound understanding, unless they studied at one of the foremost institutions for the dissemination of liberal ideas, such as Peking University and the China University of Politics and Law. There, figures such as Professors Jiang Ping and Li Buyun were able to inspire many law students,⁹ including a generation of lawyers who began practising in the late 1990s and who sought to use the courts to defend rights in a manner unprecedented in the history of the PRC.

Rights defenders from the 1990s onwards could use an increasingly sophisticated system of laws and legal institutions. In the wake of the initiation of legal reform following the Thirteenth Party Congress, which announced a clearer separation of Party and government (a move that would curb power concentration in the hands of Party leaders),¹⁰ key laws re-instituting the judicial process were introduced. Gradually, substantive rights protecting the autonomy of the individual to enter into contracts and to own property, as

well as rights to be protected against exploitation (for example, in labour contexts), had been codified in National People's Congress (NPC) laws. The concept of rights defence was initially an officially propagated one.¹¹ Following the June Fourth Tiananmen Square massacre, the leadership also claimed to protect "human rights." In 1991, the Chinese government published a White Book on Human Rights which declared its commitment to the "lofty goal" of human rights, as well as support for the United Nation's treaty framework.¹² Subsequently, China signed both major UN human rights covenants,¹³ although it never ratified the civil and political rights one, claiming, like other authoritarian systems, that it was best to sequence economic and political legal reforms.¹⁴

Nonetheless, from the beginning, lawyers faced institutional limitations both of the laws they could rely on and of the judicial institutions. The courts and other institutions of the legal system are institutions central to rights defence – or should be, according to the broadly liberal political theory to which the role of the legal advocate is inextricably linked. They are the fora where the rights of workers and evictees and criminal defendants can be debated and protected. But the rights guarantees contained in the Chinese Constitution and in public international law were widely regarded as political or – following Albert Chen's characterisation – merely "semantic" documents without legal effect.¹⁵ These guarantees, after all, were part of a Constitution whose Article 1 describes China as a **People's Democratic Dictatorship**, even though its Article 5 states that the state is bound by the law; and whose status as Constitution has been contested by scholars such as Jiang Shigong, who has argued that Party leadership is a fact foundational to, rather than disturbing, the constitutional order.¹⁶

For rights defenders, this meant that the language of these documents provided no reliable guidance on what law they could draw on to defend the rights of their clients. A tentative step to assert judicial authority to draw upon constitutional rights in adjudicating cases, made in the case of *Qi Yuling* in 2001, was revoked in 2008.¹⁷ A call to abolish a rights-violating State Council regulation on the grounds that it was unconstitutional achieved some limited success in that the regulation was revoked. However, no institutional change to consolidate and widen the basis of constitutionality review request followed.¹⁸ When in 2004 the phrase "the State respects and protects human rights" was inserted into the Constitution's Article 33, many viewed it as no more than a promise of further progress.

In practice, a Party-State driven hierarchy of "political sensitivity" appeared to emerge, meaning that it would be acceptable to defend tolerated rights such as disability rights, LGBT rights and labour rights,¹⁹ even though other rights, such as the right to free expression or free manifestation of religious belief, could not yet be safely and successfully defended in China. In a more open legal system, it might seem difficult to maintain a segregation of tolerated and suppressed types of legal advocacy, especially if free speech advocacy belonged in the "sensitive" category – after all, all advocacy is itself speech, and most advocacy is related to political issues in a wider sense. Indeed, even though it seemed possible to point to kinds of legal rights advocacy that the authorities tolerated, and were consequently deemed safe, there never were clear boundaries; even extremely mundane cases could become "sensitive" in the eyes of the authorities. For example, a mundane criminal justice case, like the 2010 Beihai case, might become "sensitive" as a consequence of (the revelation of) torture-induced false confessions;²⁰ and a mundane forced eviction case could become "sensitive" once an evictee under attack had used vio-

lence to defend themselves,²¹ or harmed themselves as a form of protest.²² As discussed in the next section, even lawyers' involvement in cases could be a factor rendering them more "sensitive."

Yet, the fact that there was some segregation created at least a sense of relative safety as long as one stayed within the tolerated zones of advocacy. This sense of safety was an important ingredient in the transition narrative widely embraced by those hoping for gradual change. The assumed distinction between safe and unsafe forms of legal advocacy worked, because and as long as the actors in the legal system knew and accepted the existence of boundaries set not by the new laws but, rather, by their own entrenched, if reluctant, assumptions about the power of the – in Fraenkel's sense – "prerogative" Party-State to draw the boundaries.²³ The acceptance of such boundaries was more bearable as long as one could expect their gradual removal in the transition to stronger rule of law and better rights protection.

The question of whether human rights advocacy could be inappropriate, illicit or unlawful went to the heart of an early debate about human rights advocacy. In 2004, Gao Zhisheng, having tried to defend clients in the courtroom for a number of years, decided to try something new. His experience arose primarily out of his work with members of Falun Gong, a spiritual group who had fallen out of favour in 1999 after a public protest against their ban. From 1999 onward, Falun Gong members were detained, prosecuted for the crime of using an evil cult to undermine the implementation of the law, and punished with prison. They were also extremely likely to be tortured, in settings including pre-trial criminal detention as well as re-education through labour and mechanisms for forced disappearance entirely outside the law. Their torture, as Gao discovered through several investigative tours with a young legal assistant, was horrible. The attitude of many practitioners left him moved, and that of the courts deeply frustrated. Although these clients had suffered torture both in international and domestic law terms,²⁴ Gao never succeeded in getting the judicial authorities to pay attention. He therefore decided to place two open letters to the central authorities online. In doing so, he left what several of his colleagues considered to be the safe space of allowed or "lawful" work as a lawyer, and ventured into a space variously defined as "outside the law," "political" or "sensitive."

Gao not only soon faced persecution for what he had done: he was stripped of his firm and status as a lawyer, placed under informal house arrest, locked up and tortured, and tried and convicted.²⁵ In addition, as from 2007 onward, he was forcibly disappeared by the Party-State, which in the decade that followed only occasionally allowed him to surface.²⁶ He also came under pressure from colleagues, friends and family. Gao was criticised as unprofessional, radical, egocentric and stupid for having taken his advocacy well outside the legal process and for taking an action that could only have one, entirely predictable, outcome. His fate, from some of his critics' perspective, was not only *huogai*, self-inflicted; because it provoked the Party-State to lash out against him, it was also harmful to other advocates and to the larger cause – the paradigmatic and uniting belief that China would transition gradually toward a more liberal legal-political system.

Gao's actions triggered one of the first debates about professional legal advocacy's uncertain boundaries in China's decidedly still authoritarian, not yet liberal, legal-political system. Part of the debate concerned the nature of this boundary: was it a boundary between legal advocacy and political criticism, or was it a boundary between lawful legal advocacy and unlawful, perhaps even criminal, conduct? From the perspective of the

one-Party-State, these realms are nearly congruous. The spectre of crimes against the Party-State – offences ranging from public order violations to “falsification of evidence” and “inciting subversion of the political power” – always threatened to curtail what legal advocates could do. Throughout its existence, the Party-State system has insisted on its role as custodian of correct political views, has not tolerated any form of genuine political opposition, and has allowed the voicing of critical views only in sporadic and erratic fashion. (Article 41 of the post-Mao 1982 Constitution clearly stipulates a right to engage in criticism and suggestions; but, like other constitutional rights, the right to criticise is *de facto* overridden by Party-State-centred rules and practices violating it.)²⁷ From the perspective of a liberal human rights critic of the system, the stark choice between “lawful” legal advocacy on the Party-State’s own terms and subversion of the system is false because the point of liberal legal advocacy is that it invokes existing constraints of public power that power-holders will contest.

Inseparably connected to the ideal of separation of powers, rights-based legal advocacy thus has a tendency to collapse in a system rejecting such a separation. This has momentous consequences for how we should understand resistance in China’s system, as discussed in the following section.

LIBERAL RESISTANCE

Different conceptions of resistance, developed in different historic eras, are at play in China today. According to what one might call the pre-modern idea of *yuan*, a wrong or individually experienced injustice, resistance can be thought of as a continuation of what begins as the supplicant’s submission of grievances to the person in authority expected to right one’s wrongs: submission can “flip” into confrontation when moral authority is lost. According to the Mao-era conception of class-based resistance, in contrast, resistance is the historically inevitable reaction to oppression. However, once the Party has seized power as the vanguard of the people, all opposition is suspect and potentially counter-revolutionary or – under current criminal law – subversive.

None of these ideas fully capture the liberal conceptions of resistance most attractive and plausible to rights lawyers: resistance as a last resort against a government that has failed to impose a political obligation on its citizens to obey its laws and commands. In Locke’s famous phrase, the people have a “right to resume their original liberty when the legislature forfeits the power the people had put into their hands.”²⁸ According to the Preamble of the 1948 Universal Declaration of Human Rights (UDHR), “rebellion against tyranny and oppression,” similarly, is available “as a last resort.” Crucially, according to the UDHR, the protection of human rights by the rule of law prevents the need to rebel from arising.²⁹ When rights are generally protected through the functioning of the institutions of the state, good government does not simply depend on the moral probity of the ruler or their officials; it is only when the institutions of the state have broken down in some fundamental way that a right of resistance can arise.³⁰

The question of a human right of resistance has not dominated the human rights discourse of the post-World War II human rights movement. This movement has focused on the institutional, legal protections of human rights envisaged in the UDHR, not on what rights there might be when the institutions collapse.

More recently, political discussion of resistance has revived. In 2017, Michael Walzer observed that resistance is “something different from ordinary oppositional politics.”³¹ Arguing that “liberals and leftists in the Trump era need to sustain both resistance and democratic opposition,”³² he drew on a complex vocabulary of challenges to government power, ranging from legal advocacy to oppositional party politics, civil disobedience, conscientious objection and, lastly, violent resistance – a vocabulary developed with the archetype of a liberal democratic system in mind. From this perspective, it is necessary to revive liberal or leftist resistance in a nominally liberal-democratic system because the government can no longer be trusted to respect liberal-democratic forms and procedures. The revival of resistance (“a very old form of political action – much older than democracy itself”) that Walzer observes is thus a sign of troubled times for liberalism; it indicates an already apparent or feared fracturing of liberal-democratic forms of governance.

China’s liberal lawyers and other rights defenders’ debates connect to these liberal ideas of “resistance.” Yet their debates take place within a non-liberal and indeed anti-liberal setting that shapes rights defenders’ actions, as well as how the Party-State perceives these actions. These actions evolve organically from the constraints of using the narrow “legal” procedures available for them to defend the rights of their clients. A classic example, already introduced with the case of Gao Zhisheng and his work on behalf of Falun Gong clients, is criminal defence. Gao went online to protest against the torture of his clients and their fellow Falun Gong practitioners because he could not effectively address this issue in court.

In the years following Gao’s prosecution, other lawyers used the technique of publicising criminal justice wrongs to wider audiences also in “ordinary” cases not involving “sensitive” clients or actions. Even in ordinary criminal justice cases, the stakes can be high, especially when the investigating authority is under pressure to produce results. In cases of this nature, human rights lawyers tend to enter the scene some way into the criminal process, such as for example at the appeal stage. The mere fact that rights lawyers have taken on a case can make the case “sensitive,” triggering attempts to obstruct their criminal defence work. This happened in the already mentioned Beihai case (see footnote 20). In another case of a brutal rape in Leping, Jiangxi Autonomous Region, which led to wrongful convictions as a result of brutal torture, the authorities were reluctant to admit error because they feared being held responsible – even when another person already on death row confessed to the crime. A scholar analysing the case concludes that it has become “virtually impossible for the institutions of the system to correct this grievous mistake ‘from within’.”³³

Due to this institutional intransigence, rights lawyers increasingly have resorted to complaining not only to the authorities, but also to a wider public. They have felt compelled to quite literally take their advocacy outside court buildings. A typical example is a photo of lawyers Li Jinxing and Zhang Lei in front of the heavy steel gates of a Court building holding up a sign that reads “CRIMINAL DEFENCE LAWYERS DEMAND ACCESS TO FILES.”³⁴ With the availability of social media, advocates have been able to communicate with wider publics by disseminating images of these actions online. Actions like these put some pressure on responsible officials, as their work performance is measured in part by their ability to “maintain social stability.” From their perspective, any protest action, especially any widely noticed protest, is bad news.³⁵

Similarly, lawyers have used social media to report on the progress of court cases, and have disseminated secretly produced pictures and video footage as evidence of torture in cases where the authorities have refused to address allegations of torture.³⁶ They have also signed public statements in support of colleagues working on such cases, and of colleagues who have themselves been victimised.³⁷ Their use of blogs, microblogs and the mass media (in particular, overseas media) to disseminate such messages has been hampered by the authorities' many methods of censoring, deleting and blocking online messages; and in some ways it made it easier for the authorities to track rights lawyers. Nevertheless, use of electronic communications has allowed an ever-wider circle of concerned professional colleagues and sympathisers to learn about the rights lawyers' movements. The effects of these activities are evidenced in growing support for online signature campaigns and offline "rescue missions" on behalf of persecuted rights lawyers.

The transformation of legal advocacy in the decade following the lawyer Gao's fall from grace in 2004 encompassed not only a proliferation of forms of advocacy from the strictly court-based to associative and expressive political action, but also changes in how rights advocates saw themselves and their role in Chinese society. Legal advocates became prominent in wider movements supporting a liberal transformation of the system. Such movements saw lawyers coalesce with professional colleagues as well as, in some instances, with other professional groups and some of their, the lawyers', own clients.

Even when embarking on these new forms of advocacy, lawyers generally still aimed to oppose only specific aspects of Party-State governance; they tended to focus their attention on illegal Party-State actions, for example demanding that unlawful obstacles to effective criminal defence be lifted. Yet in doing so, they were compelled to reflect on the wider implications of official illegality, and on the wide scope of institutional changes that would be required in order to give effect to basic rule of law requirements (such as the right to legal counsel). This could prompt them to question the system more widely.

Illustrative of this evolution is the June 2014 image of lawyers Chen Jiangang, Lin Qilei and Liu Weiguo protesting against their exclusion from the legal process, in which by law, they ought to play an active part as criminal defenders, by holding up signs outside the relevant official building: "Zhengzhou Police: if the law is valid, let us see our clients; if it is not, just abolish criminal defence lawyers."³⁸ Similarly, in the already mentioned Leping case, the defendants' families, criminal defence lawyers and sympathising colleagues, videographers, NGO workers and other citizens protested against the fact that the appointed lawyers in this case were not given access to the case files, joining in a variety of activities ranging from informally organised workshops to discuss the case as an example of problems with the death penalty, to "flash mob demonstrations" outside the Jiangxi High Court building. In pictures taken in May 2015, they can be seen holding banners counting the days they had been denied access to the case files.³⁹

These actions have been contentious, and the debate has echoed earlier criticisms of individual lawyers' actions in the case of Gao Zhisheng. It is also inseparable from a long-standing, wider debate about the nature of law and lawfulness within the constraints of an authoritarian system. To quote Teng Biao:

According to one view, as a lawyer, you must only discuss the law, discuss what the evidence and the applicable law in a particular case are, what procedural problems exist – you can only discuss the law, not politics; you can't talk about the persecution of religion or introduce your

own political demands. Concurrently you also mustn't take media interviews, especially from the overseas media, or hype up an issue, and so on...Other human rights lawyers hold that in the Chinese context, any legal problem is hard to separate from the influence of politics.⁴⁰

While lawyers and their clients have usually taken their first steps into advocacy outside the courtroom and legal process in a reactive way – because the institutional advocacy avenues that should be available to them are being illegally blocked – the Party-State sees their actions as counter to public order or even national security. Throughout the post-Mao era, it has retaliated against them through the criminal process, with investigation and prosecution for public order or subversion crimes, or through parallel processes of punishment (such as the now defunct re-education through labour). By and large, a development from harsher to more lenient and back to harsher punishment can be observed over the course of four decades. Punishments meted out in the aftermath of June Fourth for what was then “crimes of counter-revolution” consisted of lengthy prison sentences: during the 1990s and early 2000s, while the State did prosecute and convict for “national security” crimes, including “inciting subversion of government power or the socialist system,” the length of prison sentences appeared to decline; and through the end of the Hu Jintao era, there was a greater tendency to convict for lesser public order crimes.⁴¹ Under Xi Jinping, harsh punishments have resumed.

It is against this wider background that we must view the intensification of repressive campaigns against human rights lawyers and lay human rights defenders in the Xi Jinping era. Most notably, the so-called “709 Crackdown” – which began with the detention of lawyers Wang Yu and Bao Longjun and their sixteen-year-old son Bao Zhuoxuan on the night of 9 July 2015⁴² – affected some 300 legal professionals, including numerous cases of detention, forced disappearance, and torture. Despite obvious continuities in terms of its claimed justification, purpose, and specific methods, this repressive campaign differed from those of the immediate post-Mao Reform and Opening era in significant ways.

First, the authorities did not hesitate to threaten prosecution for the mere act of taking up legal representation of, or engaging in advocacy for, a professional rights lawyer colleague, or to demand written guarantees of not engaging in any acts of this kind. One lawyer, who was “caught” when getting off a train and interrogated by domestic security police from his hometown, was warned that he would not be allowed to provide professional criminal defence to fellow lawyers detained in the course of the crackdown. Otherwise, the police told him, he would be directly implicated in the ongoing “investigation” of colleagues suspected of crimes against national security. The lawyer reported:

I asked [the officer] directly, “do you mean not even if the lawyer’s families asked me to act as someone’s criminal defence lawyer – defending their rights in accordance with law, that would be my job as a lawyer.” His answer was clear. “No way. If you get involved, you’re a co-suspect.”⁴³

In addition, from the first days of the crackdown, the authorities engaged in intense efforts to publicise their campaign against human rights lawyers (suppressing only clearly criminal behaviours such as the use of torture) and to vilify the targets of their persecution. Within days of the first detentions, newspapers and national Chinese television carried elaborate, lengthy reports on the detainees, described, *inter alia*, as part of a “rights defence ring.”⁴⁴ In August 2016, some lawyers and their co-workers were subjected to

“televised trials,” during which they made even more elaborate statements of submission to the authority of the Party-State and repentance about their former advocacy.

For example, lawyer Zhou Shifeng was accused of “putting forward systematic ideas, methods, and measures for the subversion of state power.”⁴⁵ At his trial, about to be convicted and sent to prison for seven years, Zhou not only admitted guilt. He also spoke of his deep gratitude toward the Party-State, which had held him incommunicado for over a year.⁴⁶ Only some months later did it gradually become apparent that those who had given statements had been systematically, forcibly drugged.⁴⁷ In addition, accounts emerged of horrendous physical torture, as in the case of lawyer Xie Yang. Not only the offer of professional criminal defence but also the disclosure of government torture became an act of intolerable and “criminal” insubordination. Lawyer Jiang Tianyong, who had worked on the cases of the 709 prisoners and helped report Xie Yang’s torture disclosures, fell victim to the campaign and was ultimately convicted of subversion for helping to “fabricate” the account.⁴⁸

Far from being limited to the comparatively tiny target group of immediate victims, this propaganda addressed different audiences and served multiple political purposes. Towards human rights defenders and their circles it was primarily a shock and a warning; towards a wider TV audience it was meant to discredit human rights defenders and show that the authorities were protecting the people from its enemies. In the Xi Jinping era, these enemies have included not only rights defenders working in a growing number of formerly tolerated areas, but also journalists, labour advocates, liberal scholars, and wider civil society circles.⁴⁹

Spectacular though these displays of the Party-State might have been, they also reflect the deep contradiction that continues to run through the system – between a constitutional principle of following the law and protecting fundamental rights and the principle of People’s Democratic Dictatorship. The problem is not limited to the state making laws inconsistent with constitutional principle. Perhaps more routinely, the authorities ignore existing “black-letter” laws because they feel they can. In a more fundamental way than even civil disobedience (understood as a public and non-violent breach of law undertaken conscientiously with the aim of bringing about a change in the laws or policies that will render them more consonant with law’s inherent principles),⁵⁰ as rights lawyers themselves have observed,⁵¹ rights lawyers thus have to engage in opposition to the Party-State’s anti-legal strategies and measures. To use Ernst Fraenkel’s vocabulary, they are primarily engaged in opposing the prerogative state.⁵²

If we revert to the panoply of forms of oppositional political action referred to by Michael Walzer, the author writing about resistance in Trump-era America, it is not difficult to see why, in a political environment where all choices of lawfully challenging the government are reduced to just one – namely, legal advocacy – that one avenue cannot function properly. Where oppositional party politics is impossible, political speech is severely repressed (albeit not altogether stopped),⁵³ and even wider civil society activities are considered to be politically suspect, legal advocacy cannot work because, in any liberal system, its functioning depends on the availability of the other avenues. In China, the experience of rights defenders under Xi Jinping shows that the current political leaders are intent on leaving no breathing space for legal advocacy.

The lack of legitimate opposition in the eyes of the government means that any hint of rights advocacy beyond the courtroom, criticism of systematic wrongs or indication

of opposition to the political system, even by peaceful means, can trigger retaliation and be treated as subversive. As a result, legal advocacy becomes a form of resistance. This has the further possible consequence that law is driven out of the system altogether. Yet, it is very hard to see how the system could get rid of the liberally inspired laws that have dominated the post-Mao Reform and Opening era. The authorities have put great energy into reconceiving law along anti-liberal lines, but the success of this effort remains in doubt.

CONCLUSION: IMPLICATIONS FOR THE RIGHT OF RESISTANCE IN CHINA AND BEYOND

This chapter has sought to describe the evolution of human rights advocacy from a Party-State-tolerated but highly controlled activity in the 1990s to more systematic and explicitly political public advocacy, and worsening repression of human rights lawyers. It has argued that in the peculiar conditions of China's evolving Party-State system, legal advocacy has increasingly become a form of liberal resistance.

Since, in the conditions of authoritarian tightening that characterise the Xi era, more and more rights-based legal advocacy has become liberal resistance and, in the eyes of the system, subversion, the Party-State now needs to refashion its approach to law and legal practice more widely. Its now propagated conception of law – according to which “socialist rule of law with Chinese characteristics and Party leadership are identical” – has effectively suspended any remaining expectation of a gradual liberal transition. This change illustrates how intimate the connection is between rights advocacy and political liberalism, even though transnational civil society organisations have on many occasions downplayed this connection.⁵⁴

The Chinese debate about resistance can also be studied for its lessons for resistance globally. As democratic forms of opposition, wider democratic structures and the rule of law are undermined elsewhere; not only resistance to anti-democratic politics but also resistance to “delegalisation” can be expected to occur in settings beyond China. The right of resistance is being rediscovered as a more crucial right whenever liberal-democratic political institutions are threatened, which is why resistance is now being revived also in other countries threatened by authoritarian resurgence.⁵⁵ In conditions of transnational interconnectedness and new sources of domination, we need to re-examine what and how we have a right to resist, and what duties we have toward legitimate resisters elsewhere. In their practice of legal resistance, rights advocates in authoritarian systems can be examples for liberals elsewhere.

NOTES

* Professor of Law, King's College London; Affiliated Researcher, New York University US-Asia Law Institute. Many thanks to the PC Woo Fellowship for supporting research for this chapter. This chapter draws on some loosely structured conversations with lawyers, other human rights defenders, academics, petitioners, citizen journalists, and videographers, as well as observation of gatherings, workshops, seminars, and discussions, conducted between 2013 and 2018. All conversations have been anonymised, using standard social science techniques.

1. See Liu Xiaobo, “高智晟律师的启示 [The Warning from Lawyer Gao Zhisheng],” *Boxun*, 6 November 2005, <http://www.peacehall.com/news/gb/pubvp/2005/11/200511080255.shtml>.
2. Liu Guiming, “律师百年与律师精神 [100 Years of History of the Legal Profession and the Spirit of the Legal Profession],” prepared for the 2012 Annual Meeting of 律师文摘 [*Lüshi wenzhai*], 3 March 2013, <http://blog.legaldaily.com.cn/blog/html/81/2441181-32856.html>; Yuan Qi, Zou Guoliang and Wen Zhaoli (袁起, 邹国良, 文朝利), 60年语录 (1949–2009): 60年共和国的沧桑巨变 [*Quotations from 60 Years (1949–2009): 60 Years of Vicissitudes in the Republic*] (Beijing: China Development Press, 2009).
3. The legal revival era is discussed along similar lines by Hualing Fu in this Handbook (Chapter 5).
4. Yang Deshan (杨德山), “依法治国, 以德治国 [Ruling the Country in Accordance with Law, Ruling the Country in Accordance with Virtue],” 6 September 2002, http://news.xinhuanet.com/newscenter/2002-09/06/content_552721.htm.
5. 中华人民共和国行政诉讼法 [PRC Administrative Procedure Law], adopted and promulgated on 4 April 1989 and effective as of 1 October 1990.
6. Teng Biao, “What is Rights Defence?” in Stacy Moshr and Patrick Poon, eds., *A Sword and a Shield: China’s Human Rights Lawyers* (Hong Kong: China Human Rights Lawyers Concern Group, 2009).
7. Eva Pils, “The Practice of Law as Conscientious Resistance: Chinese *Weiquan* Lawyers’ Experience,” in Jean-Philippe Béja, ed., *The Impact of China’s 1989 Tiananmen Massacre* (New York: Routledge, 2011), 109–24.
8. Ibid.
9. Discussed, with different emphases, by Elena Consiglio, “The Doctrines of Human Rights in China,” unpublished manuscript on file with author; Samuli Seppänen, *Ideological Conflict and the Rule of Law in Contemporary China: Useful Paradoxes* (Cambridge: Cambridge University Press 2016), 115–23.
10. Wei Wu (吴伟, 30 September 2014). 十大后的党政分开改革 [The Reform to separate the Party and the Government following the Thirteenth Party Congress], *New York Times*, 30 September 2014, <http://cn.nytimes.com/china/20140930/cc30wuwei31/>.
11. Jonathan Benney, *Defending Rights in Contemporary China* (Abingdon: Routledge 2012), chapter 2.
12. State Council Information Office, White Paper on Human Rights (November 1991), Preface, <http://china.org.cn/e-white/7/index.htm> [last accessed 30 October 2016]; Sun Pinghua, *Human Rights Protection System in China* (Berlin: Springer, 2014), 35; Andrew Nathan, “China and International Human Rights: Tiananmen’s Paradoxical Impact,” in Jean-Philippe Béja, ed., *The Impact of China’s 1989 Tiananmen Massacre* (Abingdon: Routledge, 2011), 206–20; Robert Weatherley, *Making China Strong: The Role of Nationalism in Chinese Thinking on Democracy and Human Rights* (Basingstoke: Palgrave Macmillan, 2014) at 148f.
13. International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3 (ICSECR); International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR). An overview with further links can be found on the website of the OHCHR: “The Core International Human Rights Instruments and their Monitoring Bodies,” available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>.
14. Thomas Carothers in “Rule of Law Temptations,” *Fletcher Forum of World Affairs* 49 (2009) describes as sequentialism “the doctrine that a country should establish an environment conducive to economic investment first – it should secure the Rule of Law and provide a relatively risk-free environment for economic investment first, and then worry about setting up elected legislatures and other democratic institutions later.” See also Randall Peerenboom, “Law and Development of Constitutional Democracy: Is China a Problem Case?” *Annals of the American Academy of Political and Social Science* 603, no. 1 (2006): 192–9.
15. Albert H.Y. Chen, “Constitutions and Values in Three Chinese Societies,” working paper, 17 September 2009, at <http://ssrn.com/abstract=1474731>, p. 10.
16. Jiang Shigong (强世功), “Written and Unwritten Constitutions: A New Approach to the Study of Constitutional Government in China [中国宪法中的不成文宪法 – 理解中国宪法的新视角],” *Modern China* 36 (2010): 12–46, http://www.lishiyushehui.cn/modules/topic/detail.php?topic_id=282.
17. The Chinese judiciary does on occasion mention rights-protecting norms of international law or constitutional status; and of course, just because the Constitution is not judicially enforced does not mean that there is no codified human rights protection in China. An example is the right to a fair trial, aspects of which are protected under the Criminal Procedure Law. See Otto Malmgren, “Article 37: The Right to Liberty of Person under the Chinese Constitution,” *China-EU Law Journal* 2, no. 1 (2013): 35–67.
18. Keith Hand, “Using Law for a Righteous Purpose: The Sun Zhigang Incident and Evolving Forms of Citizen Action in the People’s Republic of China,” *Columbia Journal of Transnational Law* 45 (2006): 114–95, 138; Wang Zhenmin (王振民), 中国违宪审查制度 [*Constitutional Review in China*], Beijing: Chinese University of Politics and Law Press, 2004), 372.
19. Thomas E. Kellogg, “Western Funding for Rule of Law Initiatives in China: The Importance of a Civil Society Based Approach,” *China Perspectives* 3 (2012): 53–59, <http://chinaperspectives.revues.org/5954>;

- Richard Cullen and Hualing Fu, "Climbing the *Weiquan* Ladder: A Radicalising Process for Rights-Protection Lawyers," *China Quarterly* 205 (2011): 40–59, <http://journals.cambridge.org/action/displayFullText?type=1&fid=8243497&jid=CQY&volumeId=205&issueId=1&aid=8243495>.
20. This happened in the Beihai case. See Human Rights Watch, "Defense Lawyers in High-Profile Beihai Case Beaten While Police Watch," 21 October 2011, <http://www.hrichina.org/en/content/5587>.
 21. Boxun, "阵容庞大：范木根自卫杀人案和维稳拆迁研讨会/视频 [Great Turnout: Seminar on the Self-Defence Homicide Case of Fan Mugen and Stability-Preservation Style Demolition and Relocation]," 22 February 2014, <http://news.boxun.com/news/gb/china/2014/02/201402220159.shtml#.UzxWtLmP15p>.
 22. Amnesty International, "Standing their Ground: Thousands Face Violent Evictions in China," October 2012, <http://www.amnesty.org/en/library/info/ASA17/001/2012/en> (list of 41 self-immolation cases at pp. 56ff.).
 23. Ernst Fraenkel, *The Dual State: A Contribution to the Theory of Dictatorship*, translated by E.A. Shils (New York: Oxford University Press, 1941).
 24. For the domestic definition of the crime of torture see: Articles 238, 247 and 248 of 中华人民共和国刑法 [PRC Criminal Law], passed on 1 July 1979, promulgated on 6 July 1979, effective as of 1 January 1980, last revised on 29 August 2015, available at <http://chinalawtranslate.com/%E4%BA%E6%80%91%E5%85%B1%E5%92%8C%E5%9B%BD%E5%88%91%E6%B3%95%EF%BC%882015%E5%89%84%E4%BF%AE%E6%AD%A3%EF%BC%89/?lang=en>; Articles 18, 50 and 54 of 中华人民共和国刑事诉讼法 [PRC Criminal Procedure Law], passed on 1 July 1979, promulgated on 7 July 1979, effective as of 1 January 1980, last revised on 14 March 2012, translation available at <http://www.cecc.gov/resources/legal-provisions/criminal-procedure-law-of-the-peoples-republic-of-china>.
 25. Eva Pils, "Asking the Tiger for His Skin: Rights Activism in China," *Fordham International Law Journal* 30 (2007): 1209–87.
 26. Bill Bumpass, "No Room in China for a Human Rights Attorney," *OneNewsNow*, 15 September 2017, <https://www.onenewsnow.com/persecution/2017/09/15/no-room-in-china-for-a-human-rights-attorney>.
 27. Benjamin L. Liebman, "Article 41 and the Right to Appeal" (July 2014), available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2492802.
 28. John Locke, *Second Treatise on Government*, Chap. XIX Sec. 222, 1689, <http://constitution.org/jl/2ndtr19.htm>.
 29. Universal Declaration of Human Rights (adopted 10 December 1948), UN Doc A/810, at 71.
 30. Wolfgang Schwarz, "The Right of Resistance," *Ethics* 74, no. 2 (1964): 126–34.
 31. Michael Walzer, "The Politics of Resistance," *Dissent Magazine*, https://www.dissentmagazine.org/online_articles/the-politics-of-resistance-michael-walzer.
 32. Ibid.
 33. Jiang Jue, "Legal and Political Rights Advocacy in Wrongful Conviction Death Penalty Cases in China: A Study of the Leping Case of Injustice," *Columbia Journal of Asian Law* 29, no. 2 (2016), <http://cjal.columbia.edu/article/legal-and-political-rights-advocacy-in-wrongful-conviction-death-penalty-cases-in-china-a-study-of-the-leping-case-of-injustice/>.
 34. Lawyer Shi Qing (石青律师) [pen name], "营口中院非法剥夺律师阅卷权 [The Intermediate Court of Yingkou illegally refuses lawyers access to files]," 20 April 2013, <http://news.boxun.com/news/gb/china/2013/04/201304040209.shtml>.
 35. Benjamin L. Liebman, "Legal Reform: China's Law-Stability Paradox," *Daedalus* 143, no. 2 (2014): 96–109; Carl F. Minzner, "China's Turn against Law," *American Journal of Comparative Law* 59, no. 4 (2011): 935–84. See also Sophia Woodman's discussion of how stability discourse is deployed on both sides of political contention, in Chapter 6 of this Handbook.
 36. He Yang (何杨), 专访朱明勇律师 – 黑打 [*Conversation with Lawyer Zhu Mingyong on Torture*], independent documentary film, August 2010, on file with author.
 37. One such case is the Jiansanjiang Incident, in which lawyers who had tried to rescue clients held in illegal detention ended up being detained and tortured themselves. Discussed in Eva Pils, *Human Rights in China: A Social Practice in the Shadows of Authoritarianism* (Cambridge: Polity, 2017), chapter 3; Elisa Nesossi, "Political Opportunities In Non-Democracies: The Case of Chinese *weiquan* Lawyers," *International Journal of Human Rights* 19, no. 7 (2015): 961–78, at 967f.
 38. Picture on file with author. The pictures were posted in June 2014 and partially retrieved from <https://weibo.com/weibo/3720233921516187> on 28 September 2017.
 39. 江西高院律师要求阅卷第7天, <http://www.epochtimes.com/gb/15/5/28/n4444475.htm>.
 40. Teng Biao (滕彪), 中国维权运动的历史和现状 [The History and Current Situation of the Chinese Rights Defence Movement], Centre on Religion and Chinese Society, Purdue University, 13 October 2014. On religious freedom activism, see also Vala's chapter in this Handbook. <https://www.purdue.edu/crcs/events/purdue-symposium-ch/purdue-symposium-2014-ch/tengbiao/>. See also Pils, "Asking the Tiger for His Skin."
 41. Teng Biao (滕彪), "The Political Meaning of the Crime of 'Subverting State Power,'" in Jean-Philippe Béja,

- Fu Hualing and Eva Pils, eds, *Liu Xiaobo, Charter 08, and Challenges of Political Reform in China* (Hong Kong: Hong Kong University Press, 2012).
42. “709” thus refers to the date when the crackdown began.
 43. Conversation #137-16-1. Similar: e.g. conversations #121-16-1; #138-16-1. In addition to the main targets, who were detained, hundreds of lawyers and supporters were subjected to brief detentions or coerced “chats.” China Human Rights Lawyers Concern Group (CHRLCG) and Chinese Human Rights Defenders (CHRD).
 44. For example, Cao Yin, “Lawyers ‘Tried to Influence Verdicts,’” 13 July 2015, http://www.chinadaily.com.cn/china/2015-07/13/content_21255261.htm; “贵圈真乱—图读懂“维权”圈 [Your Circle is a Real Mess: A Graphic Explaining the ‘Rights Defence’ Ring],” *Legal Daily* (法制日报), 13 July 2015, http://www.legaldaily.com.cn/zt/content/2015-07/13/content_6168094.htm?node=73108; translated and annotated at ChinaLawTranslate, <http://chinolawtranslate.com/lawyer-cases-infographic/?tpedit=1&lang=en>.
 45. Transmitted by social media, on file with author. Human Rights in China (HRIC), “Annotated Excerpts from Hu Shigen and Zhou Shifeng’s Trial Transcripts,” 12 August 2016, <http://www.hrichina.org/en/annotated-excerpts-hu-shigen-and-zhou-shifengs-trial-transcripts>.
 46. Vivienne Zeng, “Human Rights Lawyers Targeted in Unprecedented Crackdown,” *Hong Kong Free Press*, 13 July 2015, <https://www.hongkongfp.com/2015/07/13/human-rights-lawyers-targeted-in-unprecedented-crackdown/>.
 47. Eva Pils, “A New Torture in China,” *CPI Analysis* guest blog, 10 August 2017, <https://cpianalysis.org/2017/08/10/a-new-torture-in-china/>.
 48. Dan Renping (单仁平), “刑讯逼供？西媒抹黑中国也不换换词 [Torture? In Slandering China, Western Media Do Not Mince Words],” *Global Times*, 23 August 2017, <http://opinion.huanqiu.com/shanrenping/2017-08/11163751.html>.
 49. Orville Schell, “Crackdown in China: Worse and Worse,” *New York Review of Books: China File*, 4 April 2016, <https://www.chinofile.com/nyrb-china-archive/crackdown-china-worse-and-worse>.
 50. John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971); Ronald Dworkin, *Taking Rights Seriously* (London: Duckworth, 1977).
 51. Conversation #2 2013-2. Liu Xiaobo (刘晓波), “公民不服从运动在中国的前景 [The Prospects for a Civil Disobedience Movement in China],” *Boxun*, 9 October 2005, <https://www.peacehall.com/news/gb/pubvp/2005/10/200510090543.shtml>.
 52. Neither the normative nor the prerogative parts or aspects of the dual state can achieve rule of law, according to this account. Fraenkel, *The Dual State*.
 53. See also Pitman Potter’s chapter in this Handbook.
 54. For example, Amnesty International has long claimed that it “is independent of any government, political persuasion or religious creed” and that it “does not support or oppose any government or political system.” Amnesty International European Institutes Office, “Frequently Asked Questions,” available at <http://www.amnesty.eu/en/about-amnesty-international/faq/#faq1>.
 55. Alexander Cooley, “Authoritarianism Goes Global: Countering Democratic Norms,” *Journal of Democracy* 26 (2015): 49–63; Larry Diamond, “Facing Up to the Democratic Recession,” *Journal of Democracy* 26 (2015): 141–55; critically, Steven Levitsky and Lucan Way, “The Myth of Democratic Recession,” *Journal of Democracy* 26 (2015): 45–58.

5. Mass disputes and China's legal system

Hualing Fu

INTRODUCTION

The Chinese Communist Party (Party) under Chairman Xi Jinping's leadership has been cracking down on public protests and social-legal activism by civil society leaders and human rights lawyers. At the same time, the Party has initiated an unprecedented legal reform program to enhance the autonomy, professionalism and capacity of the courts. As part of these reforms, the Party promotes class action and public interest litigation to channel collective disputes back to the courts for legal resolution. The reforms aim to create more space in the judicial system to bring collective disputes back from the streets and into the courts. Collective disputes, often referred to as mass incidents, are polycentric contentions with significant social impact involving large sections of the public and engaging the jurisdictions of multiple public authorities. Xi's dual policy initiatives are predicated upon three assumptions: first, there are legitimate mass disputes affecting the rights and interests of particular groups of people; second, these groups have increasingly resorted to non-institutional, extra-legal measures to assert their rights; and, third, that the legal process is comparatively the most appropriate and effective forum for resolution of such disputes. It remains to be seen whether such an approach will be successful.

This chapter identifies and examines three distinct judicial approaches to mass disputes in China from the early 1990s to 2017. The first is a legalistic approach that treats citizens as individual legal subjects and restricts, in law or in legal practices, the possibility of collective legal action. The second is a stability approach that largely ignores legal rules and procedures in dealing with mass disputes and opts for political solutions through *ad hoc*, localized, and informal measures. The third is a statist approach that returns to law and legal rules in resolving mass disputes but insists on the central role of the Party-state in the process. Each approach has been given priority in judicial practices at different periods as political circumstances have evolved in China. A legalistic approach prevailed in the 1990s, beginning with the enactment of the Law for the Protection of the Rights and Interests of Women in 1992, diminishing after the Falun Gong crackdown in 1999, and ending in the early 2000s with the rise of the security state. The stability approach was prominent in dispute resolution in the Hu-Wen era; and the statist approach began toward the end of the Hu-Wen era and gained momentum under Xi Jinping's leadership. Following a stability approach, the statist approach emphasizes the Party's leadership in managing mass disputes; but following a legalistic approach, it attempts to create more space for the legal system and channel mass disputes into the courts for rule-based resolution.

The following part of this chapter examines the legal approach to mass disputes, highlighting the legal relationship between independent individuals with free will and responsibility and the process through which law has atomized society. Looking next at the stability approach, the chapter analyzes the different ways that courts during this

period diluted, defused and deconstructed collective claims, with a particular reliance on mediation and other informal measures to divide and conquer collective claims. Examining the current era, the chapter explores the prospects for class action and public interest litigation (PIL) as part of a wider reform drive to displace street protests with courtroom litigation. The chapter then assesses the potential of PIL and the challenges it faces without support from an active civil society. It concludes with consideration of the implications of these developments for the stability of China's existing political system.

LEGAL RIGHTS AND THE INDIVIDUALIZING IMPACT OF LAW

In the post-1989 era, Deng Xiaoping sought to reinvigorate economic growth by promoting legal rights and the institutionalization of the rule of law. In lieu of partial political liberalization and democratization, which were on the reform agenda in the 1980s, the state shifted its focus to the creation of legal rights, bestowing them on different categories of citizens, including women and children, consumers, disabled persons, workers, criminal suspects, and lawyers. These were rolled out within a short time span from 1992 to 1998, when China signed the International Covenant for Civil and Political Rights (ICCPR).¹ At the same time, China initiated systematic legal reforms to enhance the capacity of legal institutions and design legal procedures for dispute resolution, with a strong emphasis on strengthening the “supply side” of the legal system.²

The creation of individual-based legal rights was a milestone in China's transition—both economically from a paternalistic, socialist planned economy towards an open economy, and politically from comrades to citizens. Yet although this legalistic approach offers meaningful rights and freedoms for individuals, it has intrinsic limits regarding mass disputes because the rights and freedoms that have been created are individual-based and defer the collective identity or group interest to that of individuals. The endowment of rights on individual legal subjects is fundamental to the operation of China's emerging market economy and a new style of governance. Labor law and labor relations serve as useful examples. Facing mass lay offs from state-owned enterprises (SOEs) and new labor relations with cities swollen by the influx of migrant workers, the government had to manage the tricky task of replacing the provision of “iron rice bowls” for the working class with legal contracts between employers and employees, thereby restructuring relations between state, employers and workers.³ Relatedly, the government faced the task of designing a new labor dispute resolution paradigm. Since the mid-1990s, law-making bodies have promulgated a large body of legislation to structure labor relations and regulate labor disputes. Worker entitlement and duties are now governed by contracts of employment in all sectors of the economy.⁴ Marking a dramatic shift from the state's provision of cradle-to-grave care under the planned system, the contract governs labor relations in both the state and the private sector, with significant disparities between industries and regions.⁵

Under employment contracts, workers bargain as individual actors with their employer. They are uniformly identified as parties to the contract, with little regard to their social identity. In other words, they are conceived as abstract legal subjects who perform duties and receive benefits as employees as provided for by their contracts. The contract specifies the legal rights and obligations of both the employee and employer, including minimum

wage, working hours, compensation, social security and other employment conditions. These rights are enforced through arbitration and judicial procedures.⁶ While collective consultation between the official union and employers occurs superficially before workers enter into a contract, there is little bargaining by and for the workers, and workers have no meaningful input into the process.⁷ In the end, it is the contract *per se* that has a legally binding effect.

Further, labor rights, similar to other legal rights, rely on private enforcement. The legal system operates reactively, and workers are presumed to have the capacity to enforce employment contracts. Hence, the burden shifts from the state to the parties to a labor contract to initiating legal action. As a result, aggrieved Chinese workers must pursue legal action at their own cost and risk.⁸ Access to justice in this context is narrowly construed as facilitating private enforcement, and indeed dependent on the willingness and ability of workers to take legal action.⁹ Perhaps not surprisingly, violations of labor rights have abounded as the regulatory burden has shifted from the government to individual workers.

This is not to imply that by creating a private legal regime for labor rights the state has been neutral in regulating labor relations. While a government inspection regime has existed, it has performed poorly in providing proactive and effective protection of labor rights. Further, the state has prohibited independent workers' groups and restricted collective action among workers, suggesting that individual rights are provided on the condition that workers do not organize on their own. Overall, Chinese labor law has served as an atomizing force that has limited its own effectiveness, creating a wide gap between progressive laws on paper and the law as practiced.¹⁰

MARGINALIZATION OF LAW AND THE POLITICS OF INFORMAL JUSTICE

As discussed above, the legal system established in China in the 1990s largely responds to the legal need of individuals and is hostile to any collective claims, resulting in an atomization of the citizenry. Mass disputes are something that the legal system is ill-equipped to resolve. When collective legal disputes emerged in the late 1990s, they were either broken down into individualized cases or pushed out of the judicial process in their entirety for *ad hoc* and politically expedient resolution. Under the new stability approach, that which the law cannot atomize and disaggregate, the courts exclude from legal remedies.

Facing a surge in mass disputes and the political demand to sort them out expediently, beginning in the late 1990s Chinese courts developed informal practices to decline jurisdiction over collective claims or impose settlements without referring to legal rules or following legal procedures. Access to the legal process was limited in numerous ways. Most commonly, the local Party Committee would decide to deny access to courts in certain cases and impose expedient settlements on them through an administrative process. This often happened in mass tort cases involving a large number of individuals with a wide potential societal impact. In these cases, courts are given explicit instructions to override strict legal remedies in favor of informal, *ad hoc*, and localized solutions.

Examples abound. In 2008, with melamine milk powder cases involving nearly 300,000 families, volunteer lawyers brought multiple claims against the manufacturers and sellers of tainted milk powder at different levels of courts and in different parts of

China. However, they were mostly rejected.¹¹ Instead, by the end of December 2008, the government had ordered a settlement between offending enterprises and the parents of victims. Within less than two months over 260,000 victims (more than 90 percent of the total) accepted this settlement. None of the cases received judicial attention.¹² Similarly, in the case of an HIV outbreak in Henan caused by contaminated blood transfusions, the courts were directly ordered not to accept any related cases. According to reports, since 1995 the number of people infected was between 30,000 and 50,000, mostly from small villages. While a limited number of cases were accepted and litigated in courts, which systematically ruled against the victims, in most cases settlement was ordered through government-controlled schemes. In its reply to an inquiry from provincial People's Consultative Conference members, the Henan High Court in 2004 expressly stated that, given the specialist nature of such cases, the courts would not accept them for the time being.¹³ The Political and Legal Committee in one county in Henan, for example, ordered the county court not to accept HIV-related cases. It reasoned that victims would be compensated by a government fund and offered free medical treatment.¹⁴

In these controversial cases, the judicial process, if relevant at all, has been part of a larger politically driven, administrative-led compensation scheme. In other less sensitive cases, the courts have been well known for their avoidance strategies, often citing the lack of clear legislation or practical difficulties in granting a remedy. Examples include the case of defective vaccines in Shanxi; cases of forced redundancy in SOEs; mass lay offs in the private sector; the dismissal of teachers not formally hired by the state (*minban*); the children of migrant workers denied education; land misappropriation; and environmental pollution. According to remarks made by former Supreme People's Court (SPC) Deputy President Huang Songyou at a judicial conference in the context of mass labor disputes, the judicial logic for refusing jurisdiction was that "the Party and government" were more effective fora for resolution.¹⁵ Under the stability approach, the courts avoided assuming jurisdiction over mass actions by either seeking ways to disaggregate them or pushing aside claimants to stifle legal claims.

With stability as the ultimate objective of the legal system, informality has prevailed across a wide range of Chinese law, including the laws on constitutional review,¹⁶ securities regulation,¹⁷ tax administration,¹⁸ state secrets management¹⁹ and media/Internet governance,²⁰ with informal, often secretive rules replacing formal legal norms. In practice, legal rights and remedies have been displaced by a variety of *ad hoc*, extra-legal administrative solutions. Often, dispute resolution has occurred through mediation, which has a long tradition both judicially and extra-judicially in China. While there was a clear tendency in the 1990s for liberal-minded reformers to bring more disputes to court for rule-based resolution, the widespread use of mediation in the twenty-first century represents a conservative retreat whereby law is bypassed for political expedience in the name of social stability.²¹

Facing an explosion of collective conflict in the late 1990s and the early years of the twentieth century, the Party has responded by rebuilding its capacity at the grassroots level, focusing on mediation to prevent, suppress or otherwise resolve disputes as part of a larger stability maintenance strategy. Efforts have also been made to encourage closer cooperation between courts and local communities, including the diversion of disputes from courts to community-based mediation schemes and the development of court-based mediation. Between 2000 and 2012 in particular judges were clearly instructed that the

preeminent consideration must be given to the social consequences of their decisions. In other words, the ultimate judicial objective was not the application of legal rules in a dispute but to end disputes and preserve stability—using legal rules only when they contributed to achieving these objectives.²²

Mediation was thus a key part of a larger multi-institutional, preemptive system designed to manage disputes. As a strategy of early intervention, political authorities sought to use mediation to prevent disputes from escalating into collective action. The state thus took a pragmatic approach in identifying and classifying potential threats, and then deploying pre-emptive measures to eliminate the risks. As a political strategy whose overriding objective was the maintenance of stability, mediation was frequently not voluntary, rule-based or transparent, and it lacked adequate appeal procedures when it went wrong.²³

JUDICIALIZING COLLECTIVE CLAIMS

The stability approach, which was designed to offer a corrective to the legalistic approach in resolving mass disputes, faced its own predicaments. It turned out to be costly and time-consuming, and it was not effective in bringing an end to disputes.²⁴ The perverse incentive structures that it created generated more disputes than they resolved, diminished governance capacity and undermined the credibility of the Party.²⁵ In the long run, informal justice based on political expediency undermined institutions and legal rules. In addressing collective claims, the government did not only tolerate the use of informal methods to achieve certain policy goals, but also intentionally marginalized, bypassed and sabotaged its own formal rules and established procedures. Judicial abdication of the court's duty to adjudicate mass claims invariably drove disputes away from official channels and onto the streets. Many authors argued that increasingly aggrieved individuals abandoned the legal system in favor of informal, non-institutionalized and highly politicized means of conflict resolution, such as strikes and rallies, or otherwise orchestrated “walks” on streets.²⁶ Toward the end of the Hu-Wen administration, the Party started to realize the adverse social consequences that this perverse incentive structure had produced and began to limit the free-standing, extra-legal management of disputes, returning to a reliance on legal rules for dispute resolution. When Xi Jinping came to power, China witnessed a decisive shift away from the stability-driven approach to a rule-based approach for the solving of ordinary disputes—in political discourse and, to a lesser degree, legal practice.

Using the law to resolve mass disputes in China has long been problematic. The legal foundation for such action is not new; it was first recognized institutionally in China in 1982 when the Civil Procedural Law (CPL) was promulgated. The CPL created a non-representative form of collective lawsuit called joint litigation, which allowed multiple parties with the same interest or similar claims to initiate joint or group litigation. Representative litigation was introduced in 1991 by the CPL Amendment, in response to rising collective legal action. Informally, representative action was used by local courts to meet local demand in multiparty lawsuits.²⁷ A legal action is defined as collective when the number of litigants on either side is “large”—more than ten according to an SPC interpretation.²⁸ The scope and process of representative action were elaborated in the 2012 Amendment of the CPL. When a legal action involves more than ten parties,

a representative action may be initiated. If the total number of possible plaintiffs is unknown, a court may publish a notice to describe the action and give notice to potential rights holders to register with the court under certain rules. The actions of the representatives within the scope of the plaintiffs' authorization bind all plaintiffs, such that a judicial decision applies to all registered plaintiffs.²⁹

However, representative litigation has not been used effectively. The case of mass legal claims by retail investors against public companies illustrates the political difficulties and convoluted judicial approach that typify such litigative efforts.³⁰ In the context of the growth of China's securities market in the mid-1990s, the courts accepted a landmark case in 1998 in which a shareholder claimed compensation on the grounds of misrepresentation. The court eventually dismissed the case due to the lack of proven causation between the misrepresentation on the part of the company and the damage sustained by the investor. Nonetheless, the decision signaled that security-related claims were justiciable and investors, a class of plaintiff, could attempt to enforce their rights in courts.³¹

In subsequent years, corporate scandals frequently arose and angry minority shareholders flocked to courts to demand their rights. The courts panicked. In 2001, the SPC issued a rule that prohibited lower courts from accepting all securities cases on the grounds of a lack of legislative authorization and insufficient judicial capacity. The SPC's decision attracted severe public criticism, and a few months later the SPC backtracked, issuing a second ruling in which it lifted part of the ban and authorized the court to accept securities-related claims relating to misrepresentation. However, it continued to uphold the ban on private actions related to other widespread types of misconduct, such as market manipulation and insider trading. In 2003, the SPC made a third ruling, reconfirming that: corporate misconduct in relation to securities cannot be rectified through private legal action except in the case of misrepresentation; legal remedies are only compensatory; a prior legal decision in the form of either a criminal punishment or administrative sanction is necessary before legal action can be filed in court; and, perhaps most importantly, while joined cases may be considered by courts, representative litigation will be emphatically ruled out.³²

The common judicial practice has been, first, to prohibit representative litigation; and, second, where joint litigation is allowed, to break a large case into smaller ones. Cases that the courts have not excluded—mostly routine disputes involving labor, land appropriation or minority shareholders—are broken down into individual cases or cases in small groups. In Haerbin, for instance, a case involving a joint claim by 381 investors was divided by the courts into smaller groups of 10–20 each. In another case, a collective action by 6,989 investors was broken down to 2,716 cases. As the SPC explained in an apparent endorsement of this practice, limiting the number of plaintiffs in each case was beneficial to market and social stability.³³

NGO-LED PUBLIC INTEREST LITIGATION

Mass disputes abound, but plaintiffs, often from vulnerable groups in society, have neither the will nor the capacity to organize collective action. Thus, one of the main challenges for public interest lawyers is to identify victims who are willing to act as plaintiffs. Advocacy-based nongovernmental organizations (NGOs) in China survive in a hostile political

and social environment, and have not been effective in facilitating mass litigation. The judiciary itself is widely known not to have the expertise, resources or independence to manage representative cases. Further, the authoritarian regime's repression and penetration of civil society have stifled the ability of society and reduced the level of trust among its members to act independently and effectively.³⁴

To help provide a legal solution to mass disputes within the context of a weak civil society, since 2012 the Party has actively promoted the use of structured PIL. Under the CPL, standing is limited, and only natural legal persons with "a direct interest in the case" with a specific defendant based on a specified claim and specific factual grounds can bring a suit in court. Key to the Chinese standing requirement is that only the direct victim can file a suit, and victims in litigation cannot be represented by an NGO or other public interest groups. The restrictive standing requirement makes public interest litigation difficult in spite of its popularity and frequent usage. Without a direct victim coming forward as a plaintiff, there cannot be a court case. Consequently, rights lawyers or other NGO activists regularly step in to act as plaintiffs to institute a public interest legal action. This has been possible in gender discrimination cases and consumer protection cases, but has had limited application to other types of case.³⁵

To rebalance power relations between weak plaintiffs and resource-rich defendants, the CPL was amended in 2012 to allow public interest representation in certain circumstances subject to rigid procedural and substantive controls. Article 55 of the revised CPL, permits PIL in areas such as "pollution to the environment and damage to legitimate rights and interests of consumers at large." As the law stands, two types of designated institutions can represent the public interest: the procuratorate (addressed in the next section); and government departments such as environmental protection bureaus and mass organizations. For consumer protection, Article 37(7) of the Consumer Protection Law stipulates that "for acts that harm the legitimate rights and interest of consumers, consumers' associations shall support litigation that has been brought by consumers or institutions on their own according to this law." Article 47 of the law further limits the consumers' associations that may bring a PIL suit to the China Consumers' Association (CCA) and consumer associations established at the provincial level or centrally administered municipalities. Effectively, only consumer protection organs that are directly controlled by the central or provincial governments can initiate consumer protection public interest suits, meaning that in practice only one organization can do so in each province. A judicial interpretation by the Supreme People's Court provides detailed guidelines for public interest litigation in this area.³⁶

The Consumer Protection Association (CPA) has propelled the growth of PIL in the area of consumer protection. So far the CPA mostly has gone after relatively powerful actors whose actions harm the rights and interests of consumers at large. The Zhejiang CPA brought the first consumer protection PIL by suing the Shanghai Railway for requiring train passengers to use their real names to purchase train tickets but to repurchase tickets in the event of loss.³⁷ Soon after the Zhejiang case, the Shanghai CPA followed this example and brought a suit against Samsung and the Chinese OPPO communications company for preventing their phone users from downloading certain Apps. In 2016 the CCA itself brought a PIL action against the LovoL Heavy Industry Co. Limited for faulty designs of three-wheeled motorcycles in violation of national standards. Other CPAs followed suit in launching their own PILs in a wide range of cases, including selling unsafe

pork (Guangdong), fake salt (Jilin) and unfair standard form contracts by a water supply company (Jiangsu).³⁸

Environmental public interest law has had a longer history, and in these cases standing has been less tightly controlled.³⁹ Article 58 of the Environmental Protection Law (EPL), enacted in 2015, provides that public interest litigation may be brought by certain “social organizations” in cases where environmental pollution or ecological damage has occurred and harmed the public interest. Such organizations should be registered in the civil administrative departments at the city level or above, and must have engaged in public environmental protection activities over five consecutive years without record of legal violations. The Supreme People’s Court also issued a series of judicial interpretation and normative documents to clarify the standing and procedural requirement for public interest environmental litigation.⁴⁰

Typically, these “social organizations” are the official All-China Environmental Federation and its local subordinates as specified by law. However, the law does not prohibit a genuine NGO from initiating public interest litigation on behalf of pollution victims as long as they meet the standing requirements. In effect, NGOs such as Friends of Nature that are registered at a district civil affairs bureau in Beijing have standing. Over 700 NGOs exist in China that may have standing to sue in environmental cases.⁴¹ In addition to the relaxation of the standing requirement, PIL has been facilitated by other significant modifications to the SPC’s procedural and evidential rules. Significantly, to incentivize lawyers, the interpretation allows fee-shifting to the losing defendants, so that a plaintiff who prevails can claim legal fees not only for lawyers but also fees for investigations, assessments and other litigation costs.⁴² The court has also encouraged the procuratorate and related government agencies to support public interest litigation when it is instituted, as discussed below.

What are the future prospects of PIL that is initiated by mass organizations? Environmental PIL again provides an instructive example. The State Council promoted the ideal of using PIL for environment protection in 2005.⁴³ To facilitate PIL in environmental cases, the SPC authorized the creation of environmental courts, i.e. judicial bodies that are specially instituted to deal with environmental cases in a few trial provinces (Guizhou, Jiansu and Yunnan). These courts have been setting the legal standards and pushing the boundaries to maximize legal protection of the environment. Based on the pilot experiences, environmental courts were established in other provinces. In June 2014, the SPC created its own Division on Environmental and Resources Law.⁴⁴

The environmental courts were pioneered in localities to respond to outbreaks of major incidents. Because of those incidents, there was sufficient political will in the affected provinces to address these urgent issues, which created legal opportunities, with strong public outrage that could be converted into legal demands. The courts seized these opportunities and catalyzed an environmental PIL campaign. Many of the innovative legal procedures that are currently used to promote PIL were local creations of the pilot sites. This includes the decision to allow not only government agencies and the procuratorate but also NGOs to bring civil suits against polluting enterprises.⁴⁵

One pertinent question is whether such developments are sustainable. Indeed, initial government support may fade away as the triggering environmental disasters pass. Moreover, environmental protection agencies are ill-placed to serve as parties to civil litigation.⁴⁶ It remains to be seen who will bring cases to court to bridge the legal

implementation gap. In democracies and even authoritarian states with a degree of openness, environmental groups, supported by activist lawyers, usually fill the gap and play an indispensable role in facilitating, if not leading, PIL. That has been the clear trend in Chinese legislation as reflected in the amended CPL and EPL and the empowering judicial interpretations by the SPC.

However, at the grassroots level, inconsistencies in rules and other local factors frustrate the ability of NGOs to bring cases to court,⁴⁷ although the number of environment-related public interest litigation cases had shown a steady increase.⁴⁸ In spite of enabling national legislation and interpretations, the limited success observed at the pilot sites has not been replicated elsewhere in China. On the contrary; fewer cases have been brought to court, and even NGOs with strong official backing can barely initiate PIL based on the CPL or the EPL. Polluting enterprises are more closely connected with local governments than environmental groups or lawyers, and revenue contributions to the local government weigh heavier than environmental concerns.

THE PROCURATORATE AND PUBLIC INTEREST LITIGATION

As a corrective to the difficulties facing the PIL in addressing mass claims, from the late Hu-Wen era through to the present, the Party has taken a statist approach that aims to create more space in the courtroom, and thereby bring mass disputes from the streets into the courts. As part of this effort, the procuratorate, which exercises a general supervisory jurisdiction under the Constitution over the application of law, has since 2013 formally stepped in to institute PIL on behalf of the state and the public interest.⁴⁹ Article 55(2) of the CPL explicitly authorizes the procuratorate to institute a lawsuit on behalf of the public interest in cases involving destruction of the ecosystem and natural resources, in addition to cases of harm to the rights and interests of consumers at large in areas such as food and medicine safety. Yet, the same Article also imposes a restriction on the procuratorate's public interest law power in that it may exercise this power only in circumstances where "government departments and organizations" have decided not to institute public interest lawsuits.

With special authorization from the Standing Committee of the NPC that was granted on 1 July 2015, the Supreme People's Procuratorate (SPP) implemented public interest litigation in 13 provinces, cities and autonomous regions. In addition to its mandate to protect the ecosystem and natural resources and safety concerns regarding food products and medicine, the SPP can initiate public interest litigation in relation to the protection of state-owned assets and the transfer of the use rights of state land—two key areas where state interests have suffered because of corruption. In accordance with the NPC Standing Committee decision, the SPP prepared a pilot plan and promulgated pilot work implementation measures.⁵⁰

There are two types of procuratorate-initiated PIL, with different procedures: administrative PIL suing government departments; and civil law PIL suing private entities or individuals. In administrative PIL, a procuratorate should file a case for investigation when evidence exists that regulatory agencies have violated the law and the violation may have harmed the public interest; and, following a case-filing, the procuratorate should carry out an investigation. In contrast, civil PIL is likely to be encouraged by the

procedural design of the SPP. When the public interest may have been harmed by pollution, unsafe food and medicine or other unlawful activities, as with administrative PIL, the procuratorate should carry out an investigation. Also as with administrative PIL, the procuratorate may decide not to pursue a case if there is no clear public interest involved or the harm is no longer in existence due to the intervention of the procuratorate or other organs. Unlike administrative PIL, however, the procuratorate has a duty to “request” a government department to initiate a PIL or to “suggest” that a social organization institute PIL. Having gone through the pre-trial process, if no PIL is launched and the harm continues to exist, then the procuratorate may institute PIL.

The procuratorate, given its position, has proven to be effective in designing and instituting public interest action. According to the SPP, by September 2016 the procuratorates in the pilot jurisdictions had instituted 1,710 PIL cases, of which 1,668 ended at the pre-trial stage; 42 PIL cases were brought to the court for trial, including 28 administrative cases and 14 civil cases. Among the 42 cases, the courts reached a verdict in eight of them, all of which found in favor of the procuratorates.⁵¹

During the pilot, the procuratorial focus has been on the four areas of public interest concern (ecosystem and natural resources, state-owned land, state-owned assets, and food and medicine safety) in order to highlight the issues “the people care about the most.” The legal action was proactive and aggressive, with the procuratorate surveying the horizon for clues and sources. According to reports, it carefully categorized potential cases and evaluated them before deciding whether or not to institute PIL. The 1,710 PIL cases that were instituted were chosen from 2,982 potential cases that the procuratorates had discovered and assessed, including 2,221 related to ecosystem and natural resources, 371 related to the transfer of state-owned land, 280 related to state-owned assets, and 110 related to food and medicine safety.⁵²

This design may help to facilitate class action and NGO-initiated PIL by incentivizing the procuratorate to motivate related government departments, mass organizations and NGOs to nudge plaintiffs who are still hesitating, providing access to information that is otherwise not available and creating solidarity through joint action. It is not by coincidence that the number of PIL cases on consumer protection and environmental protection has grown since 2015. Many of these cases are against powerful private actors. They tend to be jointly instituted by the procuratorate, and may not have been possible without its investigative capacity and legal authority. In this respect, state power has nurtured civil society forces. The procuratorate’s contribution to PIL may be necessary, and perhaps even indispensable in light of China’s statist tradition where civil society is weak and has not been given breathing space to grow.

REPRESENTATIVE ACTION, PIL AND A DIMINISHING CIVIL SOCIETY

As argued above, there is demand from society for collective justice, legal tools are available, lawyers are eager to act, and courts can be ready for PIL. What is lacking is the political will to allow collective legal mechanisms to take off, together with a vibrant civil society that can successfully foster PIL. For rights practice to work there must be a support structure in place.⁵³ Public interest law cannot be sustained without the

participation of the public; it requires mobilization by activist lawyers, community input and independent financial support. For Charles Epp, what explains the success of a rights revolution in the US and elsewhere is not a strong constitution or activist judges, or even a rights-loving culture; it is social mobilization and organization in which dedicated lawyers and civil society activists act, supported by well-resourced NGOs and wider communities. Without this support structure, constitutional rights remain “hollow hopes.”⁵⁴

The literature on the concept of a thin rule of law aptly captures the development of the rule of law in China.⁵⁵ In that discourse, rule of law is primarily defined as following clear commands, with the internal quality of those commands in both a substantive and procedural sense being a core concern. In this narrow rule of law discourse, the focus is on how to use law more effectively as a governance tool to empower state agencies to exert control. That is not to say that Chinese rule of law is without value—a legal system cannot exist in a political vacuum and, invariably, it reflects that value system. In the Chinese case, while scholars agree that the values that underpin the Chinese legal system are decisively illiberal or even anti-liberal, they disagree on what they are and have offered a wide range of alternatives, including communitarian values in a Confucian incarnation, statist values or a socialist value system. What is agreed in the scholarly deliberation is that the Chinese legal system prioritizes and focuses on the supply side of the legal system and is firmly anchored in centralism.⁵⁶

For rights to work, there needs to be a forceful and resourceful civil society with independent institutions. China has neither. In the Chinese system, civil society forces, if existing at all, are either co-opted by the state or tightly controlled, with genuine social groups surviving in a narrow space.⁵⁷ Beyond providing welfare support on behalf of the state and indirect advocacy, the notion that civil groups are allowed to play an independent and forceful role in holding the state accountable is largely rhetoric. Rights-based NGOs are particularly tightly controlled, if allowed at all. To the degree that NGOs are allowed to function, they are limited to providing services on behalf of and according to the instructions of the government. In this authoritarian system, the Party-state serves as the sole representative of the people, and independent articulation of interests and monitoring from society are strictly prohibited.

While there are activist lawyers who are willing to organize collective litigation and class actions, they cannot reach out to plaintiffs without the organizational support and financial resources of NGOs—the two key pillars in Epp’s support structure. NGOs, which are embedded in the respective plaintiff’s communities, are needed to identify, organize and motivate victim groups and channel their grievances into positive energy for activism. That is possible only when social organizations—such as women’s groups, labor organizations and associations of various sorts—have existed and gained the trust of their respective communities. To attract social and political attention and to channel grievances into legal processes for remedies, those activist NGOs must have developed a degree of capacity for advocacy and a sustainable relationship with respective rights lawyers. The interaction, mutual reliance and trust between victim groups and NGOs and between NGOs and the legal community take time and resources to develop and to sustain. Social-legal mobilization of civil society, which is regarded as the most effective and often an indispensable way to protect legal rights, is in conspicuously short supply in China.⁵⁸

The collective demands of society for rights have to be taken on board for resolution by

institutions with a degree of autonomy and neutrality. In a statist tradition that practices centralism, like China's, the desire for control over institutions is near absolute, and no independent agency encouraging broad public input and independent monitoring and enforcement is allowed. A classic symptom of the authoritarian system is a lack of an independent and effective judiciary to make the state legally accountable. China, because of its politically compliant judiciary, fits the stereotypical authoritarian model. The legal system in China has improved significantly in delivering individual, ordinary justice where political influences are being pushed back. However, that degree of autonomy is not inherently embedded in China's legal system. It is delegated by the Party and can be taken away by the Party as quickly as it is given. The Party has the discretion to decide when a simple labor case, a gender equality case or an environmental protection case turns politically sensitive, and to intervene on its own whims.

The lack of institutional space is not limited to courts. In a broad sense, social and economic rights are protected in law and practice; but independent agencies such as the Equal Opportunity Commission, Ombudsman, civilian oversight over police and, more relevant to PIL, independent representative bodies for consumers or small investors, environmental NGOs or workers' unions are not permitted. Indeed, the Party has effectively colonized nearly all social spheres, including youth, women, labor and disability rights; and it occupies the commanding heights by establishing administrative control in areas where contention is most likely to occur. A weak civil society, coupled with the lack of independent agencies to judge disputes in a fair and neutral manner, makes class action and civil society-based PIL extremely difficult, if possible at all—as the tortuous history of environmental PIL and limited consumer PIL have illustrated.

Can the procuratorate be effective in protecting the genuine public interest of diverse social groups in China? Whether a PIL action is SPP-led or involves the participation of mass organizations and grassroots NGOs, its sustainability depends on the continuing existence of a strong political will and on the development of a PIL-friendly environment in which the unique matrix of stakeholders with diverse interests can all benefit from their respective participation. This might be a rare example of stakeholders who normally work against each other—lawyers, procurators, government-controlled mass organizations and social groups—coming together to form a common legal community; or, to use Halliday and his colleagues' term, to form a “legal complex” to advance public interest and liberal politics through public interest law.⁵⁹

There is scope for cooperation among different stakeholders. As powerful as the procuratorate may be, it will need to rely on others to assist in providing cost-effective PIL. In a report to the NPC Standing Committee, the former Prosecutor-General conceded that procurators, traditionally criminal law specialists, lack proper understanding of PIL and the corresponding capacity in relation to administrative and civil litigation.⁶⁰ NGOs are to a certain extent representative social organizations, and NGOs, with fewer official ties, are more embedded in their respective communities and thus have more credibility when it comes to effectively working directly with the victim groups that the PIL seeks to represent. Given the right environment, public interest lawyers are ready to channel mass grievances to legal institutions. There are early signs that, in the area of environmental protection in particular, different stakeholders, the state and civil society actors, are working together, in their own unique capacities, in support of public interest litigation.⁶¹

One crucial issue that has the potential to cause significant friction, and may even be fatal to the entire procuratorate-driven PIL, is that the real constellation of interests behind the “public interest” may vary significantly. The procuratorate represents the state, and the NPC Standing Committee decision that authorizes the SPP pilots expressly demands Party leadership as its cardinal principle. Clearly the procuratorate’s primary function is to discipline government departments to safeguard state interests in the name of the state. As the SPP embarks on PIL in court in the future, one indicator of success will be the extent to which the procuratorate can work together with genuinely independent NGOs to pursue the public interest.

Informal measures and extra-legal settlements are unlikely to satisfy the growing demand for justice, substantively or procedurally. While offering a short-term solution to mass claims, individualization of legal claims and informal resolution merely marginalize and delay the solution of difficult issues. The structural issues remain, as does widespread frustration. This situation has also created a perverse incentive—namely, what the court cannot offer, aggrieved citizens may seek extra-judicially on the streets and in the court of public opinion. If the demand is unequivocal and firmly buttressed by collective action, it is more likely to force the government to consider the issue more seriously. The lack of legal resolution in some of the mass cases and the accumulation of unaddressed anger and frustration create institutional interstices for “constitutional entrepreneurs” to tap, with rights lawyers and other activists seizing the opportunity to organize bottom-up socio-legal movements for remedial and transformative changes.⁶² This development has been a major concern of the Xi Jinping administration, spurring efforts to crack down on public protests and their leaders. These governmental actions have had a chilling effect on NGOs and legal professionals, sending the stark message that extra-legal mobilization will be met with harsh punishment.⁶³

CONCLUSION

After 1989, China entered into a “rights” age. In lieu of political rights and democratic accountability, the Party promulgated a wide range of legal rights. It has also created and amended institutions and procedures for the enforcement of these rights. Despite criticism, millions of cases have come to court for resolution each year, and this number has increased steadily over the decades. Notwithstanding their weakness, the courts have been effective in offering a narrow range of limited remedies for individual complaints. In providing a slim glimmer of hope for desperate people, the legal process vents otherwise potentially explosive social tensions, cements popular acceptance of authoritarian rules and, ultimately, can enhance regime resilience.⁶⁴

Where law and the legal system empower, they also control. Chinese law is authoritarian in that it individualizes social conflict and limits the formation of collective identities of resistance and collective action. Conditional access to justice is provided on the assumption that disputes are fragmented and collective action prohibited. Law, while offering remedies to individual claimants, serves to atomize disputants from their larger collective or class background, thereby disaggregating social forces with the potential to destabilize the regime.

Yet at the same time, mass disputes cumulatively fester despite political and judicial efforts to disaggregate them. Attempts to isolate through the legal process merely displace

disputes from the courtrooms to the streets, and have ended with embarrassing compromises whereby the courts settle under the table. The lack of institutionalized solutions to mass disputes is frustrating, and it undermines legal certainty and the credibility of the law. It also enables human rights lawyers and defenders to fill the vacuum through civil society-based social-legal activism, posing a greater political risk in the eyes of the Party-state.

New developments in class action and procuratorate-driven PIL can be seen as an attempt to reform the legal system and enhance its capacity to absorb and resolve collective conflicts that involve citizens at large. In the first phase of China's legal development, the legal system was successful in providing remedies for individual claimants, whereas the current phase—symbolized by collective legal action invoking a public interest—recognizes the legitimacy of articulating and asserting group rights and interests.

Overall, China is seeking to develop its PIL by taking a path that can perhaps be characterized as Chinese authoritarianism, which relies on state organs to litigate issues relating to the public interest and collective rights. The Chinese model ironically marginalizes civil society in general policies, but aids NGOs in legal action in particular cases. It remains to be seen, however, if China can create a culture of rights without the support of civil society structures and promote public interest law without concomitant public participation.

NOTES

1. Hualing Fu, "Challenging Authoritarianism through Law: Potential and Limit," *National Taiwan University Law Review* 6 (2011): 339.
2. Hualing Fu, "Building Judicial Integrity in China," *Hastings International and Comparative Law Review* 39 (2016): 167.
3. Feng Chen, "Subsistence Crisis, Managerial Corruption, and Labor Protest in China," *The China Journal* (July 2000): 41.
4. Mary E. Gallagher, *Authoritarian Legality: Law, Workers, and the State in Contemporary China* (New York: Cambridge University Press, 2017).
5. Ching Kwan Lee, *Against the Law: Labor Protests in China's Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007).
6. Feng Chen, "Individual Rights and Collective Rights: Labor's Predicament in China," *Communist and Post-Communist Studies* 40 (2007): 59; and Hilary Josephs, "Measuring Progress under China's Labor Law: Goals, Processes, Outcomes," *Comparative Labor Law and Policy Journal* 30 (2009): 373.
7. Chris King-Chi Chan and Elaine Sio-leng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-led Wage Bargaining,'" *The China Quarterly* 217 (2014): 221.
8. Sarah Biddulph, "Management of Stability in Labour Relations," in *The Politics of Law and Stability in China*, eds., S. Treviskes, E. Nesossi, F. Sapiro and S. Biddulph (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2014).
9. Aaron Halegua, "Getting Paid: Processing the Labor Disputes of China's Migrant Workers," *Berkeley Journal of International Law* 26 (2008): 254.
10. Mary E. Gallagher, "China's Workers Movement and the End of the Rapid Growth Era," *Daedalus: Journal of the American Academy of Arts and Sciences* 143, no. 2 (2014): 81–95; and *Authoritarian Legality*.
11. Xu Zhiyong, "三聚氰胺奶粉事件维权记录" (Rights-Protection Record for the Melamine-Tainted Milk Powder Incidents), Blogspot, https://xuzhiyong2012.blogspot.hk/2012/11/blog-post_8440.html.
12. Ibid.
13. Shi Yu and Bin Huang, "河南‘血祸’艾滋病患者的艰辛维权路" (The Torturous Road of Rights-Protection for AIDS Patients in Henan's "Blood Disaster"), *QQ News*, 26 April 2012, <http://news.qq.com/a/20120426/000455.htm>.
14. Xiang Shi, "法院驳回输血感染艾滋者起诉称上级要求" (Courts Denying Lawsuits by AIDS Patients

- Caused by Blood Transfusion on the Ground of Superior Order), *Sohu*, 21 November 2006, <http://health.sohu.com/20061121/n246520422.shtml>.
15. Songyou Huang, “当前民事审判的几个主要问题” (Several Main Problems in Civil Justice), Courts website, 25 March 2003, <http://gongbao.court.gov.cn/Details/a5ed68bcb4eb3dcc804b5cb17dc796.html>.
 16. Lin Yan and Tom Ginsburg, “Constitutional Interpretation in Law-Making: China’s Invisible Constitutional Enforcement Mechanism,” *American Journal of Comparative Law* 63 (2015): 467.
 17. Nicolas Howson, “Enforcement without Foundation? Insider Trading and China’s Administrative Law Crisis,” *American Journal of Comparative Law* 60 (2012): 955.
 18. Cui Wei, “What is the ‘Law’ in Chinese Tax Administration?” *Asia Pacific Law Review* 19 (2011): 75.
 19. Yongxi Chen, “Circumventing Transparency: Extra-Legal Exemptions from Freedom of Information and Judicial Review in China,” *Journal of International Media & Entertainment Law* 7, no. 2 (2018): 203–51.
 20. Ya-wen Lei, “Freeing the Press: How Field Environment Explains Critical News Reporting in China,” *American Journal of Sociology* 122 (2016): 1.
 21. Hualing Fu, “Challenging Authoritarianism through Law”; Benjamin L. Liebman, “Legal Reform: China’s Law-Stability Paradox,” *Daedalus* Spring 143 (2014): 96–109; and Carl F. Minzner, “China’s Turn against Law,” *American Journal of Comparative Law* 59 (2011): 935–84.
 22. Hualing Fu, “Mediation and the Rule of Law: The Chinese Landscape,” in Joachim Zekoll, Moritz Balz and Iwo Amelung, eds., *Formalization and Flexibilisation in Dispute Resolution* (Leiden: Brill, 2014).
 23. Ibid. Also see Hualing Fu and Michael Palmer, “Mediation in Contemporary China: Continuity and Change,” *Journal of Comparative Law* 10, no. 2 (2015): 1–24.
 24. Hualing Fu and Richard Cullen, “From Mediator to Adjudicatory Justice: The Limits of Civil Justice Reform in China,” in Margaret Y.K. Woo and Mary E. Gallagher, eds., *Chinese Justice: Civil Dispute Resolution in Contemporary China* (Cambridge: Cambridge University Press, 2012), 25.
 25. Liangjiang Li, Mingxing Liu and Kevin J. O’Brien, “Petitioning Beijing: The High Tide of 2003–2006,” *The China Quarterly* 210 (2012): 313–34.
 26. Gallagher, *Authoritarian Legality*; Yongshun Cai, *Collective Resistance in China* (Stanford: Stanford University Press, 2010); and Kevin J O’Brien, ed., *Popular Protest in China* (Cambridge, MA: Harvard University Press, 2008).
 27. Michael Palmer and Chao Xi, “China,” *Annals of the American Academy* 622 (March 2009): 270–79. In the well-known Anyue county seed case in 1985, 1,569 peasants collectively sued the county’s seed company. The county court, following “foreign experiences,” appointed three representatives to litigate on behalf of the villagers. See Yulin Fu, “群体性纠纷的司法救济” (Judicial Remedies for Mass Disputes), *Chinalawinfo*, 2004, article.chinalawinfo.com:81/article_print.asp?articleid=27004.
 28. In Chinese civil justice, a joint litigation is an aggregation of multiple individual cases, and a representative action is counted as one case in judicial statistics regardless of the number of parties involved in the litigation. Palmer and Xi, “China.”
 29. Ibid.
 30. Robin Hui Huang and Nicholas Calcina Howson, eds., *Enforcement of Corporate and Securities Law: China and the World* (Cambridge: Cambridge University Press, 2017); Tang Weijian et al., eds., 群体性纠纷诉讼解决机制论 (Research on the System of Multi-Party Actions) (Beijing: Beijing University Press, 2008).
 31. Huang and Howson, *Enforcement of Corporate and Securities Law*.
 32. Ibid.
 33. Xiangchu Zhang, “A Question of Class Action in China,” in Huang and Howson, *Enforcement of Corporate and Securities Law*, 123–37.
 34. Teresa Wright, *Accepting Authoritarianism: State-Society Relations in China’s Reform Era* (Stanford: Stanford University Press, 2010).
 35. Hualing Fu and Richard Cullen, “The Development of Public Interest Litigation in China,” in Po Jen and Holning Lau, eds., *Public Interest Litigation in Asia* (London: Routledge, 2011); Yan Xiang, 公益诉讼的理念与实践 (Public Interest: Philosophy through Litigation) (Wuhan: Wuhan University Press, 2010).
 36. “最高人民法院关于审理消费民事公益诉讼案件适用法律若干问题的解释” (Judicial Interpretation of the Supreme People’s Court) on Several Questions relating to the Application of Law in Adjudicating Public Interest Consumer Litigation); for a useful analysis, see Ling Zhou, “Consumer Council Dispute Resolution: A Case Study,” *Journal of Comparative Law* 10, no. 2 (2015): 254.
 37. Shanghai Rail agreed that passengers who lose their tickets after having boarded the train are exempted from the requirements. Zhenyu Ren, “公益诉讼亮剑为消费者撑腰” (Public Interest Litigation in Action to Support Consumers), 28 August 2017, http://www.saic.gov.cn/xw/mtjj/20170828_268695.html.
 38. Ibid.
 39. Bie Tao, ed., “环境公益诉讼” (*Public Interest Environmental Litigation*) (Beijing: Law Press, 2007). Qing (Richard) Zhang and Benoit Mayer, “Public Interest Environmental Litigation under China’s Environmental Protection Law,” The Chinese University of Hong Kong Faculty of Law, Research Paper No. 2017–26.
 40. “最高人民法院关于审理环境民事公益诉讼案件适用法律若干问题的解释” (Judicial Interpretation of

- the Supreme People's Court on Several Questions Relating to the Application of Law in Adjudicating Public Interest Environmental Litigation).
41. Yanmei Li and Shaobo Hu, "Environmental Civil Public Interest Litigation in China: Empowering Green NGOs to Fight against Pollution," *China Environmental Series* (May 2016): 60; and Zhang and Mayer, "Public Interest Environmental Litigation."
 42. Daniel Carpenter-Cold, "Castles Made of Sand: Public-Interest Litigation and China's New Environmental Protection Law," *Harvard Environmental Law Review* 39: 241.
 43. Alex L. Wang and Jie Gao, "Environmental Courts and the Developmental Public Interest Litigation in China," *Journal of Court Innovation* 3, no. 1 (2010): 37.
 44. Ibid.
 45. Li and Hu, "Environmental Civil Public Interest Litigation in China."
 46. Wang and Gao, "Environmental Courts."
 47. Carpenter-Cold, "Castles Made of Sand."
 48. Zhang and Mayer, "Public Interest Environmental Litigation."
 49. For an historical review of the procuratorate involvement in PIL prior to 2013, see Tao, *Public Interest Environmental Litigation*.
 50. "全国人民代表大会常务委员会关于授权最高人民检察院在部分地区开展公益诉讼试点工作的决定" (Standing Committee of the National People's Congress, Decision on Authorizing the Supreme People's Procuratorate to Carry Out Pilot Work on Public Interest Litigation in Several Regions), Government website, http://www.gov.cn/xinwen/2015-07/01/content_2888125.htm; "检察机关提起公益诉讼试点方案" (Pilot Plans of Procuratorate Organs in Instituting Public Interest Litigation); Supreme People's Procuratorate website, http://www.spp.gov.cn/zdgz/201507/t20150703_100706.shtml; "人民检察院提起公益诉讼试点工作实施办法" (Implementation Measures on the Pilot Work of People's Procuratorates in Instituting Public Interest Litigation), Supreme People's Procuratorate website, http://www.spp.gov.cn/lfg/nbgz/201601/t20160108_110654.shtml; and "人民法院审理人民检察院提起公益诉讼案件试点工作实施办法" (Implementation Measures of People's Courts on Public Interest Case Pilots Initiated by the People's Procuratorate), <https://wenku.baidu.com/view/00d3efeb915f804d2b16c1d0.html>.
 51. Jianmin Cao, "积极探索具有中国特设公益诉讼制度" (Actively Exploring the Public Interest Litigation System with Chinese Characteristics), government website, http://www.chinapeace.gov.cn/2016-11/06/content_11377279.htm.
 52. Ibid.
 53. Charles Epp, *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective* (Chicago: University of Chicago Press, 1998).
 54. Gerald N. Rosenberg, *The Hollow Hope: Can Courts Bring about Social Change?* (Chicago: Chicago University Press, 2008, second edition).
 55. Randall Peerenboom, *China's Long March toward Rule of Law* (Cambridge: Cambridge University Press, 2002).
 56. Sarah Biddulph, "Democratic Centralism and Administration in China," in Hualing Fu, John Gillespie, Pip Nicholson and William Partlett, eds., *Socialist Law in Socialist East Asia* (Cambridge: Cambridge University Press, 2018).
 57. Anthony J. Spires "Contingent Symbiosis and Civil Society in an Authoritarian State: Understanding the Survival of China's Grassroots NGOs," *American Journal of Sociology* 117, no. 1 (2011): 1.
 58. Diana Fu and Greg Distelhorst, "Grassroots Participation and Repression under Hu Jintao and Xi Jinping," *The China Journal* 79 (January 2018): 100–22; Diana Fu, *Mobilizing without the Masses: Control and Contention in China* (Cambridge: Cambridge University Press, 2017).
 59. Terence C. Halliday, Lucien Karpik and Malcolm M. Feeley, "The Legal Complex and Struggles for Political Liberalism," in Halliday, Karpik and Feeley, eds., *Fighting for Political Freedom: Comparative Studies of the Legal Complex and Political Liberalism* (Oxford: Hart Publishing, 2007).
 60. Cao, "Actively Exploring PIL."
 61. Zhang and Mayer, "Public Interest Environmental Litigation."
 62. Hualing Fu "The July 9th (709) Crackdown on Human Rights Lawyers," *Journal of Contemporary China*, 27, no. 112 (2018): 554–68; Mark Jia, "China's Constitutional Entrepreneurs," *American Journal of Comparative Law* 64, no. 3 (2016): 619–76; Eva Pils, *China's Human Rights Lawyers: Advocacy and Resistance* (Abingdon/New York: Routledge, 2014).
 63. Fu, "The July 9th (709) Crackdown."
 64. Wright, *Accepting Authoritarianism*.

6. Dissent below the radar: contention in the daily politics of grassroots organizations

Sophia Woodman

A COMPLAINT THAT WASN'T

The first I heard of Mrs. Zhang's difficult situation was discussions in the office of the Progress Resident Committee in Tianjin's Hexi District about how to deal with the lack of care for this local resident. In the middle of the frigid north China winter, just around the time of Spring Festival 2009, Mrs. Zhang's husband—who had been caring for her for close to a decade—suddenly and inexplicably disappeared, and she had no one to provide for her daily needs. Long bedridden, Mrs. Zhang needed to be helped to use the toilet, and to be provided with food and drink; in addition, the coal briquette stove that kept her one-room flat warm had to be kept going. Since she was said to have a lot of social networks—and she could still use the telephone next to her bed—Mrs. Zhang let everyone know about her situation and her need for help.

During this period, Sister Wang was often absent from the resident committee office, where she was the welfare worker in charge of the Civil Affairs portfolio, because she was visiting Mrs. Zhang at home several times a day. Not all the workers in the office seemed supportive of Sister Wang's solicitude. As one said, "The resident committee is not an old people's home!" They appeared worried about being called on to provide similar services for others in the beats in the resident committee's territory they were responsible for.¹ At the time, unlike in neighboring Heping District, Hexi had no systems of emergency home care to assist people facing situations similar to that of Mrs. Zhang; so, as the lowest level of state agency, the resident committee was left to step into the breach. Some of Mrs. Zhang's elderly neighbors also visited her to help out, but Sister Wang and the resident committee apparently took on the responsibility for coordinating her care.

Mrs. Zhang's care was not a private matter, and was brought into the mini-public of the resident committee in several ways. When this situation had been going on for a few weeks, Mrs. Zhang penned an effusive letter of thanks lauding Sister Wang and the Progress Resident Committee for their "humanitarianism." The Progress Party Secretary had this letter copied onto a meter-high sheet of red paper and posted on a notice board in the neighborhood's main residential compound. The actions of the resident committee were also reported in a monthly newsletter that was posted in the stairwells of the apartment buildings there.

This is an example of what might be termed a "compliant" strategy for addressing an individual concern in the environment of China's "basic level organizations," the resident and villager committees. Mrs. Zhang deployed the hegemonic language of the need for a "harmonious society" and for the resident committees to "do practical things" to help local residents ensure that her care gap was addressed in a public rather than private manner. While Mrs. Zhang's story does not involve a complaint, it is an example of how

a resourceful resident could mobilize assistance in a time of emergency, and, through the mini-public of the resident committee, turn the provision of such care into a local community norm. The fact that the triennial elections for resident committee staff were imminent undoubtedly contributed to this outcome: the Progress Party Secretary wanted to demonstrate that under her leadership the committee had “done practical things” for local residents, so she was motivated to publicize what Sister Wang and others had done for Mrs. Zhang.

This story shows how the combination of vague state commitments to public welfare and the face-to-face politics of organizations like resident committees creates an arena in which local concerns may be dealt with before they turn into protest. As discussed below, this involves not only compliant strategies, but also actions that go beyond what local leaders consider acceptable to push forward a grievance or concern—demonstrating a mix of compliance and transgression in the strategies of individuals and groups that is similar to that pointed out by Xi Chen in his study of social protest.² It is worth noting that Mrs. Zhang’s case took place in a context where what I call the “politics of gossip and talk” can make leaders of local institutions feel vulnerable to social opprobrium, as they operate in a context where the specific implications of vague state commitments to a “harmonious society” or the committees as “a big family” are, in part, determined in a local public sphere that they do not necessarily control.

This chapter explores the dynamics of the forms of dissent that exist long before protests occur, and contributes to filling an identified gap in the literature on the operation of the state at the grassroots.³ In contrast to most scholars who have sought to address this gap, this chapter focuses on citizen strategies, rather than those of the state and its agents. It argues that these forms of dissent are related to the institutional character of the local manifestations of state power in China; the more relaxed climate for speech within the scope of these institutions and more generally; and the approach to dealing with grievances and collecting input from below through the politics of the “mass line.”⁴

The chapter begins by outlining some of the assumptions underlying accounts of politics in authoritarian states, including China, and argues that they are unhelpful in understanding these forms of dissent, or accounting for participation in such a context. The chapter then proposes alternative ways of thinking about sub-protest forms of contention, and discusses the sources of data from which the chapter draws. Finally, the chapter outlines several forms that “contention below the radar” can take, and points out some of the limits to such claims-making based on my fieldwork in resident and villager committees in Tianjin.

A BOUNDED POLITICS OF CITIZENS?

Accounts of politics in authoritarian states often assume that in the absence of democratic systems of political representation, the only forms of political participation that exist are extra-legal contention or protest, and that these states don’t “listen” to their citizens unless forced to do so. But authoritarian states are far from uniform in their institutional architecture, and may incorporate forms of participation that are not reducible to democratic forms. All current and former communist regimes, for example, include in their constitutions a right to complain.⁵ Some scholars have described contemporary China in terms of

“consultative authoritarianism,” in which the state creates various mechanisms to consult with citizens, while reserving the right to ignore their input or adapt their suggestions to what rulers consider feasible or desirable. Such accounts tend to concentrate their attention on mechanisms of incorporation, such as China’s people’s consultative conferences, or *ad hoc* procedures of consultation aimed at getting input from those affected by certain policy measures. Much of the growing literature on “consultative authoritarianism” has focused on the role of online forums and the roll-out of “e-government” in providing new channels of input for citizens.⁶ Another strand has focused on governance innovations and experiments, some of which provide new opportunities for deliberation over policy and its effects.⁷ A third dimension has considered how a growing associational sphere, although constrained by its “embeddedness” in state structures, has generated opportunities for input from below.⁸

However, these accounts understate the extent to which institutional forms established in the Mao era, and adapted since then, provide for systematic access to official channels by ordinary citizens, under the broad rubric of the “mass line.”⁹ This requires cadres to gather the opinions and experiences of “the masses” and incorporate them in some form into policy, even if this only means persuading the people that their understanding of the exigencies of the situation are faulty and that they must accept policy approaches that do not accord with their wishes. These institutions are not only consultative, as in creating direct channels between the formal state and citizens; they also establish avenues for citizens to relay concerns—individual and collective—that are *not* initiated by official efforts to collect information or consult on policy measures. One avenue for relaying grievances is the petition system that existed in some form in most communist states—and continues to operate in China and Vietnam—and has provided for some degree of “vertical accountability.”¹⁰

Among these institutional forms are the resident and villager committees that form the “basic level” of the state’s penetration into communities. These parallel bodies, mandated in the Chinese Constitution, are not part of the formal state and are conceptualized as self-governing, but are an important mechanism for implementing state policy as well as collecting information at the grassroots.¹¹ They are a site for what I term “socialized governance,” a means of linking citizens and the state through personalized connections of *guanxi* that can act both as a mechanism of control and as a channel for grievances and complaints from below.¹² The micro-scale makes politics in these institutions a face-to-face affair, which means that they can be a site for routine emotion management in the service of state power, as well as giving citizens a means of holding local officials to account, particularly when the committees serve as an arena for articulating collective community concerns. These committees are envisaged in law and policy as a legitimate venue for the participation of citizens in China outside those consultations managed by the state; committee leaders are required to listen and respond to complaints and concerns brought to them by those who belong in the territory in their jurisdiction.

To study how resident and villager committees operate in practice, for ten months in 2008–2009, I conducted ethnographic fieldwork in two resident committees and two villager committees in Tianjin Municipality. I spent a minimum of six weeks and a maximum of three months observing the daily work of each committee and the interactions between their staff and local people.¹³ In this chapter, I draw on that data to identify some of the strategies citizens deployed to pursue claims and set the agenda in their communities

vis-à-vis local state agents—whether as individuals or small groups, or as a loosely knit body of “neighbors” or “villagers.” The focus is thus these committees and the territories they serve as a space for a politics of citizens. More specifically, these are key sites for “cultural politics”: contestation over “power in the acts of naming and representation that constitute cultural maps of meaning.”¹⁴

I do not claim that my data is in any sense representative of China as a whole, since the form and practice of grassroots institutions across the country is highly variable. However, I argue that the *styles* of governance and politics described here are in evidence in the work of many other accounts of interactions at the grassroots level,¹⁵ and connect to a broader cultural logic that makes *guanxi* practice central to social and political life.¹⁶ Connecting institutional forms and cultural logics to understand this politics of citizens provides a productive set of conceptual and substantive approaches to understanding the daily politics of citizens in China today.

COMBINING COMPLIANCE AND RESISTANCE

Second Brother arrived once or twice a week in his motorized three-wheeler at the office of the Progress Resident Committee in Hexi District to inquire about his request that he be given his own housing.¹⁷ He is a resident of over 50 who was affected by an acute fever illness at the age of eight that left him severely disabled. Formerly, he lived with his elderly father in an apartment rented from his younger brother. Second Brother had never married, so had not been allocated housing of his own. When I went to interview him, he received me and my research assistant in an unheated lean-to made of corrugated material, where he actually lived most of the time. This temporary building used to be a shop, and abuts the building where his father lives. It had no sanitation or running water.

When Second Brother came to visit the resident committee, Sister Wang, the Progress welfare worker, would welcome him, unbolting the second door to allow him to drive his three-wheeler right into the office she shared with the other committee workers. She was never sharp with him, usually offering him a sip from her own jar of tea and smoking several of the cheap cigarettes he offered her. She talked about how smart he was as she explained yet again that he was not eligible for housing.

Sister Wang’s patient attitude exemplified the proper approach of resident committee workers to local people who brought complaints to them—as a leader had told them at a lecture I attended with them at the local street office (the lowest level of formal government), they had to listen to everything, even if it was outside the realm of the possible. This was a “training” given by a veteran resident committee cadre, a retired former government official. When we came out of the lecture, we found Second Brother sitting by an elaborate piece of carved wood in the center of the foyer of the street office’s new glass and steel building. He was chain-smoking and waiting quietly for someone to talk to him. He had left his three-wheeler outside and dragged himself up the steps using a wooden stool he carried with him for this purpose.

Everyone knew the aim of these silent sit-ins, and they caused consternation among the Progress staff. This was not the first time Second Brother had staged such an occupation in the street office. The Progress staff gathered around him and tried to persuade him to leave with them. After a while, he agreed, and Sister Wang and the Progress Party

Secretary and I walked back to the neighborhood with him. The Party Secretary cycled along with us the first part of the way, saying to Second Brother, “You know, if you keep doing this, Sister Wang could lose her job!”

What can we learn from this story? Second Brother used both a politics of compliance—he engaged with the people he knew at Progress, followed their direction, listened to their persuasion (sometimes for hours, as happened after his sit-in when we came back to the Progress office)—and a politics of complaint to pursue his claim. He took advantage of official concern about complaining outside the neighborhood to press his case. The state’s efforts to confine the expression of complaints within the boundary of local institutions made his silent protest potentially powerful.¹⁸

The central state has made the lack of protests and collective complaints a key measure of the “harmonious society” it values. Under the cadre responsibility system, local officials are responsible for preventing complainants from bringing their grievances to higher authorities.¹⁹ This is supposed to pressure local officials to resolve complaints; but the system also creates incentives to try to prevent them in the first place. This is very evident in Second Brother’s case: since the resident committee workers are not actually state officials or even formally cadres, there is no way the responsibility system applies to them. But the logic and ethos of the cadre responsibility system is passed on down the administrative hierarchy to them.²⁰ Seeking to prevent regular petitioners from complaining to higher authorities was a constant concern for the resident committees that I visited, especially at the time of major national events. Further, one of the main “security” tasks of the committees given to them by local government was keeping track of repeat petitioners.

For Second Brother, his connections with local state agents in the resident committee provided him with opportunities to make his case—and these representatives (some of whom were also neighbors) felt obliged to pursue his case in some way. After the sit-in at the street office I observed, Sister Wang promised to write one more letter to inquire with relevant departments about the possibility of his being allocated housing. This embedded context for complaint making reveals the dual character of a kind of rule through *guanxi* personal connections that is a key form of governance for the local state in China, creating both opportunities for exerting pressure on complainants²¹ and avenues for citizens to press their grievances with state officials.

DEFINING SITUATIONS: THE POLITICS OF GOSSIP AND TALK

As a focus of local communities, committees are an important location for what I call the “politics of gossip and talk.” In my observations, many contentious issues were resolved in this manner, serving as a mechanism of informal participation that could be a means for disciplining local officials and holding them to account.

During my Tianjin fieldwork, I observed election processes in both resident committees and one of the villager committees I studied. These were mostly a scripted performance of the exercise of “democratic rights,” and the outcome of the elections was usually decided in advance. Even among the workers and activists involved in delivering this performance, there was widespread ambivalence: they said elections were just “going through the motions.” I heard the exact same phrase being used all around Tianjin to describe the committee elections. This informal norm meant that those seeking election to

the committees were put on notice that for their leadership to be perceived as legitimate, they had to deliver something to the people who had helped them achieve the election performance the higher-ups required—which generally meant unrealistic turnout for elections that had little meaning to voters.

When the script could not be properly performed, the process could be stalled indefinitely. This was the case in Zhang Family Village in Beichen District, which borders on the city proper and was well on the way to being swallowed up by urban sprawl when I began my fieldwork. The election there had been halted due to allegations of voting fraud a month before. The dispute quickly shifted to being about the distribution of benefits from the village's collective ventures—which were substantial—and of the compensation for its expropriated land. Only when a new modus vivendi had been reached through informal negotiations among the power centers in the village could the election go ahead; a result could not just be imposed.

The claims made by the critics of the villager committee circulated informally, such as on Internet bulletin boards, where I found a number of posts describing the fraud allegations, as well as concerns over compensation and corruption. But the election process itself could not be used to resolve these grievances, or even to discuss them. According to unwritten rules in Tianjin, candidates seeking election could not “canvass for votes.” The only chance to address voters directly was one meeting held when the candidates had already been selected. In some places, Progress for example, even such meetings were restricted to invited “representatives.”

In Zhang Family Village, the incumbent villager committee leaders and their critics were both constrained in taking their message to the public. Twice the incumbents prepared different open letters to villagers responding to some of the criticisms against them, but were prevented by township leaders from giving them out to villagers. Copies of the letters were prepared—I spent an afternoon stamping them with the village committee seal—but then sat on a windowsill in the villager committee office gathering dust. In a way, the critics were less constrained than the village cadres. On a foray into what was left of the old-style, low-rise parts of this village, I found the same four-page Xinhua News Agency report on a central government statement on rural issues posted in three different outdoor locations. On the third page of each copy, curly brackets hand-drawn in black pen emphasized a section entitled: “Resolutely investigate illegal acts in elections to villager committees such as vote-buying.” The implication was clearly that these standards should be applied to the current impasse in the village's election process.

Incumbent villager committee leaders could not ignore the gossip that they were corrupt; they could only respond with their own version through face-to-face conversations. During this period, committee staff were dispatched to their beats to knock on doors and talk to villagers about the situation. Crucially, the morality of the incumbents' position was something that had to be debated through this talk, and could not just be dismissed. This is not to say that the playing field was even: with cooperation of higher-ups, leaders in this village could call in the coercive force of the government on their side. Immediately after the fraud charge was made during the first round of voting, some of those who made the allegation were arrested at the scene and held in detention for several days. Such powers have been used when villages truly have been in revolt.²² However, where committee cadres side with local people, calling for such repressive measures can become more complicated. The fact that formal political rights reside within the committees

legitimizes public debate and, to a certain extent, collective action within the space of these grassroots organizations. As a result, villager committees can potentially become a site for organizing collective action by villagers.²³

Traces of another set of disputes over the use of village collective resources were in evidence in Dragon Peak Village, which has capitalized on its remote location in the mountains of Tianjin's Jixian County to develop as a weekend retreat for city tourists. Both the Party Secretary and the head of the "tourism company" the village had set up to run related collective ventures told me separately about how villagers had labeled them "mentally ill" when they proposed developing a tourist economy there. They had had to undertake a concerted campaign of persuasion to address the villagers' opposition to their schemes. Both had now become rich due to this shift in the village's focus, as had a number of others who had managed to take advantage of these opportunities. Ironically, the few poorest villagers who had been unable to benefit from tourism, and indeed had seen previous sources of livelihood eliminated as a result of changes in the village, were the ones to whom the label of being "mentally ill" was being attached at the time of my fieldwork. This label ascribed their poverty and disadvantage to their own incapacity, rather than the way the village committee had concentrated collective resources on creating infrastructure for the tourist economy.

This example points to how, in the absence of specific crises, a more routine level of the "politics of gossip and talk" may generate the potential for collective action as well as the formation of community norms that facilitate certain types of claims-making. Resident and villager committees can be local gathering places, especially for older people and those without work, and can potentially become an alternative public sphere in which community norms are defined, contested and elaborated, and leaders are held to account. In all of my field sites, there was a lively critique of "leaders" that distinguished them from "ordinary people," a feature of discussions of inequality also noted by some other researchers.²⁴ This discourse enables a collective sense of shared norms that can define community priorities in ways that differ from those officially promoted.

Moral rectitude is a central theme in such popular oppositional talk, and is related to the moral basis of CCP legitimacy.²⁵ In the villager committees the predominant critique of practices—of all kinds of people, including officials—was that they were "immoral." This term was applied to official behavior, from sloppy administration to outright corruption, and to personal failings of all kinds. Underlying such talk was an implicit sense of a universally applicable set of correct moral norms that officials should exemplify, and that makes them vulnerable to gossip and talk when they are seen not to measure up to these standards.

Moral norms varied depending on the location. At Progress Resident Committee a continuing tradition of strong socialist rhetoric and a core group of long-term residents meant that gripes about the common people being left out of the benefits of reform were a frequent theme of conversations. Here debates in the public space of the committee offices created a distinctive political environment conducive to the formation of socialist community norms. These norms provided fertile grounds for claims on state resources by people like Mrs. Zhang and Second Brother. By contrast, because Rising China in Nankai District, my other urban field site, was dominated by middle-class employees of a local university, people facing acute difficulties in managing their livelihoods were labeled as "low quality" and claims for state support such as minimum livelihood guarantee²⁶ were considered somewhat shameful.

A parallel set of contrasting norms was observable in the two rural field sites, despite commonality in the commitment of village elites to deploying collective resources to maximize engagement with a globalized capitalist economy. In Dragon Peak Village, the narrative of prosperity through tourism was dominant, and, as mentioned above, those who had been unable to become rich through this route were marginalized. In Zhang Family Village, however, the prospect of completing the urbanization of the area was unsettling, and a larger proportion of villagers found their livelihoods under threat. As discussed above, this created a significant audience for the critiques raised by challengers, framed largely as being about corruption, but also about equity in distributing the benefits of redevelopment. Some villages on the urban periphery have developed strong collective positions vis-à-vis local governments in bargaining for compensation.²⁷

The composition of the workforce in the committees themselves contributed to the extent to which these norms circulated within their space. The majority of urban resident committee workers I encountered had themselves experienced layoffs from jobs in state-owned or collective enterprises, and their committee posts were seen as a lower form of work. “We do the work of civil servants, and get the treatment [pay and benefits] of migrant workers,” remarked one Progress worker bitterly. The informalization of state work in the resident committees could thus contribute to creating the potential for them being the site for an oppositional “society” outside the state. This echoes research on resident committees in Shanghai, which found that these were not merely representatives of the state in the neighborhoods; the interests of these institutions and the lowest level of government, the street offices, often diverged.²⁸ Despite their lack of control over resources, resident committees, like their rural counterparts, could thus be a site for collective mobilization against the local state, given the right conditions.

BOUNDARIES OF TOLERANCE

Of course, there are limits to what claims are permissible in these contexts, both in terms of subject matter and in terms of collective action. While restrictions on organizing and collective action are well documented, the boundaries of allowable claims and how they are policed have been less studied. In another piece, I have explored some of these dynamics using the concept of “segmented publics,” looking at the written and unwritten rules on freedom of expression in different settings.²⁹

Not all residents of the places I studied were listened to in the same relatively respectful way. The only person in the Progress neighborhood committee that workers tried to persuade me not to talk to was a member of one of their petitioning households, Mrs. Shen. I found her name and address from the list of minimum livelihood guarantee recipients that was publicly posted outside the Progress office every month. When I contacted her, Mrs. Shen was keen to talk to me, as she hoped I would help her publicize her case outside China. She runs a rudimentary dental practice from a room in the first-floor flat she shares with her husband, adult children and grandson. When I went to see her, she welcomed me into the small room that doubles as her clinic. As soon as I arrived, she quickly began a torrent of talk, showing me sheaves of documents relating to many years of appeals.

The starting point of Mrs. Shen’s tale of woe was a traffic accident, when a vehicle carrying two journalists from *This Evening’s News*, one of the main popular papers in

the city, had knocked her down in the street. After they shouted at her and kicked her for almost an hour, she said, she was finally taken to hospital, but had not received proper treatment there, and had suffered permanent disability. She walked with a limp and was usually seen leaning on a tall wooden staff when she walked around the neighborhood.

Despite years of effort, the newspaper and the two staff involved in the accident refused to pay for her medical care or give her any compensation. Mrs. Shen claimed that the connections of these journalists to top officials in the city had enabled them to avoid responsibility. Her attempts to seek justice in this case had led to the persecution of her whole family, she said, including even a false charge of murder against a son in mental hospital. The family's livelihood had been destroyed: her husband and her other son lost their work unit jobs, and the family had not received full compensation for the demolition of another flat they owned.

The persecution went from the extreme to the petty. Mrs. Shen told me that her grandson, aged around ten, loved to play soccer, but when the school found out about his petitioning family, he was dropped from the team. "They are worse than it is possible to imagine," she said. Speaking to Mrs. Shen, I felt I had entered into another world, a place in which every dealing with officialdom became an opportunity for further persecution.

When I went back to the Progress office, the staff asked me, "Did you believe her?" I said I didn't know. I had heard many similar accounts of persecution in reports by human rights organizations, and it seemed to me there was some kernel of truth in her story. When critics of central or local authorities refuse to moderate speech determined by local or national authorities to be outside the acceptable bounds, or, as in Mrs. Shen's case, refuse to stop petitioning, they can face total exclusion.³⁰ The idea that variably situated people have differential rights of expression—or can be deprived of their right to speak altogether—is a key principle in the Chinese legal order.³¹ The response of the authorities to such persons is uncompromising: they attempt to eliminate them entirely from public view, shutting off their means of communication with any domestic public.

This is not just a national issue: at local level too social pressure is also brought to bear on people like Mrs. Shen who become troublesome for local authorities. Petitioners and their families can be subject to political and social shunning, designed to try to force their compliance with the rules. Such pressure often relies on mobilizing those with social ties to the people to be controlled to exert influence over them.³² Their treatment marks the boundaries of what is tolerated, and acts as a negative example to others. Mrs. Shen's story highlights how state priorities also rely on social policing of the boundaries of acceptable speech and behavior through social norms that identify "correct" political participation and legitimate the disciplining of those who violate them (as well as being a low-cost form of repression).

CONCLUSION

On the basis of this discussion of how citizens approach the politics of daily life in the places where they live, distinctive features of dissent below the radar can be discerned. While the observations on which this chapter is based were generated in a particular time and place, arguably the dynamics of these interactions are applicable beyond these specific circumstances, as they capture some persistent aspects of how governance operates at

the local level. The first notable feature is the importance of moral norms: asserting the morality of governance and governors is a key dimension of legitimacy for both the central and local state.³³ The politics of moral judgment is particularly effective in the face-to-face sphere of resident and villager committees in that the “weapon of the weak” of gossip and innuendo is powerful at that scale.³⁴ But moral judgment is also common in critiques of government that circulate through social media and in protest movements.

A second aspect is that citizens’ strategies are often artful combinations of compliance and resistance, combining protest, gossip and talk and engagement with official institutions and policies. Citizens make use of the preferred channels the state has established for expression of grievances, while also deploying state concerns about “stability” as a resource—taking advantage of the state’s sensitivity about protests to press their claims through extra-legal channels as well.³⁵ Indeed, action outside the prescribed institutional channels is seen by many as indispensable in achieving a reasonable settlement, as expressed in the popular saying, “small noise, small settlement; big noise, big settlement.” Or, as some officials have put it, “the more [effort and money] put into maintaining stability, the more social instability [protests, sit-ins, collective petitions].”

An important background condition to these forms of contention is that, despite continuing media censorship and control of manifestations of dissent in public settings, today there is a much greater tolerance for critical speech than in the Mao period, and this is particularly so in relation to face-to-face interactions.³⁶ This means that people may feel relatively unconstrained in expressing their opinions in the setting of neighborhoods and villages. However, this too is variable, and relates in part to the scale and particular culture of the place in question. As there were only 250 villagers in Dragon Peak Village, for example, some people were worried about talking to me even about apparently mundane welfare matters out of fear of retaliation. The unchallenged hegemony of the Dragon Peak elite’s narrative about the “success” of development through tourism left little space for overt grumbling or critical accounts.

Related to this point, decentralization and the diversification of interests among state agencies at a variety of scalar levels have created an intra-state pluralism that citizens can exploit to pursue their claims. In Dragon Peak Village, far from the county seat, this did not apply. But in many places, the diversity of institutional logics and priorities among state agencies means that some may be sympathetic to a claim that another would prefer to suppress. Clever citizens can mobilize one branch of the state against another; for example, the priorities of environmental agencies and local land bureaux may be very different.³⁷

A final feature is that the personal is most definitely political: citizens use their connections to people in positions of authority—whether leaders of resident and villager committees, or government or Party officials—in making claims and pursuing issues of concern to them. This use of *guanxi* (connectedness) has been widely noted by scholars, who have analyzed it primarily as a means of subverting state rules and as a distribution mechanism for particularistic ends.³⁸ What is less often remarked is that the state also deploys dyadic connections as a means of “socialized governance.”³⁹ Deng and O’Brien have documented how such connections are used as a mechanism for repressing social movements.⁴⁰ This chapter shows that the channels to officials that connections create can also be deployed by citizens for their own purposes.

However, shifts towards more bureaucratic modes of governance may be altering the context for pursuing such claims. In many cities, for example, the resident committees are

increasingly becoming professionalized and staffed by outsiders to the neighborhood who lack the *guanxi* connections to local residents and operate in a much more bureaucratized fashion. As some villager committees become corporate bodies of shareholders, the grounds for a politics of redistribution within them are increasingly attenuated.⁴¹

What are the limitations of dissent below the radar? Mrs. Shen's case points to the fact that persistent critics are unable to make use of these channels, as differential rights are accorded to citizens depending on their status, location and history.⁴² Another limitation is inherent in the primarily local, cellular scale of such a politics.⁴³ At the level of resident and villager committees, few resources may be at stake, and these institutions have little or no control over the policies that shape the environment in which citizens live. Thus the local expression of grievances can result in discretionary concessions to a particular group—and often does if the group makes enough of a fuss—but is unlikely to bring overall changes in policy.⁴⁴

Everyday politics below the radar is also highly variable and contingent. While state rhetoric can provide resources for claims-making, what these can mean depends on the local context, including local political culture, social norms and conditions. As mentioned above, although Progress and Rising China were broadly similar neighborhoods in central districts in the same city, their divergent identities created different contexts for claiming state resources. A similar distinction was observed in the two rural sites, with the difference depending more on economic and livelihood factors, as well as the relative dominance of the vision of the local elite. Furthermore, this model of expression of grievances means that people with better connections to officials have more effective avenues for pressing their cause, a factor that can reinforce inequalities among areas.

As with visible protests and petitioning, an increasing volume of citizen grievances channeled through local institutions does not necessarily mean that these are weak or ineffective. Indeed, bringing a complaint evinces a degree of trust in the body with which the grievance is lodged. In communist Bulgaria, a 50 percent decline in complaints filed between 1984 and 1988 was viewed by officials as a disturbing sign that the populace no longer had faith that the government would or could address their concerns.⁴⁵ Petitions in China also experienced a steep decrease during the 1980s, which culminated in the nationwide uprisings of 1989. Petitions then rose significantly in the 1990s and 2000s.⁴⁶ Dimitrov asserts that “communist regimes encourage citizens to complain about local governance problems” and that these mechanisms may have been crucial to the relative longevity of communist regimes, compared with other authoritarian polities that did not have such institutions.⁴⁷ The politics of dissent below the radar is an aspect of this picture that merits further study.

NOTES

1. Each resident committee worker was responsible for maintaining contact with the residents in a specific area of the neighborhood's territory; a similar arrangement applied in the villager committees as well.
2. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (Cambridge, UK and New York: Cambridge University Press, 2012).
3. Ching Kwan Lee and Yonghong Zhang, “The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China,” *American Journal of Sociology* 118, no. 6 (2013): 1475–508; Gunter Schubert, “One-Party Rule and the Question of Legitimacy in Contemporary China: Preliminary

- Thoughts on Setting up a New Research Agenda,” *Journal of Contemporary China* 17, no. 54 (2008): 191–204; David S.G. Goodman, “Sixty Years of the People’s Republic: Local Perspectives on the Evolution of the State in China,” *Pacific Review* 22, no. 4 (2009): 429–50.
4. Marc Blecher, “The Contradictions of Grass-Roots Participation and Undemocratic Statism in Maoist China and their Fate,” in *Contemporary Chinese Politics in Historical Perspective*, ed., Brantly Womack (Cambridge, UK and New York: Cambridge University Press, 1991): 129–52.
 5. Martin K. Dimitrov, “Vertical Accountability in Communist Regimes,” in *Why Communism Did Not Collapse*, ed., Martin K. Dimitrov (New York: Cambridge University Press, 2013): 276–302.
 6. See for example, Rory Truex, “Consultative Authoritarianism and Its Limits.” *Comparative Political Studies* 50, no. 3 (2017): 329–61; Florian Toepfl, “Innovating Consultative Authoritarianism: Internet Votes as a Novel Digital Tool to Stabilize Non-Democratic Rule in Russia,” *New Media & Society* 20, no. 3 (2018): 956–72; Jidong Chen, Jennifer Pan, and Yiqing Xu, “Sources of Authoritarian Responsiveness: A Field Experiment in China,” *American Journal of Political Science* 60, no. 2 (2016): 383–400.
 7. Joseph Fewsmith, *The Logic and Limits of Political Reform in China* (Cambridge, UK: Cambridge University Press, 2013); Baogang He and Stig Thøgersen, “Giving the People a Voice? Experiments with Consultative Authoritarian Institutions in China,” *Journal of Contemporary China* 19, no. 66 (2010): 675–92; Baogang He and Mark E. Warren, “Authoritarian Deliberation: The Deliberative Turn in Chinese Political Development,” *Perspectives on Politics* 9, no. 2 (2011): 269–89.
 8. Peter Ho, “Embedded Activism and Political Change in a Semiauthoritarian Context,” *China Information* 21, no. 2 (2007): 187–209; Anthony J. Spiles, “Contingent Symbiosis and Civil Society in an Authoritarian State: Understanding the Survival of China’s Grassroots NGOs,” *American Journal of Sociology* 117, no. 1 (2011): 1–45; Jessica C. Teets, “Let Many Civil Societies Bloom: The Rise of Consultative Authoritarianism in China,” *The China Quarterly* 213 (March 2013): 19–38.
 9. Blecher, “The Contradictions.”
 10. Dimitrov, “Vertical Accountability”; and, on China, see Carl F. Minzner, “Xinfang: An Alternative to Formal Chinese Legal Institutions,” *Stanford Journal of International Law* 42, no. 1 (2006): 103–79.
 11. Sophia Woodman, “Local Politics, Local Citizenship? Socialized Governance in Contemporary China,” *The China Quarterly* 226 (2016): 342–62; Benjamin L. Read, *Roots of the State: Neighborhood Organization and Social Networks in Beijing and Taipei* (Stanford, CA: Stanford University Press, 2012); Ethan Michelson, “Justice from Above or Below? Popular Strategies for Resolving Grievances in Rural China,” *The China Quarterly* 193 (2008): 43–64.
 12. Woodman, “Local Politics.”
 13. Sophia Woodman, “Local Citizenship and Socialized Governance: Linking Citizens and the State in Rural and Urban Tianjin, China” (PhD thesis, University of British Columbia, 2011), <https://circle.ubc.ca/handle/2429/38485>.
 14. Wanning Sun, “Inequality and Culture: A New Pathway to Understanding Social Inequality,” in *Unequal China: The Political Economy and Cultural Politics of Inequality*, eds., Wanning Sun and Yingjie Guo (Hoboken, NJ: Taylor & Francis, 2012), 30.
 15. See for example, Read, *Roots of the State*; Michelson, “Justice from Above or Below?”; Lily L. Tsai, “Solidary Groups, Informal Accountability, and Local Public Goods Provision in Rural China,” *American Political Science Review* 101, no. 2 (2007): 355–72.
 16. See for example, Xiaoying Qi, “Social Movements in China: Augmenting Mainstream Theory with Guanxi,” *Sociology* 51, no. 1 (2017): 111–26; Xiaoying Qi, “Guanxi, Social Capital Theory and Beyond: Toward a Globalized Social Science,” *British Journal of Sociology* 64, no. 2 (2013): 308–24.
 17. All real names of places and people have been changed to protect the confidentiality of informants.
 18. Such a combination of using official channels to pursue complaints supplemented with extra-institutional tactics was found to be a common strategy in Chen’s study of local grievances. Chen, *Social Protest*.
 19. Minzner, “Xinfang”; Carl F. Minzner, “Riots and Cover-Ups: Counterproductive Control of Local Agents in China,” *University of Pennsylvania Journal of International Law* 31, no. 1 (2009): 53–124.
 20. As pointed out by Lee and Zhang, officials at the lowest level of the administrative hierarchy feel the pressure to prevent protests and petitions most acutely, so this is not surprising. Lee and Zhang, “The Power of Instability.”
 21. Yanhua Deng and Kevin J. O’Brien, “Relational Repression in China: Using Social Ties to Demobilize Protesters,” *The China Quarterly* 215 (July 24, 2013): 1–20.
 22. Sophia Woodman, “Law, Translation and Voice: Transformation of a Struggle for Social Justice in a Chinese Village,” *Critical Asian Studies* 43, no. 2 (2011): 185–210.
 23. See for example, Shenjing He and Desheng Xue, “Identity Building and Communal Resistance against Landgrabs in Wukan Village, China,” *Current Anthropology* 55, no. S9 (2014), S126–37; Juan Wang, “Shifting Boundaries between the State and Society: Village Cadres as New Activists in Collective Petition,” *The China Quarterly* 211 (September 2012): 697–717.
 24. Ching Kwan Lee, “From Inequality to Inequity: Popular Conceptions of Social (In)justice in Beijing,” in

- Creating Wealth and Poverty in Postsocialist China*, eds., Deborah Davis and Feng Wang (Stanford, CA: Stanford University Press, 2009), 213–31.
25. Vivienne Shue, “Legitimacy Crisis in China?,” in *State and Society in 21st Century China: Crisis, Contention, and Legitimation*, eds., Peter H. Gries and Stanley Rosen (New York: Routledge, 2004), 24–49.
 26. This is a cash benefit for the poorest people in China who have no income and are deemed not to have the capacity to support themselves.
 27. See for example, Siu Wai Wong, “Land Requisitions and State–Village Power Restructuring in Southern China,” *The China Quarterly* 224 (December 2015): 888–908.
 28. Yong Gui, Weihong Ma, and Klaus Mühlhahn, “Grassroots Transformation in Contemporary China,” *Journal of Contemporary Asia* 39, no. 3 (2009): 400–23.
 29. Sophia Woodman, “Segmented Publics and the Regulation of Critical Speech in China,” *Asian Studies Review* 39, no. 1 (2015): 100–18.
 30. Chinese Human Rights Defenders, “Silencing Complaints: Human Rights Abuses against Petitioners in China” (2008), <http://chrdnet.org/2008/03/14/silencing-complaints-human-rights-abuses-against-petitioners-in-china/> (accessed May 31, 2011).
 31. Pitman B. Potter and Sophia Woodman, “Boundaries of Tolerance: Charter 08 and Debates over Political Reform,” in *Liu Xiaobo, Charter 08 and the Challenges of Political Reform in China*, eds., Jean-Philippe Béja, Hualing Fu, and Eva Pils (Hong Kong: Hong Kong University Press, 2012), 97–117; Woodman, “Segmented Publics.”
 32. Deng and O’Brien, “Relational Repression.”
 33. Shue, “Legitimacy Crisis.”
 34. James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven, CT: Yale University Press, 2008).
 35. Lee and Zhang, “The Power of Instability.”
 36. Some surveys have found that people’s assessment of expansion of freedoms in China is greatest in the area of freedom of expression. See for example, Tianjian Shi and Diqing Lou, “Subjective Evaluation of Changes in Civil Liberties and Political Rights in China,” *Journal of Contemporary China* 19, no. 63 (2010): 175–99.
 37. Jiangang Zhu and Peter Ho, “Not against the State, Just Protecting Residents’ Interests: An Urban Movement in a Shanghai Neighborhood,” in *China’s Embedded Activism: Opportunities and Constraints of a Social Movement*, eds., Peter Ho and Richard L. Edmonds (London and New York: Routledge, 2008), 151–70; Jiangang Zhu, “Guest Editor’s Introduction,” *Chinese Sociology & Anthropology* 40, no. 2 (2007): 3–4.
 38. Mayfair Mei-hui Yang, *Gifts, Favors, and Banquets: The Art of Social Relationships in China* (Ithaca, NY: Cornell University Press, 1994); Thomas Gold, Doug Guthrie, and David L. Wank, eds., *Social Connections in China: Institutions, Culture, and the Changing Nature of Guanxi* (Cambridge, UK and New York: Cambridge University Press, 2002); John Osburg, *Anxious Wealth: Money and Morality among China’s New Rich* (Stanford, CA: Stanford University Press, 2013).
 39. Woodman, “Local Politics”; Woodman, “Local Citizenship.”
 40. Deng and O’Brien, “Relational Repression.”
 41. See for example, Lanchih Po, “Property Rights Reforms and Changing Grassroots Governance in China’s Urban-Rural Peripheries: The Case of Changping District in Beijing,” *Urban Studies* 48, no. 3 (2011): 509–28.
 42. Woodman, “Segmented Publics.”
 43. Ching Kwan Lee, *Against the Law: Labor Protests in China’s Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007); Kevin J. O’Brien and Lianjiang Li, *Rightful Resistance in Rural China* (Cambridge, UK and New York: Cambridge University Press, 2006); Kevin J. O’Brien, “Rightful Resistance Revisited,” *Journal of Peasant Studies* 40, no. 6 (2013): 1051–62.
 44. Lee and Zhang, “The Power of Instability.”
 45. Dimitrov, “Vertical Accountability.”
 46. Ibid.
 47. Ibid., 300.

PART 3

URBAN LABOR

7. Labor legislation, workers, and the Chinese state

*Jenny Chan and Mark Selden**

The Chinese Party-state's promotion of "rule of law" is integral to its authoritarian governance. This chapter examines the evolution of employment legislation and its impact on Chinese workers from the late 1970s through 2018. Law has become a pivotal site of state–society contention in which workers, employers, and the government contest rights and interests.¹ We argue that the state has institutionalized some degrees of flexibility for employers at the expense of workers, even as basic legal protections generally have been strengthened.

This chapter begins by discussing the competing forces culminating in the introduction of China's first national labor law in the mid-1990s. In response to growing labor unrest related to the restructuring of state enterprises and the growth of the non-state sector, national leaders moved to raise minimum wages, extend social insurance benefits, and expand access to grievance redress. In turn, the implementation of the 2004 Provision on Minimum Wages, the 2008 Labor Contract Law, the 2008 Labor Dispute Mediation and Arbitration Law, and the 2011 Social Insurance Law emboldened workers to defend their rights through legal pathways. At the same time, labor challenges continued outside of state-sanctioned means, eliciting varied governmental responses.²

The corporate drive to assure labor flexibility and higher profits also has shaped labor activism and the development of labor law. While noting amendments to the Labor Contract Law in 2012, in particular limits on the use of dispatch workers and the mandatory provision of equal pay and social insurance benefits to direct and subcontract employees, this chapter concludes with an examination of the shortcomings of China's labor practices in assuring social and economic justice for workers.

CHINESE LABOR AND LEGAL REFORMS

Since China's "reform and opening" began in the late 1970s, local governments have been encouraged to attract investment and secure export markets to boost employment and economic growth. With fiscal decentralization, local officials have been able to approve and channel bank loans as start-up capital, secure land use rights, offer tax breaks, facilitate rural migrant labor recruitment, and introduce other preferential policies for investors to create a favorable business environment within their jurisdiction. Local labor inspection teams, however, generally have been understaffed and insufficiently funded. Under these circumstances, despite government passage of 49 labor laws and regulations between 1978 and 1995, employers have had little incentive to improve labor and workplace conditions.³

Individual workers with few financial resources and social connections have faced formidable obstacles in seeking redress for their grievances. Beginning in the early 1980s, disputes over wages and welfare, job responsibilities, labor discipline, promotions, and occasionally women workers' rights arose as market-oriented reformers delegated greater

powers to urban enterprise managers to raise labor productivity and competitiveness.⁴ As worker–manager conflicts centering on redistributive inequalities, bureaucratic corruption, and inflation became more intense, in 1987, the government passed the Provisional Regulations on Handling Labor Disputes in State Enterprises, establishing a three-stage process of mediation, arbitration, and litigation to give employees and employers “an avenue to enforce legal rights directly through formal proceedings.”⁵ Labor disputes in state enterprises would first be handled by the labor dispute mediation committees (comprised of party leaders, the trade union chair, managers, and worker and staff representatives) before proceeding to district-level arbitration and, if necessary, civil suit. With the quickening pace of economic reform in the aftermath of the 1989 Tiananmen crackdown, in 1993, the government promulgated the Regulations on Handling Labor Disputes in Enterprises, which superseded the 1987 Provisional Regulations to extend legal access to grievance resolution from urban state workers to rural migrant employees.

By the early 1990s, tens of millions of migrants from the countryside had found jobs in newly built private and foreign invested firms in coastal cities, even though they lacked important citizenship rights in many cities, including healthcare, pensions, and access to public education for their children. The initial export-oriented policy centered on special economic zones and industrial clusters in Guangdong, Fujian, Zhejiang, and Jiangsu. There, non-state and later state-owned units could hire and fire rural migrant workers and their local counterparts to maximize profits.⁶ Pitting younger migrants against older workers, national leaders slashed the cradle to grave welfare benefits enjoyed by most state employees and accelerated market reforms and the privatization of many industrial enterprises, despite individual and collective resistance on the part of adversely affected employees and pensioners.

Starting in the early 1990s, the Chinese government began releasing public security statistics on “mass incidents,” a category that extended across the ranks of workers, villagers, and other social groups. The term mass incident is both all-encompassing and ill-defined, possibly including riots, strikes, protests, sit-ins, rallies, demonstrations, collective petitions, traffic blockades, and other forms of social unrest. The number of mass incidents was 8,700 in 1993, the first year for which official data was publicly available. It increased to 32,000 in 1999 and surpassed 58,000 in 2003. These numbers indicate widespread labor tensions, although detailed documentation about the nature, location, duration, and outcome of worker actions was withheld by the Ministry of Public Security and the press.⁷ From factories to offices to construction sites, as delineated by Anita Chan in *China's Workers under Assault*, conflicts over non-payment or underpayment of wages and benefits, illegal dismissals, and occupational injuries and diseases were rampant, with some workers, *in extremis*, committing suicide, or murder, in efforts to defend their dignity and their rights.⁸

In July 1994, the central government promulgated the Labor Law, which went into force on 1 January 1995. This was the first national law to codify labor dispute resolution processes and the requirements relating to labor contracts, wages, working hours, occupational safety and health measures, social security, and women workers’ rights.⁹ Regardless of household registration status, Chinese citizens were to be legally protected at work.¹⁰

With the legalization and institutionalization of the contract labor system, the permanent work pattern of urban residents previously governed by state enterprises has been dismantled. While the experiment of signing short-term contracts with new recruits for certain types of low-skilled work had been underway in the state sector since the

early 1980s, most older, male regular workers were not affected.¹¹ Some of their female counterparts, however, were persuaded to “return home” (the “natural” place for women) to address the emergent problems of youth unemployment and declining returns in less profitable industries.¹² With the influx of foreign and domestic private investment, in the late 1990s, male and female workers from numerous small and medium-sized state enterprises were persuaded to accept early retirement or step down from their posts (sometimes retaining partial wages and retirement benefits from their work units). In some cases, they were dismissed without severance pay or benefits.

In the midst of bankruptcy, privatization, and reorganization of firms, by 2002, over 60 million urban workers were laid off from state sector jobs. That is, there was “a 44 percent reduction of the 1993 state sector workforce within a 10-year period.”¹³ State and collective sector jobs as a share of urban employment fell sharply from “76 percent in 1995 to 41 percent in 2000 to only 27 percent in 2005.”¹⁴ Some of the fiercest labor struggles in response to state sector layoffs took the form of anti-privatization movements. Aggrieved pensioners took to the street to make desperate claims to health and retirement benefits, while some laid-off workers fought for economic compensation or reinstatement. By making a moral claim to the vanishing socialist contract, if not an outright condemnation of socialism betrayed, some of these protesters secured modest benefits, but there was no turning back the clock.¹⁵ With the exception of large profitable state-owned corporations, the “iron rice bowl” system was smashed and workers in both state and private enterprises were to sign term contracts.¹⁶ Seeking employment through labor agencies in a more diversified and liberalized economy, as we will see, would bring new legal challenges.

STRENGTHENING WORKER PROTECTION

Throughout the high-growth final two decades of the twentieth century, Chinese wages and incomes remained far below the level of earlier East Asian industrializers during their periods of rapid growth.¹⁷ The general assumption held by local officials and employers alike was that rural migrants could choose to return to their hometowns to fall back on their household land and familial resources whenever needed. As a result, the production and social reproduction costs of rural migrant workers were kept at extraordinarily low levels.

However, under the Hu Jintao and Wen Jiabao administration (2003–2012), labor costs rose markedly.¹⁸ Between 2003 and 2012 (even when the 2008 world recession briefly led to reduced exports resulting in large-scale layoffs of Chinese workers), China’s national economy sustained average growth of 10.4 percent per annum, and real wages for rural migrant workers rose 2.5 times.¹⁹ The younger cohort’s frequent job hopping, in the context of a tighter labor market (following the reduction of birth rates with the combined factors of the implementation of the national birth control policy²⁰ and the pressure associated with the rising cost of living), further pushed employers to increase wages and improve conditions to recruit and retain workers.

In the early 2000s, the central government showed renewed interest in social policy, reversing its drift away from such commitments in the 1980s and 1990s.²¹ Effective from 1 March 2004, the Provision on Minimum Wages required that provincial and lower-level governments review statutory minimum wage levels under their jurisdiction

at least once every two years. Further, in the early 2000s, social spending was increased to enroll uninsured workers (and villagers) in newly installed social insurance programs administered by local governments. Minimum income support and other kinds of social assistance were also provided to eligible households on a needs basis. These government measures, Dorothy Solinger suggests, were introduced to “preempt disturbances and prevent ‘instability.’”²² However, the pragmatic flexibility of the Chinese state has opened new terrains of contestation around labor law and beyond.²³

Labor subcontracting and rights violations are widespread in the construction sector. Real estate developers specialize in land acquisition, project design, and marketing, while manual labor is provided by informal labor contractors and their work teams, as well as dispatch workers hired by licensed (or unlicensed) labor agencies. Rural migrant construction workers, estimated at 44.7 million in 2011, were placed at the bottom rung of long subcontracting chains.²⁴ Without a labor contract, they might not be provided with statutory minimum wages, overtime payment, social security, rest days and holidays, and occupational health and safety protection. They risk not receiving full pay, or any pay at all, upon the completion of the project; not to mention getting paid in cash on a monthly basis in accordance with the law.

Labor dispatch services have grown rapidly since the opening of the first such agencies by local governments, when officials sought to create jobs by deploying laid-off workers following successive waves of privatization and restructuring of state industries. During the 1990s, private domestic firms and multinationals also began to take advantage of dispatch labor, absorbing the unemployed, rural migrants, and fresh graduates.²⁵ Dispatch work—wherein the “user of the work” is separated from the “employer of the person”—provides a powerful shield for the user firm against dispatch workers’ claims to receive the same levels of wages and social insurance benefits as regular workers.²⁶ Compared to directly hired employees, dispatch workers often receive inferior health insurance, pensions, maternity packages, skill training and other benefits, and they are paid less. They also can be laid off at any time. At seven surveyed state-owned and joint-ventured automobile plants in five provinces, in the mid-2000s, Lu Zhang found that temporary dispatch workers were paid only half to two-thirds the wages of regular workers, even when they “had to shoulder heavier workloads and perform less desirable tasks.”²⁷ When severe industrial accidents occurred, sometimes labor agencies and user firms took advantage of the fact that there was no law to hold them jointly responsible for the victims and work-injury compensation.

Even when workers muster the courage to sue their employers, they are often unable to present evidence, such as a written labor contract or a wage statement, so they cannot prove the existence of an employment relationship or a violation of the law. Xin Chunying, Deputy Director of the Legislative Affairs Office of the Standing Committee of the National People’s Congress, confirmed that before 2008, 60 percent of workers had “only short-term contracts, usually one-year contracts or even shorter.”²⁸ Employers of restructured state enterprises had aggressively moved to conclude short-term, non-renewable contracts with employees to cut labor expenditures. Private and foreign “sweatshops” refused to sign contracts with workers to keep costs down (by evading overtime premiums and welfare benefits) and to increase labor flexibility (by easily firing workers to cope with market fluctuation). Despite the strengthening of workers’ individual rights during the 1990s and early 2000s, the law enforcement gap continued to grow.

INTRODUCING NEW LABOR LAWS

In 2005, political authorities drafted a new labor law to enforce higher labor standards and more inclusive policies for Chinese workers, including subcontract workers. In March 2006, during the 30-day public consultation of the draft law, over 191,000 comments were received from legal scholars, academics, business associations, labor rights organizations, and other stakeholders. “This number,” highlighted by Mary Gallagher and Baohua Dong, “far exceeded the comments received about other important and controversial laws.”²⁹ On 29 June 2007, the government passed the Labor Contract Law after making successive amendments to accommodate competing demands from various interest groups. Legal scholars widely agree that the law, coming into force on 1 January 2008, is the most significant piece of Chinese labor law reform in more than a decade.³⁰ Eli Friedman and Ching Kwan Lee underline the new law’s “positive material consequences for certain segments of workers.” However, the state continued to suppress labor conflict by refusing to guarantee workers’ collective rights, such as independent unionism and the right to strike.³¹

The 2008 Labor Contract Law restricts the widespread use of short contracts to evade employer responsibility. It seeks to protect employees’ right to an open-ended contract after signing two consecutive fixed-term contracts, or following ten years of service. This is to enhance job security and work stability for employees. A written contract is to be concluded within the first month of employment. A copy of the signed contract is to be given to the employee. Employers that fail to do so are required to pay double wages for the term of employment completed without a written labor contract. Workers can terminate their labor contracts and still receive severance pay (one month’s wages for every year worked) if they resign because of employer violations.

The 2008 Labor Contract Law also specifically protects subcontract workers against discrimination. By law, if disputes over work and employment arise, dispatch laborers are to have the same access as direct employees to government-administered dispute resolution. The law also stipulates that subcontract workers should be entitled to “equal pay for equal work.” Moreover, labor service agencies are required to sign contracts and enroll workers in local social insurance schemes. Despite the tightening of labor dispatch statutory regulation, subcontracting has continued to grow. By 2011, there were 27–37 million dispatch workers in enterprises and government organizations throughout the country, and the number has grown in the following years.³²

An employment contract is significant proof of the establishment of the labor relationship, the legal basis for making wage and social insurance claims. Large-scale surveys clearly show the positive impact of the 2008 Labor Contract Law on formalizing employment relations. The “Rural-Urban Migration in China” Project (hosted by an Australian National University research team) found that in 2008, 80 percent of surveyed workers (4,756 rural migrants and 6,239 urban workers) in 15 cities of nine municipalities and provinces had labor contracts. A closer look revealed that a far higher proportion of urban workers (91 percent) received a contract compared with migrant workers (66 percent), attesting to the segmentation of the labor force by household registration status, as well as by skill level and education.³³ Rural migrants, compared to their urban counterparts, generally have weaker bargaining power. Still, the overall high rate of surveyed employees with a contract shows the tangible effect of the law, even when reports revealed

that high-profile employers (such as Huawei Technologies and Nine Dragons Paper) had terminated contracts with long-serving workers just before the law went into effect.³⁴

The enforcement of requirements for written employment contracts was facilitated by the specific and easily enforced punishments defined in the legal provisions. The China Urban Labor Survey, conducted by the Chinese Academy of Social Sciences' Institute of Population and Labor Economics, shows a positive association between labor contract rights and social insurance protection.³⁵ In 2010, the survey team found that while rural migrants were far less likely than urban workers to enjoy a range of benefits, those with contracts were far more likely to have pension (43.8 percent) and healthcare benefits (38.5 percent) than those who did not have labor contracts (14.9 percent and 13.2 percent, respectively). The protective effect of the law on local workers was also clear. The survey reported that 92.3 percent of locals with contracts had pensions (compared to 74.5 percent of those without contracts), and 88.3 percent had healthcare (compared to 72.1 percent of those without contracts).³⁶ The findings make clear, however, that despite gains, social insurance coverage for *all workers* had not been attained. While the law reaffirms pre-existing social insurance responsibilities on employers, it does not impose new punishments or significantly higher fines than previous regulations for violating employers.³⁷

By law, the comprehensive social insurance program consists of five parts: old age pensions, medical benefits, maternity benefits, work-related injury benefits, and unemployment benefits (see Table 7.1). During the 2008–2009 global financial crisis, when numerous companies were either struggling to survive while laying off workers or going bankrupt, local governments allowed employers to divide the insurance program and purchase only some of its five parts at the lowest possible cost to ease their financial burden and minimize layoffs.³⁸ Local governments, hard pressed to keep jobs as a means to preserve social stability, conceded to employers' demands to cut pensions and welfare benefits for workers. Meanwhile, millions of workers were laid off, returning to the countryside to live on small plots of land, if only as a temporary solution.³⁹

In the wake of the economic recession, in October 2010 the central government passed the Social Insurance Law, which came into force in July 2011. On top of the five types of insurance, the law required a housing fund (previously optional). Employers were responsible for calculating social insurance fees, withholding payments for themselves and their employees, and making timely payments to the Social Insurance Bureau and the Housing Fund Bureau. While the precise fee structure varies by enterprise and region, on average the total contribution constitutes some 40 percent of the wage, with about 15 percent deducted from the worker's wage and the remainder paid by the employer. The minimum social insurance contribution base is determined by the local statutory minimum wage. With the steady increase in local minimum wages, the social security contribution base has risen.

To increase revenues and improve labor stability, local governments have become more interested in enforcing social security provisions. But a functioning, universal system of fund transfers has yet to be installed despite new experiments to coordinate online mobile payments and withdrawals. Disputes over employment terms in relation to wages, social benefits, and other issues also have exploded.

Table 7.1 China's Social Insurance System, 2017

Category	Contribution*		Remarks
	Employer rates (%)	Employee rates (%)	
Pension	10–22	Around 8	An individual can receive a pension based on the amount accumulated in his/her individual fund after retirement.
Medical	5–12	Around 2	In the event of illness, an employee can have part of the treatment cost covered by medical insurance.
Unemployment	Around 2	Around 1	In the event of redundancy, the employee may claim unemployment benefits for a maximum of 24 months.
Maternity	0.5–1	–	During maternity leave, the employee receives reimbursement from the insurance fund.
Work-related injury	0.5–2	–	The work-related injury fund covers the cost of treatment for victims of occupational injury or disease. Local labor authority designates the level of work injury (ranging from 1 to 10, with level 1 designated for the most severe injury).
Housing fund	5–12	5–12	Effective 1 July 2011, this provision is designed to ensure that workers save to purchase housing.

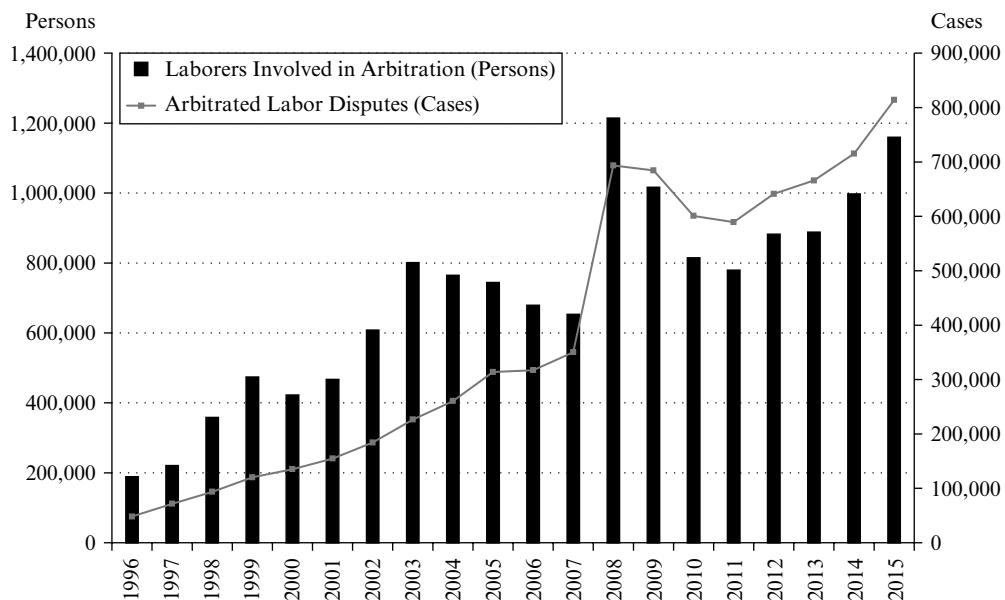
Note: *The social security contribution amount in each category is calculated by utilizing the employee's pay and multiplying it by different percentages required by the local government. The contribution base is a figure determined by the employee's average income in the previous year. For new hires, the starting pay may be used as the social security base during the first year.

Source: China Briefing, "China's Social Security System," 25 September 2017, <http://www.china-briefing.com/news/2017/09/25/chinas-social-security-system-2.html>.

LABOR DISPUTE RESOLUTION AND SETTLEMENT

Government statistics indicate that in 1996 48,121 labor disputes were accepted for arbitration (including individual and collective cases), involving 189,120 persons nationwide (see Figure 7.1). The incidence of arbitrated labor disputes has grown rapidly, along with mounting labor protests, amidst China's deepening market reforms. In the global economic crisis of 2008, when millions of workers were laid off, the number of cases rocketed to 693,465 (nearly double that of the previous year), involving more than 1.2 million laborers across the country. Following a brief decline in 2010 and 2011, labor dispute cases shot up annually, reaching an unprecedented 813,859 cases in 2015. As China's economy slows, as predictions suggest, conflicts over unpaid wages and social insurance benefits and layoffs, and the number of arbitrated cases, may increase.

On 1 May 2008, the Labor Dispute Mediation and Arbitration Law took effect, fueling a sharp rise in labor disputes accepted for adjudication. The law streamlined dispute resolution procedures and extended filing periods from 60 days to one year following the



Note: Cases of individual and collective labor disputes are included. From 2009 collective labor disputes have been officially defined as disputes involving ten or more employees (previously a collective dispute was defined by involvement of three or more employees).

Source: *China Labor Statistical Yearbook 2016* (2017) “Labor Disputes Accepted and Settled,” Table 8.1, Beijing: China Statistics Press.

Figure 7.1 Arbitrated labor disputes in China, 1996–2015

dispute. It also lowered the fee structure for labor dispute resolution (canceling arbitration fees, the legal fees for arbitration of disputes, which had been prorated according to the size of the award sought). Between mid-2008 and early 2009, as Chinese manufactured exports plummeted, regions such as Guangdong, Jiangsu, Zhejiang, Beijing, and Shanghai allowed some bigger disputes to go directly to court to shorten the appeal process.

Even before the caseloads swelled in arbitration committees and courtrooms, beginning around 2006 Beijing leaders sought to revive mediation in both arbitration and litigation, and, at the firm level, to minimize open confrontations of adversaries in the streets. Wenjia Zhuang and Feng Chen detail state efforts to assure the central role of mediation in defusing potential mass incidents to restore social stability. The “success rate of mediation” became a factor in the annual performance assessment of local labor officials and judges, directly linked to bonuses and promotion. Before arbitration, arbitrators were to visit the workplace to conduct mediation. If pre-arbitration intervention failed, arbitrators pressured disputants to reconcile in the case handling process. Failing this, a mediation procedure following arbitration would be formally set up to prevent an appeal to the court. At every stage, extrajudicial methods were widely adopted to settle cases promptly, with arbitrators and judges working to persuade workers that “the mediated outcome is the best possible result,” even when the “conciliated compensation” amount was far lower than one that might be ruled by the courts.⁴⁰

To prevent labor conflicts from escalating, the Party-state called for cross-departmental efforts to resolve collective problems through mediation and a wide range of soft strategies.⁴¹ Mediators no longer were required to be arbitrators or judges; they were joined by lawyers, trade union cadres, neighborhood labor protection station officers, and other government representatives. In the event of non-payment of severance pay, work teams fast-tracked the sale of enterprise assets to clear the owed wages to disgruntled workers, rather than waiting for court outcomes. The overarching goal for the government was to bargain with worker leaders to reach extralegal resolution as quickly as possible. In “buying stability” by “dishing out cash payments or other material benefits in exchange for compliance,” the government undercut wider reform and the growth of labor mobilization seeking to influence government policy.⁴² At the same time, significant coercion was involved in state efforts to manage labor disputes and social unrest.⁴³ Further, in handling collective lawsuits, judges have insisted that cases be filed individually to fragment and isolate the plaintiffs.⁴⁴

Dispatch workers, like other workers, have attempted to seek justice and economic compensation by taking legal action. Using the keyword search function of the Supreme People’s Court centralized database of court judgments,⁴⁵ Philip Huang demonstrates the marked increase of lawsuits over “dispatch work” in basic level courts: from 59 cases in 2012, to 248 cases in 2013, to 1,255 in 2014, followed by a slight decline to 1,190 in 2015. One documented legal case in 2012 concerned a steel piping dispatch worker who was paid only 1,500 yuan per month during his two-year employment, compared to other employees of the company who were paid 6,000 yuan per month for comparable work. When his contract with an employment agency was terminated in 2011, he demanded that he receive the same pay for doing the same work as other workers. The court verdict read:

Equal work, equal pay is a basic principle of our nation’s labor laws. However, equal work refers not just to the same kind of work, but also to equal labor ability, skill, and equal results and so on. Those issues are not within the capacity of the court to determine.

In Huang’s critical analysis, the court declared “the text of the Labor Contract Law to be empty words that cannot be enforced in actual practice.”⁴⁶

SOCIAL STRUGGLES OVER CHINA’S LABOR LAW

New provisions tested by rights-claiming citizens, including a number of (partial) worker victories in high-profile strikes and protests, have expanded workers’ consciousness of legal rights.⁴⁷ In December 2012, the Standing Committee of the National People’s Congress amended the Labor Contract Law, effective 1 July 2013. The major amendments aimed to strengthen the protection for the rights and interests of dispatch workers.⁴⁸ First, the revised law stipulated that “temporary” dispatch work should be restricted to a position with a maximum duration of six months. Second, it stated that such positions should be limited to “auxiliary” operations, meaning a position that supports the principal business activity. Third, it permitted a dispatch worker to take up a “substitute” position to replace another employee who is absent for a specific period of time due to maternity leave, off-the-job study, or other reasons. Liu Genghua, a researcher with the Chinese Academy of Labor and Social Security who conducted field research in Anhui

in 2014, noted “obvious breaches” of the law, “such as dispatch workers working in the same work positions for more than 2 years (clearly does not fall within ‘temporary’) or when more than 80 percent of employees of an enterprise are dispatch workers (clearly does not appear to be ‘auxiliary’ or ‘substitute’ for the business).”⁴⁹ This finding suggests that the dispatch worker exception to the three job categories has been ignored, eroding the law’s intended labor protections.

Going a step further, on 1 March 2014, the government ruled that within the next two years, enterprises would be required to lower the proportion of dispatch workers to meet the legal limit—that is, not exceed 10 percent of their workforce. By 1 March 2016, the statutory period designated for enterprises to reduce their dispatch staff to the 10 percent level expired.

A Chinese Academy of Labor and Social Security research team, led by Miao Chun Yu, found that at the China Post Group Corporation (incorporated in 1997 to manage the national postal service), the number of dispatch workers was sharply reduced from 461,300 in 2013 to 180,500 in 2015. Similarly, during the same period, at the Agricultural Bank of China, the total size of dispatch labor was slashed from 34,800 to 11,200.⁵⁰ The overuse or abuse of dispatch workers in other state-owned enterprises, and the non-state sector, however, remains a cause for concern.⁵¹

On the whole, while government legislation clearly indicates the desire to stabilize and formalize employment relations, the two-tiered structure of work and labor has continued. This dual system is problematic not just from the perspective of subcontract workers whose salaries and benefits are usually far smaller than those of direct employees, but also from that of regular workers who encounter greater difficulty in making collective demands on employers as they now must compete with dispatch laborers. Moreover, Asia Briefing Ltd., a subsidiary of Dezan Shira & Associates (a specialist firm in foreign direct investment practice), offers advice to clients on using multiple employment approaches, such as outsourcing of an entire project, to replace dispatch labor.⁵² Outsourced workers share characteristics with dispatch workers, such as lower wages, lower social insurance, and less security.

CONCLUSION

This chapter has assessed the post-socialist Chinese state’s drive for economic and social transformation through successive legal reforms over the past 40 years, with a focus on labor legislation and workers’ defense of their rights to wages and social welfare. Government actions and rising labor protest in recent decades have broadened employment and workplace rights for all, including preliminary steps to overcome the rural/urban divide associated with differential rural and urban household registration, and to include the growing segment of subcontract workers in the new legal framework. But the state has also prioritized competitiveness, profitability, and flexibility for employers vis-à-vis workers’ protection, thereby preserving the unequal structure of work and employment.

During the 1990s, China’s working class experienced sharp changes, including a shrinking public sector as a result of large-scale industrial layoffs, a growing private sector, and an increasing number of rural migrants recruited by private and foreign firms. With higher labor mobility and greater emphasis on profit, reformers moved to eliminate the decades-old socialist entitlements enjoyed by urban state workers. The promulgation of

the 1995 Labor Law was followed by the acceleration of corporatization and privatization in the late 1990s and 2000s. In response to growing labor disputes, strikes, and protests, the Hu-Wen government and its successor, since 2013 the Xi Jinping-Li Keqiang administration, have strengthened the basic rights of *some* workers, while deepening economic reforms in ways that weaken the protection of state sector workers and pave the way for the use of temporary and contract workers in both state and private enterprises.

Through “stability maintenance” and “social management,” the government seeks to break up organized worker actions at the door of arbitration committees and civil courts, while encouraging workers to adjudicate their grievances through mediation and other informal acts involving extralegal means. Without effective leadership by trade unions, workers are impelled to rely overwhelmingly on their own efforts to fight for economic compensation and benefits, many of them stipulated in the law. In the face of powerful employers, workers with higher rights awareness seek to escalate disruptive actions, drawing attention from stability-sensitive officials at the local and higher levels. In numerous cases, workers have won limited concessions over wages and welfare benefits. Marc Blecher writes of labor resurgence in today’s China:

Of course there have been labour protests, which grow quantitatively from year to year. But qualitatively they lack the sharply radical edge they had in the 1950s and 1960s, focusing now mainly on economic grievances specific to a particular enterprise. And, while protesting workers have often won redress, they have not achieved much in the way of more lasting changes in policy or social relations.⁵³

We suggest, however, that workers, learning from the struggles of recent decades, including hard-won victories in lawsuits and other battles, have inspired others. Protesting workers have, to some extent, influenced employer and government policies. The whole arbitration and litigation system is a response to worker pressure. Furthermore, some social welfare reforms were implemented to construct an emergent worker citizenship infrastructure in direct response to worker demands for more equal, inclusive, and decent employment conditions. With each loophole that the government closes, however, corporations have moved to circumvent the new regulations.

Another key question remains enforcement of the law. Discrepancies between rights promised on the books and those delivered are huge. In China’s urban and rural transformation, numerous workers from low-end services, construction, and manufacturing industries are still *not* provided with a formal labor contract or such rudimentary benefits as health insurance and pensions. These informal laborers are trapped at the bottom of the highly stratified labor market.

Overall, the government seeks to bring employment into a formalized structure that limits violations on some issues and in some parts of the workforce. In our ongoing research and future agenda, we strive to draw more attention to the presence of hundreds of thousands of interning students from vocational schools and colleges who are employed at below minimum wages during their “internships.” While performing identical work to other production workers, they are not legally classified as “employees”; their official status remains that of “interns.” We document the fact that some employers have collaborated with local governments and school administrations to exploit legal loopholes incentivized by the convenience of obtaining student interns under short-term employment and by the low cost of student labor, including the non-contribution of

social insurance premiums.⁵⁴ The super-exploitation of student workers, one of the hidden groups of contingent workers, further exposes the deficiencies of existing labor legislation. Social and class inequalities are deepened when cost-conscious employers are tapping into precarious local workers, rural migrants, dispatch workers, and student laborers to maximize profits, at the expense of workers' well-being. Labor challenges, including legal activism, will inevitably confront a tactical mix of reconciliation and repression on all fronts, resulting in uncertainty and instability.

NOTES

- * We thank Teresa Wright for her intellectual support. We are also grateful to Dimitri Kessler and Manfred Elfstrom for their helpful suggestions. An early draft of this chapter was presented at the AAS-in-ASIA Conference at Korea University, Seoul (24–27 June 2017), where comments from the “Popular Protest in Contemporary China” panelists (Natalie Wong, Marie-Eve Reny, Christoph Steinhardt, and Justin Hastings) and participants were highly appreciated. This project is partially funded by the Early Career Scheme of the Research Grants Council of Hong Kong, 2018–2020 (RGC Project No. 25602517).
- 1. Neil J. Diamant, Stanley B. Lubman and Kevin J. O’Brien, eds., *Engaging the Law in China: State, Society, and Possibilities for Justice* (Stanford, CA: Stanford University Press, 2005); Ching Kwan Lee, *Against the Law: Labor Protests in China’s Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007); Mary E. Gallagher, *Authoritarian Legality in China: Law, Workers, and the State* (New York: Cambridge University Press, 2017).
- 2. Benjamin L. Liebman, “Legal Reform: China’s Law-Stability Paradox,” *Daedalus: The Journal of the American Academy of Arts and Sciences* 143, no. 2 (2014): 96–109.
- 3. Isabelle Thireau and Linshan Hua, “The Moral Universe of Aggrieved Chinese Workers: Workers’ Appeals to Arbitration Committees and Letters and Visits Offices,” *The China Journal* 50 (2003): 83–103.
- 4. Lisa Rofel, “Hegemony and Productivity: Workers in Post-Mao China,” in *Marxism and the Chinese Experience*, eds., Arif Dirlik and Maurice Meisner (Armonk, NY: M.E. Sharpe, 1989), 235–52; Andrew G. Walder, “Workers, Managers and the State: The Reform Era and the Political Crisis of 1989,” *The China Quarterly* 127 (September 1991): 467–92; Andrew G. Walder and Gong Xiaoxia, “Workers in the Tiananmen Protests: The Politics of the Beijing Workers’ Autonomous Federation,” *Australian Journal of Chinese Affairs* 29 (January 1993): 1–29.
- 5. Virginia Harper Ho, *Labor Dispute Resolution in China: Implications for Labor Rights and Legal Reform* (Berkeley: University of California Institute of East Asian Studies, 2003), 3.
- 6. Joel Andreas, “Industrial Restructuring and Class Transformation in China,” in *China’s Peasants and Workers: Changing Class Identities*, eds., Beatriz Carrillo and David S.G. Goodman (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2012), 102–23.
- 7. Murray Scot Tanner, “Chinese Government Responses to Rising Social Unrest” (Santa Monica, CA: RAND Corporation, 2005), 1–14; Weihua Dan (单卫华), “A Multilevel, Multicausal Analysis of Mass Incidents Related to Police during the Period of Social Transformation” (社会转型期涉警群体性事件的深层次原因分析), *Policing Studies* (公安研究) 8 (2010): 23–28 [in Chinese].
- 8. Anita Chan, *China’s Workers under Assault: The Exploitation of Labor in a Globalizing Economy* (Armonk, NY: M.E. Sharpe, 2001).
- 9. King Lun Ngok, “The Changes of Chinese Labor Policy and Labor Legislation in the Context of Market Transition,” *International Labor and Working-Class History* 73 (2008): 45–64.
- 10. Mary E. Gallagher, *Contagious Capitalism: Globalization and the Politics of Labor in China* (Princeton, NJ: Princeton University Press, 2005).
- 11. Gordon White, “The Politics of Economic Reform in Chinese Industry: The Introduction of the Labour Contract System,” *The China Quarterly* 111 (September 1987): 365–89.
- 12. Emily Honig and Gail Hershatter, *Personal Voices: Chinese Women in the 1980’s* (Stanford, CA: Stanford University Press, 1988), 243–72.
- 13. William Hurst, *The Chinese Worker after Socialism* (Cambridge: Cambridge University Press, 2009), 16.
- 14. Albert Park and Fang Cai, “The Informalization of the Chinese Labor Market,” in *From Iron Rice Bowl to Informalization: Markets, Workers, and the State in a Changing China*, eds., Sarosh Kuruvilla, Ching Kwan Lee and Mary E. Gallagher (Ithaca, NY: Cornell University Press, 2011), 17–35.
- 15. Lee, *Against the Law*; Thomas B. Gold, William Hurst, Jaeyoun Won and Qiang Li, eds., *Laid-Off Workers in a Workers’ State: Unemployment with Chinese Characteristics* (New York: Palgrave Macmillan, 2009);

- Dorothy J. Solinger, *States' Gains, Labor's Losses: China, France, and Mexico Choose Global Liaisons, 1980–2000* (Ithaca, NY: Cornell University Press, 2009); Stephen E. Phlion, *Workers' Democracy in China's Transition from State Socialism* (New York: Routledge, 2009).
16. Sarosh Kuruvilla, Ching Kwan Lee and Mary E. Gallagher, eds., *From Iron Rice Bowl to Informalization: Markets, Workers, and the State in a Changing China* (Ithaca, NY: Cornell University Press, 2011).
 17. Ho-fung Hung and Mark Selden, "China's Postsocialist Transformation and Global Resurgence: Political Economy and Geopolitics," in *The Cambridge History of Communism, Volume III, Endgames? Late Communism in Global Perspective 1968 to the Present*, eds., Julianne Fürst, Silvio Pons and Mark Selden (Cambridge: Cambridge University Press, 2017), 502–28.
 18. Mark Selden and Elizabeth J. Perry, "Introduction: Reform, Conflict and Resistance in Contemporary China," in *Chinese Society: Change, Conflict and Resistance*, eds., Elizabeth J. Perry and Mark Selden, 3rd edition (London: Routledge, 2010), 1–30.
 19. Barry Naughton, "China's Economy: Complacency, Crisis and the Challenge of Reform," *Daedalus: Journal of the American Academy of Arts & Sciences* 143, no. 2 (2014): 14–25.
 20. China's birth rates began to drop during the 1970s as the state promoted delayed marriage and spaced births. With the launch of the one child policy in 1980, birth rates plunged further in the following decades. China's population, Deborah Davis analyzes, "will age as quickly as did that of Germany, Italy, and Japan." The long-term impact of the relaxation of birth control on the Chinese labor force, and its gender composition, is to be observed. See Deborah S. Davis, "Demographic Challenges for a Rising China," *Daedalus: Journal of the American Academy of Arts and Sciences* 143, no. 2 (2014): 26–38.
 21. Mark W. Frazier, "State Schemes or Safety Nets? China's Push for Universal Coverage," *Daedalus: Journal of the American Academy of Arts and Sciences* 143, no. 2 (2014): 69–80.
 22. Dorothy J. Solinger, "Three Welfare Models and Current Chinese Social Assistance: Confucian Justifications, Variable Applications," *Journal of Asian Studies* 74, no. 4 (2015): 977–99. Similarly, Feng Chen argues that Chinese law "serves to reduce workers' motivation to organize by offering extensive legal minimums for their basic economic interests." See Feng Chen, "China's Road to the Construction of Labor Rights," *Journal of Sociology* 52, no. 1 (2016): 24–38.
 23. Elizabeth J. Perry, "Growing Pains: Challenges for a Rising China," *Daedalus: Journal of the American Academy of Arts & Sciences* 143, no. 2 (2014): 5–13.
 24. Sarah Swider, *Building China: Informal Work and the New Precariat* (Ithaca, NY: Cornell University Press, 2015); Dae-oup Chang, "Informal Exploitation and Unregulated Expansion: Assessing the Construction Labour Regime in Contemporary China," *Marxism* 21 14, no. 1 (2017): 292–334; Irene Pang, "The Legal Construction of Precarity: Lessons from the Construction Sectors in Beijing and Delhi," *Critical Sociology* (2018, Online First in September): 1–16, <https://doi.org/10.1177/0896920518792615>; Ngai Pun and Huilin Lu, "A Culture of Violence: The Labor Subcontracting System and Collective Action by Construction Workers in Post-Socialist China," *The China Journal* 64 (July 2010): 143–58; Aaron Halegua, "Getting Paid: Processing the Labor Disputes of China's Migrant Workers," *Berkeley Journal of International Law* 26, no. 1 (2008): 254–322.
 25. Feng Xu, "Temporary Work in China: Precarity in an Emerging Labor Market," in *Temporary Work, Agencies, and Unfree Labor: Insecurity in the New World of Work*, eds., Judy Fudge and Kendra Strauss (New York: Routledge, 2014), 143–63.
 26. Philip C. C. Huang, "Dispatch Work in China: A Study from Case Records, Part I," *Modern China* 43, no. 3 (2017): 248.
 27. Lu Zhang, *Inside China's Automobile Factories: The Politics of Labor and Worker Resistance* (New York: Cambridge University Press, 2015), 150.
 28. Gallagher, *Authoritarian Legality in China*, 94–5.
 29. Mary E. Gallagher and Baohua Dong, "Legislating Harmony: Labor Law Reform in Contemporary China," in *From Iron Rice Bowl to Informalization: Markets, Workers, and the State in a Changing China*, eds., Sarosh Kuruvilla, Ching Kwan Lee and Mary E. Gallagher (Ithaca, NY: Cornell University Press, 2011), 36–60.
 30. Sean Cooney, Sarah Biddulph, Li Kungang and Ying Zhu, "China's New Labor Contract Law: Responding to the Growing Complexity of Labor Relations in the PRC," *UNSW Law Journal* 30, no. 3 (2007): 788–803.
 31. Eli Friedman and Ching Kwan Lee, "Remaking the World of Chinese Labour: A 30-Year Retrospective," *British Journal of Industrial Relations* 48, no. 3 (2010): 507–33.
 32. All-China Federation of Trade Unions, Project on the Issue of Dispatch Work (全总劳务派遣问题课题组), "Investigation of China's Present Dispatch Labor Use" (当前我国劳务派遣用工调查), *China Labor* (中国劳动) 5 (2012): 23–5 [in Chinese]; Genghua Liu, "Private Employment Agencies and Labour Dispatch in China," SECTOR Working Paper no. 293 (Geneva: International Labour Office, 2014).
 33. Zhiying Cheng, Russell Smyth and Fei Guo, "The Impact of China's New Labour Contract Law on Socioeconomic Outcomes for Migrant and Urban Workers," *Human Relations* 68, no. 3 (2015): 329–52.
 34. Jenny Chan, "Meaningful Progress or Illusory Reform? Analyzing China's Labor Contract Law," *New*

- Labor Forum* 18, no. 2 (2009): 43–51; Haiyan Wang, Richard P. Appelbaum, Francesca Degiuli and Nelson Lichtenstein, “China’s New Labor Contract Law: Is China Moving towards Increased Power for Workers?” *Third World Quarterly* 30, no. 3 (2009): 485–501; Jeffrey Becker and Manfred Elstrom, “The Impact of China’s Labor Contract Law on Workers,” International Labor Rights Forum (May 2010).
35. The three waves of the China Urban Labor Survey were conducted in 2001, 2005 and 2010. The five surveyed cities are Shanghai, Wuhan (Hubei), Shenyang (Liaoning), Fuzhou (Fujian) and Xi’an (Shaanxi). In the third wave, the sixth city, Guangzhou, provincial capital of Guangdong, was added.
 36. Gallagher, *Authoritarian Legality in China*, 97.
 37. Mark W. Frazier, *Socialist Insecurity: Pensions and the Politics of Uneven Development in China* (Ithaca, NY: Cornell University Press, 2010).
 38. Eli Friedman, “Getting through the Hard Times Together? Chinese Workers and Unions Respond to the Economic Crisis,” *Journal of Industrial Relations* 54, no. 4 (2012): 459–75.
 39. Kam Wing Chan, “The Global Financial Crisis and Migrant Workers in China: ‘There is No Future as a Laborer; Returning to the Village Has No Meaning,’” *International Journal of Urban and Regional Research* (July 2010): 1–19.
 40. Wenjia Zhuang and Feng Chen, “‘Mediate First’: The Revival of Mediation in Labour Dispute Resolution in China,” *The China Quarterly* 222 (June 2015): 380–402.
 41. Yang Su and Xin He, “Street as Courtroom: State Accommodation of Labor Protest in South China,” *Law and Society Review* 44, no. 1 (2010): 157–84.
 42. Ching Kwan Lee and Yonghong Zhang, “The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China,” *American Journal of Sociology* 118, no. 6 (2013): 1475–508.
 43. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012).
 44. Feng Chen and Xin Xu, “Active Judiciary”: Judicial Dismantling of Workers’ Collective Action in China,” *The China Journal* 67 (January 2012): 87–107.
 45. The Supreme People’s Court has digitalized court judgments and made them publicly available. As of February 2018, more than 43 million court judgments were available online, and thousands of new cases are added daily. China Judgments Online (中国裁判文书网): <http://wenshu.court.gov.cn/>.
 46. Huang, “Dispatch Work in China.” 247–87.
 47. Jenny Chan and Mark Selden, “China’s Rural Migrant Workers, the State, and Labor Politics,” *Critical Asian Studies* 46, no. 4 (2014): 599–620; Tim Pringle, “A Class against Capital: Class and Collective Bargaining in Guangdong,” *Globalizations* 14, no. 2 (2017): 245–58.
 48. Daniel S. S. Cairns, “New Formalities for Casual Labor: Addressing Unintended Consequences of China’s Labor Contract Law,” *Washington International Law Journal* 24, no. 1 (2015): 219–52.
 49. Liu, “Private Employment Agencies and Labour Dispatch in China,” 7.
 50. Miao Chun Yu (苗春雨), “Regulate Labor Dispatch, Improve Monitoring Mechanism: China’s Current Labor Dispatch Regulatory Situation and Suggestions” (规范劳务派遣用工，完善监管机制—我国劳务派遣规制现状与建议), Chinese Academy of Labor and Social Security (中国劳动保障科学研究院), Labournews.com.cn (中国劳动保障报), 21 January 2017 [in Chinese], <http://www.sjzjy.gov.cn/col/1506566688211/2017/02/03/1509968758855.html>. See also, Feng Xiaojun, “Regulating Labour Dispatch in China: A Cat-and-Mouse Game,” *China Information* 33, no. 1 (2019): 88–109.
 51. On labor precarization, see Ching Kwan Lee, “Precarization or Empowerment? Reflections on Recent Labor Unrest in China,” *Journal of Asian Studies* 75, no. 2 (2016): 317–33; Ching Kwan Lee, “China’s Precariats,” *Globalizations* 16, no. 2 (2019): 137–54. An exception, with reference to a 2011 survey study, shows generally good working conditions of both agency and regular workers at five auto assembly factories in Guangzhou, Shanghai, Tianjin, and Yantai. See Yiu Por (Vincent) Chen and Anita Chan, “Regular and Agency Workers: Attitudes and Resistance in Chinese Auto Joint Ventures,” *The China Quarterly* 233 (March 2018): 85–110.
 52. Allan Xu, “China’s Labor Dispatch Laws Come into Effect: Signalling Sweeping Change for Employment Structures,” 8 March 2016, Asia Briefing Ltd. <http://www.china-briefing.com/news/2016/03/08/china-labor-dispatch-laws-come-into-effect.html>.
 53. Marc Blecher, “Working Class Re-Formation and De-Formation in the PRC,” in *Handbook on Class and Social Stratification in China*, ed., Yingjie Guo (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2016), 335–61.
 54. Jenny Chan, Ngai Pun and Mark Selden, “Interns or Workers? China’s Student Labor Regime,” *Asian Studies* 1, no. 1 (2015): 69–98, <https://doi.org/10.6551/AS.0101.04>; and *Asia-Pacific Journal* 13, no. 2 (2015), <http://apjjf.org/-Jenny-Chan/4372>; Jenny Chan, “Intern Labor in China,” *Rural China: An International Journal of History and Social Science* 14, no. 1 (2017): 82–100.

8. Worker protests and state response in present-day China: trends, characteristics, and new developments, 2011–2016

Lu Zhang

INTRODUCTION

In recent years China has witnessed a continuing rise in labor unrest in the context of rapid capitalist development, economic restructuring, demographic shifts, and worsening labor conditions. While no official statistics on strikes and worker protests in China are available, according to the Hong Kong-based *China Labour Bulletin* (CLB), over 9,000 strikes and protests were reported between 2011 and 2017 across China, constituting 5–10 percent of all incidents of worker collective action in China.¹ At the end of the first decade of the twenty-first century, there were an estimated 30,000 strikes and protests in China each year.² The number of labor dispute cases also increased dramatically, from 48,121 in 1996 to 693,465 in 2008, to 828,714 in 2016.³ Thus, it has been argued that by the second decade of the twenty-first century, China had become the new “epicenter of world labor unrest.”⁴ Further, official Chinese discourse has openly acknowledged that labor unrest has become one of the most prevalent forms of social conflict in contemporary China.⁵

Amid the rising tide of worker protests, the 2010 auto strike wave is widely seen as a turning point, for striking workers demanded not only a significant pay increase but also the ability to elect their own union officials at the factory union—a branch of the All-China Federation of Trade Unions (ACFTU), the only legal union in China under the leadership of the Chinese Communist Party (CCP). The strike’s success in winning concessions inspired a wave of strikes in a dozen other auto parts plants, as well as in other manufacturing sectors and regions. Most were able to bring about wage increases, and some also promoted trade union reforms at the enterprise level. Furthermore, the 2010 strike wave pressured the Guangdong government to pass legislation in support of regularized collective wage bargaining at the enterprise and industry levels.⁶

In the wake of the 2010 auto strike wave, scholars have emphasized the contribution of changing structural conditions to rising labor power and worker activism in China. These changes include a growing migrant labor shortage in coastal regions, political opportunities opened up by new labor laws, and the state’s more pragmatic and conciliatory approach to worker protests under the Hu-Wen administration (2002–2012).⁷ However, since 2012, as China’s economy has slowed and labor unrest has continued to escalate, the CCP under the new leadership of Xi Jinping has tightened political control and adopted a more repressive approach to worker activism and labor nongovernmental organizations (LNGOs). The crackdown on high-profile LNGOs in Guangdong in 2015 is seen as a significant turn by the CCP to a hardline stance toward worker activism in China.

This chapter examines the causes, trends, characteristics, and strategies of worker protests and state response in present-day China, with a focus on the more recent

developments in the aftermath of the 2010 auto strike wave. More specifically, drawing on secondary sources and years of field research on state–labor relations in China by the author, this chapter analyzes: the main protagonists of worker protests; the development of workers’ demands and their ability to organize; the tactics they utilize; and how the Chinese Party-state and the official trade union respond to escalating worker protests. The chapter finds that Chinese workers gained bargaining power amid demographic shifts and a growing labor shortage, as well as the more conciliatory state policies and labor laws under the Hu-Wen administration. As such, workers have become more emboldened to seek redress for their grievances and demand better pay and working conditions from their employers. The protagonists and demands of labor protests have become more diverse as well. Furthermore, with the support of labor rights groups and the rapid development of social media in China, workers have become increasingly well organized, and they have been able to stay united and elect their own representatives to engage in collective bargaining with management.

The escalation of labor unrest in a wide range of industries has forced the Chinese government to oscillate between repression and accommodation, placing more pressure on the official trade union to reform and to be more responsive to workers’ grievances in order to better preempt strikes and maintain stability. Yet, at the same time, the Chinese government has remained firmly in charge, and it has taken an increasingly repressive approach to worker activists and labor rights groups in the face of China’s continued economic downturn and tightened political control under the Xi administration. These findings reveal useful insights into the forms, expressions, potential, and limits of ongoing worker protests in present-day China, and how state–labor relations might progress in the coming decades.

In the following sections, the chapter first lays out the broad socioeconomic context contributing to the continuing rise of worker protests in China. Next, it describes the overall trends and main causes of worker protests from 2011 to 2016, based on the CLB’s Strike Map and relevant news reports. It then examines the changing protagonists, characteristics and strategies of workers protests by analyzing representative cases from the manufacturing, transportation, and services sectors. The chapter then explores how the Chinese state and the official trade union have responded to worker protests, along with the changing economic and political climates that have directly affected worker protest dynamics. The chapter concludes by highlighting the main findings and drawing out their implications for state–labor relations and trade union reforms under the tightened political controls of the Xi administration, and offering suggestions for further research.

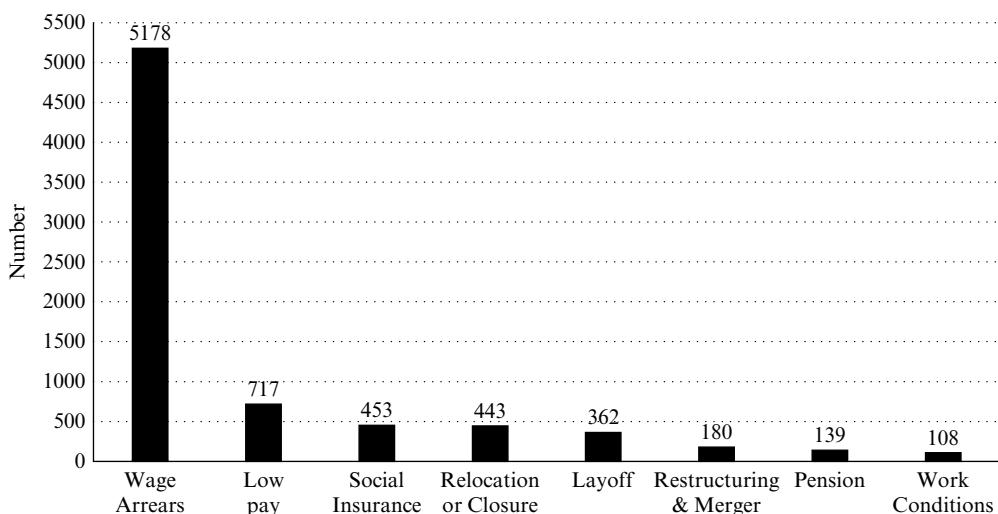
CONTEXT, TRENDS, AND CAUSES OF WORKER PROTESTS IN CHINA, 2011–2016

The first decade of the twenty-first century witnessed China’s rapid rise to become the world’s second largest economy measured by gross domestic product (GDP). However, declining overseas demands in the aftermath of the 2008 global economic crisis, combined with rising manufacturing costs in China, have negatively affected the manufacturing sector. The labor-intensive, export-oriented manufacturing industries were hit particularly hard. In 2012 China’s economic growth rate began to fall, from double digits to 6–7 percent between 2012 and 2016.⁸ Meanwhile, Beijing has attempted to rebalance and

restructure China's economy away from low-wage, export-oriented manufacturing industries to develop higher value-added, innovation-based industries. As a result, a major wave of factory closures and relocations has been taking place in China as low-wage assembly industries have been encouraged to relocate, expand into inland provinces, or outsource to low-cost producing centers in Southeastern Asia.

When capital flees and business closes down, workers' rights and interests are often hurt the most. Unsurprisingly, a considerable number of worker protests during this time period were related to business relocation and closures. As shown in Figure 8.1, the main grievances spurring worker protests during this time period concerned wage arrears, low pay, unpaid social insurance, severance compensation, factory relocation or closure, layoffs, and restructuring and mergers. There were also overlaps in the causes of worker protests.⁹ In 2014, a statement by the Chinese President Xi Jinping indicated that China had entered the "New Normal," a new stage of development characterized by economic rebalancing and diversification, and slower but perhaps more sustainable economic growth in the medium to long term.¹⁰

At the same time, changing demographics and growing labor shortages have given Chinese workers greater labor market bargaining power, driving up manufacturing wages quickly. For more than two decades, China's rural migrant labor has fueled the industrial boom in coastal regions and contributed to the competitiveness of China's labor-intensive, export-oriented manufacturing, earning China designation as the world's factory.¹¹ Most observers thought that migrant labor from China's rural areas would be part of an inexhaustible supply of cheap labor for a very long period. Many were caught by surprise when a serious migrant labor shortage (*mingong huang*) first emerged in China's coastal regions in the spring of 2004.¹² This development resulted in part from China's changing



Note: There were overlaps in the causes for worker protests.

Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), compiled by the author.

Figure 8.1 Main causes of worker protests in China, 2011–2016

demographics, as the working-age population in China peaked in 2012 and has declined since.¹³ It also derived from pro-rural governmental policies and improved conditions in China's countryside since the mid-2000s, as well as growing factory employment in the hinterland as factories relocated to central and western regions.¹⁴

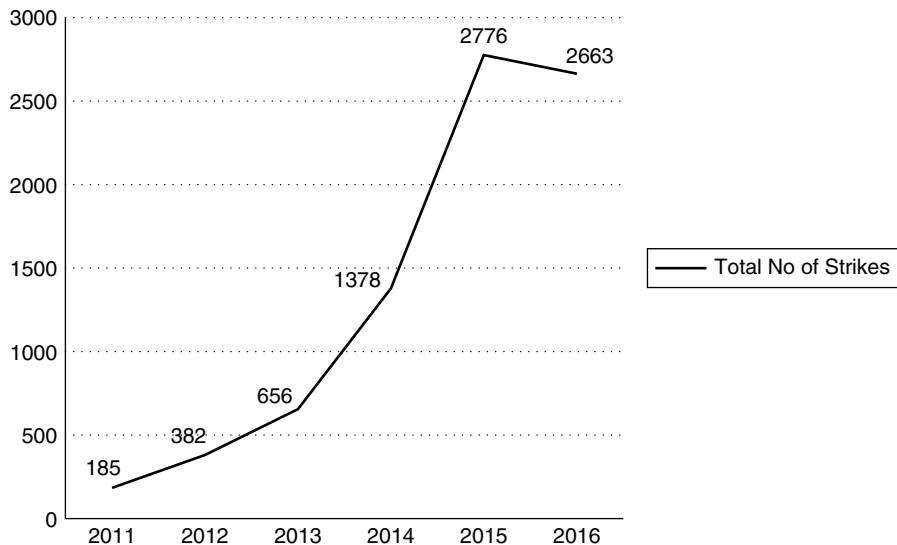
Competition for laborers from inland provinces has exacerbated the migrant labor shortages in coastal regions, giving migrant workers more labor market bargaining power over employers.¹⁵ As a result, migrant workers have become more emboldened to seek redress for their grievances and demand higher pay and better working conditions from their employers. And, they have been successful in this regard. According to the Chinese official statistics, migrant workers' wages increased at an average annual rate of 12.7 percent between 2010 and 2015, higher than the GDP growth rate during the same period.¹⁶ Further, the wage gap between the east coast and the inland provinces has been shrinking quickly. According to recent data from Euromonitor International, hourly incomes in China as a whole have exceeded those in major Latin American countries (apart from Chile), and by 2017 were at around 70 percent of the level of weaker Eurozone countries.¹⁷

Furthermore, a new generation of migrant workers—those who were born after 1980—accounted for 58.4 percent of the total population of migrant workers as of 2011.¹⁸ Compared to the first generation, studies have found that the new generation of migrant workers in the Pearl River Delta (PRD) region are better educated and have a fuller sense of rights. They also have strong desires to stay in the city, and they long for economic and social advancement as well as workplace equality and dignity in the city. However, the harsh reality of low pay, lack of advancement opportunities, and not being accepted in cities often makes them feel frustrated and resentful.¹⁹ While the younger generation of migrant workers still frequently job-hops as a result of their discontent with pay and working conditions, increasing numbers of workers have begun to demand inclusion in cities and a fair share of the fruits of economic growth through both collective actions and more regularized channels, such as participation in grassroots union elections and collective bargaining.²⁰

It is against this socioeconomic context that the number of strikes and worker protests in China began to escalate in 2011 (Figure 8.2).²¹ According to the CLB Strike Map, the manufacturing and construction sectors continued to see an upsurge in strikes and protests, accounting for almost two-thirds of the total worker protests; but other sectors, such as transportation and service, also experienced a rising tide of labor unrest between 2011 and 2016 (Figure 8.3). In terms of geographic distribution, Guangdong—China's export-oriented manufacturing powerhouse and the epicenter of Chinese worker activism for a long time—continued to lead in the total number of strikes and protests. Yet strikes and protests also spread to other regions, from the more prosperous eastern provinces of Jiangsu and Shandong, to less developed inland provinces such as Henan and Sichuan. This followed the relocation of labor-intensive, low-wage manufacturing from the eastern region to the central and western regions (see Figure 8.4 and Table 8.1).

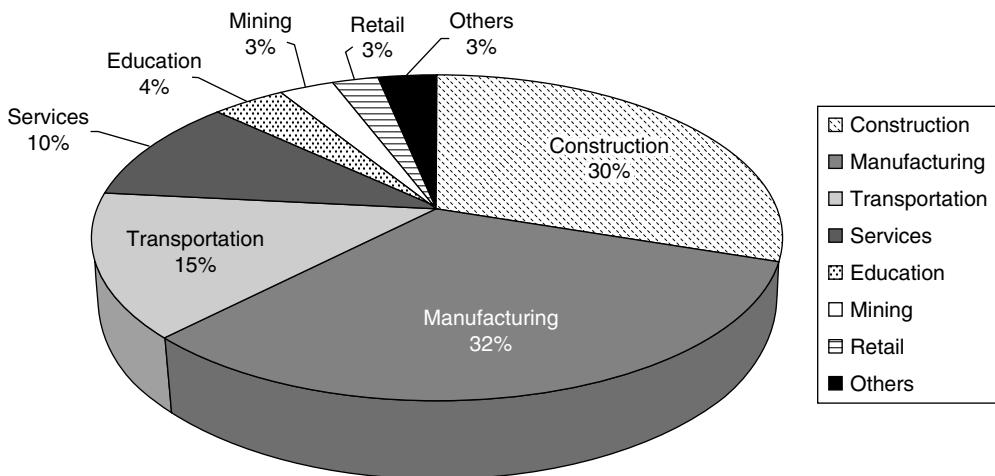
THE MAIN CHARACTERISTICS AND STRATEGIES OF WORKER PROTESTS

The worker protests that arose during this period exhibited several main characteristics. First, as indicated above, the participants in labor protests were more diverse than in the



Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), compiled by the author.

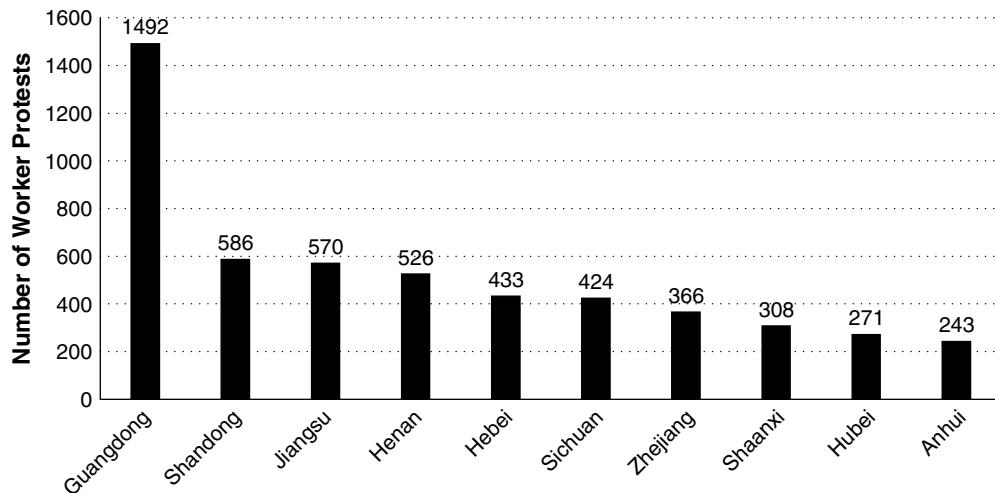
Figure 8.2 Total number of recorded strikes and worker protests, 2011–2016



Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), compiled by the author.

Figure 8.3 Distribution of worker protests in China by industry, 2011–2016

past. While manufacturing and construction workers have long been, and have continued to be, prominent in such actions, since 2010 workers in other sectors—notably in transportation, service, and education—frequently have staged strikes and protests. Facilitated by social media, many of these protests have been industry-wide and have arisen in clusters across the country. Because work in these sectors is often directly related to the everyday



Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), complied by the author.

Figure 8.4 Top ten provinces of recorded strikes and protests, 2011–2016

Table 8.1 Distribution of strikes and protests in China by region, 2011–2016

			Year						Total
			2011	2012	2013	2014	2015	2016	
Strikes in different regions of China	East	Count	118	273	436	776	1,446	1,309	4,358
		% in year	63.8	71.5	66.9	56.6	52.5	49.8	54.6
	Middle	Count	34	56	112	295	708	668	1,873
		% in year	18.4	14.7	17.2	21.5	25.7	25.4	23.5
	West	Count	33	53	104	301	602	654	1,747
		% in year	17.8	13.9	16.0	21.9	21.8	24.9	21.9
Total		Count	185	382	652	1,372	2,756	2,631	7,978
		% in year	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Note: The East region includes Beijing, Tianjin, Hebei, Liaoning, Shanghai, Jiangsu, Zhejiang, Fujian, Shandong, Guangdong, and Hainan. The Middle includes Shanxi, Jilin, Heilongjiang, Anhui, Jiangxi, Henan, Hubei, and Hunan. The West includes Inner Mongolia, Guangxi, Chongqing, Sichuan, Guizhou, Yunnan, Tibet, Shaanxi, Gansu, Ningxia, Qinhai, and Xinjiang.

Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), coded and calculated by the author.

lives of the general public, these collective actions have tended to have high visibility and a far greater social impact than has been the case for manufacturing and construction workers. For instance, when cargo workers at Shenzhen Airlines staged a two-day strike demanding higher pay at Baoan Airport (Shenzhen) in December 2013, many flights were delayed and a large number of passengers were stranded at the airport. Similarly, when sanitation workers in Guangzhou staged strikes and protests in 2013 and 2014 demand-

ing higher wages and long-overdue social insurance premiums, they gained broad public support and forced local governments to somewhat improve pay and working conditions for sanitation workers.²²

Notably, transport worker strikes, particularly those by taxi and truck drivers, have become a common presence in Chinese cities in recent years. Transport workers historically have been known for having relatively strong workplace bargaining power due to their nodal position in distribution networks; therefore, their collective actions tend to be highly disruptive. As a result, state regulation has been far more central and direct in the labor protests in the transportation sector. For example, when several thousand container truck drivers went on strike to demand an increase in their freight rates and to protest rising fuel costs and excessive fees at the Shanghai Port in April 2011, the busiest port in China was completely paralyzed and nearly 100,000 containers of freight were delayed.

Because of the just-in-time delivery system and the chain effects within the highly interconnected modern transport system, the truck drivers' strike at the Shanghai Port had a cascade effect on ports along the Yangtze River and around the world. Manufacturers, shipping and export companies, trading companies, and consumers were all affected by the strike. The Shanghai government responded quickly, sending in several thousand riot police and arresting dozens of strikers. Yet it also made some concessions; most notably, it tried to defuse anger over high fuel prices among the striking drivers by cutting fees.²³ However, most drivers were dissatisfied with the outcome, saying the new rules were not much help with their wages, and that another strike would break out sooner or later without systematic change.²⁴ Indeed, in August 2014, a similar massive strike—with nearly 10,000 truck drivers demanding an increase in freight rates to offset the increased fuel costs—completely paralyzed Ningbo's Beilun Container Port.²⁵ Similarly, a two-day taxi drivers' strike in Nanjing in January 2015 left thousands of people scrambling to find alternate transportation at the city's airport, train stations, and bus terminals.²⁶

The CLB Strike Map shows that since 2011, every province except Tibet has experienced organized taxi strikes, evidence of pervasive labor issues and widespread discontent in the industry. In most cases, taxi drivers have protested against high monthly leasing fees, soaring expenses, government regulation, and unfair competition from unlicensed drivers of new ride-hailing apps like DiDi.²⁷ Frequent strikes have put pressure on the Chinese government to address taxi drivers' grievances and reform the system. In 2015, the official *People's Daily* openly criticized the current contract system in the taxi industry as "deformed" and called for an end to the monopoly enjoyed by taxi companies.²⁸ In July 2016, the State Council Office issued "Guiding Opinions on Deepening the Reform and Promoting the Healthy Development of the Taxi Industry," requesting taxi companies to reduce excessive leasing fees and mortgage payments of taxi drivers.²⁹

Teachers have emerged as another restive worker group that regularly has undertaken collective action against low pay, wage arrears, and poor working conditions. The CLB's Strike Map data recorded 326 labor incidents in the education sector between 2011 and 2016 throughout China. They include participants across all levels of education, from preschool teachers to university level, pointing to "the deep-seated and widespread problems in China's education system as a whole."³⁰

China also has witnessed rising labor activism in the service sector. As China has shifted its focus from manufacturing and restructure toward a service-oriented economy, since 2011 the majority of China's labor force has been employed in the service sector.³¹ As of

2016, the service sector accounted for 51.6 percent of GDP and employed 43.5 percent of the workforce.³² Nearly 47 percent of migrant workers were estimated to be employed in the service sector in 2016, up from around 33 percent in 2011.³³ These services jobs typically pay less than manufacturing, and labor relations in the service sector tend to be more precarious, irregular, and unstable. According to a recent Survey Report on Labor Conditions of Service Sectors Workers, more than 70 percent of interviewed workers in the catering and restaurant business did not have labor contracts with their employers, which was considered an “industry norm.”³⁴ Extremely low pay, poor working conditions, and increased informalization—as reflected in the lack of labor contracts and social insurance and other mandatory benefits—have set the stage for increased labor unrest in China’s booming service sector. Sanitation workers, hotel workers, retail workers, and bank tellers have become active. The courageous struggles by Walmart workers in China against the implementation of a new flexible working schedule, and their fight for genuine union representation in 2016, demonstrated Chinese service workers’ growing sense of collective identity and determination to defend their rights.³⁵

It is worth noting that in addition to worker actions in the private sector, the latest push to reform state-owned enterprises (SOEs) and reduce industrial overcapacity has spurred another round of protests by SOE workers, the main protagonists of worker protests during the SOE reforms and massive layoffs of the late 1990s and early 2000s.³⁶ In early 2016 Beijing announced plans to downsize 1.8 million workers in the steel and coal industries—about 15 percent of the current workforce—over the next few years as part of efforts to reduce industrial overcapacity. Although the government stated that it had allotted 100 billion yuan to help compensate laid-off workers, worker protests against wage arrears and layoffs in the steel and coal mining industries have been on rise since late 2015, including several high-profile protests involving tens of thousands of workers. For instance, during the annual meeting of the National People’s Congress in March 2016, thousands of unpaid miners in the state-owned Heilongjiang Longmay Coal Group took to the streets to protest the company’s layoffs of 100,000 people and wage arrears. The protest forced the governor of Heilongjiang Province to issue an open apology to the miners and to vow to give the company “economic support” to ensure that workers would receive their back pay.³⁷ Similarly, 2,000 workers at the state-owned steel firm Ansteel in Guangzhou went on strike in February 2016, protesting against the new management policy of laying off workers, increasing workloads, and putting hundreds of workers on leave with little pay. Striking workers organized demonstrations on the factory grounds, demanding to sign new contracts with Ansteel and resisting base pay reduction. The strike ended under the pressure of riot police and after management promised to revoke the pay system.³⁸ Apparently, the SOE worker protests caused concerns about social stability among the CCP leadership, such that Beijing’s plans to shut mines, steel mills, and other loss-making production were slowed.

In addition, within China’s growing precarious workforce there has been rising activism among temporary agency workers (also known as dispatch workers), who are no longer on the “margins” but have become a main component of the Chinese workforce across sectors.³⁹ Temporary agency workers have long been subjected to discriminatory treatment at work, including lower pay, fewer benefits, less job security, and lack of advancement opportunities. In 2013, the Labor Contract Law was amended to address the rampant abuse of agency workers by employers to cut costs and make workers more vulnerable and

replaceable. On 1 March 2014, the Tentative Provisions on Labor Dispatching took effect, which required companies in China to reduce the use of agency workers to 10 percent of their total employees by 1 March 2016. Many employers responded by laying off agency workers or continuing to use them under the guise of service outsourcing or subcontracting.⁴⁰ To defend their employment and legal rights, from banking and telecommunication to the automobile industries, temporary agency workers have been protesting, petitioning, and filing lawsuits against layoffs and unequal treatment at work.⁴¹ Ongoing struggles by FAW-Volkswagen agency workers for “equal pay for equal work” compared to regular/formal employees highlight the plight of agency workers and their determination to defend their legal rights and dignity at work.⁴²

The second main characteristic of worker protests in the post-2010 era is that workers’ demands have become more diverse and far-reaching. On the one hand, the most common demands of worker protests have centered on economic issues such as wage arrears, low pay, reduction in wages, benefits and subsidies, layoffs, unpaid/underpaid social insurance, and severance compensation associated with business closures, mergers, and relocations. The Lide shoe factory strike for unpaid social insurance and relocation compensation and the struggles by Walmart workers at the Changde store over severance pay in the face of the store’s closure are representative cases. In such instances, workers’ collective actions tend to be rights-based and “defensive” in nature—that is, workers have been reacting to labor rights violations and defending their legal rights. Yet, at the same time, Chinese workers have undertaken concerted collective actions for higher pay and better working conditions that can be characterized as interest-based, “offensive” actions going beyond legal requirements.⁴³ In certain industries and regions, such as the auto parts industry in the Pearl River Delta (PRD), workers’ demands have begun shifting from short-term, economic gains towards establishing long-term, institutional protection of their economic and social rights, including active participation in democratic union elections and rebuilding effective enterprise unions.⁴⁴

Meanwhile, as the first generation of migrant workers has entered their mid-thirties and forties, they have begun paying more attention to mandatory pensions and social insurance payments by their employers. And the social security system reforms make it easier for migrant workers to access social insurance funds. As a result, a major demand of worker protests during this period has been the payment of unpaid/underpaid social insurance premiums (including pensions) by employers, as shown in Figure 8.1. The massive strike at Yue Yuen Industrial—the world’s largest manufacturer of sports shoes, and supplier of Adidas and Nike—in Dongguan (PRD) in April 2014 is a representative case. For two weeks, as many as 40,000 workers went on strike, demanding that the company pay the full amount of the pension and housing allowance contributions required by Chinese law.⁴⁵ The Dongguan local government intervened in the workers’ favor, requiring Yue Yuen to reimburse striking workers for underpaying their pension contributions over many years. Eventually, the management agreed to adjust the workers’ social insurance contributions and increase monthly living allowances.⁴⁶

The success of the Yue Yuen strike in winning concessions from employers inspired a wave of strikes over unpaid/underpaid social insurance across the PRD, forcing local governments to address long-overdue social insurance issues by enforcing social insurance legislation and ensuring that employers pay legally mandated social insurance contributions. The Yue Yuen strike shows that Chinese workers are increasingly capable

of organizing collective actions to defend their legal rights and to force their employer to make concessions. The strike also highlights the significance of social insurance as one of the key demands in migrant workers' struggles in present-day China.

The third main characteristic of worker protests during this period is that, facilitated by LNGOs and social media, the new generation of migrant workers has become increasingly well organized, and has been able to effectively utilize multiple tactics, stay united, and elect their own worker representatives to engage in negotiations and collective bargaining with management. With the common use of cheap smartphones and the rapid development of social media and messaging platforms such as Weibo (similar to Twitter), QQ and WeChat, the ability of workers to organize strikes and protests has been enhanced considerably. The majority of Chinese workers nowadays can use these tools to discuss and formulate their demands, strategies, and action plans prior to taking action; to keep in touch with their fellow workers and stay up to date with the latest developments during a strike or protest; and to spread strike information and draw the attention of the public, the traditional media, and local government officials. In some cases, we have observed coordinated strikes across factories or even regions, such as the Pepsi worker strikes in multiple Chinese cities, facilitated by the use of social media.⁴⁷

Most strikes and protests in China have been wildcat—organized by workers themselves without support from the official union ACFTU. LNGOs and labor rights groups have emerged to play an important role in supporting workers in their struggle with management, providing legal and practical advice and training, helping them to conduct collective bargaining, and facilitating the building of worker unity and solidarity during strikes and protests. This is particularly the case in more developed regions like the PRD, where strikes and protests have been most prevalent. The Lide strike is a case in point.

In December 2014, more than 2,700 workers at the Panyu Lide Shoes Co. Ltd. went on strike, demanding unpaid social insurance and severance compensation for discontinuing employees as the factory planned to relocate to another industrial district in Guangzhou. Before the strike, a dozen worker activists at Lide actively reached out to the Panyu Migrant Worker Service Center—an experienced LNGO in the PRD—for advice on their demands and tactics. The Panyu Center was actively involved in helping the Lide workers throughout their struggles from August 2014 to May 2015. With the assistance of the Panyu Center, workers elected their own representatives and held multiple meetings to discuss their demands and strategies. To show their determination and support for their worker representatives, the rank-and-file workers signed their names and contributed 20RMB each to a solidarity fund set up by workers in support of the strike. Under the leadership of the elected worker representatives, from December 2014 to April 2015, the Lide workers carried out three strikes and three rounds of negotiations with management, re-elected their worker representatives, and organized multiple worker representative meetings and consultation meetings among worker representatives and negotiators, as well as three factory-wide worker assemblies. The Lide workers utilized combined tactics of work stoppage, factory occupation, picket lines, and workers' assemblies to force the management to make more concessions during each round of negotiation. Eventually, the Lide management agreed to pay workers relocation compensation and housing fund arrears, and pledged to complete payment of social insurance arrears by the end of June 2015.⁴⁸

The Panyu Center and labor rights groups played an important role in supporting the strike by providing advice and facilitating the election of worker representatives. But

what makes the Lide case particularly encouraging is the fact that the workers and their elected representatives played a central role in building and consolidating their leadership, carrying forward strikes and negotiations, and sustaining unity among workers during the long drawn-out struggle. The Lide strike demonstrates Chinese workers' increased collective strength and organizing capacity.

THE STATE AND TRADE UNION RESPONSES

At the same time, workers' strikes and protests have been shaped by the responses of the official trade union and central and local governments. Four decades since its departure from state socialism, China retains the framework of a Leninist party-state led by the CCP, and the state still plays a decisive role in regulating industrial relations. Under the authoritarian regime and the state-controlled union structure, the space for workers' movements has been severely constrained and independent labor organizing has been subject to considerable repression. Yet, the Communist Party's official ideology and public commitment to "safeguarding the legitimate rights and interests of workers" provide Chinese workers with ready-made language and legitimate ideological claims the state cannot easily rebut.⁴⁹ Furthermore, the CCP's continuing adherence to its revolutionary tradition of the "mass line" has made it more responsive to popular demands than most other authoritarian regimes.⁵⁰ Indeed, scholars have characterized the Chinese Party-state's approach to governance and to managing state-society relations in the reform era as "adaptive,"⁵¹ "contentious,"⁵² "bargained,"⁵³ and "pragmatic."⁵⁴

Although there is no doubt that Beijing's priorities for the past 30 years have skewed heavily toward supporting rapid economic growth and those interests that most directly help achieve this goal—that is, those of managers/capitalists—it is important to recognize the centrality of maintaining stability as the fundamental logic of the CCP's claims to political legitimacy. That is to say, the Party's pursuit of economic growth is not the goal, but a means through which to strengthen the regime's legitimacy and to maintain its monopoly of political power. In other words, the impetus for China's economic reforms and marketization in the 1990s largely came from the belief of CCP top officials that market-oriented economic reforms are tactically necessary to create the conditions for more effective state guidance of the economy and to strengthen the state's power, rather than in pursuit of a liberal capitalist economy *per se*.⁵⁵

Thus the state's relationships with labor and capital in post-socialist China cannot be defined in a simple, static, and monolithic way. It is also important to recognize that in a country as diverse as China, the state's capacity and strategies regarding labor and social unrest vary widely by regions, economic sectors, policy areas, and administrative levels—as do the degrees of state intervention in resolving labor disputes. Indeed, China scholars have identified various contradictions and divisions within the Chinese state. These include conflicts between the central and local governments, competing factions within the CCP leadership, and divisions among various state agencies and bureaucracies at the same administrative level. Understanding the political logic and internal contradictions of the Chinese Party-state is key to understanding—in a more nuanced and dynamic way—how the state and the state-controlled trade union respond to labor unrest under specific political and economic circumstances.

Faced with the escalation of labor unrest and concerned about maintaining social stability, the central government has tended to oscillate between repression and accommodation. On the one hand, the CCP has attempted to stabilize labor relations through the development of labor laws and a labor dispute resolution system so as to channel worker protests into the formal legal system and off the streets.⁵⁶ It has also placed more pressure on the official ACFTU to reform and to become more responsive to workers' demands and grievances in order to better preempt strikes and maintain stability. On the other hand, the state has continued to repress political demands, such as the formation of independent labor unions that are perceived as threats to the CCP's political rule.⁵⁷ But the degree of repression and the latitude for labor activism has depended on the particular politico-economic context.

Under the Hu-Wen administration (2002–2012), the CCP adopted a more flexible and pragmatic approach to worker protests. During this period, the CCP tended to be more tolerant of workers' economic demands and allowed more space for LNGO activities and grassroots union experimentation.⁵⁸ This was in part because during this period, the Chinese economy was booming, labor shortages began to appear in the PRD, and Beijing had started reorienting and rebalancing the economy from low-wage, export-oriented growth to a more sustainable, higher value-added, domestic consumption-driven economy. More importantly, since the mid-1990s the intensified marketization and labor exploitation, as well as attacks on SOE workers' livelihoods, provoked a rising tide of labor protests. By the turn of the century, widespread labor unrest had begun to raise the specter of social instability and a "legitimacy crisis" for the CCP. This fear was one of the driving forces propelling the Hu-Wen administration to introduce new legislation and social policies as part of the pursuit of a "harmonious society," including the passage of three new labor laws in 2007 intended to stabilize labor relations and pacify disgruntled workers.

This more pragmatic and conciliatory approach can be clearly seen in the Guangdong government's depoliticized handling of the 2010 auto strikes, which provided the political opportunity for the subsequent development of worker activism and trade union reforms. Wang Yang, the head of the Guangdong provincial government at that time, defined the 2010 strikes as "workplace conflicts" rather than *wei wen* ("maintain stability") incidents. The local government supported the intervention of higher-level unions to resolve the conflicts through collective negotiations between striking workers and management, rather than through the police repression typically seen in *wei wen* incidents. This is partly due to the fact that officials in Guangdong have decades of experience in dealing with labor disputes, and they understand that "worker protests originate in conflicts between labor and management and that it is best left to the two parties concerned to work the problem out."⁵⁹ Thus the local government often takes a hands-off approach or intervenes in an attempt to put pressure on both labor and management to reach a negotiated settlement. Another important reason has to do with Guangdong's attempt to use workers' demands for higher wages to drive out the low-end manufacturing and to move up in global value chains through industrial upgrading and innovation—a strategy that Guangdong has adopted since 2007.⁶⁰ As such, the Guangdong government and the official union have had an interest in promoting regularized collective bargaining and wage increases. Guangdong's new development strategy has gone hand in hand with a more pragmatic and conciliatory approach to labor activism and civil society organizations.

It was within this larger political context that the ACFTU made efforts to reform and energize its grassroots unions in the aftermath of the 2010 strike. Although the CCP does not allow independent unions, when under pressure of rising labor unrest it has tolerated a certain space for the operation of grassroots unions in democratic enterprise union elections and collective wage negotiation in workplaces in order for the official trade unions to gain some legitimacy among workers and be more effective in preempting strikes and stabilizing labor relations. By 2012, democratic elections of grassroots unions and participatory collective bargaining had become important agenda items for the Chinese government and the ACFTU to build harmonious labor relations and maintain social stability.⁶¹ To be sure, the ACFTU's ability to reform in the direction of a more work-oriented trade union has been very limited given its political, structural, and institutional constraints under the leadership of the CCP.⁶² Yet recent empirical evidence suggests that, driven by worker activism, democratically elected grassroots unions in certain industries and regions played an active role in collective wage bargaining in the wake of the 2010 strike wave. Some of those grassroots unions have been effective in winning substantial wage increases for workers, such as in the auto parts industry in the PRD.⁶³

However, the rapid development of worker activism and the escalation of labor unrest since 2010, especially the large-scale Yue Yuen strike and the extraordinary mobilizing capacity and success of the Lide strikes facilitated by LNGOs with foreign funding, raised the alarm that a more organized and assertive working class may pose threats to the Party-state's political rule. Unlike his predecessor of the Hu-Wen administration, Xi Jinping—who arguably “enjoys a position in the Communist party pantheon below only Mao Zedong”—has pursued unassailable power and authority, tightened ideological and political control, and made persistent efforts to crush civil society.⁶⁴ This, combined with the continued economic downturn and a perceived more hostile international environment, has driven the CCP under the Xi administration to adopt an increasingly repressive approach to worker activism and LNGOs. Under China's “New Normal” since 2014, strikes are often treated as *wei wen* incidents, the police are frequently called in, and criminal charges are filed against striking workers, rights lawyers, and labor activists.⁶⁵ As shown in Table 8.2, there had been a dramatic increase in the police intervention in strikes and protests since 2014 according to the CLB Strike Map.

To be sure, the way and the extent to which local governments intervene in labor disputes vary according to regional political economies, industries, workers' bargaining

Table 8.2 Police involvement in strikes and worker protests, 2011–2016

		Year						
		2011	2012	2013	2014	2015	2016	Total
Police involved	Count	40	116	102	367	840	702	2,167
	% in year	31.3	49.4	49.5	84.6	95.2	89.4	81.2
Police not involved	Count	88	119	104	67	42	83	503
	% in year	68.8	50.6	50.5	15.4	4.8	10.6	18.8
Total		128	235	206	434	882	785	2,670
		100.0	100.0	100.	100.0	100.0	100.0	100.0

Source: The CLB Strike Map (<http://maps.clb.org.hk/strikes/en#>), coded and calculated by the author.

power, and the level of disruption caused by worker protests. For instance, as public employees, teachers' protests are often directly caused by changes in government policies or directives. They "are usually well-organized, have a good understanding of their legal entitlements, and can present a clear list of demands to both school administrators and local government officials."⁶⁶ As such, when teachers go on strike, local officials tend to respond quickly and offer some concessions to pacify disgruntled teachers. Transport workers' strikes, in contrast, are highly disruptive and have a direct impact on local transportation and public order. More often than not, local governments intervene directly by sending riot police to break up the strikes and restore public order, meanwhile addressing drivers' grievances through government-led mediation and negotiation that can result in some compromises and policy change.

CONCLUSION

This chapter has examined the causes, trends, characteristics, and strategies of worker protests and how the state and official trade union have responded, with a focus on developments in the aftermath of the 2010 auto strike wave. The evidence presented in this chapter shows that Chinese workers have gained growing bargaining power amid demographic shifts, a growing labor shortage, and changes in economic structures and state labor laws and policies. As such, workers have become more emboldened to redress grievances and demand better pay and working conditions from their employers. The protagonists and demands of labor protests have become more diverse as well. Furthermore, with the support of labor rights groups and the rapid development of social media in China, workers are increasingly well organized, and they are able to stay united and elect their own representatives to engage in collective bargaining. Yet, under the authoritarian political system and the state-controlled union structure, the space for labor activism is restricted and precarious, contingent on the broader economic and political climates. As China's economy has slowed since 2012, the CCP under the leadership of Xi Jinping has moved towards tightened political and ideological control and an increasingly repressive approach to worker activism. In addition, central leaders have taken steps to curb increases in the minimum wage, cut social security burdens on companies, and clamp down on labor activists and LNGOs.⁶⁷ These developments seem to portend rather dire prospects for labor activism and trade union reforms in China.

Yet, at the same time, maintaining stability remains the top priority of the Chinese government, particularly during times of economic downturn. As Chinese workers have gained growing bargaining power and have become increasingly active and better informed about their rights, the CCP has appeared to understand that repression alone will not suffice. There is evidence that the Party-state has continued to follow the political logic of pragmatic authoritarianism by combining repression with conciliatory and adaptive policies to maintain industrial peace and social stability. Faced with escalating labor unrest, in 2015 President Xi openly ordered the ACFTU to come up with a reform plan to improve workplace representation.⁶⁸ In the same year, the CCP Central Committee and State Council issued "Opinions on Constructing Harmonious Labor Relations," stressing the urgency of "building harmonious labor relations," promoting collective bargaining and collective contracts, and strengthening grassroots trade unions.⁶⁹ In his

opening speech to the 19th Party Congress, Xi called on China's trade unions to engage in tripartite negotiations with enterprises and the government so as to "build harmonious labor relations and ensure that workers get a fair and decent income for their endeavors."⁷⁰

The CCP has also increased its support for party-led mass organizations (*quntuan zuzhi*),⁷¹ and made efforts to cultivate and guide social organizations in the field of labor relations to absorb and mitigate labor disputes and activism.⁷² This leaves some space—albeit shrinking and discursive—for labor activism and adaptive grassroots union reform within the existing structure. Further research into the strategies and tactics of worker activism and the operation of grassroots unions in different industries and regions under the "New Normal," as well as the concrete social processes and institutional mechanisms between bottom-up labor unrest and top-down state and union reforms in an authoritarian regime, is essential to understanding how the Chinese trade unions and state-labor relations might progress in the coming decades.

NOTES

1. This statistic is based on CLB's Strike Map (<http://maps.clb.org.hk/strikes/en>), an online database that records workers' collective protests across China since February 2011. As the CLB acknowledges, the Strike Map only includes those incidents that have been reported in the media or on Chinese social media, and as such it should not be seen as a definitive record of strikes in China. For more details, see CLB, "An Introduction to China Labour Bulletin's Strike Map," 29 March 2016, <http://www.clb.org.hk/content/introduction-china-labour-bulletin%E2%80%99s-strike-map>.
2. Jianrong Yu, *Kangzhengxing Zhengzhi: Zhongguo Zhengzhi Shehuixue Jiben Wenti* [Contentious Politics: Fundamental Issues in Chinese Political Sociology] (Beijing: People's Publishing House, 2010).
3. National Bureau of Statistics (NBS) and Ministry of Human Resources and Social Security (MOHRSS), *China Labour Statistical Yearbook 2016* (Beijing: China Statistics Press, 2017).
4. Beverly Silver and Lu Zhang, "China as an Emerging Epicenter of World Labor Unrest," in *China and the Transformation of Global Capitalism*, ed., Ho-Fung Hung (Baltimore: Johns Hopkins University Press, 2009), 174–87.
5. Chinese Academy of Social Science, *Blue Book of China's Society: Society of China Analysis and Forecast (2015)* (Beijing: China Social Sciences Academic Press, 2014).
6. Chris King-Chi Chan and Elaine Sio-Ieng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-Led Wage Bargaining,'" *The China Quarterly* 217 (March 2014): 221–42; Kevin Gray and Younseok Jang, "Labour Unrest in the Global Political Economy: The Case of China's 2010 Strike Wave," *New Political Economy* 20, no. 4 (2015): 594–613.
7. Mary E. Gallagher, "China's Workers Movement and the End of the Rapid-Growth Era," *Daedalus: Journal of the American Academy of Arts and Sciences* 143, no. 2 (2014): 81–95; Manfred Elfstrom and Sarosh Kuruvilla, "The Changing Nature of Labor Unrest in China," *Industrial and Labor Relations Review* 67, no. 2 (2014): 453–80.
8. National Bureau of Statistics of China (NBSC), "Statistical Communiqué of the People's Republic of China on the 2016 National Economic and Social Development," 28 February 2017, http://www.stats.gov.cn/tjsj/zxfb/201702/t20170228_1467424.html.
9. In many cases, protests against wage arrears, low pay, compensation, and unpaid social insurance were directly linked to factory relocation or closures, restructuring, and downsizing.
10. Angang Hu, "Embracing China's 'New Normal,'" *Foreign Affairs*, 20 April 2015, <https://www.foreignaffairs.com/articles/china/2015-04-20/embracing-chinas-new-normal>.
11. Ngai Pun, *Made in China: Women Factory Workers in a Global Workshop* (Durham, NC: Duke University Press, 2005); Ching Kwan Lee, *Against the Law: Labor Protests in China's Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007).
12. Dunfeng Dai, "China is experiencing a 'Migrant Labor Shortage' for the first Time in 20 Years," *Southern Weekly*, 15 July 2004, <http://news.163.com/40715/7/0RBLDK210001124T.html>.
13. *Financial Times*, "End of the Migrant Miracle: China at the Lewis Turning Point," 1 May 2015, <https://www.ft.com/video/978ecf40-93bb-3627-a0c9-043cf693479a>.
14. Xuefeng He, "Yeshuo mingong huang" [Rethink Migrant Labor Shortage], 24 February 2011, <http://www>.

- snzg.cn/article/2011/0224/article_22361.html; Shaohua Zhan and Linli Huang, "Rural Roots of Current Migrant Labor Shortage in China: Development and Labor Empowerment in a Situation of Incomplete Proletarianization," *Studies in Comparative International Development* 48, no. 1 (2013): 81–111.

15. Xiuzhong Li et al., "Migrant Labor Shortage in Spring: The Battle for Labor Force between East China and West China," *China Business News*, 9 February 2011, <http://finance.ifeng.com/news/20110209/3368764.shtml>.

16. Tianliang Bai, "How Fast Is the Rise of Migrant Workers' Wages?" *People's Daily*, 29 April 2016, <http://politics.people.com.cn/n1/2016/0429/c1001-28313088.html>.

17. Jamie Han, "Chinese Wage Growth is Soaring," *Financial Times*, 27 February 2017, <https://www.ft.com/video/566dc6b8-db59-38b9-b5ce-07205c76626c>.

18. NBSC, "The Number, Structure, and Characteristics of the New Generation of Migrant Workers," 11 March 2011, http://www.stats.gov.cn/ztjc/ztxf/fxbg/201103/t20110310_16148.html.

19. Ngai Pun and Huilin Lu, "A Culture of Violence: The Labor Subcontracting System and Collective Action by Construction Workers in Post-Socialist China," *The China Journal* 64 (2010): 143–58; Lu Zhang, *Inside China's Automobile Factories: The Politics of Labor and Worker Resistance* (New York: Cambridge University Press, 2015).

20. Jianrong Yu, "Study on the Demands and Social Stability of the New Generation of Migrant Workers" (Xinshengdai nongmin gong de shehui suqiu yu shehui wending yanjiu), *Study & Exploration* 232, no. 11 (2014): 46–51.

21. While better data tracking could account for the dramatic increase, the upward trend since 2011 was still very obvious. See CLB, "Strikes and Protests by China's Workers Soar To Record Heights in 2015," 1 July 2016, <http://www.clb.org.hk/en/content/strikes-and-protests-china%E2%80%99s-workers-soar-record-hei-gths-2015>.

22. CLB, "Searching for the Union: The Workers' Movement in China 2011–2013," February 2014, http://www.clb.org.hk/sites/default/files/archive/en/File/research_reports/searching%20for%20the%20union%201.pdf.

23. James Arddy, "Shanghai Truckers Mount Rare Protest," *Wall Street Journal*, 22 April 2011, <https://www.wsj.com/articles/SB10001424052748704889404576276780540103342>.

24. Michael Martina, "Shanghai Port Traffic Returns As Strike Dwindles," *Reuters*, 25 April 2011, <https://www.reuters.com/article/uk-china-strike/shanghai-port-traffic-returns-as-strike-dwindles-idUSLNE73O0J20110425>.

25. Qinger Gu, "Nearly 10,000 Truck Drivers in Ningbo Went on Strike and Clash with the Police, Alarming High-Level Officials," *Epoch Times*, 20 August 2014, <http://www.epochtimes.com/gb/14/8/20/n4229570.htm>.

26. Andrew Jacobs, "Taxi Strikes Spread across China," *New York Times*, accessed 22 October 2017, <https://cn.nytimes.com/china/20150115/c15chinataxi/en-us/>.

27. CLB, "Searching for the Union."

28. Ping Lu, "Opinions on People's Livelihood: How to Change the Taxi Industry from 'Hard At Both Ends' to 'Sweet At Both Ends'" (Minsheng guan: chuzu che 'liangtou nan' za bian 'liangtou tian'), *People's Daily*, 6 January 2015, A8, <http://opinion.people.com.cn/n/2015/0106/c1003-26334278.html>.

29. For a more detailed discussion on taxi drivers' protests, see Elfstrom's chapter in this Handbook.

30. Keegan Elmer and Geoffrey Crothall, "Over-Worked and Under-Paid: The Long-Running Battle of China's Teachers for Decent Work," *China Labour Bulletin*, May 2016: 27, <http://www.clb.org.hk/sites/default/files/Teachers%20final.pdf>.

31. NBSC, "Statistical Communiqué on the 2014 National Economic and Social Development," 26 February 2015, http://www.stats.gov.cn/tjsj/zxfb/201502/t20150226_685799.html.

32. Xinhua News Agency, "Share of Services Hits Record High in China 2016 GDP," 20 January 2017, http://www.chinadaily.com.cn/business/2017-01/20/content_28011014.htm.

33. Tom Hancock, "China's Migrant Workers Feel Pinch As Beijing Pulls Back on Wages," *Financial Times*, 3 September 2017, <https://www.ft.com/content/0383433e-8ca0-11e7-a352-e46f43c5825d>.

34. Worker Empowerment, "Survey Report on Working Conditions of Service Workers" (Fuwyue gongren laodong zhuangkuang diaocha baogao ji), August 2017: 3, <http://www.workerempowerment.org/en/files/2017%E5%B9%B4%E6%9C%8D%E5%8A%A1%E4%B8%9A%E5%B7%A5%E4%BA%BA%E5%8A%B3%E5%8A%A8%E7%8A%B6%E5%86%B5%E8%80%83%E6%9F%A5%E6%8A%A5%E5%91%8A%E9%9B%86.pdf>.

35. Anita Chan, "The Resistance of Walmart Workers in China: A Breakthrough in the Chinese Labour Movement," *Made in China: A Quarterly on Chinese Labour, Civil Society, and Rights* 1, no. 2 (2016): 11–15; Tim Pringle and Geoffrey Crothall, "China's Walmart Workers: Creating an Opportunity for Genuine Trade Unionism," October 2017, <http://www.clb.org.hk/sites/default/files/Walmart%20report%20Final.pdf>.

36. Yongshun Cai, *State and Laid-off Workers in Reform China* (London and New York: Routledge, 2004); Feng Chen, "Industrial Restructuring and Workers' Resistance in China," *Modern China* 29, no. 3 (2004): 237–62; Lee, *Against the Law*; William Hurst, *The Chinese Worker After Socialism* (New York: Cambridge University Press, 2009).

37. Chris Buckley, "Official Admits He Gave Misleading Account of Chinese Miners' Plight," *New York Times*, 14 March 2016, <https://cn.nytimes.com/china/20160314/c14china/en-us/>.
38. CLB, "China's Miners and Steel Workers Ready to Resist Inequitable Layoffs," 3 March 2016, <http://www.clb.org.hk/content/china%E2%80%99s-miners-and-steel-workers-ready-resist-inequitable-layoffs>.
39. "The ACFTU Aims to Organize 27 Million Dispatched Workers to Join the Union, Fighting for Equal Pay for Equal Work," *The 21st-Century Business Herald*, 19 August 2011, <http://business.sohu.com/20110819/n316743336.shtml>.
40. Wenzhuo Peng, "Why Is It Difficult to Cure the Abusive Use of Labour Dispatching?" (Lanyong laowu paiqian weihe nan genzhi?), *Worker's Daily*, 5 January 2016: 5.
41. Yijun Chen, "At the Headquarters of Industrial and Commercial Bank of China and China Construction Bank, Several Hundred Employees Took to the Streets to Defend their Legal Rights," *China Times*, 30 July 2013, <http://www.chinatimes.com/cn/newspapers/20130730001030-260309>; Zhang, *Inside China's Automobile Factories*, chapter 6.
42. CLB, "One Year On, the Struggle Continues for Volkswagen Workers in Changchun," 8 November 2017, <http://www.clb.org.hk/content/one-year-struggle-continues-volkswagen-workers-changchun>.
43. See Elfstrom and Kuruvilla, "The Changing Nature of Labor Unrest in China," for discussion on the two types of strike. While the distinction between defensive and offensive or rights-based vs. interest-based actions can be a useful analytical tool, it should not be used in a mechanical, linear way to measure the progress and strength of workers' movements and organizing capacity. For one, workers' demands tend to be multi-dimensional, and they are often a conflation of rights-based and interest-based claims. Furthermore, in many cases, rights-based, defensive strikes can reflect high-level organizing capacity and workers' collective strength and unity, as demonstrated in the Yue Yuen and Lide strikes.
44. Xiaoyi Wen, "Direct Election of the Trade Union: Experience and Lessons from Guangdong Practice," *Open Times* 5 (2014), <http://www.opentimes.cn/bencandy.php?fid=377&aid=1835>; Tao Yang, "Microscopic Analysis of the Process of Resolving Labor Conflicts: A Comparative Study of Grassroots Unions," *China Human Resources Development* 7 (2016): 16–22.
45. Jenny Chan and Mark Selden, "China's Rural Migrant Workers, the State, and Labor Politics," *Critical Asian Studies* 46, no. 4 (2014): 599–620.
46. Demetri Sevastopulo, "Chinese Factory Told to Reimburse Striking Workers," *Financial Times*, 24 April 2017, <https://www.ft.com/content/90612d7a-cb6a-11e3-ba9d-00144feabdc0>.
47. CLB, "The Observation Report on Chinese Workers' Movement, 2013–2014," 30 April 2015, <http://www.clb.org.hk/sites/default/files/archive/schi/File/other/%E4%BB%AD%E5%9B%BD%E5%B7%A5%E4%BA%B%A%E8%BF%90%E5%8A%A8%E8%A7%82%E5%AF%9F%E6%8A%A5%E5%91%8A%EF%BC%882013%20%E2%80%93%202014%EF%BC%89.pdf>.
48. Gong Ping She, "Lessons Learned from Lide Workers' Movement: Organizational Experience and False Belief in Labor-Capital Consultation" (Lide Gongyun de jiaoxun jingyan zongjie: zuzihua jingyan he mixin laozi xieshang de jiaoxun), 30 May 2015, <http://gps51.blogspot.com/2016/03/2015-5-30.html>.
49. Jacob Eyferth, ed., *How China Works: Perspectives on the Twentieth-Century Industrial Workplace* (London: Routledge, 2006); cf. Jeremy Straughn, "'Taking the State at Its Word': The Arts of Consensual Contention in the German Democratic Republic," *American Journal of Sociology* 110, no. 6 (2005): 1598–650; Kevin O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006).
50. The mass line is the political, organizational, and leadership method of the CCP that "incorporate[s] both [the] vanguard role of the party and a strong participatory role for the populace." See Kenneth Lieberthal, *Governing China: From Revolution through Reform*, 2nd edn (New York: Norton), 64.
51. Sebastian Heilmann and Elizabeth J. Perry, "Embracing Uncertainty: Guerrilla Policy Style and Adaptive Governance in China," in *Mao's Invisible Hand: The Political Foundations of Adaptive Governance in China*, eds., Sebastian Heilmann and Elizabeth J. Perry (Cambridge, MA: Harvard University Press, 2011), 1–29.
52. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012).
53. Ching Kwan Lee and Yonghong Zhang, "The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China," *American Journal of Sociology* 118, no. 6 (2013): 1475–508.
54. Hongyi Lai, *China's Governance Model: Flexibility and Durability of Pragmatic Authoritarianism* (London: Routledge, 2016).
55. Cf. Giovanni Arrighi, *Adam Smith in Beijing: Lineages of the Twenty-First Century* (London: Verso, 2007).
56. Mary Gallagher, "'Use the Law as Your Weapon!': Institutional Change and Legal Mobilization in China," in *Engaging the Law in China: State, Society, and Possibilities for Justice*, eds., N. Diamant, S. Lubman, and K. O'Brien (Stanford: Stanford University Press, 2005), 54–83; Lee, *Against the Law*.
57. Jude Howell, "All-China Federation of Trades Unions beyond Reform? The Slow March of Direct Elections," *The China Quarterly* 196 (2008): 845–63; Jessica Teets, Stanley Rosen, and Peter Hays Gries,

- “Introduction: Political Change, Contestation, and Pluralization in China Today,” in *Chinese Politics: State, Society and the Markets*, eds., P. Hays Gries and S. Rosen (London: Routledge, 2010), 1–21.
- 58. Teresa Wright, *Accepting Authoritarianism: State–Society Relations in China’s Reform Era* (Stanford: Stanford University Press, 2010); Jude Howell, “Shall We Dance? Welfarist Incorporation and the Politics of State–Labour NGO Relations,” *The China Quarterly* 223 (2015): 702–23.
 - 59. CLB, “Searching for the Union,” 32.
 - 60. Andreas Mulvad, “Competing Hegemonic Projects within China’s Variegated Capitalism: ‘Liberal’ Guangdong vs. ‘Statist’ Chongqing,” *New Political Economy* 20, no. 2 (2015): 199–227.
 - 61. Tim Pringle, “A Class against Capital: Class and Collective Bargaining in Guangdong,” *Globalizations* 14, no. 2 (2016): 245–58.
 - 62. Feng Chen, “Union Power in China: Source, Operation, and Constraints,” *Modern China* 35, no. 6 (2009): 662–89; Howell, “All-China Federation of Trades Unions beyond Reform?”
 - 63. Wen, “Direct Election of the Trade Union”; Yang, “Microscopic Analysis of the Process of Resolving Labor Conflicts.”
 - 64. Tania Branigan, “Xi Jinping: Has China’s Strongman Forgotten the Perils of Power?” *The Guardian*, 24 October 2017, <https://www.theguardian.com/world/2017/oct/25/xi-jinping-has-china-strongman-forgotten-the-perils-of-power>.
 - 65. Pringle, “A Class against Capital.”
 - 66. Elmer and Crothall, “Over-Worked and Under-Paid,” 34.
 - 67. Chun Han Wong, “China’s Slowing Growth Forces Rethink on Worker Protections,” *Wall Street Journal*, 29 November 2016, <http://www.wsj.com/articles/china-looks-to-loosen-job-security-law-in-face-of-slowing-economic-growth-1480415405>.
 - 68. Dongfang Han, “Sack them for Striking. Arrest them for Protesting. Imprison them for Organising: Chinese Workers Are Not Going to Give Up,” 23 January 2017, <http://www.clb.org.hk/content/sack-them-striking-arrest-them-protesting-imprison-them-organising-%E2%80%93-chinese-workers-are-not>.
 - 69. CCP Central Committee and State Council, “Opinions on Constructing Harmonious Labour Relations,” 8 April 2015, http://www.gov.cn/guowuyuan/2015-04/08/content_2843938.htm.
 - 70. Xinhua News Agency, “Complete Transcript of Xi Jinping’s Report to the 19th Party Congress” (Xi Jinping shijiuda baogao quanwen shilu), 18 October 2017, <http://finance.sina.com.cn/gncj/2017-10-18/doc-ifymvuyt4098830.shtml>.
 - 71. CCP Central Committee, “Opinions on Strengthening and Improving the Party’s Mass Organizations,” 3 February 2015, http://www.gov.cn/xinwen/2015-02/03/content_2814060.htm.
 - 72. ACFTU, “Opinions of the ACFTU on Promoting Trade Union Relations to Guide Social Organizations in the Field of Labour Relations,” 23 November 2016, Beijing: ACFTU, No. 32.

9. China's contentious cab drivers

Manfred Elfstrom

Worker mobilization, a powerful political force in many countries during the nineteenth and twentieth centuries, is on the decline across much of the globe, but gaining strength in China. Meanwhile, jobs everywhere are increasingly taking a flexible, contracted form. This is true in wealthy, developed countries, in the developing world, and in China, too. However, in contrast to elsewhere, in the People's Republic, informalization and contention have gone hand in hand in many sectors. The struggles of the country's taxi drivers are emblematic of these dynamics. Operating under complex hiring systems and straining their bodies with punishingly long hours, cabbies are frequent protesters, rocking governments from Beijing to remote interior towns. In this chapter, drawing on media reports and interviews with over a hundred drivers from across the country conducted in 2011 and 2014–2015, I will begin by describing working conditions and activism in the taxi sector to date, including possible determinants of protest success and failure. Then, I will explore the ways in which this activism is becoming normalized, even as it is extracting concessions from the state. Finally, I will draw parallels with the efforts of workers in other areas of China's changing economy, and consider the possibilities for activism by informal labor going forward. First, however, I will situate the chapter in a broader, comparative context.

RISING AND FALLING LABOR ACTIVISM

Labor activism has fallen around the world, but it is rising in China. According to statistics from the International Labour Organization (ILO), the average number of strikes per country fell from 419 in 1979 to a low of 91 in 2006, before bouncing back up—likely only temporarily—with the onset of the global financial crisis.¹ In contrast, although official strike statistics are not available for China, data on the country's formally mediated, arbitrated, and litigated employment disputes show a steady rise from 93,578 in 1995 to 317,162 in 2006—to an astounding 693,465 cases in 2008 (with the number holding steady ever since then).² Unofficial counts of strikes, protests, and riots by *China Labour Bulletin* (CLB) and my own China Strikes website reveal a similar rise.³ Scholars have documented a concomitant change in the sorts of demands made by Chinese workers, from defensive claims rooted in either a tattered “socialist social contract” or the bare minimum guarantees of the country's post-reform labor laws⁴ to more offensive claims for higher wages irrespective of legal minimums; for more attention to the details of working life—benefits, work hours, etc.; for basic respect from employers; and for the right to some form of collective bargaining.⁵ Labor organizing in the People's Republic is faces tremendous political obstacles—and repression against organizers is only increasing—but activism is nonetheless arguably more dynamic in China than in many liberal democracies.

INFORMAL, FLEXIBLE WORK

Meanwhile, work has become more informal and flexible globally, as well as in China—but with contrasting outcomes. The trend toward what has been dubbed job “precarity” has been most pronounced in the developing world.⁶ However, it is also evident in developed countries. Increasingly, firms large and small hire individuals on a short-term basis and from the open market, rather than promoting them level by level within their organizations.⁷ A variety of workers, from janitors to freelance designers, are paid through complex chains of subcontracting or treated as self-employed, independent contractors. Guy Standing famously has described these people as the “precariat” and “the new dangerous class,” a group he says is defined by its lack of seven forms of security enjoyed under the postwar system of “industrial citizenship”: labor market security, employment security, job security, work security, skill reproduction security, income security, and representation security.⁸ Others have argued that for a group to be a “class” it must amount to more than a list of “lacks” and should occupy a distinct place in production, which the “precariat” does not.⁹ They have also noted that the “old working class” endured similarly precarious conditions for much of its history (the Fordist era being a relatively brief exception).¹⁰

However, regardless of how we understand the phenomenon theoretically, informal work is clearly becoming increasingly common. In fact, by some measures, it is now the dominant form of employment.¹¹ Unsurprisingly, informalization has spread rapidly in China, too.¹² Albert Park and Fang Cai show that China’s “missing workers”—those not accounted for by traditional categories of employment (state-owned enterprises, collectives, cooperatives / joint / limited liability / shares, foreign, and private / self-employed)—increased by 24 percent per year in the late 1990s and early 2000s, reaching 39 percent of all Chinese workers in 2002 and 2003 (before declining again slightly up until 2005).¹³

An updated analysis would doubtless show another upward spike in the years since. Jenny Chan and Mark Selden’s chapter in this volume describe three (overlapping) categories of such workers: migrants from the countryside who lack full citizenship rights in the cities where they work, student interns, and people working for labor dispatch companies. These people can enter jobs in different ways, including via contractors (mediated employment), via social networks (embedded employment), or via street labor markets (individual employment).¹⁴ Different employment arrangements, in turn, come with different opportunities for resistance and systems of control. For example, social networks, such as “native place associations,” can give workers a ready basis for organizing; but they also provide mid-level managers who arrange jobs for workers from the same hometown with a powerful leverage over those workers.¹⁵

In general, though, unlike in many other countries, in China, informalization and contention have in several sectors increased together. Construction workers, who frequently experience wage arrears, have protested outside of government buildings, engaged in colorful street theater, threatened suicide, sabotaged building projects, and clashed with thugs hired by companies.¹⁶ Subcontracted janitors and street cleaners have put pressure on municipal authorities and universities that use their services.¹⁷ Walmart store employees threatened with ultra-flexible scheduling have created their own organizations and used the Internet to coordinate strikes across multiple cities.¹⁸ Subcontracted truckers have struck at the ports in Guangzhou and Shanghai.¹⁹ Motorcycle couriers, who

occupy a central position in China's booming e-commerce market, have gone on strike.²⁰ Sex workers in Wuhan have protested and urged people to sign petitions supporting the legalization of prostitution.²¹ And street vendors have confronted police, sparking massive incidents like the 2011 riot in Zengcheng, Guangdong.²² Taxi drivers are one of the most active—perhaps *the* most active—group of flexibilized workers in China.

CHINA'S TAXI SECTOR

Like other sectors of the Chinese economy, the taxi sector has changed considerably over recent decades. In the early reform era, cab drivers made what were considered small fortunes—and many individuals and institutions rushed into the taxi market. For example, in 1994, Beijing had 1,400 cab companies and 60,000 cabs, with even primary schools and kindergartens fielding their own fleets.²³ To reduce this chaos, the state stepped in and consolidated firms. Taxi markets in Chinese cities now tend to take one of two forms. The first, “most common practice is the company system, exemplified by the Beijing and Shanghai model, in which local governments grant property rights and operational rights to taxi companies, and drivers pay monthly rent to the companies.”²⁴ Powerful monopolies then tend to dominate markets. Subcontracting is also extensive. Companies “will subcontract their franchise to small companies, who in turn subcontract the franchise to individual drivers. From there, individual drivers may also subcontract their license to alternate drivers.”²⁵ Cabbies employed thus effectively work in small workplaces and large corporations at the same time, two or three to one immediate “boss” but hundreds or thousands to one company. Meanwhile, by closing the market to legitimate competitors, monopolies encourage the proliferation of illegal “black cabs,” as well as ride-hailing apps like Uber and its domestic analogue Didi Chuxing, which were also illegal or at least operated in a legal gray zone until very recently.²⁶

The second system is a “loose relationship between drivers and companies . . . in which drivers have ownership of taxi cabs while companies only charge certain management fees,” which cover things like basic insurance.²⁷ Wenzhou in Zhejiang Province has taken this arrangement yet further. There, the government licenses both “cab bosses” (*che zhu* or *che laoban*), who subcontract to multiple drivers, and individual driver-owners—but not companies.²⁸ However, such practices are rare. Companies generally dominate; and under companies, power is tangled messily.

WORKING CONDITIONS OF DRIVERS

Under the predominant taxi system, drivers have several complaints. Most basically, because they are frequently hired at arm’s length, it is difficult for them to bargain with those who actually determine their working conditions. As a driver in Nanjing explained to me:

You research labor relations. But the taxi companies don’t consider us to have a labor relationship with them, so there can’t be any talk of worker representatives. We are hired through middle companies, are contracted employees. Therefore, we don’t have contracts signed with the taxi companies . . . This set-up makes it very hard to improve things.²⁹

Moreover, the cab fees (*fen qian*) drivers pay companies are onerous. One cabbie in Chongqing told me, “We have to pay about 400 RMB in fees per car. For two shifts. Over the past three days, I only earned 160 RMB! I don’t want to do this anymore at all.”³⁰ Said another: “I’ve earned 300 RMB [so far today]. After the cab fees and cost of natural gas, there will be only a few tens of RMB left over from what I’ve earned so far. But what can you do? You have to live.”³¹ Changes in fuel prices or wait times for fuel can put serious dents in earnings.³² So, too, can city demands that operators upgrade their vehicles,³³ or aggressive policing that results in more fines.³⁴ Speaking of the companies, a driver angrily said, “Ours is blood and sweat money; they can sit in air conditioned rooms and earn the same amount.”³⁵ Long hours are draining. As one told me, “If you were to drive for twelve hours, you’d know how it feels. Eat a little, go to sleep and then get up again. No time to enjoy the city. Have to take care of family.”³⁶

Increasingly, ride-hailing apps are the object of drivers’ ire as much as or more than their own companies.³⁷ People employed by these apps are viewed as unfairly poaching on taxis’ turf by operating without the same regulatory requirements—and without having to pay their way through the company system. In short, they are seen as glorified “black cab” operators. Several drivers confided to me that they would happily switch to the apps themselves, but doing so would mean throwing away their investments in the taxi system when it was unclear whether the apps would be allowed indefinitely by the government.³⁸

Finally, the work unsurprisingly takes a physical toll. A driver in Xianning, Hubei Province, said, “The bad part of driving is the damage it does to one’s body, the work-related illnesses it delivers: shoulder and lower back problems.”³⁹ Cabbies frequently cough due to constant smoking—a habit that is almost a necessary part of the job. As one said, “Smoking helps keep up my energy.”⁴⁰

In my China Strikes dataset covering worker unrest between the years 2003 and 2012, the largest and fastest-growing segment of taxi strikes is composed of incidents relating in some way to competition, followed by incidents relating to drivers’ loss of independent operator status (in favor of companies), then fuel costs, and then, more distantly, police fines. Pay is, of course, mixed into all of these categories. And while the grueling physical demands of the job do not feature overtly in strike demands, they are likely an important underlying source of anger. From a purely grievance-oriented perspective, there is no shortage of reasons for cabbies to take to the streets.

RISING ACTIVISM BY CHINA’S TAXI DRIVERS

Taxi activism is unsurprisingly rising rapidly. A report in *China Economic Weekly* describes work stoppages by cabbies as “a social news flashpoint [attracting] extremely high levels of attention.”⁴¹ Figure 9.1 shows the annual number of strikes, protests, and riots by cabbies in China between 2004 and 2015, as captured by the Institute of Social History’s Global Hub Labour Conflicts dataset, which combines my China Strikes dataset (for the years 2004–2012) with *China Labour Bulletin’s Strike Map* (2011–present). In 2004, only five incidents were reported; in 2015, an incredible 190. But this upward has not been linear. A closer analysis shows that from 2004 to 2010, incidents per year stayed in the low teens at most, before jumping into the dozens in 2011 and 2012 and consistently topping 100 from 2013 to 2015. Some of these apparent increases may simply be the result of better

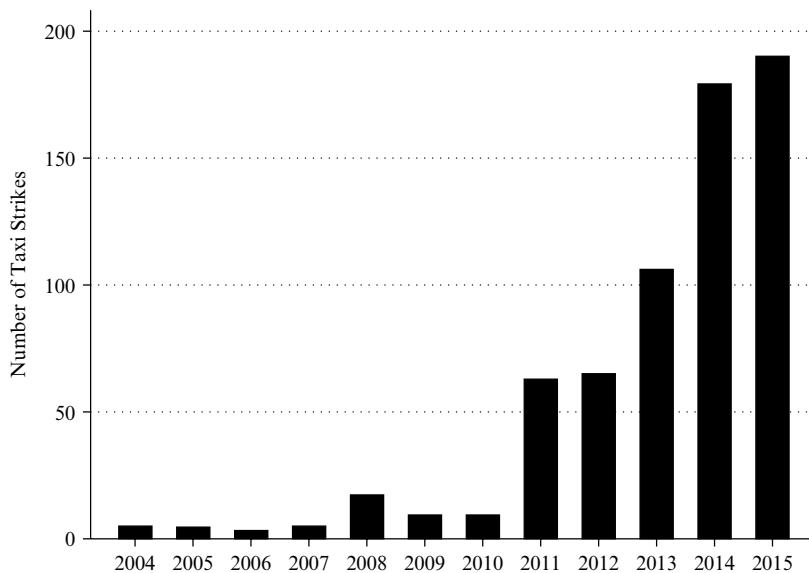


Figure 9.1 Number of taxi strikes, 2004–2015

reporting. Neither the Global Hub Labour Conflicts dataset nor its two source datasets represent complete counts of contention (and China Strikes has been re-checked and updated with more incidents since the Global Hub was launched). Instead, they should be understood as mere samples based on the best data available. The social media platform Weibo was launched in 2009 and, as it gained users, brought more conflicts to the attention of the dataset managers, including myself.

But much of the rise in strikes observed is doubtless real. There are a couple of reasons for believing this. First, taxi stoppages are hard to hide. Calculating the precise number of participants in these incidents is difficult, but the participants typically number in the thousands. And the absence of taxis on streets during a strike is immediately apparent to wide swaths of a city's population. Thus, even local state media tend to report them. Second, taxi strikes can take very dramatic forms. Particularly noteworthy conflicts in recent years have included a work stoppage in Chongqing in 2008 that spread to over a dozen cities around the country and ended with the intervention of the city's charismatic then-Party Secretary Bo Xilai, who negotiated with drivers on live television; and a stoppage in Xianning, Hubei Province, in 2010 that lasted over a month (but ended in defeat). Other prominent examples include chaotic protests by drivers in Guangzhou over police beatings in 2008, and a strike in Shenzhen sparked by the unequal fares of those operating inside and outside the border of the city's special economic zone in 2010.⁴² Third, the patterns seen in the Global Hub data fit with trends in the industry. Specifically, it should come as no surprise that so many incidents are reported between 2013 and 2015: the country's main ride-hailing app, Didi Dache, was launched in mid-2012 (the company was later renamed Didi Kuaidi and then Didi Chuxing, following mergers with competitors). In short, the numbers reported are imperfect but nonetheless convey an important truth: cabbies are quickly emerging as a leading force in Chinese working-class mobilization.

DRIVER TACTICS

Taxi drivers utilize a diverse repertoire of tactics in their activism.⁴³ Drivers can quickly bring a major urban area's transportation to a near halt. By simply not showing up for work, they inconvenience thousands of city residents. In fact, a reliable source of information about taxi strikes is online bulletin boards where urbanites complain about not finding a ride. In some work stoppages, cabbies have parked their cars across roads and encircled gas stations.⁴⁴ But they have also taken the more traditional route of "troublemaking" in a way that demonstrates their loyalty to the state.⁴⁵ Protesting drivers in Xianning in 2010, for example, gathered outside local government buildings and sang patriotic songs, while also sending petitioning delegations to Beijing and launching lawsuits.⁴⁶ Drivers in Xiangtan recorded an anthem called "Dream of the Taxi Driver," which they distributed online.⁴⁷ Most ambitiously, cabbies in both Xiangtan and Chongqing have tried to form their own, driver-owned cooperatives to compete with the monopolies (albeit with limited success).⁴⁸ At the other end of the spectrum of tactical sophistication, in tragic desperation, some drivers, like other protesters in China, have attempted to take their own lives in protest. In 2015, for example, more than 30 drivers from Heilongjiang Province collapsed on Beijing's popular Wangfujing shopping street after drinking pesticide in a protest against new car leasing rules.⁴⁹ Cabbie efforts thus span the full arc of different forms of contention in China today.

Driver mobilization is sustained by a range of ties or, in the language of social movement scholars, "mobilizing structures."⁵⁰ Cabbies may band together with others from the same hometown. Thus, a driver in Guangzhou explained to me, "There are several groups of drivers here. Of these groups, the drivers from Guangdong and Henan have the most solidarity. If there's a strike, they are usually the ones leading it."⁵¹ Many cabbies once worked for state-owned enterprises. Several I spoke with had surprisingly negative memories of the experience.⁵² Nonetheless, their bonds from the shop floor endured, sometimes via CB radio networks made up of people who worked on the same production lines.⁵³ As a Wuhan cab driver revealed to me, radios more generally have created lively networks, although the networks are limited to those who can afford the technology.⁵⁴ Lunch and dinner spots, too, serve as coordinating points. Chongqing drivers organized their 2008 strike in part by handing out flyers at restaurants.⁵⁵

Increasingly, social media applications bring cabbies together. When I asked how taxi drivers in Nanjing organized a 2014 strike, one driver said, "We used software we downloaded."⁵⁶ Another reported, "There was a young person, a college graduate, who put up a message on WeChat [a popular social media platform] calling on people to go and block the gates of the city government."⁵⁷ A group of cab activists in Chongqing blog about issues in their sector, thereby creating a sense of community.⁵⁸ For a workforce that works in relative isolation from each other, drivers hang together surprisingly well.

If fellowship provides a basis for action, there must also be selective disincentives for scabbing.⁵⁹ Here, striking drivers also have an advantage: every cabby has a vehicle he or she drives, and that vehicle—if not its owner—can be attacked. In Chongqing, a driver said of his coworkers, "Their cars were smashed if they didn't join."⁶⁰ A cabby in Nanjing similarly reported, "During the strike, some people nonetheless drove their cars. So, there were beatings and cars were smashed."⁶¹ And in Guiyang, Guizhou Province, a driver admitted of a stoppage in his city, "There was some smashing on the first day."⁶² In recent

years, drivers have violently clashed with ride-hailing drivers, such as during a confrontation involving 2,000 people in Chongqing that resulted in dozens of injuries in 2016.⁶³ Sabotage and violence can only go so far, however. A driver in Jingzhou, Hubei Province, recalled a strike in 2008: “China is a country with lots of strikebreakers and traitors! Once some people started driving, then everyone started driving and the strike was over. Some folks used stones to smash cars, but there was no effect. Once you've thrown your stone, what do you do next?”⁶⁴ The incentives to break a strike can simply be too strong. Moreover, property destruction provides a ready pretext for police to intervene. Drivers who smashed cars were detained in Nanjing following its 2014 strike, for example.⁶⁵ I will address protest success and failure next.

SUCCESS AND FAILURE

State responses to taxi driver activism have varied widely. Sometimes the repression is harsh. When cabbies went on strike in Xining, Qinghai Province in 2009, for example, the local government arrested 11 people who it said had “organized a plot, agitated people to cause trouble, instigated people to petition, and had maliciously caused a ruckus.”⁶⁶ As Internet-based organizing has become more common, authorities have used social networks to track down organizers. A driver in Chongqing reported to me in 2015:

We taxi drivers have a QQ group [social media group]. You can look it up on Baidu [China's equivalent of Google]. We were planning a strike for this year over the high cab fees. It was going to happen on 17 April, but the authorities arrested several of the organizers the day before, on 16 April. Guiyang, Chengdu, and one of the northeastern cities, I think Shenyang or somewhere, all have gone on strike recently—just not Chongqing.⁶⁷

Another said about the same incident, “Text messages were sent about the strike . . . We got the messages. But I didn't dare join . . . There were calls for everyone to meet at 7am at [a certain place]. But I heard there were lots of police waiting there already before 7am. They arrested people.”⁶⁸ Similarly, in Nanjing, a driver reported that the young person who had rallied people there on WeChat “was detained.”⁶⁹ He added, “They monitor WeChat and will detain you for that sort of thing.”⁷⁰ Another Nanjing cabbie said:

If I texted another driver and said that it was unfair that we work normal, eight hour days we don't earn enough money to get by, I would be fined 500 RMB. It would be labeled “stirring up trouble” and “hurting stability” . . . All of our phones are registered and tracked. Technology has just made it easier to control people.⁷¹

As with other areas of protest and dissent in China, taxi strikes can have severe consequences for the individuals involved and their families.

At the same time, drivers often win at least some concessions from authorities. Not all cabbies were satisfied with the outcome of the 2008 Chongqing taxi strike, but most I interviewed at least experienced a fee cut and better insurance.⁷² Nanjing's 2015 strike resulted in a 600 RMB cut in fees for most cars or 200 RMB per driver,⁷³ as well as an additional “empty car” charge for long-distance trips (when drivers often have to drive back uncompensated).⁷⁴ A cabbie in Shiyan, Guangdong Province informed me: “There have been lots of strikes here, too—about rental fees, gas prices, etc. Three have occurred

in recent years. They are effective.”⁷⁵ When drivers went on strike in Suizhou, Hubei Province in 2008, they managed to block a scheme to revoke their rights to their cars, although they were forced to pay higher fees.⁷⁶ Yongshun Cai reports that when 2,500 drivers struck over the limited number of taxi stands in Yanji City in Jilin Province in 2004, “the local government . . . acted by reimbursing the taxi drivers for their parking fines” and “the head of the local police department apologized to the drivers.”⁷⁷ Similarly, Cai notes how in the same year cabbies forced authorities in Yinchuan City in the Ningxia Hui Autonomous Region to “surrender” in a dispute over the length of business licenses.⁷⁸ Often, of course, concessions and repression come together. Thus, following a three-day strike by 3,300 suburban drivers, Shenzhen authorities “stated that the cost of taxi security deposits would be cut in half”—but then dismissed 46 of the striking cabbies.⁷⁹ The question then is the balance of costs and gains for protesters.

The existing literature on Chinese contentious politics suggests that several factors could conceivably affect this balance. For example, according to Kevin O’Brien and Lianjiang Li much may depend on the ability of cab activists to articulate claims that match the ostensible goals of the national Party leadership.⁸⁰ However, the cab sector is too “niche” for there to be many high-profile policies around which drivers can rally. Instead, they must content themselves with general social justice claims. In line with Xi Chen’s findings regarding petitioners, knowing how to escalate protests up to the line of acceptable disruption—but not across that line—may also be key.⁸¹ It is difficult, though, for researchers like myself to define this line *ex ante* (as opposed to reading backward from a success to say “they stayed within the line,” etc.). A lack of constraining institutions, such as cab drivers’ associations, could be important: Dorothy Solinger has found that the weakness of the All-China Federation of Trade Unions (ACFTU) allowed protesting workers in the late 1990s and early 2000s to win important concessions.⁸² Yet, this absence is nearly universal across China’s taxi market, and therefore does not provide much of a guide to the success or failure of individual confrontations. In his study of the outcomes of protests against Chinese hydroelectric projects, Andrew Mertha argues that attracting policy entrepreneurs (including supportive officials) and framing issues in a way that expands “the sphere of conflict” can be effective tactics for activists.⁸³ Along the same lines, Yongshun Cai similarly emphasizes the value of wide social networks and elite allies.⁸⁴ Some think tank researchers have, indeed, taken a keen interest in cab reform, and journalists often provide sympathetic write-ups of strikes. But again, the issue is seen as somewhat peripheral, unlike “agriculture” or “labor” understood more generally; it will not draw in heavy-hitters.

The internal organization of a city’s taxi market may be more important in determining a campaign’s outcome—and easier to document—than the factors noted above. Specifically, more uniform arrangements across employers could make collective action easier: what is good for / hurts one company’s drivers does the same for others. Thus, in Chongqing—where cabbies wrested significant concessions on fees, benefits, fuel prices, and the regulation of black cabs from authorities in 2008—conditions in various firms were quite similar. As of 2004, of the 20,000 drivers then operating in the city and its suburbs, only 700 were self-employed.⁸⁵ Everyone driving legally was from Chongqing. Although a source of dissatisfaction for legitimate drivers, even before the strike, black cabs were not especially numerous and were forced to drive during rush hour—and subject to frequent crackdowns.⁸⁶ Drivers I interviewed in 2011 cited roughly the same fees paid

to their bosses per shift and roughly the same cut in those fees following the strike.⁸⁷ In contrast, at the time of *their* strike in 2011, most of the 4,000 drivers in Guizhou's capital, Guiyang, were self-employed or worked for "cab bosses" who were themselves self-employed—although a municipally run collective cab company had recently also been privatized, resulting in a rump collective company employing roughly 650 drivers and three private companies employing some 300 employees each.⁸⁸ Many drivers in Guiyang were from outside the city, and black cabs operated with impunity.⁸⁹ Working conditions, from payment systems to insurance contributions to rules about smoking, varied widely across these different employment arrangements.⁹⁰ Perhaps as a result, only half of Guiyang's drivers participated on the first day of the strike, and the strike was a decidedly mixed success: the fees paid by drivers to their bosses were lowered in some instances, but the start fare for all cabs was simultaneously cut.⁹¹ Other variables, such as elite politics, might be at work in examples like these. However, it is notable that in both Chongqing and Guiyang populist Party secretaries were in charge at the time of the incidents.

NORMALIZATION OF PROTEST

Whether cab activists are met with repression or responsiveness, or some combination of both, the degree to which taxi protests have become normalized in China is remarkable. A driver in Shuyang in northern Jiangsu Province, then in the midst of a strike, said to me in 2014:

There have been lots of strikes in the past. If you don't strike, the government won't change anything . . . As long as people don't make extra trouble, the government will treat them in a civilized manner. You negotiate and usually they give in some, raise the starting fare, etc. This is all normal.⁹²

The fact that news about taxi strikes can so often be found in local newspapers from the hinterlands speaks to this normalization (as well as the difficulty of hiding these incidents, as noted). So, too, does the government's gradual development of consultative processes for resolving such incidents. A strike in Taiyuan, Shanxi Province, was reportedly brought to a close through a public meeting including representatives of drivers and passengers.⁹³ Similarly, after its high-profile August 2011 strike, the Hangzhou City government in Zhejiang Province announced that "a public hearing on a fare hike" would be held a month later and that "24 people, including government officials, scholars, taxi drivers and 10 members of the general public" would be invited to give their opinions.⁹⁴ Nor have these sorts of discussions halted under the more hardline Xi Jinping administration. For example, in 2014, a group of Shenyang taxi owners, cab companies, and district-level officials reportedly discussed ways of clamping down on black cabs following a strike over unfair competition in their city (however, other discussions, such as one held in 2016 in Nanning, seem to have been more concerned with "stability maintenance" than resolving fundamental problems).⁹⁵

Although it passes through alternating periods of "loosening" (*fāng*) and "tightening" (*shou*),⁹⁶ the state seems to be steadily developing an interest-based, less politicized approach to handling this sort of protest. One reason for this may be the obviously apolitical nature of cab activism. But many protesting groups in China try to frame their

demands in terms that do not challenge the Party but are nonetheless treated with extreme sensitivity. The sheer repetition of taxi strikes may be the main cause of normalization. Cities that experience work stoppages in the sector year in and year out—like Shuyang, noted above, apparently does—likely learn to anticipate incidents and bargain their way through them. This bargaining may entail a fair deal of coercion. But while the incidents may remain a nuisance and a small embarrassment for authorities, they are not a great cause for alarm. They are a normal part of business.

DISCUSSION

Taxi drivers are a unique group. They are in constant contact with customers, but on a day-to-day basis, they rarely come into contact with their employers. Clark Kerr and Abraham Siegel argue that such isolation, seen in other industries like mining and logging, generates a higher strike propensity.⁹⁷ With the exception of constant run-ins with the police, drivers are also cut off from the state. At the same time, many cabbie complaints relate directly to state policy, from the fares set by cities to fuel subsidies to fines by police (levied, in particular, for stopping in the wrong places) to enforcement of rules on black cabs and ride-hailing apps. And drivers enjoy an enviable leverage over local governments—as noted, they can bring transportation in a city to a halt and inconvenience important constituents. This amounts to a unique form of “structural power” of the sort theorized by Beverly Silver, which is bolstered by drivers’ “associational power” born of particularly deep social ties.⁹⁸

But taxi drivers also share much in common with other informal workers. Street sweepers and construction workers, too, rarely come into contact with anyone other than the middlemen handling their pay. Lei Guang notes of “guerilla interior decorators” that “their most frequent encounters with . . . state authorities are generally with the police and other city administrators.”⁹⁹ As Sarah Swider argues, “Informal workers are also more likely to target the state than employers.”¹⁰⁰ Janitors, for example, have minimal leverage over their immediate bosses but can put tremendous pressure on governmental and semi-governmental entities that hire or license those bosses. The same goes for drivers. Moreover, the greatest emerging threat to cabbies, downloadable apps like Uber and Didi Chuxing, echo the threat posed by mechanization and online offshoring to other service jobs, in China and elsewhere, in the fast-food sector (where robots are beginning to be used) and even in accounting and law.¹⁰¹

Around the world, activists are struggling to find solutions to the dilemma of precarious work. Fixes put forward include a return to trade union models that allow portability between employers or that are based on geographic areas rather than specific companies.¹⁰² In the United States, worker centers have filled some gaps, while raising new issues with regard to democratic accountability.¹⁰³ Some activists have gone down the legislative route, as in the “Fight for 15” minimum wage campaign in North America.¹⁰⁴ But with existing regulations clumsy at constraining capital and with businesses increasingly allowed to “self-regulate,” arguments have also been made for different forms of “co-regulation” by workers and businesses.¹⁰⁵ China’s cab drivers and other informal workers must consider similar strategies, but their actions must be adapted to a much more constrained political environment.

There are a few forms of mobilization that may offer particular potential in China. In recent years, Walmart store employees have shown how loose organizations with a strong online presence can make a difference. The Walmart Chinese Workers Association, led by a former electrician, has pressured the official trade union to speak out on behalf of the company's workers, linked up with the American group OUR Walmart, and, as noted earlier, coordinated strikes across different cities.¹⁰⁶ This kind of group may be especially well-suited to cab drivers, who, even in a single city district, belong to a plethora of employers. Meanwhile, a strike by sanitation workers at Guangzhou's University Town in 2014 successfully drew on the support of nongovernmental organizations (NGOs) and sympathetic students, showing the power of alliances outside the workplace.¹⁰⁷ So far, full-fledged NGOs of this sort and the kind described by Darcy Pan in this Handbook, with offices and donors, have not been significant forces in the cab sector. But the cooperatives started by some drivers—I have mentioned examples in Chongqing and Xiangtan—also offer promise. A similar initiative has been launched by immigrant cabbies in Denver, Colorado.¹⁰⁸

Labor informalization raises new challenges, including for China's workers. Some have argued that the increased precarity undercuts any possibility of worker empowerment.¹⁰⁹ But the activism of China's taxi drivers and others suggests that new forms of exploitation can encourage new forms of creativity, and even successful mobilization on the part of workers—including in authoritarian states.

NOTES

1. International Labour Organization, "Strikes and Lockouts, By Economic Activity," *LABORSTA*, 2015, <http://laborsta.ilo.org/>.
2. PRC Department of Population and Employment Statistics, *China Labour Statistical Yearbook 2009* (Beijing: China Statistics Press, 2009).
3. China Labour Bulletin, "Strike Map," 2016, <http://maps.clb.org.hk/strikes/en>; Manfred Elfstrom, "China Strikes," 2012, <http://chinastrikes.crowdmap.com>.
4. Ching Kwan Lee, *Against the Law: Labor Protests in China's Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007); Jianrong Yu, *Kangzhengxing Zhengzhi: Zhongguo Zhengzhi Shehuixue Jiben Wentij Contentious Politics: Fundamental Issues in Chinese Political Sociology* (Beijing: People's Publishing House, 2010), chap. 2; Feng Chen, "Subsistence Crises, Managerial Corruption and Labour Protests in China," *The China Journal* 44 (2000): 41–63; Eli Friedman and Ching Kwan Lee, "Remaking the World of Chinese Labour: A 30-Year Retrospective," *British Journal of Industrial Relations* 48, no. 3 (2010): 507–33; William Hurst, *The Chinese Worker After Socialism* (New York: Cambridge University Press, 2009).
5. Chris King-Chi Chan and Elaine Sio-Jeng Hui, "The Development of Collective Bargaining in China: From 'Collective Bargaining by Riot' to 'Party State-Led Wage Bargaining,'" *The China Quarterly* 217 (December 5, 2013): 221–42, doi:10.1017/S0305741013001409; Kai Chang and William Brown, "The Transition from Individual to Collective Labour Relations in China," *Industrial Relations Journal* 44, no. 2 (2013): 102–21; Manfred Elfstrom and Sarosh Kuruvilla, "The Changing Nature of Labor Unrest in China," *Industrial and Labor Relations Review* 67, no. 2 (2014): 453–80; Anita Chan, "Labor Unrest and Role of Unions," *China Daily*, 2010, http://www.chinadaily.com.cn/opinion/2010-06/18/content_9987347.htm.
6. ILO Department of Statistics, "Statistical Update on Employment in the Informal Economy" (Geneva: ILO, 2012), http://laborsta.ilo.org/informal_economy_E.html.
7. Michael J. Piore and Charles F. Sabel, *The Second Industrial Divide: Possibilities for Prosperity* (New York: Basic Books, 1986).
8. Guy Standing, "The Precariat," *Contexts* 13, no. 4 (2014): 10–12; Guy Standing, *The Precariat: The New Dangerous Class* (London: Bloomsbury Academic, 2011).
9. Richard Seymour, "We Are All Precarious: On the Concept of the 'Precariat' and Its Misuses," *New Left Project*, 2012, http://www.newleftproject.org/index.php/site/article_comments/we_are_all_precarious_on_the_concept_of_the_precariat_and_its_misuses; Bhaskar Sunkara, "Precarious Thought," *Jacobin*, 2012, <https://www.jacobinmag.com/2012/01/precarious-thought>.

10. Ibid.
11. Tulla Connell, "ILO: Precarious Work Rises, Incomes Fall Around the World," *Solidarity Center*, 2015, <https://www.solidaritycenter.org/ilo-precarious-work-rises-incomes-fall-around-the-world/>.
12. Mary E. Gallagher, Ching Kwan Lee, and Sarosh Kuruvilla, "Introduction and Argument," in *From Iron Rice Bowl to Informalization: Markets, Workers, and the State in a Changing China*, eds., Mary E. Gallagher, Ching Kwan Lee, and Sarosh Kuruvilla (Ithaca: ILR Press, 2011).
13. Albert Park and Fang Cai, "The Informalization of the Chinese Labor Market," in *From Iron Rice Bowl to Informalization: Markets, Workers, and the State in a Changing China*, eds., Sarosh Kuruvilla, Ching Kwan Lee, and Mary E. Gallagher (Ithaca: ILR Press, 2011), 17–18.
14. Sarah Swider, *Building China: Informal Work and the New Precariat* (Ithaca: Cornell University Press, 2015).
15. Ching Kwan Lee, *Gender and the South China Miracle: Two Worlds of Factory Women* (Berkeley: University of California Press, 1998).
16. Ngai Pun and Huilin Lu, "A Culture of Violence: The Labor Subcontracting System and Collective Action by Construction Workers in Post-Socialist China," *The China Journal* 64 (2010): 143–58.
17. Mimi Lau, "Sanitation Workers' Strike in Guangzhou District to Enter Third Day," *South China Morning Post*, 2013; See, for example, China Labour Bulletin, "Unity Is Strength: The Story of the Guangzhou University Town Sanitation Workers' Strike," *China Labour Bulletin*, 2014, <http://www.clb.org.hk/en/content/unity-strength-story-guangzhou-university-town-sanitation-workers-strike>.
18. Anita Chan, "The Resistance of Walmart Workers in China: A Breakthrough in the Chinese Labour Movement," *Made in China: A Quarterly on Chinese Labour, Civil Society, and Rights* 1, no. 2 (2016): 11–15.
19. Royston Chan and Carlos Barria, "Shanghai Truck Drivers Strike Over Rising Fuel Prices," *The Star*, 21 April 2011, https://www.thestar.com/business/economy/2011/04/21/shanghai_truck_drivers_strike_over_rising_fuel_prices.html; RFA, "Guangzhou Matou Siji Bagong, Shubai Huoguiche Zhouye Zu Jiaotong [Guangzhou Port Drivers Strike, Hundreds of Transport Trucks Continuously Block Traffic]," *Radio Free Asia*, 2012, <http://www.rfa.org/mandarin/yataibaodao/jp-04262012105240.html>.
20. China Labour Bulletin, "China's E-Commerce Workers Protest Over Wage Arrears, Contracts," *China Labour Bulletin*, 2015, <http://www.clb.org.hk/en/content/china's-e-commerce-workers-protest-over-wage-arrears-contracts>.
21. Tania Branigan, "Chinese Sex Workers Protest Against Crackdown," *The Guardian*, 3 August 2010, <https://www.theguardian.com/world/2010/aug/03/china-prostitution-sex-workers-protest>.
22. Yanlong Zhang, "Guangzhou Blames Zengcheng Riots on Neglect of Migrants, Fires Local Officials," *Economic Observer*, 2011, <http://www.eeo.com.cn/ens/2011/0708/205614.shtml>.
23. Jiefen Li, "Administrative Monopoly, Market Economy and Social Justice: An Anatomy of the Taxi Monopoly in Beijing," *China: An International Journal* 8, no. 2 (2010): 282–308, 297.
24. Ibid., 295.
25. Wen Long, "Taxi Monopoly System Sparks Cabbie Strikes Across China," *The Epoch Times*, 2008, <http://www.theepochtimes.com/n2/china-news/china-taxi-strikes-8242.html>. Obviously, sources like *The Epoch Times* should be viewed with caution, but this is a useful analysis of the market.
26. Duncan Hewitt, "China's Uber Headache: How Ride Hailing Apps Have Enraged Taxi Operators, Delighted Consumers, and Challenged China's Government," *International Business Times*, 2016; Zheping Huang, "China Finally Made Ride-Hailing Legal, In a Way That Could Destroy Uber's Business Model," *Quartz*, 2016, <http://qz.com/745337/china-finally-made-ride-hailing-legal-in-a-way-that-could-destroy-ubers-business-model/>; China Daily, "Taxi Company Monopolies Allow 'Black' Cabs to Flourish," *China Daily*, 2010, http://www.chinadaily.com.cn/business/2010-07/27/content_11054893.htm.
27. Li, "Administrative Monopoly," 295.
28. Xiaolin Cui, "Shuju Xianshi Chuzucheye Jin 7 Nian Fasheng Jin Baiqi Jiti Tingyun Shijian [Numbers Show That in the Last 7 Years There Have Been Almost a Hundred Mass Work Stoppage Incidents in the Taxi Sector]," *China Economic Weekly*, 2011, <http://news.china.com/domestic/945/20110927/16787456.html>; Chenli You, "Chuzuche Luanxiang Ruhe Pojie," *Transition Institute*, 2011, <http://www.zhuanxing.cn/html/taxi/507.html>.
29. Taxi driver (TX) #3 Nanjing 2015.
30. TX #7 Chongqing 2015.
31. TX #14 Chongqing 2015.
32. TX #3, 5, 9, 12 Chongqing 2011.
33. TX #2 Jingzhou 2011.
34. TX #2, 3, #Chongqing 2011; TX #7 activist (A) #3 Guiyang 2011; TX #9 Jingzhou 2011.
35. TX #6 Chongqing 2011.
36. TX #3 Chongqing 2011.
37. Interview 84 TX #1 Guangzhou 2015; Interview 85 TX #1 Nanjing 2015; Interview 120 TX #1 Nanjing 2015.

38. E.g., Interview 84 TX #1 Guangzhou 2015.
39. TX #10 Xianning 2011.
40. TX #3 Chongqing 2011.
41. Cui, "Numbers Show."
42. China Labour Bulletin, "Shenzhen Sacks Striking Cab Drivers But Also Makes Concessions," *China Labour Bulletin*, 2010, <http://www.clb.org.hk/en/node/100920>; Xinhua, "Protest by Taxi Drivers Ebbs in South China City," *Xinhua Net*, 2008, http://news.xinhuanet.com/english/2008-11/24/content_10407034.htm.
43. Doug McAdam, Sidney Tarrow, and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), chap. 1.
44. See, for example, Zhongguo Molihua Geming, "Maogu Xiang: Xiangtande Dishi Da Bagong Poche You Fanche [Maogu Township: Xiangtan's Taxi Drivers Have a Large Strike, Smash Cars and Flip Cars]," *Zhongguo Molihua Geming*, 2011, http://www.molihua.org/2011/10/blog-post_2803.html.
45. Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006).
46. TX#29, 39 Xianning 2011; Xuanchen Zhang, "Cabbies' Anger at Police Detention," *Shanghai Daily*, 2011, https://webcache.googleusercontent.com/search?q=cache:D_lh9CALTVoJ:www.shanghaidaily.com/sp/article/2011/201101/20110114/article_461465.htm+&cd=6&hl=en&ct=clnk&gl=us&client=firefox-a.
47. Austin Ramzy, "Chinese Cab Drivers Take to Song to Call for Their Own Company," *New York Times*, 15 April 2015, <http://sinosphere.blogs.nytimes.com/2015/04/15/chinese-cab-drivers-take-to-song-to-call-for-their-own-company>.
48. Ibid.; China Labor News Translations, "Taxi Drivers Strike and Want to Set Up Their Own Associations," *China Labor News Translations*, 2009, <http://www.clntranslations.org/article/36/taxi-drivers-strike>.
49. Nectar Gan, "Chinese Taxi Drivers Attempt Mass Suicide in Beijing During Vehicle Leasing Protest," *South China Morning Post*, 2015, <http://www.scmp.com/news/china/article/1756065/suicide-bid-more-30-chinese-taxi-drivers-beijing-protest-over-vehicle>.
50. Mayer N. Zald, "Culture, Ideology, and Strategic Framing," in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, eds., Doug McAdam, John D. McCarthy, and Mayer N. Zald (New York: Cambridge University Press, 1996); Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics*, 3rd ed. (New York: Cambridge University Press, 2011).
51. TX #1 Guangzhou 2015.
52. E.g., TX #1 Shenzhen 2015; TX #5 Jingzhou; TX #5 Nanjing 2015.
53. Non-cab #11 2011.
54. TX #4 Wuhan 2011.
55. TX #3 Chongqing 2011.
56. TX #3 Nanjing 2015.
57. TX #4 Nanjing 2015.
58. I interviewed them on other issues; see TX #12–14 Chongqing 2011.
59. On selective incentives and disincentives, see Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge, MA: Harvard University Press, 1965).
60. TX #4 Chongqing 2011; see also TX #9 Chongqing 2011.
61. TX #4 Nanjing 2015.
62. TX #7 Guiyang 2011.
63. See RFA, "Dishi, Zhuanche Da Chongtu Liangqian Siji Dui Zhi [Taxi Drivers, Ride-Hailing App Drivers Have Large Conflict, Two Thousand Drivers in Confrontation]," *Radio Free Asia*, 2016, <http://www.rfa.org/cantonese/news/taxi-05252016091401.html>. The overseas dissident-run *Epoch Times* reports that over 10,000 people participated, but their own pictures suggest fewer participants. See "Chongqing shangwan dishi yu zhuanche siji baochongtu zao qian jing zhenya [Violent conflict between over ten thousand Chongqing taxi drivers and ride-hailing drivers draws suppression by one thousand police]," *Epoch Times*, 2016, <http://www.epochtimes.com/gb/16/5/27/n7938076.htm>.
64. TX #7 Jingzhou 2011.
65. TX #4 Nanjing.
66. China Labour Bulletin, "In Handling of Taxi Strikes, Xining and Chongqing Provide Stark Contrasts," *China Labour Bulletin*, 2009, <http://www.clb.org.hk/en/content/handling-taxi-strikes-xining-and-chongqing-provide-stark-contrasts>.
67. TX #6 Chongqing 2015.
68. TX #8 Chongqing 2015.
69. TX #4 Nanjing 2015.
70. Ibid.
71. TX #2 Nanjing 2015.

72. E.g., TX #6, 8, 13 Chongqing 2015; TX #4, 15–16 Chongqing 2011.
73. TX #1-6 Nanjing 2015.
74. TX #7 Nanjing 2015.
75. TX #3 Shiyan 2015.
76. TX #41, 43, 61 Suizhou 2011.
77. Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010), 125.
78. Cai, *Collective Resistance in China*.
79. China Labour Bulletin, “Shenzhen Sacks Striking Cab Drivers.”
80. O’Brien and Li, *Rightful Resistance in Rural China*.
81. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012).
82. Dorothy Solinger, *State’s Gains, Labor’s Losses: China, France, and Mexico Choose Global Liaisons, 1980–2000* (Ithaca: Cornell University Press, 2009).
83. Andrew C. Mertha, *China’s Water Warriors: Citizen Action and Policy Change* (Ithaca: Cornell University Press, 2008).
84. Cai, *Collective Resistance in China*.
85. Hongying Wu, “Xingzheng Guanzhi Xiade Zhunru Nanti: Chongqing Chuzuche Sijide ‘Gongsi Meng’ [Access Difficulties under Administrative Regulations: Chongqing Cab Driver’s Company Dream],” *Ershiyi Sheji Jingji Baodao [21st-Century Business Herald]*, 22 August 2007.
86. TX #8, 12 Chongqing 2011.
87. TX #4, 15, 16 Chongqing 2011.
88. TX #25 Guiyang 2011.
89. TX #23, 25 Guiyang 2011.
90. TX #19-20, 22 Guiyang 2011.
91. TX #21, 25 Guiyang 2011.
92. TX #2 Shuyang 2014.
93. TX #3 Taiyuan 2011.
94. Xinhua, “Cab Drivers Strike Again in East China,” *China.org.cn*, 2011, http://www.china.org.cn/china/2011-08/09/content_23175142.htm.
95. Nanning Wanbao, “Nanning 200 Liang Dishi Juji Kangyi: Jiang Zujin, Da Heiche, Cha Didi [200 Nanning Cab Drivers Gather and Protest: Reduce Rental Fees, Clamp Down on Black Cabs, Investigate Didi],” *Sina*, 2016, <http://gx.sina.com/news/2016-12-19/detail-ifxytqav9817966.shtml?qq-pf-to=pcqq.group>; Shenyang Ribao, “Tousu Heiche Duo Shenyang Baiyu Chuzuche Tingyun [Complaining That There Are Too Many Black Cabs, North Shenyang Taxi Drivers Stop Work],” *Xinmin*, 2014, <http://news.xinmin.cn/shehui/2014/10/09/25592005.html>.
96. Richard Baum, *Burying Mao: Chinese Politics in the Age of Deng Xiaoping* (Princeton: Princeton University Press, 1994).
97. Clark Kerr and Abraham Siegel, “The Interindustry Propensity to Strike: An International Comparison,” in *Industrial Conflict*, eds., Arthur Kornhauser, Robert Dubin, and Arthur Ross (New York: McGraw-Hill, 1954).
98. Beverly J. Silver, *Forces of Labor: Workers’ Movements and Globalization Since 1870* (New York: Cambridge University Press, 2003).
99. Lei Guang, “Rural ‘Guerilla’ Workers and Home Renovation in Urban China,” in *Working in China: Ethnographies of Labor and Workplace Transformation*, ed., Ching Kwan Lee (New York: Routledge, 2007).
100. Swider, *Building China*, 18.
101. On the offshoring of legal work, see Ernesto Noronho, Premilla D’Cruz, and Sarosh Kuruvilla, “Globalisation of Commodification: Legal Process Outsourcing and Indian Lawyers,” *Journal of Contemporary Asia* 46, no. 4 (2016): 614–40.
102. Katherine Van Wezel Stone, *From Widgets to Digits: Employment Regulation for the Changing Workplace* (New York: Cambridge University Press, 2004), chaps. 9–10.
103. Janice Fine, *Worker Centers: Organizing Communities at the Edge of the Dream* (Ithaca: ILR Press, 2006).
104. See www.FightFor15.org.
105. Cynthia Estlund, *Regoverning the Workplace: From Self-Regulation to Co-Regulation* (New Haven: Yale University Press, 2010).
106. Chan, “The Resistance of Walmart Workers in China.”
107. China Labour Bulletin, “Unity Is Strength.”
108. Minsun Ji, “Denver’s Immigrant Taxi Drivers Build Unionized Workers Co-Op,” *Labor Notes*, 2014, <http://www.labornotes.org/blogs/2014/10/denvers-immigrant-taxi-drivers-build-unionized-workers-co-op>.
109. Ching Kwan Lee, “Precarization or Empowerment? Reflections on Recent Labor Unrest in China,” *Journal of Asian Studies* 75, no. 2 (2016): 317–33, doi:10.1017/S0021911815002132.

10. Thinking like a state: doing labor activism in South China

Darcy Pan

Since economic reforms were introduced in the late 1970s, China has undergone significant political, economic, and social transformations. The Chinese Communist Party (CCP)-led government has encountered massive student-led protests, outlasted both Eastern European and Soviet variants of communism, and weathered ethnic riots. Despite numerous predictions of its impending demise and anticipation of political liberalization, the CCP has remained in power.¹ What intrigues as well as confounds many China observers is not only the absence of liberal democratic change in the country but also the fact that the Chinese Communist regime has become increasingly adept at managing challenges posed by leadership succession, popular unrest, administrative reorganization, legal institutionalization, and integration in the global economy.

Without doubt, China's economic growth and lack of political liberalization have come at a great cost. Ordinary Chinese citizens are deprived of civil liberties. The absence of democratic restraints has contributed to cadre corruption, labor exploitation, poor consumer protection, environmental degradation, and increasing socioeconomic inequality. The "interplay of repression and resistance" animates and dominates the popular imagination of the political situation in China.² But these stories mask the more nuanced face of the Chinese Communist regime. Coercion is not a staple of daily political life. As Stern and Hassid point out, less than 1 percent of the activists in China are severely punished or imprisoned.³ What makes the repressive Chinese Communist system so resilient? How does the Chinese state secure compliance from the governed? How does the regime maintain quiescence among individual activists and organizations? These questions address widespread concerns about how China can continue its economic growth without political reform.

This chapter draws on my ethnographic study of grassroots nongovernmental labor organizations (labor NGOs) in South China and Hong Kong between 2012 and 2013.⁴ I use the term NGO to broadly refer to non-state organizations independent from for-profit business working in such areas as international development, human rights, humanitarian action, health, labor and environment.⁵ Labor NGOs predominantly work with labor-related issues and provide services for and act on behalf of migrant workers, articulating their grievances and demands.

This research draws on scholarship that employs words such as uncertainty,⁶ ambiguity,⁷ and ambivalence⁸ to delineate the "dual, almost schizophrenic nature" of the Chinese state.⁹ Many of these studies focus on how the uncertainty and ambiguity of government policy and guidelines create a prevalent sense of indeterminacy, arbitrariness, and insecurity that works as a "control mechanism" or "regime of uncertainty"¹⁰ to keep the majority of the population in line.¹¹ Inherent in this kind of uncertainty is that information or signals that are being transmitted and conveyed by the Chinese state are unclear

and incomplete, and thus subject to interpretation.¹² Chinese activists have to grapple with “correctly” reading mixed signals, which provide clues to assess opportunities and threats. Ironically, this also leads to a situation where the political system remains largely unchallenged.

Addressing the mixed signals of the Chinese state, Stern and Hassid argue, allows us to move beyond “some well-patrolled forbidden zones” and see how “the state speaks with many, contradictory voices.”¹³ It also allows us to unsettle the visual metaphor of the state as an observer watching from a singular perspective¹⁴ that assumes a unity of state representations and falls short of illustrating “how such unity is achieved (or not) through coordination in practice.”¹⁵

This chapter explores state control, practices of self-censorship, and performances of labor activism in such an environment of uncertainty and mixed signals. Labor NGOs, individual activists, and Western donors manifest a certain mode of being, thinking, knowing, and acting when government surveillance is in full operation and political and economic conditions are uncertain. Chinese labor NGOs must always be vigilant, exerting discretion when interacting with one another and being particularly guarded towards outsiders.¹⁶ Many commonly employ informal ways of communication such as gossip, rumor, and storytelling. These dynamics are illustrated by an incident of government suppression of labor NGOs in South China. Overall, this study offers a nuanced understanding of Chinese politics, and sheds light on the intricate dynamics of state–society relations wherein state control is exercised in a much more subtle way than is commonly understood.

SETTING THE SCENE

After the death of Mao Zedong in 1976, Deng Xiaoping launched a set of economic reforms to reinvigorate China’s economy. Characterized by the decentralization of economic authority and the limited introduction of market mechanisms, Deng’s selective and pragmatic approach paid off in remarkable economic growth. However, this growth has been uneven; it has been more beneficial to cities and coastal areas than to rural and hinterland regions. In the 1990s, economic reforms intensified, with widespread privatization and bankruptcy of state-owned enterprises (SOEs), pension and welfare reforms, greater opening to global capital—and deepened economic polarization and inequalities.

Since the mid-1990s, labor unrest has been on the rise.¹⁷ The chapters by Chan and Selden, Zhang, and Elfstrom in this section of the Handbook discuss the various forms of labor unrest that have taken shape in the wake of the economic reforms. Particularly in the private sector, precarious working conditions such as long hours, wage arrears, lax enforcement of health and safety standards, lack of labor contracts, limited access to medical insurance and retirement, and poor housing have led to increasing numbers of labor protests and strikes. Many of these have occurred in Guangdong Province, home to a large population of peasants-turned-workers who have left their rural homes for the south coast where labor-intensive, export-oriented light industry has concentrated.¹⁸

These developments are related to another aspect of China’s economic reforms: a massive rise in rural–urban migration. China’s *hukou* (house registration) system, a

mechanism of controlling the movement of the population, has a huge impact on the lives of peasant workers living in cities. One of the fundamental principles of the *hukou* system is that a person's place of birth determines their access to public services such as healthcare, free grade school education, and retirement benefits. When peasants leave their hometown to find employment in the cities they are deprived of these rights and entitlements,¹⁹ and are more prone to discrimination and exploitation in the workplace. This serves as an important context for the emergence of labor NGOs in China.

LABOR NGOs IN CHINA

Labor NGOs in China started to appear in the mid-1990s, a time of great economic growth as well as a time when the government drastically scaled back its provision of social services. During the mid-1990s, there was a rapid increase in voluntary associations, non-profits, and philanthropic and other intermediate organizations—hereafter referred to as civil society organizations (CSOs).²⁰ This chapter focuses on NGOs' work on labor-related issues, including minimum wage, overtime pay, social security insurance, and compensation for work-related injury and occupational disease. There are two kinds of labor NGOs in my study: grassroots and intermediary. Grassroots labor NGOs are not government creations; they are created and led by migrant workers themselves. These NGOs are classified by the Chinese government as social organizations (*shehui zuzhi* 社会组织) or civil organizations (*minjian zuzhi* 民间组织), which refer to a range of nongovernmental groups and non-commercial enterprises, whether registered or not.²¹ My interlocutors often use these terms to describe their organizations, and they also use the English term “NGO.” Intermediary NGOs act as an intermediary between labor NGOs in mainland China and Western foundations to channel funds, transfer knowledge and skills regarding running and managing an NGO, and implement development projects on the ground. Labor NGOs operating in Hong Kong fall into this category.

This chapter is based on material collected during fieldwork in 2012 and 2013, when I met and interviewed 24 staff members from 13 labor NGOs in mainland China and three labor NGOs in Hong Kong, as well as nine representatives from six foreign funding agencies and three from foreign embassies. I also interviewed 15 migrant workers, five of whom were actively involved in two cases of collective action assisted by one of the labor NGOs when I was doing fieldwork at the organization. In order to understand the partnership between Chinese grassroots labor NGOs and intermediary NGOs in Hong Kong, I did ethnographic research and spent an extended period of time in five of the NGOs I visited and interviewed—four grassroots labor NGOs in Guangdong and one intermediary labor NGO in Hong Kong. This Hong Kong labor NGO worked together with three of the four grassroots labor NGOs in Guangdong. I spent three to six months working in each of these labor NGOs. In addition, I also participated in labor-related workshops in Shenzhen, Guangzhou, and Beijing. At these workshops, I met and talked with labor NGOs from other parts of China, labor scholars, trade union officials, lawyers, foreign donors, and foreign government officials.

Under the rule of the Chinese Communist Party, CSOs have remained restricted, though they have been managed differently based on the kind of services they provide.

CSOs have been treated less intrusively if they provide social services or conduct work the state supports that is not considered a threat to the state. Religious, progressive, and policy-oriented advocacy groups typically have been more closely monitored by state authorities.

Official rules regarding CSOs also have constrained their establishment and operation. Before 2012, it was very difficult for CSOs to register as civil non-enterprise institutions (*minban fei qiye danwei* 民办非企业; *minfei* 民非 for short). This was due to the requirement of “dual registration,” a regulation requiring such organizations to find a professional supervisor or a supervisory agency (*yewu zhuguan danwei* 业务主管单位), usually a governmental institution or government-organized nongovernmental organization (GONGO).²²

Supervisors for a CSO must take full responsibility for the operation and running of the organization. This is not a responsibility that many in the government are willing to take on; if the organization does something wrong, the government agency will be held accountable. This regulation, therefore, had made it difficult if not impossible for CSOs to register. As a result, many CSOs are either unregistered or registered as private companies. The ambiguity of their status makes them an easy target of government harassment and crackdown. In 2012, the central government relaxed its regulation on managing CSOs by abolishing the dual registration requirement. Social organizations can now directly apply for registration with the Ministry of Civil Affairs. However, this change does not seem to have benefited the majority of labor NGOs. Viewed as having the potential to mobilize workers and raise political concerns, labor NGOs have continued to be treated with great caution by potential supervisory bodies. As a result, despite the relaxed regulation, many labor NGOs remain either unregistered or as private enterprises.

Another important feature of the context of labor NGOs is the lack of effective trade unions. The All-China Federation of Trade Unions (ACFTU) is the only official trade union in China. As part of the mass organization apparatus of the CCP, the ACFTU is hamstrung by its political subordination to the CCP and by its financial dependence on employers, who contribute 2 percent of their payrolls to the union fund.

An additional contextual factor is the role of Hong Kong. Hong Kong labor groups’ engagement in labor issues in mainland China can be traced to the 1980s.²³ From that time through the present, Hong Kong labor groups have actively helped to establish and cultivate labor NGOs in South China by connecting them with foreign foundations and expertise. Due to their fluency in English and administration, Hong Kong labor NGOs often administer and manage projects for Western donors. The majority of labor NGOs in China receive funding from international groups such as Oxfam (Hong Kong), the Ford Foundation, the Asia Foundation, the International Labour Organization (ILO), the European Union Human Rights Committee, development agencies attached to foreign embassies, and foreign Christian foundations. Some funding also comes from foreign trade unions.

Some labor NGOs are financed by multiple sources of funding, including academic grants, crowdsourcing via social media, and donations by NGO staff members and executive committees. Confronted with the intensification of labor unrest, the official trade union ACFTU has been increasingly financing labor NGOs in the name of maintaining stability. As noted by Zhang in this volume, pressure has been placed on the ACFTU to reform and become more responsive to workers’ demands. During my fieldwork, a few

labor NGOs revealed to me that they were approached by the ACFTU to organize legal training workshops for migrant workers and were considering collaboration with the ACFTU.

The predominant source of funding of the four grassroots labor NGOs where I conducted ethnographic fieldwork came from foreign foundations and trade unions, which covered the running costs of these NGOs, including the office rent, staff salaries, and other expenses of implementing projects such as organizing training workshops, visiting injured workers in hospitals, and coach meetings with migrant workers. As such, during my fieldwork, these labor NGOs were dependent on foreign funding for their day-to-day operation.

Labor NGOs' reliance on funding from foreign foundations can be easily labeled by the Chinese government as suspect connections with foreign forces. This, along with their ambiguous registration status, means that labor NGOs are commonly targeted for state surveillance. Of course, the reason that labor NGOs in China are predominantly supported by foreign funding agencies in the first place is that the politically sensitive existence of these NGOs makes it difficult for them to obtain domestic funds. Against the challenge of registration, risk of government surveillance, and reliance on foreign funding, Chinese labor NGOs operate under uncertain and risky conditions.

Due to the politically sensitive nature of organizing and mobilizing workers, many labor NGOs focus on social service provision. This includes free legal consultation; the dissemination of official documents like the Labor Contract Law and Social Security Law; and the organization of social and cultural activities for workers, such as an outing to the mountains, a barbecue in the park, or a singing contest. For international donors, such services and activities are relatively harmless and easy to fund without attracting much attention from the Chinese government. The labor NGOs I worked with offered migrant workers similar services. They assisted workers by offering free legal advice and drafting legal documents to file complaints against their employers as well as to bring cases to court. When bringing workers' grievances to the court, the labor NGOs usually dealt with these cases on an individual basis. Most of the grievances had to do with delayed wages and workplace injuries. The latter is a more sensitive issue as it can have a negative impact on the local government's ability to attract investors. NGOs that engage in legal assistance are often viewed by the local authorities as rights defense NGOs. They are politically threatening to the extent that they make the local government look bad by highlighting workers' grievances and bringing such cases to court.

Within the Chinese labor NGO community, there is a tacit understanding of what issues are considered politically sensitive and how NGOs should carry out their work without jeopardizing their own safety. As noted by one labor NGO leader, it is generally agreed that it is risky "to organize or mobilize workers" because "it is sensitive to get involved in mass incidents."²⁴ In addition, it is generally understood that any connection with the issues of Taiwan independence, Tibet, and Falun Gong is politically sensitive and should be avoided.

Nonetheless, some labor NGOs in the Pearl River Delta (PRD) region have progressively shifted the focus of their work towards assisting workers in collective action. One of the grassroots labor NGOs that I worked with had been active in doing so, helping migrant workers in electing worker representatives, providing advice and training for

worker representatives, organizing strikes, and initiating collective bargaining with management.

Describing such labor NGOs as movement-oriented labor NGOs, Feng Chen and Xuehui Yang discuss a number of reasons that account for this shift in attitude and modus operandi—including the increasing numbers of strikes as a result of workers' demand for more pay; compensation related to work injury and the relocation of factories; and social insurance payments—as well as the local governments' implicit tolerance of such groups.²⁵ Chen and Yang also note that the Honda strike in 2010 played a crucial role in catalyzing a wave of strikes across the country and, more significantly, changing the nature of labor struggles in China²⁶—a point that also is discussed in Zhang's chapter in this volume. Indeed, the shift towards more active involvement in workers' collective action in the years following the Honda strike marks a new development in labor NGO activism in China. This new dynamic also helps put into perspective the government's large-scale crackdown on labor NGOs in the Pearl Delta River region in 2012, as well as the even more severe crackdown of 2015, when several NGO leaders were detained.

Overall, labor NGOs in China exist and operate under difficult political, social, and economic conditions. With a palpable sense of precariousness, labor NGOs need to carefully negotiate the permissible boundaries of activism. Oftentimes such boundaries are vague and arbitrary, making the existence and operation of labor NGOs even more challenging. In the text that follows, through an ethnographic example of labor NGOs' responses to and interpretations of a specific incident of government suppression, I illustrate the precarious existence of these NGOs and evaluate their potential to serve as pillars of civil society and forces for political change—roles commonly accorded to them by international development agencies.

THE CRACKDOWN

When [the harassment] first started, they would come every day or every other day. At its worst, four different departments came in one afternoon. There was the fire department, the *guobao* [Public Security Bureau, PSB], the *guoan* [National Security Bureau, NSB], the labor bureau and even the administration for industry and commerce came too! Basically, everyone that could come came. They took turns visiting you and harassing you so that you couldn't work. At last, the landlord came too. When they came, they came to check [*jiancha* 检查]. For example, when the labor bureau came, they wanted you to show the employment contracts of all the staff; they wanted you to photocopy the pay slips and identification documents of every employee. Then they wanted you to put a stamp on every photocopy. The exact same thing happened when the administration for industry and commerce came. So each department [that came to visit] wanted you to show and photocopy these things. They were giving you such a hard time that you couldn't work. You ended up making photocopies every day. Then they asked you if you had violated any law. In the end, they told us that our office didn't meet the fire safety regulations so we couldn't work here. We were told to move. The entire floor [of the building] was rented out for office use but we were the only one that didn't pass the inspection. We were the only one that had to move. (Interview with "Zhong," labor NGO leader, 10 January 2013)²⁷

When I started my fieldwork in the Pearl River Delta region in the summer of 2012, labor NGOs there were reeling from the shock of a rare large-scale suppressive action undertaken by the authorities of Guangdong Province. In Shenzhen, a city predominantly populated by migrant workers, a dozen labor NGOs were harassed by local authorities

and police, and eventually evicted by their landlords. The interview quoted above illustrates the kind of harassment that some Shenzhen-based labor NGOs faced in 2012. For some NGOs, these actions lasted for a few months. Followed by a series of tense visits, these NGOs were asked to move by their landlords. Some Hong Kong labor organizations revealed that many of the landlords were pressured by the local police and authorities to ask their NGO tenants to relocate.²⁸

Sitting at his desk in his newly found office, on the sixth floor of an office building situated in a district center in Shenzhen, Zhong told me that the local authorities began to harass his organization in April in 2012.

After a month and a half, we decided to give in and agreed to move. But it didn't just end there. It [the harassment] continued. We have moved four times since May [2013]. No one wanted to rent to us. The most extreme one was that we were asked to move one day after we just signed the rental contract! We have been closely followed.

With some boxes still sealed and stacked against the wall in his office, it was clear that Zhong had only just moved to this new location. Continuous harassment from local authorities and moving between places had forced Zhong to discontinue the operation of his NGO. "It seems that it has quieted down. No one has come yet," he said. But even months after settling into the new office, Zhong still decided to keep a low profile and wait on resuming the operation of the organization out of fear of further harassment.

Hong Kong labor groups pointed out that the government harassment started in February 2012, but many targeted labor NGOs were too scared to speak up. Largely thanks to these groups in Hong Kong, news of the government crackdown on the labor NGOs was widely posted on many of these groups' websites.²⁹ Indeed, Hong Kong labor organizations were quite active, initiating a petition and issuing press releases denouncing the crackdown.³⁰ In August 2012, one of the targeted Chinese labor NGOs, Little Grass (*Xiao Xiao Cao* 小小草) Workers' Home (hereafter Little Grass),³¹ posted a video online which vividly revealed the government crackdown and reached the wider public both in Hong Kong and mainland China, as well as international media.

The video shows a group of hired thugs smashing windows and breaking down the front door of the labor organization's office; these violent acts occurred in front of the local police and some other bystanders.³² Little Grass had been pressured and visited by the town authorities as well as various government departments since June 2012. The landlord of Little Grass's rented office also came to ask the staff to move out of the location even though the rental contract was still good for almost two more years. On 30 August 2012, a dozen unknown men showed up and forced their way into the office of Little Grass.³³ Without revealing their identity, these men completely ignored the protests of Little Grass's staff and started moving the furniture, books, and folders from the office and throwing them into the street. After they were finished, they welded the iron door closed so no one could get in. Then they left. One of the staff had called the police, but the police did not arrive until the intruders had left. The police insisted that this episode of violence was nothing but a disagreement between the landlord and Little Grass. The police didn't take any written statement on what happened, and told Little Grass to resolve the issue with the landlord privately. Soon after this incident, Little Grass, like the other harassed labor NGOs, succumbed to the pressure and moved to a different area.

When asked why the crackdown occurred, Zhong shook his head and said that he had no idea.

You know I was the second NGO that was harassed. Heng [leader of another labor NGO] was the first one.³⁴ I even helped him to move! But he didn't tell me why he was moving. He just asked me to help so I did. I wish he could have told me that he was being harassed then I could have been better prepared. I was pretty upset after I found out.

Zhong has known Heng for many years, and said they are good friends. However, Zhong's comment tellingly exhibits the cautious interaction, lack of trust, and discretion that have marked his friendship with Heng. When I later talked to Heng, he jokingly remarked, "If it were not for the crackdown, would you have known what labor NGOs are in Shenzhen? Would you have known that there are at least a dozen labor NGOs in operation in Shenzhen?" When commenting on the targeted labor NGOs in this crackdown, one labor activist in Hong Kong said, "If a labor NGO came out and said they were harassed by the government, how do you know they were telling the truth?" These remarks describe the secrecy and ambiguity that permeates the environment of labor NGOs. They show not only that the labor NGOs have exerted discretion with one another but also that they are rather guarded with one another.

THEORIZING THE CRACKDOWN

The large-scale crackdown in 2012 sent chills down the spine of labor NGOs. Many responded with self-censorship, either scaling back services or discontinuing their operation. A common and rather obvious explanation of this behavior is fear. The function of political fear is "not to quell one individual, but to make an example of her, to send a message to everyone else that they should be careful, or they might be next."³⁵ However, focusing on the fear engendered by coercion does not get us very far if we want to understand how "the message" is perceived, speculated on, and interpreted by the people concerned. "The key point is that speculation surrounding a warning or punishment generates a set of imagined rules designed to prevent future clashes with authority."³⁶ Examining how activists understand and interpret political events can shed light on how activists navigate the gray zone between the forbidden and tolerated, and, more importantly, on how activists form beliefs about the limits of political tolerance, which in turn shapes their practice of activism.³⁷

Although the 2012 crackdown occurred in the context of greater labor NGO activity in assisting workers' collective action, it was not expected by NGO leaders.³⁸ From their perspective, the crackdown was characterized by great uncertainty due to the absence of clear signals from the top leaders and the ambiguity of its timing. The crackdown occurred at a time when the Guangdong Provincial Government announced its plan to implement what seemed to be rather liberal policies. These policies included stricter enforcement of labor laws, raising the minimum wage, encouraging direct representation for factory workers, and permitting social organizations to register independently without having a government sponsor. Why the suppression of the labor groups when Guangdong authorities seemed to be relaxing their labor policies?

In the absence of knowledge regarding the motives behind the crackdown, stories,

interpretations, and commentaries regarding the government suppression emerged and circulated in the labor NGO community both in Guangdong and Hong Kong. These were similar to Stern and Hassid's notion of a "control parable": "a type of didactic story that invent or recapitulate an understanding of why certain types of action are dangerous or even impossible."³⁹ Sometimes the moral of the parable can be so open-ended that different people read different lessons into the same event.⁴⁰ Stern and Hassid focus on control parables that deal with one particular type of uncertainty: "ambiguity about which actions political authorities consider off limits."⁴¹ In this context, they suggest, "small acts of education among the victims are central to the economy of fear. They minimize the amount of actual coercion perpetrators must apply, and they maximize the effect."⁴² As such, control parables dispel political possibilities from below without the direct involvement or even knowledge of the state.⁴³

During my fieldwork I heard and overheard conversations among labor NGO staff, academics, and lawyers speculating about the motives behind the 2012 crackdown. These stories were often told and discussed informally, such as during conference breaks or over meals, but mostly in confidential circumstances.⁴⁴ These conversations were an attempt to unravel the mystery of the crackdown. The participants compared it to previous crackdowns, looking at the particular characteristics of the targeted NGOs and how they differed from other labor NGOs. The targeted NGOs in the 2012 crackdown included both rights-based NGOs and service-oriented NGOs, and they all had received foreign funding. Therefore, the common assumption that rights-based NGOs were the target was almost immediately disregarded. Other theories about why the government launched such a large-scale crackdown on the labor NGOs in Shenzhen include: personal power politics; carrot and stick; and the ACFTU losing face.

Personal Power Politics

"There was an issue between Wang Yang and the Shenzhen Party Secretary. It was some personal power politics [*geren zhenzhi dozheng* 个人政治斗争] I heard. The Shenzhen Party Secretary [Wang Rong] was trying to make Wang Yang look bad at the 18th Party Congress," said a leader of a labor NGO based in Guangzhou. Stories about the power struggle between Wang Yang and Wang Rong were reported in the media, so it was known to the public.⁴⁵ Wang Yang has been one of the four Vice Premiers of China since January 2013. He also holds a seat on the Politburo of the Communist Party of China. Before then, Wang Yang served as the Communist Party Secretary of Guangdong Province. He has been viewed as one of the leading reformers in China's leadership. During his time as the Party Secretary of Guangdong Province, Wang Yang had emphasized private enterprise, economic growth, and a greater role for civil society in establishing social stability, which is widely known as the Guangdong model of development. At the 18th National Congress of the CCP, which began on 8 November 2012, Wang Yang was officially given a seat on the Politburo of the CCP. And, at the 12th People's National Congress (5–17 March 2013), he was officially promoted to one of the Vice Premiers of the Chinese state. According to an NGO leader, "Wang Yang's political career is going very well and it makes Wang Rong jealous. He wanted to cause some trouble to make the Guangdong model look less good." Other labor NGO leaders dismissed the theory of personal power politics, however. As a project manager of a Hong Kong labor NGO explained to me:

The crackdown lasted for ten months. To launch such a crackdown, they need to collect information on the targeted NGOs and then set up a timetable on when is the best time to attack which NGO. I have difficulty believing that this was just some political struggle between two politicians. It requires a detailed planning.

Carrot and Stick

Another theory regarding the motive behind the crackdown was revealed to me during a workshop in Shenzhen. One labor NGO director said:

I heard that the government has chosen Shenzhen and Guangzhou as two “experimental points” [*shidian 试点*.⁴⁶ Shenzhen is the stick while Guangzhou is the carrot. The experiment is not over yet. They [the authorities] need to do an evaluation of the test. There are two purposes of this test. One is to decrease the labor NGOs’ capacity of resistance, the other is to make them change, transform so they will function more as social service providers. They want to cut off their connections overseas so they get funding from the government. If their funding all comes from the government, it will be easier to control [them]. But they [the government] really just want to eliminate the labor NGOs. They have invested so much money in creating those social work service centers. Two million RMB per street!⁴⁷ It is not easy to apply for government money. You have to register first! But I also heard that the government simply wanted to see how much support the labor NGOs have actually gained from the workers after all these years. Not much as you can see. Little Grass got 100 signatures from their workers. Did you see any workers coming out to support the NGOs? No.

The labor NGO director told me that he knew people who work in the media in Beijing, and this is what he heard from his media friends.

The ACFTU Losing Face

The carrot and stick theory was also discussed in Hong Kong, but there the focus was on the official trade union: the ACFTU. In Hong Kong, the crackdown was particularly alarming for labor groups that have partnerships with labor NGOs in South China. One Hong Kong labor organization believed that this crackdown was a result of long-lasting tensions between the ACFTU and labor NGOs. “The Shenzhen ACFTU was really looking bad because of all the work these labor NGOs started doing [and] because they are competitors to some extent,” said the project coordinator of a Hong Kong-based labor NGO. He continued:

Locally, the ACFTU is part of the stability [*weiwen 维稳*] committee and someone from that committee was in charge of the crackdown. You know they [the ACFTU in Guangdong Province] announced the Federation of Social Service Organizations for Guangdong Workers and I heard they were trying to get some groups closer to the fold and close down others.⁴⁸ Basically it is a carrot and stick approach. It is possible but the only issue is: that action was taken by the ACFTU of Guangdong Province and I have never seen evidence that the ACFTU of Guangdong Province was involved in the crackdown in Shenzhen. It’s different people.

By “evidence” this project coordinator was referring to media reports and information he acquired from his partner NGO in Shenzhen, which was one of the targeted NGOs. The project coordinator continued:

You know Chen Weiguang and Liu Xiaogang are in Guangzhou.⁴⁹ As far as I know they are not aware of the day-to-day details of the crackdown on Shenzhen groups.⁵⁰ In either case, it sounds fairly reasonable to me. But none of this we know for sure. That's the honest answer. All we have is a few competing theories. I was once in a room with a representative from a foreign trade union and their partners, which are practically all the HK labor groups. They were there to talk about their experiences with the crackdown. It was clear that it was a coordinated attack, not a random personal attack. So we know that, but we don't know what caused it.

While trying to decipher the motives behind the crackdown, labor activists were also telling stories about how they understood the crackdown. There is usually an “evaluative component” in a story, which indicates why the story is important to tell.⁵¹ The evaluative component “reveals the attitude of the narrator towards the narrative.”⁵² Storytellers rarely say explicitly to their audience what the moral of the story they are telling is; “[r]ather, the story’s larger meaning seems to arise from the events themselves.”⁵³ This is because “it is through the structure of a story that we tame time, map space, and understand character and motive.”⁵⁴ Viewed as such, storytelling is an instrument of contention whereby we make excuses, give explanations, mobilize, and are moved to take action or not take action.⁵⁵

The different theories about the motive of the 2012 crackdown in Shenzhen described above are all plausible explanations. The more interesting point is how these labor activists try to draw meaning from this political event. A significant point is that none of the explanations criticized the political system, which, according to Stern and Hassid, is one of the most notable political consequences of control parables—they shift the blame away from the existing political system.⁵⁶ Research on NGOs in China has shown that activists who rarely run into trouble with the authorities tend to see those who do as having brought the trouble upon themselves.⁵⁷ This is explicitly illustrated by one of my conversations with a labor NGO director who, while commenting on the 2012 crackdown, criticized the behavior of Little Grass as “putting on a show” when Little Grass refused to move. “They [the police] want you to move so you move. Why cause trouble and make it difficult for all of us?” he said. It also shows how the context of fear and repression splinters the NGO community.

The failure to blame the Chinese leadership indicates both a sense of powerlessness and general acceptance of the status quo by the labor community, which poses challenges for imagining and bringing about radical change. Being attentive to what is said and not said or who is blamed or not blamed in the commentaries and explanations of the crackdown in 2012 sheds light on the degree to which the powerful have “successfully inserted themselves and their interests into the processes by which the weak understand themselves, their goals, their possibilities, and their constraints.”⁵⁸

CONCLUSION

This chapter draws on my fieldwork with a group of labor NGOs in mainland China and Hong Kong, and looks at their perceptions and interpretations of the government suppression of 2012—highlighting three main interpretations of this incident from my interlocutors. Notable in their readings of the 2012 government crackdown is

the absence of questioning and condemnation of the existing political system, which in turn raises questions about the role of labor NGOs in bringing about social and political change in China. The varied explanations of the crackdown provided by the labor NGOs illustrate their lived experiences as labor activists whose existence and activities are significantly constrained by China's political and economic conditions. These diverse readings also reveal how the repressive state is internalized and accepted, and how that has induced compliance from the governed.⁵⁹ Relatedly, this examination sheds light on the political culture in contemporary China, where the ambiguity of the boundaries of state control instigates a mode of thinking and behavior that reinforces the existing regime.

Since 2013, the Chinese government has further stepped up its clampdown on labor activists. Some rights groups say the government's increasing hostility towards labor activism largely has to do with China's slowing economy and a concomitant surge of labor disputes. The most recent and notable incident was the arrest of six labor rights activists in Guangzhou in the winter of 2015. These activists had been active in the labor rights movement in Guangdong and had assisted workers in negotiating better working conditions with their employers. They were formally arrested on charges such as disturbing social order and embezzlement. In 2016, these activists were all released, with three receiving suspended sentences for "gathering a crowd to disrupt social order." The opaque circumstances of their detention and possibly coerced confessions have raised questions of access to defense lawyers, treatment in detention, and unexplained intimidation of family members.

Following the intensified suppression of labor activists in 2015, some of the labor NGOs that I worked with in 2012 and 2013 either disintegrated completely or shifted their focus to social service provision for migrant workers' children. These new developments suggest that the future of labor activism in China will be even more uncertain and gloomy than it has been in past decades. Labor activists and NGOs will continue to tread risky waters and gauge the limits of state tolerance in order to survive in the ever-diminishing political space of activism.

NOTES

1. Gordon G. Chang, *The Coming Collapse of China* (New York: Random House, 2001); Minxin Pei, *China's Trapped Transition: The Limits of Developmental Autocracy* (Cambridge, MA: Harvard University Press, 2006); Susan L. Shirk, *China: Fragile Superpower* (New York: Oxford University Press, 2007); Bruce Gilley, *China's Democratic Future: How It Will Happen and Where It Will Lead* (New York: Columbia University Press, 2004).
2. Sebastian Heilmann and Elizabeth J. Perry, eds., *Mao's Invisible Hand: The Political Foundations of Adaptive Governance in China* (Cambridge, MA: Harvard University Asia Center, 2011), 4.
3. Rachel E. Stern and Jonathan Hassid, "Amplifying silence: uncertainty and control parables in contemporary China," *Comparative Political Studies* 45, no. 10 (2012): 1230–54.
4. Darcy Pan, *Laboring through Uncertainty: An Ethnography of the Chinese State, Labor NGOs and Development* (PhD diss., Stockholm University, 2016).
5. Mark Schuller and David Lewis, "Anthropology of NGOs," *Oxford Bibliographies* (2014). DOI: <http://dx.doi.org/10.1093/obo/9780199766567-0090>.
6. Perry Link, "China: the anaconda in the chandelier," *New York Review of Books* (2002), <http://www.nybooks.com/articles/2002/04/11/china-the-anaconda-in-the-chandelier/>; Jonathan Hassid, "Controlling the Chinese media: an uncertain business," *Asian Survey* 48, no. 3 (2008): 414–30; Guobin Yang, *The Power of the Internet in China: Citizen Activism Online* (New York: Columbia University Press, 2009); Heilmann

- and Perry, *Mao's Invisible Hand*; Nara Dillon, "Governing civil society: adapting revolutionary methods to serve post-Communist goals," in *Mao's Invisible Hand*, eds., Heilmann and Perry; Stern and Hassid, "Amplifying silence."
7. Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006); Christopher A. McNally, "China's changing *guanxi* capitalism: private entrepreneurs between Leninist control and relentless accumulation," *Business and Politics* 13, no. 2 (2011): 1–29.
 8. Jacque deLisle, "Atypical pneumonia and ambivalent law and politics," *Temple Law Review* 77: 193–245; Vivienne Shue, "Legitimacy crisis in China?" in *State and Society in 21st Century China: Contention and Legitimation*, eds., Peter Hays Gries and Stanley Rosen (New York: Routledge, 2004); Richard Levy, "Village elections, transparency, and anti-corruption: Henan and Guangdong provinces," in *Grassroots Political Reform in Contemporary China*, eds., Elizabeth J. Perry and Merle Goldman (Cambridge, MA: Harvard University Press, 2007); Guobin Yang, "Contention in cyberspace," in *Popular Protest in China*, ed., Kevin J. O'Brien (Cambridge, MA: Harvard University Press, 2008); Ching Kwan Lee, "Workers and the quest for citizenship," in *Reclaiming Chinese Society: The New Social Activism*, eds., You-tien Hsing and Ching Kwan Lee (London and New York: Routledge, 2010); Bin Xu and Xiaoyu Pu, "Dynamic statism and memory politics: a case analysis of the Chinese war reparations movement," *The China Quarterly* 201 (2010): 164.
 9. Ralph Litzinger, "In search of the grassroots: hydroelectric politics in Northwest Yunan," in *Grassroots Political Reform in Contemporary China*, eds., Perry and Goldman; cf. Michael Taussig, *The Nervous System* (New York: Routledge, 1992).
 10. Jonathan Hassid, "Controlling the Chinese media: an uncertain business," *Asian Survey* 48, no. 3 (2008): 415; see also Stern and Hassid, "Amplifying silence."
 11. Hassid, "Controlling the Chinese media." There Hassid argues that the Central Publicity Department has absolute power to determine what is appropriate media coverage. What is frustrating for the Chinese news workers is that what qualifies as appropriate news coverage is not always clear. In fact, all too often the boundaries of suitable news stories are so vague and arbitrary that many media workers have to exert more self-censorship in order to stay within the vaguely defined boundaries of state tolerance.
 12. Elizabeth J. Perry, *Challenging the Mandate Of Heaven: Social Protest and State Power in China* (New York: M.E. Sharpe, 2002); Rachel E. Stern and Kevin J. O'Brien, "Politics at the boundary: mixed signals and the Chinese state," *Modern China* 38, no. 2 (2012): 174–98.
 13. Stern and O'Brien, "Politics at the boundary," 177.
 14. James Scott, *Seeing like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998).
 15. Matthew Hull, *Government of Paper: The Materiality of Bureaucracy in Urban Pakistan* (Berkeley: University of California Press, 2012), 166.
 16. During my fieldwork in South China, I observed that labor NGOs exert varying degrees of caution and discretion when interacting with one another. For example, some labor NGOs may have closer relationships with one another because they have been connected by the same NGO partners in Hong Kong.
 17. Ching Kwan Lee, "Is labor a political force in China?" in *Grassroots Political Reform in Contemporary China*, eds., Perry and Goldman, 228.
 18. Anita Chan, *China's Workers under Assault: The Exploitation of Labor in a Globalizing Economy* (New York: M.E. Sharpe, 2001); Students and Scholars Against Corporate Misbehavior (SACOM), "Looking for Mickey Mouse's conscience: a survey on working conditions of Disney supplier factories in China" (2005), <http://sacom.hk/wp-content/uploads/2008/07/disney.pdf>.
 19. Ngai Pun, "The making of a global dormitory labor regime: labor protection and labor organizing of migrant women in South China," in *Labor Migration and Social Development in Contemporary China*, ed., Rachel Murphy (London: Routledge, 2009), 156; Dorothy Solinger, *Contesting Citizenship in Urban China: Peasant Migrants, the State, and the Logic of the Market* (Berkeley: University of California Press, 1999).
 20. Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000).
 21. Qisha Ma, *Non-Governmental Organizations in Contemporary China: Paving the Way to Civil Society?* (London and New York: Routledge, 2006).
 22. Ibid., 64. GONGOs are government-sponsored NGOs; they are usually created to promote issues to which the government wants to bring attention.
 23. As discussed in the chapters by Suzanne Pepper and Joyce Nip in this Handbook, in 1997, Hong Kong was transferred to China by the British government after being under British administration for more than 150 years. Long before the handover of Hong Kong, the Beijing government was in discussions with the United Kingdom over the sovereignty of Hong Kong. It was agreed that it was to be given the status of a Special Administrative Region (SAR) of the People's Republic of China. This allows the governance of Hong Kong to follow the principle of One China, Two Systems, which means that the Hong Kong SAR retains its economic and political systems—including its own government, multi-party legislature, legal systems, police force, monetary system, and immigration policy.

24. “Mass incident” is a press term coined by the Chinese government to describe public disturbances by a substantial number of people attempting to safeguard their interests and rights.
25. Chen Feng and Xuehui Yang, “Movement-oriented labor NGOs in South China: exit with voice and displaced unionism,” *China Information* 31, no. 2 (2017): 155–75, 158.
26. Ibid.
27. In an effort to ensure the safety and security of my informants living and working in China, I have changed the names of the people and have omitted references that could identify them.
28. Press release by the Hong Kong labor group “Students and Scholars Against Corporate Misbehavior” (SACOM), <http://www.sacom.hk/?p=952>.
29. <http://www.workerempowerment.org/en/updates/36>; <http://www.lac.org.hk/en/node/108>.
30. <http://www.inmediakh.net/node/1014958>; <https://talkingunion.wordpress.com/2012/10/17/stop-the-crackdown-on-labour-ngos-in-china/>; <http://goodelectronics.org/news-en/china-stop-the-crackdown-on-labour-ngos>.
31. Since this is an event that has been reported in the media, I use the real name of the labor NGO shown in brackets and provide an English translation of its name.
32. “Government crackdown on labor groups worsens in South China,” <http://www.globalpost.com/dispatch/news/regions/asia-pacific/china/120831/south-china-labor-crackdown>. The video can be found here: <http://bbs.tianya.cn/post-838-33197-1.shtml>.
33. Little Grass posted information on its blog and website about how they were suppressed by the local authorities. See <http://bbs.tianya.cn/post-838-33197-1.shtml>.
34. In fact, the crackdown started in late 2011. Dagongzhe Center is believed to be the first victim of the crackdown. The labor NGO posted a chronology of the government harassment on its blog. See http://blog.sina.com.cn/s/blog_6b0ef6fc01013mlp.html.
35. Corey Robin, *Fear: The History of a Political Idea* (Oxford: Oxford University Press, 2004), 179.
36. See Stern and Hassid, “Amplifying silence,” 1241.
37. Ibid.
38. Feng and Yang, “Movement-oriented labor NGOs.”
39. Stern and Hassid, “Amplifying silence,” 1240.
40. Ibid., 1241.
41. Ibid., 1242.
42. Robin, *Fear*, 181.
43. See Stern and Hassid, “Amplifying silence,” 1241.
44. Cf. Caroline Humphrey, “Stalin and the blue elephant: paranoia and complicity in post-communist metahistories,” in *Transparency and Conspiracy: Ethnographies of Suspicion in the New World Order*, eds., Harry G. West and Todd Sanders (Durham, NC: Duke University Press, 2003), 177.
45. <http://www.epochtimes.com/gb/12/6/16/n3613795.htm>.
46. Sebastian Heilmann, “Policy-making through experimentation: the formation of a distinctive policy process,” in *Mao’s Invisible Hand*, eds., Heilmann and Perry, 62–101.
47. Guangdong Province has invested a lot of resources to enhance the role of social organizations in building a harmonious society. One of the policy objectives is to establish as many social service centers as possible. In Guangzhou City, the goal is that each street will have one social service center with a budget of 2 million RMB to run the service.
48. The Federation of Social Service Organizations for Guangdong Workers was announced and created on 16 May 2012 in Guangzhou City. This Federation was initiated and is led by the ACFTU of Guangdong Province. It encourages worker-oriented individuals, research institutes, and social service organizations to join. According to the website of the ACFTU of Guangdong Province, the Federation currently consists of 34 organizations and 55 individual members. See http://www.gdftu.org.cn/gysyj/links/cydwwz/201208/t20120821_310365.htm.
49. Chen Weiguang was chair of the ACFTU Guangzhou Municipal Trade Union from 1993 to 2013, and Liu Xiaogang was its vice chair from 2007 to 2013.
50. As I found out later, the director of this Hong Kong labor NGO has regular meetings with officials from the Guangdong ACFTU.
51. William Labov and Joshua Waletzky, “Narrative analysis: oral versions of personal experience,” in *Essays on the Verbal and Visual Arts: Proceedings of the 1966 Annual Spring Meeting of the American Ethnological Society*, ed., June Helm (Seattle, WA: American Ethnological Society, 1966), 33–9.
52. Ibid., 37.
53. Francesca Polletta, *It Was Like a Fever: Storytelling in Protest and Politics* (Chicago: University of Chicago Press, 2006), 10.
54. Laleh Khalili, *Heroes and Martyrs of Palestine: The Politics of National Commemoration* (Cambridge: Cambridge University Press, 2007), 226.
55. Ibid.

56. See Stern and Hassid, "Amplifying silence," 1243.
57. Timothy Hildebrandt, *Social Organizations and the Authoritarian State in China* (Cambridge: Cambridge University Press, 2013), 5.
58. Susan C. Stokes, "Hegemony, consciousness and political change in Peru," *Politics & Society* 19, no. 3 (1991): 270.
59. See Stern and Hassid, "Amplifying silence," and Hildebrandt, *Social Organizations*.

PART 4

RURAL RESIDENTS

11. Collective petition and local state responses in rural China

Lei Guang and Yang Su

China has experienced a dramatic increase in citizen protests and civil unrest in the past two decades.¹ As aggrieved citizens grow more assertive in their demands, government officials increasingly worry about social instability. Stability maintenance has become an obsession of the Chinese state, a focal point of attention for its political-legal apparatus—namely the Party committee, the police, the courts and China’s unique petition system.²

Previous research has shown that Chinese citizens adopt a variety of forms of protest, from everyday forms of resistance (e.g. foot-dragging, work stoppage, etc.), to moral economy remonstrations (e.g. pressing for livelihood relief by appealing to traditional and socialist values), to rightful resistance (e.g. protest by appealing to official ideologies and policies).³ They lodge complaints at every level of the Chinese government, frequently skipping levels to appeal to higher authorities with jurisdiction over their cases. They adopt tactics that cover a wide gamut of action types, including rallies, strikes, sit-ins, road blocking, gate crashing and street violence, administrative litigation, and individual and collective petitions.

The last category—petitioning party and government officials—is by far the most prevalent method used by Chinese citizens.⁴ In 2003, for example, letters and visits to petition bureaus at the county level or above totaled 12.7 million, compared to the less than 1 million administrative litigation cases handled through formal judicial channels. The popularity of petitions shows the relative accessibility of petition offices in China. It is also due to Chinese citizens’ preference for direct administrative intervention rather than court action. From the early 2000s to the end of the decade, coinciding with the tenure of the Hu-Wen administration, many scholars documented a surge in the number of petitions to central government offices.⁵ The same is true at the local levels. As Christopher Heurlin demonstrates in his chapter in this volume, petitioning around land-taking in Zhejiang Province surged in the mid-2000s when state practices in land-taking and compensation activated farmers’ collective identities.

This chapter draws on a unique dataset of collective petitions in a provincial capital in a largely rural province to offer a description of Chinese citizens’ collective petition activities (defined by government regulations as involving five or more people) around the time of the petitions surge in the early 2000s. Specifically, the chapter analyzes how the size of petitions, the petitioners’ social status, and the adoption of disruptive tactics influenced the way that petition officials dealt with the petitioners. One key finding is that these factors do seem to have affected the petitioners’ *access* to the officials, but they did not make any difference in the *resolution* of their substantive grievances. As we will argue later, one main reason why this is the case is because of the duality or contradictions built into the system—it allows officials to encourage petitions (so as to get the citizens to air

their grievances) and suppress the petitioners (so as to maintain political stability) at the same time.

In the following we first describe the evolution of the petition system from the 1950s to the time of this writing, noting its radical change from an institution of “mass line” mobilization to one that simultaneously works to channel grievances and suppress protest. We then utilize our data from 2002–2003 to analyze the patterns found in these collective petitions, followed by an examination of the main factors impacting the government’s responses in terms of granting an audience for the petitioners and resolving their grievances. We conclude by showing how our analysis reveals a petition system that is riven by internal contradictions as both an enabler and a suppressor of citizens’ petitioning, and by commenting on the development of the petition system under the Xi Jinping regime.

EVOLUTION OF THE PETITION SYSTEM AND ITS INTERNAL CONTRADICTIONS

The PRC State Council created the “letters and visits” or petition system in 1951 to facilitate a form of “direct democracy” in accordance with Mao’s notion of the “mass line.”⁶ In its ideal form the system was viewed as a way to strengthen communication between citizens and government officials.⁷ Even in the early 2000s the system was called by Chinese officials “an important channel for the leading party and state leaders to connect with the masses and to gauge the trends in the society and public opinion (*sheqing minyi*).”⁸ In the Mao period the petition system was also used to mobilize the masses for specific political objectives.⁹

After the death of Mao and the end of the Cultural Revolution, the new CCP leadership reactivated the petition system for the purpose of rehabilitating officials and addressing past injustices under Mao. From 1979 to 1981, there was a record number of letters and visits from the citizen petitioners.¹⁰ During this period, petition bureaus abandoned using petitioning to mobilize the citizenry. Instead these offices were charged with handling citizen grievances in the absence of a functioning court system.¹¹ Successful resolution of large numbers of cases in the early 1980s established the petition offices as the main channel for complaint voicing by citizens. Since then, the number of petitioners has increased steadily (Figure 11.1).

After the early 1980s, the petition system became more institutionalized. There was a steady buildup in the number of dedicated petition offices. Petition officers became increasingly professional, with staff training, manuals and procedures. Higher-level petition offices could carry out investigations on their own. In response to the increase in petitions in the 1990s, the central government also elevated the organizational status of petition bureaus. In 1995, a temporary regulation on petitions was passed, which was then revised in 2005 as the permanent *Xinfang Regulation* that still guides petition work today. Provinces, counties, and cities followed with local regulations. In 1999, the government raised the administrative rank of the central petition bureaus—affiliated with the general offices of the Central Committee and the State Council—to the vice-ministerial level with an enlarged budget. Staffing levels increased at the central and local levels throughout the 2000s.¹²

In 2000, the central petition bureaus were combined and renamed the State Bureau of Letters and Visits, sitting at the top of a sprawling bureaucracy charged with channeling

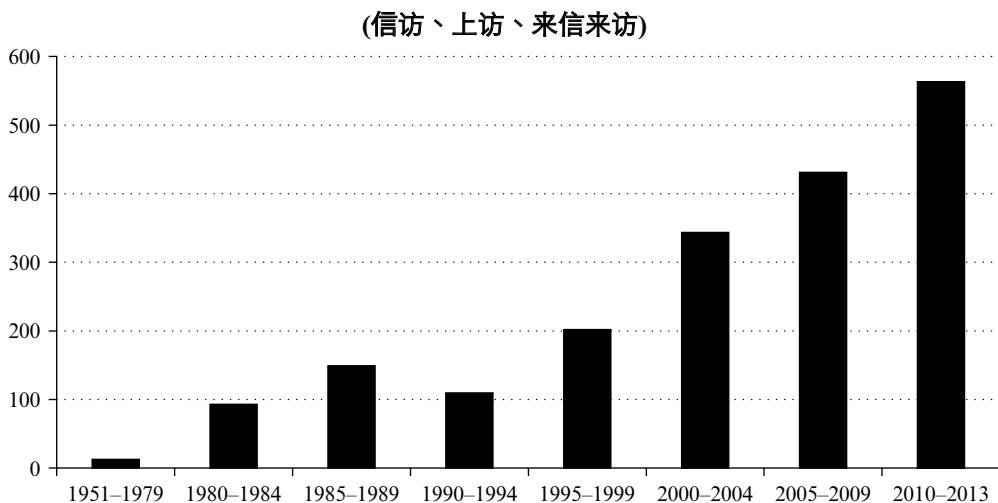


Figure 11.1 Annualized frequency of petition terms used in *Renmin Ribao*

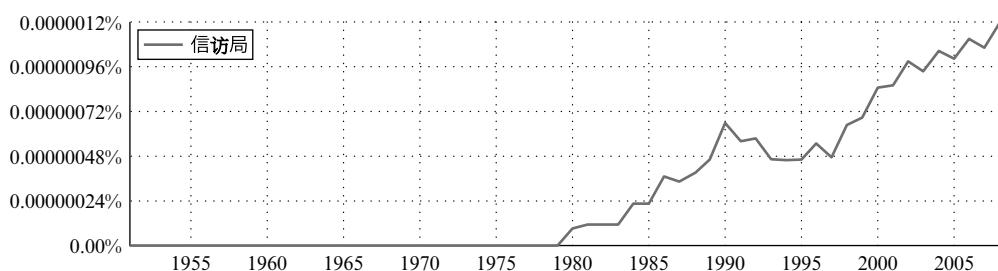


Figure 11.2 Frequency of mention of “petition bureau” (信访局) in Chinese corpus from Google Ngram Viewer

and resolving popular grievances. At each level of the government, a general office of letters and visits—called a “bureau” at the county level and above, is created under the direct supervision of the leading Party and government official. The general bureau is supported by an array of petition offices attached to various state organs, including the people’s congresses, courts, procuratorates, youth leagues, labor unions, women’s federations, and large enterprises. Today, petition bureaus are highly visible in China’s governance system because of their horizontal reach across government agencies. It is not surprising that references to the term “petition bureau” (信访局) have increased steadily throughout the reform period (Figure 11.2).

The 2005 *Xinfang Regulation* extended the reach of petition offices further downward by requiring a dedicated staff and the setup of specialized petition offices at the street level in cities and at the township level in the countryside. The regulation also assigns the responsibility for handling petitions to the leading officials at each level of government.

Many cities hold regular “petition days” wherein leading officials, such as mayors and vice mayors, meet with petitioners to hear their grievances. Officials have also made efforts to coordinate action by different government offices to engage in what they call “grand petition” (*da xingsfan*).¹³ To further demonstrate their commitment to petition work, many local governments set the goal of eliminating collective petitions and tie performance reviews to the successful handling of petition cases. It has been commonplace for local officials to sign “responsibility contracts” for managing troublemaking petitioners.

Since the 1990s, the mission of the letters and visits system has shifted toward ensuring that petitioners do not stir up trouble for officials. Two developments in the 1980s, along with the rising tide of petitions, turned the petition system from an organization responsible for resolving grievances to one charged with suppressing petitioners. One development was the passing of the “Measures on Detention and Repatriation of Urban Vagrants” in 1982. The new detention and repatriation measures gave petition officials a new tool to restrain “unruly” petitioners. In the 1990s and early 2000s, officials liberally used retention and repatriation powers against petitioners. Even after the abolition of such powers in 2003 following the death of petitioner Sun Zhigang (see Chapter 4 by Pils in this volume), officials continued to utilize extra-judicial methods of controlling petitioners, including sending them to privately run “black jails” and education camps.¹⁴

A second development in recent decades is the heightening of the leadership’s attention to social and political stability.¹⁵ The 1989 student-led protest demonstrated the fragility of China’s political system to top leaders, so the first post-Tiananmen conference on petitions was devoted to strengthening the petition system in the workplace and in universities.¹⁶ After the 1990s, the petition offices were made an integral part of the politico-legal apparatus responsible for stability maintenance.¹⁷ At present, the system’s goal is to restrain petitioners, keep them in the local area, and prevent them from taking collective action. Local officials are less pressured to resolve the complaints than to pacify petitioners to keep stability.¹⁸

Yet, the efficacy of the petition system is questionable in both respects. Although local petition bureaus have succeeded in resolving large numbers of grievances, they have not stemmed the tide of rising petitions. The poor performance of local petition officials is seen in the open acknowledgment by State Bureau of Letters and Visits Director Zhou Zhanshun in 2001 that 80 percent of capital petition cases should have been resolved locally.¹⁹ The outcome of capital petitions in Beijing is especially dismal. According to an estimate by Yu Jianrong in 2004, only two-tenths of 1 percent of the capital’s petitioners had their cases resolved.²⁰

Far from improving stability, the petition system that has operated since the 2000s has undermined social stability. First, the system reinforces popular distrust of “evil” local leaders.²¹ Second, the system’s ineffectiveness in resolving local grievances necessarily disappoints the petitioners, who are then spurred on to appeal to even higher authorities. What officials call “abnormal petitions”—namely, repeat, skip-level, and collective petitions—are born out of such frustrations. Finally, the high pressure on local officials to rein in petitioners has frequently led to the use of perverse, and sometimes violent, tactics against petitioners. Such tactics include stalking, intercepting, and imprisoning petitioners against their will, which tends to radicalize petitioners. As Yu Jianrong found in a survey of 632 capital petitioners in 2004, a majority of them had been beaten, sometimes

by local thugs hired by officials, or had their houses ransacked and properties confiscated. In the survey, 87.3 percent vowed to “fight the bad and corrupt officials to death,” while 53.6 percent of them wanted to do something that “would create fear for the officials.”²²

A steady increase in the number of collective petitions has alarmed the central government in China.²³ Collective petitioners are known to be more likely than individuals to skip levels to bring their grievances directly to provincial or central leaders. They are also likely to create public disturbances such as blocking roads or the entrance to government offices. At the same time, Chinese officials generally view collective petitions as “popular protests that may be illegal but are not anti-systemic,” and that are “unorganized even if they may involve multiple people.”²⁴

Yet there is no question that political authorities regard petitioners as a destabilizing force. During the high tide of Beijing petitioning in 2003–2006, the top party leadership made no distinction between collective petitions and mass protests, and they ordered “joint meetings” to deal with both petitioners and instigators of mass incidents. In spite of calls by the central leaders not to deploy the police to suppress petitioners, rural collective actions were often met with violent crackdowns.²⁵

Since Xi Jinping came to power in 2012, he has continued to emphasize the role of the petition system in channeling citizens’ grievances. But he has also tried to off-load many petition cases to the court system as part of his effort to strengthen “rule by law.” His focus on reforming the petition system includes: abolishing the practice of ranking local governments based on the number of capital petitions; lowering the threshold for legal relief and separating petitionable grievances from others that can be channeled into administrative or court processes; and encouraging the use of online petitions.²⁶

According to Southern Metropolitan News, such reforms have led to a decline in capital petitioners by 27 percent from 2013 to 2014, with online petitions accounting for 43.6 percent of the total volume.²⁷ The number of overall petitions, capital and collective petitions, continued to decrease in 2015, according to the official Xinhua news agency.²⁸ To further stem the tide of petitions, the central government issued new measures of a “petition responsibility system” in 2016 to hold officials accountable for mass incidents triggered by petitions.

Nonetheless, rural petitioning remains a major source of friction,²⁹ with land-taking, pollution, and official abuse of power in local settings being the main triggers of mass protests in rural areas.³⁰ In the next section, we draw on the collective petition data from rural “H province” to provide a snapshot of the demographics of rural petitioners and how they have been received by the petition-handling officials.

WHO ENGAGES IN COLLECTIVE PETITIONING AND HOW ARE THEY DEALT WITH?

The data for our analysis is coded from H province’s monthly newsletters on collective petitions in 2002 and 2003. At the time, the provincial petition bureau assembled the newsletter every month and circulated it to lower-level petition offices throughout the province. Along with a short analysis of the trends, the newsletter recorded the date, place of origin, site of petition, number of petitioners, the petitioners’ main complaint and demands, and a variety of responses by petition officials. It also ranked prefecture-level

cities according to the number of reported incidents. In total, 1,218 cases were reported over the two-year period.

At the time of its circulation, the newsletter not only kept a record of the number of collective petition cases in the provincial capital, but also ranked the prefecture cities according to the number of cases in order to put pressure on local officials. The practice of ranking the cities in H province seemed to have preceded the national “petition ranking system” issued after 2004.³¹ While the cases that went into the ranking represented a small subset of petition activities in the province, provincial and prefectoral leaders paid close attention to the ranking.

In 2002 and 2003, 26,435 petitioners staged 1,218 collective petitions, averaging 22 people per case. Collective petitions thus were almost a daily occurrence in the provincial capital, although most incidents happened in the second half of the year. February, with many New Year holidays in the month, recorded the lowest number of cases (37 in total), while petitions tended to pick up after August and would last till the end of the lunar year.

Previous research has shown that officials pay particular attention to what the government has defined as “abnormal” petitions: skip-level petitions, repeat petitions, or disruptive petitions.³² In the case of H province in 2002–2003, it is unclear how many of the petitioners skipped the lower levels of government to come directly to the provincial capital; but the way many petitions were resolved temporarily—one-third of the petitioners were sent back or their cases were referred back to the lower levels of government—suggests that many petitioners did skip levels to lodge complaints directly with provincial petition bureaus.

A majority (52 percent) of the cases involved petitions at the provincial government compound rather than at the designated petition bureau site that is safely ensconced away from the rest of the government buildings. There were 266 cases of “repeat petitions,” about 22 percent of the total. Most petitions took place in an orderly fashion, but disruptive activities did occur from time to time when petitioners raised banners in public processions, shouted slogans, blocked roads and government building entrances, and even charged government compounds. The monthly reports listed 143 such cases in 2002 and 2003.

In terms of the profile of collective petitioners, they came from all walks of life—including workers, villagers, civil servants, businessmen, students, retirees, and demobilized soldiers. Workers and village/township residents were responsible for the majority of petition cases, accounting for 26 percent and 32 percent of the petitions filed, while civil servants and migrant workers accounted for a tiny fraction at 1.6 percent and 1.1 percent.

Petitioners in these categories occupy different power positions in society. The most powerful include civil servants, retirees, and demobilized soldiers. The latter two types hold great influence because of their social network and because the government does not have much leverage over them aside from the threat of repression. The weakest in terms of power are laid-off workers and rural migrants. In between are students, workers, villagers, businessmen, and ordinary city and township dwellers. Of the 1,205 cases in the database, petitioners in 42 percent of the cases (500) fell into the least powerful category; 47 percent of the cases (561) were in a somewhat powerful position; and the remaining 12 percent (144) were in the most powerful position.

As already mentioned, the average number of petitioners involved in a case was 22. While the largest gathering of petitioners (detailed below) was estimated to be about

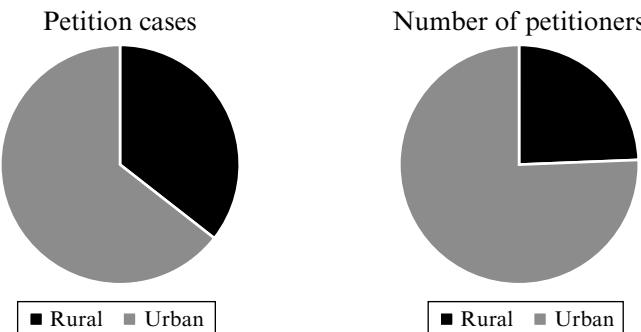


Figure 11.3 Rural and urban petitioners and petition cases

1,000 people, about half of the cases involved 11 or fewer petitioners. About 8 percent of the petitions involved 50 people or more, and less than 3 percent involved 100 or more petitioners. Researchers have found in the past that the scale of petition or protest is a good predictor of positive outcome. Other things being equal, the more people there are in a petition, the more likely they will attract attention, and possibly concessions, from officials.³³

Also noteworthy is that there were three times as many urban *hukou*-holding petitioners as rural *hukou*-holding petitioners.³⁴ This is quite striking, considering that H province is a largely rural province, with the official urban *hukou*-holding population at about 20 percent in 2003. Further, as Figure 11.3 shows, the number of collective petitions filed by urban *hukou*-holders was almost double those filed by agricultural *hukou*-holders. Collective petitions, or at least collective petitions at the provincial capital, seemed to be predominantly undertaken by urban residents.

The outcome of the petition efforts was quite uncertain. We are somewhat constrained by the data because they do not report whether the petitioners' grievances have been permanently resolved or not. The reports only provide information on *immediate* relief, which is a snapshot of one encounter in a series of encounters between the officials and petitioners. However, one may approximate the final outcome by looking at a few indicators, namely: the rank of the officials who received the petitioners; the involvement of multiple departments; and the immediate action taken with regard to the petitioners (e.g. whether or not they were repatriated or turned away, or referred to higher-level agencies).

According to the data, 44 percent of the cases were heard by prefecture/city-level officials or above, while the rest involved lower-level officials at county level or below. On average, 2.5 government agencies were involved in meetings with the petitioners. The immediate actions taken by the petition bureaus ranged from dismissal (不予受理) to repatriation (劝返), case filing (立案), the rendering of a specific opinion (明确答覆处理意见), and active referral to other government offices. We consider referral to provincial-level offices, the rendering of a specific opinion, and case filing as positive outcomes and the other options as unfavorable.

GOVERNMENT RESPONSES TO PETITIONING: ANALYSIS AND FINDINGS

One of the main goals of petitioners is to meet with the higher officials who have jurisdiction over their cases. In the absence of other indicators of power, the rank of the official meeting them matters. It is generally believed that the higher an official's rank, the better able she or he will be to address the petitioners' grievances. But what factors influence the chances that higher-level officials will meet with petitioners? What could impact the immediate actions taken by the officials? In this section, we provide answers to these questions by analyzing the determinants of local state responses to collective petitions.

Table 11.1 shows how the petitioners' social status affects the chance of their being received by an official at the prefecture-city level or up. It categorizes the petitioners according to two criteria: (i) by occupation (e.g. civil servants or workers) or social status (retired personnel or rural dwellers) that indicates the relative power position for the petitioning group; and (ii) by rural or urban status (e.g. whether the petitioners hail from rural counties or urban districts).³⁵

While higher-level officials only heard 40 percent of the petition cases brought by the least powerful petitioners, the comparable figure for the most powerful petitioners was 57.6 percent. Rural petitioners had 37 percent of their cases heard by officials at or above the rank of prefecture cities, yet a majority (51.3 percent) of urbanites had their cases heard by higher level officials. China's rural residents lack power in general because of the government's urban bias. In addition, urban petitioners may be better organized, have more resources, and be more likely to cause disturbances on the street. Indeed, our data shows that the urban petitioners are more likely (15.2 percent) to engage in disruptive action than their rural counterparts (8.9 percent).

Many researchers of collective action in China point to the significance of the size of the protest group.³⁶ Table 11.2 shows that, in the case of H province, petitions that

Table 11.1 Petitioners' social status and likelihood of higher-level intervention

Received by higher officials	
Least powerful petitioners ¹	40.0%
Somewhat powerful petitioners ¹	43.7%
Most powerful petitioners ¹	57.6%
Petitions from rural areas ²	37.0%
Petitions from urban area ²	51.3%

Note: ¹ Chi2=14.1, Pr=0.001; ² Chi2=24.9, Pr=0.000.

Table 11.2 Petition size and reception by higher-ranking officials

	Size of petition (mean)	Obs.
Lower officials	15.8	677
Higher officials	29.4	528
	21.8	1,205

received the attention of higher-level officials (29.4 participants on average) were almost twice the average size of petitions handled by the lower officials (15.8). There is also a positive correlation between protest size and the number of departments involved. The bigger the collective petition, the higher the officials' rank and the more government agencies involved.

Finally, we consider the effect of disruptive action on the government responses. In China, disruption, violence, and sometimes casualties have been effective ways of pressuring the government. Coupled with media publicity, large-scale disruptive action can lead to a favorable outcome for petitioners.³⁷ The Chinese saying "Big-time troublemaking produces big results, small-time troublemaking produces small results, and staying quiet produces no results" captures this state of affairs. To be sure, creating a scene can be costly for the petitioners, so it is not always the preferred strategy. In our 1,205 petition cases, only a minority (143 cases or 12 percent) were accompanied by one form of public disturbance or another, including illegal assembly and procession, slogan shouting, banner waving, road blocking, or charging at government compounds. As Table 11.3 shows, petitions accompanied by disruptive action do seem to have a higher likelihood of attracting the attention of top officials.

Urban, more powerful petitioners were more prone to disruptive actions than rural and less powerful petitioners (Table 11.4). So, it is possible that the higher officials' attention was determined by the petitioners' social status, or a combination of status and disruption, but not by disruption alone. This leads us to the first hypothesis.

Table 11.3 Disruption and reception by higher and lower officials

	Disruption	No disruption	Total
Lower officials	64 44.8%	613 57.7%	677 56.2%
Higher officials	79 55.2%	449 42.3%	528 43.8%
Total	143 100%	1,062 100%	1,205 100%

Note: Pearson chi2(1)=8.6068; Pr=0.003.

Table 11.4 Petitioners' social status and disruptive action

	Petitions accompanied by disruption
Least powerful petitioners ¹	7.2%
Somewhat powerful petitioners ¹	14.8%
Most powerful petitioners ¹	16.7%
Petitions from rural areas ²	8.9%
Petitions from urban areas ²	15.2%

Note: ¹Chi2=18.1, Pr=0.000; ²Chi2=11.49, Pr=0.001.

Table 11.5 Ranks of officials holding meetings with petitioners (excluding petition bureau officials)

	Cases	
Village and township officials (科级)	18	1.8%
County or district bureau officials (科级)	130	12.7%
County or district level officials (处级)	201	19.6%
Municipal bureau officials (处级)	109	10.6%
Municipal leader (局级)	85	8.3%
Provincial bureau officials (局级)	419	40.8%
Provincial leaders (省厅级)	24	2.3%
Other	40	3.9%
Total	1,026	100.0%

Hypothesis 1: Large-scale petitions, staged by more powerful petitioners and accompanied by disruptive action, are more likely to attract the attention of higher officials in the province.

In the following, we consider the possibility that the ranks of officials who received petitioners may be predicted by independent variables such as the size of petition, disruptive action, and the petitioners' social status. Table 11.5 provides a description of the ranks of officials who were involved in receiving or repatriating petitioners, excluding petition bureau officials. As one can see from the list, a large number of the cases (nearly 41 percent) were referred to provincial-level departments, while officials at the two ends of the hierarchy—village or township officials at the bottom and provincial party secretary or governor at the top—were only involved in one or two dozen cases. We coded “official rank” as a dummy variable, with 1 representing officials from the offices of the provincial governor, municipal mayor, or provincial-level departments (all of whom enjoy the rank of director level or above in the Chinese nomenclature), and 0 representing the rest (including municipal and county offices below the level of mayor).³⁸

Table 11.6 reports findings using “official rank” as the dependent variable. Independent variables include “petition size,” “disruption” as a dummy variable, “petition site” (1=petition bureau; 2=provincial government compound that should be off-limits for petitioners) and “petitioners’ power position,” with two dummy variables—“most powerful” (1=most powerful; 0=not) and “medium powerful” (1=medium powerful; 0=not). We also include a variable “petition target” to represent the targets of petitioners’ complaints. Such targets can range from enterprises to progressively higher levels of government. We treat the petition target as a continuous variable ranging from 1 to 6, with 1 representing enterprises (企业); 2 public institutions (事业单位); 3 village and township government; 4 county or urban district government; 5 governments above the county or district level; and 6 police, procurator office and courts. Model B controls for the issue areas that the petitioners complained about.

Our results confirm that the most powerful petitioners have a higher probability of being seen by higher-ranking officials, although the association in the second model is statistically weak. Petition size, however, is highly significant as a predictor of reception by higher-ranking officials. In other words, there is power in numbers when it comes to

Table 11.6 Coefficients of logistic models predicting ranks of officials receiving petitioners

Official ranks	Coef.	P>z	Coef.	P>z
Size	0.027 ***	0	0.026 ***	0
Most powerful	0.601 ***	0.003	0.428	0.074
Somewhat powerful	0.105	0.426	0.034	0.825
Petition site	-0.551 ***	0	-0.647 ***	0
Disruption	0.174	0.418	0.241	0.272
Petition target	0.074	0.078	0.048	0.398
Admin reform			0.341	0.427
Enterprise reform			0.206	0.398
Rural land			0.336	0.191
Urban land			0.235	0.816
Demolition			0.154	0.524
Wage			-0.023	0.924
Compensation			0.103	0.597
Welfare			0.260	0.213
Corruption			-0.607 ***	0.004
Court			0.317	0.479
Police			0.665	0.179
Poverty			-0.916 **	0.006
Employment			-0.263	0.282
Benefits			0.216	0.387
Collective asset			-0.327	0.396
Economic dispute			-0.361	0.195
_cons	0.268	0.257	0.037	0.901

petitions—or, for that matter, any collective action. This was vividly illustrated by one case of a petition involving 1,000 students at the provincial capital. The petition was prompted by the death of one student in a traffic accident at their campus entrance. Following the tragic event, the students staged a collective petition to the provincial government compound calling for traffic safety around the campus. Confronted by the students, the whole suite of provincial leaders swung into action to deal with the petitioners. This is how the monthly newsletter described the government response:

The provincial party secretary immediately sent instructions [about how to resolve the grievances]. The provincial governor convened an emergency meeting of all relevant department heads in order to prepare for any contingency. Vice governors and other key provincial officials went to the site to meet with the petitioners to hear their case. Officials held meetings with other relevant provincial and city officials, and they came up with four points in order to resolve the issue. All students returned to campus by 5 pm after persuasion by the officials.³⁹

As mentioned, the variable “most powerful petitioner” (e.g. civil servants, demobilized soldiers, and urban retirees) is also significant in predicting official ranks. However, the significance of this variable’s effect becomes quite weak when we control for issue areas (Model B in Table 11.6). This is a bit puzzling. One possible explanation is that different

classes of petitioners tend to complain about different issues—e.g. the least powerful groups gripe about welfare issues, while the most powerful groups complain about contracts and government corruption. In other words, what we observe about the officials' more responsive attitude toward the powerful groups may be a function of the kind of issues they tend to bring up. These two dimensions are inextricably linked, such that it is difficult to separate them.

Petition site, which government officials monitor carefully to make sure that all the petitioners go to designated places, turns out to be highly significant in predicting official ranks. But the sign for the coefficient of the variable “petition site” points in the opposite direction. This means that, contrary to the wishes of many petitioners, sticking an issue in the face of government officials at the main compound does not beget a better chance of meeting higher-level officials. In other words, eschewing designated petition sites could backfire for the petitioners because it reduces the likelihood of being heard by higher officials. The variable “disruption” turns out to be not significant at all once we control for other independent variables such as size, petitioners’ social status, and petition site.

To summarize, petitioners’ social status, group size, and the petition site—but not the employment of disruptive tactics—seem to influence the possibility that petitioners will be seen by the responsible officials. This confirms past findings.

For petitioners, however, accessing the right officials is one desired outcome, but not the ultimate goal. In the end, they want to have their cases resolved, not just heard. In the case of collective petitions, officials can make a range of decisions in face-to-face meetings with the petitioners. They can work on the case and resolve the petitioners’ grievances directly, or they can dismiss the case and send the petitioners home with stern warnings. In most cases, they refer their cases to a third party. Here it makes a difference if the case is referred back to the municipality or county offices where the petitioners come from, or to high-level government agencies. Petitioners generally desire a referral to higher offices because they believe in the power of the higher office over the local officials.

We code “positive response” as follows: 1=“referral to provincial-level offices,” “rendering a specific opinion,” and “filing or registering the case”; and 0=“dismissal,” “referral to city or county-level governments,” “receiving petitioners” with no follow-on action, “repatriation or sending back,” and “explaining government policies.” Treating “government response” as the dependent variable, we have our second hypothesis:

Hypothesis 2: Large petitions, staged by more powerful petitioners and accompanied by disruptive action, are more likely to receive a positive response from petition officials.

Table 11.7 reports our findings using “government response” as the dependent variable. The result confirms “petition site” as a predictor of positive government responses. Petitioners lodging their complaint in the petition bureau were rewarded with a higher chance of getting their cases resolved, registered, or referred to higher-level government offices. Interestingly, however, none of the usual predictors of government responses—including petition size, petitioners’ social status, and disruption—had any effect. This is at variance with our earlier findings that troublemaking activities, coupled with size, publicity and sometimes casualties, are more likely to yield government concession. We will elaborate on this key divergence in the conclusion.

Table 11.7 Coefficients of logistic models predicting positive government responses

	Coef.	P>z	Coef.	P>z
Size	0.000	0.974	0.000	0.788
Most powerful	0.016	0.939	0.087	0.725
Somewhat powerful	-0.394 **	0.004	-0.339 *	0.035
Petition site	-0.838 ***	0	-0.878 ***	0
Disruption	-0.176	0.463	-0.213	0.381
Petition target	0.062	0.158	0.026	0.656
Admin reform			0.484	0.264
Enterprise reform			-0.032	0.902
Rural land			0.014	0.959
Urban land			0.000	
Demolition			-0.354	0.176
Wage			-0.396	0.123
Compensation			-0.324	0.121
Welfare			-0.384	0.094
Corruption			-0.098	0.643
Court			-0.151	0.747
Police			0.073	0.886
Poverty			-0.312	0.297
Employment			0.043	0.862
Benefits			-0.537 *	0.049
Collective asset			-1.537 **	0.005
Economic dispute			-0.489	0.092
_cons	0.570 ***	0	1.012 ***	0.001

It is interesting to note that the somewhat powerful petitioners seem to be less likely than the least powerful petitioners to receive a positive response, as indicated by the negative sign and statistically weak association. Again, this may be a function of the type of issues that the middling petitioners bring up: officials may show less responsiveness because these petitioners' issues are harder to resolve than the ones brought up by the least powerful groups.

CONCLUSION

After 65 years of evolution, China's petition system has morphed from a channel for citizens to air their opinions and complaints in the 1950s; to a vehicle for selective mobilization during the period of high socialism under Mao; to a mechanism for rehabilitating individuals persecuted by Mao in the early reform period; and finally, after the 1980s, to a sprawling bureaucracy charged with the impossible task of both *enabling* and *suppressing* petitioners.

There was a slight but significant change in the lingo associated with petitions after the mid-1990s. While the traditional term *laixin laifang* (来访), meaning "write letters and come visit offices," connotes a view of petitioning from the perspective of an inviting

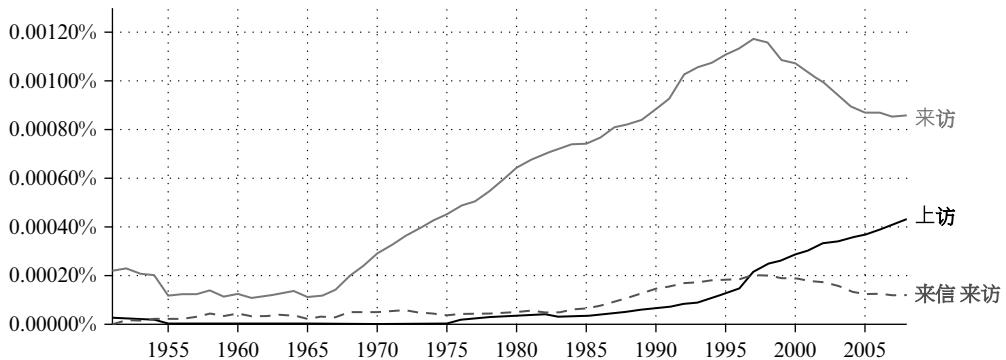


Figure 11.4 Frequency of usage of 上访 in comparison with 来访 in Chinese corpus from Google Ngram Viewer

government office, it is being replaced by the more assertive term *shangfang* (上访) that is suggestive of the petitioners' agency and confrontational attitude (Figure 11.4). In other words, the simultaneous enabling and suppressing of petitioners has turned petitioning into a peculiar form of political activism by aggrieved citizens.

What we see from these historical changes is a highly malleable institution that adapts to the political conditions of the time. China's petition system is embedded in the Chinese state and, as such, it is shaped by the authoritarian politics of the time. At the same time, however, the malleability of the petition system owes as much to the shaping power of macro-politics as to the duality or contradictions built into the institution itself. Should the aim of the petition system be to empower the petitioners, to channel their grievances and elicit their participation? Or should its purpose be to contain, control, and suppress them for the sake of maintaining social stability? This internal contradiction has never been fully resolved. Depending on the macro-political conditions of the time, the system can shift in either direction.

Twenty-first-century debates about the Chinese petition system have focused on whether or not the current "letters and visits" offices should be substantially strengthened, weakened, or even abandoned.⁴⁰ Those who favor a stronger petition system view it as an irreplaceable channel for citizens to air their grievances and access administrative justice in a country where the rule of law is still highly imperfect. They thus call for petition bureaus to be given more power to investigate cases and to compel compliance.

Those who argue for weakening or abandoning the system point to its ineffectiveness in addressing popular grievances, the threat it poses to the rule of law, and the abuse of the system by local officials who suppress rather than encourage petitions from below.⁴¹ Caught between two conflicting proposals, the central government adopted a compromise that took the form of the new regulation in 2015. The new regulation sought to shift control to local authorities (e.g. resolving grievances at the local level), establish new procedures (e.g. review and verification), and encourage more transparency than before (e.g. hearings).⁴² It has given rise to a proliferation of local regulations,⁴³ none of which has altered the basic institutional design replete with inherent contradictions.

The collective petition cases studied in this chapter reveal the working of the petition system in practice in 2002–2003. Our analysis suggests that citizens flock *en masse* to petition bureaus for all kinds of complaints, ranging from workplace problems to land-taking, corruption, welfare claims, and unfavorable court decisions. Compared to urban dwellers, rural residents are less inclined to utilize the petition system to address their grievances. Our analysis shows that several factors, including their power status and the number of co-petitioners, seem to affect their chances of being seen by higher officials. Yet even if they obtain an audience with higher officials, it does not follow that their grievances will be addressed to their satisfaction.

To put our conclusions in another way: powerful petitioners in large groups may have a better chance of meeting with responsible officials, but they do not necessarily gain any advantage in getting their problems resolved. As our analysis shows, the petitioners' status, group size, and disruptive tactics do not seem to matter at all for producing desired government responses, at least in the context of collective petitions.

The gap between access to officials and access to substantive justice speaks to the fundamental predicament of China's petition system today. Gaining an audience is relatively easy, but the actual resolution of petitioners' complaints is elusive. In other words, Chinese citizens are encouraged to petition authorities about their grievances, and they are indeed frequently granted the opportunity to meet with authority figures. But, more often than not, their expectations about the outcome are not met. The process of petitioning thus frequently generates its own source of discontentment among petitioners. At some point, when officials perceive the discontent to be threatening to their career or causing a disturbance, they turn the petition system from an enabler of citizen participation into a suppressor of citizen activism.

Xi Jinping's reforms in recent years have not resolved the fundamental contradiction underlying the petition system. In the foreseeable future, petitioning will remain the favorite channel for Chinese citizens to lodge complaints against local officials—and increasingly employers and other organizational powers. In this connection, the frequency of petitions will remain a gauge of the level of citizens' discontent and protest. This is especially the case for rural residents, for whom the legal process largely remains out of the reach due to cost, inertia, and the lack of legal professionals. So, Xi's effort to push more cases to the court system may not work in rural areas. His attempt at imposing a responsibility system may well cause petition officials to be even more repressive and draconian in their treatment of petitioners, beyond their inability to provide relief to aggrieved citizens.

NOTES

1. Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (Cambridge: Cambridge University Press, 2006); Elizabeth J. Perry, *Challenging the Mandate of Heaven: Social Protest and State Power In China* (Armonk, NY: M.E. Sharpe, 2002); Elizabeth J. Perry and Mark Selden, eds., *Chinese Society: Change, Conflict and Resistance* (New York: Routledge, 2000); Ching Kwan Lee, *Against the Law: Labor Protests in China's Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007); Yongshun Cai, *Collective Resistance in China* (Stanford: Stanford University Press, 2010); Xi Chen, *Social Protest and Contentious Authoritarianism in China* (Cambridge: Cambridge University Press, 2012); Andrew Wedeman, "Enemies of the State: Mass Incidents and Subversion in China." Paper presented at the annual meeting of American Political Science Association (Toronto, Canada, 2009).

2. Susan Shirk, *China: Fragile Superpower* (Oxford: Oxford University Press, 2008); Benjamin Liebman, “Legal Reform: China’s Law-Stability Paradox,” *Daedalus: Journal of the American Academy of Arts & Sciences* 143, no. 2 (2014): 96–109.
3. Cai, *Collective Resistance*; Feng Chen, “Subsistence Crises, Managerial Corruption and Labor Protests in China,” *The China Journal* no. 44 (2000): 41–63; Xi Chen, “The Power of ‘Troublemaking’: Protest Tactics and their Efficacy in China,” *Comparative Politics* 41, no. 4 (July, 2009): 451–71; Chen, *Social Protest*; Ching Kwan Lee, “Pathways of Labor Insurgency,” in *Chinese Society*, eds., Perry and Selden; O’Brien and Li, *Rightful Resistance*, 2006; Perry and Selden, *Chinese Society*; Isabelle Thireau and Linshan Hua, “The Moral Universe of Aggrieved Chinese Workers,” *The China Journal* 50 (2003): 83–103.
4. Yongshun Cai, “Managed Participation in China,” *Political Science Quarterly* 119, no. 3 (2004): 425–51; Congressional-Executive Commission on China, *Annual Report*, Washington DC: US Government Printing Office, 2005; Chen, *Social Protest*; Christopher Heurlin, *Responsive Authoritarianism in China: Land, Protests and Policy Making* (Cambridge: Cambridge University Press, 2016).
5. Lianjiang Li, Mingxing Liu and Kevin J. O’Brien, “Petitioning Beijing: The High Tide of 2003–2006,” *The China Quarterly*, no. 210 (2012): 313–34; Hongbo Li, *Fazhi xiandaihua jincheng zhong de renmin xinfang* (Beijing: Tsinghua daxue chubanshe, 2007); Qiuxue Li, *Zhongguo Xinfang Shi* (Beijing: Zhongguo shehui kexue chubanshe, 2009).
6. Some Chinese scholars have traced the tradition of petitioning to imperial days, and it is known to have operated during the Chinese civil war. Li, *Fazhi xiandaihua*.
7. Li, *Fazhi xiandaihua*, 91–3.
8. Bureau of Letters and Visits of the NPC Standing Committee Secretariat, *Weile renmin de liyi* (Beijing: Renmin chubanshe, 2003), 1.
9. Shizheng Feng, “Guojia zhengquan jianshe yu xinzongguo xinfang zhidu de xincheng ji yanbian,” *Shehuixue Yanjiu* no. 4 (2012): 25–47.
10. Jiecheng, Diaoyu, *Renmin Xinfang* (Beijing: Beijing jingji xueyuan chubanshe, 1996).
11. Laura Luehrmann, “Facing Citizen Complaints in China, 1951–1996,” *Asian Survey* 43, no. 5 (2003): 845–66; Carl Minzner, “Xinfang: An Alternative to Formal Chinese Legal Institutions,” *Stanford Journal of International Law* 42, no. 1 (2006): 103–79.
12. Tangbiao Xiao, “Xinfang zhengzhi de bianqian jiqi gaige,” *Jingji shehui tizhi bijiao*, no. 1 (2014): 127–36.
13. The purpose of “grand letters and visits” is to consolidate all petition-related resources from different departments so as to solve acute petition problems and remove any threats to social stability. Local governments usually adopt this approach: (1) to signal the attention of the topmost local officials in petition work; and (2) to indicate the involvement of not only the office of letters and visits, but also other offices in charge of the judiciary, party discipline, and general stability maintenance.
14. Zhi Long, “Anyuanding: Investigating Black Jails for Intercepted Petitioners in Beijing,” *Nanfang dushibao*, 24 September 2010, A18–21; Guanchajia, “Xinfang xuexiban’shi jiaju maodun ‘liqi’,” *Xinjing bao*, 30 July 2014, A2.
15. Shirk, *Fragile Superpower*; Liebman, “Legal Reform.”
16. Li, *Fazhi xiandaihua*, 91–3.
17. Li, *Fazhi xiandaihua*, 6–8.
18. Tangbiao Xiao and Pengcheng Tian, “Xinfang lifa jiqi zouxiang: xueshu lunzheng yu zhengce fenxi,” *Xinzhang luntan*, no. 2 (2016): 7–14.
19. Zhanshun Zhou, “Renzen Guanche ‘sange daibiao’ de zhongyao sixiang, nuli kaichuang xinshiji xinfang gongzuo xinjumian,” *Renmin xinfang*, no. 10 (2001): 5–11.
20. Jianrong Yu, “Xinfang de zhiduxing queshi jiqi zhengzhi houguo,” *Fenghuang zhoukan* 32 (2004): 50–53.
21. Lianjiang Li, “Political Trust in Rural China,” *Modern China* 30, no. 2 (2004): 228–58; Jianrong Yu, “Xinfang zhidu dongyao guojia zhili gengji,” *Gaige neican*, no. 31 (2004).
22. Yu, “Xinfang zhidu.”
23. Li, *Zhongguo Xinfang Shi*.
24. Tangbiao Xiao, ed., *Weiquan biaoda yu zhengfu huiyin* (Shanghai: Xuelin chubanshe, 2012), 7.
25. Li et al., “Petitioning Beijing”; Zhongyang Nongcunban, “The Principle of Non-Deployment of Police in Mass Incidents,” <http://news.sina.com.cn/c/2009-02-02/110017133432.shtml>; Lei Guang, “From Dingzhou to Nandigram: Land Conflict and Local State–Society Relations in China and India,” in *China, India, and the End of Development Models*, eds., Xiaoming Huang, Alex Tan, and Sekhar Bandyopadhyay (New York: Palgrave Macmillan, 2012), 82–98; Shouyin Liu, “Yi tudi mo fazhan moshi de fengxian yu gaige,” *Guoji jingji pinglun*, no. 2 (2012): 92–109.
26. Xiao, “Xinfang Zhengzhi”; Cun Zhang, “Xinfang buzai ‘dabao dalan’,” *Renmin ribao*, 12 August 2015, 17. Xi Shang and Xuwen Cheng, “Xinfang Reform As Back-to-the-Basic, Not Power Reduction: How Reform Aims to Delineate the Boundary of Xinfang Work,” *Southern Metropolitan News*, 16 December 2015, AA18–19. Huimin Yan, “Xi Jinping xinfang gongzuo sixiang yanjiu,” *Yan'an ganbu xueyuan xuebao* 10, no. 3 (2017): 28–33.

27. Shang and Cheng, "Xinfang Reform."
28. Yang Bai, "State Petition Bureau: Volume and Increase of Petitions Continue to Trend Down in 2015," *Xinhuanet.com*, 2016, http://news.xinhuanet.com/legal/2016-01/24/c_1117876355.htm.
29. Mingjun Zhang and Xiaoliang Liu, "2016 nian zhongguo shehui quntixing shijian fenxi baogao," *Zhongguo shehui gonggong anquan yanjiu baogao* 10 (2017).
30. Ernan Cui et al., "How Do Land Takings Affect Political Trust in Rural China?" *Political Studies* 63, no. 1 (2015): 91–109; Yanhua Deng and Guobin Yang, "Pollution and Protest in China: Environmental Mobilization in Context," *China Quarterly* no. 214 (2013): 321–36.
31. Li et al., "Petitioning Beijing."
32. Yongshun Cai, "Local Governments and the Suppression of Popular Resistance in China," *The China Quarterly*, no. 193 (2008): 24–42; Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010); Chen, "The Power of 'Troublemaking'"; Chen, *Social Protest*; Li et al., "Petitioning Beijing."
33. Cai, *Collective Resistance*; Chen, "The Power of 'Troublemaking'"; Chen, *Social Protest*.
34. For further explanation of the *hukou* system, see Chapter 10 by Darcy Pan in this Handbook.
35. Notice this is a distinction that overlaps with, but differs from, the usual rural/urban or agricultural/non-agricultural distinction. The rural area classification refers to the fact that the petitioners come from a rural county or county-level town rather than from the city proper. In other words, petitioners hailing from a rural county may well be government employees, or work for a state-owned enterprise and have non-agricultural household registration.
36. Cai, *Collective Resistance*; Chen, *Social Protest*.
37. Cai, "Local Governments"; Cai, *Collective Resistance*; Chen, "The Power of 'Troublemaking'"; Chen, *Social Protest*.
38. The rationale behind the coding is that collective petitioners came to the provincial capital in order to seek access to higher-level officials such as mayors and other city leaders, provincial leaders, and responsible officials in the provincial department.
39. Document #1,049, 2003.
40. Xiao, "Xinfang Zhengzhi."
41. Yu, "Xinfang Zhidu"; Li, *Fazhi xiandaihua*, 105–6, 262–6.
42. N.A. "Xin xinfang tiaoli de shige liangdian," *Banyue tan*, no. 9 (2005).
43. Xiao and Tian, "Xinfang lifa."

12. Land protests in rural China

Christopher Heurlin

In early 2004 half a dozen farmers, members of an informal “land protection team” (护地队), occupied a “sentry post” around the clock on a disputed parcel of land in Linhai, a county outside of Taizhou, Zhejiang province. As an old cadre who was part of the team put it, “before we used to use our hoes to plant the soil, now we rely on them to defend our land.” The villagers had been locked in a series of confrontations with local authorities over a plan to take 386.4 mu of land for a local handcrafted art company. The villagers had attacked a street office cadre who came to persuade them to accept a land taking, mobilized 150 farmers to demonstrate in front of the street office building—shutting it down for six hours—and mobilized hundreds of farmers to fight off a forcible land taking ordered by the local court, a clash that resulted in dozens of injuries.¹

While reporting of such conflicts was largely censored in the official “open” media, by the mid-2000s coverage of protests like this was a recurrent feature of the “internal reference” media—a category of publications whose circulation was largely restricted to government officials. A wave of land-related protests was surging throughout the province, a marked shift from only a decade earlier, when such conflicts were relatively rare. The emergence of protests such as those in Linhai pose a number of questions: Why were farmers able to mobilize on such a large scale in the mid-2000s? What kinds of grievances did farmers report? Why was mobilization relatively high in some cities like Taizhou, while other cities were relatively stable?

This chapter highlights two mechanisms that together created a process of mobilization culminating in a large wave of land protests in Zhejiang. First, it introduces the concept of *resource value activation*, showing that rising real estate values caused both local governments and farmers to jockey for control of land that was suddenly much more valuable than it had been in generations. In doing so, this chapter identifies a key cognitive mechanism that can contribute to the process of a “cycle of contention” in politically closed authoritarian regimes.² Second, this chapter shows that land taking compensation practices created the perception of localized injustices that caused *boundary activation* between groups of landless farmers, forging collective identities that facilitated mobilization.

THE EMERGENCE OF LAND PROTESTS IN RURAL CHINA

Studies of peasant protests have long emphasized the importance of subsistence-based grievances.³ Peasant grievances over subsistence become much more salient when they view the state as responsible for this threat to their livelihood.⁴ In rural China, land takings have become a state-attributed economic threat to the economic interests of landless farmers, prompting protests.⁵ As Le Mons Walker notes, “land struggles have surged ahead as the central grievance of the rural protests . . . because the seizures destroy peasants’ livelihoods

and basis for survival, they have . . . lain at the root of an escalating spiral of violence and resistance.”⁶ In this sense, “the feeling of being deprived of livelihood and welfare was the main driving force behind the acts of resistance taken by the villagers.”⁷ When lineage leaders cooperate with village officials to engage in land takings, the result is often highly extractive compensation packages that favor the state and thereby prompt petitions.⁸ At the same time, however, the economic deterioration caused by land takings makes it difficult for landless farmers to sustain their activism.⁹ Grievance-based approaches typically focus on the *severity* of a grievance and often associate the grievances that are likely to generate mobilization with *subsistence* crises.¹⁰ This suggests that mobilization is most common in contexts of extreme economic duress. While the subsistence-based grievances certainly provide one pathway to protests, this chapter shows that petitions in Zhejiang are concentrated not in the poorer cities, where we might expect subsistence crises to be most severe, but instead in the wealthier cities. How can we account for this disparity?

In this chapter I identify an additional pathway to protests that may be most prominent in more economically developed and wealthier provinces. A key part of the explanation is the concept of *resource value activation* as a mechanism facilitating collective action. Resource value activation occurs when natural resources which had previously been perceived by actors as relatively unimportant are suddenly perceived as highly valuable. Perceptions of value consequently spur competition over resources between challengers and the state or third parties that wish to exploit the resource. The threat of losing highly valued resources provides the impetus to collective action. In Peru, for example, growing mineral wealth gave rise to a wave of mobilization that Acre describes as “demands for services,” as activists sought to claim a larger share of the proceeds from mining through increased social spending.¹¹ In the extreme, resource value activation can provide an impetus for groups to mount armed challenges that escalate into civil wars. Some scholars of civil wars have argued that civil wars have their origins in economic incentives, and that “greed” drives rebellions as groups try to extract rents from natural resources such as diamonds or oil, instead of “grievances” over a lack of political rights.¹²

This chapter argues that the growth of real estate markets caused resource value activation, as both local governments and farmers jockeyed for control over contested plots of rural land. The pattern of mobilization occurring mostly in high-value real estate markets suggests that landless farmers have been motivated by “greed” and use petitioning as a means of generating leverage and maximizing their compensation. This chapter uses “greed” not in a pejorative sense as a value judgment that farmers’ claims are unreasonable or unjustified, but rather to highlight that land protests are essentially a struggle to control the—often literal—rents that can be extracted from land. While much of the existing literature highlights the role of “grievances”—particularly over the forcible nature of land takings and subsequent problems with economic subsistence—this chapter highlights the role of so-called “greed.”

Second, state practices have sparked *boundary activation* by increasing the salience of divisions between farmers. The mechanism of boundary activation involves “the creation of a new boundary or the crystallization of an existing one between challenging groups and their targets.”¹³ Collective identities have been a key focus of land-related mobilization. Much of the focus has been on national or regional “mass frames” that provide “coherent worldviews shaped in large part by the structurally-rooted collective life experience of social groups.”¹⁴ Hess has shown how protesters have tapped into

identities as rights-bearing citizens who own their property. This has combined with an injustice frame that portrays everyday citizens as exploited by local governments and property developers.¹⁵ Other scholars have focused on how the destruction of collective identities impedes mobilization. Hsing has shown that the process of land takings results in social disintegration by provoking distrust among villagers, often through under-the-table deals. Relocation itself shatters residents' social networks and results in "identity rupture." In sum, land loss "damages the social base of solidarity necessary for effective mobilization."¹⁶

This chapter, however, focuses on how land takings can cause boundary activation that facilitates the process of mobilization. Analysis of archival documents reveals that another pathway to mobilization is through the creation of local injustice frames. The injustice frames do not appeal to broader conceptions of citizens' rights or political campaigns, but rather focus on highly localized injustices in compensation within the county or even the village. Land takings have activated both inclusive and exclusive boundaries among landless farmers. First, land takings have activated inclusive *territorial* identities among landless farmers as residents under the jurisdiction of the same local government. This jurisdictional divide is important because it is local governments themselves that carry out land takings. By activating a broad and inclusive identity, landless farmers mobilize protests against localized injustice, claiming that members of their broader community have received higher compensation than they have. These territorial identities have facilitated larger-scale mobilization. In effect, perceptions of localized unfairness help to forge an inclusive territorial identity that can sometimes overcome the potential of land takings to generate distrust. These inclusive territorial identities facilitate larger-scale protests.

Second, land takings have activated *juridical* identities that divide villagers within their own village. Identities are imbedded in and influenced by state institutions.¹⁷ Household registration (*hukou*) is an important aspect of identity within China. Land takings also activate exclusionary juridical boundaries between individuals with strong claims to membership in the village through a valid *hukou* and those who have weaker and hence more tenuous claims to a *hukou*. When this boundary is activated mobilization tends to be small-scale, as those who have a tenuous claim to a *hukou* mobilize to protest their exclusion from compensation. As Hsing argues, disagreements between residents with agricultural and non-agricultural *hukous* can divide villagers among themselves and make it much more difficult to mobilize along the lines of a territorial identity.¹⁸ In contrast, this chapter shows that these divisions along the lines of juridical identities frequently result not in inaction, but in mobilization by a vocal and excluded minority of landless farmers galvanized by a shared collective identity.

DATA SOURCES AND METHODOLOGY

This chapter primarily draws on archival data found in internal (*neibu*) and open document series produced by provincial bureaus, including the land resources and petitioning bureaus. Reports in these document series are written by local officials and the intended audience is other government officials.¹⁹ The chapter also references provincial yearbooks, gazettes and documents that the author acquired from provincial and local land resources offices. From these sources, the author has created a dataset of petitions

to the land resources system in Zhejiang. In addition, the chapter draws on interviews conducted by the author in Zhejiang in 2009 and 2010. Methodologically, the chapter adopts a *Dynamics of Contention* (DoC) approach focused on identifying mechanisms and processes. As McAdam et al. note, “mechanisms are a delimited class of events that alter relations among specified sets of elements in identical or closely similar ways over a variety of situations.” Sets of mechanisms combine to generate processes, such as mobilization.²⁰ Specifically, the chapter analyzes the role of two mechanisms, resource value activation and boundary activation, in the process of mobilization in Zhejiang.

THE LAND PROTEST CYCLE IN ZHEJIANG

Comprehensive statistics on petition mobilization are very seldom available.²¹ Evidence from Zhejiang, however, indicates that mobilization surged dramatically in the 2000s. The earliest available data on petitions over land issues in Zhejiang comes from 1987, which was the year that the Zhejiang Land Management Bureau was established. Initially the Land Management Bureau only had two or three personnel handling petitions, which numbered just over 1,000 each year. County-level land management officials were not seconded to petition work until 1990. At that time there were only 156 county-level land management officials handling petitions, increasing to 184 officials by the end of 1994. In 1997, petition work among land management officials extended down to the township level.²² This extension coincided with—and was likely a response to—increasing mobilization. As shown in Figure 12.1, the number of petitions to the Zhejiang Provincial Land Resources Office (ZLRO) increased from a relatively low level of 761 in 1992 to just over 1,800 in 1996. In 1997 the level of mobilization increased dramatically to 2,684. With the exception of the year 2000, petitions thereafter seem to have remained in the roughly

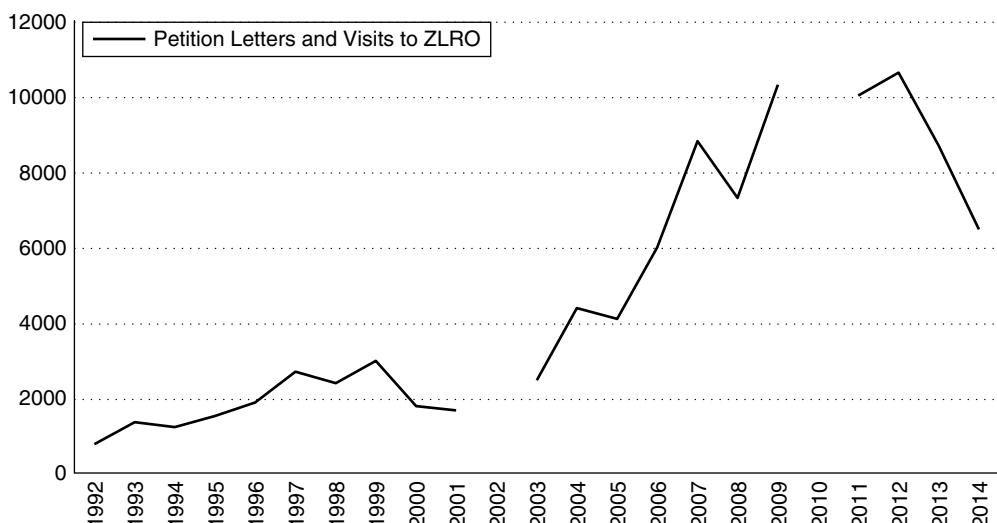


Figure 12.1 Petition letters and visits to Zhejiang Land Resources Office

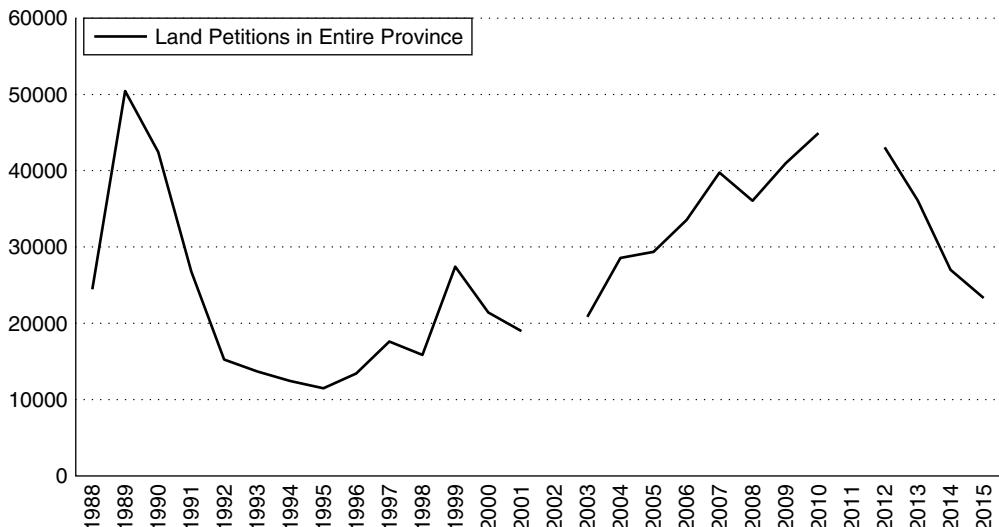


Figure 12.2 *Land petitions in the entire Zhejiang Province*

2,400–3,000 range throughout the early 2000s. In 2004, however, a new wave of petitions began, as the number spiked to 4,371. Petition mobilization doubled by 2007, reaching 8,792. In 2009 petition mobilization surpassed 10,000 for the first time. The petition wave seems to have crested around this time; in 2013 and 2014 the number of petitions declined steadily to 6,450.

Land-related petitions in the entire land resources system in Zhejiang reveal a similar picture. This data, seen in Figure 12.2, covers petitions to all land resources offices at the township, county, city and provincial levels. Interestingly, mobilization in Zhejiang was at its highest level in 1989, when petitions doubled over the previous year from 24,468 to over 50,000. Unfortunately I have not been able to find out anything about this earlier “high tide” in petitions in Zhejiang. For now it remains an intriguing topic for future research. Petitions began to recede in the post-Tiananmen era, reaching a low point of 11,481 in 1995. They increased fairly steadily thereafter, peaking in 1999 at 27,441.

The rising mobilization over land in Zhejiang coincided with a broader rise in contention at the national level that saw a spike in petitions to Beijing in 1998. The central Party leadership responded to this wave of petitions by pressuring provincial leaders to reduce such activities.²³ According to the ZLRO, Zhejiang provincial authorities attempted to comply through five strategies. First, provincial land resources leaders become more involved in petition work: “the [ZLRO] Party group regularly hears reports on the situation of land petition work and researches important and difficult problems in petition work.”²⁴ Second, the ZLRO pressured counties to resolve first-time petitions before they turned into repeat petitions, and placed the responsibility of resolution on the department that initially had received the petition, instead of merely transferring the petition elsewhere. Third, the ZLRO established a “petition focal area” system that identified the ten counties with the most petitions each year and pressured them to reduce the number of petitions. Fourth, the ZLRO increased supervision and investigation of important

petitions reported by local governments. Finally, the ZLRO stepped up its investigation and prosecution of offenders in illegal land cases. The ZLRO credited these steps with the decline of petitions in the early 2000s.²⁵

While this strategy may have been effective in the short-run, by making local officials vulnerable to disruptive protests by landless farmers the central government inadvertently set off an opportunity-threat spiral. Landless farmers, perceiving local officials as vulnerable to disruptive tactics, increasingly mobilized collective petitions as a means of generating pressure. Local officials frequently sought to resolve petitions by offering concessions, resulting in further petitions.²⁶ Due at least partially to these dynamics, a new surge in land petitions was underway by 2003. Petitions to all land resources bureaus in the entire province nearly *doubled* between 2003 and 2007, going from 20,836 in 2003 to 39,747 in 2007. Petition mobilization declined somewhat in 2008, to 36,059. This occurred amidst pressure from Beijing to reach a target of “zero entering Beijing” (*ling jin jing*) during the Olympics. Provincial officials organized a campaign to resolve land petitions relying primarily on the personalized authority of leaders to compensate for institutional weaknesses. They “contracted” resolution of difficult disputes to particular local officials, holding them responsible for specific cases. They also forced local leaders to increase their monitoring of petition work by requiring them to go out to townships and villages to receive petitions (*xiafang*) in person, facilitating their on-the-spot resolution by more powerful leaders instead of subordinate petitioning officials. Provincial officials also halted approvals for land takings when petitions occurred, putting a stop to 20 percent of land taking projects in the province.²⁷

Once again, however, the efficacy of central government efforts to reduce mobilization by increasing the pressure on local officials to maintain stability was short-lived, as mobilization surpassed 40,000 petitions for the first time in 2009. By 2015 the number of petitions had declined substantially to roughly 23,300. Subsequently, this wave of mobilization has waned. In summary, the 2000s saw a massive rise in petitions over land in Zhejiang. In order to better understand the dynamics of this mobilization, however, it is important to understand *what* Zhejiang farmers were protesting about.

GRIEVANCES

According to data from 2004, 2006 and 2007, petitioners to land resources offices in Zhejiang reported four main grievances.²⁸ First, petitioners reported that land had been illegally occupied. These reports accounted for 55–60 percent of petition letters and 59–64 percent of petition visits. In 1999 illegal land occupations accounted for 75 percent of petition letters and 77 percent of petition visits, suggesting that the share of illegal land occupations has been in a relatively steady decline.²⁹ Second, petitioners reported land taking disputes, which accounted for roughly 13–18 percent of petition letters and 12–18 percent of petition visits. Third, petitioners reported property disputes, which accounted for roughly 3–5 percent of petition letters and visits. Fourth, petitioners reported mining disputes, which accounted for roughly 2 percent of petition letters and visits. Another source reported that illegal land use petitions accounted for 59.95 percent of petitions in 2003, 61.12 percent in 2004, 59.14 percent in 2005, 56.73 percent in 2006 and 55.75 percent in 2007 (Tables 12.1 and 12.2).³⁰

Table 12.1 Grievances in petition letters

	2004	2006	2007
Illegally occupying land	12,075 (60%)	14,073 (55.3%)	16,490 (54.7%)
Land taking disputes	3,737 (18.5%)	3,382 (13.3%)	4,379 (14.5%)
Property disputes	1,118 (5.6%)	953 (3.7%)	1,164 (3.8%)
Mining disputes		682 (2.7%)	610 (2%)
Criticism		2,006 (7.9%)	2,746 (9.1%)
Advice and recommendations	2,938 (14.6%)	1,963 (7.7%)	2,000 (6.6%)
Other	255 (1.3%)	2,378 (9.3%)	2,747 (9.1%)
Total	20,123	25,437	30,136

Table 12.2 Grievances in petition visits

	2004	2006	2007
Illegally occupying land	5,413 (64.1%)	4,956 (62.1%)	5,667 (59%)
Land taking disputes	3,737 (18.5%)	951 (11.9%)	1,280 (13.3%)
Property disputes	1,118 (5.6%)	301 (3.8%)	335 (3.5%)
Mining disputes		175 (2.2%)	192 (2.0%)
Criticism		209 (2.6%)	421 (4.4%)
Advice and recommendations	960 (11.4%)	612 (7.7%)	720 (7.5%)
Other	90 (1.1%)	782 (9.8%)	996 (10.4%)
Total		7,986	9,611

The meaning of illegally occupying land deserves further attention. This category includes the following subcategories: occupying land without authority, exceeding authority in approving land use, occupying land without obtaining prior approval, seeking approval for less land and taking more, illegally transferring land, abandoning land, changing land use type, building brick kilns, destroying farmland to obtain land, chaotically approving housing land, rectifying land and not applying penalties. The Chinese Ministry of Land and Resources (MLR) reports that the vast majority of illegal land occupations are carried out by local governments.³¹ Several of these legal

violations, particularly the first four subcategories, are frequently committed by local governments in carrying out land takings. According to evidence from Ningbo, these were also the most common forms of illegal land occupations.³² In practice, this means that most petitions about illegally occupying land are actually about procedural legal violations in land takings.

The next category consisted of land taking disputes. These included three subcategories. First, land taking was conducted against the will of farmers. Local governments did not disclose information to farmers on land takings. Moreover, local governments employed “simplistic” work methods, using provincial approval of the land taking as an excuse to forcibly take the land. Second, land taking compensation was too low, causing declines in the living standards of landless farmers and worries about their future. Third, the distribution of compensation within the village was unfair and usually dictated by a minority of cadres.³³

In practice, the distinction between illegal land occupations and land taking compensation disputes became more blurred by the mid-2000s. As the deputy head of the Zhejiang provincial petitioning bureau explained, by the mid-2000s petitions were shifting from “petitioning for personal interests” (*weili shanfang*) to “for both personal interests and rights defense.” As he explained:

The petitioning masses on the one hand want to demand fairness and demand that the relevant departments of the upper level Party and government supervise and urge the local Party and government to increase the demolition compensation standard; on the other hand they usually pay out of their own pocket or collectively raise funds to hire a lawyer to sue the government over illegal behavior.³⁴

Ningbo officials complained that when a group of landless farmers petitioned unsuccessfully about low compensation one year they switched to complaining that the land taking was illegal the next year.³⁵ Indeed, in its own national-level statistics on petitions, the MLR does not distinguish between illegal land occupations and land taking compensation disputes, but rather lumps the two categories together.³⁶

My interviews similarly suggest that while landless farmers frequently make claims that a land taking was illegal, they do so tactically in order to increase their chances of receiving more compensation. In one of my case study sites, for example, the construction of a water reservoir necessitated land takings that displaced 11 administrative villages. As the villagers researched land taking policies they discovered that a land taking on such a large scale must be approved by the State Council. They could see no evidence of State Council approval, however. Moreover, they suspected that the land taking was commercially motivated. As one of the landless farmer protest organizers noted:

They said it was supposed to be a water reservoir but really it is a development zone. They did it with developers' interests in mind. They lied to the higher levels because they knew that a development zone would not get approved . . . With this project they are just lying to the higher levels . . . If the stuff that they are giving us is totally fake and illegal then the stuff that they are giving the higher levels is also certainly fake and illegal . . . The law is good. You look and the laws are good. They just aren't implemented well.³⁷

Yet when I pressed them on their aims, the organizers admitted that their core demand was for higher compensation.

MECHANISMS OF MOBILIZATION: RESOURCE VALUE ACTIVATION

Throughout the Maoist era and into the early reform era, land had relatively limited value in China.³⁸ The Maoist political economy heavily favored the urban industrial economy, providing an “iron rice bowl” for urban workers. Farmers typically attached relatively little value to their land, and frequently welcomed land takings.³⁹ As China entered the post-Tiananmen late reform era, however, real estate markets began to boom. The average price of residential housing in Zhejiang in 2006 was 4,510 RMB/m², more than 4.5 times higher than it had been in 1994. Housing prices continued to increase rapidly until 2010, reaching 9,258 RMB/m². Between 2011 and 2015, however, prices have been relatively flat and actually peaked in 2013 at 11,041 RMB/m² before going into a slow decline, dropping to 11,016 RMB/m² by 2015.⁴⁰ Villagers benefitted from the rising real estate markets by engaging in a “house-building craze.”⁴¹ The booming real estate market in turn caused resource value activation, as farmers’ long-held land began to take on new importance in their lives, and in many cases quickly became their most precious asset. As petitioning officials noted, farmers shifted from an “uncaring” (无所谓) attitude about land rights to a “fight for every inch of land” (寸土必争) attitude.⁴²

Land takings caused contention precisely because the amount of land taking compensation diverged substantially from the value that real estate markets—and subsequently farmers themselves—placed on the land. According to a widely quoted figure, farmers receive roughly 5–10 percent of the land transfer fees paid by the end-user (often a real estate developer), while 60–70 percent goes to the county and township governments and the remaining 25–30 percent goes to the village collective.⁴³ The vast majority of landless farmers view this compensation as too low. A survey in Zhejiang in the early 2000s revealed that 53.2 percent of landless farmers felt that the compensation was too low, 22 percent that it was extremely low, and only 23.9 percent felt that it was appropriate.⁴⁴

The loss of such a valuable resource has given landless farmers significant incentive to engage in mobilization to demand higher compensation. An official from Hangzhou—a second-tier real estate market—attributed mobilization directly to real estate values:

When land is in the hands of farmers, they only get a couple of tens of thousands or maybe 100,000 RMB per mu, and moreover after the land goes through a government land taking and demolition and is invested in house property rights the land value rises suddenly and sharply to a million or even several millions. Farmers’ psychology has no way to reach an equilibrium . . . The profits are rich and generous. Farmers can’t get over this.⁴⁵

Another official was even blunter about the connection between protests, greed, and real estate markets: “At least in the east and in the suburbs of large cities, land taking and demolition compensation has already become the way that locals hope to swiftly get rich by foul means.”⁴⁶

An observable implication of this argument is that the level of mobilization should be highest in the wealthiest real estate markets. Indeed, mobilization exhibits considerable geographic variation at the city level. City-level evidence on petitions to the Zhejiang Provincial Land Resources Office is only available for two complete years, 2005 and 2006 (Table 12.3). In 2005, petition letters were highest in the southwestern cities of Wenzhou and Taizhou and in the northern cities of Jinhua and Ningbo. In 2006 petition letter

Table 12.3 Petition mobilization and real estate markets by city, 2005–2006

	2005			2006		
	Petition letters	Petition visits	Participants in visits	Housing prices (RMB/m ²)	Petition letters	Petition visits
Hangzhou	333	137	299	5,454	505	100
Ningbo	435	112	287	4,517	515	118
Shaoxing	382	109	286	3,392	568	85
Jiaxing	135	39	103	3,183	144	21
Huzhou	144	38	94	2,617	126	27
Wenzhou	565	91	186	4,662	1,052	93
Taizhou	442	109	287	3,995	921	124
Jinhua	543	95	230	3,092	837	128
Quzhou	138	30	69	2,095	170	30
Zhoushan	24	1	2	3,554	58	8
Lishui	207	58	175	3,355	302	42
Total	3,348	819	2,018	5,198	776	1,907

Table 12.4 *Correlations between city-level petition mobilization and housing prices in 2005 and 2006*

	Housing prices in 2005	Housing prices in 2006
Petition letters	.497*	.532**
Petition visits	.693***	.542**
Participants in petition visits	.610**	.618**

Note: Pearson correlation coefficient (one-tailed): * indicates $p \leq .1$, ** indicates $p \leq .05$, *** indicates $p \leq .01$, $N = 11$.

mobilization was even higher in the two southwestern cities, and relatively high in the northeastern cities of Hangzhou, Ningbo and Shaoxing. In terms of petition visits, in 2005 petitioners predominantly came from the northeastern cities of Hangzhou, Ningbo and Shaoxing, although mobilization was also relatively high in southwestern Taizhou and Jinhua. In 2006 the pattern remained largely the same, although petition letters increased in Wenzhou and declined in Shaoxing. By contrast, mobilization was consistently low in Huzhou, Jiaxing, Quzhou, Zhoushan and Lishui.

To what extent can these variations be explained by local real estate markets? In terms of real estate markets and land values, the average housing price in Zhejiang was 4,500 RMB/m² in 2006.⁴⁷ The most valuable real estate in 2006 was in the Hangzhou, Wenzhou and Ningbo regions, where commercial housing prices averaged over 5,000 RMB per square meter, as seen in Table 12.3. Housing prices were just above average in Taizhou at 4,509 RMB/m². In all other parts of Zhejiang housing prices were below the provincial average. Thus mobilization of land-related petitions was highest in the regions with the highest property values. Cities with weak real estate markets—such as Quzhou (2,245 RMB/m²), Huzhou (3,075 RMB/m²) and Jiaxing (3,292 RMB/m²)—generally had few petitions. There was one exception. Mobilization in Jinhua was relatively high despite below average real estate values. Petitions within Jinhua were concentrated in Yiwu, a county renowned for its development zones and markets, and therefore much more valuable land than other parts of Jinhua. Bivariate correlations between commercial real estate housing prices and petition letters, visits and participants are all significant and display relatively high correlation coefficients in both 2005 and 2006, as seen in Table 12.4.

This data is largely consistent with the hypothesis that mobilization is higher in wealthy real estate markets. This does not preclude the possibility that subsistence-related grievances remain a viable pathway to petition mobilization. Indeed, I show elsewhere using county-level data in Zhejiang that both real estate values *and* average incomes are predictors of petition mobilization. High real estate values increase petitions, while low income levels—a proxy for subsistence-based grievances—also increase petitions. The impact of real estate values, however, seems to be stronger and more consistent because counties with high-value real estate markets tend to have more petitions overall than counties with low incomes.⁴⁸

The provincial-level data from the wave of petition mobilization in Zhejiang also allows us to examine this relationship over time. The relationship between housing prices and petition mobilization proves even stronger over time. As Figure 12.3 shows, petition mobilization was generally fairly limited in the 1990s when real estate prices were fairly

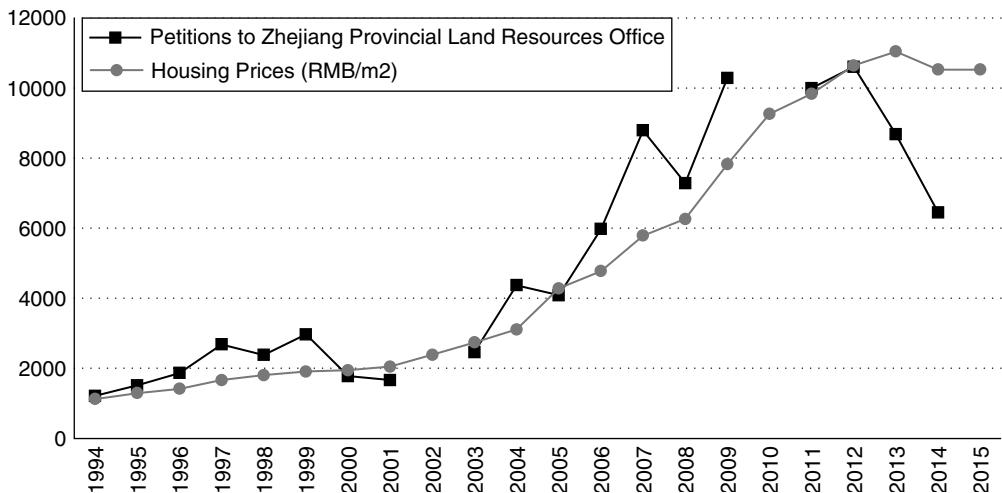


Figure 12.3 Petitions to the Zhejiang Provincial Land Resources Office

Table 12.5 Correlations between petition mobilization and housing prices over time

	Petitions to Zhejiang Provincial Land Resources Office	Petitions to Zhejiang Land Resources System
Housing prices (RMB/m ²)	.902***	.725***

Note: Pearson correlation coefficient (one-tailed): *** indicates $p \leq .01$; petitions to Zhejiang Provincial Land Resources Office, $N = 19$; petitions to Zhejiang Land Resources System, $N = 20$.

low. Housing prices increased much more rapidly in the second half of the 2000s, setting off an intensification in the wave of petitions. By 2014, real estate markets had begun to cool, and the wave crested as demobilization began to set in.

Table 12.5 displays the results of a bivariate correlation between housing prices and petition mobilization. The results show that the relationship between the two factors is even stronger over time. Taken together, the results provide strong support for the argument that resource value activation has occurred, as farmers came to perceive land as increasingly valuable, prompting them to engage in petitions to demand higher compensation.

MECHANISMS OF MOBILIZATION: BOUNDARY ACTIVATION

The central government has created land taking compensation policies that have a high degree of discretion in the amount of compensation awarded to farmers. The central government took this approach in order to accommodate divergent local economic circumstances in both real estate markets and local government finances. Highly discretionary

compensation policies, however, inadvertently created widespread differences in compensation *within the same locality*. Municipal, county, and township compensation standards often conflicted, and sometimes a county's compensation policies even conflicted with the other policies of the same county.⁴⁹ Compensation rates differed according to the new use of the land. As a general rule, compensation was highest for commercial land use, moderate for industrial land use, and low for public interest or infrastructure uses, especially priority state and local projects.⁵⁰ In 2003, for example, compensation for commercial projects in Zhejiang was typically 20,000–50,000 RMB per mu, while compensation for industrial land use was typically 15,000–40,000 RMB and compensation for priority state and local government projects was typically only 10,000 RMB.⁵¹ As these examples indicate, compensation is determined on the basis of land area and is allocated to the village government, which further distributes the compensation to the affected farmers.

TERRITORIAL IDENTITIES AND THE MOBILIZATION OF PETITIONS

Compensation amounts could even diverge between two different projects within the same village. According to the deputy head of the ZLRO, localized differences in compensation within the same area were a key cause of petitions.⁵² The Jiaxing city petition bureau explained that:

The compensation standards in different areas diverge, the compensation standards in different projects diverge, the compensation standards for the same household in land takings at different times diverge, even causing compensation standards for each side of the same road to diverge. A situation is emerging of one county (city, district) many policies, one town many policies and one road many policies, causing the masses to become dissatisfied after making mutual comparisons.⁵³

An official I interviewed in Huzhou concurred, noting that "if you don't take all of the land in the village at once it's even more troublesome [the next time]. The first time you take the land it's one price and the second time it's a different price."⁵⁴

Local variations in compensation levels cause conflicts when landless farmers perceive the land involved to be of roughly equivalent value.⁵⁵ In mobilizing against local authorities, landless farmers frequently cite the compensation amounts given to other landless farmers as their justification for demanding higher compensation. In effect, landless farmers are invoking their broader territorial collective identity as farmers within the same locality. Because compensation levels were tied to the new land use, this meant that particular *types* of projects frequently resulted in mobilization. In particular, land takings for national highways—which had low levels of compensation because they were infrastructural projects—were particularly likely to spark petitions.⁵⁶ In Shengzhou, for example, landless farmers petitioned because one piece of land in their village was taken for industrial use and compensated at 28,000 RMB per mu, while another was taken for a national highway and only compensated at 7,000 RMB per mu.⁵⁷

Given the lack of uniformity and transparency surrounding compensation rates, villagers usually felt that they had been the ones to lose out, while other nearby villagers had secured better deals. According to one survey conducted in a Zhejiang county, 41.5

percent of landless farmers felt that they had received less compensation than villagers in neighboring villages, while only 2 percent felt they had received more.⁵⁸ A district land resources official confirmed to me that many petitions occurred when landless farmers felt they had received less compensation than landless farmers in a nearby village.⁵⁹ Conceptually, this could be considered a feeling of “relative deprivation” that provides the impetus to collective action.⁶⁰ Alternatively, within the framework of prospect theory, landless farmers perceive themselves to be within the “domain of loss” relative to the “reference point” of their neighbors, and hence are more willing to engage in risky collective action.⁶¹

JURIDICAL IDENTITIES AND THE MOBILIZATION OF PETITIONS

Territorially based identities involve vertical distributive conflicts between the local government on the one hand and landless farmers on the other. Mobilization based upon juridical identities, by contrast, largely involve horizontal distributive conflicts among landless farmers themselves. The fault lines in these conflicts are the legal categories of village membership based on household registration (*hukou*). Compensation is calculated on the basis of the area of land taken and is given to the village government to distribute. Under the Organic Law, villagers or villagers’ representatives decide on a village compact (*cunguiminyue*) that determines how compensation is distributed within the village. A two-thirds majority is required to pass a compensation plan. Given that the pool of compensation funds is fixed at the start, villagers have an incentive to construct as narrow a winning coalition as possible in order to maximize their individual compensation. Villagers claim membership in the village based upon their *hukou*. Villagers maximize their compensation by excluding those with the most tenuous claim for a *hukou*.

Land takings can therefore activate juridical boundaries among villagers based on *hukou* status. Residents with more tenuous ties to the village are often targeted for exclusion. Women are particularly vulnerable to losing their claim to both *hukou* and land.⁶² The village compact of the native village of a woman who marries a man in a different village, for example, may require that she move her *hukou* to her husband’s village and return her contracted land. Yet the village compact in the husband’s village may not require that his wife be given land. Major redistributions of land, moreover, occur only every 30 years, meaning that families may very well increase or contract in size during this period. Women who have married out of a village where a land taking is occurring, moreover, may try to move their *hukou*—and even their children’s *hukou*—back to their natal village in order to maximize their compensation. Other villagers, however, have an incentive to use the village compact to block such a move.⁶³ Even women who moved out of the village when they married but retained their *hukou* in their natal village are often excluded from compensation.⁶⁴ Mobilization by excluded women has become a key focus of contention, with 9,440 excluded women mobilizing petitions to Women’s Federation offices throughout Zhejiang between 2002 and 2004.⁶⁵

In addition to women who have married in or out of the village, villagers commonly exclude university students, demobilized soldiers, unpermitted children, divorcees, and spouses with non-agricultural *hukous*. Consequently, these groups frequently petition.⁶⁶

Land taking compensation disputes can also activate other identities that facilitate mobilization—such as clan membership. In one village, for example, the dominant Cao clan arranged compensation rules such that Cao clan members received 500 RMB more in compensation than Chen clan members. The aggrieved Chens responded by mobilizing petitions.⁶⁷ Village cadres, for their part, frequently permit and justify such activities as falling within the realm of the “autonomy” granted by the Organic Law, despite the fact that the Organic Law prohibits village compacts from contradicting laws, regulations, and policies and from violating villagers’ rights.⁶⁸

Even when the exclusion of marginalized villagers from compensation is only partial, it is often still enough to activate identities and spark disputes. In a village outside of Hangzhou, for example, a male villager transferred his *hukou* to non-agricultural in order to attend a university. This weakened his claim to the housing land on which his house was located. He was offered only 70 RMB/m² in compensation, as opposed to the 100 RMB/m² that was offered to villagers with an agricultural *hukou*. Incensed at his mistreatment, he and a group of other university graduates with non-agricultural *hukous* collectively petitioned the Hangzhou city government and the provincial government.⁶⁹

The two mechanisms of resource value activation and boundary activation also tend to operate together, as rising land values further fuel the activation of juridical identities. In peri-urban areas around county seats and new development zones near Hangzhou, for example, women who married out of their village often tried to keep their *hukou* within the village, leading to frequent disputes with the remaining villagers.⁷⁰ Officials reported that in villages where land values were higher, villagers “fear the constant increase in participants and recipients” and consequently try to exclude married-in women, university students, and others from land taking compensation in order to maximize their own compensation.⁷¹ In high-value real estate markets, moreover, many native villagers have (often informally) turned over farming their contracted land to migrant workers. These migrants are typically denied compensation or offered lower compensation, causing the migrant workers to petition collectively.⁷²

Previous research on protest in China has emphasized the importance of framing. Hurst, for example, found that protests by laid-off workers were influenced by “mass frames.”⁷³ By mass frames, Hurst referred to “coherent worldviews shaped in large part by the *structurally rooted* collective life experience of social groups.”⁷⁴ Regional political economies and the positions of workers within them shaped a number of mass frames, including mass frames based on market hegemony, Maoist moral economy, and muddling through. Savvy homeowners facing eviction have tapped into “injustice” frames and infused them with constitutionally protected property rights.⁷⁵ Some particularly organized landless farmers in Guangdong have tapped into “anti-corruption” frames based on national anti-corruption campaigns.⁷⁶ The dynamics described above suggest that “mass frames” do not seem to have had much resonance in Zhejiang. To be sure, reports from petitioning bureaus frequently note that landless farmers claim that compensation was too low. Instead of mass frames, the highly situational and localized “micro frames” based on territorial and juridical identities within and around the village are the basis for mobilization. In this sense, the collective action frames remain weak and fragmented, blunting the potential for a broader-based and more inclusive movement.

STATE RESPONSES

Zhejiang has been highly responsive to the wave of protests by landless farmers. Provincial and local authorities in Zhejiang have increased and unified compensation rates and introduced social security insurance programs for landless farmers. Two factors in particular have driven this responsiveness. First, the protest wave in Zhejiang was very high compared to other provinces. Waves of mobilization attract the attention of the petitioning system, which in turn alerts the top Party leadership. For their part, top Party leaders pressure primarily the provinces that are experiencing the highest levels of mobilization.⁷⁷ Coming under continued pressure from Premier Zhu Rongji, Zhejiang Provincial Party Secretary Zhang Dejiang convened a conference on land-related petitions in 2001 because of a “situation of a persistently high number of Zhejiang masses going to Beijing to petition about their land.”⁷⁸ Second, local governments in Zhejiang were on a sounder fiscal footing than in many other parts of China. In other provinces the inability of local governments to foot the bill for social security programs has stalled implementation of central mandates. In Zhejiang, however, the combination of high mobilization and strong fiscal capacity generated a favorable “political context” for policy responsiveness.⁷⁹

In an attempt to overcome some of the problems associated with localized inconsistencies in compensation, local officials introduced a “unified area price” system. This system determined compensation on the basis of the location of the land, type of land, average landholdings of farmers, and the level of economic development. Importantly, the system divided each county into several zones, with uniform levels of compensation specified for each zone. Compensation, moreover, increased by at least 50 percent and continued to increase by 15–20 percent annually in the years that followed.⁸⁰

Local governments have responded to the high volume of juridical identity protests by intervening more heavily in the process of distributing compensation at the village level. In a county under Lishui, for example, county officials began in 2007 to mandate that all university students be given 100 percent of the regular compensation rate, doubling the previously common practice of only giving university students 50 percent of the regular compensation.⁸¹ These responses seem to have been much more localized and less widespread. Sargeson and Song found, for example, that some local governments were relatively responsive to women’s complaints about *hukou*-based exclusion from compensation, while others declined to intervene in village-level allocation of compensation.⁸²

CONCLUSION

Farmers in Zhejiang mounted a substantial wave of protest. This increase began accelerating in the early 2000s and began to show signs of deceleration by the mid-2010s. Farmers have engaged in collective contention around a number of grievances, but have primarily complained about illegal land seizures and land taking compensation. Much of the existing research has emphasized the role of grievances and particularly economic hardship in causing the broader wave of popular mobilization in China. Without disputing these accounts, this chapter argues that contention in Zhejiang has followed a different pattern. A very wealthy province, Zhejiang has highly valuable real estate markets, and farmers have much higher incomes than in most of China. Consequently, land protests in Zhejiang have

been the result of “greed” much more so than “grievance.” Introducing the mechanism of resource value activation, this chapter argues that real estate markets matter for understanding the dynamics of land-related contention in Zhejiang. Quite simply, when natural resources such as land come to be seen as highly valuable, contestation on the part of challengers, third parties, and the state for control over these resources is likely to increase. Archival evidence and original datasets on land-related petitions support this hypothesis.

In geographic terms, mobilization is much more heavily concentrated in the high-value real estate markets, while less-developed real estate markets are comparatively tranquil. This sheds light on the understudied geographic dimension of protest. The generally highly valuable nature of real estate markets in Zhejiang, however, suggests that subsequent research should also consider whether or not these dynamics occur in relatively inexpensive and underdeveloped real estate markets in inland China. Further, while my cross-sectional analysis has focused on variation at the city level within Zhejiang in the mid-2000s, the longitudinal analysis of Zhejiang province suggests that these dynamics hold over time. In recent years there has been a great deal of speculation about the extent to which China’s real estate market is in a bubble. A crash in the real estate markets would have a deleterious effect on government finances and on the economy as a whole. Local officials would have more difficulty reaching their economic development targets within the cadre evaluation system. As it became more difficult to attract investment, local officials would likely be tempted to engage in more predatory land takings. At the same time, falling land revenues would make it more difficult to compensate farmers or to buy off protesting landless farmers.⁸³ This chapter, however, suggests that a real estate crash might also result in further demobilization of the protest wave, potentially improving social stability among a very restive farmer population.

The relationship between real estate markets and mobilization suggests that many of the land rights claims made by landless farmers reflect less of a “rightful resistance” than a “protest gamesmanship” in which landless farmers are attempting to further their own personal interests in higher compensation.⁸⁴ This is not to say that considerations of injustice do not matter. Yet I argue that the context of injustice that matters many times is not national or even regional but hyper-local. When the same local government offers vastly different amounts of compensation to farmers within the same neighborhood, this tends to activate a broadly inclusive territorial identity of farmers as neighbors. Groups who feel that they have lost out compared to their neighbors mobilize, demanding increased compensation.

Recent research has suggested that rightful resistance in land disputes has been displaced by bureaucratic absorption, as the local state strategically incorporates potential resisters into formal channels of membership. In particular, local officials have enticed farmers whose land they wanted to expropriate to voluntarily transfer their *hukou* from rural to urban status in order to terminate their claim to the land. By bureaucratically absorbing farmers into urban citizenship and altering their juridical identity, Chuang shows how local officials in Sichuan have successfully muted protests.⁸⁵ My research in Zhejiang suggests that when juridical divisions among farmers are handled less skillfully, as in the case of villages that completely or partially exclude marginalized villagers from compensation based on their *hukou*, the result may not be a muting of resistance so much as an intensification of it. By sparking the activation of boundaries based on juridical identities, excluded farmers frequently can engage in smaller-scale but still very frequent mobilization.

NOTES

1. *Zhejiang Neican* (hereafter ZJNC) [Zhejiang Internal Reference] (2004) 3–4: 7–12.
2. On mechanisms and processes in contentious politics, see Doug McAdam, Sidney Tarrow and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001). On cycles of contention, see Sidney Tarrow, *Power in Movement* (New York: Cambridge University Press, 1998).
3. James Scott, *The Moral Economy of the Peasant* (New Haven: Yale University Press, 1977); Charles Brocket, *Political Movements and Violence in Central America* (New York: Cambridge University Press, 2005).
4. Paul Almeida, *Waves of Protest* (Minneapolis: University of Minnesota Press, 2008).
5. Christopher Heurlin, *Responsive Authoritarianism in China* (New York: Cambridge University Press, 2016).
6. Kathy Le Mons Walker, “From Covert to Overt” *Journal of Agrarian Change* 8, nos. 2–3 (2008): 474.
7. Xiaolin Guo, “Land Expropriation and Rural Conflict in China” *China Quarterly* 166 (2001): 439.
8. Dan Mattingly, “Elite Capture: How Decentralization and Informal Institutions Weaken Property Rights in China” *World Politics* 68, no. 3 (2016): 383–412.
9. You-tian Hsing, *The Great Urban Transformation* (New York: Oxford University Press, 2010).
10. Others suggest that subsistence crises are more symbolic than actual, and therefore represent a claim that the government must provide for their welfare. See Yanqi Tong and Shaohua Lei, *Social Protest in Contemporary China* (New York: Routledge, 2014).
11. Moises Acre, *Resource Extraction and Protest in Peru* (Pittsburgh: University of Pittsburgh Press, 2014).
12. Paul Collier, “Rebellion as a Quasi-Criminal Activity” *Journal of Conflict Resolution* 44, no. 6 (2000): 839–53.
13. Charles Tilly and Sidney Tarrow, *Contentious Politics* (New York: Oxford University Press, 2015), 36.
14. William Hurst, “Mass Frames and Worker Protest” in Kevin O’Brien, ed., *Popular Protest in China* (Cambridge, MA: Harvard University Press, 2008).
15. Steve Hess, “Nail-Houses, Land Rights, and Frames of Injustice on China’s Protest Landscape” *Asian Survey* 50, no. 5 (2010): 908–26.
16. Hsing, *The Great Urban Transformation*, 184.
17. Mark Beissinger, “Nationalist Violence and the State: Political Authority and Contentious Repertoires in the Former USSR” *Comparative Politics*, 30, no. 4 (1998): 401–22.
18. Hsing, *The Great Urban Transformation*.
19. For more information on these sources, see Heurlin, *Responsive Authoritarianism in China*.
20. McAdam, Tarrow and Tilly, *Dynamics of Contention*, 24.
21. For an excellent exception, see Xi Chen, *Contentious Authoritarianism and Social Protest in China* (New York: Cambridge University Press, 2012).
22. *Zhejiang Land Gazette* (Beijing: Fangzhi Press, 2001), 566.
23. Heurlin, *Responsive Authoritarianism in China*.
24. *Zhejiang Xinfang* (hereafter ZJXF) (2002) 2–3: 62.
25. Ibid.
26. Heurlin, *Responsive Authoritarianism in China*.
27. *Xinfang yu Mingqing* (hereafter XFYMQ) (2009) 1: 16–17.
28. Documents acquired from Zhejiang Provincial Land Resources Office.
29. XFYMQ (2000) 6: 8–9.
30. *Zhejiang Guotu Ziyuan* (hereafter ZJGTZY) (2009) 4: 24–7.
31. Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010), 58.
32. Document acquired from Ningbo Land Resources Department.
33. Documents acquired from Zhejiang Land Resources Department.
34. ZJXF (2004) 6: 14.
35. ZJGTZY (2013) 3: 22–4.
36. *China Land Resources Yearbook*, various years.
37. Interview 244 (2010), Tingjiang landless farmer.
38. Meg Rithmire, *Land Bargains and Chinese Capitalism* (New York: Cambridge University Press, 2014).
39. Heurlin, *Responsive Authoritarianism in China*.
40. Author’s calculations based upon data from China Data Online.
41. Sally Sargeson, “Subduing ‘The Rural House-Building Craze’” *China Quarterly* 172 (2002): 927–55.
42. XFYMQ (2007) 7: 26–7.
43. Guo, “Land Expropriation and Rural Conflict.”
44. Zhejiang Provincial Rural Social and Economic Research Team, “高度关注”失土农民”的切身利益—对

- 浙江省‘失土农民’的调查’ [Pay a Great Deal of Attention to the Interests of ‘Land-losing Farmers’: An Investigation of Zhejiang Provinces’ ‘Land-Losing Farmers’],” 调研世界 (*Diaoyan Shijie*) [*Research World*] 1 (2003), 26–8.
45. ZJGTZY (2009) 11: 24–5.
 46. *Neibu Canyue* [Internal Reference] (2013) 1: 21.
 47. Author’s calculation based upon data from China Data Online.
 48. Christopher Heurlin, “Fighting for Every Inch of Land: Greed and Grievance in Petition Mobilization in Zhejiang” *Modern China* (forthcoming).
 49. *Mingqing yu Xinsang* (hereafter MQYXF) [Conditions of the People and Petitions] (2003) 3: 7–11.
 50. ZJGTZY (2003) 1: 12–16.
 51. MQYXF (2003) 3: 7–11.
 52. ZJGTZY (2003) 1: 12–16.
 53. ZJXF (2004) 2: 20.
 54. Interview 167 (2009), Huzhou City Agricultural Bureau Official.
 55. The Chinese term commonly used to describe farmers who have experienced land takings is 失地农民. I translate this loosely as “landless farmers” because it sounds less clunky than the more literal “land-losing farmers.” Many “landless farmers” as I describe them lose some, but not all of their land.
 56. ZJXF (2003) 8: 18–20.
 57. ZJXF (2005) 1: 29–30.
 58. Yue Lin (林樂), “Empirical Research on Procedures of Land Takings and the Reactions of Peasants whose Land is Taken: The Case of Zhejiang County C” (土地征用過程與被征地農民的應對行為實證研究: 以浙江 C 縣為例). Techno-Economics and Management MA Thesis, Zhejiang University, 2005.
 59. Interview 171 (2009), District J Land Resources Petitioning Official.
 60. Ted Gurr, *Why Men Rebel* (Princeton: Princeton University Press, 1977).
 61. Levy, Jack, “Applications of Prospect Theory to Political Science” *Synthese* 135, no. 2 (2003): 215–41.
 62. Sally Sargeson and Yu Song, “Land Expropriation and the Gender Politics of Citizenship in the Urban Frontier” *China Journal* 64 (2010): 19–45.
 63. ZJXF (2005) 7: 25–7.
 64. MQYXF (2003) 4: 39.
 65. ZJNC (2004) 28: 26–7.
 66. ZJXF (2005) 7: 25–7.
 67. MQYXF (2003) 4: 39.
 68. ZJXF (2005) 7: 25–7.
 69. Interview 153 (2009), Hangzhou Landless Farmer.
 70. XFYMQ, (2007) 7: 26–7.
 71. ZJXF (2005) 7: 25–7. See also ZJNC (2004) 28: 26–7.
 72. Interview 171 (2009), Ningbo Land Resources Official.
 73. William Hurst, “Mass Frames and Worker Protest” in O’Brien, *Popular Protest in China* (Cambridge, MA: Harvard University Press, 2008).
 74. Hurst, “Mass Frames,” 71.
 75. Hess, “Nail-Houses.”
 76. Xianwen Kuang and Christian Goebel, “Sustaining Collective Action in Urbanizing China” *China Quarterly* 216 (December 2013): 850–71.
 77. Heurlin, *Responsive Authoritarianism in China*.
 78. *Zhejiang Provincial Yearbook*, 2002, 72.
 79. Heurlin, *Responsive Authoritarianism in China*.
 80. Ibid.
 81. Interview 159 (2009), Songwang County Petitioning Official.
 82. Sargeson and Song, “Land Expropriation.”
 83. Heurlin, *Responsive Authoritarianism in China*.
 84. On “rightful resistance” see Kevin O’Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006). On “protest gamesmanship” see Ching-Kwan Lee and Yonghong Zhang, “The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China” *American Journal of Sociology* 118, no. 6 (2013): 1475–508.
 85. Julia Chuang, “China’s Rural Land Politics” *China Quarterly* 219 (September 2014): 649–69.

PART 5

URBAN HOMEOWNERS

13. Homeowners' rights protection actions in China: why some succeed and others fail

Zhiming Sheng

INTRODUCTION

Since the housing reforms of the late 1980s, China's urban housing provision system has been commercialized. With accelerated urbanization, the real estate industry has developed rapidly, and commercial housing neighborhoods have sprung up like mushrooms in Chinese cities. The boom of the housing market and the large-scale emergence of new neighborhoods have been accompanied by numerous housing-related disputes. A common cause of these disputes is that real estate developers, property management companies, or local government agencies ignore or violate residents' interests.

When this has occurred, some homeowners have been strongly motivated to defend their rights. Indeed, over the past decade, homeowner rights protection activities frequently have taken place.¹ In order to make their efforts more effective, homeowners who live in the same neighborhood and suffer the same problems have banded together to launch collective actions.² However, these collective endeavors have ended with different results. Given almost the same institutional environments, why do some homeowners' rights protection activities succeed while others fail? Which factors influence the outcome of homeowners' collective action? This chapter aims to answer these questions by analyzing data collected from 191 cases of urban homeowners' rights protection activities between 1999 and 2012. Drawing on the concepts of organization, strategy, and opportunity structures, this chapter examines the effect of dispute type, number of participants, rights-defending method, homeowner organization, and government response on the results of homeowners' collective action. In so doing, the chapter seeks to not only reveal the institutional barriers faced by homeowners in their self-governance of community public affairs, but also to demonstrate the role played by homeowners' organizations in their collective action. More broadly, the chapter discusses what these findings tell us about state-society relations in contemporary China.

FACTORS INFLUENCING THE OUTCOME OF SOCIAL PROTEST³

Studies of social protest focus on four primary factors that may determine movement outcomes.⁴ The first is opportunity structures, which are factors external to social movements that shape movement development, such as: the relative openness or closure of the political system; the stability or instability of the broad set of elite alignments that typically undergird a polity; the presence or absence of elite allies; and the state's capacity and propensity for repression.⁵ The second is the strength of the protest organi-

zation, which derives from the protest group's solidarity, organizational foundation, and resources.⁶ The third is protest strategies.⁷ The fourth is protest demands, which determine the cost of making concessions to the actor being targeted. For example, Gamson finds that protest groups with single-issue demands are more successful than groups with multiple-issue demands.⁸ Further, protest groups that threaten to replace or destroy established groups or seek to make broad changes in the political system have been unlikely to succeed.⁹

Although the major theories of social protest outcomes were derived from cases found in democratic contexts, these four factors also can be usefully applied to China and its more authoritarian political environment. With regard to opportunity structures, Cai Yongshun (using data collected from 266 cases of collective resistance in China) finds that the chance of a protest succeeding is higher if it can exploit gaps within the state hierarchy and get support from higher-level authorities. To achieve this end, the forcefulness of resistance is one important factor. Specifically, the level of violence in confrontational protest, casualties or deaths, media exposure, and the scale of protest in terms of the number of participants all increase the forcefulness of collective resistance, which in turn raises the possibility of intervention from higher-level authorities.¹⁰ Cai also finds that the type of protestor demand may influence the result of popular protest. If a demand creates a zero-sum game between the government and protesters in the sense that the protesters' gain is the government's loss, it is seen as a high-cost demand for the government; otherwise, it is seen as less costly to meet. Based on cost–benefit calculations, government departments at different levels will choose different responses, such as concession, repression, or tolerance.¹¹

Looking next at organization, unlike in Western liberal democracies—where social movements have become highly organized, professionalized, and formalized¹²—protests in China often lack an organizational base. The main reason is that authorities in China treat autonomous organizations that are spontaneously formed by citizens as potential threats to the regime. Consequently, forming such a group is a very risky and politically sensitive action. Nonetheless, since the early 1990s increasing numbers of peasants, workers, homeowners and other social groups have joined together to fight against those who in their perception have infringed upon their rights. In reality, there are many formal and informal groups engaged in collective resistance in China today.¹³ These groups help to mobilize social resources and supporters, and lead collective actions to proceed in a more ordered and moderated way, which reduces risk and provides legitimacy for collective actions.¹⁴

In terms of collective action strategy, one basic strategy employed by ordinary Chinese citizens is to take advantage of the rhetorical discourses and commitments of higher authorities to curb local officials or other actors that violate the people's rights and interests.¹⁵ This strategy is conceptualized as “rightful resistance” by O'Brien and Li, based on their study of rural China.¹⁶ Similar tactics can be frequently observed in other social groups' collective resistance as well. Protesters engaging in rightful resistance normally frame their claims with reference to statutory rights supported by official ideology or endowed by policymakers, are law-abiding, avoid adopting illegal or non-institutionalized modes of action, and try to exploit divisions among the powerful.¹⁷ As argued by O'Brien, wherever a gap between rights promised and rights delivered exists, there is room for rightful resistance to emerge.¹⁸

Deeply influenced by this literature on social movements, existing studies of homeowner activism in China have provided much knowledge about the causes and strategies of homeowners' rights-defending activities. Scholars focusing on macro-level institutional factors have found that homeowners in urban China have a strong awareness of rights and ability to take action, but the legal and political system puts restrictions on citizens' autonomous organization. As a result, homeowners face institutional obstacles when trying to express their concerns in an organized way.¹⁹ Other scholars argue that a real estate interest group already has formed in urban China, consisting of real estate developers, property management companies, local government departments, and local courts. The superior position of this interest group has enabled it to encroach on homeowners' interests. This is the basic reason why homeowners' collective rights protection actions occur; homeowners have had to organize themselves to protect their interests in the face of harmful actions by the real estate interest group.²⁰

The consequences of homeowner activities and the factors affecting these consequences have also received some scholarly attention. Studies with this focus have found that the type of homeowners' action (cooperative, technical, or confrontational), the composition of activists (old retired people or young professional people), the strategies adopted by homeowners, and the responses of government (cooperation, concession, differentiation, negotiation, or embedment) have an impact on the outcome of homeowners' collective action.²¹ In addition, social networks between homeowners and government officials or journalists may significantly help the former to achieve satisfactory results.²² Such informal political networks are often utilized by homeowners to establish, sustain, and operate homeowners' associations.²³ In the Internet era, the virtual networks built by online community forums improve the communication and interaction among homeowners, which facilitates their mobilization for collective action.²⁴ At the same time, some warn that the extensive deployment of informal networks within homeowners' organizations may lead to an oligarchy of a few privileged leaders, the exclusion of other residents, and the formation of factions, thus undermining local governance and community democracy.²⁵

RESEARCH FRAMEWORK

Previous studies of social protests and homeowners' rights-defending actions in China help us to better understand the dynamics of contentious politics in China. However, almost all existing work on homeowner activism has been qualitative research based on small-N case studies. The advantage of case studies is that they can dig very deeply into a case, looking through all of the details of the case, tracing the whole process of an event, and uncovering the underlying dynamics of the event. The inherent limitation of this approach is that it is difficult to make generalizations based on a small number of cases, or to capture changing overall trends. Because every community has its own characteristics, community disputes and homeowners' actions in different communities vary. Nonetheless, as a general category, they have some common features. This chapter tries to provide insight into these commonalities by quantitatively examining the effect of several factors on the outcome of homeowner activism. It is based on data that has been systematically collected from cases of community disputes and homeowners' collective actions that have occurred in Chinese cities nationwide.

Inspired by previous research, this chapter examines protest mobilization, organization, and strategy; dispute type; and government response. To measure mobilization, I examine the number of participants joining homeowners' collective action. Existing research on contentious collective action in China finds that the number of participants has a remarkable effect on the result of social protest. Generally speaking, the more participants that are mobilized in a social protest, the more likely that they are able to succeed. This is because larger numbers display the strong capacity of protesters to organize, coordinate, and consolidate themselves, and enable them to gain more social influence and legitimacy, thus placing more pressure on the targets of the protestor's complaints. This chapter examines whether the same impact exists in Chinese homeowners' collective protests.

To measure organization, we examine whether there exists a homeowners' organization that takes action on behalf of homeowners. Studies of social movements in democratic societies show that organization plays a critical role in linking previously unconnected social groups, mobilizing resources and participants, and exchanging and spreading information.²⁶ Without an organizational structure, collective action is very difficult to sustain. However, these findings are mainly based on experiences in Western democratic countries. The role of organization in social groups' rights-defending actions in China has not yet been systematically explored. There are two main contextual factors that have led to this situation. First, because in China organization by protesters is a very politically sensitive act, protestors often use the strategy of "de-organization"—they deliberately do not form formal organizations in the course of their collective resistance.²⁷ Second, even some quasi or informal groups in social protests do exist, they usually operate in a loose form which looks more like a network than an organization.²⁸ As a result, it is difficult for researchers to study protest groups, let alone to examine the effect of organization on the outcome of protest. Fortunately, the situation in homeowners' protest is different. By national law, homeowners are endowed the right to establish organizations to implement self-governance in neighborhoods. Thus, a homeowners' committee is an officially approved organization. This provides scholars a good opportunity to probe the role of homeowners' organization in homeowners' collective action.

To measure protest strategy, I look at the method or approach adopted by homeowners in their rights-defending activity. Studies of social conflict and dispute resolution mechanisms in China have found that Chinese citizens use different methods to solve civil and administrative disputes, with varied effects on the final result of the dispute.²⁹ Generally speaking, the protest strategies adopted by homeowners can be classified into two categories: One category is an institutionalized or non-confrontational mode of action, such as approaching government departments or officials for help, negotiating, filing lawsuits, or reporting to the media. The second is a confrontational or radical mode of action, such as collective protest (e.g., demonstrations, sit-ins, blocking roads) or large-scale collective petitions, which are not allowed by the Chinese government.

We measure dispute type because previous research on collective contention in China has found significant variation in success rates depending on the type of dispute. Most notably, ordinary citizens have been found to be less likely to achieve a successful result in administrative disputes than they are in civil disputes.³⁰

Finally, we examine the government response. Generally speaking, there are several possibilities: tolerance, repression, concession, or a combination of concession and

repression.³¹ However, these options are not very suitable in explaining the outcome of homeowners' collective action. This is due to the unique features of Chinese homeowner protest. In China, homeowners—especially those who live in new commercial housing neighborhoods—behave as a “moderate middle class.”³² They usually restrict their rights-defending action within the boundary of their neighborhood, call only for economic rights (rather than political rights), express their claims within legal frames, and make sure that their actions abide by the law. They seldom disrupt social order in order to avoid crossing the line of the government's tolerance. Therefore, political authorities rarely crack down on peaceful homeowners' activism. Instead, they tend to respond in a more positive fashion. In particular, grassroots government agencies often actively intervene in homeowners' rights protection activities, influencing the result of community dispute and homeowners' protest. For example, in civil disputes between homeowners and the real estate enterprise, since some local government departments have a stake in the business of real estate development, they will side with the enterprise and set obstacles for homeowners in the process of defending their rights and interests, which obviously reduces the ability of homeowners to achieve their goals.

Local government agencies may intervene under three circumstances. First, when homeowners' rights and interests are violated by the real estate developer, property management company, or other actors, homeowners often approach relevant government departments for help. Second, because the real estate industry makes great contributions to local fiscal revenue, the local government and the real estate enterprise are inextricably linked by shared interests. Thus, when homeowners' collective resistance challenges the profit-making behaviors of this interest group, local government departments or officials may become involved.³³ Third, local government agencies themselves sometimes encroach on homeowners' rights and interests, so they become the infringers whom the homeowners try to fight against. In the above situations, local government departments or agencies find it difficult to simply stand by with folded arms.

DATA AND METHOD

The data used in this study come from the author's collection of 191 cases of homeowners' rights-protection activities occurring between 1999 and 2012 in urban China. Among these cases, 176 were collected from websites, newspapers, and magazines; nine came from academic papers; and six were from my own fieldwork. These 191 cases were located in 158 neighborhoods, covering 36 cities in 18 provinces (see Table 13.1).

For data collection, I used the Google and Baidu search engines, typing the Chinese characters for “homeowner right-protection” (*yeyu weiquan*, 业主维权) as key words to search for cases.³⁴ I then collected all cases that included at least one homeowners' rights-defending action. Next, I excluded cases in which homeowners' claims had no legal basis, focusing only on cases where the claims made by the homeowners were legal. For example, in one case, the homeowners resisted dismantling their illegal buildings and unauthorized construction. In another case, homeowners asked the real estate developer to compensate them for their losses when housing prices were declining. Because these claims had no legal basis, these cases were excluded from my sample. However, this kind of case was very rare in my search, including only three cases.

Table 13.1 The distribution of 191 cases

Cities or Provinces	No. of cases	%	Cities or Provinces	No. of cases	%
Beijing	49	25.6	Henan	8	4.2
Shanghai	46	24.1	Hunan	9	4.7
Tianjin	6	3.1	Hubei	2	1.1
Guangdong	34	17.8	Chongqing	1	0.5
Guangxi	1	0.5	Sichuan	1	0.5
Fujian	3	1.6	Shandong	7	3.7
Jiangsu	7	3.7	Shanxi	1	0.5
Zhejiang	3	1.6	Heilongjiang	2	1.1
Hebei	8	4.2	Liaoning	3	1.6

Although media agencies have their own preferences on reporting social news, Chinese media outlet coverage is not necessarily biased against homeowners' rights-defending actions. Since the vast majority of homeowners are fighting for their economic interests rather than challenging the political system, most reports on their actions are permitted by the government. Undoubtedly, using cases reported by Chinese media may involve some bias. One possible sample selection bias is that cases that are large-scale and persistent may be more likely to be reported. These cases also are perhaps more likely to be successful than are small-scale and short-term actions. Because the latter have little chance of being selected for this study, my findings may overestimate the success rate of homeowners' collective action.

To satisfy the principle of random sampling and minimize case selection bias, yet at the same time making sure that the selected cases had enough information for coding and analysis, I used two additional criteria. First, there had to be explicit information on the result of the homeowners' collective action. If the primary demand made by the homeowners was satisfied at the end of their collective action, I treat the result as successful and code it as "1." Otherwise, the result has failed and is coded as "0." Second, there had to be other necessary information needed for analysis, including the source of the case, where and when the case happened, the duration of homeowners' rights defending activity, with whom the homeowners have a dispute, the content of the dispute, the rights protection methods used by the homeowners, whether there exists a homeowners' organization that appears to represent homeowners' interests, whether there occurred confrontational conflicts or violent actions during the event, the number of participants in the homeowners' collective action, and the government responses.

In addition to these 191 cases, I conducted in-depth interviews with about 70 people in Beijing, Shanghai, Guangzhou, and Shenzhen from 2005 to 2013. These interviewees included homeowner activists (46 people), managers in property management companies (6 people), government officials (5 people), members of residents' committees (6 people), and scholars, journalists, and lawyers (10 people). I also carried out participant observation of homeowners' activities in these four cities. Through this multi-method combination of quantitative and qualitative research, this study capitalizes on the advantages of both, not only comprehensively grasping the general situation of homeowners' activism but also deeply understanding the underlying mechanisms of these events.

FACTORS INFLUENCING THE OUTCOME OF HOMEOWNER PROTEST

Type of Dispute

In contemporary China, many actors can infringe on the rights and interests of homeowners. In my collection of 191 cases, the percentage of cases in which the real estate developer is one of the perpetrators is 56.5, and the percentage for property management companies is 42.9. Government departments or grassroots government agencies (subdistrict offices and residents' committees) also often violate homeowners' interests; the figures for these are 20.9 percent and 14.7 percent respectively. Notably, in 28 cases (14.7 percent), the homeowners' committee violated homeowners' interests. This situation mainly results from two situations: First, real estate developers, property management companies, or grassroots government agencies (such as subdistrict offices and residents' committees) may manipulate the establishment procedure of the homeowners' committee such that the committee members are not elected in a democratic and transparent way. As a result, this kind of homeowners' committee becomes a "puppet" of the above-mentioned organizations, and cannot really operate on behalf of homeowners' interests.

Second, because there are no strict supervision mechanisms to regulate the operation of homeowners' committees, if committee members are motivated by their self-interest, or if they are bought off by developers, property management companies or other actors, they may sacrifice the community's interests for their own interests.³⁵ Homeowners often face more than one infringer. In 109 of the 191 cases (57 percent), there is only one infringer; 65 (34 percent) have two, 14 (7 percent) have three, and 3 (2 percent) have four.

According to the type of infringer, I classify community disputes into three categories. The first category is civil dispute, which includes disputes between homeowners and real estate developers or property management companies. The second category is administrative dispute, which refers to homeowner disputes with government agencies. The third category is mixed dispute, which means that homeowners not only conflict with real estate developers or property management companies, but also get involved in disputes with government agencies. For instance, in one case a developer occupied the green land of a community to construct new buildings, but this illegal occupation and arbitrary change of land use had not been regulated and punished by the Municipal Bureau of Land Planning. In this case, the interests of homeowners were directly violated by the developer, but also indirectly damaged by the Municipal Bureau of Land Planning. Table 13.2 displays the number and percentage of cases falling into these three categories. More than half (55.5

Table 13.2 Dispute type

Type of dispute	No. of cases	(%)
Civil dispute (with developer or property management company)	106	55.5
Administrative dispute (with government agencies)	19	10.0
Mixed type dispute (civil and administrative dispute)	31	16.2
Others	35	18.3
Total	191	100

Table 13.3 Results of different types of dispute

Type of dispute	Result		
	Fail	Succeed	Total
Civil dispute	55 (51.9%)	51 (48.1%)	106 (100%)
Administrative dispute	12 (63.2%)	7 (36.8%)	19 (100%)
Mixed type dispute	19 (61.3%)	12 (38.7%)	31 (100%)
Others	22 (62.9%)	13 (37.1%)	35 (100%)
Total	108 (56.5%)	83 (43.5%)	191 (100%)

percent) of all cases are civil disputes, 10 percent are administrative disputes, and 16.2 percent have mixed type disputes; 18.3 percent of all cases include other types of dispute. Most of these involve malfunctioning homeowners' committees which are "puppets" of grassroots government agencies (subdistrict offices or residents' committees).

Table 13.3 shows the number and percentage of successful and failed cases in each type of property dispute. In civil disputes between homeowners and real estate developers or property management companies, the percentage of successful cases is a little bit smaller than failed cases (48.1 percent vs. 51.9 percent), but the difference is not significant. The percentage of successful cases in civil disputes is bigger than in the other two types of dispute (48.1 percent vs. 36.8 and 38.7 percent). In administrative disputes between homeowners and government agencies, it is much harder for homeowners to achieve success; the percentage of successful cases in this category is much lower than failed cases (36.8 percent vs. 63.2 percent). The situation in mixed disputes is very similar to administrative disputes—the possibility of failing is significantly higher than that of achieving success (61.3 percent vs. 38.7 percent). In other types of dispute, the percentage of successful cases is also small, at only 37.1 percent.³⁶

These findings indicate the possible effect of dispute type on the result of homeowners' rights-defending activity. In civil disputes, homeowners have almost a 50-50 chance of successfully protecting their rights and interests. When they get involved in disputes with governance agencies (whether in administrative disputes or in mixed types of disputes), the possibility of winning the case drops dramatically, in about two-thirds of cases they fail.

Participant Mobilization

In order to enhance their chances of success, homeowners typically try to mobilize as many participants as possible. In the 191 cases, only 53 have reliable information about the number of participants mobilized in homeowners' collective actions. Among these 53 cases, the median number of participants is 120, the first quartile is 60, and the third quartile is 250.³⁷ In 27 cases (14.1 percent), we can identify whether the number

Table 13.4 Success rate of cases with different numbers of participants

No. of participants	No. of cases	No. of successful cases	Success rate (%)
Fewer than 50	9	3	33.3
50–150	20	10	50.0
More than 150	24	12	50.0
Total	53	25	47.2

of mobilized homeowners has reached the necessary quorum required by “Property Management Regulations” for public community decision-making—that at least one half of all homeowners in the community must be mobilized.

These 53 cases are divided into three categories: cases with fewer than 50 participants, cases with 50 to 150 participants, and cases with more than 150 participants. Table 13.4 shows the success rates of each. The success rate of the first group is about 33 percent. When the number of participants reaches 50–150 or more than 150, the success rate rises to 50 percent. For the 27 cases in which at least one half of homeowners in the community have been mobilized, the number of successful cases is 24, and the success rate reaches 89 percent.

These numbers point to a few conclusions. To begin, if more than 50 homeowners can be mobilized to join a rights-protection activity, the action is much more likely to be successful than if fewer than 50 participate. However, these numbers do not suggest that the higher the number of participants the more likely it is for them to win. As seen above, the chance of success for homeowners’ collective actions that mobilize more than 150 participants is not higher than homeowners’ collective protests which have 50 to 150 participants. Further, reaching the necessary quorum for public community decision-making required by relevant laws and regulations significantly increases the success rate of homeowners’ rights-defending actions. The reason is that reaching the quorum demonstrates that the collective action is supported by the majority of homeowners in the community. In addition, doing so shows that most homeowners in the community desire active participation in community public affairs.

Protest Strategy

Facing the violation of their interests, homeowners use numerous methods to defend their interests. As seen in Table 13.5, the most frequently used methods adopted by homeowners are “approaching government departments or officials” (65.5 percent) and “negotiation” with infringers (65.5 percent). Other methods or approaches include: filing lawsuits (37.7 percent); reporting to media outlets (19.4 percent); collective protest such as sit-ins, blocking roads, and demonstrations (18.3 percent); and large-scale collective petitions (more than 100 participants) (14.1 percent). In most instances (79 percent of all cases), homeowners try two or more methods at the same time, or try different methods one by one. Among the 191 cases, the average number of methods adopted by homeowners is 2.4. There are 40 cases (21 percent) using only one method; 75 (39 percent) using two methods; 49 (26 percent) using three methods; 15 (8 percent) using four methods; 11 (6 percent) using five methods; and 1 (0.5 percent) case using six methods simultaneously.

Table 13.5 Success rate of cases using different rights-defending methods

Method	No. of cases	(%)	No. of successful cases	Success rate (%)
Approaching government departments or officials	125	65.5	46	36.8
Negotiation	125	65.5	48	38.4
Filing lawsuits	72	37.7	39	54.2
Reporting to media	37	19.4	18	48.7
Collective protest	35	18.3	9	25.7
Large-scale collective petitions	27	14.1	10	37.0
Others	37	19.4	22	59.5

Table 13.5 also displays the success rate of cases using different rights-defending methods. Among the 125 cases in which homeowners “approach government departments or officials,” 46 (36.8 percent) were successful. In the 125 cases using “negotiation,” 48 were successful. The success rates of cases “filing lawsuits” and “reporting to media” are a bit higher, at 54.2 percent and 48.7 percent respectively. The success rates of cases using disruptive “collective protest” or “large-scale collective petition” are lower, at only about 25.7 percent and 37 percent respectively. This reveals that non-institutionalized or radical collective actions are not helpful for homeowners to effectively defend their rights and interests.

Homeowners' Organization

Studies of homeowners' rights-protection actions in China find that homeowners' organizations play a very important role in mobilizing social resources and participants, and in devising strategies for homeowners' collective actions and self-governance practices.³⁸ As noted above, the homeowners' committee is a legal organization responsible for homeowners' self-governance in their community. Importantly, it is an officially recognized channel or platform charged with representing all homeowners in the community in communications and negotiations with real estate developers, property management companies, and government agencies. In most homeowners' committees there is a co-ordination and distribution of responsibilities among committee members, which improves the efficiency of the organization. Further, homeowners' committees help to accumulate successful experiences of community governance. As a result, and as discussed in detail in Chapter 14 in this section by Pavlićević et al., effective institutions or organizational innovations can be preserved, and can then be sources of information and learning for other communities.

In my collection of 191 cases, there are 143 with a homeowners' committee or rights protection group (*weiqquan xiaozu*, 维权小组) that appears to act on behalf of homeowners' interests. In the other 48 cases, homeowners either remain unorganized or have a “puppet” committee.³⁹ Table 13.6 shows the results in these two groups of cases. In the 48 cases with no homeowners' organization or with malfunctioning homeowners' committees, the possibility of homeowners succeeding in their collective action is rather small,

Table 13.6 Success/failure with/without well-functioning homeowners' organization

Homeowners' organization	Result		
	Fail	Succeed	Total
No	36 (75.0%)	12 (25.0%)	48 (100%)
Yes	72 (50.4%)	71 (49.7%)	143 (100%)
Total	108 (56.5%)	83 (43.5%)	191 (100%)

at only 25 percent. In contrast, in the 143 cases with active and responsible homeowners' organizations, the success rate is much higher, reaching 49.7 percent. This reveals that a well-functioning homeowners' organization is highly conducive to protecting homeowners' legitimate rights and interests. Table 13.6 also shows that in the 143 cases with well-functioning homeowners' organizations, the success rate is almost the same as the failure rate (49.7 percent vs. 50.4 percent). Nonetheless, in the next section, we show that government responses may undermine the positive effect of homeowner organization.

Government Response

The responses of government can be classified into three categories. The first is normal administrative action, which means that relevant government agencies perform their duties, and deal with community disputes and homeowners' protest objectively and fairly. The second is improper administrative intervention. In this mode of response, the government agencies evidence an obvious bias in favor of real estate developers, property management companies, or other infringers, or deliberately set up obstacles to prevent homeowners from successfully defending their rights and interests. For instance, when homeowners try to establish their own committee, some grassroots government agencies refuse to register the committee under various pretexts. The third type is administrative nonfeasance, which means the government agencies do not fulfill their duties and obligations, and respond with prevarication and delay. For example, some grassroots government agencies ignore the appeal of homeowners, or use strategies of "passing the buck" or "delaying reply" to deal with them. I define the last two types as "government maladministration," and then examine the effect of government's normal administration and maladministration on the outcome of homeowners' activism.

Table 13.7 illustrates that if government departments perform their duties and conduct normal administration—such as avoiding arbitrary intervention, resolving community disputes with appropriate measures, or providing a fair administrative adjudication on disputes—the success rate of homeowners' rights-defending action is not significantly different than the failure rate (48 percent vs. 52 percent). However, when there is improper administrative intervention or administrative nonfeasance, the success rate of homeowners' collective action drops dramatically to less than 26.8 percent. This reveals that government maladministration severely hinders homeowners in realizing their legitimate interest claims.

Table 13.7 Results of cases with different government responses

Government response	Result		
	Fail	Succeed	Total
Normal administration	78	72	150
(No intervention/normal intervention)	(52.0%)	(48.0%)	(100%)
Maladministration	30	11	41
(Improper intervention/nonfeasance)	(73.2%)	(26.8%)	(100%)
Total	108	83	191
	(56.5%)	(43.5%)	(100%)

Table 13.8 Interactive effects of homeowners' organization and government response on the result of homeowners' collective action

Homeowners' organization	Government response				
	Maladministration		Normal administration		
	Fail	Succeed	Fail	Succeed	Total
No	6	1	30	11	48
	(85.7%)	(14.3%)	(73.2%)	(26.8%)	(25.1%)
Yes	24	10	48	61	143
	(70.6%)	(29.4%)	(44.0%)	(56.0%)	(74.9%)
Total	30	11	78	72	191
	(15.7%)	(5.8%)	(40.8%)	(37.7%)	(100%)

Controlling for government response, we again examine the impact of homeowners' organization on the result of homeowners' rights-protection activity (Table 13.8). We find that for cases in which homeowners suffer government maladministration (improper administrative intervention or administrative nonfeasance), if the homeowners have not formed an organization, the possibility of them succeeding is the lowest, at 14.3 percent. But if homeowners have established their own organization, the success rate rises to 29.4 percent. If government agencies perform their duties properly, even if there is no homeowners' organization, the possibility of homeowners winning the case is still close to 27 percent. If there is no maladministration and homeowners have formed an organization, the success rate is the highest, reaching 56 percent.

Comparing the findings in Table 13.8 with those in Table 13.6, we find that the positive influence of homeowners' organization on the result of their rights-defending activity is partially restrained by the negative influence of government maladministration.

CONCLUSION AND DISCUSSION

In recent decades, the real estate industry has flourished and commercial housing neighborhoods have been built on a large scale in urban China. These developments have

been accompanied by the frequent occurrence of community disputes and homeowners' rights-defending activities. Based on data collected from 191 cases of homeowners' rights-protection activities between 1999 and 2012 in urban China, this chapter reaches several conclusions regarding the main factors affecting the result of homeowners' collective action.

In civil disputes between homeowners and business enterprises, homeowners have a nearly 50 percent chance of success. If homeowners have disputes with government agencies, their likelihood of achieving a successful result drops dramatically. Although mobilizing more than 50 participants in a homeowner action increases the possibility of success, after the number of participants exceeds 50, the effect of participant numbers is negligible. With regard to rights-protection methods, my data suggest that non-institutionalized radical actions are not helpful in enabling homeowners to realize their claims. Conversely, a well-functioning homeowners' organization that represents the interests of homeowners can significantly increase the success rate of homeowners' collective action. Finally, government maladministration severely hinders homeowners from successfully defending their rights and interests.

More broadly, these findings show that community disputes are closely associated with imperfect institutional arrangements and defective laws and regulations in contemporary China. In the Xi Jinping era, the central government has continued to advocate for "rule by law," but this has not clearly improved the situation for homeowners. Because relevant laws and regulations have been revised, homeowners' rights consciousness has grown, and the competition among property management companies has increased. As a result, infringements by property management companies to a certain extent have been restrained. At the same time, because of the great contribution of real estate development to the fiscal revenue of local government, encroachments by developers still have not been effectively regulated.⁴⁰

In recent years, some homeowner leaders have realized that the most fundamental way to prevent the violation of homeowners' interests is to improve relevant laws and regulations as well as institutional arrangements, and then to make sure that these laws, regulations, and institutional arrangements are followed and executed. The ultimate goal of homeowners' rights-defending activities is not simply to fight against particular encroachments, but to urge China's legislative institutions to make righteous laws, promote government administration according to those laws, and prompt judicial organizations to strictly enforce laws. In order to achieve this goal, as described by Pavlićević et al. in this Handbook, homeowner activists have filed lawsuits and collective petitions, applied for administrative reviews, and even run to serve as deputies in local People's Congresses.⁴¹ Their activism indicates that some of those who have achieved affluence under China's economic reforms are pursuing new forms of empowerment.⁴²

NOTES

1. Benjamin Read, "Property Rights and Homeowner Activism in New Neighborhoods," in *Privatizing China: Socialism from Afar*, eds., Li Zhang and Aihwa Ong (Ithaca: Cornell University Press, 2008), 41–56.
2. Luigi Tomba, "Residential Space and Collective Interest Formation in Beijing's Housing Disputes," *China Quarterly* 184 (December 2005): 934–51.
3. Used here, "social protest" refers to a social movement or collective action launched to safeguard protes-

tors' rights or interests, or to seek to bring about social or political change by influencing the knowledge, attitudes, and behaviors of the public or the policies of an organization or institution. Social protests take many forms, including public displays, demonstrations, civil disobedience, petitions, boycotts, lobbying, and online activities.

4. Charles Tilly, *From Mobilization to Revolution* (Reading, MA: Addison-Wesley, 1978).
5. Doug McAdam, "Conceptual Origins, Current Problems, Future Directions," in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, eds., Doug McAdam, John D. McCarthy, and Mayer N. Zald (Cambridge: Cambridge University Press, 1996), 23–40; Sidney Tarrow, *Power in Movement: Social Movement, Collective Action and Politics* (Cambridge: Cambridge University Press, 1998); Doug McAdam, *Political Process and the Development of Black Insurgency 1930–1970* (Chicago: University of Chicago Press, 1999).
6. The "organizational foundation" refers to the structure and affiliation of a social movement organization, which is conducive for the social movement to effectively mobilize participants and resources. Mayer N. Zald and John D. McCarthy, *Social Movements in an Organizational Society: Collected Essays* (New Brunswick: Transaction Publishers, 1997); Bob Edwards and John D. McCarthy, "Resources and Social Movement Mobilization," in *The Blackwell Companion to Social Movements*, eds., David A. Snow, Sarah A. Soule, and Hanspeter Kriesi (Oxford: Blackwell, 2004), 116–52.
7. Doug McAdam, "Tactical Innovation and the Pace of Insurgency," *American Sociological Review* 48, no.6 (1983): 735–54.
8. William Gamson, *The Strategy of Social Protest* (2nd ed.) (Belmont: Wadsworth, 1990).
9. Homer R. Steedly and John W. Foley, "The Success of Protest Groups: Multivariate Analyses," *Social Science Research* 8, no. 1 (1979): 1–15.
10. Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010).
11. Ibid.
12. Suzanne Staggenborg, "The Consequences of Professionalization and Formalization in the Pro-Choice Movement," *American Sociological Review* 53, no.4 (1988): 585–605.
13. Jianrong Yu, "Nongmin youzuzhi kangzheng jiqi zhengzhi fengxian (Peasants' Organized Resistance and Political Risks)," *Zhanhue yu guanli (Strategy and Management)*, no.3 (2003): 1–16.
14. Kevin O'Brien and Li Lianjiang, *Rightful Resistance in Rural China* (Cambridge: Cambridge University Press, 2006).
15. Thomas P. Bernstein and Xiaobo Lu, *Taxation without Representation in Contemporary Rural China* (Cambridge: Cambridge University Press, 2003).
16. O'Brien and Li, *Rightful Resistance in Rural China*.
17. Yongshun Cai, "Social Conflicts and Modes of Action in China," *China Journal*, no.59 (2008): 62–82; Feng Chen, "Subsistence Crisis, Managerial Corruption, and Labor Protest in China," *China Journal* 44 (2000): 41–63.
18. Kevin O'Brien, "Rightful Resistance," *World Politics* 49, no.1 (1996): 55.
19. Yingfang Chen, "Xingdongli yu zhidu xianzhi: dushi yundong zhong de zhongchan jieji (Act Ability and System Restrict: Middle Class in the Urban Movement)," *Shehuixue Yanjiu (Sociological Studies)* 4 (2006): 1–20.
20. Lei Zhang, "Yezhu weiquan yundong: chansheng yuanyin ji dongyuan jizhi-Dui Beijingshi jigexiaoqu gean de kaocha (Beijing Homeowners' Rights Protection Movement: Reason of Breakout and Mobilization Mechanism)," *Shehuixue Yanjiu (Sociological Research)* 6 (2005): 1–39.
21. Wei Meng, *Richang shenghuo de zhengzhi: yi 1998–2005 nianjian chengshi yezhu weiquanxingdong weili (The Logic of Politics in Daily Life: A Case Study of Homeowners' Action to Protect Rights During 1998–2005)* (Beijing: China Social Sciences Press, 2007); Zhengxu Wang, Long Sun, Liuqing Xu, and Dragan Pavličević, "Leadership in China's Urban Middle Class Protest: The Homeowners' Rights Defense Movement in Beijing," *China Quarterly* 214 (2013): 411–31.
22. Fayong Shi and Yongshun Cai, "Disaggregating the State: Network and Collective Resistance in Shanghai," *China Quarterly* 186 (2006): 314–32.
23. Jingen Zhang and Wenjia Zhuang, "Feizhengshi zhengzhi: yige caogen NGO de xingdong celue—yi Guangzhou yezhuweiyuanhui lianyihui choubeiweiyuanhui weili (Informal Politics and Acting Tactics of a Grassroots NGO: A Case Study of the Preparatory Committee of Guangzhou Proprietor Committee's Friendship Association)," *Shehuixue yanjiu (Sociological Studies)* 2 (2008): 133–50.
24. Ronggui Huang and Yong Gui, "Hulianwang yu yezhu jitikangzheng: yixiang jiyu dingxing bijiao fenxi fangfa de yanjiu (The Internet and Homeowners Collective Resistance: A Qualitative Comparative Analysis)," *Shehuixue yanjiu (Sociological Studies)* 5 (2009): 29–56.
25. Fayong Shi, "Yezhu weiyuanhui,zhun paixi zhengzhi yu jiceng zhili: yi yige shanghai jiequ weili (Homeowners' Committees, Faction Politics, and Local Governance: A Study in a Shanghai Neighborhood)," *Shehuixue yanjiu (Sociological Studies)* 3 (2010): 136–58.

26. John D. McCarthy and Mayer N. Zald, *The Trend of Social Movements in America: Professionalization and Resource Mobilization* (Morristown, NJ: General Learning Press, 1973).
27. Xiaoyun Chen, “Quzuzhihua: yezhu jitixingdong de celue yi G shi fandui laji fenshaochang jianshe shijian weili (Disorganize: The Strategy of Homeowners’ Collective Activisms. A Survey of the Anti-Incinerator Action in Guangzhou),” *Gonggong guanli xuebao (Journal of Public Management)* 2 (2012): 67–75.
28. Yu, “Peasants’ Organized Resistance and Political Risks.”
29. Pierre Landry and Yanqi Tong, “Disputing the Authoritarian State in China,” presented at the annual meeting of the American Political Science Association, Washington DC, 1 September 2005; Cai, “Social Conflicts and Modes of Action in China.”
30. Landry and Tong, “Disputing the Authoritarian State in China”; Ethan Michelson, “Climbing the Dispute Pagoda: Grievances and Appeals to the Official Justice System in Rural China,” *American Sociological Review* 72, no.3 (2007): 459–85; Cai, “Social Conflicts and Modes of Action in China.”
31. F. Fox Piven and Richard A. Cloward, *Poor People’s Movements: Why They Succeed, How They Fail* (2nd ed.) (New York: Vintage, 1979); Cai, *Collective Resistance in China*.
32. Yongshun Cai, “China’s Moderate Middle Class: The Case of Homeowners’ Resistance,” *Asian Survey* 45, no. 5 (2005): 777–99.
33. Zhang, “Beijing Homeowners’ Rights Protection Movement.”
34. <http://www.google.com.hk> and <http://www.baidu.com>.
35. Yongshun Cai and Zhiming Sheng, “Homeowners’ Activism in Beijing: Leaders with Mixed Motivations,” *China Quarterly* 215 (2013): 513–32.
36. In other types of dispute, 80 percent were caused by malfunctioning homeowners’ committees acting as “puppets” of government agencies at the grassroots level (subdistrict offices or residents’ committees).
37. Because there are very few outliers in these 53 cases, using average value will cause biased estimation. Thus, I use median value and quartile value instead of mean value to describe the distribution of numbers of participants.
38. Zhang, “Beijing Homeowners’ Rights Protection Movement”; Benjamin Read, “Democratizing the Neighbourhood? New Private House and Home-Owner Self-Organization in Urban China,” *China Journal* 49 (2003): 31–59.
39. As mentioned earlier, if the procedure of establishing a homeowners’ committee is controlled by local government agencies or business groups (such as a real estate developer or property management company), and candidates for the committee are selected or appointed by government agencies or business groups rather than by homeowners themselves, the committee cannot truly act on behalf of the interests of homeowners. This kind of committee is defined as a “puppet committee.”
40. Zhiming Sheng, “Shehui zhili zhongde wuye jiufen he yezhu weiquan (The Property Disputes and Homeowners’ Rights-Defending Activities in the Governance of Society),” *Zhongguo shehui Kexue neibu wengao (Social Sciences in China) (Internal Documents)* 4 (2014): 118–32.
41. See also Bing Guan, “Weiquan xingdong he jiceng minzhu canyu: Yi B shi shangpinsfang yezhu weili (Rights-Protection Actions and Grassroots Democratic Participation: The Case of Homeowners in City B),” *Shehui (Chinese Journal of Sociology)* 5 (2010): 46–74.
42. Read, “Democratizing the Neighbourhood?” 59.

14. Homeowners' activism in urban China: old goals, new strategies

*Dragan Pavlićević, Long Sun and Zhengxu Wang**

Homeowners' activism has drawn increasing attention from China-focused scholars. There is a growing body of literature on the individual activism of nail-like households¹ and the collective actions of homeowners in particular communities.² Few researchers, however, have paid due attention to horizontal organizational building and collective action cutting across communities, the strategies homeowners have used to expand their organizational outreach and influence, and the implications of these new developments for broader state–society relations in China.³

This chapter aims to address this research gap. It does so by focusing on the development of the Committee of Beijing Homeowner Associations (CBHA). The CBHA is an organization that initiated the development and institutionalization of horizontal links among homeowner associations (HA) from different communities. Its organizational goals include improvement of property management-related legislation and practice, networking among and exchange between HAs, enhancing of homeowners' self-governing capacity, and protecting the rights and interests of homeowners. To that end, the CBHA has been organizing meetings and seminars, staging collective petitions, engaging policy-makers and government institutions, and assisting homeowners in their rights defense struggles in various ways. It enjoys a broad base of support, with its membership growing quickly from ten homeowners' associations in March 2006 to 142 (accounting for 24.7 percent of the 574 homeowners' associations in Beijing) as of July 2008.⁴ This growth has continued in subsequent years. As an illustration, in March 2017, over 300 leaders of homeowner associations participated in the Beijing Homeowners Forum—a WeChat group now serving as the main daily communication channel for HAs across Beijing. According to our data and media reports, in 2017 there were 867 HAs in Beijing, which constitutes 28.3 percent of all residential communities in the city.

Despite profound organizational changes over the course of its existence, the CBHA has also widened and deepened the range of its activities and impact. It has not only developed linkages and coordination mechanisms with HAs across Beijing, but has also contributed to the development of similar organizations in other cities across China. It has continuously provided advice and services to homeowners' organizations, aiming to serve as the platform for and coordinator of individual homeowners' associations across China. Simultaneously, the CBHA has been advocating for homeowners' rights and exerting influence on relevant policy deliberations and implementation with increasing prominence and impact—not only at the local municipal level, but increasingly also at the national level.

How has such an organization, consistently denied official legal status, survived and prospered for more than a decade? And what are the implications of the development of cross-community horizontal linkages between HAs across the country for homeowners'

rights defense and activism? Further, what are the implications of the variety of evolving strategies the CBHA relies on to advance its interests for state–society relations and social stability in China?

Overall, we find that the establishment and partial institutionalization of horizontal linkages between homeowners' associations in different communities has resulted in new forms of interactions both between homeowners themselves and between homeowners and authorities. Our analysis of these developments suggests that homeowners' organizations are taking up a more important role within the landscape of local governance in urban China while at the same time strategically pursuing their activism within the boundaries of permissible and desirable participation in local politics, calibrating their strategy and actions so as to avoid conflict with the state, and relying on the existing legal and institutional framework and resources.

This chapter begins with a historical overview of the emergence and institutionalization of city-wide alliances among individual homeowner associations in Beijing. Next, we discuss how their strategies to mobilize support, and to legitimize and then carry out their activism, have evolved in the process of the establishment, institutionalization and expansion of the CBHA and its activities. We then discuss these developments in the context of nationwide homeowner activism. We conclude by discussing the relevance of our findings to state–society relations in China.

Our analysis is based on extensive fieldwork conducted in Beijing from 2006 onwards, including interviews with homeowners and their leaders, participatory observations at homeowners' internal and outreach events, and review of homeowners' internal documents.

FROM INDIVIDUAL COMMUNITIES TO CITY-WIDE ALLIANCE

The first batch of commodity houses in the post-reform era in Beijing went on sale in 1990. After 1998, the commercial development of residential condominiums rapidly picked up speed. Commercially developed apartment blocks quickly became the main form of new residential communities in cities—whereby prior to the 1990s, privately owned apartments were almost non-existent, by 2017, over 82 percent of households in the city owned housing properties.

This rapid commercialization of housing fostered an “interest group” of homeowners. According to the Ministry of Construction Policy for Homeowner Self-governance, first published in 1994 and revised in 2003, each residential community (*xiaoqu*) will form its own homeowners' association (*yeyu weiyuanhui*). The homeowner committee is the executive body of the “homeowner assembly” (*yeyu dahui*), the collective of all homeowners of the given *xiaoqu*.

Some homeowners recognized that building these self-representation organizations can be an important tool for protecting their rights, especially as various issues related to the quality and management of the residential space, implementation of obligations stipulated in contracts and agreements with developers and/or property management companies, provision of services and facilities within the residential areas, and the further development of neighborhoods became frequent occurrences.⁵ Homeowners began to participate in property management committees in the 1990s. They also engaged in the

building of homeowners' associations. As the main institution through which homeowners execute the self-governance of their residential compounds, the HA has the mandate to represent the homeowners and protect their interests and rights, which mainly include choosing, hiring, supervising, and firing property management companies.

FORMING INITIAL LINKAGES AND NETWORKS AMONG HAs (2003–2006)

Before 2006, homeowners' rights protection activities in Beijing were scattered and isolated, confined to specific residential areas. While the establishment of homeowners' organizations within individual neighborhoods greatly facilitated rights protection in a single community, it was far from enough to make bigger changes, such as those relating to government regulations and laws that contain clauses detrimental to homeowners' property rights. Individual community HAs often have felt powerless in face of such *efa* (惡法 evil laws), and without means to pressure authorities to change them. Also, many of the issues mentioned above were commonly found in neighborhoods across Beijing, yet rights protection-minded homeowners had no means to carry out collective activities within the scope of the whole city. Homeowner activists were thus eager to build a cross-community organization as a platform to unite HAs across Beijing.

Cross-community networks and linkages first started with informal contacts. Homeowners' representatives from various communities met each other for the purpose of informal research and discussion, for example on topics such as those related to regulation of tender procedures organized by property management companies, or use of common maintenance funds. An information-exchange network thus began to be established among individual communities, HAs, and activists. This initial informal contacts- and information-sharing quickly grew into dense networks.

TOWARD FORMAL REPRESENTATION OF HOMEOWNERS (2006–2007)

The idea to form a formal organization for city-wide representation first emerged at a homeowner forum in March 2006, attended by more than ten directors of individual HAs. The original theme of the forum was "how to manage the maintenance funds of residential areas."⁶ During the discussion, participants all expressed their frustration regarding the weak position of HAs vis-à-vis property management companies and developers. It was also at this forum that the first three leaders of the CBHA met each other for the first time.⁷

The initiative to create a city-wide association was also prompted by a series of events that exposed the structural tension between homeowners and the management companies and developers. One of them involved "MLY" community's HA lawsuit against their property management company. At that time, the Beijing Property Management Association tried to influence the court's ruling by organizing a special seminar involving a number of so-called legal experts who produced an opinion statement arguing for the case on behalf of the property management industry. The Association also mobilized (by

paying a high fee) several well-known law professors to co-sign the opinion statement in an effort to exert pressure on the court. In response, two groups of homeowner activists that already had been involved in cross-community activities mobilized over 30 HAs to provide both moral and legal support to the MLY homeowner committee.

Another event involved a violent confrontation during the founding election of an HA in a residential compound in Xuanwu District in May 2006, when several homeowners' representatives were beaten by staff of the property management company. This not only highlighted the sorry state of the homeowners' rights protection but also increased the sense of solidarity among the activists. Further, it created a sense of urgency to take steps to ensure the protection of homeowners and their rights against the property management companies and developers. In the aftermath of this event, several leaders of individual HAs decided that their respective groups should merge to form a city-wide organization.

Soon after, a few eager activists began the application procedure for such an organization, and started to recruit other members to the organization. They first appointed several HAs of each district as the core members. These then transferred the idea and principles of establishing a cross-neighborhood association to nearby communities. By 15 June, homeowners' committees of more than 40 communities discussed the establishment of a city-wide association of homeowners' committees. Of note, they agreed that "the work of the association is to protect rights rationally and pursue harmony."⁸ This idea became a core concept of the organization. On 29 August, the *Application Letter for the Establishment of the Beijing Association of Homeowners' Committees* was officially submitted to the office of the Beijing Construction Committee, sponsored by 32 individual HAs.

SERVING AS A QUASI-OFFICIAL HOMEOWNERS' ORGANIZATION (2007–2010)

At the end of December 2006, the municipal-level Construction Committee (*jiansheweī*) sent an official letter to the board members and rejected the application. However, the Application Board of the CBHA identified two key words from the official letter of the Construction Committee. First, the letter noted that it has "positive" impact for different HAs to meet together and study law and learn from each other's experiences. Second, the Committee letter stated that the authorities are still "dealing" with the application to establish the CBHA. Therefore, these homeowner rights activists declared that they would carry out activities on behalf of the CBHA Application Board.

On 21 January 2007, the CBHA held its first annual meeting. There were more than 300 participants, including lawyers, scholars, journalists, and representatives from 103 homeowners' associations across Beijing. At the meeting, organizers and participants reached a consensus to promote communication among homeowner activists and continue pursuing official recognition of the CBHA. They also launched a petition calling for the National People's Congress (NPC) to revise the draft of the Property Law to better protect homeowners' rights vis-à-vis the developers and property management companies. Specifically, they required lawmakers to clarify the property rights of residential facilities such as gardens, access roads, and parking spaces. This petition initiative eventually collected 182,011 signatures online.

DIVISION, PROLIFERATION, AND BROADENING OF ACTIVISM (2010–2017)

In recent years, the core group of leaders behind the Beijing City CBHA has gradually differentiated and formed multiple sub-groups. Specifically, three new organizations emerged from within the CBHA: the First Homeowners Assembly Advisory Center (FHAAC), the Happiness Compass Advisory Center (HCAC), and the “Three Olds” Harmonious Society Learning and Research Committee (Three Olds). The FHAAC was established and has been run by several of the main activists behind the CBHA. While the CBHA has not yet been granted official legal recognition, the FHAAC has been registered under the Beijing City Civil Affairs Bureau (*minzhengju*) as a non-profit organization. The HCAC was established by another group of core leaders behind the CBHA, and in close cooperation with a number of experts, scholars and lawyers. The Three Olds—referring to the old Communist Party members, old cadres and old experts—was started by a group of activists falling within those categories.

While there is a difference between the three organizations in terms of the emphasis of their respective goals and operational models, all of them list the following among their objectives: to actively promote the establishment of HAs; to provide professional guidance, advice and training to homeowners organizations; to assist the government in legislation related to property management and disseminate relevant government laws and guidelines among the HAs; and to serve as a platform for mutual learning and exchange for HAs and homeowners’ rights activists.

THE SCOPE OF CBHA ACTIVISM

It can be argued that the ability of the CBHA and homeowner activists to engage in unified and impactful action has been adversely affected by this fragmentation. Indeed, these organizations are to some extent competing for influence in homeowner affairs and for opportunities to provide consultancy services to homeowner committees and associated organizations and individuals in Beijing. However, the CBHA is still functional and carries out activities, and it has expanded its formal leadership body from four to seven members. It has been involved in drafting new property management regulations. Further, the CBHA Annual Conference serves as a platform for exchange among the secondary organizations described above.

The CBHA has also opened up new areas of activity. It encouraged and supported several homeowner activists to run for grassroots people’s congresses, providing mobilization and advisory services to them. As a result, at the time of writing, at least two activists behind the Beijing homeowners’ movement have been elected to the district-level NPC and Chinese People’s Political Consultative Conference (CPPCC). The CBHA also maintains close links with homeowner activists and organizations in Shanghai, Guangzhou and other cities, and has contributed to the establishment of Xi'an and Anhui homeowners’ associations and networks through advice and guidance. Furthermore, Beijing homeowner leaders often travel to other places as CBHA representatives to promote the formation of cross- and trans-city, provincial, and national links between homeowners’ organizations, and to participate in debates, consultation

and other public events—whether organized by local homeowners' organizations, sponsored by government, or both.

With professional knowledge and experience in the construction of HAs and community governance, leaders of the CBHA have been helping residential neighborhoods in Beijing and beyond to establish HAs, address local problems in homeowner rights protection and community governance, and meet the various needs of individual HAs. In the process, the CBHA has further expanded its own organizational network and increased its capacity to mobilize resources and exert influence on homeowner-related matters.

The CBHA gradually established an institutionalized communication mechanism. While the meeting of HAs is held once a year, a Homeowners' Forum is also held irregularly but more frequently. The institutionalization of annual meetings of HAs and the Homeowners' Forum facilitates contact between the CBHA and member homeowners' associations, and promotes communication among HAs. At the 2017 annual meeting there were more than 150 participants.

These events also deserve special attention because they illustrate the ways in which the CBHA has engaged and recruited state representatives for its own goals. The second annual meeting of HAs under the auspices of the CBHA took place in Beijing on 26 January 2008. This meeting illustrated both the institutionalization of horizontal linkages among HAs in Beijing and a more ambitious and strategic approach by the CBHA in advocating for homeowner rights. First, some members of the Beijing Political Consultative Conference (*zhengxie* 政协) and deputies to the People's Congress were invited to the meeting. A Beijing CPPCC member and a deputy in the Local People's Congress (LPC) both gave a speech at the meeting. The LPC deputy reported that the CBHA's call to introduce the *Detailed Rules for Beijing Property Management Regulation* submitted by the CBHA had been accepted by the Beijing People's Congress. Their participation also had much symbolic significance for the CBHA's efforts to solve related legal issues and ensure the support of Beijing's HAs and their representatives, suggesting not only acceptance of the CBHA by the state, but also a degree of influence.

Second, the Director of the Residents' Committee (*juweihui* 居民委员会) of LJ Area in Changping District attended the meeting and gave a supportive speech. This shows that the CBHA regards the relationship between homeowners' committees and residents' committees to be very important. Third, a representative of the Shanghai Homeowners' Salon, a representative of the Shenzhen Homeowners' Friendship Association, and HA representatives from Guangzhou, Chongqing, and other places attended the meeting and participated in the exchange after the meeting. This demonstrates the substantial outreach that the CBHA has achieved, as well as the impressive breadth and depth of its connections with homeowners' rights activists in several other major cities in China. Representatives from these and other cities' HAs have been regular participants at CBHA annual meetings in every subsequent year.

Also, from November 2007 to December 2008, the Application Board of the CBHA organized seven forums. Compared with the annual meeting—which has many participants, an elaborate agenda, and higher visibility—Homeowners' Forums have been organizationally less ambitious and sophisticated, but the discussions have been relatively concentrated and deep. The CBHA's Homeowners' Forums have become an important place to discuss salient issues in homeowners' committee construction and community governance.

For these forums, the CBHA selects common problems in HA and community governance for discussion. As the Supreme People's Court, the Beijing municipal government and other agencies issue judicial interpretations and administrative rules related to community governance; these forums serve as a venue for lawyers, academic workers and representatives of the homeowners' committee to discuss these issues. In fact, most participants in the Homeowners' Forums are people in charge of an HA, but a number of lawyers and university experts also participate in such events. For example, on 4 November 2007, when the forum was focusing on the *Beijing Property Service Contract Demonstrative Text*, there were 40 homeowners' committee leaders and representatives, 13 lawyers, and eight professors and scholars in attendance. Illustrating the different purpose of Homeowners' Forums, in stark contrast with other activities that the CBHA is behind, this time there were only two media reporters. The objective of the forums is to strengthen internal communication and discuss trends, developments and issues relevant to homeowners' rights and activism, rather than to advocate for and promote homeowners' causes.

In that sense, Homeowners' Forums are also an important tool for the CBHA to condense homeowners' views and reach consensus among activists. For example, on 28 December 2008, the CBHA organized a seminar on *Guiding Rules of Homeowners' Assemblies and Homeowners' Residential Area Committees in Beijing* created by the Beijing Municipal Commission of Housing and Urban-Rural Development, the Beijing Municipal Bureau of Civil Affairs and the Beijing Municipal Office of Social Construction; it also submitted a detailed record of the meeting to city authorities and suggested that the government make specific changes.⁹ Several leaders have been consequently invited to a consultative session with the government's representatives. This type of activity by CBHA activists has become a standard practice over the years, although the exact effect is difficult to measure.

OPERATING STRATEGIES OF THE CBHA

Before the 32 homeowners' committees applied to establish a cross-community organization on 29 August 2006, there were two main strategies that the activists behind the CBHA relied upon: networking and outreach. In terms of the former, homeowner activists shared their experiences of the best and worst practices within their communities. For example, when the HA of a residential area decided to replace its property management company by bidding, eight property management companies applied. The director and members of the HA in question went to residential areas served by these property management companies to review the performance record of these companies. They also spoke to the homeowners' committees of these residential areas and asked about their experiences in selecting the right property management company. Also, as some lawyers got involved in the rights defense activities of various HAs, activists were able to draw on lawyers' personal professional networks to get in touch with other organizations or, later on, to connect individual HAs to the activists working to set up the city-wide representative organization.¹⁰

Homeowner activists also engaged in outreach via media and public events to build their image. Stories of homeowner activism were often covered by media outlets in Beijing, such as the *New Beijing News* (Xinjingbao, 新京报), *Legal Evening* (Fazhi Wanbao 法制晚报), and Beijing TV. Such media coverage helped connect the activists representing different

communities—when activists learned of other activists, they were able to get in touch with each other. Furthermore, seminars discussing homeowner-related issues such as election procedures for homeowner representatives or handling conflicts between homeowners and property management offices, organized by media and involving local district- and street-level government representatives, lawyers and experts, also attracted many activists. These seminars became important venues for forming cross-community contacts. The websites of SJ Real Estate Net, C Magazine and X Magazine also served as sites for homeowner activists to establish contacts, share information, and discuss action plans and strategies.

The media attention the activists received and the events homeowners and others organized increased the visibility of their activism and helped them gradually build a reputation as leaders on homeowner rights. This is illustrated by the support that many HAs in Beijing and across China have extended to the CBHA. Further, the CBHA has sparked interest in other cities to form similar cross-community organizations, some of them modeling themselves after the CBHA. For example, homeowners in Anhui and Shanxi also have aimed to officially establish and institutionalize their cross-community and cross-city network, naming it provisionally the Application Board of Committees of Homeowners' Associations, adopting both the same goal and the same name as the homeowner activists in Beijing. The CBHA's reputation has also provided some leverage for activists in their contact with property management companies, developers, and officials.

INSTITUTIONAL AND SOCIAL LEGITIMACY

In recent years, the CBHA has pursued several new operating strategies. Having not been granted legal status, the CBHA faces an issue of legitimacy—both institutional legitimacy, based on formal recognition by governing authorities, and social legitimacy coming from social group members' recognition of and participation in the organization.¹¹ The CBHA has not been formally approved by relevant agencies of Beijing's municipal government, and is therefore lacking institutional legitimacy. While this casts a shadow of uncertainty over the sustainability of the organization, our research reveals awareness among CBHA leaders that if the organization were to receive legal recognition, it would face a different set of uncertainties, constraints, and risks.

Therefore, CBHA leaders have developed what we call a legitimacy substitution strategy. In practical terms, this strategy has entailed setting aside the application to legally establish the CBHA, and instead focusing on developing societal legitimacy. The CBHA has tried to influence the development of associated HAs through operational know-how and related support, and in that way gain the recognition of community rights activists, media agencies, and academics. Since 2006, the Application Board has held nine annual meetings, organized more than 40 Homeowners' Forums and seminars, and helped many residential areas in Beijing build capacity and deal with crises when these occurred. In short, the CBHA presently mainly pursues social legitimacy, and has succeeded at winning extensive recognition for its efforts.

Simultaneously, the CBHA has taken various measures to get tacit approval and support from deputies at the municipal LPC People's Congress, members of the municipal CPPCC, and individual officials in charge of government departments so as to obtain some legitimacy within the state structures, and has enjoyed some success in these efforts.

For example, in January 2007, after the CBHA held the first annual meeting of city-wide homeowners' committees, the deputy mayor of Beijing said that: "The establishment of the Beijing Association of Homeowners' Committees could be considered. The association can be helpful to solve disputes. I will pay attention to this issue."¹² Further, in March 2007, the CBHA asked a deputy in the National People's Congress to submit the organization's appeals and suggestions regarding the *Property Law*; and in January 2008, a member of the Beijing CPPCC made a speech at the second annual meeting of HAs organized by the CBHA. Also, as previously mentioned, a deputy of the Beijing People's Congress announced that the draft of the *Detailed Rules of Beijing Property Management Regulations* submitted by the Application Board had been accepted by the Beijing People's Congress. At present, leading activists involved in the CBHA frequently participate in state-sponsored deliberations of homeowner-related issues and legislation. Not only are they invited to participate in meetings, seminars, and symposiums as homeowners' representatives and experts on homeowners' issues, but they also occasionally participate in the process of producing relevant local regulations. In this way, the CBHA can be considered to have partial institutional legitimacy.

TARGET-ORIENTED STRATEGY: FOCUS ACTIONS ON PROPERTY MANAGEMENT COMPANIES

The organizational goals of the CBHA include multiple levels and involve many aspects, as discussed in the previous section. At present, the CBHA stresses the need for regulating the property service market and changing the relatively strong position of property service enterprises vis-à-vis homeowners. This was clearly defined in the CBHA's *Open Letter to the Beijing Property Management Industry*, which argued that a property management service enterprise should be aware of its subordinate role and status: "The enterprise is not government agency or the master of homeowners, but housekeeper hired by homeowners! At the same time the enterprise shall know that the homeowners are masters of the community, the object served by the enterprise, and the source of profits."¹³

During the first annual meeting of homeowners' committees in 2007, one of the leaders of the CBHA stated that its main task at present was to "help property management association to strengthen the supervision and self-discipline of the industry, improve the service quality of property management, and meet different homeowner demands."¹⁴ In this respect, the CBHA carefully targeted its actions on the property management companies, avoiding confrontation with the government. This strategy has been effective in improving the CBHA's appeal to the state and homeowners alike, and has played an important role in mobilizing many homeowners' committees and homeowners' representatives to participate in the activities of the Application Board.

LEGALIZATION STRATEGY: ADVOCATE RIGHTS PROTECTION ACCORDING TO THE LAW

The CBHA also emphasizes the legal basis of its activism, advocating that the homeowners' committee and homeowners shall protect their rights in accordance with

law and through institutionalized channels and methods. Examples include citizen appeals, use of government hotlines and “opinion and suggestion” channels set up by government, the annual meeting of HAs, the Homeowners’ Forum and other activities organized by the CBHA, as well participation in state-sponsored mechanisms and events such as public hearings and formal and informal consultative meetings organized under the auspices of the government. In the highly publicized case of the hunger strike of homeowners in J Residential Area,¹⁵ the CBHA argued that the homeowners should trust the government and believe in the law, rather than rely on such confrontational measures. The CBHA and its daughter organizations that have emerged over the last few years advocate for “rational” rights protection, and require that homeowners protect their rights and interests using legally approved approaches. Doing so helps community homeowners deal with crises and prevents escalation and more confrontational actions, which it claims is “objectively good for social stability.”¹⁶ This may also be an important reason why this unregistered organization is tolerated by relevant government departments.

PUBLICITY STRATEGY: WORK WITH THE MEDIA TO PUBLICIZE THE CAUSE

The CBHA also seeks to secure wide media coverage. This is different from the strategy identified in the pre-CBHA period whereby media reports helped increase the visibility and image of activists and facilitated the expansion of their network; the group’s more recent efforts have been much more proactive and ambitious. The purpose has been to magnify the voice of homeowners by cultivating favorable public opinion, putting pressure on developers and property management service enterprises, and expressing homeowners’ demands to the government. In the legal limbo where it finds itself, this also feeds into the CBHA’s quest for social legitimacy. Today, the core leaders of the CBHA maintain close contacts with many media outlets, and these often provide coverage of its annual meeting and other activities. Some of the key activists operating within the CBHA and its daughter organizations widely accept interviews for television, radio, and print media as CBHA leaders, directors of member HAs, or community governance experts. For example, when the CBHA organized the first annual meeting of homeowners’ committees, representatives of 29 media agencies interviewed participants and reported on the gathering. The support of many media outlets facilitates the CBHA’s influence among HAs and ordinary homeowners.

The CBHA also has a strong online presence. It has established close cooperative relations with Jiaodian Online Real Estate. When property management companies have organized physical attacks against homeowners and their leaders, and in other crises, the Application Board has organized seminars with Jiaodian Online, which have had a broad impact—generating public attention and being further reported in the media. The Homeowners’ Bulletin Board System (BBS) on Jiaodian Online has been not only an important window for external publicity of the CBHA, but also an important platform for communication between main leaders and HAs. Various other online and mobile app platforms have emerged in recent years to strengthen the CBHA’s social outreach and internal communication and cohesion.

PROFESSIONALIZATION STRATEGY: OBTAIN SUPPORT FROM LAWYERS AND SCHOLARS

When organizing annual meetings of homeowners' committees, holding homeowners' forums, and assisting communities to deal with crises, the CBHA extensively has contacted lawyers and has invited experts and scholars in law, sociology and related fields to participate in these activities. For example, at the second annual meeting of HAs, three academics from top universities—including the Dean of a law school, the Chair of a sociology department and a well-known professor—as well as an Associate Editor of a major law journal and a number of famous lawyers in the field of real estate gave special speeches on activities organized under the auspices of the CBHA.¹⁷

The main leaders of the CBHA often attend and speak at lectures, forums, and academic seminars organized by academic circles, as community practitioners. For example, in March 2007, one of them gave a speech at a main university in Beijing about the construction of homeowners' committees and grassroots democracy. In June of the same year, another core leader gave a speech at another university about CBHA activism. This has become a regular occurrence over the years. Of note, when the CBHA holds its Homeowners' Forum, it mainly carries out this activity in the conference facilities of this university. More recently, in 2016, two of the core leaders of the CBHA gave a lecture in Zhengzhou. Hence universities not only provide expert support to the CBHA but also legitimize and moderate its activism by providing venues and support for its work.

In addition, the CBHA has organized lawyers and community management experts to put forward very specific legislative proposals for the Property Law and Implementing Rules of Beijing Property Management Regulations. Through lobbying such as this, the CBHA has worked to persuade the legislature to take more care of homeowner interests. The CBHA sees this as an important means for strengthening the fundamentally weak position of homeowners.

SERVICE-ORIENTED STRATEGY: SUPPORTING INDIVIDUAL HOMEOWNERS' ASSOCIATIONS

Individual HAs aim to coordinate and integrate the interests and demands of hundreds or even thousands of homeowners. Yet HAs are not part of China's existing administrative system. Overall, neither grassroots and district-level government units nor more senior leadership within the governmental system directly support HAs. Furthermore, many HA activists have taken up their role reluctantly in response to pressure from other homeowners or after being prompted by the gravity and urgency of the issue they find themselves facing, and do not have organizational and legal experience.¹⁸

Hence, in many communities, it is difficult to establish an HA, and the work after its establishment is challenging. HAs often face all sorts of uncertainty and crisis. With their professional knowledge, practical experience and social resources, CBHA activists provide advice and guidance to HAs on the particular issues that individual HAs may face. Through the CBHA's broader activities, it also fosters more favorable public opinion and discourses that improve the perceived status of HAs. Furthermore, to the extent that CBHA leaders help HAs overcome operational challenges and manage

crises over property-related issues, individual HAs win the trust and recognition of their homeowners.

TOWARD A NATIONWIDE TREND

While this chapter primarily examines the emergence and institutionalization of cross-community collective action by Beijing homeowners, similar cross-residential platforms have also emerged in other major cities in China. Over the past few years, HAs in Shanghai, Shenzhen, Guangzhou, Chongqing, Wuhan, Shenyang and other places also have established close horizontal linkages and organized cross-community collective actions.¹⁹

Our research reveals that the homeowners' cross-community rights organizations in all of these cities are informal associations and network alliances. Few of them have applied to establish a homeowners' committee association. In addition to the Application Board of the CBHA, Guangzhou, Shenzhen and Chongqing all have a Friendship Association of Homeowners' Associations, with organization models that are basically similar to that of Beijing's. In contrast, the Homeowner Salon of Shanghai has registered as a company with the Bureau of Industrial and Commercial Administration, and is a formally recognized entity.

All of these organizations have been spontaneously organized by homeowners who recognized the weak position of homeowners. Their first objective is to protect legal rights violated by developers and property management companies. In terms of the scope of activities, they all go beyond the boundaries of residential areas and try to build up a network in the whole city. Their operational strategies also emphasize the rational protection of rights, submitting legislative proposals, organizing seminars and expressing appeals through the media. In terms of their relationship with the authorities, although (with the exception of Shanghai) relevant city government agencies have not approved their formal registration, political authorities tacitly have permitted them to carry out activities on behalf of the Application Board or Friendship Association—a situation identical to the context within which the CBHA operates in Beijing.²⁰

There are, however, two important differences between the CBHA and the cross-community homeowner organizations in Shanghai, Guangzhou, Shenzhen, Chongqing and other major cities. First, with regard to organizational capacity and the influence it is able to exert, the CBHA has established close contacts with more than 100 homeowner committees in Beijing. By contrast, the mobilization and influence of the Friendship Association in Guangzhou, Shenzhen, Chongqing and other places are relatively modest. For example, the application of the Shenzhen Homeowners' Friendship Association was launched by four community homeowner committees, and Guangzhou's Friendship Association has established a close relationship with more than 20 communities. Second, the CBHA has positioned itself as a nodal point for communication and exchange between activists from different cities. Homeowner activists from Shenzhen, Chongqing, Guangzhou, Shanghai and other cities regularly attend the CBHA's annual meetings. In contrast, homeowner events in other cities remain primarily local in character, although the participation of homeowner leaders from other cities is an increasingly regular occurrence.

The activists involved in these organizations generally show strong leadership abilities and enthusiasm for involvement in community-level public affairs. Our fieldwork data suggests that they also have relatively high incomes, good education, flexible work time and relatively rich social resources. They typically belong to the new middle class in China.²¹

CONCLUSION

The analysis above indicates that a nationwide homeowner rights movement is presently under development. The emergence of cross-community linkages and the evolution of strategies employed by homeowner organizations entail several important trends that have implications for the future of social movements in China. First, homeowner activism has changed the policy behavior of local governments. In cities with homeowner cross-community organizations, such as Beijing and Guangzhou, the Construction Committee and other relevant departments and bodies now consider homeowners' status and rights as objects of negotiation and dialogue. Furthermore, homeowners' representatives and organizations are commonly invited to take part in policy deliberations and consultations.

Second, the Committee of Beijing Homeowner Associations and other homeowner cross-community organizations show that the state still effectively controls and monopolizes social activism. As individual homeowners cannot effectively express their interests on their own, they require a representative organization to protect their rights, which in turn can be effective only by adopting discursive and behavioral tools that are in line with the state's preferences. In that sense, the state has aimed at, and succeeded in, making homeowner associations and related organizations express the interests of homeowners in an "orderly way." The relatively stable relationship between the authorities and various homeowner groups, and the growing interaction between them, indicates that the government perceives HA activism as an important part of its effort to construct social integration mechanisms at a time of dramatic social change and social interest differentiation in China.

Third, a characteristic of the evolution of the operational strategies of homeowner activists is that organized homeowners tend to express interests and protect their rights in line with political authorities' expectation of "orderly" and "rational" activism. Homeowners seek to avoid conflict with the state; to the contrary, they develop cooperative and collaborative relationships with state institutions, and emphasize issues more narrowly related to property management companies. This is only partly due to concerns related to legitimizing their activism in the eyes of the government and protecting themselves against possible backlash. Due to the institutionalization of the CBHA—even though it still exists in a legal limbo—and its outreach activities and growing internal and external links, the negotiating position of homeowners has become fairly strong, achieving a high degree of societal legitimacy and partial official recognition. As a result, they do not need to articulate their interests through conflict-seeking behaviors. Leaders of the Application Board and other organizations always emphasize "rational" rights protection, arguing that it is not only helpful for the prospects of homeowners realizing their interests but also for the long-term stability and development of Chinese society.

In sum, there is a growing number of HAs across China and an increasing number of horizontal links among them. Homeowners' associations are increasing their capacity, and have diversified their strategies for dealing with their asymmetric relationship with the state and private businesses in order to promote homeowners' interests. In turn, they have achieved some success.²² Importantly, the agency of homeowners is understood by both homeowners and the state as most beneficial when placed within a cooperative rather than a confrontational relationship. A win-win model—in which the rights of homeowners are increasingly protected while “stability” is maintained—appears to be a shared objective. Whether further development of horizontal linkages among homeowner activists across the nation and the further evolution of operational strategies will change this basic equation remains to be seen.

NOTES

- * All authors contributed equally to this study.
- 1. Steve Hess, “Nail-Houses, Land Rights, and Frames of Injustice on China’s Protest Landscape,” *Asian Survey* 50, no. 5 (September/October 2010): 908–26; Matthew S. Erie, “Property Rights, Legal Consciousness and the New Media in China: The Hard Case of the ‘Toughest Nail-House in History’,” *China Information* 26, no. 1 (March 2012): 35–59.
- 2. For some examples, see: Benjamin L. Read, “Democratizing the Neighborhood? New Private Housing and Homeowner Self-Organization in Urban China,” *China Journal* 49 (January 2003): 31–59; Luigi Tomba, “Residential Space and Collective Interest Formation in Beijing’s Housing Disputes,” *China Quarterly* 184 (December 2005): 934–51; Fayong Shi and Yongshun Cai, “Disaggregating the State: Networks and Collective Resistance in Shanghai,” *China Quarterly* 186 (June 2006): 314–32; Yongshun Cai, “China’s Moderate Middle Class: The Case of Homeowners’ Resistance,” *Asian Survey* 45, no. 5 (September/October 2005): 777–99; Ngai-Ming Yip, ed., *Neighbourhood Governance in Urban China* (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, 2014).
- 3. For an exception, see Ngai-Ming Yip and Yihong Jiang, “Homeowners United: The Attempt to Create Lateral Networks of Homeowners’ Associations in Urban China,” *Journal of Contemporary China* 20, no. 72 (September 2011): 735–50. The following studies also touch on the issue of horizontal links and engagements strategies, respectively: Yousun Chung, “Pushing the Envelope for Representation and Participation: The Case of Homeowner Activism in Beijing,” *Journal of Contemporary China* 24, no. 91 (June 2015): 1–20; Juan Tang, Jianjun Wang, and Hongxia Chai, “Homeowner Self-Governance and Its Sustainability: Case Study of a Residential Neighbourhood in Shenzhen,” in Yip, *Neighbourhood Governance in Urban China*, 130–42; Aurora Merle, “Homeowners of Beijing, Unite! The Construction of a Collective Mobilization,” *China Perspectives*, no. 2 (June 2014): 7–15.
- 4. See “Homeowners’ Associations Established Rate Still Low while Property Management Regulations has Entered into Force for Five Years,” *Legal Daily*, 28 November 2011.
- 5. Feng Wang, “Determinants of the Effectiveness of Chinese Homeowner Associations in Solving Neighborhood Issues,” *Urban Affairs Review* 50, no. 3 (May 2014): 311–39.
- 6. In urban China, homeowners must contribute to set up a maintenance fund (*weixiu jijin*, 维修基金) when they are purchasing their property. The amount of the maintenance fund is dependent on the size and price of the property.
- 7. They are Z, Director of the homeowners’ committee of XT community; Q, Director of XJ Homeowners’ Committee; and C, Director of the homeowners’ committee of GD Home. Regarding the critical members of the Application Board, see Zhengxu Wang, Long Sun, Liuqing Xu and Dragan Pavličević, “Leadership in China’s Urban Middle Class Protest: The Movement to Protect Homeowners’ Rights in Beijing,” *China Quarterly*, 214 (June 2013): 411–31.
- 8. Homeowners’ internal documents and media reports, on file with authors.
- 9. Record of the Homeowners’ Forum on “Guiding Rules of Homeowners’ Assemblies and Homeowners’ Residential Area Committees in Beijing,” 28 December 2008.
- 10. For rights lawyers’ roles in social movements in current China, see Huangling Fu and Richard Cullen, “Weiquan Lawyering in an Authoritarian State: Building a Culture of Public-Interest Lawyering,” *The China Journal* 59 (January 2008): 111–27; Huangling Fu and Richard Cullen, “Climbing the Weiquan Ladder: A Radicalizing Process for Rights Protection Lawyers,” *The China Quarterly* 205 (March 2011): 40–59.

11. The classic discussion of legitimacy is found in Max Weber, *The Theory of Social and Economic Organization*, trans. A.M. Henderson and Talcott Parsons, ed., Talcott Parsons (New York: Free Press, 1964). Closer to our discussion here, Chinese sociologist Bingzhong Gao divides legitimacy into social legitimacy, administrative legitimacy, political legitimacy and legal legitimacy. See Bingzhong Gao, "The Issue of Legitimacy of Social Group," *China Social Science* 2 (2000) (in Chinese).
12. "Chen Gang, Deputy Mayor of Beijing: The Establishment of CBHA Could Be Considered", *New Beijing Times*, 26 January 2007.
13. An Open Letter to Beijing Property Management Industry, CBHA, on file with authors.
14. Ibid.
15. The hunger strike was reported in the *New Beijing News* in May 2007.
16. Interviews with leading homeowner activists, 2010–2016.
17. CBHA internal documents, on file with authors.
18. For more details, see: Wang et al., "Leadership in China's Urban Middle Class Protest."
19. Examples include the Homeowners' Salon in Shanghai and the Friendship Association of Homeowners' Committees in Guangzhou, Shenzhen and Chongqing.
20. This is quite different from local governments' attitude to the cross-community united organization of farmers. For example, the Hengyang municipal government clearly refused some farmers' requests to establish a Peasant Association. See Jianrong Yu, "The development and growth of farmers' rights organizations in contemporary China: An Empirical Study Based on Hengyang Farmers Association," *China Rural Observer* 6 (2007).
21. See Wang et al., "Leadership in China's Urban Middle Class Protest."
22. Divergences among the core leadership of the CBHA and the newly established organizations have also had some negative impact on the perceptions of the CBHA and these activists among some homeowners in recent years. See: Yongshun Cai and Zhiming Sheng, "Homeowners' Activism in Beijing: Leaders with Mixed Motivations," *The China Quarterly* 215 (September 2013): 513–32.

PART 6

ENVIRONMENTAL PROTEST

15. Environmental public interest campaigns: a new phenomenon in China's contentious politics

H. Christoph Steinhardt*

If the elite's [*jingying*] decision-making pattern does not change, the public [*gongzhong*] will continue to take to the streets.¹

Since the mid-2000s, Chinese citizens have mobilized against high-stakes, government-backed developmental projects. Beginning with resistance against a waste incinerator in Beijing in 2006 and a Paraxylene (PX) plant in Xiamen in 2007,² instances of preventive contention have proliferated and acquired a peculiar “extra-legal legitimacy” (*bu hefa zhong de hefaxing*).³ Aside from waste-treatment facilities and PX plants, other heavy industry plants, power stations, railway projects, nuclear facilities and even crematories have become targets of popular ire. Even though the Chinese one-party state has since the early 1990s grown increasingly accustomed to street protests over livelihood issues, these events appear to have stood out.⁴ But, aside from noting their often large-scale nature and the participation of the urban middle class, pinning down more precisely how some of them display new and innovative traits while others may be not so unusual has proven difficult. So far, only a few contributions have begun to address this question.⁵ This chapter nudges this debate forward by posing two questions: first, how are major instances of popular environmental resistance similar to or different from other types of protest in China and forms of environmental contention elsewhere?⁶ Second, do they constitute a new type of contention in China?

To answer these questions, I first outline key attributes of three prominent repertoire concepts: Rightful Resistance, NIMBYism (Not In My Backyard) and Environmental Movement. Taking advantage of the selectivity of the news media, which tend to report cases that are “newsworthy” because they break with established routines,⁷ I selected 25 cases of environmental contention between 2007 and late 2016 that have been covered in the *New York Times* and the *South China Morning Post* (see Table 15.1).⁸ I analyzed them based on additional news reports and Internet materials, existing scholarly research and some interviews with primarily environmental activists.

This case selection mechanism does not provide a random or full sample of environmental protests, and it only includes cases of successful mobilization.⁹ Nonetheless, it constitutes a collection of events that have raised public attention and stretch across all major types of controversial developmental projects. The findings thus provide insights into the characteristics of high-profile protest events with a high probability of being emulated.¹⁰ It should be noted that the amount and depth of information varies across events. Thus, a claim about the presence of an attribute has a higher degree of validity than one about its absence.

I conclude that while many cases can be characterized as instances of NIMBYism, a majority cannot be easily fitted into this concept or that of Rightful Resistance. In these cases, protesters pushed for policy change affecting collective goods of large and

diverse local publics. Aside from fear of negative environmental impact, participants displayed intense affection for their homeland and manifest discontent with the logics of China's policy-making and political economy. A mutually reinforcing link between elite policy advocacy and direct action from the grassroots was observable in some cases. However, although individual cases are linked by a collective awareness and public discourse, as well as a network of environmental activists, they have not coalesced into an ideologically and organizationally coherent enough entity to resemble an Environmental Movement. Since variations of a similar routine have recurrently emerged for over a decade now, it has arguably become necessary to engage this form of contention on its own terms. I thus sketch out the notion of an Environmental Public Interest Campaign to pinpoint what defines this new species in China's contentious politics.

The remainder of the chapter is structured as follows. I begin by outlining three repertoires of contention along seven key dimensions. I then examine the cases along these criteria. This is followed by a summary of how events are similar to and different from the three repertoires and a definition of Environmental Public Interest Campaigns. I conclude with a brief discussion of potential future lines of enquiry.

THREE REPERTOIRES OF CONTENTION

Three possible conceptual descriptors of environmental protest are Rightful Resistance, NIMBYism and Environmental Movement. I compare them along seven dimensions: (1) the desired outcomes, (2) the forms of contention, (3) the constituency, (4) the types of goods that are being pursued, (5) participants' key motivations and claims, (6) the existence of collective identities linking individual disputes, and (7) the degree of horizontal networking (see Table 15.2).

Rightful Resistance

Arguably the most influential concept developed from the observation of contention in China has been Kevin O'Brien and Li Lianjiang's Rightful Resistance.¹¹ Although it was derived from their research in rural China, similar forms of resistance have been observed in urban areas.¹²

The structural setting of Rightful Resistance is what Lee Ching Kwan calls "decentralized legal authoritarianism": a condition in which the political leadership uses legalist and populist terminology to generate political support, but simultaneously fosters a crude "imperative for accumulation" by the local state, where power-holders are not effectively held accountable to the law.¹³ As a result, appealing, but vague central policies—laws, regulations or other "authoritative pronouncements"—often stand in stark contrast to practices by local officials and fuel popular discontent.¹⁴

Contention usually begins in institutionalized channels, through the petitioning and legal systems, and escalates into more disruptive protest tactics.¹⁵ Rightful Resistance is a grassroots form of contention that relies on direct action. Although resisters occasionally manage to reach out to sympathetic elite allies, policy advocacy—understood as the generation of pressure for policy change in the public sphere and the corridors of government

by officials, journalist, academics or NGOs¹⁶—is not part of this repertoire. Instead, resisters “demand entry into the realm of policy implementation” at the local level and push bureaucrats to “deliver on promises made by officials at higher levels.”¹⁷ They do not usually question the content or legitimacy of the policies, and do not challenge the procedures and institutions through which they are made.¹⁸

Although O’Brien and Li observed instances where protest began “to outgrow the boundaries of individual villages,”¹⁹ the typical constituency of Rightful Resistance—the social group from which protesters are mobilized and which they claim to represent²⁰—is narrow and highly homogeneous.²¹ Such constituencies, in Benedict Anderson’s terms, are much closer to “primordial villages of face-to-face contact” than to the “imagined communities” of large cities, regions or nations.²² Likewise, the objectives protesters try to achieve—e.g., compensations paid, wages raised, a corrupt official removed—are usually *exclusively* beneficial to their narrow constituencies. They strive for goods that rational choice analysts call “club goods.”²³

The key motivation of Rightful Resistance is a sense of violation of rights and entitlements conferred by a central authority, which is combined with “hierarchical trust”—more confidence in higher than in local officials.²⁴ Moreover, rightful resisters “almost always lack the organizational resources and collective consciousness” that are defining characteristics of social movements.²⁵

NIMBYism

The concept of NIMBYism emerged in the late 1970s and early 1980s surrounding controversies over the siting of facilities dealing with hazardous waste, toxic substances, nuclear power and human services institutions in the US and the UK.²⁶ It is not a well-defined scholarly concept, and it is normatively loaded. Studies of environmental protest in Europe and North America have often argued that their empirical evidence does not conform to what is associated with NIMBYism, and have therefore rejected the concept.²⁷ Nonetheless, the term did not disappear from public discourse. It has also been frequently raised in the Chinese news media (as *linbi zhuyi*), and by scholars, to describe the kinds of protest events under scrutiny here.²⁸ Hence, it is sensible to outline a repertoire that would conform to the notion of NIMBYism in order to assess its heuristic value.

NIMBYism is characterized by “intense, sometimes emotional, and often adamant local opposition to siting proposals that residents believe will result in adverse impacts.”²⁹ It has notable similarities to Rightful Resistance. First, NIMBYism is also of a parochial character. Part and parcel of the phenomenon—and the chief reason for its negative connotations—is that NIMBY opponents find risky projects “detrimental or hazardous in their own neighbourhood, while . . . raising no such objections to similar developments elsewhere.”³⁰ And unless the notion of a “backyard” is stretched beyond recognition, NIMBY constituencies are also based on homogeneous communities characterized by “face-to-face contact,”³¹ striving for the absence of specific negative externalities in their neighborhood—a club good of that community. Second, the NIMBY literature also suggests that a key motivation, aside from health and property, is a lack of confidence in government authority (although typically as general distrust of government, rather than hierarchical trust).³² Third, NIMBY resisters also do not push a broader political

or environmental agenda,³³ and do not display a significant organizational reach or collective identity beyond the boundary of their community.³⁴

Yet, there are noteworthy differences between Rightful Resistance and NIMBYism. First, unlike the typical victimization pattern of the former, NIMBYism begins before harm has been done, when a proposed facility is in the planning or early implementation stage. Thus, NIMBY resisters primarily seek one-off policy-change (i.e. the decision about the siting of a controversial project). Second, to achieve that, resisters deploy a broader set of tools. They petition, litigate and demonstrate, but they also take part in public hearings, lobby legislators, mobilize the media, set up local NGOs or draw parliamentary representatives and officials into their efforts.³⁵

Environmental Movement

The repertoire of the modern Environmental Movement arose in Western industrialized countries in the 1960s and 1970s. It is one of the surviving movements of this period, and arguably its most successful one.³⁶

When does popular contention turn into a movement? According to Sidney Tarrow, the presence of “contentious challenges through disruptive direct action against elites, authorities, and other groups” is a necessary but not sufficient condition.³⁷ Contention across individual instances must also be motivated by “common or overlapping interests and values,” some form of “collective identity,” and it has to be “sustained.”³⁸ Since a minimum degree of organization and networking are important conditions for these attributes to appear, it makes sense to follow Christopher Rootes, who defines an Environmental Movement as:

a loose, noninstitutionalized network of informal interactions that may include . . . individuals and groups who have no organizational affiliation, [as well as] organizations of varying degrees of formality, that are engaged in collective action motivated by shared identity or concern about environmental issues.³⁹

An Environmental Movement operates on a different scale than both Rightful Resistance and NIMBYism in that it weaves localized resistance into larger contentious efforts with ideological and organizational links.⁴⁰ In contrast to Rightful Resistance, and to a larger extent than NIMBYism, an Environmental Movement makes use of the full scale of contentious actions and coordinates institutionalized contention, street protest and policy advocacy into sustained campaigns.⁴¹

Moreover, although an Environmental Movement may also advance concerns about technological risks and adverse effects on health for particular communities that motivate NIMBYism, it needs to have a political agenda that understands environmental resources as a public good for a national or even global constituency.⁴² Second, while Environmental Movements are also concerned with one-off policy change and policy implementation at the local level, their main objective is to change broader policies that affect multiple locations and have long-term effects at the national or transnational level.⁴³ Third, since this necessarily touches on fundamental questions of the distribution of power and resources, Environmental Movements also need a political agenda and are often “highly critical of existing social and political arrangements.”⁴⁴

Summary

Both NIMBYism and Rightful Resistance are thus composed of local episodes of contention against negative externalities of a specific political-economy, without significant practical effort and ideological commitment to coalesce into larger collectives that tackle a problem at its root. While an Environmental Movement can profit from the momentum of such grassroots campaigns, it must integrate and coordinate them, establish a degree of collective identity and solidarity, and direct contentious pressure towards changing the rules at higher levels of the political process (see Table 15.2).

ENVIRONMENTAL PROTEST IN CHINA SINCE 2007

How do the 25 cases of environmental contention considered here fit into this picture? In the following, I refer to the cases by location and year of occurrence. Table 15.1 summarizes their basic attributes.

Desired Outcomes and Forms of Contention

All of the episodes considered here were concerned with decisions over the siting, form or continuation of major government-backed developmental projects. Contention was thus aimed at one-off policy-change at the local level.

Research has shown that some cases have displayed a mutually reinforcing relationship between citizen direct action in the form of institutionalized contention (petitions, lawsuits) and street protests, on the one hand, and elite policy advocacy, on the other. Tacit coalitions between grassroots activists and intellectuals, journalists, NGOs, celebrities or members of legislatures brought down major projects in Xiamen (2007), Guangzhou (2009), Nanjing (2011) and Kunming (2013). In Guangzhou and Kunming, the momentum even initiated new forms of NGO-led policy advocacy and monitoring.⁴⁵

There is evidence for similar policy advocacy–protest interaction in Chengdu (2008), where a network of prominent local bloggers was apparently instrumental for getting local opposition in motion.⁴⁶ In Qidong (2012), initial opposition against a wastewater pipeline by members of the local People's Congress and “implicit support and sympathy from the local elite” provided a crucial opportunity for the mobilization and success of subsequent grassroots protests. In Heyuan (2015), resembling the case of Xiamen (2007), a motion by local members of the Chinese People's Political Consultative Conference (CPPCC) opposing the plan to construct a power plant appeared to have been critical for the mobilization of subsequent protests.⁴⁷

Although most other cases were accompanied by intense online activism from the grassroots, and many were reported in the domestic media, there is no further evidence of policy advocacy. One possible reason behind this absence may be that the authorities—such as those in Ningbo (2012) and Maoming (2014)⁴⁸—coerced potential advocates and opinion leaders into silence. Another may be that as the climate for critical journalism and public expression has deteriorated in recent years, this sort of activism has become riskier across the board. For the same reasons, advocates may also have chosen to act behind the scenes, so that their activities are not observable without in-depth field research.

Table 15.1 Cases and their basic characteristics

Location (unit of administration, province) ^j	Disputed project	Time of street protests (month, year) ⁱⁱ	Estimated participants at largest protest ⁱⁱⁱ	Outcome
Xiamen (sub-provincial municipality, Fujian)	Construction of PX plant	June, 2007	30,000 (NYT)	Project cancelled
Shanghai (province-level municipality)	Extension of Maglev train through city	January, 2008	A few thousand (NYT)	Project suspended
Chengdu (sub-provincial municipality, Sichuan)	Construction of ethylene plant in nearby Pengzhou	May, 2008	400–500 (NYT)	Project cancelled (after subsequent earthquake)
Guangzhou (sub-provincial municipality, Guangdong)	Construction of waste incinerator in Panyu district	November, 2009	Over 1,000 ^{iv}	Project cancelled
Nangang (township under Shucheng County, Anhui)	Construction of waste landfill near river	July, 2010	Thousands (SCMP)	Project cancelled
Nanjing (sub-provincial municipality, Jiangsu)	Felling of venerable trees for subway construction	March, 2011	Hundreds (NYT)	Project amended to save trees
Dalian (sub-provincial municipality, Liaoning)	Existing PX plant on nearby Dagushan Peninsula (which had been damaged in a storm)	August, 2011	Above 30,000 (RFA)	Project stop and relocation promised ^v
Shifang (county-level city, Sichuan)	Construction of molybdenum-copper alloy plant	July, 2012	Tens of thousands (SCMP)	Project cancelled
Qidong (county-level city, Jiangsu)	Construction of wastewater pipeline	July, 2012	Tens of thousands ^{vi}	Project cancelled
Yinggehai (township under Sanya City, Hainan)	Construction of coal power plant	October, 2012	At least 1,000 (NYT)	Project built
Ningbo (sub-provincial municipality, Zhejiang)	Expansion of existing PX plant	October, 2012	More than 3,000 (RFI)	Project cancelled
Kunming (prefecture-level city, Yunnan)	Construction of PX plant in nearby Anning	May, 2013	More than 2,000 (NYT)	Project cancelled
Jiangmen (prefecture-level city, Guangdong)	Construction of uranium processing plant	July, 2013	More than 2,000 (SCMP)	Project cancelled
Guangzhou (sub-provincial municipality, Guangdong)	Construction of waste incinerator in Huadu District	December, 2009–July, 2013	Almost 30,000 (RFA)	Project built after several rounds of contested siting proposals

Beijing (province-level municipality)	Construction of high-speed railway link	March, 2009–August, 2013	2,000 ^{vii}	Project built with amendments after several rounds of contestation
Maoming (prefecture-level city, Guangdong)	Construction of PX plant	March–April, 2014	7,000 ^{viii}	Project put on hold
Ligang (township under Maoming, Guangdong)	Construction of crematorium	April, 2014	2,000 (CD)	Project cancelled
Yuhang (district of Hangzhou, Zhejiang)	Construction of waste incinerator	April, 2014	More than 5,000 (SCMP)	Project suspended, later restarted
Boluo (county under Huizhou, Guangdong)	Construction of waste incinerator	September, 2014	A few thousand (NYT)	Unclear
Langtang (township under Luoding, Guangdong)	Construction of waste incinerator	April, 2015	Up to 10,000 (SCMP)	Project cancelled
Heyuan (prefecture-level city, Guandong)	Construction of coal power plant	April, 2015	10,000 (SCMP)	Project cancelled
Jinshan (district of Shanghai, Shanghai)	Construction of PX plant	June, 2015	50,000 (BBC)	Project cancelled
Longkou (county-level city, Shandong)	Construction of PX plant	May, 2016	10,000 (SCMP)	Project cancelled
Lubu (township under Zhaoqing, Guangdong)	Construction of waste incinerator	July, 2016	10,000 (SCMP)	Unclear
Lianyungang (prefecture-level city, Jiangsu)	Construction of a nuclear-fuel processing and recycling plant	August, 2016	8,000–10,000 (RFA)	Project suspended

Notes/sources:

- i. City or county names are noted when gatherings also took place in city/county centers or more than one district.
- ii. If more than one, period from first to last protest.
- iii. British Broadcasting Corporation (BBC), *China Daily* (CD), *New York Times* (NYT), Radio France Internationale (RFI), Radio Free Asia (RFA), *South China Morning Post* (SCMP).
- iv. Thomas Johnson, “The Health Factor in Anti-Waste Incinerator Campaigns in Beijing and Guangzhou,” *The China Quarterly* 214 (June 2013): 356–75, <http://dx.doi.org/10.1017/S0305741013000660>.
- v. But as of June 2012, the plant continued to operate. Patti Waldmeir, Leslie Hook, and Jamil Anderlini, “Ningbo Protest, Response Both Typical of China’s Environmental Debate,” *Financial Times*, October 29, 2012.
- vi. Jian Lu and King Chi Chris Chan, “Collective Identity, Framing, and Mobilization of Environmental Protest in Urban China: A Case Study of Qidong’s Protest,” *China: An International Journal* 14, no. 2 (2016): 110.
- vii. Guizhen He, Arthur P.J. Mol, and Yonglong Lu, “Public Protests against the Beijing–Shenyang High-Speed Railway in China,” *Transportation Research Part D: Transport and Environment* 43 (March 2016): 1–16, <https://doi.org/10.1016/j.tred.2015.11.009>.
- viii. Kingsyiong Lee and Ming-Sho Ho, “The Maoming Anti-PX Protest of 2014: An Environmental Movement in Contemporary China,” *China Perspectives*, no. 3 (2014): 33–9.

Constituencies and Types of Goods Pursued

Judging by protesters' claims, 14 cases were staged in the name of large and socially diverse constituencies between hundreds of thousands to several millions residing in whole counties (Boluo 2014), county-level cities (Shifang and Qidong 2012; Longkou 2016), prefecture-level cities (Kunming and Jiangmen 2013; Maoming 2014; Heyuan 2015; Lianyungang 2016), or even sub-provincial municipalities (Xiamen 2007; Chengdu 2008; Nanjing and Dalian 2011; Ningbo 2012). In some cases, protest participation and displays of solidarity by people hailing from these places, but residing elsewhere in mainland China or even Hong Kong, Macao or overseas, have been noted.⁴⁹ And although there is evidence that participation in urban cases was often more pronounced in the middle class,⁵⁰ in Guangzhou (2009), Ningbo (2012) and Kunming (2013) urbanites also linked up with villagers living next to proposed or already operating sources of pollution.⁵¹

The size of the constituency is very important for the dynamics of mobilization. When protests pursue club goods of small "face-to-face" communities, participants can be mobilized by the "selective incentive" of a potentially successful outcome. Mobilization can also be stimulated with increased social status in the community, and non-mobilization (free-riding) punished through "social pressure."⁵² In the above cases, however, the absence of a negative impact on the living environment (e.g., pollution, accident risk or an aesthetic degradation) would have benefited all residents in these large constituencies, and the "consumption" of a healthy living environment by one does not affect its usage by others. At the level of these large local populations, what was pursued were non-exclusive and non-rivalrous public goods.⁵³ Thus, those comparatively few who did take to the streets could not be motivated by potential selective benefits from a successful protest. And, due to the large group size and its high degree of anonymity, they were neither able to gain significantly in status for taking the risk of protesting, nor could non-mobilization be effectively punished through social pressure.⁵⁴ Thus, in contrast to small-constituency Rightful Resistance and NIMBYism, citizens overcame the free-rider problem Mancur Olson famously posited for situations in which large groups need to engage in collective action to obtain public goods.⁵⁵

If selective "material benefits" as well as "social gratifications" and social pressure alone are unlikely to account for mobilization, protest participants were likely to be motivated by what scholars have described as "civic gratifications" and satisfaction derived from "collective outcomes."⁵⁶ A closer look at repeatedly appearing key motivations and claims provides some insight into what may have driven people into action.

Key Motivations and Claims

Three kinds of widespread themes deserve attention. First, protesters often displayed strong affection and pride for their home—sometimes by using sentimental terms such as "Egret Island" (*lu dao*) for Xiamen (2007), "The Pearl of West Sichuan" (*chuan xi ming zhu*) for Shifang (2012), or "Spring City" (*chun cheng*) for Kunming (2013)—that required its citizens to "unite" (*tuanjie*) and "defend" (*baowei*) their place against a threatening developmental project.⁵⁷ Protest banners expressed these sentiments as, for instance: "protect our Chengdu, safeguard our homeland" (Chengdu, 2008); "Dalian do not cry, we will protect you" (Dalian, 2012); and "Lianyungang I love you" (Lianyungang,

2016).⁵⁸ The opposed projects were often portrayed as not merely causing environmental harm, but also as destroying the intangible character of the place and its people. For instance, an opponent of the wastewater pipeline project in Qidong (2012) explained he participated because “once industrial waste water is discharged into Qidong, the offshore seawater will become so polluted that we have no fish to eat any more. What a life it would be!”⁵⁹ Similarly, an Internet user opposing the cutting down of Republican-era trees for a subway construction project in Nanjing (2011) linked them to the city’s rich history, asking, “Without the ancient trees, what is left of the ancient city?”⁶⁰ Existing research on some of the cases considered shows how activists deliberately deployed such frames to mobilize.⁶¹

Second, support for risky developmental projects by governments often was explicitly linked to a political economy that subjects local leading officials to a competitive evaluation system in which local GDP growth is a vital “political achievement” (*zhengji*).⁶² Protesters also brandished banners such as “we need health for the next generation, we don’t need GDP” (Xiamen, 2007); “we need life and health, we don’t need dog fart political achievements [*goupi zhengji*]” (Jiangmen, 2013); “nature-first, oppose capital-first” [*ziran wei ben, fandui ziben wei ben*] (Kunming, 2013). Online discussions often featured similar sentiments. One user, asked, “Does economic development really have to override everything else?” (Nanjing, 2011);⁶³ another wrote, “Officials’ achievements are more important than ordinary peoples’ lives . . . it is all about GDP” (Kunming, 2013).⁶⁴ Likewise, systematic traits of the political economy—such as collusion between large state-owned companies and the government or a lack of checks and balances—were sometimes identified as reasons why the authorities could not be trusted with the safety of risky technologies.⁶⁵

A third frequently appearing leitmotif was a deep-seated dissatisfaction with the authorities’ ignorance of “public opinion” (*minyi*) and a lack of public participation during policy-making. According to the Environmental Impact Assessment (EIA) Law of 2002, local authorities are legally required to “consult” the public on projects that require an EIA report. However, vague legal provisions provide ample opportunities to ignore citizen opinion.⁶⁶ In the present cases, popular discontent frequently focused on the procedures for consulting the public. A blogger in Chengdu (2008) argued that the government “need[ed] to follow certain procedures: for example, a public hearing and independent environmental assessment. We want a fair and open process.”⁶⁷ Weibo posts in Ningbo (2012) demanded “transparency, truth, and accountability for the environmental impact assessment process,”⁶⁸ while protesters in Kunming (2013) wielded slogans calling for an “open EIA” [*gongkai huanping*.]⁶⁹

Sometimes, sentiment went further by—explicitly or implicitly—demanding “that the public ha[s] a veto over unwelcome projects.”⁷⁰ In Guangzhou (2009) and a case from Beijing, Thomas Johnson observed “a strong feeling that, by allowing incinerators to be built in areas with high opposition, local officials had violated public opinion” and thus “siting decisions lacked legitimacy.”⁷¹ Protesters sometimes wielded slogans such “we want a popular referendum” [*huyu quanmin gongjue*] (Kunming, 2013), “respect public opinion” [*zunzhong minyi*] (Jinshan, 2015) or “defend democracy” [*hanwei minzhu*] (Longkou, 2016).

Although demands for a public veto-power in project decision-making have no basis in Chinese law,⁷² local leaders sometimes publicly fed such expectations when pressed

by citizens. The *People's Daily* quoted the mayor of Kunming in a meeting with citizens opposing the city's PX project as saying, "if the majority of people [*da duoshu qunzhong*] says yes, [we] will support this project; if the majority says no, this project will not go ahead."⁷³ Similarly, the press cited a Guangzhou leading official meeting protesters opposed to the waste incinerator in Huadu District (2009–13) with the words, "no matter what the EIA report says, if public opinion [*minyi*] is opposed, the waste incinerator will certainly not be built."⁷⁴ And after protesters pressed Jiangmen city leaders for a written promise to cancel a contested project in 2013, the authorities issued an official document stating: "The government fully respects public opinion [*chongfen zunzhong minyi*] . . . [and] has decided to cancel the [uranium processing plant] project."⁷⁵

An additional widespread slogan relates both the affection for place and the question of popular involvement. Demonstrators frequently demanded the "return" of their home to them, wielding slogans such as "return my Dalian," "return my new Shifang," "return my beautiful Kunming"—or simply, "return my home" (Longkou, 2016).⁷⁶ The request to "return" something is highly prevalent in other domains of protest in China. However, it is usually linked to specific material claims, such as the request to "return my hard-earned money" [*huan wo xuehan qian*].⁷⁷ Given that Chinese localities are ruled by an unaccountable bureaucracy, this request to return one's home is both impossible to satisfy and implies a critique of the status quo.

Hence, protesters were often driven by affection for their homeland and diffuse discontent over more systematic political problems. But did they also display collective identity and networks that reach further?

Collective Identity and Horizontal Networking

Evidence on the emergence of a collective identity beyond the boundaries of localities is scarce. Protesters in Jiangmen (2013) sometimes referred to "the people of the Pearl River Delta";⁷⁸ Internet commentators in the Nanjing (2011) case linked the threatened trees to the "Chinese nation";⁷⁹ and anti-PX marchers in Ningbo (2012) demanded that the PX projects "get out of China."⁸⁰

However, protests were linked by an intense *collective awareness* and a *collective discourse*. Liu Jun has documented in detail how the awareness of preceding anti-PX protests propelled subsequent protesters into action.⁸¹ Similarly, anti-incinerator protesters and those taking on other developmental projects have been inspired by their predecessors.⁸² Awareness was further enhanced, and the protests legitimated, by an often openly "sympathizing" media discourse about such events,⁸³ and a critical public discussion about environmental problems and their causes. Activists in Heyuan (2015), for instance, explicitly claimed to have been inspired by China Central Television presenter Chai Jing's documentary *Under the Dome*.⁸⁴

On the organizational dimension, environmental nongovernmental organizations (ENGOs) and other individual "intermediaries"—environmental activists, academics, lawyers and journalists—have become increasingly willing and able to get involved in cases of contention.⁸⁵ In the cases of Nanjing (2011) and Kunming (2013) NGOs have done so in public.⁸⁶ More frequently, intermediaries are in the background and provide support for individual campaigns.⁸⁷ Research on anti-incineration contention has documented how ENGOs and individual activists have supported, mentored and publicized individual

campaigns, groomed new ENGO activists from them, and used them as evidence to increase pressure for policy change at local and national levels.⁸⁸ Moreover, partly due to the momentum generated from incinerator protests, an alliance of ENGOs from different regions has organized at the national level to coordinate advocacy for waste separation and recycling.⁸⁹ Similarly, ENGOs have seized upon anti-PX protests to generate pressure for policy change and the sustained monitoring of industrial facilities.⁹⁰ Nonetheless, any direct cross-regional coordination of contention or the organization of protests by such figures and groups remains off-limits. There are also very few documented efforts of grassroots activists linking up with their peers in other localities.⁹¹

SKETCHING OUT A *SI BU XIANG*

How do these episodes compare to the three repertoires of contention outlined at the outset? All episodes also featured indications that suggest a deep distrust of (local) officials which is typical for NIMBYism and Rightful Resistance. All cases display family resemblances with NIMBYism in that they focus on one-off local policy-change and were motivated by concerns over negative effects on health, and often also property. In the light of the Rightful Resistance repertoire, the shift from reactive protests concerned with policy implementation and redress to preventive contention aimed at policy-change is new. Similarly new for China after 1989, but also within the domain of the NIMBY repertoire, is that a number of cases displayed tacit alliances and mutual reinforcement between citizen direct action and elite policy advocacy.

However, several characteristics on display are neither typical of Rightful Resistance nor of NIMBYism (Table 15.2). First, the majority of cases were staged in the name of large constituencies of hundreds of thousands to several millions. Second, in contrast to the club goods of small and homogeneous groups pursued in Rightful Resistance and NIMBYism, protesters pursued policy-changes that were collective goods of large and often very diverse “imagined communities.”⁹² Third, in many cases a strong popular affection for the locality,⁹³ as well as fundamental discontent with the prevailing GDP-crazed political economy and the opaque policy-making by an unaccountable officialdom ignoring the interests of the public, was tangible. Fourth, participants were acutely aware of preceding events and inspired by a common critical public discourse on environmental protests and underlying environmental problems, and a loose network of environmental activists who get involved when there is an opportunity.

While these traits clearly indicate that something new has come to the fore, the phenomenon remains distinct from an Environmental Movement. Participants in individual protests did not appear to regard themselves as a part of broader effort to transform the path of economic development or technology governance. There is no apparent coordination between contention for one-off policy decisions at the local level and efforts to change umbrella policies at the national level. And, although something seems to be in the making, “brokerage” and coordination between events by ENGOs and other “intermediaries” remains patchy.⁹⁴

Thus, like the deer named *Si Bu Xiang* (The Four Unlikes) because it transcends established categories, large-scale environmental contention in China since 2007 remains elusive. And yet, an essentially similar routine has now been present for over a decade. It is

Table 15.2 Key characteristics of four repertoires of contention

Attributes	Repertoires	Rightful resistance	NIMBYism	Environmental movement	Environmental public interest campaign
Desired outcomes		Local policy-implementation	Local one-off policy change	Local, national, transnational long-term policy change	Local one-off policy change
Forms of contention		Institutionalized contention, street protest	Institutionalized contention, street protest, policy advocacy	Institutionalized contention, street protest, policy advocacy	Institutionalized contention, street protest, policy advocacy
Protest constituencies		Homogeneous face-to-face communities	Homogeneous face-to-face communities	National or global imagined communities (including non-human life)	Diverse local imagined communities
Types of goods pursued		Club goods	Club goods	National and global public goods	Local public goods
Key motivations and claims		Violation of entitlements and rights; livelihood; distrust of local, trust of national authorities	Health and property; distrust of authorities	Health and nature; critique of political economy	Health and property; distrust of local authorities; defense of place; discontent with political process
Collective identities linking individual cases		No	No	Yes	No, but keen mutual awareness and common public discourse
Horizontal networking		No	No	Extensive national and transnational networks	Incipient national activist network

therefore arguably time to engage with it on its own terms. To do so, I suggest the notion of an Environmental Public Interest Campaign, understood as: a form of contention in which citizens mobilize in the name of large local constituencies to change developmental policies that are perceived to be against the public's interest. They combine street protests and institutionalized contention by grassroots activists with policy advocacy by social elites. Aside from concern over negative environmental impact, Environmental Public Interest Campaigns are motivated by strong affection for place and community, and diffuse discontent over the political process and political economy. Although they are local affairs, they are linked by a keen awareness of similar events elsewhere, a common public discourse and a network of activists ready to get involved when an opportunity presents itself.

All these attributes are to different extents present in the cases of Xiamen 2007, Chengdu 2008, Qidong 2011, Nanjing 2011, Kunming 2013 and Heyuan 2015. In other cases, one element was missing. The episode in Guangzhou 2009 was initially lacking a large constituency. Yet, it featured some cross-class alliance-building and became the incubator for a new influential ENGO. The events in Dalian 2011, Shifang and Ningbo 2012, Jiangmen 2013, Maoming and Boluo 2014, and Longkou and Lianyungang 2016 lacked observable elite policy advocacy—although undocumented behind the scenes advocacy may have been present.

However, for the episodes in Shanghai 2008, Nangang 2010, Yinggehai 2012, Beijing 2009–13, Guangzhou 2009–13, Ligang 2014, Yuhang 2014, Langtang 2015, Jinshan 2015 or Lubu 2016, the notion of NIMBYism (minus substantial policy advocacy) seems to be a more appropriate description. In these cases, residents were pushing for benefits of smaller, more homogenous local communities, and did not seem to display other motivations beyond the rejection of the specific developmental projects at stake.

CONCLUSION

Large-scale environmental contention in China since 2007 in more than a few cases substantially transcended Rightful Resistance and NIMBYism. Yet, although there are some indications of a “scaling up” of contention,⁹⁵ at present these have been too patchy and incoherent to conclude that we are observing the birth of a full-blown Environmental Movement. Thus, this chapter suggested that the repertoire of contemporary Chinese large-scale environmental contention should be engaged on its own terms, and outlined the notion of an Environmental Public Interest Campaign to do so.

Environmental contention in China is significant beyond environmental politics. Apart from ethnic and nationalistic protest, it is the only domain of contention that occasionally breaks the typical “cellular”⁹⁶ shape of popular politics and mobilizes large crowds and constituencies for the pursuit of collective goods. This calls for a better understanding of its political undercurrent. Certainly, the here-documented skepticism of GDP-focused development is far from political dissidence. Since Hu Jintao’s Scientific Development concept and, more recently, Xi Jinping’s pronouncements on the environment,⁹⁷ the political leadership has rhetorically subscribed to similar ideas. However, protesters sometimes explicitly connected a critique of officials’ craze for GDP-growth and doubts over the ability of the state to govern risky technologies with elements of the political system, such

as the lack of checks and balances or officials' hunt for "achievements." This points to the existence of diffuse, but more fundamental discontent. And, although evidence of distrust for local officials was pervasive, which is typical of the established protest repertoire in China, evidence of the equally typical displays of loyalty to the central authorities was exceedingly rare in the cases closest to the Environmental Public Interest Campaign repertoire. Moreover, a recent survey in urban China found that those with the highest inclination to participate in environmental protest were not only characterized by lower trust in local government, but also by lower confidence in the central authorities and lower support for the regime.⁹⁸

While far from conclusive, this could suggest that environmental protests attract citizens with more fundamental political discontent to vent their grievances. The environment, China's perhaps most dynamic domain of state–society relations, holds more intriguing questions that cry out for answers.

NOTES

- * This is a continuation of work begun in an article co-authored with Wu Fengshi. See H. Christoph Steinhardt and Fengshi Wu, "In the Name of the Public: Environmental Protest and the Changing Landscape of Popular Contention in China," *The China Journal* 76 (2016): 61–82, <https://doi.org/10.1086/684010>. I thank Emma Zhou Xuanchi for excellent research assistance. For helpful comments, I am grateful to Björn Alpermann, Kevin J. O'Brien, Teresa Wright and those who provided feedback during presentations at the University of Vienna and the University of Cologne. The research has been supported by Hong Kong General Research Fund grants (Nos 24615215 and 14604117).
- 1. Informant quoted in joint environmental nongovernmental organization (ENGO) report. Lüse liyu diaoyan xiaozu [Green Watershed Research Group], "PX Xiangmu Yu Shehui Yingxiang Pingjia [PX Projects and their Social Impact]," Joint-ENGO report on PX projects (Kunming: Lüse liyu [Green Watershed], Ziran zhi you [Friend of Nature], Ziran daxue [Nature University], Huanjing yu gongzhong yanjiu suo [Environment and the Public Research Center], March 2014, <http://d.kmwzjs.com:10125/news-453-11013.html>.
- 2. PX is an oil-based chemical product that is used in the production of plastic bottles, polyester fiber, etc.
- 3. Interview with NGO leader, June 2017.
- 4. Christian Goebel and Lynette H. Ong, "Social Unrest in China," Long Briefing, Europe China Research and Academic Network (ECRAN), 8 November 2012, <https://papers.ssrn.com/abstract=2173073>; Peter L. Lorentzen, "Regularizing Rioting: Permitting Public Protest in an Authoritarian Regime," *Quarterly Journal of Political Science* 8 (2013): 127–58, <https://doi.org/10.1561/100.00012051>; H. Christoph Steinhardt, "Discursive Accommodation: Popular Protest and Strategic Elite Responses in China," *European Political Science Review* 9, no. 4 (2017): 539–60, <https://doi.org/10.1017/S1755773916000102>.
- 5. See, in particular, Maria Bondes and Thomas Johnson, "Beyond Localized Environmental Contention: Horizontal and Vertical Diffusion in a Chinese Anti-Incinerator Campaign," *Journal of Contemporary China* 26, no. 106 (2017): 504–20, <https://doi.org/10.1080/10670564.2017.1275079>; Graeme Lang and Ying Xu, "Anti-Incinerator Campaigns and the Evolution of Protest Politics in China," *Environmental Politics* 22, no. 5 (2013): 832–48, <https://doi.org/10.1080/09644016.2013.765684>; Jun Liu, "Digital Media, Cycle of Contention, and Sustainability of Environmental Activism: The Case of Anti-PX Protests in China," *Mass Communication and Society* 19, no. 5 (2016): 604–25, <https://doi.org/10.1080/15205436.2016.1203954>; Steinhardt and Wu, "In the Name of the Public."
- 6. I borrow this term from Charles Tilly, who understood repertoires of contention as "shared scripts" of "claim-making routines" that have a "clustered, learned, yet improvisational character." Charles Tilly, *Regimes and Repertoires* (Chicago: University of Chicago Press, 2006), 35.
- 7. Jennifer Earl et al., "The Use of Newspaper Data in the Study of Collective Action," *Annual Review of Sociology* 30, no. 1 (2004): 65–80, <https://doi.org/10.1146/annurev.soc.30.012703.110603>, at 70.
- 8. The former is well known for its extensive China coverage among major international outlets, and the latter is the most China-focused English newspaper published outside of mainland China. I instructed a research assistant to query the Factiva news media database with the keywords "protest," "demonstration" or "mass incident" and region "China" for articles published in the two outlets between 1 January 2007 and

- 30 November 2016. The assistant then went through the results, selecting articles on protest events when claims revolved around damage to, or the protection of, the natural and/or the human living environment. This exercise resulted in 46 events, of which I excluded 21 due to scarce information or because resistance was reacting to already occurring pollution from a facility. The latter criterion was applied loosely, however. I included protests that were targeting expansions to already existing facilities, as well as one event, Dalian (2011), where protests were triggered by fear over a not yet materialized accident in an existing plant.
9. This would be a concern if I were trying to explain mobilization, which I am not.
 10. Liu, "Digital Media"; Doug McAdam and William H. Jr. Sewell, "It's About Time: Temporality in the Study of Social Movements and Revolution," in *Silence and Voice in the Study of Contentious Politics*, eds., Ron Aminzade et al. (Cambridge: Cambridge University Press, 2001), 89–125; H. Christoph Steinhardt, "From Blind Spot to Media Spotlight: Propaganda Policy, Media Activism, and the Emergence of Protest Events in the Chinese Public Sphere," *Asian Studies Review* 39, no. 1 (2015): 119–37.
 11. Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (Cambridge: Cambridge University Press, 2006).
 12. See, e.g., Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford: Stanford University Press, 2010); Xi Chen, *Social Protest and Contentious Authoritarianism in China* (Cambridge: Cambridge University Press, 2012); Ching Kwan Lee, *Against the Law: Labor Protests in China's Rustbelt and Sunbelt* (Berkeley: University of California Press, 2007).
 13. Lee, *Against the Law*, 10, 18.
 14. O'Brien and Li, *Rightful Resistance in Rural China*, 5.
 15. Ibid., 97–4; Xi Chen, "The Power of 'Troublemaking': Protest Tactics and Their Efficacy in China," *Comparative Politics* 41, no. 4 (2009): 451–71, <https://doi.org/10.5129/001041509X12911362972557>.
 16. Andrew C. Mertha, "'Fragmented Authoritarianism 2.0': Political Pluralization in the Chinese Policy Process," *The China Quarterly* 200 (2009): 996–8; Paul A. Sabatier, "An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein," *Policy Sciences* 21, no. 2/3 (1988): 129–68.
 17. O'Brien and Li, *Rightful Resistance in Rural China*, 122, 7.
 18. Ibid., 122. Goebel and Ong, "Social Unrest in China."
 19. O'Brien and Li, *Rightful Resistance in Rural China*, 107.
 20. On "constituencies" of social movements, see also Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics*, rev. and updated 3rd ed. (Cambridge and New York: Cambridge University Press, 2011), 10, 31.
 21. The same "cellular" shape of constituencies was observed among other protesting groups in China. See Chen, *Social Protest and Contentious Authoritarianism*, 212; Lee, *Against the Law*, 9. On the homogeneity of crowds see, Goebel and Ong, "Social Unrest in China."
 22. Benedict R.O. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983), 6.
 23. Richard Cornes and Todd Sandler, *The Theory of Externalities, Public Goods, and Club Goods* (Cambridge: Cambridge University Press, 1996), 8–9; Steinhardt and Wu, "In the Name of the Public," 65.
 24. Lianjiang Li, "Reassessing Trust in the Central Government: Evidence from Five National Surveys," *The China Quarterly* 225 (March 2016): 100–21, <https://doi.org/10.1017/S0305741015001629>; O'Brien and Li, *Rightful Resistance in Rural China*, 6–8, 27–31.
 25. O'Brien and Li, *Rightful Resistance in Rural China*, 3.
 26. Carissa Schively, "Understanding the NIMBY and LULU Phenomena: Reassessing Our Knowledge Base and Informing Future Research," *CPL Bibliography* 21, no. 3 (2007): 255–66, <https://doi.org/10.1177/0885412206295845>.
 27. See, e.g., Patrick Devine-Wright, "Rethinking NIMBYism: The Role of Place Attachment and Place Identity in Explaining Place-Protective Action," *Journal of Community and Applied Social Psychology* 19, no. 6 (2009): 426–41, <https://doi.org/10.1002/casp.1004>; Michael E. Kraft and Bruce B. Clary, "Citizen Participation and the Nimby Syndrome: Public Response to Radioactive Waste Disposal," *Western Political Quarterly* 44, no. 2 (1991): 299–328, <https://doi.org/10.2307/448780>.
 28. See, e.g., Thomas Johnson, "Environmentalism and NIMBYism in China: Promoting a Rules-Based Approach to Public Participation," *Environmental Politics* 19, no. 3 (2010): 430, <https://doi.org/10.1080/09644011003690914>.
 29. Kraft and Clary, "Citizen Participation and the Nimby Syndrome," 300.
 30. Oxford English Dictionary Online, "Nimby, N." (Oxford: Oxford University Press, 2003), <http://www.oed.com/view/Entry/245895>.
 31. Anderson, *Imagined Communities*, 6.
 32. Kraft and Clary, "Citizen Participation and the Nimby Syndrome"; Schively, "Understanding the NIMBY and LULU Phenomena."
 33. Johnson, "Environmentalism and NIMBYism in China"; Doug McAdam and Hilary Boudet, *Putting*

- Social Movements in their Place: Explaining Opposition to Energy Projects in the United States, 2000–2005*, Cambridge Studies in Contentious Politics (Cambridge and New York: Cambridge University Press, 2012), 135.
34. Christopher Rootes and Liam Leonard, “Environmental Movements and Campaigns against Waste Infrastructure in the United States,” *Environmental Politics* 18, no. 6 (2009): 843, <https://doi.org/10.1080/09644010903345611>.
 35. Kraft and Clary, “Citizen Participation and the NIMBY Syndrome”; Edward Walsh, Rex Warland, and D. Clayton Smith, “Backyards, NIMBYs, and Incinerator Sitings: Implications for Social Movement Theory,” *Social Problems* 40, no. 1 (1993): 25–38, <https://doi.org/10.2307/3097024>.
 36. Christopher Rootes, “Environmental Movements,” in *The Blackwell Companion to Social Movements*, eds., David A. Snow, Sarah Anne Soule, and Hanspeter Kriesi (Malden, MA: Blackwell, 2004), 608–40.
 37. Tarrow, *Power in Movement*.
 38. Ibid.
 39. Rootes, “Environmental Movements,” 610.
 40. McAdam and Boudet, *Putting Social Movements in Their Place*, 135–8.
 41. Rootes, “Environmental Movements.”
 42. Johnson, “Environmentalism and NIMBYism in China”; Rootes, “Environmental Movements”; Rootes and Leonard, “Environmental Movements and Campaigns.”
 43. Rootes, “Environmental Movements.”
 44. Ibid.
 45. Steinhardt and Wu, “In the Name of the Public”; Xiaoyi Sun, Ronggui Huang, and Ngai-Ming Yip, “Dynamic Political Opportunities and Environmental Forces Linking Up: A Case Study of Anti-PX Contention in Kunming,” *Journal of Contemporary China* 26, no. 106 (2017): 536–48, <https://doi.org/10.1080/10670564.2017.1274818>; see also Natalie Wong, Chapter 17 in this Handbook.
 46. Edward Wong, “In China City, Protesters See Pollution Risk of New Plant,” *New York Times*, 6 May 2008, <http://www.nytimes.com/2008/05/06/world/asia/06china.html>.
 47. “Thousands Protest in Heyuan over Coal-Fired Power Plant Project,” *EJ Insight*, 13 April 2015, <http://www.ejinsight.com/20150413-thousands-protest-in-heyuan-over-coal-fired-power-plant-project/>.
 48. Kingshyon Lee and Ming-Sho Ho, “The Maoming Anti-PX Protest of 2014: An Environmental Movement in Contemporary China,” *China Perspectives*, no. 3 (2014): 33–9; Xiaolin Zhang and Gareth Shaw, “New Media, Emerging Middle Class and Environmental Health Movement in China,” in *Urban Mobilizations and New Media in Contemporary China*, eds., Lisheng Dong, Hanspeter Kriesi, and Daniel Kübler (Farnham: Ashgate, 2015), 111.
 49. Examples are Xiamen (2007), Jiangmen (2013), and Maoming (2014). See, Steinhardt and Wu, “In the Name of the Public”; Lee and Ho, “The Maoming Anti-PX Protest of 2014”; Minnie Chan and Olga Wong, “Jiangmen Uranium Plant Talks Extended after Protests,” *South China Morning Post*, 13 July 2013, <http://www.scmp.com/news/china/article/1281437/jiangmen-rallies-force-city-extend-consultation-nuclear-fuel-plant>.
 50. Zhang and Shaw, “New Media.”
 51. Steinhardt and Wu, “In the Name of the Public”; Zhang and Shaw, “New Media.”
 52. Mancur Olson, *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge, MA: Harvard University Press, 2002), 51, 62.
 53. Cornes and Sandler, *Theory of Externalities*, 8–9.
 54. That said, Liu has explicated how social media can to an extent reintroduce “social relations into the process of digitally mediated mobilization” for large constituencies. Liu, “Digital Media,” 614.
 55. Olson, *Logic of Collective Action*.
 56. Kay Lehman Schlozman, Sidney Verba, and Henry E. Brady, “Participation’s Not a Paradox: The View from American Activists,” *British Journal of Political Science* 25, no. 1 (1995): 1–36, 14, <https://doi.org/10.1017/S0007123400007043>.
 57. Pictures of protest banners and protester publicity materials on file with the author.
 58. Pictures of protest banners on file with the author.
 59. Jian Lu and King Chi Chris Chan, “Collective Identity, Framing, and Mobilization of Environmental Protest in Urban China: A Case Study of Qidong’s Protest,” *China: An International Journal* 14, no. 2 (2016): 102–22, 113.
 60. Steinhardt and Wu, “In the Name of the Public,” 70. For similar evidence from Ningbo (2011), see Zhang and Shaw, “New Media,” 108.
 61. Lu and Chan, “Collective Identity”; Steinhardt and Wu, “In the Name of the Public.”
 62. Interview with Xiamen resident, September 2008; Lu and Chan, “Collective Identity,” 114, 117.
 63. Online discussions on file with the author.
 64. Online discussions on file with the author. Similar expressions are documented from Maoming (2015); Lee and Ho, “The Maoming Anti-PX Protest of 2014.”

65. A petition letter from Guangzhou (2009) argued that: “Developed countries can adopt waste incineration because they have mature legislative oversight, public opinion oversight, and public participation. We must admit, because China’s systemic reforms are still underway, checks and balances of power and public participation still have relatively more defects. In the short term [China] lacks the ability to carry out effective oversight of waste incineration.” Thomas Johnson, “The Politics of Waste Incineration in Beijing: The Limits of a Top-Down Approach?” *Journal of Environmental Policy & Planning* 15, no. 1 (2013): 368, <https://doi.org/10.1080/1523908X.2012.752183>. For similar doubts from Kunming (2013) and Maoming (2014), see Lee and Ho, “The Maoming Anti-PX Protest of 2014;” Sun, Huang, and Yip, “Dynamic Political Opportunities.”
66. Yuhong Zhao, “Public Participation in China’s EIA Regime: Rhetoric or Reality?” *Journal of Environmental Law* 22, no. 1 (2010): 89–123, <https://doi.org/10.1093/jel/eqp034>.
67. Wong, “In China City, Protesters See Pollution Risk of New Plant.” On file with the author are similar examples from Shanghai (2008), Chengdu (2008) and Jiangmen (2013). For such claims from Maoming (2015), see Lee and Ho, “The Maoming Anti-PX Protest of 2014.”
68. Zhang and Shaw, “New Media,” 108.
69. Visual evidence of protest banner on file with the author.
70. Johnson, “The Politics of Waste Incineration in Beijing,” 363.
71. *Ibid.*, 362.
72. However, strong populist elements in the CCP’s ideology may well provide indirect support for such expectations.
73. Zheng Li, “Looking Forward to Kunming Successfully Escaping the ‘PX Dilemma’ [Qidai Kunming Chenggong Zouchu ‘PX Kunju’],” *Renmin Ribao [People’s Daily]*, 15 May 2013, <http://opinion.people.com.cn/n/2013/0515/c1003-21482817.html>.
74. Jiekai Zhen and Jianhua Ruan, “End of Year Petitioner Reception Focused on Waste Incineration [Nianwei Jiefang Ri Jujiao Laji Fenshao],” *Xin Kuai Bao*, 24 December 2009, <http://news.xinmin.cn/rollnews/2009/12/24/3141213.html>.
75. Picture on file with the author.
76. Pictures on file with the author.
77. Yet see O’Brien and Li, *Rightful Resistance in Rural China*, 116, for slogans demanding the “return” of rights.
78. Ronald Yick, “Protests Crush Nuclear Complex Plans in Southern China,” *Global Voices* (blog), 16 July 2013, <https://globalvoices.org/2013/07/16/protests-crush-nuclear-complex-plans-in-southern-china/>.
79. Steinhardt and Wu, “In the Name of the Public,” 70.
80. Picture on file with the author.
81. Liu, “Digital Media.”
82. Bondes and Johnson, “Beyond Localized Environmental Contention”; Steinhardt and Wu, “In the Name of the Public.” Lu Jian, who studied the events in Qidong (2012), confirmed the importance of preceding events in Shifang that same year. Personal communication, 25 May 2017.
83. Steinhardt, “From Blind Spot to Media Spotlight.”
84. Andrea Chen and Mimi Lau, “Chinese Activists Collect Signatures against Proposed Power Plant in Heyuan in Guangdong,” *South China Morning Post*, 8 March 2015, <http://www.scmp.com/news/china/article/1732143/chinese-activists-collect-signatures-against-proposed-power-plant-heyan>. For further examples, see, Bondes and Johnson, “Beyond Localized Environmental Contention”; Liu, “Digital Media”; Steinhardt, “From Blind Spot to Media Spotlight.”
85. Alpermann and Bondes in this Handbook; Bondes and Johnson, “Beyond Localized Environmental Contention,” 3; McAdam and Boudet, *Putting Social Movements in their Place*, 137.
86. Steinhardt and Wu, “In the Name of the Public”; Sun, Huang, and Yip, “Dynamic Political Opportunities.”
87. Interviews with ENGO activists October 2015, November 2016, February 2017.
88. Alpermann and Bondes in this Handbook; Bondes and Johnson, “Beyond Localized Environmental Contention”; Steinhardt and Wu, “In the Name of the Public”; Natalie W.M. Wong, “Advocacy Coalitions and Policy Change in China: A Case Study of Anti-Incinerator Protest in Guangzhou,” *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations* 27, no. 5 (2016): 2037–54, <https://doi.org/10.1007/s11266-015-9603-1>.
89. Ling Feiqi Lianmeng, “Ling Feiqi Lianmeng, China Zero Waste Alliance,” <http://www.lingfeiqi.org/>. Interviews with ENGO activists June 2017.
90. Steinhardt and Wu, “In the Name of the Public”; Sun, Huang, and Yip, “Dynamic Political Opportunities.”
91. As a case in point, rural and urban anti-incinerator activists did *not* follow up upon having been introduced to each other by an ENGO. Bondes and Johnson, “Beyond Localized Environmental Contention.”
92. Anderson, *Imagined Communities*, 6.
93. Devine-Wright, “Rethinking NIMBYism,” explained why the concept of NIMBYism fails to account for such “place-protective action.”

94. Alpermann and Bondes in this Handbook; Bondes and Johnson, “Beyond Localized Environmental Contention,” 3; McAdam and Boudet, *Putting Social Movements in their Place*, 137.
95. McAdam and Boudet, *Putting Social Movements in their Place*, 135.
96. Lee, *Against the Law*, 212.
97. Jinping Xi, “General Secretary Xi Jinping’s Series of Important Speeches: Eight, Green Water and Pristine Hills Are Like Mountains of Gold and Silver [Xi Jinping Zong Shuji Xilie Zhongyao Jianghua Duben: Ba, Lü Shui Qing Shan Jiu Shi Jin Shan Yin Shan],” *Renmin Ribao* [*People’s Daily*], 11 July 2014, <http://theory.people.com.cn/n/2014/0711/c40531-25267092.html>.
98. Yang Zhong and Wonjae Hwang, “Pollution, Institutions and Street Protests in Urban China,” *Journal of Contemporary China* 25, no. 98 (2016): 216–32, <https://doi.org/10.1080/10670564.2015.1075719>.

16. Networked contention against waste incinerators in China: brokers, linkages and dynamics of diffusion

Björn Alpermann and Maria Bondes

Alongside its economic development, China has experienced a plethora of worsening environmental problems. Across China, water, soil and air have been contaminated by industrial and residential pollution, often leading to serious health hazards. In 2006 the Chinese Communist Party (CCP) made “visible improvements in ecological environment” an explicit policy goal.¹ In spite of this, ecological challenges increased as environmental concerns were placed on the backburner in favor of economic growth, and environment-related contention continued to rise. According to estimates from the Chinese Society for Environmental Sciences, the number of environmental mass incidents has increased by an average of 29 percent annually since 1996 and even rose by 120 percent in 2011.²

Environmental protection has been one of the policy fields in which China’s authoritarian Party-state has been most tolerant of social activism. While the boundaries of this relative tolerance remain unstable, environmental activists have been granted considerable leeway and have made use of a variety of methods, including public hearings, environmental impact assessments and administrative lawsuits. These trends have led outside observers to expect that “Chinese environmental NGOs [nongovernmental organizations] may function as both *sites* and *agents* of political change,”³ increasing openness, transparency and liberalization. Given that many environmental issues affect members of different social groups almost evenly, environmental grievances have been seen by some as possessing particular potential to coalesce into a broader social movement.⁴ Others have argued that despite some encouraging trends, environmental activism has continued to be fragmented and prone to sporadic crackdowns.⁵

Is China developing an environmental social movement? We address this question by studying opposition to municipal solid waste incinerators (MSWIs) in urban, peri-urban and rural China. Our in-depth case studies show that activism against MSWIs in China is no longer fragmented, but has also not yet developed into a movement. Instead, something else has evolved: a pattern that we call “networked contention.” At its core is a relatively close-knit “no burn” community of NGOs, lawyers and experts highly critical of Chinese incineration policies. Since it lends legitimacy to their claims and widens their contentious repertoire, they rely on building alliances with local actors directly affected by the projects.⁶ They also function as brokers between different sites of contention. In doing so, they foster a network of contention spanning different sites and actor groups that is held together by vertical linkages between supra-local brokers and local communities, and horizontal linkages amongst different local communities. Such networked contention facilitates the diffusion of contention – but only within the limits imposed by the political setting.⁷

WASTE INCINERATION IN CHINA: PROPONENTS AND CRITICS

Municipal solid waste is a classical problem of modernizing societies where households produce ever-greater amounts of garbage. Initially, Chinese authorities were ill-prepared to cope with this deluge and opted for short-term solutions, mostly landfills surrounding cities and towns. These landfills not only caused groundwater pollution, but were also soon engulfed by sprawling residential areas. Predictably, this led to complaints about the stench and pollution emitted by the facilities.⁸

Official awareness of the problem rose over the 1990s, and central government ministries began to lay some regulatory groundwork. But the Chinese waste management system continues to be troubled by problems stemming from fragmentation and lax enforcement.⁹ In 2008, a report by the Ministry of Housing and Urban-Rural Development declared a national “waste crisis.” Rather than stepping up segregation and recycling, however, what followed was a bonanza in the construction of MSWIs. By 2012 the number of operating facilities reached 138,¹⁰ with official plans to raise this to 300 by 2015.¹¹

Proponents and adversaries of incineration in China have differed sharply on the environmental and health risks associated with this strategy.¹² Proponents of waste incineration, here labeled as the “pro-burn” faction, present it as a space-efficient and environmentally friendly technology that has been adopted by industrial countries without major ecological problems.¹³ However, critics in the “no burn” community strictly oppose incineration as highly hazardous, and argue that its risks are even more acute in China because the required minimum temperature to minimize emissions of dioxin (850 degrees Celsius) is hard to meet for the very moist and not well pre-sorted Chinese waste. Critics also note the lax enforcement of regulations.¹⁴ Relatedly, “no burn” community members doubt the independence of experts, with some alleging “expert–industry collusion.”¹⁵ The boom in MSWI projects and policies promising manifold benefits for operators has attracted many domestic (often state-owned) companies and their international joint venture partners.¹⁶ At the same time, critics note, the model weakens incentives to reduce garbage, since burning it generates income for MSWI operators.¹⁷

CONCEPTUAL APPROACH AND DATA

Networked contention is made up of horizontal and vertical linkages.¹⁸ Horizontal linkages connect different local communities affected by ecological challenges. Vertical linkages are ties between those communities and supra-local actors. The latter may be environmental NGOs, individual activists and experts, environmental lawyers or media practitioners.¹⁹ While there is often substantial overlap between the interests of local and non-local actors, there are also reasons for discord: local communities are often motivated by health concerns or material interests, while non-locals pursue broader environmental goals.²⁰ Depending on the circumstances, their bond may resemble an “uneasy alliance”²¹ or a “symbiotic” relationship.²²

The empirical data for this study were collected by the second author in two steps. First, she conducted preliminary interviews in China in 2011 and 2012 and a systematic media analysis in 2013. Through these measures, she identified 27 cases of anti-MSWI

Table 16.1 Case sample

	Urban setting	Peri-urban setting	Rural setting
Guangzhou cluster	Huadu district, Guangzhou municipality	Likeng plant, Yongxing village, Taihe township, Baiyun district, Guangzhou municipality	Huiyang district, Huizhou city, Guangdong province
Beijing cluster	Asuwei area, Changping district, Beijing municipality	Dagong village, Sujiatuo town, Haidian district, Beijing municipality	Panguanying village, Liushouying town, Funing county, Qinhuangdao city, Hebei province
Shanghai cluster	Songjiang district, Shanghai municipality	Fengqiao village, Fengxian district, Shanghai municipality	Huangtutang village, Donggang township, Wuxi city, Jiangsu province

contention – adding up to 39 when including further information collected during fieldwork. The cases clustered around three metropolises – Beijing, Shanghai and Guangzhou. Second, to maximize diversity she selected three cases for each of these clusters: one urban, peri-urban and rural (Table 16.1). During eight months of fieldwork between 2011 and 2013, she collected a wealth of information on these nine cases through qualitative interviews, observation and primary documents (often provided in great volume by the aggrieved parties).²³

NETWORKED CONTENTION: ACTORS, ROLES AND FUNCTIONS IN CHINESE ANTI-MSWI ACTIVISM

To illustrate networked contention, we draw on the above nine cases to outline the network that has taken shape in the incineration realm.

Affected Communities

Local communities affected by the siting of harmful projects are a major driving force of environmental contention in China as elsewhere.²⁴ They have a primary interest in resisting a threat to their health and, in the eyes of state authorities, possess the greatest legitimacy to voice their concerns. Chinese regulations require that their opinions be solicited as part of a detailed environmental impact assessment (EIA).²⁵ Even when more contentious measures are being employed – such as mass petitions, administrative review (*xingzheng fuyi*) requests or street protests – local actors in their capacity as “common people” (*laobaixing*) can claim a legitimate position to confront state actors, whereas non-locals can be painted as “meddling outsiders” without a valid interest in a case.

In reality, motivations and opportunities are more complicated. Affected communities, in particular resource-poor actors, benefit significantly from establishing linkages with other actor groups in the network – both horizontally, with other affected communities, and vertically, with supra-local brokers. To begin, for environmental resistance to form,

the MSWI project needs to be understood in ecological terms. This is far from automatically so, as our cases show. Instead, some local inhabitants may primarily see it as a land issue. This attests to the high relevance of framing for generating a basis for resistance.²⁶ As discussed by Heurlin in this volume, land expropriation can be a very potent motivation for protests. For farmers, it may mean the loss of their farmland or their livelihood. However, because not everyone will be affected by expropriation, a health hazard offers a broader mobilization base. Our cases show that in order for ecological framing to occur, resource-poor villagers tend to be dependent on external cognitive cues that emerge via networked contention.

These dynamics are epitomized in the Panguying case examined elsewhere by Bondes and Johnson.²⁷ In this locality, the farmers at first responded to the expropriation of collective village land for the construction of an MSWI with land claims – a rather fruitless approach. Assisted by supra-local allies, they shifted to ecological framing, centering on pollution and health hazards as well as breaches of environmental law related to EIA measures. This shift in framing and related modes of action eventually halted the project. This success would not have been possible without the support of other network nodes, in particular experts who opened the eyes of the affected community to health risks, NGO workers and media representatives who supported farmers against harassment by local officials, and a lawyer who lodged complaints against EIA fraud on behalf of the villagers.

Urban homeowners, who are on average better educated and resourced than villagers, may have less trouble piercing the initial “information haze.” Homeowners could perceive the problem as an economic matter rather than a health threat. For them, the construction of an MSWI may mean a loss of property value. However, an environmental frame guarantees a broader social support base – particularly when the claims are broadened beyond NIMBY (“not-in-my-backyard”) concerns to encompass the well-being of the larger city population. This was a successful strategy employed by the homeowners in all our urban cases. Its diffusion resulted in part from other contentious homeowner communities serving as role models.²⁸

Things get more complicated for networked contention when different social strata are affected, however. Affected communities are not a homogenous group. Villagers who have abandoned farming or do not depend on it may welcome the opportunity to “sell out” for a better life elsewhere (for, absent government-supported relocation, moving is not usually possible under Chinese laws). In two cases we investigated, Dagong and Asuwei in Beijing, parts of the affected villagers craved the chance to relocate because they hoped for better living conditions, particularly where they had suffered from a previously existing landfill. This drove a wedge between them and homeowners. As an Asuwei homeowner recalls:

We not only didn't link up with them [the villagers], they oppose us. [...] They dream about relocating one day. They have an online forum and curse me every day [...]. And why? They say that it's because I have obstructed the construction of the incinerator plant, that's the reason they can't relocate, can't take money. [...] They say, you silly rich people, you can do this and that [...], but have you thought about us? [...] So, in China the interests of different strata are not the same and the angle from which people contemplate a problem is also not the same.²⁹

Similar problems could also be observed in other cases, such as in Shanghai's Songjiang district and Guangzhou's Panyu district, where homeowners tried to mobilize villagers

around the new project site after the original site had been obstructed. Yet, the villagers in the new location showed little interest in contention. Similarly, in Beijing's Dagong case, the fragmented structure of affected communities in the area rendered the formation of an alliance of resistance impossible despite active attempts by supra-local actors to unite the local groups. As one Dagong homeowner recalled:

Last year, the Green Beagle [an NGO] people told me you have to link up with the villagers. That was the main advice they gave me, to unite the local villagers. [...] But after I talked with a bunch of them I realized that their way of looking at this issue is completely different from mine. Most of the villagers don't care about this thing. They absolutely don't care about environmental problems or about the problem of losing land. The only thing they care about is economic compensation.³⁰

Other contingent factors may intervene as well. In rural Panguanying, allegations of corruption among the village cadres were circulating before MSWI plans were uncovered. So, farmers immediately had suspicions regarding the project's legality. Similarly, in the Guangzhou peri-urban case of Likeng and urban Shanghai Songjiang the local atmosphere was tense prior to the project over complaints relating to landfill stench. This facilitated the organization of resistance. In contrast, a prior futile lawsuit about a land-related corruption issue in the peri-urban Beijing Dagong case discouraged villagers from taking anti-MSWI action. Also, in the peri-urban Shanghai case of Fengqiao, villagers regarded contention as futile due to prior experiences. Likewise, homeowners may be unwilling to invest energy and risk political trouble. In Beijing Asuwei most homeowners belonged to the urban upper middle class and spent most of their time in Beijing, with many of the affected houses primarily used on weekends. While this lessened their incentives to oppose the MSWI, another factor were their close ties to the Party-state: Many of these homeowners were working in the public sector and did not want to openly oppose a political decision. Homeowner resistance was similarly obstructed by weekend use of houses around the project site in Huiyang, near Shenzhen.

In short, due to contingent factors, any generalization about the functions of affected local communities in environmental contention has to be taken with a grain of salt. However, it seems clear that the more heterogeneous the interests of affected communities, the harder it is to mobilize them into action. In addition, we can conclude from our cases that local mobilization is a necessary condition for successful anti-MSWI contention: without it, outsiders' engagement can accomplish little. But the reverse also seems true: Local resistance without outside linkages rarely achieves any success. Networked contention and in particular vertical linkages with supra-local allies play an important role for the mobilization of resource-poor villagers. But more self-reliant homeowners also benefit from other network nodes, especially other homeowner communities with prior experiences of contention.

Experts

We now turn to the supra-local nodes in networked contention. In environmental contention, experts play a significant role and serve several functions. The environmental realm is characterized by uncertainty regarding the risks involved, as these are fiercely contested.³¹ Therefore, from the perspective of affected communities, information is often not enough;

it needs to be “certified” by trustworthy actors. This is where experts come in. They can lay claim to scientific expertise and assume a “neutral” role above the fray of actors with direct stakes in the contention, including project proponents, operating companies and local governments. It seems natural for affected communities to suspect foul play by these stakeholders, such as downplaying hazards and exaggerating the benefits of projects. More surprising, similar suspicions are also voiced by local actors with regard to outsiders who want to assist them in their struggles. Environmental NGOs, in particular, can be perceived as self-interested and only caring about their agenda of pushing for policy change. In contrast, an “expert” is someone seen as a neutral arbiter committed to scientific “truth.”

By far the most influential individual matching this description in the Chinese anti-incinerator realm is Zhao Zhangyuan, a retired researcher at the Chinese Research Academy of Environmental Sciences. Originally a specialist in water pollution, his interest in waste incineration was sparked during a study examining water pollution from Beijing landfills. He soon became one of the harshest critics of China’s push for incineration, and a fundamental opponent of this waste treatment strategy. Zhao began to publish his findings online, and is prominently cited in mass media as the most outspoken “expert” opponent of waste incineration.³² Through his published work, media presence and public lectures Zhao has played a crucial role in local contention against MSWIs across the country. He has also relayed international information to the domestic audience by disseminating translations of crucial texts and establishing transnational contacts with activists abroad. His personal influence was a factor in at least ten cases in our wider sample, covering all three clusters (Beijing, Shanghai and Guangzhou). As his media presence grew, affected communities began to seek him out. He provided useful issue-specific and technical advice that “certified” what other supra-local activists said, and had a significant impact on the development of local contention.

Zhao also made use of his renown to raise public awareness, for example by giving free lectures. The interplay between Zhao’s expertise and the media can be observed in the case of Panguanying. Here the farmers used a China Central Television (CCTV) broadcast on dioxin featuring Zhao as an expert to educate their neighbors about the dangers of incineration. When local officials confronted the village activists, they invoked the legitimacy of the state broadcaster for their own protection, since distributing information from this and other official sources could hardly constitute an offense.³³ In this way, Zhao’s scientific reputation and the political clout of some media outlets mutually reinforced one another.

While in the past few years Zhao has had to scale back his personal engagement due to declining health, he is not the only “no burn” expert on the scene. Other experts of his kind interviewed during our research were active more locally, such as two scientists working in Guangzhou. Like Zhao, they maintained close relationships with NGOs and affected communities in the field, and “certified” the NGOs’ information regarding the local population.³⁴

Lawyers

Like other environmental questions, the battle against MSWIs has involved legal struggle. Therefore, lawyers have been invaluable for local communities as primary advocates on

their behalf. Their efforts in environmental protection have to be understood as part of a broader “rights protection” (*weiquan*) movement in China. As detailed in the chapter by Eva Pils in this volume, the *weiquan* movement has challenged the state on its own terms, using laws issued by central authorities against local authorities who sit on their hands, circumvent or break the law.³⁵ Although in recent years virtually all *weiquan* lawyers and legal activists have been harshly repressed,³⁶ in the cases we studied, lawyers served vital functions for anti-MSWI contention.

An early example is the successful campaign against a planned plant in Beijing’s Liulitun. In 2006, local residents contacted the Center for Legal Assistance to Pollution Victims, established at the China University of Politics and Law in 1998,³⁷ which referred them to Xia, a prototypical environmental *weiquan* lawyer. After initial concerns that the campaign might turn into a mass incident and put him in a dangerous position, Xia eventually decided that the case had merit and advocated on the residents’ behalf – alongside Professor Zhao. The Liulitun campaign relied on legal means, pointing out flaws in the EIA and using peaceful demonstrations and expert criticisms to challenge the planned MSWI. Its eventual success is at least partly due to coincidence: then Vice-Minister of Environmental Protection, Pan Yue, took a personal interest in the issue after a large-scale demonstration in front of the State Environmental Protection Administration (SEPA) as it chimed well with his plans to increase public participation in EIA procedures.

Like in Liulitun, a good entry point for legal action against MSWI projects are flaws in the mandatory EIA procedures. Most importantly, according to the EIA Law and related regulations, the procedure includes a questionnaire survey of local residents within a two-kilometer radius. This is worrisome for project proponents because it may trigger further inquiries. Hence, the EIA units in charge sometimes forge all or part of the material. This was the situation in at least two of our nine cases. In Panguanying the project opponents found out about this by chance. Their legal representative, again the lawyer Xia whom they had read about in the context of the Liulitun campaign, followed up an unsuccessful administrative review with an administrative lawsuit. To the surprise of all involved, the court not only accepted the case, but also made the full EIA report and related documentation available to the plaintiffs. This is highly unusual, since only an abridged report version has to be published. Once the material was out, it became clear that the questionnaire survey had been forged, and the project approval based on this EIA report was withdrawn. A similar scenario also pertained in Beijing’s Dagong struggle (although this campaign was not successful due to a lack of local support). Beyond his legal assistance, Xia also introduced the Panguanying villagers to Professor Zhao and some NGOs working in this field.

In short, the engagement of environmental lawyers has enriched the armory of affected communities with legal weapons.³⁸ Though not regularly successful if wielded on their own, these measures can have a significant impact if they are employed in conjunction with other forms of pressure. Just as importantly, lawyers acted as nodes in an emerging network of activists against MSWIs, as seen in frequent mutual referrals. Once local opponents of a project come into contact with any of these crucial nodes, these individuals or organizations will help them connect with others who might be willing and able to assist them in their struggle. At present, however, central authorities’ crackdown on *weiquan* lawyers has largely removed this important resource for aggrieved citizens.

Environmental NGOs

As discussed above, NGOs sometimes need certification before they are accepted as information providers by local actors. In the words of an Asuwei homeowner:

The difference between me and the environmental protection personalities [*huanbao renshi*] is that I don't have such a strong smell of gunpowder. The environmental organizations only want to go and criticize the government [. . .]. But I don't think that has any use. If you oppose the government, then they won't listen to you, right? Moreover, sometimes their [the environmentalists'] views are quite childish [. . .]. So I thought that if you want to really do something, [. . .] you first have to become an expert in this field, then you will definitely have a voice. [. . .] Second, you need influence and that also depends on your expert knowledge. And third, you need the media. The media are a kind of resources. [. . .] But our NGOs lack all that.³⁹

In actuality, NGOs often advise against “radical” tactics and rash actions. Further, our cases contain numerous instances where NGOs were instrumental in shaping media strategy and providing connections to gain greater publicity for local causes.

The most important NGOs engaged in anti-MSWI struggles in China are Green Beagle and Nature University. The former was founded by environmentalist and *Guangming Daily* journalist Feng Yongfeng in Beijing in 2009. During an advanced academic training stay in the US, one of its staff members, Mao Da, came into contact with several transnationally active organizations fighting incineration, such as GAIA and IPEN.⁴⁰ He is representative of a new generation of Chinese environmentalists who possess scientific training and expertise, and are well-versed in international ecological debates. Together with other staff members, Mao moved to a new organization, Nature University, more specifically devoted to this issue, where he set up and has run a “School of Waste” (*laji xuexiao*) since 2011. There are close collaborative and personal connections between Green Beagle/Nature University and older Beijing-based organizations such as Friends of Nature and Global Village Beijing. In addition, the Wuhu Ecology Center was set up in 2008 with help from GAIA in the capital of Anhui province, concentrating on waste incineration. In 2011, with funding from the German Asia House Foundation, various NGOs were brought together to establish the Chinese “Zero Waste Alliance.” As this name indicates, these organizations are not fundamentally opposed to incineration, but do not see it as solution to the Chinese waste problem. Instead, they promote waste reduction, reuse and recycling.

In several of our cases, NGOs served key functions, including providing information, brokering horizontal and vertical linkages, and advising on strategies and tactics – often working hand-in-glove with the other actors discussed above.⁴¹ For instance, in Panguanying they organized a signature campaign against the stock market listing of the project operator, a company from Zhejiang. Their ally, the lawyer Xia, stated: “All of those engaged in incineration know that Nature University is to be feared most. They are the fiercest and have the most power to oppose incineration.”⁴² During the same episode of contention, representatives of the involved NGOs even served as election observers when the struggle turned from the courts to village elections that were repeatedly sabotaged by local authorities and hired thugs. In the aftermath, the NGO workers, together with a journalist they had brought with them to cover the event, testified in favor of an anti-MSWI activist who was wrongfully charged with battery. Together they managed to clear his name.

While this example of successful NGO involvement against local MSWI projects may be exceptional, their more common functions as information providers and brokers cannot be overestimated. A noteworthy example is the “toolkit” developed by Nature University and available for download at the NGO’s Sina microblog account. It contains not just a wealth of documents, such as Chinese laws and regulations pertaining to EIA and incineration, but also several Chinese translations of international studies by GAIA, Greenpeace and the World Bank. Among the most useful resources in this package, which the NGO distributes to anyone in China seeking their advice, is a blueprint for an “opinion booklet” modeled on the one compiled by local activists in Liulitun and Asuwei, Beijing. It was used in several of our cases, such as Panguanying, to demonstrate that the community had become “lay experts” and to use this positioning to challenge the authorities’ siting decisions. The package served as a crucial starting point for locals interested in launching resistance against an incineration project. Moreover, as mentioned above, there were numerous cases in which NGOs, experts and lawyers linked local activists to one another, exhibiting a close-knit network of contention. Along with the wholesale repression of *weiquan* lawyers, in more recent years, central authorities have moved to limit the ability of Chinese citizens to work with international NGOs in this way, through new laws requiring registration and strict oversight, and limiting their ability to provide financial aid.

Media Representatives

Our cases also included many instances in which media representatives served essential functions – both directly and indirectly – to bolster resistance against MSWIs. An unexpected finding is that official state- or Party-controlled media often are quite critical of incineration, and (at least in their English version) publish articles with a skeptical stance or approving of local contention. Because these media outlets speak from a position of authority, “no burn” activists can use these publications to enhance their position vis-à-vis local authorities.

A case in point is the above-mentioned Chinese-language CCTV documentary containing Professor Zhao’s critique of waste incineration as harmful because of dioxin. This documentary was obtained by Panguanying activists, who distributed it to alert their fellow villagers and collect signatures against the project. As one of them recalled:

Just right then there was also this CCTV 2 broadcast. [. . .] There was a report that the [Beijing] municipal administration had wiped the [Liulitun] *laobaxing*’s concerns away, saying there will be no pollution. [. . .] But the scientists said there will be pollution. Zhao Zhangyuan said this will eventually cause cancer. He absolutely does not agree with building incinerators. This is not what I said; CCTV broadcast this. And what they say, one has to believe, right?⁴³

When local officials charged them with distributing illegal materials, they could retort that a report by the official state TV broadcaster could hardly be “illegal.” The media played an even more direct part in protecting these villagers in the election saga discussed above. Remarkably, it was a journalist of the Party-controlled *Global Times* – otherwise best known for its strident nationalism – who testified on behalf of the unjustly incriminated protest leader as an eye-witness. The elections were not only covered by Green Beagle staff on their microblogs, but also reported in this highly regarded official media outlet – at least in its English version.⁴⁴

Involvement by media representatives is often based on personal connections to supra-local actors (experts, academics, NGOs) or affected communities. But, at least in one instance, such a connection arose from serendipity rather than calculation. As the number of local contentions against MSWIs continued to climb, in late 2009 Hong Kong-based Phoenix Television invited representatives of affected communities and experts who had never met before. Among these were Huang – a lawyer and resident of Asuwei, Beijing, who had previously been arrested for staging a protest against a planned incinerator there – and the waste expert Wang of Beijing's Municipal Administration Commission. Sharing a smoke, the two men struck up a conversation and established a personal relationship that was to take Huang on an inspection tour of advanced waste incinerators in Japan, organized by Wang for the Beijing municipal government and receiving massive media attention. After this trip, Huang transformed from a NIMBY resister to an environmental entrepreneur who established his own waste sorting company, the "Green House" (*lǜ fāngzì*), in 2011.⁴⁵ The chance meeting facilitated by the media contributed a great deal to deescalating the tensions between Asuwei community members and Beijing municipal authorities.⁴⁶

CONCLUSION

This study shows that a tight network of contention has emerged in the environmental arena, consisting of experts, lawyers and NGOs at its core and interested media representatives at the fringes, who forge close ties with local affected communities to the great benefit of both sides. In the nine cases we analyzed, the supra-local actors flexibly and most of the time harmoniously worked together to achieve their goals. However, when local communities are fragmented, disinterested in the issue or generally disempowered such that local resistance is hard to mobilize, supra-local activists are essentially powerless to achieve any success against individual MSWI projects. Further, even when vertical linkages are strong, success is far from guaranteed given China's powerful "pro burn" faction.

But the mere existence of networked contention as a meso-level social phenomenon is an important fact in the authoritarian political context of China. It increases the impact of supra-local actors and facilitates flexible responses to local contention. Different nodes within this network collaborate and exchange views on various cases, learning from each other and continuously devising new methods to mount resistance. While the "Zero Waste Alliance" can be seen as an effort to consolidate and institutionalize the "no burn" community, we do not yet see this as the beginning of a broader environmental movement. Further, it is doubtful whether the "no burn" community can continue a trajectory of growth and institutionalization under the current adverse political climate. In addition, networked contention may hold significant advantages in the Chinese authoritarian political context, where more established organizations run a higher risk of setting off alarm bells. Therefore, for the time being, networked contention – a significant development in and of itself – will likely continue without developing into a broader movement.

NOTES

1. China Daily, "Communiqué of the Sixth Plenum of the 16th CCP Central Committee," *China Daily*, 11 October 2006, http://www.chinadaily.com.cn/china/2006-10/11/content_706239.htm.
2. Shu Wang, "Wo guo huanjing quan shijian nianjun dizeng 29% sifa jie jue bu zu 1%" (我国环境群体事件年均递增29% 司法解决不足1%) [The number of our country's environmental mass incidents increases 29 percent annually; those settled legally don't reach 1 percent]," *Beijing News (Xin jingbao)*, 27 October 2012, <http://news.qq.com/a/20121027/000067.htm>.
3. Guobin Yang, "Environmental NGOs and Institutional Dynamics in China," *The China Quarterly* 181 (March 2005): 46–65 (emphasis in original).
4. Lily Kuo, "How Smog and Tainted Food Could Bring Democracy to China," *Quartz*, 18 January 2013, <https://qz.com/44684/china-democracy-smog-and-tainted-food/>.
5. Björn Alpermann, "State and Society in China's Environmental Politics," in *China's Environmental Crisis: Domestic and Global Political Impacts and Responses*, eds., Joel Jay Kassiola and Sujian Guo (New York: Palgrave Macmillan, 2010), 146.
6. For a similar argument, see Christoph Steinhardt and Fengshi Wu, "In the Name of the Public: Environmental Protest and the Changing Landscape of Popular Contention in China," *The China Journal*, no. 75 (November 2015): 61–82.
7. Our notion of networked contention is less concerned with the actual communication processes within that network or the technologies involved, but rather focuses on the functional differentiation between actors playing different roles in that network. Compare W. Lance Bennett and Alexandra Segerberg, "The Logic of Connective Action: Digital Media and the Personalization of Contentious Politics," *Information, Communication & Society* 15, no. 5 (2012): 739–68; W. Lance Bennett and Alexandra Segerberg, "Three Patterns of Power in Technology-Enabled Contention," *Mobilization: An International Quarterly* 19, no. 4 (2014): 421–39.
8. Hongtao Wang and Yongfeng Nie, "Remedial Strategies for Municipal Solid Waste Management in China," *Journal of the Air & Waste Management Association* 51, no. 2 (2001): 264–72; World Bank, "Waste Management in China: Issues and Recommendations," World Bank Urban Development Working Paper 9, East Asia Infrastructure Department, 2005, <http://documents.worldbank.org/curated/en/2008/05/9835181/waste-management-china-issues-recommendations>.
9. Qingzhang Dong et al., "Municipal Solid Waste Management in China: Status, Problems and Challenges," *Journal of Environmental Management* 91, no. 8 (2010): 1623–33; Nomura, "Asia Water and Environment," Nomura Equity Research Anchor Report, 14 December 2012; Hongtao Wang, and Yongfeng Nie, "Municipal Solid Waste Characteristics and Management in China," *Journal of the Air & Waste Management Association* 51, no. 2 (2001): 250–63.
10. Hui Hu, "A Critical Evaluation of Waste Incineration Plants in Wuhan (China) Based on Site Selection, Environmental Influence, Public Health and Public Participation," *International Journal of Environmental Research and Public Health* 12, no. 7 (2015): 7593–614.
11. Hairong Wang, "The Burning Question," *Beijing Review*, 24 July 2014, http://www.bjreview.com.cn/nation/txt/2014-07/21/content_630379.htm; Dawei Yu, "Trash Incineration to Double by 2015," *Caixin*, 12 September 2011, <http://english.caixin.com/2011-12-09/100336539.html>; Qi Zhai, "The Poisonous 'Perfume,'" *Global Times*, 13 May 2010, <http://www.globaltimes.cn/content/531601.shtml>.
12. Dengke Meng, "The Fire-Starters," *Southern Weekend*, 3 December 2009, reprinted in *China Dialogue*, 14 May 2010, <https://www.chinadialogue.net/article/3619-The-fire-starters>; Quanlin Qiu, "Experts Quarrel over Plant's Risks," *China Daily*, 18 March 2010, http://www.chinadaily.com.cn/china/2010-03/18/content_9606269.htm; Haitao Xu, "Boyi Asuwei (博奕阿苏卫) [The Asuwei Game]," *Business Watch* (Shangwu zhukan, 商务周刊), 8 April 2010, <http://finance.sina.com.cn/leadership/mroll/20100408/14337711690.shtml>.
13. Xinzen Lan, "A Burning Question," *Beijing Review*, 8 July 2010, http://www.bjreview.com/business/2010-07/05/content_283040.htm; Ru Wang, "The Burning Issue," *China Dialogue*, 28 July 2009, http://www.chinadaily.com.cn/cndy/2009-07/28/content_8479490.htm; Jingjing Xuyang, "Garbage Incineration Protests Continue," *Global Times*, 22 October 2009, <http://www.globaltimes.cn/content/478962.shtml> (link no longer available).
14. Jun Ma, "Solving the Incinerator Uproar," *China Dialogue*, 22 December 2009, <https://www.chinadialogue.net/article/show/single/en/3436>; Meng, "Fire-Starters"; Jing Meng, "To Burn or Not to Burn: A Hot Topic," *China Daily*, 22 June 2010, http://www.chinadaily.com.cn/cndy/2010-06/22/content_10000256.htm; Xu, "The Asuwei Game."
15. Yanmei Xie, "China's Garbage Incinerators Raise Stink," news report on GAIA website, 11 January 2010, <http://www.no-burn.org.net/article.php?id=907>.
16. Elizabeth Balkan, "The Dirty Truth about China's Incinerators," *China Dialogue*, 4 July 2012, <https://www.chinadialogue.net/article/5024-Dirty-truth-about-China-s-incinerators>; Leslie Hook, "Growing Rubbish

- Mountain Haunts Beijing,” *Financial Times*, 10 April 2012, <http://www.ftchinese.com/story/001044060/en/?print=y>.
17. Interview with Zhao, Beijing, 8 November 2012; interview with GAIA staff, Shanghai, 23 June 2013; interview with IPEN staff, Shanghai, 22 June 2013; Neil Tangri, *Waste Incineration: A Dying Technology* (Quezon City, Philippines and Berkeley, CA: GAIA, 2003), <http://www.no-burn.org/downloads/Waste%20Incineration%20-%20A%20Dying%20Technology.pdf>; World Bank, “Waste Management in China.”
 18. The term “networked contention” is also used in the context of Internet-enabled activism. See, among others, Alexandra Segerberg and W. Lance Bennett, “Social Media and the Organization of Collective Action: Using Twitter to Explore the Ecologies of Two Climate Change Protests,” *Communication Review* 14, no. 3 (2011): 197–215; and Bennett and Segerberg, “The Logic of Connective Action.”
 19. Maria Bondes, *Chinese Environmental Contention: Linking Up Against Waste Incinerators* (Amsterdam: Amsterdam University Press, forthcoming). Linkages are also the major focus of Maria Bondes and Thomas Johnson, “Beyond Localized Environmental Contention: Horizontal and Vertical Diffusion in a Chinese Anti-Incinerator Campaign,” *Journal of Contemporary China* 26, no. 106 (2017): 504–20. On broadening constituencies and emerging alliances across different social groups in Chinese environmental contention, see also Chapter 15 by H. Christoph Steinhart in this Handbook.
 20. Thomas Johnson, “Environmentalism and NIMBYism in China: Promoting a Rules-Based Approach to Public Participation,” *Environmental Politics* 19, no. 3 (2010): 430–48; Kristy Michaud, Juliet E. Carlisle, and Eric R.A.N. Smith, “Nimbyism vs. Environmentalism in Attitudes toward Energy Development,” *Environmental Politics* 17, no. 1 (2008): 20–39.
 21. Doug McAdam and Hilary Schaffer Boudet, *Putting Social Movements in their Place: Explaining Opposition to Energy Projects in the United States, 2000–2005* (Cambridge: Cambridge University Press, 2012), 135.
 22. Christopher Rootes, “Acting Locally: The Character, Contexts and Significance of Local Environmental Mobilisations,” *Environmental Politics* 16, no. 5 (2007): 722–41, 725.
 23. A fuller treatment of the empirical cases is presented in Bondes, *Chinese Environmental Contention*.
 24. McAdam and Boudet, *Putting Social Movements in their Place*; Rootes, “Environmental Movements”; Sherman, *Not Here, Not There, Not Anywhere: Politics, Social Movements and the Disposal of Low-Level Radioactive Waste* (Washington, DC: RFF Press, 2011); Walsh, Warland, and Smith, *Don’t Burn It Here*.
 25. Interview with Nie, Beijing, 7 June 2013; interview with Zhao, Beijing, 8 November 2012; Pöyry Beijing Consulting Company Limited, “FECC Business Opportunities in the Fields of MSW, Sludge and E-waste in China.” Market Study. Finnish Environmental Cluster for China (FECC), 2009, http://new.teknologiateollisuus.fi/file/6126/FECCMSWGeneralReport_170809.pdf.html.
 26. Yanhua Deng and Guobin Yang, “Pollution and Protest in China: Environmental Mobilization in Context,” *The China Quarterly* 214 (June 2013): 321–36.
 27. Bondes, *Chinese Environmental Contention*, Bondes and Johnson, “Beyond Localized Environmental Contention.”
 28. On learning processes between urban homeowner communities also in other issue fields compare Chapter 18 by Simona Grano and Yuzheng Zhang in this Handbook and Zi Zhu, “Backfired Government Action and the Spillover Effect of Contention: A Case Study of the Anti-PX Protest in Maoming, China,” *Journal of Contemporary China*, 26, no. 106 (2017): 521–35.
 29. Interview with Asuwei campaigner, Beijing, 31 July 2013.
 30. Interview with Dagong homeowner, Beijing, 29 May 2013.
 31. Ulrich Beck, *Risikogesellschaft: Auf dem Weg in eine andere Moderne* (Berlin: Suhrkamp, 1986); Yunxiang Yan, “Food Safety and Social Risk in Contemporary China,” *Journal of Asian Studies* 71, no. 3 (2012): 705–29; Jennifer Zhao and Peter Ho, “A Developmental Risk Society? The Politics of Genetically Modified Organisms (GMOs) in China,” *International Journal of Environment and Sustainable Development* 4, no. 4 (2005): 370–94.
 32. Interview with Zhao, Beijing, 8 November 2012; Weiya Huo, “Sorting the Rubbish in Beijing,” *China Dialogue*, 11 September 2009, <https://www.chinadialogue.net/article/3247-Sorting-the-rubbish-in-Beijing>; Sipan Li, “Fan laji fenshao weiquan tuwei ji Beijing Aobei bieshu qu yezhu PK Yazhou zui da laji fenshao (反垃圾焚烧维权突围记 北京奥北别墅区业主PK亚洲最大垃圾焚烧) [Report of Anti-Waste Incineration Rights Protection Breaking out of the Encirclement: Villa Resident PK of Beijing Aobei and Asia’s Largest Waste Incinerator],” *Southern Metropolis Daily (Nanfang dushi bao, 南方都市报)*, 3 March 2010, <http://news.sina.com.cn/s/2010-03-03/050217155296s.shtml>; Wang, “The Burning Issue”; Xu, “The Asuwei Game”; Zhangyuan Zhao, “Incineration Plants Not Answer to Trash Problem,” *China Daily European Weekly*, 6 May 2011, http://europe.chinadaily.com.cn/epaper/2011-05/06/content_12458769.htm; Zhangyuan Zhao, “Fenshao hunhe laji yi cheng guojie laoshu! (焚烧混合垃圾已成过街老鼠!) [The incineration of mixed waste has already become hated by everyone],” post on Zhao’s personal Sohu blog, 31 October 2012, <http://zhaozhangyuan.blog.sohu.com/>.
 33. Interview with Panguanying campaigner, Panguanying village, 27 July 2013; Huage Shang, “Juji laji fanshao

- chang (狙击垃圾焚烧厂) [Sniping at waste incinerators]," *China Weekly* (*Zhongguo zhouskan*, 中国周刊), 21 March 2013, <http://www.chinaweekly.cn/bencandy.php?fid=63&id=6503>.
- 34. Interviews with two experts, Guangzhou, 30 June and 2 July 2013.
 - 35. Hualing Fu and Richard Cullen, "Climbing the Weiquan Ladder: A Radicalizing Process for Rights-Protection Lawyers," *The China Quarterly* 205 (March 2011): 40–59.
 - 36. Nectar Gan, "EU Urges China to Investigate Reports of Torture of Lawyers Detained in '709 Crackdown,'" *South China Morning Post*, 29 January 2017, <http://www.scmp.com/news/china/policies-politics/article/2066378/eu-urges-china-investigate-reports-torture-lawyers>.
 - 37. Alpermann, "State and Society," 138.
 - 38. On similar functions played by lawyers in local anti-PX contention see Xiaoyi Sun, Ronggui Huang, and Ngai-Ming Yip, "Dynamic Political Opportunities and Environmental Forces Linking Up: A Case Study of Anti-PX Contention in Kunming," *Journal of Contemporary China*, 26, no. 106 (2017): 536–48.
 - 39. Interview with Asuwei campaigner, Beijing, 17 October 2012.
 - 40. GAIA stands for Global Alliance of Incinerator Alternatives (see www.no-burn.org); IPEN is short for International POPs [persistent organic pollutants] Elimination Network (www.ipen.org). Interviews with Nature University staff, Beijing, 11 October 2011; 29 October 2012; 25 July 2013; 26 March 2014.
 - 41. On similar functions played by Chinese social organizations in local anti-PX contention see also Sun, Huang, and Yip, "Dynamic Political Opportunities."
 - 42. Interview with Xia, Beijing, 6 November 2012.
 - 43. Interview with Panguanying campaigner, Panguanying village, 4 November 2012.
 - 44. Linlin Liu, "Villagers Protest Delayed Election," *Global Times*, 30 November 2012, <http://www.globaltimes.cn/content/747434.shtml>; Linlin Liu, "Stealing Elections," *Global Times*, 3 December 2012, <http://china-wire.org/?p=25256>; Linlin Liu, "Police Tell Election Protesters to Report," *Global Times*, 8 January 2013, <http://china-wire.org/?p=25256>.
 - 45. Interview with Asuwei campaigner, Beijing, 17 October 2012; interview with BMAC staff, Beijing, 7 November 2012; Xu, "The Asuwei Game."
 - 46. A similar phenomenon was also observed in the Maoming anti-PX protest, where activists were provided with the unintentional opportunity to establish networks at an official press conference: Zhu, "Backfired Government Action."

17. Possibilities for environmental governance in China? Anti-incinerator activists turned participants in municipal waste management in Guangzhou

Natalie W.M. Wong

Environmental degradation resulting from urbanization and industrialization is one of the dominant challenges facing China. The intense environmental effects of air, water, and land pollution have led to social unrest that has threatened local political stability. Although the Chinese government has initiated several environmental protection policies and sought to develop an “environmental state,”¹ growing activism in response to the poor environment suggests that its efforts in environmental management have failed. Between 2000 and 2013, 871 cases of protests (群体性事件) were reported: 68 percent of them had more than 100 participants and 31 percent of cases had more than 1,000 participants, alarming the Chinese government.² These included 37 cases of environmental protests (环境群体性事件) against polluting facilities in major urban cities across the country.³ The protestors complained that the polluting facilities were damaging public health and the ecosystem. The lack of public participation in the decision-making processes on environmental issues has been a contributing factor. Environmental unrest highlights the constraints that make it difficult for environmental groups to contribute to environmental management in China. In this chapter, these issues are examined in a case study of protests against an incinerator facility in Guangzhou, a city in southern China.

Similar to other urbanized cities in China, Guangzhou has been facing increasing volumes of municipal waste, and city officials have been seeking effective urban management solutions. To reduce the amount of waste going to landfill, the Guangzhou government introduced a plan to build waste incinerators in areas such as the Panyu district. However, the citizens of Panyu launched a series of protests against the government’s plan to build the incinerator. In the face of this social pressure, the Guangzhou government suspended the incineration project. This outcome changed the relationship between the government and activists, with the government establishing a public supervision committee to encourage citizens to participate in decision-making on municipal waste management, and allowing activists to form a green group to promote waste sorting in Guangzhou. This case provides further evidence of the possibilities for collaborative environmental governance in non-democratic China.

COLLABORATIVE ENVIRONMENTAL GOVERNANCE

Collaborative environmental governance aims to involve public, private, and non-governmental stakeholders in environmental management. This collaborative approach to

policymaking not only reduces the likelihood of conflict, but also serves to include local knowledge in the environmental policy decision-making process and improve the government's understanding of local community concerns.⁴ As noted by Randolph and Bauer, methods for effectively implementing collaborative decision-making include encouraging multiple stakeholders to participate in civic conversations, to ensure the responsibilities for the outcomes are shared, and to minimize disputes.⁵ Recently, the national government has implemented various mechanisms for public participation in environmental management that provide the background for this chapter's investigation of the possibilities for collaborative environmental governance in China.

PUBLIC PARTICIPATION IN ENVIRONMENTAL MANAGEMENT IN CHINA

Various forms of institutionalized participation in environmental management exist in China, including public hearings, the formation of environmental groups, lawsuits, and requests for information disclosure. In 2000, the Legislation Law was introduced guaranteeing public participation in various legislative processes.⁶ Under this law, the Standing Committee of the National People's Congress (NPC) and the State Council are required to seek public input through workshops, expert meetings, and hearings.⁷ Opportunities for public participation greatly expanded during the rule of Hu Jintao in the mid-2000s. At the 17th Party Congress in 2007, the Chinese government promulgated a policy of "scientific and democratic decision-making" which aimed to strengthen the effectiveness of the institutions of governance and institutionalize public hearings for formulating laws, regulations, and public policies.

In addition, the Regulation on the Disclosure of Government Information (2008) and the Administrative Reconsideration Law (1999) were seen as breakthroughs for public participation. The former aims to increase government transparency, while the latter guarantees that citizens can apply for administrative reconsideration if a law or an administrative act infringes upon their lawful rights or interests.⁸ The revised Environmental Protection Law (2014) also grants environmental nongovernmental organizations (ENGOs) the right to sue polluters on behalf of public interests. Once registered, and after operating for more than five years and having no criminal record, ENGOs are able to file lawsuits against polluters and effectively pressure companies to comply with relevant legislation.⁹ As is also discussed in the chapter by Alpermann and Bondes in this volume, the rise of ENGOs has enhanced the scope of public participation in China. Following the establishment of the first ENGO, Friends of Nature (*ziran zhiyou*), in the mid-1990s, the number of ENGOs began to proliferate. In 2015, there were 7,000 registered ENGOs across the country that mainly had roles in education and advocacy.¹⁰

However, the increasing incidence of mass protests demonstrates the shortcomings of current participatory mechanisms and the weakness of civil society in China. The urban environmental protests that have occurred in the last decade—which are the focus of this chapter—were mainly led by individual citizens rather than ENGOs. Urban environmental protests such as those against the PX chemical factories in Dalian in 2011, Xiamen in 2007, and Kunming in 2013; the incineration plants in Beijing in 2006, Huizhou in 2014, and Guangzhou in 2009; the Maglev transportation system in Shanghai in 2008; and the

copper plant in Sichuan in 2012 expressed NIMBY concerns and residents' fears that the nearby polluting infrastructures would have negative health and environmental impacts.

The lack of participation in the decision-making processes was also a reason for the protests.¹¹ Elizabeth Economy highlights several limitations of the current participatory mechanisms that have led to their failure in China: public participation is not compulsory for all projects; there is a short window for public consultation; selection of the participants in the consultations is selective and biased; and the disclosure of information is non-transparent.¹² In addition, NGOs remain strictly controlled by the government. In addition to having to register with the government, NGOs are not allowed to accept donations or set up other offices across the country, and the Chinese government strictly monitors their activities. As such, environmental groups in China tend to act in a non-radical and non-confrontational manner. These limitations hinder the ability of the NGOs to play an effective role in environmental protests.

The Panyu protests are important because they changed the relationship between the Guangzhou government and environmental protestors, leading to collaboration between anti-incinerator activists and the government on municipal waste management in Guangzhou. In the following section, the activism that developed in response to the planned incinerator plant in Guangzhou is introduced to illustrate the changing relationship between the state and non-state actors.

THE ANTI-INCINERATOR MOVEMENT IN GUANGZHOU: FROM ACTIVISM TO A CONSULTATIVE COMMITTEE

Background

Guangzhou is the political and economic center of Guangdong province, with an area of 7,434 square kilometers and a population of around 8 million, of which over 67 percent were permanent residents in 2009.¹³ The city is divided into ten districts (Yuexiu, Haizhu, Liwan, Tianhe, Baiyun, Huangpu, Huadu, Panyu, Nansha, and Luogang) and two county-level cities (Conghua and Zengcheng). As a result of the area's rapid economic development, gross domestic product (GDP) per capita in Guangzhou reached US\$13,000 in 2009. The city is one of the wealthiest in China, with both secondary and tertiary industries (such as automobile manufacturing, tourism, business, and exhibitions) making key contributions to its economy. Guangzhou was a pioneer city during the early reform period. In 1978, the year the open-door policy was implemented in China, Guangzhou reformed its price system and changed to a market-oriented system. The city also implemented a shareholder system in the late 1990s, and became one of the most marketized areas of the country.¹⁴ Thus, Guangzhou is often described as an "open city" with a relatively pluralistic society.¹⁵

As in other places in China, municipal waste is a pressing environmental issue in Guangzhou. This wealthy city generates around 12,000 tons of waste per day,¹⁶ with incineration and landfills serving as the primary waste management solutions. There are currently two landfills and one incinerator operating in the city, with 90 percent of waste delivered to the landfills,¹⁷ which are expected to be full in three years.¹⁸ The construction of the incinerator was seen as providing an alternative for reducing waste in the city.

The Rise of Anti-Incineration Activism in Panyu District

Panyu, a highly urbanized district in southeast Guangzhou, was proposed as the location for a new incinerator. Panyu covers an area of 1,314 square kilometers and had a population of 1.52 million in 2009.¹⁹ There are several landmarks in the district, including Guangzhou University and Chimelong Xiangjiang Safari Park. In addition, various famous and new residential complexes—such as Riverside Garden, Clifford Estates, and Huanan Country Garden—were located within 6 kilometers of the proposed incinerator site.²⁰ The closest residential area to the proposed site was just 1 kilometer away. The Panyu district government posted the plans for the incinerator project in February 2009, with the expectation that construction would be completed in 2010. The municipal government cited the Likeng incinerator in Baiyun district as an “outstanding example,” and claimed in promotional materials that the proposed incinerator would use the same technology. Initially, the proposal did not receive much attention from local residents.²¹

In September 2009, the Municipal Urban Management Bureau confirmed that the incinerator project would go ahead. The land was requisitioned at the same time the environmental impact assessment (EIA) was launched. The residents learned from a government website that a waste incinerator power plant was going to be built, and posted the information on an online residential discussion forum, “Jiangwaijiang” (江外江論壇).²² The news spread quickly, and several online discussion forums posted the same message protesting the incinerator project. The information on the government website revealed that the Panyu district government had proposed and approved the construction of the waste-to-energy incinerator in 2004, and that the Guangzhou Planning Bureau had approved the location in 2006 without the residents’ knowledge. The government did not consult the public from the time of implementation through the time of approval. The residents also learned that the proposed location was less than 6 kilometers from residential complexes. In the following days, the residents came together to study the effects of the incinerator and discuss what, if any, action to take. Later, on October 13 and 14, 2009, the residents took to the streets to gather signatures for a petition, and distributed handbills explaining the problems associated with incinerators and seeking public support.

Alongside these actions, the residents organized a visit to the Likeng (李坑) waste-to-energy plant located in Baiyun district (白雲區), a northern suburb of Guangzhou city. The Likeng plant was the first incinerator constructed in the city, and was hailed as an exemplar by the municipal government.²³ However, the Panyu residents found that the incinerator exuded a noxious smell into the surrounding area, and expressed their concerns about the technology. The Likeng incinerator was built on what had previously been a landfill site that had seriously polluted the underground water, affecting a nearby village. The environmental deterioration continued even after the landfill was closed in 2004. The incinerator was built in 2005, at a distance of less than 300 meters from local houses. The smell and dust from the incinerator spread over the village, and the effects on the health of the local populace were discussed in the media. Overall, 62 cases of cancer were reported in this village of 8,000 people, with 42 people dying between 2005 and 2009. The villagers believed that the cancer rates were related to the emissions from the incinerator.²⁴ The Panyu residents expressed their sympathy to the villagers and reiterated their opposition to the Panyu incinerator project. Resident activists also made a documentary entitled *Who*

Can Save You, People in Likeng? (誰來拯救你，李坑人民), which was uploaded to the Internet to publicize the hazardous effects of the incinerators.²⁵

Some days later, a group of residents presented a letter stating their concerns and a 1,000-signature petition to the Guangzhou Municipal Bureau for Environment and Hygiene (now renamed the Guangzhou Municipal Urban Management Committee). The agency promised to reply within two months. The letter expressed the residents' dissatisfaction with the plan to build the incinerator without public consultation, and requested that the agency disclose the details of the EIA process and cancel the project. In the following days, the residents visited the Panyu district government, the South China Institute of Environmental Sciences (the agency responsible for conducting the EIA for the incinerator), and the Municipal Bureau of Gardens of Panyu district (廣州市番禺區市政園林管理局), the agency responsible for choosing the incinerator's location. They also contacted members of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference (CPPCC) and mass media outlets for support.

On October 25, 2009, dozens of protesters wearing surgical masks and dressed in t-shirts bearing the slogan "Refuse Toxic Air" collected signatures from the public at the entrance of a supermarket. Some of the protestors held banners with slogans such as "Anti-burning" and "Anti-dioxin."²⁶ Their actions attracted the attention of the police, who arrested some protestors on charges of "alleged unlawful assembly." A few days later, on November 22, a press conference was held, during which representatives of the municipal and district governments announced that they had not changed their positions and emphasized the incinerator's necessity. This angered the residents. On the following morning, 1,000 protestors "strolled" to the headquarters of the municipal government and Guangzhou Municipal Urban Management Committee carrying banners, where they shouted slogans and sang the national anthem. Although the police were present and the protesters posted their banners on police patrol cars, the police remained on standby and did not take further action. After lunch, the municipal government suggested that the protesters select a representative to enable better communication. However, the residents rejected this offer, shouting, "We are representing ourselves!" and "No one is representing us!" Eventually, at 2 p.m., the protestors left peacefully.

In the face of this opposition, the government attempted to change its position on the incinerator project. Three days after the protest march, the Panyu district government suggested inviting an expert to consult on a comprehensive plan for the district, on which the residents would be invited to vote. The Municipal Environmental Protection Bureau (EPB) also announced that it would assess the EIA for the incinerator and show the final decision to the public after the hearings. A breakthrough occurred on December 10, two weeks after the "stroll," when the district government announced that construction of the planned incinerator would be postponed until 2011 (a year after the 2010 Asian Games, which were hosted in Guangzhou). Around this time, the district government released a document on waste management solutions and sought public input. Finally, the Party secretary of the district was invited to attend a meeting with the residents of Riverside Garden on December 20, 2009. At the meeting, the Party secretary indicated that the project had been suspended as a result of the mass opposition, and announced that public opinion on waste management in the district would be considered in the future. It was also decided that a study would be conducted on the feasibility of introducing waste sorting in a small residential community.²⁷

Incinerator Project Returns to Panyu District

Although the plan to construct the incinerator was suspended and the mayor promised to introduce a waste-sorting scheme in ten small communities in April 2011,²⁸ the controversy over the incinerator project reappeared after the Asian Games. At a press conference on April 11, 2011, the Panyu district government announced that five potential locations for the incinerator had been selected, and that one would be chosen after two months of public consultation on the proposal.²⁹ The proposal was contentious. In part this was because Dashi town (大石)—despite being a site of mass citizen opposition in 2009—was included as one of the five proposed locations. Moreover, three of the locations were near Shunde (順德區) district (3–5 kilometers away), and the Shunde district municipal government had not been informed.³⁰ Citizens in Guangzhou and Shunde district questioned the standards that were used to choose the locations, the means of public involvement in the selection process, and the processes for supervising the incinerator operations. In addition, given the questionable level of public input, the citizens were concerned that the waste-sorting plan would eventually be halted. The residents of Foshan, particularly those in the Shunde district, were concerned about ash from the incinerator polluting the land and rivers within the district, and suggested that the district governments introduce better communication systems to monitor these issues.³¹ The Bureau of Environment, Transportation, and Urban Management for the Shunde district (順德區環境運輸和城市管理局) also expressed concerns about the proposed incinerator, claiming that the Panyu district government had not informed it of the proposal. To minimize the environmental impact in the Shunde district, the Bureau expected the Panyu government to conduct comprehensive planning before constructing the incinerator.³²

Days later, the leaders of the Shunde district municipal government and Shunde district government asserted that they had known nothing about the project until they learned about it in the mass media, and that the Panyu district government should have consulted with Shunde district. On April 15, 2011, the Bureau of Environment, Transportation, and Urban Management for Shunde district visited the Guangzhou and Panyu EPBs to obtain more information about the proposed incinerator.³³ After the visit, Shunde government officials disclosed the contents of the meeting and the response from the Panyu EPB. The Panyu EPB emphasized that the Guangzhou Urban Planning Bureau was responsible for choosing the location for the incinerator, while the district EPB was responsible for managing the EIA. Finally, the Shunde government forwarded a message outlining its opposition to the incinerator to the Guangzhou Urban Planning Bureau.³⁴

At a press conference on April 21, 2011, the Panyu government released the details of the standards and processes that had been used to choose the incinerator locations, which had been selected by the urban planners in special meetings, alongside its plans to collect public opinion. The Guangzhou municipal government then consulted the neighboring district governments and launched a special seminar for studying the locations. Eventually, it was decided that an EIA would be conducted for the selected location. The Panyu district government expected the EIA to be completed by the end of 2011.³⁵

However, the disclosure of the selection process did not quell the anger of the local residents. On April 25, 2011, dozens of residents from Riverside Garden and elsewhere met with the Municipal Urban Management Committee and expressed their dissatisfaction with the consultation process. The residents pressed the government to extend the

waste-sorting scheme to the whole city, and presented the authority with a 5,000-signature petition and a letter opposing the construction of the incinerator in Dashi town. The Panyu district government did not provide an immediate response. A resident living in Riverside Garden told me that he attempted to submit a proposal for a waste-sorting scheme for Riverside Garden, but did not receive any support from the Municipal Urban Management Committee. He felt frustrated because the residents lacked the resources to promote waste sorting in their residential complex.³⁶

The mass media kept an eye on the debate over the location selection. Nandu.com organized an online poll on the best place to build the incinerator.³⁷ More than 380,000 votes were cast, with the majority (over 57,000) opposing the location in Dashi due to its proximity to several residential complexes. Dagang town (大崗鎮), located in southwest Panyu district, was favored by voters as an ideal location for the incinerator (around 53,000 votes) because it was several miles away from the residential area and the land acquisition had already been completed.³⁸

On June 22, 2011, the Panyu district government announced that the incinerator would be built in Dagang town. The citizens of Guangzhou and Shunde district expressed different reactions to this outcome. The residents in Dashi town and Riverside Garden celebrated the result, whereas the residents living near Dagang and the citizens of Shunde district expressed concerns about the project and requested that the decision-making process be disclosed.³⁹ Days after the announcement, the Shunde Environmental Science Association, a government-affiliated body, distributed 20,000 questionnaires about the incinerator location among the residents of Shunde. The survey indicated that over 77 percent of those polled preferred Dongchong town (東涌鎮), located in southeast Panyu district, 13.5 kilometers away from Shunde district. Following the survey, the Shunde district government announced that it planned to discuss the matter with the Panyu district government.⁴⁰ However, the residents of Dagang town were angered by the outcome of the survey. The residents of Dagang town, which includes numerous villages and several newly built residential complexes, subsequently submitted a 2,000-signature petition to the Municipal Urban Management Committee opposing the incinerator.

Given the level of opposition to the project, the Panyu district government promised to maintain a high level of transparency during the selection process, and to undertake a more comprehensive study before building the incinerator. Nevertheless, the authorities in Guangzhou have continued to plan to build incinerators due to their reputation as being the most effective way to reduce the volume of municipal waste. Thus, the “garbage” battle between the government and citizens persists.

THE EMERGENCE OF ECO-CANTON: FROM ACTIVISM TO A CONSULTATIVE COMMITTEE

As demonstrated by this case study, the decentralization and opening of the political structure in China has enhanced the level of public participation in government decision-making processes. Following their campaign against the incinerator, the residents of Panyu (particularly those from Riverside Garden) realized that municipal waste was a problem, and that the city needed to implement an efficient solution. In February 2010, just a few months after the suspension of the incinerator project, the residents formed a volunteer

group named Green Family (綠色家庭). At first, Green Family mainly advocated waste recycling in local communities, based on the belief that recycling had the potential to fundamentally change the nature of municipal waste management in Guangzhou. Seventy families joined the waste-sorting program at Riverside Garden. After a short time, the group recognized that the role of government should not be neglected, and thus in mid-April 2010 they urged the Municipal Urban Management Committee to implement an effective recycling policy. However, this informal organization began to face some difficulties, such as a shortage of volunteers and a lack of financial support, which hindered its development and the launch of the waste-management campaign.

Green Family members eventually came to believe that they needed assistance from a professional ENGO to help sustain the group's development. Following the conclusion of the anti-incinerator campaign in 2009, one of Green Family's founders, Luo Jingming (Internet pseudonym "Basuofengyun," 巴索風雲), travelled to Beijing where he met Zhang Boju, the chief executive officer of Friends of Nature. Friends of Nature had assisted the Liulitun residents in launching community recycling projects during their anti-incinerator campaign and, during their meeting, Lou and Zhang exchanged their campaigning experiences and waste-management knowledge.⁴¹

The funding, knowledge, and human resources provided by Friends of Nature enabled Green Family to become more institutionalized. The group renamed itself "Eco-Canton" (宜居广州) and registered as an NGO with the Bureau of Civil Affairs of Guangzhou Municipality in June 2012. The group now comprises more than 40 core volunteers, who are mainly residents of Riverside Garden, Clifford Estates, and Huanan Country Garden. The newly founded ENGO advocates zero waste in communities, with the cooperation of government and enterprises, and promotes public participation in environmental issues. To this end, Eco-Canton has launched various activities with different parties to promote ideas such as establishing a recycling community in Clifford Estates; promoting a recycling program at Sun Yat-sen University; forming a "Zero-Waste Coalition" with other Chinese ENGOs (such as Friends of Nature and the Green Beagle Environment Institute) to promote recycling,⁴² and conducting a survey on waste sorting in the streets of Guangzhou in 2012.⁴³

In addition to suspending the incinerator project in December 2009, the Guangzhou municipal government has implemented a series of new initiatives for municipal waste management. These new initiatives, which include the promulgation of regulations on waste sorting in Guangzhou and establishing more pilot programs for waste sorting, aim to promote recycling in Guangzhou.⁴⁴ A further breakthrough has been made in the policymaking process. In August 2012, the Municipal Urban Management Committee established the Public Consultative and Supervision Committee for Urban Waste Management in Guangzhou City (廣州市城市廢棄物處理公眾諮詢監督委員會). The agency first announced that a public committee would be established, and invited citizens to become members by applying online before mid-June 2012. The committee members were required to be residents of Guangzhou, to be aged 18 years or above, and to have knowledge of municipal waste management. The duration of membership was one year.⁴⁵ The 30-member consultative committee was made up of two groups: members of the public and experts. The former group included 19 people selected by the agency from different sectors of society, including 12 citizen representatives, three business representatives, and four representatives of social organizations. The expert group consisted of 11 people

selected from within the recycling industry from universities and professional institutes at different levels. On the day the consultative committee was founded, Guangzhou's mayor, Chen Jianghua, stated that the aim of establishing the committee was to create a platform for communication, supervision, and advocacy in municipal waste management.⁴⁶ He also recognized that the committee represented a breakthrough in public policymaking in Guangzhou and a landmark for urban management and governance.⁴⁷ One of the leaders of the anti-incinerator campaign, the founder and CEO of Eco-Canton, Basuofengyun, served as a member of the first and second cohorts of the committee.

After the establishment of the consultative committee, the members actively engaged in promoting waste management in the city. The members discussed solutions for managing waste and presented their ideas, which included waste charging, to the municipal government at a meeting in April 2013. After some discussion, the committee and government came to a consensus and agreed to select a number of communities in which to pilot waste charging and waste sorting by June 2013,⁴⁸ with the waste-charging scheme to be extended to six more communities in January 2014.⁴⁹ After the first one-year term, the consultative committee rotated, with a cohort of 15 new members joining the 30-member committee in October 2013.⁵⁰

The municipal government also held two public forums on municipal waste management in August and October 2012. During these forums, government-invited experts, the consultative committee, and the general public discussed effective measures for managing waste in the city and the possibility of waste sorting. The municipal government appeared to have learned the importance of listening to the public to maintain social stability and the legitimacy of its rule.

DISCUSSION: POSSIBILITIES FOR ENVIRONMENTAL GOVERNANCE IN CHINA

The Guangzhou government's decision to allow the protesters to form a green group to promote waste sorting and establish a public consultative and supervision committee (consultative committee in short form) provides further evidence of the possibilities for strengthening collaborative environmental governance in China. As mentioned previously, the Eco-Canton group was formed by activists who had participated in the anti-incinerator protests in Panyu in 2009. After the campaign ended, the activists continued to advocate for a municipal waste-free Guangzhou and set up the Eco-Canton group. In addition, by allowing the protesters to form a green group, the Guangzhou government demonstrated its willingness to seek alignment with its "opponents." At the time of this writing, the Guangzhou government continues to collaborate with Eco-Canton on waste sorting in the Huale (华乐) community of Yuexiu (越秀) district.⁵¹ The establishment of the consultative committee for municipal waste management has also made a significant contribution to environmental decision-making in China. Compared with the other passive participatory mechanisms in China, Wong points out that this institutionalized consultative committee enables citizens to directly participate in decisions made on municipal waste management.⁵²

Unlike public hearings, the Public Consultative and Supervision Committee for Urban Waste Management in Guangzhou City features institutionalized arrangements in terms

of membership, membership selection, and the composition of membership. The duties and responsibilities of the members are formalized, and the roles of the committee are stated. The members of the committee, who include a mix of experts and citizens, exchange scientific and technological information and local knowledge in an effort to provide effective decision-making on municipal waste in conjunction with the government. For instance, the committee members regularly meet with the Guangzhou mayor to provide their opinions on waste-sorting management.⁵³ Compared with other current participatory mechanisms in China, such as public hearings, the consultative committee has a demonstrated capacity to directly engage with the government in implementing waste management practices in Guangzhou city. As a result, the establishment of the public consultative committee has made the local government's efforts in solid waste management more accountable and transparent.⁵⁴

In forming partnerships with green groups and the consultative committee to manage the disposal of solid waste in the city, the Guangzhou government has contributed to the development of collaborative environmental governance in China. Collaborative environmental governance makes decision-making processes more democratic because it emphasizes bringing different stakeholders together for the effective management of public policy.⁵⁵ Moreover, the institutional designs of particular forms of collaborative governance outline “the rules of the game” that the different stakeholders need to follow to solve complex environmental issues. Collaborative environmental governance not only encourages civic engagement, but also contributes to the sharing of collective responsibilities among public and private actors.⁵⁶ In 2011, the Guangdong provincial government promoted the *Xingfu Guangdong* (Happiness Guangdong, 幸福广东) program, which encourages public participation and the right to monitor.⁵⁷ To facilitate public hearings, public consultation, and government accountability, the Guangzhou municipal government also implemented “Regulations for procedures for major administrative decision-making in Guangzhou city” (广州市重大行政决策程序规定) and “Regulations for the public consultation and supervision committee for decision-making on major aspects of the people’s livelihood” (广州市重大民生决策公众咨询监督委员会工作规定).⁵⁸ These changes suggest that collaborative environmental governance is possible within China’s existing political system.

The collaborative environmental governance approach places emphasis on representation, deliberation, resource mobilization, and conflict resolution through bringing together institutional arrangements, networks, and channels for knowledge exchange. However, China’s non-democratic political environment limits the potential for implementing collaborative environmental governance nationwide. First, the asymmetric relationship between state and non-state actors in China hinders the practice of collaborative environmental governance. Both state and non-state actors perceive the network relationships as asymmetric. Environmental groups in China still have a limited scope for acting, and are prohibited from receiving donations. To obtain legal status, the groups have to register with the Ministry of Civil Affairs (民政部) and work under a supervisory agency. In addition, the groups are not allowed to establish sub-offices in any other parts of China. Given that collaborative governance requires that the participants contribute on an equal basis and be able to build relationships based on trust, interdependence, and mutual understanding, truly collaborative governance has yet to emerge in China.

Second, institutional arrangements for encouraging civil engagement and cooperation are essential for collaborative environmental governance. These institutional arrangements define the mechanisms for the various forms of cooperation and interaction between public and private agencies.⁵⁹ Although the Chinese government has organized public hearings on different public policies, such as water tariff management,⁶⁰ public hearings do not serve as a credible platform for promoting collaboration between public and private agencies. Public hearings are often criticized for having biased participant selection and providing limited information disclosure and transparency.⁶¹ In contrast, the formal structure of the public supervision and consultative committee enables participant experts and representative citizens to deliberate on and share knowledge about how to promote issues, such as the concept of a waste-free society. However, as the governmental agencies remain the dominant actor in the decision-making processes on solid waste management, the committee is ultimately able to play only an auxiliary role in the decision-making process.

All in all, the system of collaborative environmental governance in Guangzhou is a unique example of collaborative governance in China. Due to its socio-political background, Guangdong province is perceived as an experimental base for economic reform; and most of China's reform policies, such as price reform, were first implemented in Guangzhou.⁶² The introduction of the public supervision and consultation committee in Guangzhou has been a valuable experiment in political reform in China. Guangzhou's policy experiment also reflects the logic of the post-Mao Chinese Communist Party (CCP),⁶³ which usually implements policies at a local level before they are adopted countrywide. CCP leaders believe that these experiments in institutional innovation will enable China to gradually develop into a legally constrained society⁶⁴ with some forms of political liberalization,⁶⁵ and also enable the country to adapt to changing socioeconomic conditions and maintain the ruling party's resilience.⁶⁶ Although the system of collaborative environmental governance in Guangzhou may not be applied nationwide, it is worth considering how this collaboration between the public and private actors in environmental management illustrates a desirable option for conflict resolution in China.

Under Xi Jinping, some dramatic changes have been taking place. By the time Xi took power in November 2012, China had experienced more than three decades of economic reform, and most Chinese people had benefited from this development. However, growing demands from different interests in society have given rise to social unrest. Xi has called for a Chinese Dream with enduring rule for the Communist Party. Compared to the more conciliatory practice of the Hu-Wen era, Xi's rule has witnessed a resurgence of neo-authoritarianism through strengthening governing capacity.

Xi appears to understand that poor environmental quality threatens social stability and may challenge CCP rule, and has made efforts to improve environmental protection. The implementation of revised environmental laws, the introduction of environmental public interest litigation, and other environmental measures and regulations represents a balance between economic growth and environmental protection. However, these efforts have not resolved the environmental protests across the country. Subsequent environmental protests against pollution in cities have revealed failures to implement environmental measures at local levels of government; and the amended environmental laws and environmental public interest litigation have not provided greater opportunities for citizens in the environmental decision-making process. The censorship of mass media

and cyberspace has restricted citizens' access to information and limited their ability to share their opinions on polluting projects. In addition, environmental activists face detainment or arrest, and ENGOs remain strictly controlled by the government. Further, power consolidation under Xi's administration has discouraged policy innovation among local officials.⁶⁷ Together, these developments may lead to the accumulation of conflicts between state and society that will threaten the regime in the long run.

NOTES

1. Neil Carter and A.P. Mol, eds., *Environmental Governance in China* (Abingdon: Routledge, 2007), 2; Judith Shapiro, *China's Environmental Challenges* (Cambridge: Polity Press, 2012), 3.
2. Of the mass incidents documented by the Chinese Academy of Social Sciences in the last 14 years, labor disputes were the most prominent and mainly occurred in Guangdong province. Guancha, http://www.guancha.cn/society/2014_02_25_208680.shtml.
3. Ibid.
4. C. Ansell, "Collaborative Governance," in *The Oxford Handbook of Governance*, ed., David Levi-Faur (Oxford: Oxford University Press, 2012); Brent Taylor and Rob C. de Loë, "Conceptualizations of Local Knowledge in Collaborative Environmental Governance," *Geoforum*, 43 no. 6 (2012): 1207–17, <https://doi.org/10.1016/j.geoforum.2012.03.007>.
5. John Randolph and Michael Bauer, "Improving Environmental Decision-making through Collaborative Methods," *Policy Studies Review* 16 (1999): 172.
6. "Legislation Law of the People's Republic of China," http://english1.english.gov.cn/laws/2005-08/20/content_29724.htm.
7. Jamie P. Horsley, "The Development of Public Participation in the People's Republic of China," in *The Search for Deliberative Democracy in China*, eds., Ethan J. Leib and He Baogang (New York: Palgrave Macmillan, 2010), 292.
8. "Law of the People's Republic of China on Administrative Reconsideration," People's Republic of China, http://www.npc.gov.cn/englishnpc/Law/2007-12/11/content_1383562.htm.
9. Dimitri de Boer and Douglas Whitehead, "Opinion: The Future of Public Interest Litigation in China," *China Dialogue*, <https://www.chinadialogue.net/article/show/single/en/9356-Opinion-The-future-of-public-interest-litigation-in-China>.
10. "The Development of Social Services in 2015," Ministry of Civil Affairs of the People's Republic of China, <http://www.mca.gov.cn/article/sj/tjgb/201607/20160700001136.shtml>.
11. Natalie W.M. Wong, "Environmental Protests and NIMBY Activism: Local Politics and Waste Management in Beijing and Guangzhou," *China Information* 30 (2016): 143–64.
12. Elizabeth Economy, "Environmental Governance in China: State Control to Crisis Management," *Daedalus* 143, no. 2 (2014): 191.
13. Guangzhou Municipal Statistic Bureau, "Total Households and Population at the Year-End in Main Years (by Household Registered) 2010," <http://www.gzstats.gov.cn/gzStat1/chaxun/njsj.jsp>.
14. "Local Chronicles of Guangzhou," *Office of Local Chronicles of Guangzhou Government*, http://www.gzsdfz.org.cn/rsgz/kfqy/201311/t20131120_8391.htm.
15. K.M. Chan, "Intermediate Organizations and Civil Society: The Case of Guangzhou," in *China Review*, eds., Lau Chong Chor and Geng Xiao (Hong Kong: Chinese University Press, 1999): 265.
16. X. Qi, "Guangzhou Daily Generates 12,000 Tons of Garbage, Promoting the Waste Sorting this Year" (Guangzhou richan laji 1.2 wan duan jinnian quanmian tujin fenlei shouji), *Tencent News*, 20 January 2010, <https://news.qq.com/a/20100120/001675.htm>.
17. *People's Daily*, <http://gd.people.com.cn/BIG5/n/2013/0826/c123932-19390670.html>.
18. "Insufficient Land for Disposal Waste in Guangzhou" (Guangzhou Laji Bufenxiao sanlianhou modi ketie), *Ifeng.com*, 24 April 2013, http://news.ifeng.com/gundong/detail_2013_04/24/24569734_0.shtml.
19. "Population at the Year-end by District and County-level City (2005–2009)," *Guangzhou Municipal Statistic Bureau*, <http://www.gzstats.gov.cn/gzStat1/chaxun/njsj.jsp>.
20. Most of the residents living in these complexes were government officials, business professionals, teachers, and journalists. Riverside Garden has 40,000 households and is home to most of the journalists from the *Southern Metropolis Daily*, a Guangzhou-based tabloid considered to be the most "outspoken" newspaper in China. In addition, the residents of Riverside Garden are experienced in social activism, having campaigned against road construction in 2002 and for a residents-based homeowners' association in 2004.

- See W. Kuo and X. Chen, "Garbage Disposal Policy and Civil Society Movement," *Journal of Sun Yat-sen University Social Science Edition* 51, no. 4 (2011) (Chinese version): 101–2. Thus, intensive interaction between journalists and activists took place during this anti-incinerator campaign.
21. Kuo and Chen, "Garbage Disposal Policy."
 22. <http://www.rg-gd.net/forum.php?mod=forumdisplay&fid=12>.
 23. "Guangzhou Likeng Waste-to-Energy Plant," *Veolia Environmental Service (China)*, <http://www.veolia-es.cn/en/about-us/20121105241.html>.
 24. "Cancer Deaths Found Near to Likeng Incinerator" (李坑垃圾焚燒發電廠附近部分村民死於癌症), *Sina News*, 26 November 2009, http://news.sina.com.cn/c/sd/2009-11-26/111519132701_2.shtml.
 25. Kuo and Chen, "Garbage Disposal Policy," 190.
 26. "Guangzhou: Environmental Protection in the Name of 'Stroll'" (廣州：‘散步’，以環保之名), *China News Week* (中國新聞周刊), 7 December 2009, <http://magazine.sina.com/bg/chinanewsweek/2009044/2009-12-07/ba80275.html>.
 27. "Construction of Panyu Incinerator Suspended: 75 Percent of Mass Consent is Required to Pass EIA" (番禺垃圾焚燒廠已停建 環評需敏感區群眾75%以上同意才通過), *Boxun.com* (博迅網), 21 December 2009, <http://www.boxun.com/news/gb/china/2009/12/200912212012.shtml>.
 28. "Waste Sorting Program Kicks off in 16 Communities," *Dayoo News*, http://m.dayoo.com/105163/105166/105167/201103/08/105167_16720801.htm.
 29. "Panyu Waste Incinerator '5 Chooses One'" (番禺垃圾焚燒發電廠五選一), *Nddaily*, <http://gcontent.oeeee.com/8/3f/83fa5a432ae55c25/Blog/02a/616b1f.html>.
 30. "Building Panyu Incinerator: The Locations Close to Shunde," *Southern Metropolis Daily*, 13 April 2011.
 31. Due to time limitations, I did not conduct an interview in Foshan. These opinions were obtained from newspapers. Source: "Public Consultation will be Launched for 2 Months on the Locations of Building Incinerator," *Southern Metropolis Daily*, 13 April 2011.
 32. "Shunde Municipal Environmental Protection Bureau: Guangzhou Should Assess the Impact Immediately," *Nan Fang Daily*, 14 April 2011.
 33. "Shunde Environmental Protection Bureau Visited Reclamation Site in Panyu," *Nan Fang Daily*, 15 April 2011.
 34. "Oppose to Build in Shunde City," *Southern Metropolis Daily*, 18 April 2011.
 35. "EIA Will Be Conducted for Panyu Incinerator," *Southern Metropolis Daily*, 22 April 2011.
 36. Interview with Mr. A, resident of Riverside Garden, Guangzhou, 12 April 2012.
 37. Nandu.com is a member of Nandu Daily Media Group, a Guangzhou-based newspaper publisher.
 38. "Deadline for Collecting Opinion on Panyu Incinerator Location" (番禺垃圾焚燒廠五選一意見收集截止), *Tencent News* (腾讯新闻), 16 June 2011, <http://news.qq.com/a/20110616/000394.htm>.
 39. "Oppose to Build Incinerator in Shunde City," *Nan Fang Daily*, 23 June 2011.
 40. "Shunde People Oppose the Location: A Survey Outcome," *Southern Metropolis Daily*, 27 June 2011.
 41. Interview with Zhang Boju (Friends of Nature) in Beijing, 26 August 2013.
 42. "'Zero Waste Coalition' Is Formed Today" (零廢棄聯盟今日宣告成立), *Friends of Nature* (自然之友), <http://old.fon.org.cn/content.php?aid=14806>.
 43. "About Us" (關於我們), *Eco-Canton* (宜居廣州), <http://www.yjgz.org/a/aboutus/dsj/>.
 44. Y.Q. Zhang, "Regulations Have Been Set for Waste Sorting" (廣州垃圾分類將有法可依), *China News* (中國新聞網), 26 January 2010, <http://www.chinanews.com/ny/news/2010/01-26/2091751.shtml>; W.X. Lai, "A Trial Waste Sorting Takes Place in Donghu Street, Guangzhou: Professional Garbage Collection Company Incorporated Junk Collectors to Serve the Community" (廣州垃圾分類動真格了東湖街將試行由專業垃圾回收公司收編收買佬以服務社區), *Dayoo News* (大洋網), http://news.dayoo.com/guangzhou/201001/25/73437_11861975.htm.
 45. P. Qiu, "How to Manage Waste? Municipal Urban Management Committee Nominates Members for Consultative Committee for One-Year Term" (垃圾如何處理 城管委徵顧問市垃圾處理'咨委會'徵義務委員, 聘期一年), *Southern Metropolis Daily* (Guangzhou) (南方都市報廣州版), 19 June 2012, AII 09.
 46. H.X. Xu, "Take Advice from Experts and Listen to Mass Opinion Fighting for Better Waste Management" (融專家智慧 聽民眾呼聲全力以赴打好垃圾處理攻擊戰), *Guangzhou Daily* (廣州日報), 5 August 2012, A01–02.
 47. *Ibid.*
 48. L. Zhang, Y.P. Zheng and S.J. Huang, "A Consensus on Waste Charging Model Will Be Made in Mid-June" (垃圾分類收費模式6月中旬會有共識), *Yangcheng Evening News* (羊城晚報), 26 April 2013, A14G.
 49. "Waste Charging Will Be Implemented in Guangzhou Today" (廣州今啟動生活垃圾計量收費), *Guangzhou Daily* (廣州日報), <http://newsapp.gzdaily.com/jsp/share.jsp?code=MjQ3NTM%3D>.
 50. J. Quan, "15 New Members Joined the Second Term of Consultative Committee" (第二期公咨委新進15名成員), *Guangzhou Daily* (廣州日報), 15 October 2013, A02.
 51. Natalie W.M. Wong, "Advocacy Coalitions and Policy Change in China: A Case Study of Anti-incinerator

- Protest in Guangzhou,” *VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations* 27, no. 5 (2015): 2037–54.
52. Ibid.
53. “Chen Jianhua Attends Meeting of Public Consultation and Supervision Committee,” *Guangzhou Government*, <http://www.gzmz.gov.cn:82/gzgov/s2342/201504/efbcb797916643c29d5d12c3ee165850.shtml>.
54. Wong, “Advocacy Coalitions.”
55. Ansell, “Collaborative Governance.”
56. K. Muller, “Creating Public Value through Collaborative Environmental Governance,” *Administratio Publica* 18, no. 4 (2010): 144.
57. Guangdong Provincial Development and Reform Commission, “Boost City Upgrade for Happiness Gunagdong,” http://210.76.72.13:9000/pub/gdsfgw2014/fzggz/rdzt/lzst/xfgdzbt/ldjh/201410/t20141023_262127.html.
58. Guangzhou Government, “The Regulations of Procedures for Major Administrative Decision-Making in Guangzhou City” (广州市重大行政决策程序决定), <http://www.gz.gov.cn/gzgov/s8263/201011/703892.shtml>; and “The Regulations of Public Consultation and Supervision Committee for Decision-Making on Major People’s Livelihood” (广州市重大民生决策公众咨询监督委员会工作决定), <http://www.gzmz.gov.cn:82/gzgov/s2812/201508/b17e5ed013c548b18897a9763c6fba9b.shtml>.
59. Ansell, “Collaborative Governance.”
60. L.J. Zhong and A.P.J. Mol, “Participatory Environmental Governance in China: Public Hearings on Urban Water Tariff Setting,” *Journal of Environmental Management* 88, no. 4 (2008): 899–913.
61. Economy, “Environmental Governance in China”; Zhong and Mol, “Participatory Environmental Governance.”
62. “Development of Guangzhou in the Reform Era,” *Chronicles of Guangzhou City* (2013), http://www.gzsdfz.org.cn/kfqy/201411/t20141103_9951.html.
63. Joseph Fewsmith, *The Logic and Limits of Political Reform in China* (Cambridge: Cambridge University Press, 2013), 14.
64. Ibid.
65. M. Pei, “Is CCP Rule Fragile or Resilient,” *Journal of Democracy* 23, no. 1 (2012): 39.
66. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (Cambridge: Cambridge University Press, 2012); Sebastian Heilmann, “From Local Experiments to National Policy: The Origins of China’s Distinctive Policy Process,” *The China Journal* 59 (2008): 1–30; David Shambaugh, *The Chinese Communist Party: Atrophy and Adaptation* (Berkeley: University of California Press, 2008).
67. Jessica Tweets, “How Xi Jinping’s Anti-Corruption Campaign Reduces Local Discretion and Policy Innovation,” Policy Institute Analysis, 25 October 2016, <https://cpianalysis.org/2016/10/25/how-xi-jinpings-anti-corruption-campaign-reduces-local-discretion-and-policy-innovation/>.

18. Anti-nuclear protest in China

Simona A. Grano and Yuheng Zhang

INTRODUCTION

As part of a plan to diminish its energy dependence on highly polluting fossil fuels, China has been building nuclear reactors at a steady pace for two decades.¹ The original goal was to have non-fossil fuels provide at least one-fifth of its energy supply by 2030.² This entailed the ambitious aim of having 100 reactors operating on Chinese soil by 2020, from a starting number of “barely” 13 as of 2011.³

Unlike its neighbors, Taiwan and Hong Kong, which have long histories of anti-nuclear protests, environmental crusaders in China initially focused on non-confrontational activities such as tree-planting and fostering ecological awareness among the population, or protests related to chemical or incineration facilities (see Wong, and Alpermann and Bondes in this Handbook) and the dumping of industrial waste into the soil and water. Such protests were mostly directed at local governments or polluting industries, leaving the central government unscathed.

Before the nuclear disaster that struck the Japanese plant at Fukushima in March 2011, making numerous previously unaware individuals more conscious in regard to nuclear-related hazards, hardly anyone in China challenged the government’s objectives for a rapid expansion of the nuclear industry. The Japanese nuclear disaster deeply influenced the public in China, Asia as a whole and all over the world—reviving long-dormant anti-nuclear feelings and generating a plethora of discussions.⁴ Netizens started active discussions on social media, and several countries across Asia called for a temporary halt to nuclear power plant building. In Europe, several governments (with the notable exception of the UK)⁵ decided to shelve their nuclear plans.⁶ In Asia, both Japan and China resumed their nuclear operations, although Fukushima’s influence on Japan can be seen in several court battles and contentious public debates over the restarting of nuclear power plants. Japan’s nuclear sector is still running far below the capacity it had prior to March 2011.

Given the novelty of anti-nuclear resistance in China, scholarly examinations of anti-nuclear opposition are quite rare. By concentrating on popular responses to nuclear energy and their social and political ramifications, this chapter hopes to illuminate a dynamic that has the potential to reshape the contours of Chinese society. It does so through dissecting the methods of resistance and collective action repertoire employed in the 2016 Lianyungang (连云港) protest. It also looks at the state’s response to rising tension over nuclear power. Further, it uses the Lianyungang case to illustrate and explain changing public perceptions of risk with regard to nuclear energy in a country where, so far, perceptions of said hazards have seemed very low.

ANTI-NUCLEAR PROTESTS IN TAIWAN AND HONG KONG

Prior to the Fukushima incident in Japan, there was at most muted resistance to nuclear energy within Chinese society. Rather, issues such as food safety and air pollution garnered public attention. The Fukushima meltdown gave nuclear plants more visibility, leading to the protests in Jiangmen in 2013 and in Lianyungang in 2016.

The Chinese government's actions following the Fukushima incident also helped catalyze these collective protest actions. In the immediate aftermath of the Fukushima incident, China's State Council held an executive meeting to consider measures to protect against a potential accident. After the meeting four decisions were reached: to carry out an immediate comprehensive safety inspection of China's nuclear facilities; to adjust and improve the middle- to long-term development strategy for nuclear power; to formulate a plan for nuclear power safety; and to suspend approval of pending nuclear power projects.⁷ Furthermore, the government called a temporary halt to nuclear power plant building. In October 2012 it allowed such projects to resume, but it was decided that work on about 30 of them would remain on hold until 2015. In 2016 the moratorium was lifted and two nuclear power plants, including one in Lianyungang, were given the green light for construction. However, by 2014, concerns about public opposition had started to spread, pushing Chinese regulators to develop public and media support programs. In addition, developers began outreach programs including site tours and setting up visitor centers in an attempt to gain public support.

The trajectories of Taiwan and Hong Kong, both of which have a very special relationship with mainland China, suggest two causes of concern for Chinese Communist Party (CCP) authorities. First, opposition to nuclear plants could force authorities to cast aside their plans to rely more heavily on the nuclear industry as a way to find a suitable solution to China's energy needs. Second, anti-nuclear activism might turn into full-blown anti-government sentiment.

In Taiwan, anti-nuclear activities in the 1980s constituted a politically safer way to oppose and criticize the Kuomintang (KMT) regime at a time when martial law had not yet been lifted.⁸ When political liberalization culminated in the lifting of the martial law regime in 1987, discontent towards the ruling party erupted, becoming increasingly outspoken and visible with several anti-nuclear activists joining the opposition movement. Later, anti-nuclear concerns were among the motivations that led the previous KMT administration to declare, in 2014, that its long-standing project for a fourth nuclear facility would not become operative, despite construction being almost fully completed. In 2016, anti-nuclear feelings contributed to the KMT's loss of the presidency that year.

In Hong Kong, the situation has developed differently. While there has been a high degree of mistrust and fear of nuclear energy among the general population, social movements and think tanks generally have taken a rather non-antagonistic and non-oppositional stance. This somewhat "soft" approach towards environmentalism, devoid of the political undertones of Taiwan's environmental movement, is due to the different trajectory of Hong Kong's political system. In Hong Kong, environmental activists initially joined forces with democracy activists to criticize the Hong Kong government for its non-inclusive behavior regarding the Daya Bay nuclear power project (Hong Kong's closest power plant) in China's Guangdong province. Hong Kong's British colonial government, which lasted until 1997 (when Hong Kong was returned to China), had some

liberal features (namely, freedom of speech, association, and political organization), but was at base extremely undemocratic.⁹ After 1984, when the British government agreed to return Hong Kong to China in 1997, economic integration grew exponentially and the British launched some timid democratic reforms. In the mid-1980s a rejuvenated democracy movement became stronger and began actively campaigning for more directly elected seats in the legislature as well as for more civil liberties. At that time, it seemed that Hong Kong's environmental/anti-nuclear movement would follow the same trajectory as its counterpart in Taiwan and be an active partner of the democracy movement. However, as the Beijing government formed an alliance with business forces in the city to slow the pace of democratic change in Hong Kong, environmental and anti-nuclear activists changed their tactics and limited their involvement with the democracy movement.

In China, environmental activists have so far sought to avoid political confrontation. Further, the Chinese authorities have appeared keen to appease the public on the issue of nuclear power, especially when a project can be moved to another, poorer, locality willing to host such a plant.

ANTI-NUCLEAR PROTESTS IN JIANGMEN AND LIANYUNGANG

There have been at least five anti-nuclear protests in China: in Rushan (the first, in 2006 in Shandong province), Xubادо (Liaoning), Pengze (Jiangxi), Jiangmen (Guangdong), and Lianyungang (Jiangsu).¹⁰ In this chapter we provide some comparative information on the second-largest of these, in Jiangmen in 2013, but concentrate on Lianyungang in 2016 due to its bigger size and visibility, and to our privileged contacts in loco, which made it easier for us to obtain first-hand information about these events. Lianyungang is also the most recent anti-nuclear protest to date, and occurred well into the administration of CCP General Secretary Xi Jinping.

To find potential informants for our interviews regarding the 2016 Lianyungang protests, we used personal connections and a snowballing technique, with a common acquaintance of one of the two authors (hereafter *Informant A*) putting us in touch with several individuals who took part in the protest. This person provided us with access to many of his contacts involved in the anti-nuclear protest. In total we talked to eight individuals within a period of seven months from the fall of 2016 through the spring of 2017. Informants were asked about their personal background as well as what motivations they had for taking part in the protest and what their role was. While we make no claim to statistical representativeness, the small sample of interviewees provides a window into local residents' understanding of norms, subjective values, and institutions.

In Jiangmen in 2013, protestors successfully blocked a planned uranium-processing facility near the city. Following the publication of a "risk evaluation report" regarding the planned project, the public had been invited to submit comments during a ten-day "consultation period." Some residents argued that this did not provide sufficient time to debate a project of this significance, and calls appeared online calling on citizens to take an "innocent stroll" to express their concerns. Parading in the streets carrying banners and chanting slogans such as "Anti-nuclear homeland" and "We want children, not atoms," roughly 1,000 residents publicly demanded that the government stop its plans. Police

officers were on the scene, though there is no record of violence or arrests. Less than a day after the demonstration, city officials announced that they would “respect public opinion” and scrap construction.¹¹ The 37bn yuan (£4bn) project would have provided enough fuel for around half of China’s atomic energy needs. Its discontinuance thus represented a big financial loss for the local authorities and disappointment for those hoping to ease China’s dependence on fossil fuels.

The 2016 protest in Lianyungang evidenced a similar chain of events. Whereas Jiangmen is only about 100 kilometers from Hong Kong, Lianyungang is a prefecture-level city in northeastern Jiangsu province. Lianyungang also is located 32 kilometers southwest of a large already-functioning nuclear power plant on the coast (the Tianwan nuclear power station),¹² and the idea of a nuclear fuel reprocessing facility also being built in the area sparked public displeasure.¹³ The project is a joint collaboration between the China National Nuclear Corporation and a French company, Areva. When the public became aware of the proposed facility, it became a hot topic among locals on social media. The protests were initially organized online,¹⁴ and—as in Jiangmen—called on people to gather “for a stroll” (散步). Thousands of people, including families with children, took to the streets in demonstrations that spanned several days and culminated in a massive gathering on Saturday, 6 August.¹⁵ Their slogans included “Oppose nuclear waste!” (“反对！核废料！”), “Oppose nuclear waste, protect Lianyungang” (“反对核废料，保护连云港!”), and “Protest! Protest! Protect our homeland!” (抗议！抗议！保卫家园!).¹⁶

Despite government warnings to keep off the streets, protests continued, with citizens defying anti-riot police amidst government accusations that protesters had not filed for permission to gather in a public space. Domestic media outlets generally ignored these events. Sohu and Chinanet did cover the subject, but avoided calling it a “protest.” The Chinanet report stated simply: “In recent days, the citizens of Lianyungang, Jiangsu province have been very concerned about the nuclear program” (近日，江苏省连云港市广大市民对中法合作核循环项目十分关注). The webpage of *Financial Magazine* published a report talking briefly about the protest, but it also did not use the term “protest,” instead calling it an “incident” (事件).¹⁷ On Wednesday, 10 August the local government announced that it was cancelling its plan to construct the plant.¹⁸ However, five other provinces (Guangdong, Shandong, Fujian, Zhejiang, and Gansu) remain under consideration for the plant.¹⁹

PROTEST MOBILIZATION AND METHODS

Our interviewees reported that the 2016 Lianyungang protest was mobilized and organized mainly through the use of new social media, especially WeChat.²⁰ As argued by Becker, in situations where formal interactions are prohibited or dangerous, protest is facilitated through the social capital of informal ties, which can provide both material support and information.²¹ In this context, the advent of interpersonal communications technologies has provided Chinese citizens with a range of new tools for organizing collective action with relatively low risk.

Informant A grouped his contacts into three categories: (1) acquaintances with a middle school degree; (2) acquaintances with a high school degree; and (3) extended family acquaintances. He was keen to point out that he discerned a different pattern of

involvement within these groups, with significant variations in terms of the three groups' participation in and commitment to the anti-nuclear protest. From what he could observe, participants with a middle school degree were extremely active in the protest, and at times took part in violent and disruptive street actions such as vandalizing and smashing objects. In contrast, participants that he grouped within the second category showed caution when it came to participation in the actual street protest, preferring to continue to express their dissent through online debates—starting new chats and discussion threads on the potential dangers of nuclear energy, but mostly without any actual physical involvement. Finally, members of the third group did not display any significant interest in the protest and did not engage in any discussion on such topics.²²

According to our interviewees, protesters chose three general methods to generate visibility for their cause, while at the same time trying to avoid the wrath of the authorities:

- street parades and the shouting of slogans (游行, 口号);
- sit-ins in front of city hall (市政府门口静坐);
- gatherings in commercial centers and the disruption of public spaces, such as disrupting traffic (商业中心区域聚集, 影响交通).

What citizen concerns motivated the protests? Our informants offered diverse answers to this question. Some emphasized that, contrary to government claims, the plant would not bring any benefits. For example, one citizen derided the content of the government propaganda, saying sarcastically that, “according to the authorities . . . The nuclear project brings hundreds of benefits and no harm” (有百利而无一害).²³ Similarly, an employee at the Harbor Bureau wrote on WeChat:

The construction and operation of [the existing] nuclear power plant in Lianyungang did not lead to fast development of local economy! There was no discount on electricity tariffs, although they had promised this when the construction started. (连云港电站的建设运营并未给当地经济带来快速发展！电费无优惠 (当初建核电站时曾有电费优惠的承诺).)²⁴

This informant further noted that this region had already been discriminated against in the past by having been chosen to host such a polluting plant without deriving any promised benefits from it. This person's opinion suggests that past experiences, such as with the Tianwan facility, have taught local residents that such projects may not fulfill promises of benefits to the local economy, but rather only further pollute the environment.

A second complaint focused on the government's lack of transparency. A bank employee in Nanjing city (*Informant B*) condemned the non-transparent behavior of the local authorities when they announced their plan for the Sino-French project, saying: “Citizens were not informed, they only learned about the project when it was about to start” (事先市民不知道此事，快要建了才知晓).²⁵ This feeling that citizens are not being involved in important decisions and that the truth is often concealed from them is common. Such wariness is particularly apparent when it comes to trusting authorities with handling sensitive projects such as nuclear or petrochemical plants.²⁶

Other informants hinted that even many political authorities were wary of the project, but that when a person is either close to the government or working in an official capacity, his or her personal opinion cannot be publicly expressed. For instance, a police officer opposed to the project told us that he could not openly declare his disapproval, in light

of his job: “I am also against the project. If it were not for my job in the police bureau, I would have joined the protests as well” (我也反对, 我要不是为了这个公安局工作我也去闹).²⁷

Other participants articulated broader concerns about the protection of the environment. *Informant C* and *Informant E* provided explanations that were related to protection of the environment, and stated that even if no immediate threat came from the plant during their time, future generations could be in peril:

[The plant] . . . will pollute the natural environment, threaten the living environment [of the people], and will kill our descendants [influence future generations] (污染环境, 威胁生存环境, 断子绝孙).²⁸

I believe it will not be hazardous to the environment. Nonetheless, I have to oppose it. It is like having a graveyard built in front of my home, even if it does not create pollution, I feel that I have to oppose it. (我相信虽无环境危害, 但也反对, 就像在家门口建坟场, 无污染但必须反对.)²⁹

What this latter informant meant has to be understood from a purely symbolic perspective. In fact, according to Chinese popular belief, having a graveyard built in front of your home will only bring bad luck. The implication is that the nuclear facility represents the foreboder of death for generations to come. This same informant mentioned Fukushima several times as an example of the disasters awaiting Lianyungang should such a facility be built. In this case, skepticism about the safety of nuclear energy partly developed into a narrative whereby Lianyungang came to be considered as a dumping ground for yet another hazardous project, the existing Tianwan plant.

However, other interviewees displayed less critical views. For instance, an informant who participated in the online discussion about the plant—a local resident with a university degree working for a (state-owned) newspaper publishing house—displayed a tolerant approach towards the plant. He argued that:

To my knowledge, the environmental impact assessment regarding the plant could be trusted (the results of the EIA were in fact leaked) and thus the government could be trusted; therefore I do not oppose the construction. (我认为环评可以相信 (环评报告有流出), 政府可以信赖, 所以我不反对该项目.)³⁰

GOVERNMENT RESPONSE

As in other cases of environmental protest, political authorities seem to have yielded to public desires for scrapping controversial projects only to proceed with moving them to locations where there is less awareness of potential ecological damage or more stringent need for the creation of jobs.³¹ In fact, as environmental awareness has grown around the country, more local governments have been paying attention to public protests and displays of contention towards polluting facilities. *Informant H*, of the local police bureau, informed us that whenever public discontent starts to brew, police bureaus start reviewing previous similar cases of protest so as to learn how to avoid other administrations' mistakes and quickly diffuse tension. To do this they pay attention to similar domestic incidents and also to international ones, especially in neighboring countries such as Japan and Taiwan.³²

In the aftermath of the authorities' decision, we asked some of our interviewees how they regarded the scrapping of the project and the future of the facility. Most respondents gave answers that can be grouped under three categories:

- (a) Concern that the project will soon be resumed (担心项目会重新启动);
- (b) Belief that the ultimate decision to stop the project was only reached due to bottom-up pressure from the people (认为政府的最终决定是迫于群众的压力);
- (c) Have never heard of any disagreement among governmental departments [regarding the project] (没有听说政府部门间有什么冲突).

We regard these categories as popular views of the outcome of protests. It appears that most people believe that the ultimate decision was reached only to appease the public in the short term while the project could very well go ahead in another locality. Category "c" especially seems to indicate that most respondents thought that the government was united when it reached its decision, most probably making a show of scrapping the project, only to quietly resume it once the clamor has quietened down.

CONCLUSIONS

Through focusing on Lianyungang's demonstration against a planned nuclear spent-fuel project in 2016, this chapter highlights the influence of other domestic and international events, including the nuclear disaster in Fukushima in 2011; anti-nuclear activism in Taiwan, Hong Kong, and Japan; and protests against polluting facilities in mainland China. First, these events served as a warning to Lianyungang government officials about the potential consequences of collective resistance. Learning from their counterparts in other places, Lianyungang authorities acted quickly to discontinue the project. Second, Lianyungang residents actively learned from anti-nuclear and environmental precedents in other places. Third, our interviews emphasize the importance of local context in protest events. In the case of Lianyungang, a key factor was the already existing Tianwan nuclear facility, whose long-promised beneficial effects had failed to materialize in the perception of local residents, contributing to a low level of trust towards authorities.

In addition, our findings show that while in Western contexts the spread of social movements has been facilitated by well-established social movement organizations, developed associational networks, and mass media endowed with sufficient press freedom, the diffusion of anti-nuclear activism in Lianyungang mainly relied on indirect, non-relational channels. Through online social network services, Lianyungang citizens learned about previous anti-pollution protests and nuclear incidents, and sought connection with like-minded individuals who opposed the project.

The cases of anti-nuclear activism discussed here suggest that government officials are likely to respond quickly in an attempt to diffuse tension over nuclear power facilities. As underscored by political scientist Tang Wenfang, when this occurs, further protests are likely. In Tang's words: "While the Chinese government does not hesitate to arrest the few political dissidents, it spends more time and energy to appease public demands. The high level of government sensitivity and responsiveness to public opinion further encourages political activism in Chinese society."³³ Relatedly, sociologist Yu Jianrong

highlights the role of ICTs in contributing to these dynamics, stating that “current technology has changed social habits, every person has a microphone, every person is a hotspot for news” (现在的科技改变了社会生态, 每个人都有话筒, 每个人都是新闻中心).³⁴ Further, nuclear energy is a topic that can breed discontent and set emotions high in many countries—not just in Europe, but also in Asia.

These considerations appear to weigh on the minds of China’s political leaders when they need to reach a decision regarding the fate of a controversial facility. In many cases the consequence of popular protest is moving the project to another location where locals are less likely to complain. This is a generally favorable situation for CCP authorities, as they can make a show of complying with popular wishes and safeguard social stability but still go ahead with the projects somewhere else. At present, anti-nuclear activists in China lack the ability to bargain or achieve changes at the national level; what they are able to achieve at this stage is rather a localized possibility of victory, which is nevertheless important and growing in frequency after Fukushima.

NOTES

1. The China National Nuclear Corporation (CNNC), a state-owned entity charged with overseeing all aspects of the country’s civilian and military nuclear programs, was established in 1955. In 1970 China issued its first nuclear power plan, and established the 728 Institute, now called the Shanghai Nuclear Engineering Research and Design Institute. On 15 December 1991, China’s first nuclear power reactor, a 288 MWe (Megawatt Electric) PWR at the Qinshan Nuclear Power Plant, was connected to the grid, and a few years later, in 1998, the CNNC was abolished. Daya Bay Nuclear Power Plant’s unit 1 and unit 2, co-owned (25 percent) by a Hong Kong-listed group and situated in Guangdong Province, began commercial operation in February and May 1994, respectively, de facto signaling the commencement of nuclear power generation in the People’s Republic of China.
2. Lucy Hornby and Luna Lin, “China Protest against Nuclear Waste Plant,” *Financial Times*, 7 August 2016.
3. “Limiting the Fallout,” *The Economist*, 20 July 2013.
4. Simona A. Grano, *Environmental Governance in Taiwan: A New Generation of Activists and Stakeholders* (London and New York: Routledge, 2015), 73–80; Ming-sho Ho, “The Fukushima Effect: Explaining the Resurgence of the Anti-Nuclear Movement in Taiwan,” *Environmental Politics* 23, no. 6 (2014): 965–83.
5. Christopher Adams and Lucy Hornby, “Nuclear Energy: Beijing’s Power Play,” *Financial Times*, 29 December 2015.
6. See Joachim Radkau and Lothar Hahn, *Aufstieg und Fall der deutschen Atomwirtschaft* (Munich: Oekom 2013), 389; James Kanter, “Switzerland Decides on Nuclear Phase-Out,” *New York Times*, 25 May 2011, <http://www.nytimes.com/2011/05/26/business/global/26nuclear.html>; Svetlana Kovalyova, “Italy Renews Nuclear Power Debate,” *Reuters*, 9 January 2008, <http://www.reuters.com/article/italy-nuclear-idUSL0911991120080109>.
7. International Atomic Energy Agency, *Country Nuclear Power Profiles: China* (Vienna: IAEA, 2015).
8. Ho, “The Fukushima Effect”; Ming-sho Ho, 綠色民主：台灣環境運動的研究 [Green Democracy: A Research of Taiwan’s Environmental Movements] (Taipei: Qunxue Publishing, 2006), 74–8; Simona A. Grano, “The Anti-Nuclear Power Movement,” in *Routledge Handbook of Contemporary Taiwan*, ed., Gunter Schubert (London and New York: Routledge, 2016), 299.
9. Su-Hoon Lee, Hsin-Huang Michael Hsiao, Hwa-Jen Liu, On-Kwok Lai, Magno Francisco A., and So Alvin, “The Impact of Democratization on Environmental Movements,” in *Asia’s Environmental Movements: Comparative Perspectives*, eds., Lee Yok-shiu and Alvin So (Armonk NY: M.E. Sharpe, 1999), 245.
10. Personal communication with Dr. Björn Alpermann, 14 November 2017.
11. “Protest prompts China to cancel Jiangmen uranium plant,” *BBC News*, 13 July 2013, <http://www.bbc.com/news/world-asia-china-23298663>; *Economist*, “Limiting the Fallout.”
12. The Tianwan Nuclear Power Station (田湾核电站/田灣核電站) is considered to be the largest nuclear plant on mainland China. The plant has two reactors, which commenced operation in 2006 and 2007.
13. Chris Buckley, “Chinese City Backs Down on Proposed Nuclear Fuel Plant after Protests,” *New York Times*, 10 August 2016.

14. The authors attempted to find some information in regard to the individual who initiated the call, but since the demonstration was organized mostly through WeChat and posts were deleted or censored shortly after, it was only possible to rely on direct information provided by their sources.
15. The Chinese government has declared that as it expands its fleet of nuclear power plants, it needs a plant for reprocessing spent fuel, a practice that separates unused plutonium and some uranium from waste. See Buckley, "Chinese City Backs Down."
16. See: https://www.youtube.com/watch?v=tDBe_UN7JNQ; <https://www.youtube.com/watch?v=PwEKICA0Nr4>; and <https://www.youtube.com/watch?v=yOvz8nZTzkw>.
17. See: 搜狐网 http://www.sohu.com/a/109481242_131990; 中国网 中部纵览 <http://henan.china.com.cn/news/2016/0810/3093713.shtml>; and <http://yuanchuang.caijing.com.cn/2016/0810/4161130.shtml>.
18. "Lianyungang government decided to suspend the process of site selection for fuel reprocessing facility" (连云港市政府决定暂停核循环项目选址前期工作), *Pengpai News*, 10 August 2016, http://www.thepaper.cn/newsDetail_forward_1511355; "Lianyungang quitted the list of site selection for fuel reprocessing facility" (连云港退出核废料工厂选址名单), *Financial Times* (Chinese) 11 August 2016, <http://www.ftchinese.com/story/001068875>.
19. *South China Morning Post*. *Op. cit.* 2016.
20. WeChat (微信 weixin; literally, "micro message") is by far the most important social network in China. It is a free, cross-platform and instant messaging application developed by Tencent, and first released in January 2011.
21. Jeffrey Becker, "The Knowledge to Act: Chinese Migrant Labor Protests in Comparative Perspective," *Comparative Political Studies* 45, no. 11 (2012): 1379–404.
22. Online communication with *Informant A*, 15, 17, and March 2017.
23. Interview with *Informant F*, 22 March 2017.
24. Online interview with an employee from the Harbor Bureau of Lianyungang city, 20 March 2017. This person is referring to the previously mentioned Tianwan Nuclear Power Station (田湾核电站/田灣核電站) (*Informant D*).
25. Bank employee in Nanjing, former local resident of Lianyungang city (*Informant B*). We were put in touch with this person by *Informant A*.
26. Simona A. Grano, "Perception of Risk Towards Nuclear Energy in Taiwan and Hong Kong." *Taiwan in Comparative Perspective* 5 (2014): 60–78; Simona A. Grano, "The Role of Social Media in Environmental Protest in China," in *Urban Mobilizations and New Media in Contemporary China*, eds., Lisheng Dong, Hanspeter Kriesi, and Daniel Kübler (Farnham: Ashgate, 2015), 83–99.
27. *Informant H*, online communication, 21 March 2017.
28. *Informant C*, online communication, 18 March 2017.
29. *Informant E*, online communication, 20 March 2017.
30. *Informant G*, online communication, 17 March 2017.
31. Grano, *Environmental Governance in Taiwan*.
32. *Informant H*, online communication, 22 March 2017.
33. As quoted in Buckley, "Chinese City Backs Down."
34. Jianrong Yu, "Everyone has a microphone"; original Chinese source: "Yu Jianrong is popular now" (于建嵘红了), *Southern Metropolis Weekly*, 8 December 2010, <http://www.nbweekly.com/news/people/201012/13101.aspx>.

PART 7

RELIGION

19. Religious charity, repurposing, and “claim-staking” resistance: the case of Gospel Rehab

*Susan K. McCarthy**

The religious revival that began in China in the late 1970s has been accompanied by instances of protest and dissent rooted in religion. High-profile cases, such as those involving Falun Gong adherents and Wenzhou Christians, illustrate how religious beliefs, practices, and organizations can facilitate collective contention directed at China’s governing regime.¹ These cases also underscore the risks of challenging political authorities in overt and unambiguous ways. Given these risks, Chinese religious adherents, like their non-religious compatriots, often employ indirect, unobtrusive strategies to resist the policies and practices of the party-state.

This chapter analyzes such forms of resistance bound up with the practice of religious charity. Faith-based charity may seem an unlikely subject for a volume concerned with dissent and protest. Such charity typically reflects values and attitudes such as compassion, patriotism, and dedication to the common good—not opposition to or disgruntlement with the party-state or its actions. Yet at times religious charity challenges government policies and practices, in particular those aimed at excluding religion from other areas of social, cultural, and economic life. It confounds these through a process this author terms “repurposing,” in which the secular locations and activities of charity are converted into sites and modalities of religion.² The sacralizing consequences of repurposing complicate the secular objectives of the Communist party-state.

Repurposing is distinct from other activities typically defined as resistance, such as the contentious politics of protest and dissent. Contentious politics can be understood as a form of political “claims-making.”³ Through contentious collective action, mobilized groups make claims on and demands of power holders in the hopes of changing how, by whom, and for what ends power is exercised. In contrast, repurposing eschews the direct articulation of political claims to the powers-that-be. Repurposing is not so much a claims-making as a “claim-staking” endeavor. Like a homesteader who takes possession of a plot of land through purposive action that alters the plot’s meaning and function, charity practitioners occupy the secular sites and programs of charity and, through faith-infused practices, repurpose these along religious lines. Repurposing expands the social space of religion beyond what is formally allowed, and in doing so circumvents barriers established to contain religion.

Despite the fact that religious repurposing complicates the regime’s secular agenda, officials and government agencies at times facilitate it. In recent years the government has shown increasing support for faith-based philanthropy and social service, as it has come to recognize the benefits these can offer society and the state. Central party-state organs have called on religious groups to step up their charitable activities. The revised “Regulations on Religious Affairs” issued in 2016 include provisions authorizing faith-based non-profits, provisions that were lacking in previous regulations—an indication

that the government increasingly views religious charity as a legitimate social endeavor.⁴ At the same time, however, Xi Jinping and other leaders have reiterated their commitment to secularism and to shoring up the boundaries that separate religion from politics and other areas of social life.⁵ However by promoting faith-based charity, the government encourages the infusion of the religious into charity’s ostensibly secular spaces, organizations, and projects—including some embedded in the party-state itself.

This chapter analyzes how religious charity serves as an unobtrusive and indirect mode of resistance, even as it furthers certain party-state goals and interests. It focuses specifically on the case of Gospel Rehab, a Christian drug treatment program that uses evangelism and other faith practices to help its clients combat narcotics addiction. Despite its unregistered status and illicit evangelistic methods, the program endured, eventually securing formal approval and funding from the state. Gospel Rehab illustrates how faith-based charity repurposes the sites and endeavors of social service, staking its claim on these through activities that recast them as religious venues and practices. Yet Gospel Rehab also shows that the resistance effected by faith-based charity is not necessarily deliberate or a primary objective of charity practitioners. This case furthermore reveals the role of government officials and agencies in encouraging repurposing and considers the reasons for their support. The example of Gospel Rehab indicates that religious repurposing can further the regime’s agenda in some ways while confounding and challenging it in others.

REPURPOSING AS A VARIETY OF RESISTANCE

To understand how repurposing works, it helps to contrast it with activities more typically regarded as resistance and dissent, such as public protest. Protest is a classic example of “contentious politics,” an expressive, communicative activity through which groups articulate political demands. Contentious politics is typically disruptive, a break from “normal” politics; but it is also a form of political “claims-making.” Political contention often aims to do more than make claims: groups also engage in contention to mobilize resources, gauge public support, assert control over heterogeneous movements, and engineer regime change. By and large, however, people protest to express demands in the hopes of influencing the behavior of authorities and institutions. Scholars of social movements have emphasized the claims-making dimension of contentious politics in order to highlight points of convergence between the routinized, “contained” contention of institutional politics and more “transgressive” varieties, such as protest.⁶

In China opportunities for contained contention are few and far between. Though not uncommon, transgressive contention carries with it considerable risk. For this reason much contentious politics is what Kevin O’Brien calls “boundary-spanning,” behavior that “operates near the boundary of authorized channels.”⁷ In boundary-spanning contention protesters may employ rhetoric that echoes official discourse, asserts the legality of their claims, and affirms their loyalty to the Chinese people and the party-state. Protesters and other grassroots political actors may also seek to cultivate influential allies within the regime capable of advocating on their behalf. Alternatively, protesters attempt to “depoliticize” their claims by framing them as matters of public health or environmental protection relevant to the whole society, rather than as reflecting particular group interests.⁸

Boundary-spanning contention can also entail innovative approaches to collective action, such as the strolling protests employed in urban environmental activism.⁹ Among religious adherents, innovative protest strategies can include collective public prayer, as Carsten Vala details in this volume. These boundary-spanning strategies, argues O'Brien, depend “on a degree of accommodation with the structure of domination, the deft use of prevailing cultural conventions, and an affirmation—sometimes sincere, sometimes strategic—of existing channels of inclusion.”¹⁰ Consequently they do not challenge the regime directly, and may even augment its authority. Nonetheless, subtle and oblique strategies can succeed if they induce officials to respond favorably to protesters’ concerns.¹¹

Oblique as they are, boundary-spanning approaches to contention are still claims-making activities that communicate demands to authorities. Yet not all resistance is so directly communicative, and not all forms of resistance involve either claims-making or contention. Many unobtrusive forms of resistance eschew the articulation of claims even as they challenge the exercise of power by elites and institutions. Examples include the surreptitious evasions of what James C. Scott terms “everyday resistance” and the strategies of refusal employed by East European dissidents under communism analyzed by Christian Joppke.¹² Resisters may deliberately disregard laws and policies without expressing demands for these to be changed. Alternatively, they may conduct resistance activities in secret, through acts of sabotage and criminality. In contrast to contentious politics, surreptitious strategies involve the muffling and masking of claims. Because they are relatively “uncommunicative” they are often limited in their scope and effectiveness; there is a reason Scott characterizes them as “weapons of the weak.” Nevertheless such resistance can “work.” Unobtrusive resistance may facilitate seizures of power if systemic and sustained enough to undermine a regime’s capacity to govern. And although its political objectives are not openly articulated, evasive resistance is not entirely mute. Surreptitious strategies may uncover hidden “preferences” for opposition within a population, thereby increasing the likelihood that resistance will spread.¹³

Repurposing is similarly characterized by the non-articulation of political claims directly to power holders. In other words, repurposing is not a claims-making endeavor, and it is certainly not contentious politics, boundary-spanning or otherwise. However, repurposing diverges from other evasive strategies in important ways. Much surreptitious resistance, including foot-dragging, tax evasion, desertion, and sabotage, involves deliberate acts of refusal and opposition carried out by the disgruntled and marginalized—subalterns denied a voice by the regime. In contrast, the repurposing of religious charity occurs through public service activities carried out more or less in the open, often with the backing and participation of the party-state.¹⁴

Repurposing is made possible by the fact that, for religious adherents, charity is both an act of public service and a form of religious practice, a manifestation of their faith commitments. For many who engage in it, doing charity *is* doing religion. In feeding the hungry and aiding the sick, charity practitioners follow biblical injunctions, give glory to Allah, enact the Dao, cultivate Buddhist lovingkindness, earn merit, and so on. Especially when conducted in concert with fellow adherents, charity can strengthen religious identities and communities. It infuses the most mundane activities and places with religious significance. Tending to earthquake victims in a field hospital brings a Catholic volunteer face to face with “the living Christ”; distributing porridge to passers-by enables a Buddhist to break through the “small self” and generate good karma.¹⁵ Such charity

converts the disaster zone, the nursing home, and even the administrative headquarters of a social service agency into spaces where the sacred is manifest and encountered.¹⁶

It is for this reason that I describe repurposing as a “claim-staking” rather than “claims-making” form of resistance. In using this metaphor I mean to draw attention to the ways purpose-driven behaviors can transform the significance and function of spaces, organizations, and activities. Consider the claim-staking of homesteaders in the American West. The homesteader who staked a claim on frontier lands did not just occupy a plot of land; she “improved” it by fencing it, plowing it, planting crops, and so on. These activities were the means by which that plot became functionally useful for the homesteader as well as meaningfully her own property; staked claims endured only if the territory involved was successfully “proved up.”¹⁷ Mere occupation was not enough; specific, goal-directed activities were central to the processes by which claimed territory was legitimately appropriated. The metaphor of claim-staking highlights another aspect of religious repurposing: like homesteading in nineteenth-century America, a good deal of (though not all) Chinese faith-based charity is a response to imperatives and incentives emanating from the state.¹⁸ That is, in doing charity many adherents are answering the regime’s calls for citizens to improve the moral and social territory of Chinese public life.

Admittedly, the homesteader analogy is not a perfect fit for the concept of repurposing. In the case of the United States, homesteading took place within a juridical context that legitimated staked claims. Claims were articulated publicly in and through the legal system; claim-staking thus entailed claims-making through formal institutions. Successfully staked claims were (mostly) exclusive insofar as they precluded counter-claims by rivals, including the government. In contrast, the repurposing of faith-based charity does not necessarily drive out other meanings, functions, or claims. Instead these can exist alongside charity’s religious meanings and purposes. Despite these limitations, the metaphor of claim-staking captures how groups and individuals occupy the territory and practices of charity and, through spiritually efficacious actions, alter these so that they become part of the “field” of religion.¹⁹ Repurposing exemplifies what William Sewell calls “spatial agency,” through which “spatial constraints are turned to advantage in political and social struggles” and groups “restructure the meanings, uses, and strategic valence of space” as well as actions.²⁰ The exercise of spatial agency transforms both the significance of spaces and their “strategic uses,” and, Sewell argues, “can have far-reaching political consequences.”²¹

One key difference between the claim-staking of repurposing and the claims-making of contentious politics is that the former depends in large part on non-communication between adherents and the regime.²² Non-communication or communication failures may occur when bureaucrats steeped in the atheism and materialism of communist ideology do not comprehend the religious meanings of charitable endeavors. In other instances officials are cognizant of these religious implications but practice what Robert Weller calls “blind-eye governance” because of the resources and services charity provides.²³ Still others may encourage repurposing because they themselves are members of religious communities and share their goals.²⁴ Regardless of motivation, official tolerance for faith-based charity encourages repurposing and its sacralizing consequences. That said, many officials are wary of the religious text and subtext of charity. Top leaders have warned of the “impure” (*bu chun*) motives of some adherents who “wave the banner of religious charity to harm national sovereignty and social order.”²⁵

It is important to emphasize that repurposing is not or need not be inherently “resistant.” What makes it so is the legal-political environment in which it is carried out. Chinese religious policies aim to draw a sharp distinction between the sacred and secular, the religious and (most) everything else. Regulations stipulate that most collective religious activities must be conducted only at “religious sites” (*zongjiao changsuo*) registered with and supervised by the Religious Affairs Bureau (RAB). Mosques, temples, and churches must also affiliate with government-backed religious “mass organizations,” such as the Islamic Association or the Protestant “Three-Self Patriotic Movement” (TSPM). Clerics, imams, and other religious personnel must undergo training at official seminaries or similar institutes. Self-designating as a preacher, priest, monk, or imam is not allowed; nor is unapproved collective worship in public spaces.²⁶ These regulations affect charity in that philanthropic organizations and individual practitioners are prohibited from injecting religious symbolism, ritual, or discussion into their programs. Using charity as a tool to recruit new believers is forbidden. A faith-based NGO that distributed evangelical literature along with disaster aid would be in clear violation of the letter and the spirit of the law.

Not surprisingly some of the most successful and well-known religious charity organizations in China, such as the Amity Foundation and the Jinde Charitable Foundation, take pains to excise most religious content and symbolism from their programs, excepting those focused specifically on religious matters.²⁷ Yet even registered and well-regarded faith-based charities associated with the five approved religions may find themselves forced to operate in what Keping Wu calls the “grey zone”—“the ambivalent political space located in-between what is legal and what is illegal, what is sanctioned fully by the state and what is not completely censored.”²⁸ This suggests that the “informality” that Marie-Eve Reny argues permeates unofficial Christian organizations is a characteristic of government-approved religious groups as well.²⁹

However, separating the religious aspects of charity from its mundane, practical dimensions is no easy task and creates its own set of problems. Enforcing this distinction can hinder organizations from mobilizing support from within their religious communities. The case of Hongde Jiayuan, an orphanage established by the Hebei Buddhist Charity Association, is instructive. According to Changhui, the monk who directs the orphanage, many Buddhists engage in charity to generate “merit,” a karmic reward that facilitates their own and their loved ones’ salvation. Many also believe that merit is produced only through activities explicitly connected with the practice and promotion of Buddhism. But as an orphanage caring for children under the age of 18, Hongde Jiayuan is prohibited from incorporating Buddhist content into its programs or promoting Buddhism in any other manner. For this reason it has had trouble raising funds from what should be a natural constituency, Chinese Buddhists. As Changhui sees it, Buddhists would rather spend money on merit-generating rituals like *fangsheng* than on supporting Hongde Jiayuan’s needy orphans.³⁰

A key obstacle to maintaining the sacred/secular distinction in charitable practice is that it is not always clear where religion ends and charity begins. In a number of religions, rituals and other faith practices serve as “spiritual technologies,” core elements of the toolkit used to address social ills.³¹ The above-mentioned practice of *fangsheng* is a case in point. *Fangsheng* is the release of caged animals, typically birds and fish—a ritual that many Buddhists (and some Daoists) believe results in the production of merit. The

accumulation of merit facilitates adherents' salvation after death, specifically their attainment of the Pure Land and, eventually, nirvana. Merit produced through *fangsheng* is also thought to produce good karma capable of healing the world as a whole; its beneficial effects can accrue not only to the individual releasing captive animals but also to their loved ones, and even to humanity in general. Many practitioners regard *fangsheng* as the form of charity *par excellence*, since it tackles spiritual deficits responsible for human suffering. Doing *fangsheng* is doing good, a public service in its own right.³²

The Chinese government's attitude towards *fangsheng* and other spiritual technologies is complicated. *Fangsheng* is problematic for a host of mundane reasons. Large releases of captive aquatic animals have resulted in massive fish kills and contamination when waterways are too warm or polluted. The combination of growing affluence and religiosity has aggravated the black market trade in endangered species, since the release of rare, expensive creatures is believed to be especially efficacious at generating merit.³³ To address these problems the Buddhist Association of China in 2014 promulgated new *fangsheng* guidelines to encourage adherents to conduct the ritual in a “rational,” “scientific,” and environmentally conscious fashion.³⁴ Governments at the provincial and local level have established *fangsheng* associations (*xiehui*) to oversee and coordinate the practice. A number of these groups include current and retired officials among their directors. Consider, for example, the Guangdong Province *Fangsheng* Association, founded in 2010 to encourage ecologically sound *fangsheng* practices and promote “great compassion” (*da'ai*). The association's president is a former deputy director of the Standing Committee of the Guangdong Provincial People's Congress, while its vice-president serves on the provincial Party Committee and heads the CCP's Discipline Inspection Commission in the city of Yangjiang. One of the group's two honorary presidents is a retired former deputy party secretary and governor of Guangdong Province. The association itself is an offshoot and creation of the Guangdong Provincial Oceanic and Fishery Administration, which in the past has organized several *fangsheng* festivals.³⁵

Officials appear to tolerate the use of spiritual technologies in religious charity when these are directed towards populations that share the faith of the groups trying to help them. A case in point is Home of Buddhist Light, based in Xishuangbanna Prefecture in the southwestern province of Yunnan. Home of Buddhist Light was established by monks and lay Buddhists to tackle drug addiction and HIV/AIDS among the predominantly Buddhist Dai minority inhabitants of Xishuangbanna. The organization enlists monks in its educational outreach and employs Buddhist concepts such as the Four Noble Truths to promote abstinence from injection drug use and prostitution, major trajectories of HIV infection. Since the target population for Home of Buddhist Light's outreach is already mostly Buddhist, and since Buddhism is regarded as intrinsic to the cultural heritage of the Dai minority nationality, this mixing of faith with philanthropy is accepted by party-state officials.³⁶

PROSCRIBING AND PRESCRIBING FAITH: THE CASE OF GOSPEL REHAB

Mixing religion with charity is especially controversial when it involves Christianity, and when the groups involved are unregistered with and unsupervised by state agencies.

These issues are evident in the case of Gospel Rehab (*Fuyin Jiedu*), a Christian drug treatment program that employs evangelical methods to help its clients overcome narcotics addiction. Independent Christian drug treatment programs first emerged in the PRC in the 1990s in several locations around China, including Fujian and Yunnan Provinces.³⁷ These programs typically eschew medical interventions and rely instead on prayer, Bible-reading, and other distinctly Christian beliefs and practices to treat their clients. Clients are required to undergo religious instruction, participate in collective worship, and reside in clinic facilities that sequester them from the outside world for anywhere from six to eighteen months. Unlike state-mandated drug treatment programs, Christian drug rehabilitation is voluntary, and most if not all programs are free.

Faith-based Christian drug treatment programs have operated for decades in Hong Kong, Macau, and Taiwan, as well as in the United States and other Western countries. Christian aid groups from Hong Kong and Taiwan have promoted the growth of these programs in the mainland, partly by propagating the very notion that addiction can be defeated through faith. Outside Christian groups have also provided funding and operational guidance to mainland programs, enabling them to survive in a challenging legal and political environment. In recent years some provincial, municipal, and local governments in the PRC also have provided support for these clinics' unorthodox approach.

One of the first programs established in the mainland is Gospel Rehab, whose first clinic, the Taocheng Drug Rehabilitation Guidance Station (*Taocheng fuyin jiedu fudao zhan*), was founded in 1999 in Yunnan Province. Yunnan is ground zero for China's narcotics crisis, one of the worst hit in terms of rates of drug addiction and the related scourge of HIV/AIDS. The Taocheng clinic was established by a man named Lin Jueqing, the owner of a small manufacturing firm who possessed no training in medicine or counseling, much less in the treatment of addiction. Lin's career as a provider of addiction treatment began in a decidedly ad hoc fashion. He was one of six lay Christians, all members of a weekly prayer group he led, moved by compassion to help the heroin-addicted sister and brother-in-law of one of their members. Lin and the other five prayer group participants decided to try to alleviate the couple's suffering the only way they knew how, through faith and prayer. They took the couple to a quiet resort where they spent several days and nights praying with the couple, discussing the Bible, talking with them about Jesus, and offering comfort as the couple experienced the agonies of withdrawal. After several days and nights, when it seemed as if the worst of withdrawal was over, the group returned to Kunming. Rather than return to the temptations of their old lives, the husband and wife moved in with Lin, the group's unofficial leader, where they stayed for several months. During that period the couple attended church with Lin and his family, studied the Bible, and remained drug-free. Eventually both husband and wife converted to Christianity.³⁸

The story of Yunnan Gospel Rehab might have ended here had acquaintances of the now drug-free couple not heard of their successful rehabilitation and sought help from Lin. As mentioned, Lin lacked any training in the field of addiction treatment. However the steady stream of people seeking his help convinced Lin that God was calling him to alter his life's path. Eventually he sold his factory and rented a farmhouse in Taocheng, a rural village some distance from Kunming, where he began preaching the Gospel to a small group of addicts and using prayer and informal counseling to help them deal with their affliction. This informal farmhouse clinic eventually became the Taocheng Drug Rehabilitation Guidance Station.³⁹

Most of those served by the Taocheng clinic and other Yunnan Gospel Rehab sites are people addicted to heroin, ketamine, and “ice,” or methamphetamine, the most commonly abused narcotics in China. Many of its clients have previously undergone compulsory drug treatment in the state system, the result of having been detained by public security and registered as drug users. More than a few have been remanded to compulsory treatment numerous times, only to relapse upon release.⁴⁰

According to its proponents, Gospel Rehab works because it addresses the spiritual and psychological problems that fuel addiction. As mentioned, the treatment offered at such clinics does not involve medication such as methadone or buprenorphine. Instead the focus is almost exclusively on belief, spirituality, and fellowship. According to Wang Aiguo, deputy chief of the Religious Affairs Bureau in Yunnan and a supporter of the program:

This therapy regards the rehabilitation of the soul as the priority. It encourages drug users to base their rehabilitation upon the guidance of the Bible, and rather than rely solely on medicines or themselves to rely on God to rehabilitate the addicted soul and eventually be cured of the addiction, reconcile with their families, return to the society, and rediscover their lost humanity, dignity, and inner self. This therapy aims to reform or educate the drug users by Christian faith and the gospel to become reborn.⁴¹

Gospel Rehab thus aims to bring about a fundamental transformation in the individual’s worldview and relationship to his or her self and others. Conversion to Christianity—accepting Jesus Christ as one’s Lord and Savior—is a central tool and objective of the program. As Wang states, “Christian rehabilitation therapy draws on the strength of religious belief to help create a ‘reborn’ individual, in a new social environment.”⁴² Being “born again” releases the individual from their old life and their old self, which had focused on the satisfaction of base, worldly desires. At the same time, being born again is a sign one has broken free of the grip of addiction.

Gospel Rehab provides other kinds of training that promote treatment objectives. In addition to participating in religious and counseling activities during the year-long program, participants share in the labor needed to keep clinics operating. Today there are seven sites around the province in both rural and urban areas. At rural sites, participants raise pigs and fish, and grow fruits and vegetables for sale and for their own consumption. The urban sites run several attached businesses, including an auto repair facility, a car detailing shop, and a design firm. Gospel Rehab also has established a halfway house for graduates of the program, to smooth their re-entry into society. Occupational skills-building, psychological counseling, and Christian fellowship all aim to address the problem of recidivism, common among addicts who, upon release from treatment, often find themselves without marketable skills or social support.

Supporters of Gospel Rehab and similar programs claim that they get better results than do either state-mandated compulsory treatment or secular, community-based programs. According to Wang Aiguo, between 1999 and 2006 Gospel Rehab clinics in Yunnan treated 258 clients, of whom 178 (68.9 percent) remained drug-free through 2006. The Taocheng clinic alone assisted 82 drug users in that time period, of whom 62 (75.6 percent) were known to be drug-free in 2006.⁴³ Of course, these figures underscore the tiny scope of Gospel Rehab. Whereas 258 people were treated over a seven-year period at multiple Gospel Rehab sites, in 2005 there were over 61,000 people undergoing compulsory

drug detention, and another 12,600 in compulsory “reform through labor” programs in Yunnan Province alone.⁴⁴ There are no randomized, controlled studies of Christian drug therapy in China, nor any comparing this approach to state-mandated compulsory programs or harm-reduction approaches such as methadone maintenance. Methadone maintenance treatment (MMT) was introduced to China only in 2004. Between 2004 and 2012, over 700 MMT clinics were established around the country, and during that period MMT clinics treated over 384,000 people for opioid addiction.⁴⁵

Regardless of how effective (or scalable) the program really is, it is certainly perceived and portrayed as such by its supporters. Yet its methods flout regulations concerning religion, charity, and even drug treatment. As stated previously, using charity to proselytize is forbidden by law. Like other religious activities, proselytizing (aka evangelizing) is allowed only within the confines of registered religious sites, which the Taocheng farmhouse and subsequent Gospel Rehab clinics are not. Furthermore, an individual may not self-designate as a pastor or evangelist; to serve in this capacity one must be trained at an approved seminary, register with the RAB, and affiliate with one of the government-sponsored Christian associations, the TSPM and the China Christian Council (CCC). Community drug treatment facilities, meanwhile, must register with local bureaus of public health and public security. At least in its early years, Gospel Rehab proceeded without securing the approval of any of these agencies.

Despite these violations of law and policy, Gospel Rehab persisted and expanded. Several years after the Taocheng clinic was founded the program attracted attention from Christian aid groups in Hong Kong. Funding and other assistance from these Hong Kong groups enabled Gospel Rehab to establish additional clinics in Kunming and in Dehong Prefecture, a largely ethnic minority region along the Yunnan–Myanmar border decimated by narcotics addiction and HIV/AIDS. With support from a Hong Kong Christian charity, in 2004 Lin Jueqing worked with a local Christian church and county TSPM to establish the Erkun Gospel Rehab Counseling Station in Yingjiang County, a Dai and Jingpo Autonomous County in Dehong.⁴⁶

Gospel Rehab’s endurance suggests a degree of blind-eye governance on the part of local officials, a decision to ignore much of what Lin and others were doing because of the program’s perceived benefits. This is perhaps not surprising given the relatively relaxed attitude shown by Yunnan officials towards unregistered NGOs and other grassroots groups during the 1990s and 2000s. This period was one of considerable experimentation and innovation in Yunnan’s associational sphere, and Gospel Rehab was one of scores of unregistered non-profit groups that sprang up during this time in response to the twin crises of addiction and HIV/AIDS.⁴⁷ Because of a dearth of resources and the scale of the problem, government officials have welcomed the entry of civil society and grassroots actors into the field of addiction treatment. A good deal of drug treatment in China “remains either a fringe enterprise endeavored by a few do-gooders in the community or by the criminal justice system that believes in the simple method of manual labor and deprivation of personal freedom.”⁴⁸

The intractability of the drug and AIDS crises is another reason for Gospel Rehab’s longevity. Yunnan is one of China’s poorest and least developed provinces. It is also a transit corridor for heroin and methamphetamine trafficked overland from Myanmar throughout China and to Hong Kong. As early as 1988 the central government named Dehong Prefecture an “area of concern” for narcotics, and China’s first reported AIDS

cases were discovered in Dehong in 1989. Addiction and AIDS have ravaged areas of the province abutting the Yunnan–Myanmar border, the population of which includes a large percentage of ethnic minorities. Although Dehong’s inhabitants comprise just 0.8 percent of China’s total population, in 2010 its 17,590 reported cases of HIV/AIDS represented 6.4 percent of all known cases in the country.⁴⁹ Other parts of the province are also struggling to contain these twin crises, including the provincial capital of Kunming. Despite “relentless and draconian counter measures,” the drug problem continues unabated.⁵⁰ This dire situation has convinced many officials to “put aside the theoretical and ideological disputes” and allow a variety of experimental approaches to go forward.⁵¹

One way that Gospel Rehab managed to stay afloat over the years was by registering its first couple of sites as commercial ventures, as do many grassroots NGOs stymied by the strict registration requirements for non-profit organizations in China. After about seven years of operating in legal limbo, the provincial Religious Affairs Bureau gave its approval for Gospel Rehab to be reorganized as a program of the Social Work Department of the Yunnan Provincial “Two Associations” (*lianghui*), a hybrid entity made up of the aforementioned TSPM and CCC. Though operating outside the parameters of “official” Christianity, Lin Jueqing had been in contact with the head of Yunnan’s *lianghui*, who introduced Lin to representatives of Hong Kong Christian aid groups that subsequently provided financial support for Gospel Rehab’s expansion. In approving its transformation into an official program of the TSPM and CCC, the provincial RAB also awarded Gospel Rehab a grant of 200,000 *yuan*; the group received a second grant of 200,000 yuan from the CEDA Foundation, a Hong Kong Christian aid group.⁵² Today Gospel Rehab programs operate in seven sites around the province. Lin Jueqing and a representative from the CEDA Foundation, Mo Wenguang, have also assisted local governments and TSPM officials in the provinces of Guangdong, Guangxi, and Hainan to establish their own Christian drug treatment programs.

Despite the local and provincial government’s acceptance of Gospel Rehab, many officials remain troubled by the explicit religiosity of its approach and by the fact that some party-state entities have enabled it to succeed and grow. RAB deputy chief Wang acknowledges the dilemmas the program poses. Though its methods appear beneficial, “the therapy is spreading the gospel and advances the Christian religion by means of rehabilitation. It is changing the society in Christian ways while providing social services.”⁵³ Furthermore, government support for the program seems to violate policies requiring party-state neutrality towards individual religions and religion in general. As Wang explains, “the competent government authorities have been placed in a difficult position: the therapy is a better and more effective method among various forms of rehabilitation to reverse the severe reality, but on some levels, it also helps promote the spread and development of Christian religion.”⁵⁴ Officials and state organs are, in other words, facilitating Christian evangelism and conversion—a problem for agents of a party-state committed in theory to the atheism and materialism of Marxism. While Wang expects the controversy over Gospel Rehab to continue, he also believes that “the explorations and experimentations of the therapy will go on unabated.”⁵⁵

CONCLUSION

The case of Gospel Rehab illustrates how religious believers repurpose the activities and spaces of charity into modalities and venues of religion. Gospel Rehab's use of prayer, evangelism, and other Christian spiritual technologies meant that this grassroots drug treatment clinic functioned as an unregistered Christian religious community and site of Christian practice. Gospel Rehab also reveals the ways repurposing can spur new and enhanced connections within a larger community of believers, as seen in its collaboration with Christian organizations in Hong Kong, other Yunnan localities, and other provinces. This case also underscores the fact that many Chinese people today encounter religion through activities and venues other than those created and approved by the regime for religious purposes.⁵⁶ In addition, Gospel Rehab indicates the difficulty of trying to extract the religious from the secular in faith-based charity. If anything it shows that the explicitly "religious" aspects of religion—belief, prayer, ritual, and collective worship—can serve as resources not just for charities and those they serve, but for the regime as well.

In addressing the problem of narcotics addiction through charitable social service, Gospel Rehab was and is clearly advancing a number of regime objectives.⁵⁷ At the same time, the program has flouted a slew of regulations designed to limit the scope and influence of religion in society. Lin Jueqing and others involved in the program have resisted and circumvented legal and political obstacles to religion erected by the regime—even though resistance does not appear to have been their aim. Years of blind-eye governance enabled Gospel Rehab to prove its value and utility, and over time it garnered acceptance—and even funding—from the Yunnan government. Its seeming success convinced officials elsewhere to approve the creation of Christian drug treatment programs in their localities. Thus, the repurposing and claim-staking activities of Gospel Rehab brought about a change, over time, in how the organization was regarded and treated by the party-state. Gospel Rehab's founders and supporters did not achieve this transformation by demanding that it be recognized as a legitimate and worthwhile program. In other words, they did not engage in contentious claims-making to extract concessions from the regime.

The contentious politics of protest and dissent attract considerable attention among social scientists. In part this reflects a belief that protest and dissent are particularly effective in bringing about meaningful political change, especially for marginalized groups denied a voice in formal political institutions. McAdam, Tarrow, and Tilly express this view when they claim that "substantial short-term political and social change more often emerges from transgressive than from contained contention, which tends more often to reproduce existing regimes."⁵⁸ In China, however, transgressive contention is extremely risky and can easily backfire. At the same time, opportunities for "contained" contention are practically non-existent. How then can Chinese people bring about changes in the way power is exercised? What power do they have to push back at the thicket of restrictions on social organization and behavior, including religious practice and expression? How do Chinese people convince officials and party-state organs to accept and accede to their demands?

My findings regarding Gospel Rehab add to a growing body of scholarship on contemporary China suggesting that indirect and informal strategies may provide a partial answer to these questions. This view has been perhaps most notably advanced by Kellee Tsai in her study of Chinese entrepreneurs and their efforts to promote their interests in an

era when private business was still highly constrained.⁵⁹ Tsai argues that members of this formerly vilified group succeeded in altering the rules and norms concerning private business through informal adaptations and personal interactions with party-state officials. Faced with restrictions on their business activities, entrepreneurs neither complied meekly nor engaged in contentious politics aimed at changing government policies. Nor did they pursue interest group politics typical of their counterparts in liberal democracies. Instead, entrepreneurs “evaded, exploited, and appropriated formal institutions through a variety of informal adaptive strategies.”⁶⁰ These strategies included subtle non-compliance with official rules, appealing to officials’ individual interests to cultivate allies within the party-state apparatus, and acting as if their capitalist pursuits were already legal and accepted. Over time, entrepreneurs’ individual and uncoordinated “coping strategies” were “routinized as informal adaptive institutions”,⁶¹ this routinization “reflected and foreshadowed far-reaching changes in the formal policy environment governing the private sector since the Chinese Communist Party consolidated its power on the mainland.”⁶² Such changes include the 2001 decision to open membership in the Communist Party to capitalists, and a 2004 amendment to China’s constitution that protects private property. Tsai makes clear that these developments were not brought about through transgressive or contained contention, that is, by “clamoring for democracy” or vocally challenging restrictions on private business. Instead, the “accumulation of informal interactions between local state and economic actors provided both the impetus and the legitimizing basis for these key reforms.”⁶³

In similar fashion, *Gospel Rehab* shows how non-contentious and indirect modes of resistance like repurposing can enable relatively marginal social actors to alter the behavior and attitudes of government officials and agencies. The contentious politics model holds that the way to bring about change is to demand it—to articulate group claims to authorities and demand (or hope) that they respond favorably. In contrast, claim-staking through repurposing effects change by behaving *as if* the desired state of affairs already exists, and habituating officials to that state of affairs over time.⁶⁴ Repurposing and the metaphor of claim-staking help us grasp how citizens can resist and even change government policy and practice without confronting it head on—without opposing it on a systemic level or engaging in contentious politics. The case of *Gospel Rehab* also highlights the role played by officials in facilitating repurposing and its religious consequences. China’s government encourages faith-based charity because of its mundane, this-worldly benefits, which can be especially helpful for resource-constrained local governments facing intractable crises like AIDS and addiction. But with this encouragement, officials promote the infusion of the sacred into charitable activities and institutions, knowingly or not. In doing so they enhance the legitimacy of religion and expand the arena in which it can be practiced and expressed.

NOTES

* This project was supported by a Scholar Grant from the Chiang Ching-kuo Foundation and a Research Travel Grant from the Committee on Aid to Faculty Research at Providence College.

1. On Falun Gong see James Tong, *Revenge of the Forbidden City: The Suppression of the Falungong in China, 1999–2005* (Oxford: Oxford University Press, 2009). For more on the protests in Wenzhou see Carsten Vala’s chapter in this volume and Nanlai Cao, “Spatial Modernity, Party Building, and Local

- Governance: Putting the Christian Cross-Removal Campaign in Context,” *The China Review* 17, no. 1 (2017): 29–52.
2. Susan K. McCarthy, “Serving Society, Repurposing the State: Religious Charity and Resistance in China,” *The China Journal* 70 (2013): 48–72.
 3. Ruud Koopmans and Paul Statham, “Political Claims Analysis: Integrating Protest Event and Political Discourse Approaches,” *Mobilization* 4 (1999): 203–21.
 4. Article 56 of the revised regulations states that: “Religious groups, religious schools, religious activity sites, and religious professionals may lawfully initiate public interest charitable endeavors, and enjoy preferential policies in accordance with national regulations. Public interest charitable activities must not be used to proselytize by any organization or individual.” “Religious Affairs Regulations Draft Revisions (Deliberation Draft),” *China Law Translate*, 24 September 2016, <http://www.chinalawtranslate.com/religious-regulations/?lang=en>.
 5. Lucy Hornby, “Xi Jinping Pledges Return to Marxist roots for China’s Communists,” *Financial Times*, 1 July 2016, <https://www.ft.com/content/be1b2528-3f57-11e6-8716-a4a71e8140b0>.
 6. Doug McAdam, Sidney Tarrow, and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), 7.
 7. Kevin J. O’Brien, “Neither Transgressive nor Contained: Boundary-Spanning Contentions in China,” *Mobilization* 8 (2003): 53.
 8. Peter Ho, “Greening without Conflict? Environmentalism, NGOs and Civil Society in China,” *Development and Change* 32 (2001): 893–921.
 9. H. Christoph Steinhardt and Fengshi Wu, “In the Name of the Public: Environmental Protest and the Changing Landscape of Popular Contention in China,” *The China Journal* 75 (2016): 61–82, 66–7.
 10. O’Brien, “Neither Transgressive nor Contained,” 53.
 11. Steinhardt and Wu, “In the Name of the Public”; Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012), 4–5.
 12. James C. Scott, *Weapons of the Weak: Everyday Forms of Resistance* (New Haven: Yale University Press, 1985); Christian Joppke, “Revisionism, Dissidence, Nationalism: Opposition in Leninist Regimes,” *British Journal of Sociology* 45, no. 4 (1994): 543–61.
 13. Timur Kuran, *Private Truths, Public Lies: The Social Consequences of Preference Falsification* (Cambridge, MA: Harvard University Press, 1997).
 14. McCarthy, “Serving Society,” 52–4.
 15. Ibid., 60–61, 66–8.
 16. In this volume, Vala’s discussion of Christian street protests in Anyang shows how sites of open resistance can also be transformed into spaces of faith-based expression and solidarity.
 17. Sarah Carter, *Montana Women Homesteaders: A Field of One’s Own* (Helena, MT: Farcountry Press, 2009), 16–22.
 18. See Vivienne Shue, “State Power and the Philanthropic Influence in China Today,” in *Philanthropy in the World’s Traditions*, eds., Warren F. Ilchman, Stanley N. Katz, and Edward L. Queen II (Bloomington: Indiana University Press, 1998), 332–54.
 19. Pierre Bourdieu, “The Field of Cultural Production, or: The Economic World Reversed,” *Poetics* 12 (1983): 311–56.
 20. William H. Sewell, Jr., “Space in Contentious Politics,” in *Silence and Voice in the Study of Contentious Politics*, eds., Ronald R. Aminzade, Jack A. Goldstone, Doug McAdam, Elizabeth J. Perry, William H. Sewell, Sidney Tarrow, and Charles Tilly (New York: Cambridge University Press, 2001), 55.
 21. Ibid., 56.
 22. On the ways communication failures can facilitate social cooperation among unequally situated groups see Sherry B. Ortner, “Thick Resistance: Death and the Cultural Construction of Agency in Himalayan Mountaineering,” *Representations* 59 (1997): 145–7.
 23. Robert Weller, “Responsive Authoritarianism and Blind-eye Governance in China,” in *Socialism Vanquished, Socialism Challenged*, eds., Nina Bandelj and Dorothy Solinger (Oxford: Oxford University Press, 2012), 83–99.
 24. Susan K. McCarthy, “In Between the Divine and the Leviathan: Faith-based Charity, Religious Overspill and the Governance of Religion in China,” *The China Review* 17, no. 2 (2017): 65–93. For an analysis of the mix of motives informing local officials’ variable treatment of unregistered Christian groups see Teresa Wright and Teresa Zimmerman-Liu, “Engaging and Evading the Party-State: Unofficial Chinese Protestant Groups in China’s Reform Era,” *China: An International Journal* 11, no. 1 (2013): 1–20.
 25. “Zongjiao cishan chuangxin: guli yu guifan bingxing (Innovations in Religious Charity: Encourage and Regulate in Parallel),” *State Administration for Religious Affairs*, 22 November 2012, <http://www.sara.gov.cn/zjzc/zjcs/17899.htm>.
 26. Fenggang Yang, “Lost in the Market, Saved at McDonald’s: Conversion to Christianity in Urban China,” *Journal for the Scientific Study of Religion* 44, no. 4 (2005): 423–41, 429.

27. On Amity's efforts to downplay its Christian identity, see Gerda Wielander, *Christian Values in Communist China* (New York: Routledge, 2013), 72–4.
28. Keping Wu, “Buddhist and Protestant Philanthropies in Contemporary Southeast China: Negotiating the ‘Grey Zone,’” in *Religion and the Politics of Development: Critical Perspectives on Asia*, eds. Philip Fountain, Robin Bush, and R. Michael Feener (London: Palgrave Macmillan, 2015), 129–30. The five state-approved religions are Buddhism, Daoism, Islam, Protestant Christianity, and Catholicism. Wu's notion of the “grey zone” is distinct from Fenggang Yang's concept of the “grey market,” which Yang argues is comprised of Chinese religious organizations and practices whose legal status is murky. Wu's formulation eschews the theoretical presuppositions of Yang's market-based approach, and it shows that even government-approved religions at times must engage in legally ambiguous activities in the pursuit of their goals.
29. On the concept of “informality” see Reny's chapter in this volume.
30. “Changhui Fashi: Jianli Hongde Jiayuan de jingyan ji zuo cishan shiye de kunnan (Master Changhui: the experience of founding Hongde Jiayuan and the challenges of doing charity),” *Fojiao zai xian (Buddhism Online)*, 5 November 2008, http://www.fjnet.com/jjdt/jjdtmr/200811/t20081125_93759.htm.
31. Thomas H. Jeavons, “Identifying Characteristics of ‘Religious’ Organizations: An Exploratory Proposal,” in *Sacred Companies: Organizational Aspects of Religion and Religious Aspects of Organizations*, eds., N.J. Demerath et al. (New York: Oxford University Press, 1998), 79–95.
32. For an historical examination of *fangsheng* in the context of charity see Joanna Handlin Smith, *The Art of Doing Good: Charity in Late Ming China* (Berkeley: University of California Press, 2009).
33. Gong Hua, “Fangsheng niao cheng maimai, shan ju youshi bian shasheng (The release of birds has become a business; good deeds can sometimes kill),” *Sanxiang dashi bao (Hunan capital report)*, 30 October 2011, http://epaper.voc.com.cn/sxdsb/html/2011-10/30/content_414839.htm?div=1.
34. “Zhongguo fojiao xiehui fabu guanyu ‘cibei husheng, heli fangsheng’ changyi shu (China Buddhist Association issues guidelines regarding ‘Compassionately protect life, rationally release animals’),” *Fojiao zai xian (Buddhism Online)*, 31 July 2014, http://news.fjnet.com/jjdt/jjdtmr/201407/t20140730_221273.htm.
35. “Guangdong chengli Fangsheng xiehui; zhengshang zongjiaojie renshi chang ‘da’ai’ (Guangdong establishes *Fangsheng* Association; personages from government, business and religion to promote ‘great love’),” *China News Net*, 22 May 2010, <http://www.chinanews.com/gn/news/2010/05-22/229826.shtml>. The association has its own microblog and website, the latter at www.gdfangsheng.org.
36. Susan K. McCarthy, *Communist Multiculturalism: Ethnic Revival in Southwest China* (Seattle: University of Washington Press, 2009), 95–8.
37. Zhao Wuna, “Ji Fuzhou de minjian fuyin jiedu tuanti (Account of a grassroots gospel drug treatment organization in Fuzhou),” *Du Xinzong jiedu wang (Du Xinzong's drug abstention net)*, 22 July 2015, <http://jhak.com/index.php?m=content&c=index&a=show&catid=148&id=13439>.
38. Wu Man, Zhang Xiaoxi, “Fuyin Shibao zhuanfang Yunnan fuyin jiedu zhongxin Lin Jueqing (*Gospel Times* exclusive interview with Lin Jueqing of Yunnan Gospel Rehab Center),” *Fuyin Shibao (Gospel Times)*, 4 January 2010, <http://www.gospeltimes.cn/index.php/portal/article/index/id/5989>.
39. Ibid.
40. Du Xinzong, “Kunming Fuyin Jiedu suo Xu Kun, Zhou Tianqi fufu jiedue (Kunming Gospel Rehab's Xu Kun, Zhou Tianqi kick their drug habit),” *Du Xinzong jiedu wang (Du Xinzong's drug abstention net)*, 17 October 2014, <http://jhak.com/index.php?m=content&c=index&a=show&catid=148&id=11419>.
41. Wang Aiguo, “Spiritual Therapy for Drug Rehabilitation: The Case of Yunnan,” *Review of Faith & International Affairs* 7 (2009): 55–60, 57.
42. Ibid., 59.
43. Ibid., 57–8.
44. Ibid., 56.
45. Jianhua Li and Xinyue Li, “Current Status of Drug Use and HIV/AIDS Prevention in Drug Users in China,” *Journal of Food and Drug Analysis* 21 (2013): S37–41, S39.
46. Mo Wenguang, “Fuyin Jiedu zai Yunnan (Gospel Rehab in Yunnan),” *Jinchuanwang qikan (Jinchuanwang Magazine)*, Hong Kong Baptist Ministry, http://www.hkbm.org/Common/Reader/News>ShowNews.jsp?Nid=441&Pid=10&Cid=31&Charset=big5_hkscs.
47. Marta Jaguszyn, “Scaling up Social Service Outsourcing in China: An Exploratory Study of HIV CSOs in Yunnan,” *China Development Brief*, 14 January 2014, <http://chinadevelopmentbrief.cn/articles/scaling-up-social-service-outsourcing-in-china-an-exploratory-study-of-hiv-csos-in-yunnan/>.
48. Sheldon X. Zhang and Ko-lin Chin, *A People's War: China's Struggle to Contain its Illicit Drug Problem* (Washington, DC: Brookings Institution Press, 2015), 12, <https://www.brookings.edu/wp-content/uploads/2016/07/A-PeoplesWar-final.pdf>.
49. Shan Duo et al., “Total HIV/AIDS Expenditures in Dehong Prefecture, Yunnan Province in 2010: The First Systematic Evaluation of Both Health and Non-Health Related HIV/AIDS Expenditures in China,” *PLoS ONE* 8 (2013): e68006.

50. Zhang and Chin, “A People’s War,” 13.
51. Wang, “Spiritual Therapy,” 60.
52. Mo, “Fuyin jiedu.”
53. Wang, “Spiritual Therapy,” 60.
54. Ibid.
55. Ibid.
56. Zhe Ji, “Non-institutional Religious Re-composition among the Chinese Youth,” *Social Compass* 53, no. 4 (2006): 535–49.
57. On the overlap between Christian and party-state objectives, see Wielander, *Christian Values*, 164.
58. McAdam, Tarrow, and Tilly, *Dynamics of Contention*, 8.
59. Kellee Tsai, *Capitalism without Democracy: The Private Sector in Contemporary China* (Ithaca: Cornell University Press, 2015).
60. Ibid., 6.
61. Ibid., 10.
62. Ibid., 45.
63. Ibid.
64. Christian Joppke portrays the “antipolitics” of dissidence as “living ‘as if’ the repressive conditions no longer existed. It does not so much address the power-holders as speak to itself.” Joppke, “Revisionism,” 552. He argues that in the East European Leninist regimes where it was practiced, antipolitics was fundamentally a political endeavor.

20. Informality as resistance among Catholics and Protestants in China

*Marie-Eve Reny**

Resistance among unregistered Protestants and underground Catholics has, with some exceptions, taken subtle and non-disruptive forms. It has translated into religious leaders' attempts to part with the central government's policy of cooptation requiring legal religious sites to be registered with the authorities, and their activities to be monitored by state-led religious patriotic associations. The official clergy needs the state's approval to travel overseas and invite foreign religious leaders to China.¹ Religious materials need to conform with state standards.² Religious leaders receive a fixed income from the government, and they are trained in state-sanctioned religious schools as the Party wants to ensure they work in its interests and are patriotic.³ Preaching faith outside a church's registered venue requires approval by local governments.⁴ The state also has the last word on the nomination of members of the clergy by religious associations. Informality, or the status of being unregistered, has enabled Protestant and Catholic clergies to bypass those rules.

Informality is a widespread phenomenon. At least half of the approximately 12 million Catholics in China are underground, while most Protestant churches are said to be unregistered.⁵ In the early 2000s, the government estimated the number of Protestants to be around 17 million, yet those numbers did not take unregistered Protestants into consideration.⁶ Nongovernmental sources estimate the number of registered and unregistered Protestants to vary between 60 million and more than 100 million.⁷ In this chapter, I maintain that motivations underlying informality have varied for Protestants and Catholics, and its everyday socioeconomic and political implications for both communities have been mixed. Informality also seems to have been a central aspect of some underground Catholics' identity, yet the same is not true of Protestants in unregistered churches.

MOTIVATIONS RELATED TO INFORMALITY

Historically, underground Catholics chose to be informal because their primary allegiance was to the Vatican rather than the Chinese Communist Party (CCP). Upon the foundation of the People's Republic of China (PRC), the Party began a process of religious assimilation aimed at curbing the influence of foreign organizations on faith-related activities. Both Catholicism and Protestantism were considered to have been channels via which imperialist powers spread their influence.⁸ The Chinese Communist Party thus built institutions aimed at monitoring religious practice.⁹ The Catholic Patriotic Association was created in the 1950s to supervise the practice of Catholicism, and religious leaders who became affiliated with it had to give up their links and allegiance to the Vatican.¹⁰ The CCP was to be solely responsible for nominating future generations of the official

Catholic clergy.¹¹ Catholics who resisted joining the Catholic Patriotic Association were considered illegal by the state.¹² For underground bishops and priests, being informal meant that they rejected the authority of religious leaders who had agreed to join the Catholic Patriotic Association and placed the priorities of the CCP above those of the Vatican. The Pope gave underground bishops the leeway to nominate their own religious leaders,¹³ and that privilege was maintained in China's reform period.¹⁴ Unsupervised appointments nevertheless led to disagreements in the underground Catholic Church, and Rome came to question the qualifications of some members of the clergy.¹⁵ Yet it ultimately enabled the underground Catholic Church to grow alongside the official church. Less than 60 percent of bishops were sanctioned by the state a decade ago, the rest belonging to the underground church.¹⁶

The appointment of the Catholic clergy has, since the mid-twentieth century, been a source of contention between the CCP and open churches on the one hand, and the Vatican and underground churches on the other.¹⁷ In China's reform period, there have been efforts at reconciling open and underground churches,¹⁸ and differences between the two are not as pronounced today. Yet some underground Catholics still consider open church bishops who were not appointed by the Vatican as illegitimate.¹⁹ Members of the underground church community also question the open church's faithful allegiance to the Vatican, considering its interests to be too close to those of the CCP, and treating both the interests of the Vatican and the Party as mutually exclusive.²⁰

Like underground Catholics, unregistered Protestants in the early years of the People's Republic rejected state cooptation. They did so not because they swore allegiance to a common foreign religious authority that would serve as an alternative to the CCP. Many Protestants seem to have been supportive of the Communist cause, or Communist ideals like the need to make the practice of Christianity "more Chinese" in building a socialist nation-state.²¹ Yet they did not necessarily think such an objective would require the Party's institutional involvement in religious practice.²² The belief that the state should not interfere in everyday religious activities motivated unregistered Protestant churches to emerge and endure in China's reform period.²³ Unregistered Protestant churches have also resisted state cooptation because the association in charge of monitoring state-sanctioned churches' activities, the Three-Self Patriotic Movement (TSPM), was initially meant to be post-denominational.²⁴ Unregistered Protestant churches are everything but post-denominational. A plurality of denominations is represented among them, including Baptists, Methodists, and Presbyterians. Church members may attend a house church because they study religious materials closely, unlike Three-Self churches.²⁵ Finally, pragmatic reasons have motivated house churches' informality, like the fact that they need not be subjected to burdensome central government policies.²⁶ This especially applies to unregistered churches that emerged in China's late reform period. As unregistered churches have multiplied and survived, they are less compelled to comply with central government policies.

THE IMPLICATIONS OF INFORMALITY

Informality has had mixed implications for underground Catholic and unregistered Protestant churches. Underground Catholic churches are subject to coercion. They

cannot easily access a worshipping site.²⁷ The possibility of being raided by officials attempting to forcefully integrate underground priests into the official church also contributes to instilling a climate of fear and uncertainty. For example, a priest had to hide in the mountains near his village to avoid being coopted.²⁸ Similarly, a church leader who was asked to integrate state-sanctioned institutions and preferred to stay underground was left unbothered for some time, but was later detained by the authorities. He was asked to report his activities to the government every two weeks, but refused to comply.²⁹ In Baoding, a city in Hebei known for having a lot of Catholics, and where conflicts between open and underground churches erupted in the 1990s, underground Catholic churches were said to face more political constraints.³⁰ Many underground priests there were forbidden to preach, and churches prevented from running their activities.³¹

Not all narratives support the above perspectives. An informant thought the state's interference in underground religious activities had declined as it wanted to improve its relations with the church.³² Another emphasized local governments' latitude in dealing with underground Catholic churches. Tolerating these churches was easier if underground practice was not linked to government opposition. Besides, there were many underground Catholic churches and monitoring them closely would be real trouble.³³ Other informants believed the authorities worried about underground priests who were influential, proselytized, and ignored local state interests.³⁴ Despite conditions to state interference, underground Catholic churches are politically weaker than their formally registered counterparts.³⁵ A priest thought that while some local governments might support underground church leaders because they have a good impact on society, the central government was unlikely to increase their churches' rights. Doing so would bring them closer to the Vatican.³⁶

Underground Catholics are also relatively underprivileged compared to their unregistered Protestant counterparts because they are spiritually united by a common leader.³⁷ How local states behave vis-à-vis underground Catholic churches seems to have depended on the central government's ties to the Vatican. The 1990s and 2000s were characterized by ups and downs between the two, and missteps by the Vatican in its diplomatic relations with China resulted in local state clampdowns on underground Catholic churches.³⁸ Unregistered Protestant churches' stability, in contrast, is less subject to the ebb and flow of China's diplomatic ties with foreign governments.

Informality has had negative socioeconomic implications for underground Catholic churches. I conducted interviews in a village in Hebei where between 75 and 80 percent of the population was underground Catholic, the rest belonging to the official church.³⁹ The village chief was said to be on better terms with the open church, although the underground church was tolerated.⁴⁰ Official Catholics had their own building in which they gathered for mass, while underground Catholics, lacking such a building, gathered outdoors, even in cold weather.⁴¹ The priest of the underground church preached in different localities because there were not enough priests to serve all underground Catholic communities in the area.⁴² This village does not seem to have been an empirical anomaly among other Catholic communities. An interviewee talked about underground Catholic communities lacking a church.⁴³ Other research on Catholicism in China generally suggests that the most fervent communities in the countryside, presumably including underground churches, are socioeconomically underprivileged.⁴⁴ Underground Catholics' second-class status was not limited to the infrastructures they did not have. The

government was said to have sent more than 100 cars to the funeral of a bishop belonging to the official church who passed away.⁴⁵ The same would not have happened for the priest of an underground church.

For Protestants, the political and socioeconomic implications of being unregistered are mixed. Since the 1990s, unregistered Protestant churches have predominantly been an urban phenomenon.⁴⁶ They have multiplied much faster than underground Catholic churches, and cut across social classes in their composition.⁴⁷ While some rent spaces in a commercial or residential area, the luckiest ones have purchased a worshipping location.⁴⁸ Unregistered Protestant churches vary in size, which impacts their available resources as their members make financial contributions to their religious community.⁴⁹ Small church communities may be unable to collect enough money from their members to purchase a worshipping space.⁵⁰ Diversity in the internal membership of unregistered churches also influences their infrastructural conditions. Churches I visited, especially in Zhejiang, were connected to local business communities or involved successful entrepreneurs, who themselves were on good terms with local state actors.⁵¹ Unregistered churches with ties to entrepreneurs had better infrastructures than the average house church, and had the means to invest in proselytizing and building church communities in other parts of China.⁵²

Unregistered Protestant churches still risk being raided, forced to register, or kicked out of their worshipping locations.⁵³ Yet local governments, especially in cities, increasingly tolerate these churches on condition that they stay low profile and keep the authorities posted on their activities.⁵⁴ A minority of house churches whose leaders are political activists, however, remain subject to periodic state coercion.

This status quo does not seem to have been fundamentally altered under Xi Jinping's administration, despite the cross and church demolition campaign led by the Zhejiang government between 2013 and 2015 in areas with a large population of Christians, including the city of Wenzhou and its surroundings. The 'Three Rectification, One Demolition' (*san gai, yi chai*) campaign was said to have targeted religious sites that did not conform to city management regulations with respect to safety and size.⁵⁵ The campaign led to the removal of hundreds of crosses from church buildings, and the demolition of churches.⁵⁶ While Catholic churches, Buddhist temples, and Daoist shrines were destroyed, the main targets were Protestant churches.⁵⁷ Clashes between targeted communities and local authorities implementing orders from the province erupted in areas known for being relatively tolerant of the official and informal practice of Christianity.⁵⁸ The campaign disrupted local harmony as it unfolded, and may have undermined relationships of trust between religious leaders and local officials. Yet it seems to have been a show of force intended at having a short-term impact and conveying the message to targeted churches that they should not be too extravagant in their displays of religious symbols in urban landscapes. It ultimately did not intend to disrupt the religious activities of most churches, and targets were primarily state-sanctioned rather than unregistered congregations.

New central government regulations on religious affairs nevertheless signal state resolve in penalizing groups involved in religious activities that are unapproved by the state.⁵⁹ They for instance state that illegal worshipping locations are to be closed down, and their leaders are liable to a fine.⁶⁰ Unregistered Protestant churches fall into that category. Yet, given their large numbers, it is unclear how the central government realistically plans to impose financial sanctions on unregistered religious meeting points without provoking

unrest among a religious population it would rather have neutralized. My research findings further reveal that there have been considerable gaps between central and local government policy with respect to religious practice. Local officials are not always committed to enforcing central state regulations if they think they are unadapted to local realities.⁶¹ They are likely to continue ignoring new regulations on religious activities if they deem their impact on stability too risky.

THE MEANING OF INFORMALITY

Informality has been a central part of some underground Catholics' identity. In the village where I conducted interviews, an important analogy invoked about the underground Catholic community was that of the family. Interviewees talked about village members having been Catholic for generations, the majority of whom had been underground.⁶² Faith was portrayed as "inherited," implying an essentialist understanding of underground religious practice.⁶³ A French priest (the term "father" was used) had brought members of the Catholic community together in the early twentieth century.⁶⁴ This was one among other entire village communities missionaries had converted.⁶⁵ The family analogy was also relevant in how an underground Catholic chose to distance herself from members of the open church community. She lived alongside official Catholics on a daily basis, but nevertheless thought she would feel guilty attending an open church mass. She had once accepted Holy Communion at an open church, and felt she should not have. Attending an open church mass was like betraying the underground community. She had to pay her respects to priests who had been detained for being underground.⁶⁶

Local village realities nevertheless blurred perceived differences between underground and open churches. An interviewee talked about at least one family whose allegiances were mixed. While the father was part of the village's open church, his children were part of the underground church.⁶⁷ That the younger generation in the family could practice informally independent of their parents suggests that underground Catholicism is not necessarily an inherited status. Friendships among members of the two Catholic communities may have also blurred the distinction between what it means to be underground and official.⁶⁸ An underground believer was said to have friends who were part of the open church, and did not seem to think the differences between official and underground Catholics were significant. Yet her village's depiction was one in which households remained defined along the above lines.⁶⁹

Other research findings also reveal that, for some Catholics, the difference between underground and official churches is unclear. When asked why some formerly underground churches became official following the Cultural Revolution, a priest thought Catholic churches would rather not be underground.⁷⁰ His statement challenged the idea that underground Catholics think of themselves as different from those practicing in official churches and would want to hold on to their historically rooted informal status. The interviewee emphasized the need for underground priests to be pragmatic and cooperate with the authorities in a context in which China was opening up.⁷¹ Another informant thought Catholic believers did not necessarily choose to attend the state-sanctioned church as opposed to the underground church. Where believers lived, and which church was accessible in their area, may have mattered in inducing them to attend either one.⁷²

While this reflected the opinions of some believers in the open church, it may not have represented the opinions of those attending an underground church. The respondent's pragmatic perspective may have also been reflective of the fact that he lived in a city. In small communities, the convenience of a church location would likely not inform believers' choice of attending either an open or an underground church.

Open and underground churches have shown an interest in transcending their historical fights. In the village I visited, the open church had started to build itself a majestic church, but ran out of money in the midst of the project.⁷³ The underground community ended up contributing a significant amount to the project.⁷⁴ The church space was to be shared between open and underground churches; yet, at the time of the research, it had been interrupted by the authorities.⁷⁵ Although boundaries between the two communities remained well demarcated, there was an interest in having both sides reaching out to one another. An informant said both underground and open churches wanted to work together.⁷⁶ Another thought open and underground churches should unite, their differences being minimal.⁷⁷ That village was not an exception to the rule. In at least another one, underground and official church communities were said to gather in the same church, but not at the same time.⁷⁸

While informality is central to some underground Catholics' identity, the same does not apply to Protestant house churches: for the average Protestant believer, being underground means attending services at an unregistered worshipping site. Informality is infrastructural rather than identity-related. It is not a status granted by earlier generations of underground believers. Families attending unregistered Protestant churches have sent their children to Sunday schools, and religious conversions are conducted among unregistered Protestants. Yet conversions are not *prima facie* aimed at ensuring the survival of underground Protestantism or a collective memory associated with that status, as it is the case for underground Catholics. This might be partly explained by the fact that the average unregistered Protestant church in urban China today is relatively new, modern, diverse in its membership, reasonably accessible to new members, and, most importantly, untied to the generation of Protestant leaders who lived through the Maoist years when underground Christians were regime targets.⁷⁹

Members of unregistered Protestant churches might also not think there are significant differences between state-sanctioned and unregistered churches. A TSPM leader suggested the official church in his locality was unlikely to talk about house churches as illegal.⁸⁰ An informant knew a person who attended both TSPM and house churches.⁸¹ Another recommended to believers for whom it was not convenient to attend his house church to go to a TSPM church that would be closer to their living location.⁸² And an individual who happened to be part of his hometown's People's Political Consultative Conference (PPCC) thought the difference between attending a registered and an unregistered church was irrelevant.⁸³ Another believer, similarly, thought there was no difference between the two as far as faith was concerned.⁸⁴ That person nevertheless linked house churches' lack of registration to their misunderstanding of central government regulations, rather than denominational reasons or pastors' belief in a separation between church and state.

Another reality possibly blurring the distinction between formal and informal churches is that of pastors having been part of the TSPM in the past, and later deciding to go underground. A pastor who ran an unregistered congregation of 700 people was part of the state-sanctioned system until 2003. He maintained good *guanxi* (relations) with the

government.⁸⁵ Yet prior links to the TSPM do not necessarily guarantee good *guanxi*, and may thus not consistently obscure the distinction between TSPM and house churches. A pastor who used to be part of the state-sanctioned system had just walked out of a year of re-education through labor following a conflict with local authorities at the time I interviewed him.⁸⁶ Finally, TSPM leaders may be involved in organizing religious activities with unregistered churches, further blurring the differences between formality and informality. An informant invited a Three-Self pastor to preach at a house church. The two knew each other from the seminary they had attended in the past.⁸⁷ Another thought state-sanctioned and house churches helped each other out. This seemed truer of the younger generation of Christians, who were better able to transcend old fights that historically divided formal and informal churches.⁸⁸

Informality is likely to be more central to the identity of Protestants involved in rights defense (*weiquan*). *Weiquan* Christians are likely to choose informality because they think the state should not interfere in everyday religious activities, and the cooptation of religious groups is intrinsically linked to China's authoritarian regime. Separating church and state would thus require a transformation in the regime. Religious groups may ultimately be truly free in a democratic society. Living informally in a non-liberal democratic polity for *weiquan* Christians involves taking a significant number of risks and requires commitment. Their belief system is likely to be a central part of their identity as a result. These Protestants are nevertheless a minority.

For the average house church leader who is not involved in rights defense, being underground implies parting with the Three-Self Patriotic Movement.⁸⁹ By choosing not to abide by its principles, some churches make a denominational and therefore an identity-related decision. Yet informality is a means to reach a denominational end, not an end in itself. House church leaders who have parted denominationally with the TSPM have expressed an interest in being registered on their own terms; that is, provided the state does not supervise their activities. This suggests that informality is not a necessary condition to preserving the belief system they adhere to. It is a temporary compromise in a system that does not permit registration without state supervision. Some unregistered churches also see themselves as private businesses operating in a competitive market for new members.⁹⁰ Branding for these churches is important, and they are unlikely to emphasize their informality as one of their defining features. Yet informality is essential to their existence and competitiveness. Evangelical churches proselytize to build new religious communities, a practice that central government regulations do not allow. Informality is a practicality that enables churches to bypass restrictive rules, as it is easier for unregistered churches to proselytize unnoticed than it is for registered churches. Church leaders who think of informality as a practical way of achieving certain religious ends are unlikely to see it as an inalienable part of their identity.

CONCLUSION

I have argued that informality is the main channel through which underground Catholic and unregistered Protestant churches have resisted central government policies on religious practice. It has had mixed socioeconomic and political implications for both churches; but ultimately underground Catholic churches seem to be politically weaker

than their Protestant counterparts, given their link to an external religious authority. I further maintain that while informality is treated as an inherent part of some underground Catholics' identity, for unregistered Protestants it is an infrastructural status and a means to achieving certain objectives that central state regulations do not allow. Informality is not specific to China's reform period. It is a reality that exists alongside corporatism, and it originates from the early years of the People's Republic, when the state built institutions aimed at controlling the practice of religion.⁹¹

Informality is an unusual form of defiance insofar as it is covert. Most cases of resistance studied in Chinese politics have been overt, and some have also been disruptive. Underground Catholic and unregistered Protestant church leaders choose informality because central government policies are ill-adapted to their beliefs, needs and interests, and those policies cannot be changed easily. Church leaders could have been more public about their disagreements with central government policies, but most are ultimately risk-averse and have chosen not to. The Chinese state tends to be more suspicious of mobilized religion than it is of socioeconomic and environmental protests.⁹² Protests calling for churches' independence from the state would unsettle CCP rule. Overt resistance involves costs for religious leaders. Activism would increase risks of arbitrary state interference in their activities, and, ultimately, leaders would compromise their ability to run a religious organization informally.

NOTES

- * I wish to thank Susan McCarthy, Mark Selden, and Carsten Vala for their helpful comments on this chapter.
1. Karrie J. Koesel, *Religion and Authoritarianism: Cooperation, Conflict, and the Consequences* (New York: Cambridge University Press, 2014), 45; Mickey Spiegel, "Control and Containment in the Reform Era," in *God and Caesar in China: Policy Implications of Church-State Tensions*, eds., Jason Kindopp and Carol Lee Hamrin (Washington: Brookings Institution Press, 2004).
 2. See Articles 7 and 42, State Administration for Religious Affairs, *Regulations on Religious Affairs* (Beijing: Religious Culture Press, 2005), 21, 39; Article 45, State Council, "Religious Affairs Regulations," 26 August 2017, translated by China Law Translate.
 3. Carsten T. Vala, "Pathways to the Pulpit: Leadership Training in 'Patriotic' and Unregistered Chinese Protestant Churches," in *Making Religion, Making the State: The Politics of Modern Religion in China*, eds., Yoshiko Ashiya and David L. Wank (Stanford: Stanford University Press, 2009), 100; Jason Kindopp, "Policy Dilemmas in China's Church-State Relations: An Introduction," in *God and Caesar in China: Policy Implications of Church-State Tensions*, eds., Jason Kindopp and Carol Lee Hamrin (Washington: Brookings Institution Press, 2004); State Administration on Religious Affairs, *Regulations on Religious Affairs*, 12.
 4. Fenggang Yang, "Religion and China under Communism: A Shortage Economy Explanation," *Journal of Church and State* 52, no. 1 (2010): 29–30; Fenggang Yang, *Religion in China: Survival and Revival under Communist Rule* (New York: Oxford University Press, 2012), 75.
 5. For numbers on Catholics, see Katrin Fiedler, "China's 'Christianity Fever' Revisited: Towards a Community-Oriented Reading of Christian Conversions in China," *Journal of Current Chinese Affairs (China Aktuell)* 39, no. 4 (2010): 73; Richard Madsen, "Catholic Revival during the Reform Era," *The China Quarterly* 174 (June 2003): 469.
 6. Chinese Academy of Social Sciences, "An In-House Questionnaire Survey on Christianity in China," in *Report on China's Religions*, eds., Ji Ze and Qiu Yonghui (Beijing: Social Sciences Academic Press, 2010), 190–212.
 7. Nanlai Cao, "Spatial Modernity, Party Building, and Local Governance: Putting the Christian Cross-Removal Campaign in Context," *The China Review* 17, no. 1 (2017): 46; Lauren B. Homer, "Registration of Chinese Protestant House Churches Under China's 2005 Regulation on Religious Affairs: Resolving the Implementation Impasse," *Journal of Church and State* 52, no. 1 (2010): 50–73, 58; Mimi Lau, "Why Are Chinese Christians So Concerned about New Religious Affairs Regulations?," *South China Morning Post*

- Post*, 6 January 2017; Richard Madsen, "The Upsurge of Religion in China," *Journal of Democracy* 21, no. 4 (2010): 62.
8. Daniel H. Bays, *A New History of Christianity in China* (Chichester: Wiley-Blackwell, 2012).
 9. Ibid.; Alan Hunter and Kim-Kwong Chan, *Protestantism in Contemporary China* (New York: Cambridge University Press, 1993); Mayfair Mei-Hui Yang, "Introduction," in *Chinese Religiosities: Afflictions of Modernity and State Formation*, ed., Mayfair Mei-Hui Yang (Berkeley: University of California Press, 2008), 27.
 10. Richard Madsen and Lizhu Fan, "The Catholic Pilgrimage to Sheshan," in *Making Religion, Making the State: The Politics of Religion in Modern China*, eds., Yoshiko Ashiya and David L. Wank (Stanford: Stanford University Press, 2009), 85; Lawrence C. Reardon, "Ideational Learning and the Paradox of Chinese Catholic Reconciliation," *Journal of Current Chinese Affairs (China Aktuell)* 40 (2011): 44, 53.
 11. Richard Madsen, *China's Catholics: Tragedy and Hope in an Emerging Civil Society* (Berkeley: University of California Press, 1998), 37–8; Reardon, "Ideational Learning," 44.
 12. Madsen and Fan, "The Catholic Pilgrimage," 85.
 13. Madsen, *China's Catholics*, 45; Madsen and Fan, "The Catholic Pilgrimage," 88.
 14. Madsen and Fan, "The Catholic Pilgrimage," 88–9.
 15. Vincent Goossaert and David A. Palmer, *The Religious Question in Modern China* (Chicago: University of Chicago Press, 2011), 384.
 16. Reardon, "Ideational Learning," 56.
 17. Interviews with two underground believers, Hebei, 2010; Goossaert and Palmer, *The Religious Question*, 382; Reardon, "Ideational Learning," 62–3.
 18. Reardon, "Ideational Learning," 60–61.
 19. Madsen, *China's Catholics*, 40; Madsen and Fan, "The Catholic Pilgrimage," 77–8, 89.
 20. Interview with an underground believer, Hebei, 2010; interview with an official cleric, Beijing, 2010; Madsen, *China's Catholics*, 124.
 21. Christopher Marsh, *Religion and the State in Russia and China: Suppression, Survival, and Revival* (New York: Continuum, 2011), 185.
 22. Ibid.
 23. Goossaert and Palmer, *The Religious Question*, 385; David C. Shack, "Protestantism in China: A Dilemma for the Party-State," *Journal of Current Chinese Affairs* 40 (2011), 71–106; interview with a house church pastor, Shanghai, 2010.
 24. Marsh, *Religion and the State*, 185. Today, the TSPM is still post-denominational in theory, but in practice it is diverse.
 25. Bays, *A New History*.
 26. Spiegel, "Control and Containment," 48.
 27. Interview with an underground priest, Zhejiang, 2010.
 28. Interview with an underground elder, Hebei, 2010.
 29. Interview with an underground priest, Hebei, 2010.
 30. Interview with an underground believer, Hebei, 2010; interview with an underground priest, Hebei, 2010.
 31. Interview with an underground elder, Hebei, 2010; interview with an underground priest, Hebei, 2010.
 32. Interview with an underground believer, Hebei, 2010.
 33. Interview with an underground priest, Hebei, 2010.
 34. Interview with an underground believer, Hebei, 2010; interview with an underground priest, Hebei, 2010.
 35. Interview with an underground believer, Hebei, 2010.
 36. Interview with an underground priest, Hebei, 2010.
 37. Interview with an underground believer, Hebei, 2010.
 38. Reardon, "Ideational Learning," 62.
 39. Interview with an underground elder, Hebei, 2010; interview with an underground believer, Hebei, 2010.
 40. Interview with an underground believer, Hebei, 2010.
 41. Interview with an underground believer, Hebei, 2010.
 42. Interview with an underground priest, Hebei, 2010.
 43. Interview with an underground believer, Hebei, 2010.
 44. Madsen, *China's Catholics*, 123.
 45. Interview with an underground believer, Hebei, 2010.
 46. Bays, *A New History*, 199; Goossaert and Palmer, *The Religious Question*, 302.
 47. Nanlai Cao, *Constructing China's Jerusalem: Christians, Power, and Place in Contemporary Wenzhou* (Stanford: Stanford University Press, 2011).
 48. Interview with an academic, Shanghai, 2010.
 49. Interview with a house church member, Zhejiang, 2010.
 50. Interview with a house church leader, Yunnan, 2012.
 51. Interview with a Christian entrepreneur, Zhejiang, 2010.

52. Also see Bays, *A New History*, 200; Nanlai Cao, "Christian Entrepreneurs and the Post-Mao State: An Ethnographic Account of Church-State Relations in China's Economic Transition," *Sociology of Religion* 68 (Spring 2007), 45–66; Cao, *Constructing China's Jerusalem*; interview with a Christian entrepreneur, Zhejiang, 2010.
53. Interview with a house church pastor, Zhejiang, 2010; interview with a house church leader, Henan, 2010.
54. Interview with an academic, Shanghai, 2010; interview with a house church leader, Beijing, 2010; interview with a house church elder, Beijing, 2010.
55. Ian Johnson, "Church-State Clash in China Coalesces Around a Toppled Spire," *New York Times*, 29 May 2014.
56. Minnie Chan and Laura Zhou, "Christians in Zhejiang Cross with Authorities over Church Demolition," *South China Morning Post*, 22 July 2014; Nectar Gan, "Be on Guard for Foreign Religious Infiltrators, Chinese President Warns," *South China Morning Post*, 25 April 2016; Johnson, "Church-State Clash."
57. Brice Pedroletti, "China's Christians Fear New Persecution after Latest Wave of Church Demolitions," *The Guardian*, 4 July 2014.
58. Johnson, "Church-State Clash." See Carsten Vala's chapter in this Handbook for an in-depth analysis of protests resulting from the campaign.
59. On illegal gatherings being liable to a fine, see article 69, "Religious Affairs Regulations," 26 August 2017; Lau, "Why Are Chinese Christians So Concerned?" On unapproved churches being forbidden from conducting religious activities outside the country, and subject to penalties for accepting money, see article 43, State Administration for Religious Affairs, *Regulations on Religious Affairs*, 39–40; articles 41 and 69, "Religious Affairs Regulations." On the closing down of unapproved religious schools, see article 69 of new regulations.
60. Article 69, "Religious Affairs Regulations."
61. Marie-Eve Reny, "Public Security Bureaus' Containment Strategy toward Protestant House Churches," in *Local Governance Innovation in China: Experimentation, Diffusion, and Defiance*, eds., Jessica C. Teets and William Hurst (Abingdon: Routledge, 2015).
62. Interviews with two underground believers, Hebei, 2010.
63. Interview with an underground believer, Hebei, 2010. For a similar depiction of Catholicism, see Madsen, *China's Catholics*, 56.
64. Interview with an underground believer, Hebei, 2010.
65. Madsen, *China's Catholics*, 50.
66. Interview with an underground believer, Hebei, 2010.
67. Interview with an underground elder, Hebei, 2010.
68. Interview with an underground believer, Hebei, 2010.
69. Ibid.
70. Interview with the head of a religious organization, Hebei, 2010.
71. Ibid.
72. Interview with an official cleric, Beijing, 2010.
73. Interview with an underground believer, Hebei, 2010; interview with an underground elder, Hebei, 2010.
74. Interview with an underground believer, Hebei, 2010.
75. Interview with an underground elder, Hebei, 2010.
76. Ibid.
77. Interview with an underground believer, Hebei, 2010.
78. Ibid. For a similar finding, also see Madsen, *China's Catholics*, 49.
79. Bays, *A New History*, 199–201; interview with a Christianity entrepreneur, Zhejiang, 2010.
80. Interview with a Three-Self church leader, Zhejiang, 2010.
81. Interview with a pastor, Shanghai, 2010.
82. Interview with a house church leader, Beijing, 2010.
83. Interview with the member of a local PPCC, Henan, 2010.
84. Interview with a TSPM official, Henan, 2010.
85. Interview with a house church leader, Beijing, 2010.
86. Interview with a house church leader, Henan, 2010.
87. Interview with a house church pastor, Zhejiang, 2010.
88. Interview with a Three-Self church preacher, Zhejiang, 2010.
89. Interview with an underground preacher, Henan, 2010; interview with a church leader, Henan, 2010; interview with a house church preacher, Shanghai, 2010.
90. Cao, *Constructing China's Jerusalem*; Fenggang Yang, "The Red, Black, and Gray Markets of Religion in China," *Sociological Quarterly* 47 (February 2006): 93–122; Yang, *Religion in China*; interview with a house church member, Beijing, 2010.
91. Goossaert and Palmer, *The Religious Question*, 380.
92. On the state's accommodation of socioeconomic and environmental protests, see Maria Bondes and

Thomas Johnson, “Beyond Localized Environmental Contention: Horizontal and Vertical Diffusion in a Chinese Anti-Incinerator Campaign,” *Journal of Contemporary China* 106 (2017): 504–20; Yanhua Deng and Kevin J. O’Brien, “Societies of Senior Citizens and Popular Protests in Rural Zhejiang,” *The China Journal* 71 (January 2014): 172–88; H. Christoph Steinhardt and Fengshi Wu, “In the Name of the Public: Environmental Protest and the Changing Landscape of Popular Contentions in China,” *The China Journal* 75 (January 2016): 61–82. On variation in state responses to protests across claim types, see Elizabeth Perry, “Challenging the Mandate of Heaven: Popular Protest in Modern China,” *Critical Asian Studies* 33, no. 2 (2001): 163–80.

21. Protestant resistance and activism in China's official churches

Carsten Vala

Popular views of Chinese Christianity hold that the only Protestant congregations that exist in China worship in underground “house churches,” and that these groups frequently organize to resist authorities’ attempts to eradicate, circumscribe and reshape religious practices.¹ This is only a partially accurate picture because house church believers are not always under pressure from the Party-state, as Marie-Eve Reny’s chapter in this Handbook shows. More informed observers understand that many Protestants also worship in aboveground “official churches” that are sanctioned by the Party-state (and, as Susan McCarthy’s chapter in this Handbook demonstrates, “repurpose” secular sites with religious meaning as they engage in societal welfare activities). These observers often believe that Protestants in official churches are helplessly subordinated by state power. In fact, however, official church Protestants also engage in active resistance.

Resistance by Protestants in official churches in 2014–15 grabbed international headlines when groups of believers in Zhejiang Province attempted to block the removal of crosses and halt the demolition of church buildings by local authorities.² Documentary videos of physical struggles between Protestants and police teams in multiple churches revealed how organized, motivated and aggrieved believers in state-sanctioned congregations had become over efforts by local governments to restrict their religious practices.³ These conflicts highlight longer-term trends that have made the Protestant population and its resistance appear more and more like the general population and its activism in its broad repertoire of tactics and level of assertiveness.

These clashes also reflected grassroots reactions to local officials’ surprisingly harsh treatment of Protestant Christianity and, at the national level, may portend conflict as Beijing has unveiled stricter religious regulations. During the Jiang Zemin and Hu Jintao eras, Protestant–regime relations had become fairly predictable and even warmed in some aspects, as the regime welcomed Protestant involvement in areas like charity work.⁴ In places with many Chinese Protestants who support the Party-state’s economic growth agenda, as in Zhejiang Province, they had enjoyed benign, even cooperative, relations with authorities.⁵ But with President Xi Jinping’s ascendance in late 2012, Protestant–Party-state relations became more conflictual, mirroring Xi’s aggressive moves against civil society actors in other spheres, such as human rights activists and lawyers (as detailed by Eva Pils in this volume).⁶

Local officials in Zhejiang Province embarked on the “Three rectifications and one demolition” campaign to reduce the visibility of Christianity by destroying structures and crosses.⁷ At the national level, President Xi headlined a 2016 national religious work conference by speaking about long-voiced themes of the dangers of “hostile overseas enemy forces,” while the state also expanded its jurisdictional reach by banning overseas religious training and fundraising activities. In a new twist on Jiang Zemin’s call to

“adapt” religion to regime rule, Xi exhorted Protestants (and all religious groups) to “sinicize” their religion and “merge religious doctrines with Chinese culture.”⁸ Whether President Xi’s calls were ideological boilerplate or not, they suggested tenser religion–state relations nationwide.

Beyond these headlines, closer analysis of Protestant resistance in the 2010s demonstrates that Chinese Protestants and their resistance have developed shared characteristics with the wider population and its activism in China. Chinese Protestants are increasingly likely to live in cities and to draw resources from international groups. Further, struggles with the state over real estate bedevil Chinese Protestants and other Chinese equally. Interestingly, Chinese Protestants make up a substantial proportion of “rights defense” (*weiquan*) lawyers. Analyzing the Zhejiang anti-cross campaign underscores a broader point about Protestant resistance in China: it employs a wide range of resistance strategies, stepping up from contained forms of contention such as petitioning to more transgressive contentious acts such as public protests. The increasing aggrandizement of power by the Party-state has provoked resistance by Protestants that is remarkably similar to other forms of resistance in society.

RESISTANCE AND THE HISTORY OF PROTESTANTS IN CHINA

To appreciate what is novel about Protestant resistance in official churches in China today, it helps to briefly sketch the historical trajectory of Protestant–Communist Party relations. Resistance by Protestants started shortly after the Chinese Communist Party (CCP) took power in 1949. When the CCP corralled Protestants into post-denominational churches controlled by state-corporatist organizations, outspoken Protestants resisted the China Protestant Three Self Patriotic Movement association (TSPM, or *Zhongguo Jidujiao Sanzi Aiguo Yundong Xiehui*) in the 1950s and, later, the China Christian Council (CC) Association in the 1980s, and were jailed.⁹ Others abandoned public worship. The rest were compelled to sign loyalty statements and join the TSPM’s official churches.¹⁰ Pro-CCP church leaders then politicized worship services. Attendance dwindled until all public worship ceased with the Cultural Revolution in 1966. After Mao Zedong’s death in 1976, the CCP reversed course to allow public worship to revive, drawing Protestants back to official churches (although many worshipped apart from them).¹¹

In Document 19 of 1982, the CCP codified its turn from eradication of religion to moderation, and directed cadres to prohibit religious activities outside “designated” sites but end “coercive measures” against religious groups.¹² Because Protestants mostly worshipped outside these sites, Document 19 ambiguously urged cadres to help Protestants find “more appropriate arrangements,” without specifying what that meant.¹³ In practice, “appropriate arrangements” refer to churches and meetings that are affiliated with the TSPM and CC associations and led by Protestants the associations have vetted; the Party-state charges the Protestant associations with representing the Protestants in these sites and containing, monitoring and reporting their activities to the regime.¹⁴

That ambiguity compounded incomplete implementation of religious policy by grassroots cadres, which in turn shaped Protestant activism. For years, Religious Affairs Bureau (RAB) officials have lamented that cadres below them “talk about but don’t do [religious work]”¹⁵ leading to “three don’ts” (*sanbu*), as grassroots officials who “don’t

want to manage [religious believers], don't know how to manage, and don't dare to manage" them.¹⁶ Thus, in the early reform period, the CCP's bureaucratic unwillingness or ineptitude and less hostile treatment of religion opened the way for a wider range of religion-state interactions. Protestants took advantage of this moderation to negotiate, outmaneuver, or resist the Party-state in open confrontation, crafting multiple ways to blunt state efforts at control.¹⁷

PROTESTANT-REGIME ENGAGEMENT: NEGOTIATION, CONTENTION OR DEFLECTION

Weak bureaucratic enforcement also empowered Protestants inside the TSPM/CC associations to negotiate with Party-state officials and even engage in resistance in an authoritarian version of "contained collective contention."¹⁸ These Protestants have resisted state power within the boundaries of the TSPM/CC, rather than transgressing organizational boundaries and spilling into public view. In one case, deacons in Heilongjiang Province mobilized to counter the Religious Affairs Bureau officials that prevented a zealous Protestant from attending a seminary.¹⁹ The RAB undoubtedly was concerned about the impact that this young man might have on others, given that he had once been an outstanding Youth Communist League member. By pressuring a TSPM leader not to provide the necessary recommendation letter to support the young Protestant's candidacy, the RAB hoped to block his further education and limit his influence among Protestants. The deacons understood his dedication to the church, and wrote their own recommendation letter and then pressured the TSPM leader to sign under their signatures. Then, they threatened a lawsuit against the RAB, which raised the possibility of overseas media attention, and ultimately compelled the RAB to relent and allow the young Protestant to attend the seminary. Contained contention such as this is a form of resistance that occurs behind closed doors, galvanizes elite supporters within Protestant organizations and plays on officials' fears of publicity that would expose abuses of state power.

At other times, individual Protestants within the official TSPM/CC structures have negotiated outcomes that arguably have served Protestant and Party interests. Preserving Protestant control over seminary enrollment was the goal of a young TSPM official in Heilongjiang Province.²⁰ There, the provincial Religious Affairs Bureau had long sent atheist Party members to train to be church leaders. These "red" pastors made trouble for the Protestant association because they preferred drinking and smoking to seminary studies. After graduation, these Party members-cum-pastors caused headaches for the RAB too when the congregations they served made numerous complaints to the RAB about their utter abandonment of pastoral tasks. The TSPM official negotiated with the RAB to implement an entrance exam that required religious knowledge, pointing out it would save the RAB from mediating thorny social conflicts since unqualified "red" seminary students would no longer end up leading official churches.²¹ Thus, the TSPM official found a way to reduce the number of atheist students and open spots for deserving Protestants, all with the benefit of reducing professional burdens for RAB officials.

Resistance to the Party-state's efforts to shape the course of Protestant training or hinder pastoral work in official churches has also taken a more final form: defection to

unregistered “house churches.”²² Ambitious but often poor Protestant pastors eagerly seek any avenue to access religious materials or join training courses, which some foreign Protestants in China can offer. When Party-state officials have put pastors under concerted pressure for simply liaising with foreign Protestants, some Chinese pastors eventually have decided to leave official churches. The similarity in biblically based, conservative beliefs among Protestants in both official and unregistered congregations eases such defections. Even when Protestant pastors do not defect, they may still flout state prohibitions by secretly cooperating with their unregistered counterparts, holding trainings, baptisms or other events.²³ This holds especially true for a rising generation of Protestants that is far less attached to Three Self slogans than to conservative religious ideals.²⁴

The preceding examples illustrate that a few elite Protestants have learned to resolve conflicts with Party-state officials by playing on their privileged positions inside official TSPM/CC associations and by carrying out negotiations or resistance on a small scale or in unobtrusive ways. To intra-organizational activism Protestants have added other strategies found in the broader repertoire of Chinese society as Protestants increasingly have resembled the larger population of Chinese.

A snapshot of an “average Protestant” today more and more looks like that of an “average Chinese.” In the 1980s, Protestants frequently were described in terms of the “three manys” (*san duo*), signifying that Protestants tended to be overwhelming female, sick and elderly.²⁵ They were most likely to have gained few benefits from the economic reforms and turned to Christianity to find meaning and help in a rapidly changing society. But in the new millennium, Protestants increasingly have resembled the rest of the population: younger, as often male as female, more educated, urban and wealthier.²⁶ To some degree, this shift resulted from Protestant efforts to teach children in Sunday school classes, to attract university students to faith and to recruit followers in urban settings.²⁷ But it also has resulted from the Party-state’s urbanization program that has moved Protestants from the countryside into urban areas.²⁸ As Protestant Christianity has become part of the mainstream of society, its followers have been drawn from every slice of society.

Protestants, particularly in the last 20 years, also have benefited from being part of a global religious movement of Christianity with overseas counterparts. Activism on the part of the younger generation of TSPM/CC leaders has been reinforced by their urban location, where many have developed ties to foreign Christian residents. Such young official church leaders are often enthusiastic to learn from and even cooperate with foreign Protestants; these young Chinese pastors have no memory of pre-1949 foreign exploitation, reject the anti-foreign perspectives of “old Three Selfers” (*lao sanzi*) and see considerable benefits in foreign cooperation.²⁹ With less attachment to the Three Self project, improved theological training and often better foreign language skills (English) than previous generations of Three Self leaders, these young church leaders have gained moral support from foreign believers when they stand up for church interests in the face of regime pressure. Such encouragement is more than mere talk, because foreign Christians are typically backed by overseas mission organizations that offer aid like religious materials, short-term training sessions (that sometimes bring together unregistered church leaders and official church leaders), and financial resources that empower TSPM/CC leaders to complete projects that would otherwise be too costly. Thus, resistance or organizing by individual elites, pastors or small groups within the bureaucratic hierarchy is often stiffened by foreign Protestant help.³⁰

In addition, during the last 25 years, some Protestants have engaged in transgressive contention wherein resistance to regime power has spilled beyond religious sites and TSPM/CC organizational boundaries. In these instances, Protestant resistance has resembled the trajectory and form of that by other societal groups. As Xi Chen has argued, aggrieved groups in Chinese society balance submission and confrontation, adroitly moving from moderated interactions with officialdom to staging large-scale, public and disruptive protests when necessary.³¹ Protestant strategies also escalate from contained to transgressive contention, as cases below illustrate. Further, in a rapidly urbanizing China, for Protestants as for others, real estate conflict often triggers social confrontation, as local authorities depend on real estate development to bolster local economic growth.³² Two major Protestant trends intersect in real estate conflict: first, Protestant growth has been so rapid in the last 30 years that issues of space are an obvious, pressing need to lay believers, making participation in activism more urgent. Even by official count, which is very conservative, the Protestant population has multiplied more than five times in size—from 3 million in the early 1980s to more than 15 million in 1999.³³ Despite a 30-year-old policy calling for the return of religious real estate, local Party-state officials still occupy land and buildings taken from foreign missionaries who were expelled in the 1950s.

TACTICAL ESCALATION: FROM NEGOTIATION TO DEMONSTRATIONS IN ANYANG, HENAN PROVINCE

The case of an official church in Anyang city, Henan Province illustrates the common trajectory trod by aggrieved citizens and Chinese Protestants alike as they turn from negotiations to public demonstrations to regain lost real estate. The origins of the dispute lie in the early 1950s, when two church staff members lent land bought by Canadian missionaries to the state-run Anyang hospital.³⁴ According to a policy issued in the 1980s, the state hospital should have returned (or paid rental income for) the church's real estate to the Anyang city TSPM association.³⁵ But because it did not, TSPM/CC leaders petitioned city, provincial and central levels of government. A decade later, the provincial government granted the church a minuscule parcel comprising three-quarters of an acre and small buildings, less than 5 per cent of the original missionary holdings.³⁶

Over the last two decades, Anyang TSPM church leaders have unsuccessfully petitioned multiple government offices (city planning bureau, housing management bureau, land bureau) for the return of the land.³⁷ Meanwhile, in 2008, the hospital decided to expand its footprint by constructing a new ward. When Protestants tried to block the plan by filing a lawsuit, the courts refused to accept the case. At that point, the TSPM/CC had exhausted negotiations, petitions and the legal system, and the city land bureau was still issuing permits for the ward's construction. So, starting in 2011, Protestants turned to physical resistance, going to the work site to halt the construction.³⁸ A year later, their activism seemed to bear fruit when two government offices announced that construction would be suspended. Hopes quickly turned sour when neither office issued written documents to substantiate the oral ban; the hospital pushed ahead with plans and it was clear that the authorities had made false promises.³⁹

By October 2013, believers had had enough. They gathered by the hundreds in front of city government headquarters and blocked rush hour traffic in the main square. Holding

signs bearing Christian crosses, the believers sang hymns to strengthen their resolve. At the time of this writing, it remains unclear if the escalation from petitioning to public protests has borne fruit; although city authorities agreed to negotiate with the TSPM/CC associations, these political leaders appear to have broken promises again.⁴⁰

In this real estate case, Protestants in the official churches shared challenges faced by other aggrieved groups in Chinese society: a powerful local government that prioritized its own construction projects over societal demands; difficulty mobilizing large numbers to join a struggle that had long been led by a few TSPM/CC leaders; crafting an array of strategies to increase chances of success; and escalating tactics when petitioning failed to compel authorities to the negotiation table. Protestants trudged a familiar path to public demonstrations: from individual leaders' actions to mass participation, and from negotiations to legal activism to public protests. Even though Protestant resistance has only infrequently culminated in such demonstrations, this case suggests that Protestants share some pressures with other groups in society.⁴¹

THE RISE OF XI JINPING AND THE ZHEJIANG ANTI-CROSS CAMPAIGN

Other Protestant resistance has been spurred by changes particular to the rise of Xi Jinping. After assuming power in November 2012, President and CCP General Secretary Xi tightened control over the Party, media, civil society and religion to a degree not seen since the 1989 Tiananmen Movement crackdown. Launching a wide-ranging campaign inside the CCP to tackle Party corruption, Xi and his administration ordered the mass media to toe the line by "speak[ing] for the Party's will"; arrested dozens of civil society activists; and approved stricter rules for religion.⁴² The new Regulations on Religious Affairs translate into restrictions on Protestants' overseas activities (fundraising and religious education) and also bring charity work and schools under one regulation.⁴³ While the impact of these national rules has yet to be fully grasped, an aggressive campaign in Zhejiang Province to reduce the influence of Protestant Christianity presaged tighter policies nationwide.

The reasons for the start of the Zhejiang campaign are unclear. Some observers and scholars have suggested that it was Xi Jinping's way of testing international reaction before spreading the campaign to other areas.⁴⁴ They point out that the Zhejiang Provincial Party secretary previously worked with Xi and had echoed Xi in warning of "foreign hostile forces" infiltrating Christianity before ordering the anti-cross campaign.⁴⁵ Others argue that the provincial Party secretary harbored personal antipathy towards Christianity.⁴⁶ Regardless of its origins, many argue that President Xi Jinping could have halted the Zhejiang campaign, but that he may well have seen a strategic benefit in it, as it attacked a national center of Protestant Christianity in Wenzhou and Zhejiang Province.⁴⁷

Wenzhou's importance is signaled by being known as China's Jerusalem, home to the highest concentration of China's Protestants in China, a center for Protestant training and a base for entrepreneurs who travel China and the world doing business and establishing churches.⁴⁸ One Wenzhouese explained the nickname by claiming that Wenzhou people only cared about two things: God and making money.⁴⁹ When Wenzhou Protestants travel to do business, they typically set up their own church or start supporting an existing one.⁵⁰ Wenzhou Protestant entrepreneurs traveling abroad also cultivate ties

to overseas Christians who attract Protestants across China to Wenzhou for religious training.⁵¹ In addition, Wenzhou Protestants pioneered Sunday school classes for all of China.⁵² By taking aim at churches in Wenzhou and throughout Zhejiang Province, the Party-state targeted a leading center of Chinese Christianity and sounded a warning bell to the country's Protestants.

Shortly after President Xi took office, the Zhejiang Provincial government announced the "Three rectifications and one demolition" campaign (*Sangai Yichai*).⁵³ The authorities claimed the purpose was to destroy illegal structures that posed dangers to the public, but a secret provincial document laid bare the real aim. The document singled out Christianity and directed officials to avoid international criticism of religious persecution by using the pretense of illegal construction to tear down churches and crosses.⁵⁴ International legitimacy clearly worried local officials. They also labored to justify the campaign locally. Indeed, after months of groundwork, Party-state officials compelled TSPM/CC association leaders to legitimize the campaign. In February 2014, leading Protestants, including the Provincial CC director Gu Yuese, joined the head of the Zhejiang Provincial Religious Affairs Bureau (the highest provincial Party official over religious work) to express public support.⁵⁵ Pastor Gu was no minor Protestant functionary. He pastored China's largest congregation of more than 5000 members in a 100-year-old church. At that February 2014 meeting to support the anti-cross campaign, the Zhejiang RAB head called Christianity's growth "excessive" and "unsustainable," and exhorted TSPM/CC personnel to be of "one heart and one mind" with the Party-state to stop "Western hostile forces" attacking China and strengthen patriotism.⁵⁶ However, the regime's forceful measures ended up undermining its attempts to win popular legitimacy at home and abroad, eventually turning even TSPM/CC leaders against it.

These developments are seen in the case of the official Protestant church, Sheng'ai ("Holy Love"), in Jinhua city, Zhejiang Province. Sheng'ai had started the process of building a church back in 2008, when it first gained city government approval for the plans.⁵⁷ From April 2008 to the start of construction in 2010, Sheng'ai received permits from the city Party committee, planning bureau and construction bureau for its designs.⁵⁸ When the provincial campaign was launched, Sheng'ai's congregation did not expect to have cause for worry.

Indeed, when RAB and United Front Work Department officials appeared at the church in July 2015, construction was mostly complete.⁵⁹ However, the officials declared that the cross must be torn down, with "no room" for negotiation. When the pastor requested documents explaining the order, officials replied it was a verbal order and therefore there were no documents. A week later, the government tried to legitimize its pressure on Jinhua's churches by requiring financial records from all the city's religious sites. Yet on the very same day, it demanded Sheng'ai's accounts dating back more than a decade, four years prior to the earliest church construction application.⁶⁰

Several aspects of the Sheng'ai conflict featured in the province-wide campaign. First, all official churches face extensive bureaucratic processes to win construction approval, making it unlikely that illegal construction could proceed without a minimum of tacit official approval, and usually much more. For example, an official church pastor in Pingyang County explained that churches needed "at least 100 official seals of approval from different departments," making the process so time-consuming that churches typically began construction before securing all necessary permits.⁶¹ Second, authorities

across the province issued demands that Protestant (and Catholic) official congregations remove crosses and, in some cases, demolish church buildings. Third, the Party-state strove to gain popular legitimacy by touting destroying unsafe buildings as central to the campaign, rather than concern over Christianity's public influence. Illegal construction created an "adverse social atmosphere," claimed officials, and demolition would "protect the [province's] land resources."⁶² For example, authorities blamed demolition of Wenzhou's Sanjiang church, the most well-known case, on its being several times the officially approved size, rather than its towering above nearby government buildings.⁶³ State media also downplayed the impact of the campaign, asserting that religious demolitions constituted less than 3 percent of all demolitions.⁶⁴

Christians at Sheng'ai church, like those at Protestant and Catholic churches province-wide, countered the Party-state's moves in a variety of ways. When the governing authorities demanded financial records, Sheng'ai countered by demanding nearly two dozen RAB documents on the cross removal order.⁶⁵ Shortly afterward, the congregation brought suit against the Jinhua City RAB for illegal administrative procedures, petitioning courts for administrative reconsideration.⁶⁶

This legal activism points to an important trend beyond Zhejiang Province: China's Christians represent a substantial proportion of the rights defense (*weiquan*) lawyers that (as detailed by Pils in this volume) have engaged the legal institutions of the People's Republic of China to protect citizens' legal rights.⁶⁷ Driven either by a need for spiritual ballast in long-odds battles against the regime or attracted by seeing Christianity as a moral underpinning for a democratic China, many of the "strongest" or "most radicalized" *weiquan* lawyers are Christian.⁶⁸ *Weiquan* lawyer Teng Biao, himself not a Christian, estimated that one in four *weiquan* lawyers is a Christian.⁶⁹ The campaign in Zhejiang Province attracted Christian *weiquan* lawyers in particular because, as one of them said, "How many large-scale removals of crosses have you come across in history?"—suggesting a rare opportunity to apply professional skills to defend Christianity from historic persecution.⁷⁰ The person making that observation was Zhang Kai, a lawyer who gained prominence among Christian *weiquan* lawyers, a member of Beijing's Shouwang church (that had itself openly confronted the Party-state⁷¹) and someone who was so dedicated that he relocated to Wenzhou. For over a year, Zhang Kai lived in a Wenzhou church, where he organized lawyers to aid churches during the campaign (including six to help Jinhua city's churches).⁷² The lawyers for Sheng'ai in Jinhua publicized the church's plight in a statement demanding an end to the "rectification."⁷³

In addition to legal maneuvers and public statements, Sheng'ai also physically resisted authorities, as did many Zhejiang congregations. After failing to remove the Sheng'ai church cross or acquire its accounts, authorities sent a surveying company to enter the premises.⁷⁴ Congregants quickly gathered to block its entry. Similarly, across Zhejiang Province, Protestants and Catholics organized in "snail" or "honeybee" strategies to stop state agents from tearing down churches and crosses.⁷⁵ These strategies involved "stick[ing] to a place just like a snail" or "pester[ing]" security forces for hours until they gave up.⁷⁶ At Sanjiang church, a colossal structure taller than the nearby Wenzhou government buildings, over 2000 Protestants came from surrounding counties in a round-the-clock "snail" demonstration that blocked demolition for weeks (but ultimately failed).⁷⁷ Congregation members at another Wenzhou church pushed past a security ring to disconnect the power supply for workers removing their cross.⁷⁸ At a third church in

Yueqing, Wenzhou, Protestants stood guard to prevent their cross's removal.⁷⁹ Across the province, Protestants (and Catholics) defensively mobilized to protect church buildings and crosses, in ways reminiscent of Chinese who defend their "nail houses" against real estate developers backed by local government.⁸⁰

Zhejiang Protestants (and Catholics), like nail house defenders, waged a public opinion campaign as well by posting open letters and critical messages online. Local Christian communities, grassroots official church leaders and even leaders of the Party's state-corporatist organizations for Christianity in Zhejiang Province organized statements and activism to oppose the church demolitions and cross removals. The local believers in the Zhejiang city of Rui'an upbraided authorities to respect official churches' legal status and threatened to continue non-violent physical resistance, link up to nearby churches, engage lawyers, re-erect toppled crosses and even jointly petition higher-level authorities. More than 100 church leaders across Wenzhou issued an open letter against the campaign and planned a peaceful sit-in in front of government offices.⁸¹ Only after authorities contacted individual pastors and warned them not to protest, petition Beijing or contact overseas media did the pastors call off the protest. Catholics in the Wenzhou diocese were equally as incensed and mobilized. They penned an open letter that drew on early twentieth-century constitutional activist Liang Qichao's words in wondering whether the "government . . . excels in nothing but repressing its own citizens," and dramatically vowed to set up a million crosses for each one removed.⁸² The Zhejiang China Catholic Patriotic Association, led by Wenzhou bishop Zhu Weifang, wrote that the rules were unlawful, and Bishop Zhu gathered priests to stage a one-day silent protest in front of Wenzhou government offices with a banner calling on officials to "safeguard religious dignity."⁸³

Protestants in official associations and seminary posts across the country also openly criticized Zhejiang authorities. In remarkably frank criticism circulating online, the official national Protestant seminary president called the handling of the Sanjiang church crisis "crude and hardline," and predicted harm to the CCP's image.⁸⁴ The harsh and unilateral nature of the campaign also soured authorities' relations with local TSPM/CC leaders; perhaps most notably, Pastor Gu, the head of the Zhejiang Christian Council and pastor of China's largest official Protestant church, who withdrew his support and turned against the campaign.⁸⁵ Given that the Party had targeted official churches and that Gu had first sided against his own churches, Pastor Gu's own legitimacy among frustrated Protestants was greatly weakening, and he used the Christian Council's official seal to publish an open letter. Authorities promptly confiscated the seal, arrested Pastor Gu and dismissed him from all TSPM/CC positions.⁸⁶

These open letters gathered attention inside and outside of China, shining light on how Protestant resistance makes use of linkages to overseas communities. On the one hand, the CCP has long used the historic connections of China's Christians to foreign organizations as justification for demanding that the TSPM/CC associations prove their political loyalty.⁸⁷ On the other hand, Chinese Christians have learned to spark international media attention to spotlight regime abuses and mobilize local support.

The case of a Pingyang County church's resistance to the demolition campaign highlights how domestic mobilization galvanized overseas media coverage. Foreign media had already reported in April 2014 that Pingyang churches were being demolished.⁸⁸ Three months later, in the early morning hours of 21 July 2014, more than two dozen Protestants were standing watch at Jiu'entang church when regime forces arrived to remove its cross.⁸⁹

By day's end, hundreds of police officers and demolition workers had injured at least a dozen congregants.⁹⁰ Three days later, another 60 congregants were injured in a massive protest in front of county government offices.⁹¹ Authorities blamed Jiu'entang's pastor for leading the protest, as he had prayed with congregants at the offices.⁹² For months, the pastor had openly criticized the campaign and, after the July clashes, he penned blog posts to criticize the "severe persecution" by authorities who "brutally" beat his congregants.⁹³ Weeks after the cross removal, authorities arrested and charged him with "gathering crowds to disturb social order." But, with help from *weiquan* lawyer Zhang Kai, the pastor's legal team collected thousands of signatures on a petition and applied to hold a protest march.⁹⁴ The signature campaign, the pastor's blogging and interviews by the pastor and Zhang Kai with foreign journalists spread news of his resistance and spurred further local support and international media focus.⁹⁵ At the trial, 1,000 supporters reportedly showed up.⁹⁶ This domestic and overseas attention likely reduced the pastor's time behind bars; instead of receiving the maximum sentence of seven years' imprisonment for "gathering crowds to disturb social order," he received only one year.⁹⁷

Several other instances of resistance display the Party's fear of overseas attention (and use of legal charges). A month after a different Pingyang County pastor published an Internet appeal inviting Christians in China and abroad to observe cross demolitions, he was arrested and charged with violating a state secrets law.⁹⁸ Authorities warned family members of yet another arrested church leader not to alert overseas organizations or media about his arrest.⁹⁹ But overseas news media are not the only channel by which outsiders have learned about the Zhejiang events. When a congregation draped their cross with canvas rather than allow its demolition, a Chinese person wrote a microblog post proclaiming that both the cross and the "Chinese constitution that supposedly safeguards the freedom of religious belief . . . suffer . . . shame!"¹⁰⁰ That blogpost was forwarded more than 1,000 times and seen over 250,000 times, gathering comments from scholars around China as well as from a US-based scholar.

The consequences were severe for state-sanctioned leaders who resisted the campaign. At the Sheng'ai church in Jinhua that had tried to bring suit against the state, the pastor and his wife were arrested.¹⁰¹ Because they were leaders in the Jinhua Christian Council, the pastor and his wife were made an example of: charged with multiple crimes, they were pilloried in the state newspapers and on television as "greedy," and sentenced to more than a decade in prison.¹⁰² The provincial CC chairman and TSPM member Pastor Gu was stripped of his membership in both associations, removed from the national CC, arrested and charged with embezzlement.¹⁰³

CONCLUSION

Whether through physical resistance against state agents, protests outside government offices, legal maneuvers or microblog posts and open letters, Protestants (and Catholics) at the grassroots have demonstrated an assertiveness and strategic flexibility similar to that displayed by Chinese activists defending their homes, land or other assets from state authorities. And, even more interestingly, these religious sphere activists have done so even from within the Party-state's official churches and corporatist organizations for Protestant (and Catholic) Christianity.

The increasing similarity between Protestant resistance in official churches and that of Chinese citizens in the wider society suggests that Protestants as a population are evolving. No longer characterized by being predominantly elderly or less educated or mostly female, Protestants as a whole have become younger and enjoy higher status in society. While Christian–regime relations during the Hu Jintao era had been marked only occasionally by outright conflict, authorities had often been able to negotiate over (or subordinate) the demands of believers to official goals. But, in the era of Xi Jinping, as local authorities in a historic center of Christianity have sought to reduce the impact of Protestant Christianity,¹⁰⁴ both Zhejiang church leaders and believers have resisted with tactical escalation and flexibility familiar from studies of other activist populations in China. Meanwhile, the unusually strong affinity and in some cases historic ties binding Protestants to Christians overseas have proved a boon to resistant Chinese Christians; but they have also been something of an Achilles' heel. The heightened overseas media attention has not gone unnoticed by national authorities, as Beijing has rolled out more stringent rules criminalizing overseas religious training and fundraising. Whether the 2016 rules presage a wider and deeper restriction of Protestant activism depends on the state's will and capacity to enforce them at national and local levels. One thing is certain: even though they lead Party-state approved religious associations and official churches, Protestants are not afraid to mobilize in resistance through a range of tactics to block Party-state actions.

NOTES

1. See, for example, Andrew Jacobs, "Chinese Christians Rally around Underground Church," *New York Times*, 12 May 2011, <http://www.nytimes.com/2011/05/13/world/asia/13china.html>.
2. Tom Phillips, "China's Christians Fend Off Church Demolition Crew Amid Latest Communist Party Crackdown on Faith," *Daily Telegraph*, 12 June 2014, <http://www.telegraph.co.uk/news/worldnews/asia/china/10893715/Chinas-Christians-fend-off-church-demolition-crew-amid-latest-Communist-Party-crackdown-on-faith.html>; Ian Johnson, "Church–State Clash in China Coalesces Around a Toppled Spire," *New York Times*, 29 May 2014, <http://www.nytimes.com/2014/05/30/world/asia/church-state-clash-in-china-coalesces-around-a-toppled-spire.html>.
3. David McKenzie and Steven Jiang, "Christians in Eastern China Scramble to Save Symbol of Their Faith," *CNN*, 16 September 2014, <http://edition.cnn.com/2014/09/15/world/asia/china-christians-church/index.html>.
4. President Hu Jintao welcomed "the positive role of religious figures and believers in promoting economic and social development." Jintao Hu, "Full Text of Hu Jintao's Report at 18th Party Congress," 17 November 2012, http://news.xinhuanet.com/english/special/18pcnc/2012-11/17/c_131981259.htm.
5. Nanlai Cao, *Constructing China's Jerusalem: Christians, Power, and Place in Contemporary Wenzhou* (Palo Alto: Stanford University Press, 2011).
6. Amnesty International, "A Year On: China's Crackdown on Human Rights Lawyers," 2016, <https://www.amnesty.org/en/latest/campaigns/2016/07/one-year-since-chinas-crackdown-on-human-rights-lawyers/>.
7. Zhejiang Sheng Renmin Zhengfu, "Zhejiangsheng Renmin Zhengfu Guanyu Zai Quansheng Kaizhan 'Sangai Yichai' Sannian Xingdong De Tongzhi [Notice on the Zhejiang Provincial People's Government's Launch of the Three-Year 'Three Rectifications and One Demolition' Campaign in the Entire Province]," *Zhejiang Renmin Zhengfu*, 21 February 2013, http://www.zj.gov.cn/art/2013/3/13/art_13012_77021.html.
8. No author, "Xi Calls for Improved Religious Work," *Xinhua Net*, 23 April 2016, http://news.xinhuanet.com/english/2016-04/23/c_135306092.htm; Carsten T. Vala, "Protestant Reactions to the Nationalism Agenda in Contemporary China," in *Christianity in Contemporary China, Socio-Cultural Perspectives*, ed., Francis G.K. Lim (New York: Routledge, 2012).
9. See Joseph Tse-Hei Lee, "Co-Optation and Its Discontents: Seventh Day Adventism in 1950s China," *Frontiers of History in China*, 7, no. 4 (2012): 582–607.
10. Philip L. Wickeri, *Reconstructing Christianity in China, K.H. Ting and the Chinese Church* (Maryknoll, NY: Orbis Books, 2007), 99, 221.
11. Officially, Protestant churches are either registered and therefore "official" or remain unregistered. In

- reality, weak implementation of registration policies mean that Protestant congregations occupy a range of official statuses. Some have submitted registration forms but never got approval from authorities; they view themselves as “acknowledged” (*mo'ren*) and therefore semi-official. Others, such as in Wenzhou, register their sites with the TSPM/CC but reject associational authority and hence do not self-identify as “official churches”; others in this category are independently run congregations that are listed as “activity sites” (*huodong changsuo*) but are not run by the official church to which they are attached. Yet another group of congregations either is unable to register because there is no TSPM association in the area or flatly rejects registration as compromising church legitimacy for falling under TSPM—and thus atheist Communist Party—authority.
12. Donald MacInnis, *Religion in China Today, Policy and Practice* (Maryknoll, NY: Orbis Books, 1989).
 13. Ibid. See also Kim-Kwong Chan and Eric R. Carlson, *Religious Freedom in China: Policy, Administration, and Regulation: A Research Handbook* (Santa Barbara, CA: Institute for the Study of American Religion, 2005).
 14. The CC was established in the 1980s to replace the TSPM, whose legitimacy was battered by its Mao-era role in attacking Protestants. See Jason Kindopp, “The Politics of Protestantism in Contemporary China: State Control, Civil Society, and Social Movement in a Single Party-State,” diss., George Washington University, 2004.
 15. Peng Yu, “Peiyang Zongjiaojie Yidai Daibiaorenshi Gongzuo Jizhi Chutan [Preliminary Investigation of Work Mechanism for the Cultivation of a Generation of Religious Representatives],” in *Hubei Zongjiao Yanjiu [Hubei Religious Research]*, ed., Hubeisheng Zongjiao Yanjiuhui [Hubei Provincial Religious Research Committee] (Beijing: Zongjiao Wenhua Chubanshe, 2004), 273–5.
 16. Zuo'an Wang, *Zhongguo De Zongjiao Wentí He Zongjiao Zhengce [China's Religious Issues and Policies]* (Beijing: Zongjiao Wenhua Chubanshe, 2002).
 17. Karrie J. Koesel, *Religion and Authoritarianism: Cooperation, Conflict, and the Consequences* (New York: Cambridge University Press, 2014); Carsten T. Vala, *The Politics of Protestant Churches and the Party-State in China: God Above Party?* (New York: Routledge, 2017). For instance, some Protestants outright reject activity site registration as illegitimate, while others register but ignore TSPM authorities. Ryan Dunch, “Protestant Christianity in China Today: Fragile, Fragmented, Flourishing,” in *China and Christianity: Burdened Past, Hopeful Future*, eds., Stephen Uhalley Jr. and Xiaoxin Wu (Armonk, NY: M.E. Sharpe, 2001), 213; Jason Kindopp, “Fragmented Yet Defiant: Protestant Resilience Under Chinese Communist Party Rule,” in *God and Caesar in China: Policy Implications of Church–State Tensions*, eds., Jason Kindopp and Carol Lee Hamrin (Washington, DC: Brookings Institution Press, 2004), 128, 140; Carsten T. Vala, “The State–Religion Relationship in Contemporary China,” in *The Chinese Corporatist State: Adaption, Survival and Resistance*, eds., Jennifer Y.J. Hsu and Reza Hasmath (New York: Routledge, 2012), 156–60.
 18. Sidney Tarrow, *Power in Movement, Social Movements and Contentious Politics*, 3rd ed. (New York: Cambridge University Press, 2011), 13.
 19. Carsten T. Vala, “Pathways to the Pulpit: Leadership Training in ‘Patriotic’ and Unregistered Chinese Protestant Churches,” in *Making Religion, Making the State: The Politics of Religion in Modern China*, eds., Yoshiko Ashiya and David L. Wank (Palo Alto: Stanford University Press, 2009), 109.
 20. Vala, “Pathways to the Pulpit.”
 21. Ibid.
 22. I met several Protestants who had worked in official church circles and then left to work in unregistered churches, although their past work experience initially made it challenging for them to persuade suspicious Protestants in unregistered churches that they were trustworthy and uncompromising in their faith (Interviews, Guangzhou, Harbin, Changchun, 2002–03).
 23. Vala, “Pathways to the Pulpit”; Vala, *Politics of the Protestant Churches and Party-State in China*.
 24. See Vala, *Politics of the Protestant Churches and Party-State in China*, Chapters 3, 4, 6.
 25. Zhongguo Renmin Zhengzhi Xieshang Huiyi Quanguo Weiyuanhui [National Committee of the People’s Political Consultative Conference], “Guanyu Woguo Jidujiao Fazhanzhong Chengxian De Xinwenji Ji Duice De Ti'an [Proposals Concerning New Issues and Countermeasures on Manifestations of China’s Protestant Development],” 1 March 2013, <http://www.cppcc.gov.cn/zxww/2013/03/01/ARTI1362106093000485.shtml>.
 26. Ibid.; Zhongguo Shehui Kexueyuan Shijie Zongjiao Yanjiusuo Ketizu [Research Group from the Institute of World Religions, Chinese Academy of Social Sciences], “Zhongguo Jidujiao Ruhu Wenjuan Diaocha Baogao [An In-House Questionnaire Survey on Christianity in China],” in *Zhongguo Zongjiao Baogao (2010) [Report on China's Religions (2010)]*, eds., Ze Jin and Yonghui Qiu (Beijing: Zhongguo Shehui Kexueyuan Chubanshe, 2010), 190–212.
 27. Carsten T. Vala, and Kevin J. O’Brien, “Attraction Without Networks: Recruiting Strangers to Unregistered Protestantism in China,” *Mobilization* 12, no. 1 (2007): 79–94.
 28. Ian Johnson, “China’s Great Uprooting: Moving 250 Million into Cities,” *New York Times*, 15 June 2013,

- http://www.nytimes.com/2013/06/16/world/asia/chinas-great-uprooting-moving-250-million-into-cities.html?pagewanted=all&_r=0.
29. See Kindopp, "Politics of Protestantism in Contemporary China," for more on the older TSPM generation.
 30. Vala, "Pathways to the Pulpit," 117.
 31. Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012), 136.
 32. For multiple struggles over real estate, see Chapter 5 of Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Palo Alto: Stanford University Press, 2010).
 33. Fenggang Yang, *Religion in China: Survival and Revival under Communist Rule* (New York: Oxford University Press, 2012), 93.
 34. Apparently it was the Canadians' first China missionary site. Originally, a church and a hospital had occupied the land, but the hospital relocated in the 1940s. No author, "Henan Sheng Anyangshi Jiaohui Jidu Weiquan Jishi [Anyang City Church Protestants' Rights Defense Continues in Henan Province]," *China Aid*, 5 November 2013, http://www.chinaaid.net/2013/11/blog-post_5.html.
 35. Ibid.
 36. Ibid.
 37. Lin Min, "Kangyi Zhengfu Zongrong Yiyuan Bazhan Jiaochan Henan Jidu Wei Shifu Yu Jing Duizhi Zongrong [Henan Protestants Surround the City Government and Confront Police to Protest the Government's Condoning of Hospital's Cunning Occupation of Church Property]," *Radio Free Asia*, 30 October 2013, <http://www.rfa.org/mandarin/yataibaodao/shehui/xl-10302013113000.html>.
 38. Ibid.
 39. Ibid. To add to the injustice, the hospital also planned to lease shops around the façade of the new building to earn rental income.
 40. No author, "Anyang City Church Protestants' Rights Defense Continues."
 41. Certainly not all the pressures are the same, as the seminary training example earlier in the chapter illustrates. For resistance to ideological campaigns to alter theology in official churches, see Vala, *Politics of Protestant Churches*, Chapter 3.
 42. Xinhua, "China's Xi underscores CPC's Leadership in News Reporting," 19 February 2016, http://news.xinhuanet.com/english/2016-02/19/c_135114305.htm; Amnesty International, "A Year On"; Thomas Dubois, "How Will China Regulate Religion?" *East Asia Forum*, 21 September 2016, www.eastasiaforum.org/2016/09/21/how-will-china-regulate-religion.
 43. Slated to take effect in October 2016, it was too early to know what impact they would have on Protestants.
 44. Didi Tang, "Severe Crackdown on Church Crosses in China Draws Backlash from 'Alienated' Christians," *The Independent*, 5 August 2015, <http://www.independent.co.uk/news/world/asia/severe-crackdown-on-church-crosses-in-china-draws-backlash-from-alienated-christians-10440275.html>.
 45. No author, "Dozens Injured in Battle to Stop Church Destruction in China," *UCANews*, 28 July 2014, <http://www.ucanews.com/news/dozens-injured-in-battle-to-stop-church-destruction-in-china/71529>.
 46. Gabriel Dominguez, "Expert: China Aiming to 'Reduce Christianity's Public Profile,'" *Deutsche Welle*, 6 August 2015, <http://www.dw.com/en/expert-china-aiming-to-reduce-christianitys-public-profile/a-18632073>.
 47. Tom Phillips, "China's Christians Protest 'Evil' Communist Campaign to Tear Down Crosses," *The Guardian*, 27 July 2015, <https://www.theguardian.com/world/2015/jul/27/chinas-christians-protest-evil-communist-campaign-to-tear-down-crosses>.
 48. Cao, *Constructing China's Jerusalem*.
 49. Interview, Wenzhou, January 2003.
 50. Interviews, Shuangcheng, November 2002; Wenzhou, February 2003.
 51. Interview, Hong Kong, August 2003.
 52. Kindopp, "Politics of Protestantism in Contemporary China."
 53. Zhejiang Sheng Renmin Zhengfu, "[Notice on the Zhejiang Provincial People's Government's Launch of the 'Three Rectifications and One Demolition' Campaign]."
 54. Verna Yu, "Wenzhou's Removal of Crosses and Actions Elsewhere May Signal Wider Crackdown," *South China Morning Post*, 7 September 2014, <http://www.scmp.com/news/china/article/1586751/wenzhous-removal-crosses-and-actions-elsewhere-may-signal-wider-crackdown>; Johnson, "Church-State Clash."
 55. Zhejiang Sheng Minzu Zongjiao Shiwei Weiyuanhui [Ethnic and Religious Affairs Committee of Zhejiang Province], "Feng Zhili Zhuren Dongyuan Wosheng Jidujiaojie Zhichi Canyu 'Sangai Yichai' Xingdong [Leader Feng Zhili Mobilizes Our Province's Christian Circles to Support and Participate in the 'Three Rectifications and One Demolition' Campaign]," *Ethnic and Religious Affairs Committee of Zhejiang Province* (2014), <http://www.zjsmzw.gov.cn/Public/NewsInfo.aspx?type=1&id=19ddc8ee-ea47-407b-80cf-bce5008331ee>.
 56. Ibid.

57. Zhigang Chen et al., “Jiu Jinhuashi Shitu Qiangchai Jinhua Chengqu Jidujiaohui Sheng’ai Tang Shizijia Shijian 11 Lvshi Gongkai Shengming [Public Proclamation by 11 Lawyers on Jinhua City’s Attempt to Demolish Jinhua City Church District’s Sheng’ai Church and Cross],” *Weiquanwang* (2015), <http://wqw2010.blogspot.com/2015/07/11.html>.
58. Ibid.
59. Ibid.
60. Ibid.
61. Minnie Chan, “Christians in Zhejiang Cross with Authorities over Church Demolitions,” *South China Morning Post*, 22 July 2014, <http://www.scmp.com/news/china/article/1557359/christians-zhejiang-cross-authorities-over-church-demolitions>.
62. “Leader Feng Zhili Mobilizes Our Province’s Christian Circles.”
63. Chan, “Christians in Zhejiang Cross with Authorities”; Adam Taylor, “Why Chinese Christians Are Camping Out to Save Their Church and Cross from Demolition,” *Washington Post* Worldviews, 4 April 2014, <http://www.washingtonpost.com/blogs/worldviews/wp/2014/04/04/why-chinese-christians-are-camping-out-to-save-their-church-and-cross-from-demolition/>; Yiqi Yan, “Demolished Churches Were Built Illegally, Officials Say,” *China Daily*, 20 August 2014, http://www.chinadaily.com.cn/china/2014-08/20/content_18450976.htm.
64. Ibid.
65. Chen et al., “Public Proclamation By 11 Lawyers.”
66. Ibid.
67. See also Hualing Fu and Richard Cullen, “Climbing the Weiquan Ladder: A Radicalizing Process for Rights-Protection Lawyers,” *The China Quarterly* 205 (2005): 41.
68. For the “strongest,” see ibid., 59; for the “most radicalized,” see Gerda Wielander, *Christian Values in Communist China* (New York: Routledge, 2013).
69. Ian Johnson, “China’s Unstoppable Lawyers: An Interview with Teng Biao,” *NY Books*, 19 October 2014, <http://www.nybooks.com/daily/2014/10/19/china-rights-lawyers-teng-biao/>.
70. Initium Media, “The Work of Lawyer Zhang Kai: ‘I Have God as My Backer’,” *China Change*, 31 August 2015, <https://chinachange.org/2015/08/31/the-work-of-lawyer-zhang-kai-i-have-god-as-my-backer/>.
71. Andrew Jacobs, “Chinese Christians Rally around Underground Church,” *New York Times*, 12 May 2011, <http://www.nytimes.com/2011/05/13/world/asia/13china.html>.
72. Yannan Jiang, “Lvshi Zhang Kai: Zhengjiao Guanxi Daofe Feichang Jinzhang De Shike [Lawyer Zhang Kai: Church-State Relations Have Reached an Extremely Tense Stage],” *The Initium*, 27 August 2015, <https://theinitium.com/article/20150827-china-church-cross-lawyer/>. Zhang Kai ingeniously tried multiple legal strategies to defend pastors as his clients. For example, when the government posted an article about the criminal conduct of a pastor, he lodged a suit on the grounds of “convicting without a trial” and defamation, gathered 1,000 signatures and planned a protest march. See Initium Media, “Work of Lawyer Zhang Kai.”
73. Fan Yang, “Zhejiang Duojian Jiaotang Shiziyia Lianxu Beichai 11 Lvshi Fa Shengming Baowei Jinhua Jiaotang [Multiple Zhejiang Church Crosses Are Torn Down One After Another as 11 Lawyers Issue Proclamation Protecting Jinhua Church],” *Radio Free Asia*, 2 July 2015, <http://www.rfa.org/mandarin/yataibaodao/shehui/fy1-07022015103323.html>.
74. Chen et al., “Public Proclamation by 11 Lawyers.”
75. Yaxue Cao and Pastor L, “Interview with a Wenzhou Pastor,” *China Change*, 29 July 2015, <https://chinachange.org/2015/07/29/interview-with-a-wenzhou-pastor-the-chinese-governments-large-scale-destruction-of-crosses-in-zhejiang-province/>.
76. Ibid.
77. Chan, “Christians in Zhejiang Cross with Authorities”; No author, “One TSPM Church in Zhejiang Finds Compromise, Others Still Face Forced Demolition,” *China Aid*, 11 April 2014, <http://www.chinaaid.org/2014/04/one-tspm-church-in-zhejiang-finds.html>; Johnson, “Church–State Clash in China Coalesces.”
78. Phillips, “China’s Christians Fend Off Church Demolition Crew.”
79. Vivienne Zeng, “Protest in Zhejiang as Church Cross Demolitions Continue,” *Hong Kong Free Press*, 10 August 2015, <https://www.hongkongfp.com/2015/08/10/protest-in-zhejiang-as-church-cross-demolitions-continue/>.
80. Steve Hess, “Nail-Houses, Land Rights, and Frames of Injustice on China’s Protest Landscape,” *Asian Survey* 50, no. 5 (2010): 908–26.
81. No author, “Wenzhou-Area Church Leaders Plan Peaceful Sit-in, Release Open Letter Regarding Cross Removals,” *China Aid*, 25 June 2014, <http://www.chinaaid.org/2014/06/wenzhou-area-church-leaders-plan.html>; Minnie Chan, “Protest Over Removal of Crosses From Zhejiang Churches is Now Unlikely,” *South China Morning Post*, 23 June 2014, <http://www.scmp.com/news/china/article/1538582/protest-over-removal-crosses-zhejiang-churches-now-unlikely>.
82. China Change, “Christian Sentiment in Zhejiang Against Cross Removal: Three Statements,” 7 August 2015,

- [https://chinachange.org/2015/08/07/christian-sentiment-in-zhejiang-against-cross-removal-three-statements/.](https://chinachange.org/2015/08/07/christian-sentiment-in-zhejiang-against-cross-removal-three-statements/)
83. Vivienne Zeng, "Chinese Christians Make Crosses At Home as Church Crosses Are Removed By Government," 27 July 2015, <https://www.hongkongfp.com/2015/07/27/zhejiang-christians-make-crosses-at-home-as-church-crosses-are-removed-by-govt/>.
 84. Tom Phillips, "China Accused of Anti-Christian Campaign as Church Demolition Begins," *Daily Telegraph*, 28 April 2014, <http://www.telegraph.co.uk/news/worldnews/asia/china/10792386/China-accused-of-anti-Christian-campaign-as-church-demolition-begins.html>.
 85. "Leader Feng Zhili Mobilizes Our Province's Christian Circles."
 86. Cao and Pastor L, "Interview with a Wenzhou Pastor." According to China-based observers, Gu is also a victim of the campaign to purify the CCP for his connections to officials who have professed Christian faith.
 87. From the early PRC period, the CCP has cast doubt on the loyalty of Chinese Christians due to their affiliations with foreign missionaries and Christian organizations abroad. See the founding document of the official TSPM association and its mention of "imperialism" and its uses of Christianity in China in Daniel H. Bays, *A New History of Christianity in China* (Malden, MA: Wiley-Blackwell, 2012), 158.
 88. ChinaAid, "Zhoushan Jidu Jiaotang Shizijia Zao Qiangchai Chuandao Bei Ruanjin Pingyang Tianzhu Jiactang Bei Qiangchai Xintu Bei Oushang [Zhoushan Christian Church Cross Forcibly Removed, Pingyang Catholic Church Forcibly Demolished, Several Believers Beaten and Injured]," *China Aid*, 24 April 2014, http://www.chinaaid.net/2014/04/blog-post_24.html.
 89. Chan, "Christians in Zhejiang Cross with Authorities."
 90. Cao, and Pastor L, "Interview with a Wenzhou Pastor."
 91. Minnie Chan, "Huang Yizi, Detained Pastor in Wenzhou, Knew Risks in Fighting Removal of Crosses," *South China Morning Post*, 17 August 2014, <http://www.scmp.com/news/china/article/1575112/huang-yizi-detained-pastor-wenzhou-knew-risks-fighting-removal-crosses>.
 92. No author, "Wenzhou Huang Yizi Mushi Yishen Panchu Yinian Jianjin Jiang Jixu Tichu Shangsu [Wenzhou Pastor Huang Yizi Sentenced to One Year in Prison, Plans for Appeal Continue]," *Fuyin Shibao [Gospel Times]* (2015), <http://www.gospeltimes.cn/index.php/portal/article/index/id/27901>; Jiang, "Lawyer Zhang Kai."
 93. Tom Phillips, "Chinese Preacher 'Grateful' to be Jailed Amid 'Anti-Church' Campaign," *Telegraph*, 13 October 2014, <http://www.telegraph.co.uk/news/worldnews/asia/china/11158630/Chinese-preacher-grateful-to-be-jailed-amid-anti-church-campaign.html>.
 94. Jiang, "Lawyer Zhang Kai"; Initium Media, "Work of Lawyer Zhang Kai."
 95. Hong Kong and United Kingdom newspapers carried several stories mentioning Huang Yizi.
 96. Tom Phillips, "China Jails Christian Pastor Who Fought Church Demolitions," *Telegraph*, 25 March 2015, <http://www.telegraph.co.uk/news/worldnews/asia/china/11493548/China-jails-Christian-pastor-who-fought-church-demolitions.html>.
 97. Phillips, "Chinese Preacher 'Grateful' to Be Jailed"; "Wenzhou Pastor Huang Yizi Sentenced to One Year in Prison."
 98. Long Qiao, "Wenzhou Pingyang Jiaohui Zhang Chongzhu Mushi Huoqubao Houshu, Rui'an Beiju Xintu Wen Xiaoyu Jiashu Zao Weixie [Wenzhou Pingyang Church Pastor Zhang Chongzhu Obtained Bail, Pending Trial; Family of Arrested Rui'an Believer Wen Xiaowu Threatened]," *Radio Free Asia*, 10 May 2016, <http://www.rfa.org/mandarin/yataibaodao/shehui/ql2-05102016113528.html>; Long Qiao, "Wenzhou Jiaohui Mushi Zhang Chongzhu Bei Ge Shengzhi, Ceng Fandui Qiangchai Jiaotang Ji Shizijia [Wenzhou Church Pastor Zhang Chongzhu Was Removed From Post, Once Opposed Demolition of Churches and Crosses]," *Radio Free Asia*, 5 November 2016, <http://www.rfa.org/mandarin/yataibaodao/shehui/ql2-11052016105327.html>. Despite the severity of the charge he faced, he was released within a year.
 99. Qiao, "Wenzhou Pingyang Church Pastor Obtained Bail."
 100. "One TSPM Church in Zhejiang Finds Compromise"; Zeng, "Protest in Zhejiang as Church Cross Demolitions Continue."
 101. Baosheng Guo, "Weihe Shengyuan Beibu Mushi Bao Guohua [Why Support Arrested Pastor Bao Guohua?]," *China Aid*, 20 August 2015, http://www.chinaaid.net/2015/08/blog-post_20.html.
 102. Ibid.
 103. No author, "Authorities Arrest Highest-Profile Pastor since Cultural Revolution," *China Aid*, 10 January 2017, <http://www.chinaaid.org/2017/01/authorities-arrest-highest-profile.html>.
 104. Nanlai Cao, "Spatial Modernity, Party Building, and Local Governance: Putting the Christian Cross-Removal Campaign in Context," *The China Review* 17, no. 1 (2017): 29–52, 36–7. Cao argues that there is little evidence of Chinese Christians being specifically targeted in the campaign, which he views as a complex outcome partly of Beijing's attempt to reassert local control, an example of the state's push for "sinicization of Christianity movement" (44) and related to the Party's work to strengthen itself as an institution (45).

PART 8

INFORMATION AND COMMUNICATIONS TECHNOLOGIES

22. From mobilization to legitimization: digital media and the evolving repertoire of contention in contemporary China

*Jun Liu**

INTRODUCTION

With the ubiquity of information and communication technologies (ICTs) around the world, the adoption and appropriation of digital technologies for contentious collective action have become an exciting new focus in studies of ICTs.¹ Some explore the use of digital media for (alternative) information distribution for political contention.² Others underline the relevance of digital media in the process of structuring and bridging networks for collective action.³ Some argue that digital media are a catalyst for protest organization, mobilization, and participation.⁴ Others observe identity- and value-driven sub-politics as key elements in digitally mediated political activism.⁵

Over the past decade, the use of ICTs for political contention in China—the largest authoritarian state with the largest Internet and mobile phone population in the world⁶—has attracted considerable attention.⁷ Nevertheless, existing scholarship remains dominated by case studies of singular, discrete, independent, or isolated contentious events, failing to recognize the possible long-term effect of ICTs on political contention and broader society.⁸ To advance such understanding, this study employs the concept of “repertoires of contention”⁹ to explore how people perceive and use digital media—including mobile phones, the Internet, and social media—as means for making political claims against powerful authorities and how digital media have been integrated as a requisite part of various forms of contentious collective action in contemporary Chinese society. By looking at environmental activism against petrochemical plants in six cities from 2007 to 2014, this chapter dissects people’s experience and perception of the use of ICTs for contention, and the changing role of ICTs as repertoires of contention in contemporary China.

This chapter begins with a critical review of current studies of ICTs and contentious collective action in China. Next, it shows how the concept of repertoires of contention can aid in understanding the role of ICTs in political contention, and elaborates on case selection, data collection, and analysis methods. Subsequently, the chapter examines various uses and perceptions of ICTs as repertoires of contention in the context of environmental activism in six Chinese cities between 2007 and 2014—showing how ICTs were used for information dissemination, mobilization, and protest legitimization. The chapter then looks more specifically at two innovative uses of ICTs in Chinese environmental contention—a transnational cyber-petition in 2013 and a virtual battle over online encyclopedia definitions in 2014. The chapter concludes that research needs to look beyond specific cases and investigate the trajectory of contention through cross-case synthesis. At the same time, the chapter suggests that the anti-PX protests examined in this study

should be compared with other types of protest—including those that are more politically contentious and those that are undertaken by less privileged societal groups that do not enjoy widespread access to ICTs.

ICTs AND CONTENTIOUS COLLECTIVE ACTION IN CHINA: BRINGING REPERTOIRES OF CONTENTION IN

There has been an ever-growing discussion about how ICTs are used in contentious collective action in China, from information distribution¹⁰ to network-bridging,¹¹ from online petitioning¹² to political satire;¹³ and from rumor circulation¹⁴ to offline mobilization.¹⁵ While existing studies generate a fruitful understanding of the use of digital media in contentious activities, most scholarship utilizes what Liu calls “an event-based approach”¹⁶ to interrogate the contentious use of digital technologies in discrete and isolated contentious events.¹⁷ These approaches have at least two limitations. First, an exclusive focus on media (technologies) in contention risks “technological-fascination bias,” which treats the use of media technologies as a “movement in *itself*,” thus oversimplifying “the complexity of social movement practices in the use of technologies and . . . overestimate[ing] the role played by the media [technologies].”¹⁸ In other words, it gives agency to ICTs rather than to the human beings in contention. Second, an event-based approach is unable to acknowledge the historicity—and thereby possible changes across time and place—of (digitally mediated) political contention, which helps reveal the potential long-term effect of ICTs on contention and broader society.¹⁹

To address these concerns, I bring the concept of “repertoires of contention” into the discussion of ICTs and contention in China.²⁰ As Tilly states, a repertoire of contention is “a limited set of routines that are learned, shared, and acted out through a relatively deliberate process of choice.”²¹ The term reminds us that contentious claim-making and performance are always situated in prior societal experience. In practice, people learn from the history and experience of contention, be it directly or indirectly. Further, people “often find inspiration elsewhere in the ideas and tactics espoused and practiced by other activists.”²² Then they employ the “learned conventions of contention” in later struggles.²³

When these forms of contention become habitual and transfer across different contentious contexts, they become repertoires of contention. In this sense, as Tarrow stresses, “the repertoire is not only what people *do* . . . it is what they *know how to do* and what others *expect* them to do.”²⁴ Thus, beyond looking at the sporadic use of digital media for contention, we should focus on activists’ knowledge and perception of ICTs as a means of struggle in broader society in the long run. Relatedly, a repertoire of contention “is culturally inscribed and socially communicated.”²⁵ Finally, as Tilly elucidates, it refers to the ways in which “people in *a given place and time* learn to carry out a limited number of collective action routines, adapting each one to the immediate circumstances and to the reactions of antagonists, authorities and allies.”²⁶ Contentious repertoires, in this sense, emerge out of specific contexts.

Various terms have been coined to describe the influence of digital technologies on contentious repertoires, including “repertoire of electronic contention,”²⁷ “electronic repertoire of contention,”²⁸ “digital repertoire of contention,”²⁹ and “‘digitalized’ action repertoire.”³⁰ While Meikle believes that “the whole repertoire of tactics developed

throughout the twentieth century . . . have found their digital analogues, as social activism moves into cyberspace,”³¹ digital means of contention are *not* always derivative of or translated from existing offline repertoires.³² Instead, the affordances,³³ or possibilities of digital media give rise to specific e-tactics and repertoires that are closely associated with—and continue to evolve on account of—the characteristics of ICTs (e.g., low-cost organizing, e-mobilization, and participation without co-presence).³⁴ The discussion of ICTs as repertoires of contention hereby entails a careful consideration of both the characteristics of digital media and the culturally available tactics in a specific context. Accordingly, scholars should consider *what kinds of ICTs, as specific tactics or repertoires of contention, have been deployed and developed by activism in a chosen context.*

In short, a focus on repertoires of contention helps overcome current limitations found in studies of “short-lived”³⁵ contentious activities by contributing to a much-needed understanding of “the long-term political repercussions”³⁶ of ICT use for contention in contemporary China, where political contention persists despite governing authorities’ suppression of information related to mobilization.³⁷

METHODS

To explore repertoires of contention and possible changes across time and place in contemporary China, this study looks beyond a single contentious case, examining seven anti-petrochemical protests in six cities from 2007 to 2014. China’s demand for a petrochemical feedstock, namely para-xylene (PX hereafter), has been soaring in the past few years to satisfy growing demands for polyester production.³⁸ However, many proposed PX projects have been suspended or retracted in the face of strong public opposition. After the first protest against a PX project in Xiamen in 2007,³⁹ anti-PX protests have broken out in several cities, including, chronologically, Chengdu in 2008,⁴⁰ Dalian in 2011,⁴¹ Ningbo in 2012,⁴² Kunming⁴³ and Chengdu⁴⁴ in 2013, and Maoming in 2014.⁴⁵ In the process, anti-PX protests have featured the emergence of ICTs as a key means of contentious collective action. In 2007, people largely relied on mobile communication (i.e., text messages) to initiate and organize the anti-PX protest in Xiamen. Some characterized the protest as exhibiting “the power of mobile messaging.”⁴⁶ In subsequent events, people employed various ICTs—such as online forums, blogs, the Internet-based instant messaging platform QQ, the microblogging platform Weibo, mobile texting, and the mobile messaging app WeChat—to galvanize protests, to share information and protest plans as well as to facilitate protest participation and mobilization.⁴⁷ Photos, videos, and reports of the protests also spread in real time via Weibo, WeChat, Facebook, and Twitter. Anti-PX protests thereby allow us to observe the integration of ICTs into one category of contentious collective action, and to assess whether and how this development may contribute to long-term structural change in Chinese society.

In the cases referenced above, I used snowball sampling and in-depth interviews with participants to explore their practices and perceptions (based on both their experience and knowledge) of the use of ICTs in contention over the course of the anti-PX protests. Snowball sampling allowed me to identify and recruit “hidden populations,” or individuals or groups that are not easily accessible through other sampling strategies.⁴⁸ To access the hidden populations of protest participants in PX protests, I identified three to five

participants in each city and then asked them to put me in contact with three to five persons they met during the protests, from whom they received protest information, or to whom they delivered information. Through this process, I aimed to locate as many participants as possible. Given the private nature of network-based sampling that is built upon personal contacts, this sampling allowed me to effectively and safely penetrate social populations accessible only to me as an “insider” of the specific protest population. The sampling procedure also guaranteed the interviewees’ privacy and ensured that their participation in protests would be kept to a low profile in China’s repressive political environment.

Of the initial 85 participants contacted for the study, 54 agreed to be interviewed. These 54 had an average age of 35.7 years, and 83 percent of them (45 out of 54) had a bachelor’s degree or higher. The professions of the interviewees included journalist, editor, graduate student, high-school student, lawyer, sales representative, consultant, university lecturer, taxi driver, IT professional, mobile phone salesperson, barber, and small clothing storeowner. Although the interviewees had diverse backgrounds in terms of profession and geographical location, all were Internet users who were familiar with ICTs in various forms (e.g., mobile phones, Weibo, WeChat). Because the participants were relatively young and generally had a high level of education (both common characteristics among Chinese ICT users), this familiarity was not surprising.

Semi-structured in-depth interviews were conducted, with a common direction and general framework for the interview, but also the elicitation of detailed responses and additional probing when clarification was necessary.⁴⁹ The interviews followed Flanagin, Stohl, and Bimber’s suggestion to investigate “what people are doing, how they are relating to one another, and what opportunities are afforded them, and from these examining what organization and structure fit their behavior and help facilitate collective action.”⁵⁰ Importantly, this study deliberately avoided questions that might suggest the technology-centric presumption that ICTs matter in the event. Instead, the interviews began by reconstructing the interviewees’ personal background, experience of use of various ICTs, and knowledge of contention, before moving on to their description of the chosen event, their perceptions and uses of ICTs in the event, and their self-reflections on the opportunities and threats related to ICT use.

The interviews typically lasted 1.5 hours. Of the 54 interviews, 51 were conducted face to face and three via e-mail. The face-to-face interviews were done with the researcher travelling to the cities where the interviewees resided, and took place in locations that the interviewees already knew. The e-mail interviews were done via Gmail due to concerns about government surveillance of social media and e-mail communication. All interviews were conducted in Chinese, then transcribed and translated by the researcher. The researcher only documented interviews when the interviewee was comfortable and anonymity could be guaranteed. After data collection, thematic analysis and cross-case synthesis were employed to identify emergent themes, synthesize evidence from multiple cases, and recognize the changing role of ICTs in the protest events.⁵¹

FINDINGS AND DISCUSSION

These interviews revealed the participants’ knowledge, perception, and use of digital media as a means of contention. In an atmosphere in which both mass media and

social organizations are under highly repressive control,⁵² digital media have emerged as crucial components of the activists' repertoires of contention by facilitating alternative information diffusion, encouraging collective action mobilization, and engendering discourse competition and legitimization. With regard to alternative information diffusion, respondents' remarks point to the different role of ICTs in three stages of contentious collective action. Looking at mobilization and coordination, ICTs were critical in leveraging existing social networks. In particular, the official coverage of contention offers successful, politically accepted examples for people elsewhere to learn from, follow, and duplicate the use of digital media as repertoires of contention later. Finally, digital media were employed to compete with ruling authorities and to legitimize activism.

DIFFUSION OF ALTERNATIVE INFORMATION

The interviews indicate that the use of ICTs for information diffusion was important before, during, and after each contentious collective action. Prior to the emergence of offline activism, digital media afforded channels to distribute alternative, contested information in opposition to official statements, focusing people's attention and setting up a foundation for follow-up online or offline collective actions. Once offline contention had emerged, ICTs enabled people, be they participants or not, to disseminate various kinds of information regarding protests, including real-time photos and video, and location-based information. Such dissemination extended the influence of protests, encouraging more engagement and participation. In the last stage—after the offline contention had ceased—ICTS enabled the storage and retrieval of protest information, allowing for subsequent visits and consequently extending the influence of the contentious events as *knowledge* that could be drawn upon in the future.

In all of the cases studied herein, digital technologies played a key role in all three stages of the contentious actions. In the first stage of the Xiamen anti-PX protest, for example, ICTs enabled people to become aware of the project despite the censorship or silence of the authorities. In this case, a petition against the PX project that called for its relocation had been proposed during the "two Congresses" in March of 2007, three months before the protest.⁵³ However, the petition accomplished nothing, and local media kept silent about both the project and the petition. None of the interviewees initially received information about the PX project from the local government or local media outlets.⁵⁴ Instead, the project came to public attention only after a popular text message was circulated via mobile phones and later proliferated via the Internet in mid-March. This message, which later spread countrywide, argued that the PX project would be detrimental to the environment and public health. It triggered furious redistribution and public opposition against the project. In the three months that followed its initial posting, the phrase "did you receive the [PX-related] SMS?" became the opening remark when Xiamen residents met each other.⁵⁵ Beginning around May 28, "millions of Xiamen residents forward[ed] the [above] text message around their mobile phones," urging each other to join a street protest opposing the government's chemical plant.⁵⁶

ICTs were used similarly in the initial stage of later anti-PX protests. In each, alternative information that did not appear in official sources was forwarded via digital media to

generate a counter-authority initiative.⁵⁷ Many interviewees stated that they distributed alternative information via their mobile phones, WeChat, or Weibo accounts to express their disobedience towards local government's censorship. Indeed, around three to five days before the contention in Maoming, anti-PX "tweets" suddenly spiked and became the top Weibo trend. Subsequently, governing authorities ordered that it be removed from the top list.

In the second stage, digital technologies enabled people to broadcast or forward the real-time situation they witnessed or engaged in *during* contentious activities. According to the interviewees, in the anti-PX protests people established diverse communication channels to diffuse real-time information about the contention on the Internet. The continuously uploaded on-the-spot photos and videos not only breached the censorship blockade but also helped maintain sustained attention on the protest, both online and offline. Meanwhile, such real-time messages also encouraged people in the same city to assemble as soon as possible at the site where the protest was taking place and to join or cover these collective actions.

For instance, in the Kunming case, several interviewees recalled that on the morning of May 4, 2012, as soon as people updated the Weibo homepage or glanced at their Weibo feeds, they received photos that not only demonstrated the existence of the protest but also included detailed locational information. As a 35-year-old engineer recalled:

I read several tweets with photos of the demonstration and detailed locational information. The people who tweeted these messages called for people to join them. I thought I should join them [the demonstrators], be part of this event [the anti-PX protest], reinforce our power, and make our voice louder. I quickly forwarded this message through my Weibo account as well, set out, and went to join the demonstration.

In this way, real-time messages about contention also served as a "call" beyond their content dimension, drawing more residents to participate in protest activities, increasing the number of participants, and contributing to the protest's influence and visibility.

In the third stage, after a protest concludes, the Internet has functioned as a crucial platform for people to retrieve information about previous protests and to learn from them. The interviewees reported that they found out a lot of information about anti-PX protests in other cities as soon as they searched keywords such as "PX" via digital media. Then they read and learned from these past experiences. A 33-year-old clothing storeowner from Ningbo described it thus: "You can find web pages, online forums, and tweets including photos and videos of the anti-PX protest in Xiamen, the very first one in 2007. These contents expand our awareness of the PX project . . . it shows to us the way we can adapt to stop the project." While the protest in Xiamen remained "the most renowned anti-PX protest," according to a 27-year-old mobile phone salesperson from Chengdu, people can also easily track news, photos, and videos about later ones in Kunming, Dalian, and so on from web pages, Weibo, blogs, and online forums despite censorship. She said:

After checking the Internet, we saw several anti-PX protests around the nation. If the project is not toxic or problematic [as the government declared], why would people in other cities oppose it? Why do we need a project that people elsewhere discarded? If they [people in other cities] succeeded in forcing the government to give up the project by protests, we should also do the same!

This statement exemplifies how accessible and retrievable information on digital media has been an essential source for the establishment of societal knowledge of anti-PX protests over time.

To conclude, in the PX protests studied here, digital media have acted as a crucial information resource working against the information control of the authorities. Various digital devices and platforms became crucial channels for the diffusion of alternative information, including both contested messages regarding controversial projects and the past experience of protests. These cases also show that even in the face of official censorship, the on-site storage of information on various platforms can enable the searchability and availability of information on previous political contention. The diffusion of this information enriched knowledge of the protests, provided successful, learnable examples to follow, and encouraged the further use of digital media for protests. Overall, such diffusion greatly shaped people's perceptions about PX projects and laid the foundation for later contention.

COLLECTIVE ACTION MOBILIZATION ON THE BASIS OF SOCIAL NETWORKS

In addition to allowing people to identify and circulate alternative information, ICTs also enable citizens to engage their social networks in mobilization. In my interviews, respondents related that they deliberately adopted digital media to organize and coordinate protests. In the anti-PX protest in Xiamen, a 28-year-old consultant related, mobile communication functioned as "the only way" for residents to engage with their friends, classmates, colleagues, etc. regarding the environmental concerns they had in common. A 25-year-old journalist admitted that even journalists and editors in local media outlets were not allowed to discuss the arguments and debate around the PX plant. Instead, they had to depend on their mobile social networks to exchange information with people they knew, and then distributed the information among each other. Importantly, mobile communication largely exists among one person's social ties and network, which are characterized by trust, obligation, reciprocity, and reliability.⁵⁸

Apart from the role of informing each other about the collective action, the embeddedness of social ties in processes of mobile communication was a pivotal facilitator of engagement in and recruitment for protests. The activation of social networks via mobile communication encouraged and pushed people to join protests to fulfill their obligations in their networks. In this way, the mobile phone-mediated social network was a key basis of protest mobilization.⁵⁹ Overall, mobile communication, as the *only* communicative channel available to residents, played a crucial role in the proliferation of mobilizing text messages for protest against the PX project in Xiamen.

The use of digital technologies for protest mobilization and coordination was also common in follow-up protest events. Nevertheless, the way people perceived and used digital media in later protests had a clearer purpose: to organize and facilitate offline protest against the PX plant as residents did in other cities. According to interviewees, a popular belief among participants was that they could use "the mobile phone, the Internet, WeChat, and Weibo to organize demonstrations against the PX project . . . as residents did in earlier anti-PX protests in other parts of the country [e.g., Xiamen]."

Where did this belief come from? In the view of my respondents, traditional media coverage of anti-PX protests—in particular, the successful protest in Xiamen—encouraged people to learn from and imitate earlier collective actions. Official media such as *People's Daily* (the official newspaper of the Communist Party of China), *China Newsweek* (published by China News Service, the second-largest state news agency), and national- and regional-level newspapers such as *Southern Metropolis Daily* covered the anti-PX protests. To participants such as a 36-year-old taxi driver in Chengdu, the coverage implied that “the (central) government had accepted street protest as a legitimate way of opposing the PX project.” As an authorized symbol from the central government, the coverage provided information about a successful, politically accepted protest for people elsewhere to learn from, follow, and duplicate.⁶⁰ As a 42-year-old university lecturer from the Kunming case explained:

The media will not be allowed to cover the protest in Xiamen if it is an illegal act. Now it [the protest] appears in the news, which means the government recognized this activity as a legitimate form of public participation in the PX issue . . . we can take to the streets as people in Xiamen did [to march against the PX project].

Moreover, official media coverage of anti-PX protests underlined the relevant role of digital technologies in initiating and organizing protests. Presented with these examples, people learned from them, using various digital media for collective action organization and mobilization. Interviewees from several cases also mentioned a report by *China Newsweek*. Titled “The Power of Mobile Messaging,” the report detailed how Xiamen residents used text messaging to organize the anti-PX protest.⁶¹ People treated this report as a signal from the authorities giving *tacit consent* to using mobile phones for successful protest organization. A 36-year-old accountant from the Chengdu case recalled:

Even the central authorities acknowledged the power of mobile phones for successful protest. We can copy the “stroll” in Xiamen by using our mobile phones to organize similar protests against the PX project. This successful example shows a way recognized by the government to oppose the project.

Similarly, in later coverage of anti-PX protests, official media outlets reported the use of various ICTs as a means of protest, inspiring and encouraging the “replication” of successful examples.

In sum, the perception and knowledge of ICTs as successful organizing tools came mainly from official media coverage. Even though no official reports said that the protests were legal, official media coverage was considered to be a go-ahead signal for using ICTs for protest mobilization. Official coverage of the use of digital media was perceived as an encouragement to follow the successful model of the past by adopting digital media for political contention in later anti-PX protests.

TRANSNATIONAL CYBER-PETITION AND MODIFICATION OF ONLINE ENCYCLOPEDIA: INNOVATIVE REPERTOIRES

The emergence of innovative repertoires⁶² involving ICTs is particularly apparent in two cases: a transnational cyber-petition by Chinese Internet users on the official website of

the White House during the anti-PX protest in Kunming in 2013; and a virtual battle over the description of the toxicity of PX on Baidu Baike (the most popular Chinese-language encyclopedia) in the anti-PX protest in Maoming in 2014. The protest in Kunming was accompanied by an online petition in which Chinese Internet users demanded that the United States government “remonstrate” with the Chinese government about the PX plant.⁶³ The petition had been posted on “We the People,” a section of the whitehouse.gov website that serves as a rallying point for citizens to bring their issues to light. Any petition drawing over 100,000 signatories will gain a reaction from the White House. Chinese Internet users posted the petition on May 5, a day after Kunming residents initiated the street protest to oppose the PX plant. The petition had gained over 13,000 signatories within a month before it was closed due to the failure to meet the signatory threshold. Nevertheless, interviewees believed that such a transnational cyber-petition was “an effective tactic” and “an available ploy” for gaining international support and media coverage. A 35-year-old lawyer who signed the online petition explained:

Nobody really expected that the United States government would look into the demands. But the White House’s website is a platform where things easily gain global attention. Once this issue gets covered by [international] media, they will exert pressure on the [Chinese] government to give up the PX plant.

Similarly, a 42-year-old taxi driver asserted that the transnational cyber-petition is “a smart idea to invite international media to cover the protest,” even though he did not sign the petition. He continued:

How can we *ordinary people* know [how to contact] foreign media agencies? We have no [foreign social media] accounts [to distribute our appeals worldwide]. The government does not allow you to appeal through regular channels and means. Thanks to the Internet, we are still able to post the information in the United States (emphasis in original).

As these statements illustrate, Chinese citizens viewed the cyber-petition as a means to gain international visibility.⁶⁴

Different from the *international* focus of the cyber-petition in the Kunming case, in the protest in Maoming, Chinese Internet users struggled to shape the *domestic* popular understanding of PX by engaging in a running battle over the entry on PX’s toxicity on the open Internet encyclopedia Baidu Baike. According to reports, after the anti-PX protests erupted in Maoming, on March 30 an Internet user changed the toxicity of PX from “low” to “high” on Baidu Baike, which allows all users to write, revise, and edit its contents.⁶⁵ After noticing this act, some university students majoring in chemistry changed the entry back to “low,” declaring that the toxicity of PX was not as high as people think and suggesting that people should have more accurate knowledge of the petrochemical. One of the Internet users, reportedly from Maoming, then repeatedly changed the toxicity to “high.” The students started an online battle with those who changed the toxicity of PX by continuously keeping an eye on the definition of PX on Baidu Baike and “correcting” it after it was modified. In the five-day period after the anti-PX protest broke out, the toxicity of PX was re-written 28 times; on the evening of April 2, the PX entry was refreshed every half hour. Finally, Baidu Baike locked the entry from being changed further. The battle over the entry was covered by official media such

as China Central Television (CCTV) and the *People's Daily*, which hailed Internet users that maintained the toxicity level as "low" for "defending and clarifying the truth in an objective and fair position," and denigrated opposition to the Maoming PX project as "unfounded" and "ill-intended."

My interviews show that the PX entry on Baidu Baike shaped popular understandings of PX. Although none of the interviewees engaged in the "battle" over the entry, all of them searched for keywords such as "PX," "the toxicity of PX," and "petrochemical" via Baidu Baike and read its entry several times before and during the protest.⁶⁶ A 34-year-old civil servant stated: "The first reaction of almost all my friends [after they heard about the PX plant] was to search and read the entry on Baidu Baike. They also cited information from the entry [on PX] in their conversations . . . instead referencing media reports." In this case, people treated online encyclopedia entries as their primary source of information, caring less about reports in official media, which tried "to de-demonize the PX plant."⁶⁷ The interviewees rarely mentioned or read media reports because, as a 42-year-old sales representative said, "there are—and will be—only positive propaganda stories about the PX plant in the media."

Indeed, the PX entry became a key point of departure for people to learn of arguments and protests against the PX plant. The structure of the Baidu Baike online encyclopedia allows its users to locate and link to related entries containing the same keyword (e.g., PX). Thus, through the PX entry, interviewees also found the links to "PX projects" (<http://baike.baidu.com/view/978818.htm>), "Xiamen PX incident," and "Chengdu PX project" describing the series of protests against PX plants since 2007. Such information strengthened people's resolve to protest against the plant. For example, a 29-year-old consultant stated: "I realized that there were so many protests against [PX] projects in the past several years. People in different cities were against it and succeeded. We should do that as well. If they can succeed, we can do that and we should do that as well."

In sum, these online tactics—one focusing on gaining international attention and the other seeking to shape domestic public opinion and behavior--demonstrate a new use of ICTs as tools of contention beyond information diffusion and action mobilization. Both the transnational cyber-petition and the modification of the encyclopedia entry entailed attempts to legitimize environmental activism beyond individual concrete protests as such. Further, these acts challenge existing research that portrays environmental activism in China as being NIMBY, or "Not in My Back Yard," with a narrow focus on preventing the local construction of PX plants. The attempt to change the Baidu Baike entry in order to influence public understanding demonstrates a new purpose of environmental activism beyond concrete geographical location. The participants did not only want to legitimize their present activism; they also sought to generate long-term influence on PX projects by shaping public opinion on the issue. Thus, both tactics suggest that participants have moved beyond a local, NIMBY-type focus. These tactics also illustrate the emergence of new repertoires of contention in Chinese society.

CONCLUSION

This study reaches a number of findings regarding the changing role of ICTs in contention in contemporary China. First, early anti-PX protests featured the use of digital media

mainly for the dissemination of alternative information in China's highly controlled environment. Through embedded social ties and networks, digitally mediated communication has acted as a key channel to receive and distribute protest information within a short time period and to successfully recruit protest participants. Anyone who has a digital device can easily contribute to the diffusion of contention by simply pressing a few keys and forwarding messages. It is difficult for the authorities to predict and suppress the spread of such messages—even though they are able to censor certain keywords, delete posts, or remove emerging hot topics from Weibo and other sites. Digital media also allow the storage and retrieval of protest information after the protest, even when political leaders try to eradicate all related information online. This enables people easily to find out about previous events and imitate those practices, learning from their legacy. In recent years, regime authorities have stepped up efforts to censor such information, and have been increasingly successful in doing so. Further study is needed to uncover the extent to which this has been curtailing the developments described in this chapter.

Second, ICTs have acted as critical tools for mobilization. Reciprocity encourages people to disseminate alternative messages further among their social networks, and also stimulates movement participation. Moreover, communication via ICT networks involves mutual trust and obligation, which generate solidarity and a feeling of safety for activists in an authoritarian regime. These perceptions have been reinforced when official media have covered protest in such a way that the public believes that the use of digital media for mobilization, and activism in general, is no longer dangerous, and that governing authorities instead are taking a more tolerant position. This understanding has legitimized environmental activism and further encouraged the emergence of this type of protest.

Third, later anti-PX protests have evidenced the use of ICTs to gain international attention and legitimize contention by shaping domestic popular understandings of contested issues. This innovative initiative has begun to generate larger-scale and longer-term political influence beyond the local, specific scope of earlier protests. By looking at the development of anti-PX protests over time, it is possible to see the ways in which the use of ICTs as a tool has shifted. Currently, ICT use demonstrates that potential for more far-reaching shifts in the consciousness and behavior of the Chinese public.

At the same time, anti-PX protests are a specific form of environmental activism. One feature of this particular type of protest is that activists' demands have not challenged authoritarian rule. In addition, this kind of protest has been based in urban areas, and has been undertaken by citizens that are relatively young and well-educated. As a result, these protests may face lower risk, and enjoy a greater likelihood of sympathetic media coverage, than is the case in more politically contentious types of protest. Further study that compares environmental activism with other types of activism may assess the degree to which the findings of this chapter are more broadly applicable.

NOTES

* This work was supported by the Ragna Rask-Nielsen Grundforskningfond; S.C. Van Fonden (reference numbers 1267, 1503).

1. See, W. Lance Bennett and Alexandra Segerberg, *The Logic of Connective Action: Digital Media and the*

- Personalization of Contentious Politics* (Cambridge: Cambridge University Press, 2013). Bruce Bimber, "Three Prompts for Collective Action in the Context of Digital Media," *Political Communication* 34, no. 1 (2017): 6–20. Bruce Bimber, Andrew J. Flanagin, and Cynthia Stohl, "Reconceptualizing Collective Action in the Contemporary Media Environment," *Communication Theory* 15, no. 4 (2005): 365–88. Manuel Castells, *Networks of Outrage and Hope: Social Movements in the Internet Age* (Cambridge: Polity, 2012).
2. Richard Kahn and Douglas Kellner, "New Media and Internet Activism: From the 'Battle of Seattle' to Blogging," *New Media & Society* 6, no. 1 (2004): 87–95. Zeynep Tufekci and Christopher Wilson, "Social Media and the Decision to Participate in Political Protest: Observations from Tahrir Square," *Journal of Communication* 62 (2012): 363–79.
 3. Bennett and Segerberg, *The Logic of Connective Action*. J. Patrick Biddix and Han Woo Park, "Online Networks of Student Protest: The Case of the Living Wage Campaign," *New Media & Society* 10, no. 6 (2008): 871–91.
 4. Jun Liu, "Mobile Phones, Social Ties and Collective Action Mobilization in China," *Acta Sociologica* 60, no. 3 (2017): 213–27. Hernando Rojas and Eulalia Puig-i-Abril, "Mobilizers Mobilized: Information, Expression, Mobilization and Participation in the Digital Age," *Journal of Computer-Mediated Communication* 14 (2009): 902–27.
 5. Maria Bakardjieva, "Subactivism: Lifeworld and Politics in the Age of the Internet," *The Information Society: An International Journal* 25, no. 2 (2009): 91–104. Guobin Yang, *The Power of the Internet in China: Citizen Activism Online* (New York: Columbia University Press, 2009).
 6. China Internet Network Information Center (CNNIC), "The 38th China Internet Development Statistics Report." Accessed May 1, 2018, <https://cnnic.com.cn/IDR/ReportDownloads/201611/P020161114573409551742.pdf>.
 7. Ashley Esarey and Qiang Xiao, "Digital Communication and Political Change in China," *International Journal of Communication*, no. 5 (2011): 298–319. Guobin Yang, "The Internet and Civil Society in China: A Preliminary Assessment," *Journal of Contemporary China* 12, no. 36 (2003): 453–75. Yang, *The Power of the Internet in China*. Yongnian Zheng, *Technological Empowerment: The Internet, State, and Society in China* (Stanford, CA: Stanford University Press, 2008). Yongnian Zheng and Guoguang Wu, "Information Technology, Public Space, and Collective Action in China," *Comparative Political Studies* 38, no. 5 (2005): 507–36. For a review, see Jack Linchuan Qiu and Wei Bu, "China ICT Studies: A Review of the Field, 1989–2012," *China Review* 13, no. 2 (2013): 123–52.
 8. For a detailed critique, see Jun Liu, "From 'Moments of Madness' to 'the Politics of Mundanity,'" *Social Movement Studies* 16, no. 4 (2017): 418–32.
 9. Charles Tilly, *The Contentious French* (Cambridge, MA: Harvard University Press, 1986).
 10. Zheng, *Technological Empowerment*.
 11. Maria Bondesa and Günter Schuchera, "Derailed Emotions: The Transformation of Claims and Targets during the Wenzhou Online Incident," *Information, Communication & Society* 17, no. 1 (2014): 45–65.
 12. Guobin Yang, "Online Activism," *Journal of Democracy* 20, no. 3 (2009): 33–6.
 13. Guobin Yang and Min Jiang, "The Networked Practice of Online Political Satire in China: Between Ritual and Resistance," *International Communication Gazette* 77, no. 3 (2015): 215–31.
 14. Guobin Yang, "Technology and Its Contents: Issues in the Study of the Chinese Internet," *Journal of Asian Studies* 70 (2011): 1043–50.
 15. Ronggui Huang and Xiaoyi Sun, "Weibo Network, Information Diffusion and Implications for Collective Action in China," *Information, Communication & Society* 17, no. 1 (2014): 86–104.
 16. Liu, "Moments of Madness," 419.
 17. See Jonathan Hassid, "Safety Valve or Pressure Cooker? Blogs in Chinese Political Life," *Journal of Communication* 62, no. 2 (2012): 212–30. Huang and Sun, "Weibo Network"; Ian Weber, "Mobile, Online and Angry: The Rise of China's Middle-Class Civil Society?" *Critical Arts: South-North Cultural and Media Studies* 25, no. 1 (2011): 25–45.
 18. Alice Mattoni and Emiliano Treré, "Media Practices, Mediation Processes, and Mediatization in the Study of Social Movements," *Communication Theory* 24, no. 3 (2014): 255.
 19. Yang, "Technology and Its Contents," 1044.
 20. Tilly, *The Contentious French*. Charles Tilly, *Popular Contention in Great Britain, 1758–1834* (Cambridge, MA: Harvard University Press, 1998).
 21. Tilly, *Popular Contention in Great Britain*, 42.
 22. Doug McAdam and Dieter Rucht, "The Cross-national Diffusion of Movement Ideas," *Annals of the American Academy of Political and Social Science* 528, no. 1 (1993): 58.
 23. Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics* (3rd ed.) (New York: Cambridge University Press, 2011), 29.
 24. Sidney Tarrow, "Modular Collective Action and the Rise of the Social Movement: Why the French Revolution Was Not Enough," *Politics & Society* 21, no. 1 (1993): 70, emphasis in original.
 25. Tarrow, *Power in Movement*, 29.

26. Tilly, *Popular Contention*, 26–7, emphasis added.
27. Sasha Costanza-Chock, “Mapping the Repertoire of Electronic Contention,” in *Representing Resistance: Media, Civil Disobedience and the Global Justice Movement*, eds., Andrew Opel and Donnaly Pompper (Westport, CT: Praeger, 2003), 173–91.
28. Brett Rolfe, “Building an Electronic Repertoire of Contention,” *Social Movement Studies* 4, no. 1 (2005): 65–74.
29. Jennifer Earl and Katrina Kimport, *Digitally Enabled Social Change: Activism in the Internet Age* (Cambridge, MA: MIT Press, 2011).
30. Jeroen Van Laer and Peter Van Aelst, “Internet and Social Movement Action Repertoires: Opportunities and Limitations,” *Information, Communication & Society* 13, no. 8 (2010): 1146–71.
31. Graham Meikle, *Future Active: Media Activism and the Internet* (New York: Routledge, 2002), 24–5.
32. Rolfe, “Building an Electronic Repertoire of Contention,” 66.
33. James J. Gibson, “The Theory of Affordances,” in *Perceiving, Acting, and Knowing: Toward an Ecological Psychology*, eds., Robert Shaw and John Bransford (Hillsdale, NJ: Lawrence Erlbaum, 1977), 67–82.
34. See Earl and Kimport, *Digitally Enabled Social Change*.
35. Jinrong Tong and Landong Zuo, “Weibo Communication and Government Legitimacy in China: A Computer-Assisted Analysis of Weibo Messages on Two ‘Mass Incidents’,” *Information, Communication & Society* 17, no. 1 (2014): 66–85, 69.
36. Huang and Sun, “Weibo Network,” 86.
37. For instance, Gary King, Jennifer Pan, and Margaret E. Roberts, “How Censorship in China Allows Government Criticism but Silences Collective Expression,” *American Political Science Review* 107, no. 2 (2013): 1–18.
38. Para-xylene is a petrochemical feedstock used in plastics, polyester, and other synthetic manufacturing.
39. Liangbing Xie and Lei Zhao, “The Power of Mobile Messaging,” *China Newsweek* 326, no. 20 (2007): 16–17.
40. Zhiling Huang, “Chengdu People Walk to Express Environmental Concerns,” *China Daily*, May 6, 2008, 4.
41. BBC, “China Protest Closes Toxic Chemical Plant in Dalian,” <http://www.bbc.co.uk/news/world-asia-pacific-14520438>.
42. *South China Morning Post*, “Ningbo PX Project,” <http://www.scmp.com/topics/ningbo-px-project>.
43. Meng Chang, “Thousands Protest Kunming PX Plan,” *Global Times*, 17 May 2013, <http://www.globaltimes.cn/content/782252.shtml#.Uvvah0JdVW4>.
44. Staff Reporter, “Governments Toughen Stance on Environmental Protesters Amid Kunming, Chengdu Actions,” <http://www.scmp.com/news/china/article/1241474/governments-toughen-their-stance-towards-environmental-protesters>.
45. BBC, “China Maoming Environmental Protest Violence Condemned,” <http://www.bbc.com/news/world-asia-china-26849814>.
46. Xie and Zhao, “The Power of Mobile Messaging.”
47. See Jeremy Goldkorn, “Nimby Protest hits Chengdu,” http://www.danwei.org/environmental_problems/nimby_protest_hits_chengdu.php; Demetri Sevestopulo, “China PX Plant Protests Spread to Provincial Capital Guangzhou,” *Financial Times*, 1 April 2014, <http://www.ft.com/intl/cms/s/0/cf6594fa-b98d-11e3-957a-00144feabdc0.html#axzz3ZeGWgZ3k>; Staff Reporter, “Governments Toughen Stance.”
48. Matthew J. Salganik and Douglas D. Heckathorn, “Sampling and Estimation in Hidden Populations Using Respondent-Driven Sampling,” *Sociological Methodology* 34, no. 1 (2004): 193–239.
49. Thomas R. Lindlof and Bryan C. Taylor, *Qualitative Communication Research Methods* (Thousand Oaks: Sage, 2010).
50. Andrew J. Flanagan, Cynthia Stohl, and Bruce Bimber, “Modeling the Structure of Collective Action,” *Communication Monographs* 73, no. 1 (2006): 39.
51. Robert K. Yin, *Case Study Research: Design and Methods* (4th ed.) (London: Sage, 2009), 18.
52. Fengshi Wu and Bo Wen, “Nongovernmental Organizations and Environmental Protests: Impacts in East Asia,” in *Routledge Handbook of Environment and Society in Asia*, eds., Paul G. Harris and Graeme Lang (London: Routledge, 2015): 105–19.
53. The “two Congresses” refer to the National People’s Congress (NPC) and the Chinese People’s Political Consultative Conference (CPPCC), which, according to China’s state Constitution, supervise the enforcement of the Constitution and the operation of all levels of government. These meetings typically occur in March.
54. See also Chris Buckley, “China City Suspends Chemical Plant after Uproar.” Accessed July 4, 2007, <http://www.reuters.com/article/idUSPEK7567720070530>.
55. Interviews with residents in Xiamen, 2007.
56. Yun Lan and Yidi Zhang, “Millions of Xiamen Residents Spread Crazily the Same SMS Against High-Pollution Project,” *Southern Metropolis Daily*, 29 May 2007, A4.

57. Manuel Castells, "Communication, Power and Counter-power in the Network Society." *International Journal of Communication*, no. 1 (2007): 238–66.
58. Rodney Wai-chi Chu, Leopoldina Fortunati, Pui-lam Law, and Shanhua Yang, *Mobile Communication and Greater China* (London: Routledge, 2012).
59. For a detailed discussion, see Liu, "Mobile Phones, Social Ties."
60. Kevin J. O'Brien, "Rightful Resistance," *World Politics* 49, no. 1 (1996): 37.
61. Xie and Zhao, "The Power of Mobile Messaging."
62. Doug McAdam, Sidney G. Tarrow, and Charles Tilly, *Dynamics of Contention* (New York: Cambridge University Press, 2001), 49.
63. For more details, see Petitioner, "Please Remonstrate with Chinese Government about the PX Project in Kunming, Yunnan Province of China," <https://petitions.whitehouse.gov/petition/please-remonstrate-chinese-government-about-px-project-kunming-yunnan-province-china>.
64. John B. Thompson, *The Media and Modernity: A Social Theory of the Media* (Cambridge: Polity, 1995).
65. Long Ma, Xianyun Liu, Yipin Lv, and Gang Li, "PX, A Special 'Defense of Science,'" *People's Daily*, 6 April 2014, 4. Wenwen Wang, "Wiki Edit Battle Microcosm of Maoming PX Protests," *Global Times*, 8 April 2014, <http://www.globaltimes.cn/content/853057.shtml>.
66. Google's search service is unstable in the Chinese mainland due to censorship.
67. E.g., tweet from the official Xinhua News Agency, in Xinhua Viewpoint, "De-demonizing the PX Plant," http://weibo.com/1699432410/AEBydssl4X?from=page_1002061699432410_profile&wvr=6&mod=weibotime&type=comment#_rnd14308369924445.

23. Patriotism without state blessing: Chinese cyber nationalists in a predicament

Rongbin Han

With over 26 million members as of January 2017, Diba is one of the most vibrant virtual communities in China.¹ Since its inception, it has been a hotbed of cyber activism. In January 2016, Diba users were again mobilized. They swarmed the Facebook pages of independence-leaning Taiwanese individuals and institutions such as president-elect Tsai Ing-wen, *Apple Daily Taiwan*, and *Sanlih News* defending the “One China” principle. However, this patriotic event was full of irony, as Facebook is banned in China and the state diligently censored relevant mobilizing threads. Such a conflict between popular nationalism and state repression calls into question the nature of cyber nationalism and regime legitimacy in China. What happens when nationalistic fever meets authoritarian rule in cyberspace? How do nationalist netizens situate themselves versus the state when the latter suppresses their patriotic action, especially after they are exposed to the outside world?

Through examination of the “Diba Expedition,” this chapter investigates how young Chinese nationalists have reconciled patriotism and authoritarianism in the digital age. It finds that cyber nationalism is not just a variant of angry youth (*fengqing*) activism that is driven by anger and defensive in nature,² or a carefully reasoned movement that rests on articulation of China’s standing and national interest in the world.³ Rather, many cyber nationalists have constructed a self-reinforcing narrative framework that embraces both state indoctrination of national identity and their own living experiences of Internet-mediated interaction with the outside world. Such a framework justifies more aggressive nationalist behavior and glorifies the party-state, thus reconciling their love of the nation within the authoritarian regime.

This chapter draws on data collected through several different approaches. First, the author conducted in-depth ethnographic work online by observing Diba and the targeted Facebook pages. Second, using the R package (Rfacebook), the author scraped comments on all 29 posts by Tsai Ing-wen between 15 and 24 January and created a dataset with 28,068 comments for further analysis.⁴ Third, the author explored news reports and other social media platforms such as Weibo to supplement and triangulate data obtained through other approaches.

CYBER NATIONALISM UNDER AUTHORITARIAN RULE

Nationalism bears ambivalent ramifications for authoritarian rule. On the one hand, the regime has a nationalist root and is increasingly relying on nationalism as a source of legitimacy.⁵ In fact, it is argued that the communist revolution and its victory in 1949 were just as much a nationalist movement and an achievement of nationalism.⁶ As the

Chinese Communist Party (CCP) gradually has departed from communism in the reform era—especially since the 1989 student movement, nationalism has helped rescue the regime from potential democratic reform. This has contributed to the rise of state-led nationalism,⁷ as well as popular nationalist mobilization that has been sponsored or tolerated by the state.⁸ On the other hand, nationalism can be destabilizing, as it not only constrains the state's policy choices in foreign relations,⁹ but also runs the risk of disrupting socio-political stability. Popular nationalism is costly to suppress once it is invoked because doing so can be seen as unpatriotic. Moreover, popular nationalist mobilization may have a dangerous spillover effect; after all, “what the Chinese leaders fear most is a national movement that fuses various discontented groups—such as unemployed workers, farmers, and students—under the same banner of nationalism.”¹⁰

The Internet, which empowers citizens to better communicate with each other, engage in public discussion, and mobilize, has challenged authoritarian states and further complicated the interaction between nationalism and authoritarianism. In the Arab Spring, aggrieved citizens successfully scuttled entrenched autocracies with the facilitation of social media applications such as Facebook and Twitter.¹¹ In China, where the state is much stronger, the Internet has also empowered the citizenry by enabling a nascent public sphere,¹² promoting civil society,¹³ and facilitating social and dissident mobilization.¹⁴ State control efforts often only intensify online activism as netizens have developed artful and playful “digital hidden transcripts” to evade and fight state censorship.¹⁵ Moreover, by breaking the state’s monopoly on mass media and empowering citizens to challenge official rhetoric, the Internet has led to the erosion of the state’s ideational leadership.¹⁶ As a result, nationalism increasingly has grown out of being state-led and has become more spontaneous,¹⁷ thus contesting the state’s claims to nationalistic legitimacy. For instance, though the state promotes the idea that all 56 ethnic groups belong to the unified Chinese nation (*zhonghua minzu*), Han supremacy and other ethno-centric discursive debates are widely observed online¹⁸ which are not only in conflict with official rhetoric but also, more importantly, call the party-state to account for the discrepancies between its view and that of the public.¹⁹

But spontaneous cyber nationalism may be advantageous to the party-state in two senses. First, cyber nationalists often express pro-regime discourses that resonate with official narratives of century-long national humiliation and national revival.²⁰ In fact, nationalist netizens are often perceived as implicit allies of the party-state, and are criticized as “patriotic rogues” (*aiguo zei*) or the “fifty-cent army” (*wumao dang*).²¹ Second, debates over cyber nationalism often intensify discourse competition online, thus helping to divert and neutralize criticism towards the regime.²²

Overall, the state is trapped between a rock and a hard place. Ideally, it could strategically manage cyber nationalism to amplify its benefits while avoiding its challenges.²³ But due to limited capacity or genuine intent, in practice it often censors online content regardless of whether it is pro or against the regime.²⁴ Such indiscriminate censorship may have intriguing implications for online popular nationalism—how would nationalists situate themselves versus the state when the latter suppresses their patriotic action? Compared to critical citizens that are often against state control, nationalists may have more complex and unpredictable reactions: while state control may alienate them and even transform them into regime critics, their prior pro-regime perceptions and beliefs may function to justify state control, allowing them to reconcile their love of the nation and acceptance

of state control.²⁵ The Diba Expedition serves as an ideal opportunity to explore this relatively uncharted water of scholarship.

THE DIBA EXPEDITION: A BRIEF INTRODUCTION

The Diba Expedition can be traced back to an earlier cross-strait brawl over a 16-year-old girl named Chou Tzu-yu. Chou, a member of the K-pop group Twice, identified herself as a Taiwanese and waved a Republic of China (ROC) national flag on a TV show in November 2015. This was then reported on Weibo by Huang An, a China-based Taiwanese singer, as evidence of Chou being pro-Taiwan independence. According to Huang's post on 8 January 2016, Chou was depicted as a "pro-independence artist" and "the light of Taiwan" by independence-leaning media such as *Sanlih TV* but did not try to clarify everything. Huang's action generated a huge splash. While Taiwanese politicians, media, and citizens supported Chou almost uniformly, many Mainland citizens insisted on the punishment of Chou and her company, JYP Entertainment, for violating the One China principle. Subsequently, Chinese TV stations and businesses quickly ceased cooperation with Chou and Twice, echoing the state's call for preventing anyone from "making profits in China while supporting separatist activities."²⁶ Under pressure, JYP issued several explanatory statements but failed to pacify either side: the Mainland considered them insincere, and the Taiwanese took them as surrendering to bullying China.

On 15 January 2016, JYP finally released a video of Chou apologizing for the incident, which many Chinese applauded but which only further irritated the Taiwanese.²⁷ When the Chinese actor Lin Gengxin commented "the apology was so sudden that she didn't even have time to memorize the script," he instantly became the target of outraged Taiwanese who flooded his Facebook page.²⁸ It was so tense that even the Taiwanese celebrity Show Luo was attacked by angry Taiwanese simply because he said "We're all Chinese" at a movie premier.²⁹ In response, Chinese netizens also mobilized, starting a "battle of memes" with Taiwanese on Facebook, which accompanied and was intensified by the Taiwanese presidential election and led to the "Diba Expedition" on 20 January 2016. Hailing the slogan "when Diba marches on into the battlefield, not a blade of grass will be left" (*Diba chuzheng, cuncao busheng*), Chinese netizens bombarded their targets' Facebook pages with tens and thousands of comments within a matter of hours (see Figure 23.1 for an illustration of the impact).

The debate was clearly one-sided, reflecting the power of Chinese nationalists who were huge in number, strongly motivated, and well organized. For instance, among the top 100 comments to the most-commented post on Tsai's Facebook page,³⁰ which received 44,037 comments in total, only two sided with Taiwan: one by a Mainland netizen who warned "Taiwanese compatriots" about the coming invasion of "Mainland brainless pupils",³¹ and the other by a Taiwanese who pointed out that, as an act of aggression by the Chinese, the Chou Tzu-yu incident led to the victory of Tsai and the Democratic Progressive Party. Sarcastically, the user concluded: "Thank You. Thank You. Thank You. I am truly grateful so I thanked you three times."³²

The Diba Expedition had several noticeable features. It was highly organized. The campaign, which officially began at 7pm on 20 January 2016, had specific targets, including Tsai and more than ten other organizations.³³ Participants had a clear division

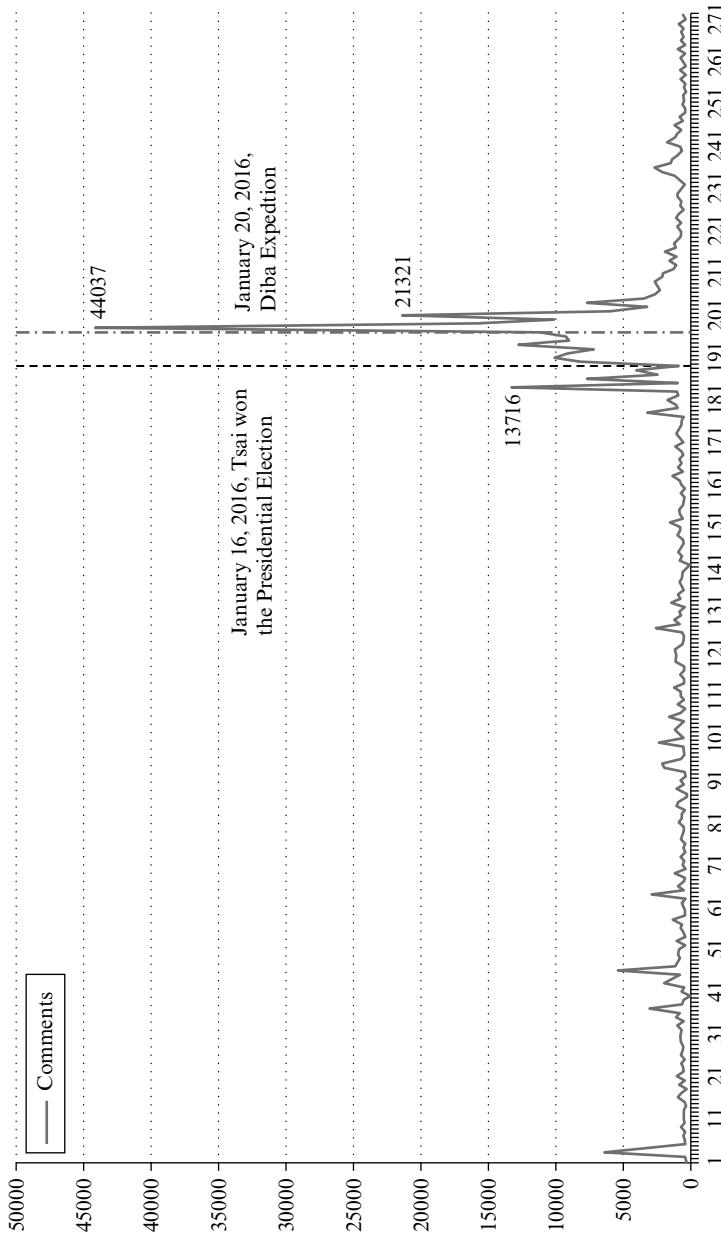


Figure 23.1 Comments on Tsai Ing-wen's Facebook posts (12 Jan. 2015–29 Feb. 2016)

of labor and explicit disciplinary rules.³⁴ Organizers even provided Facebook accounts and software to circumvent the “Great Firewall” (GFW).³⁵ However, the event was still essentially a crowd-enabled connective action.³⁶ Its mobilization was exclusively done online through multiple social media platforms. The organization was informal, with multiple commanding hubs. Its participants were connected, but their engagement was quite personal, with many joining the campaign purely as individuals, beyond any organizers’ control. The campaign was also quite joyful for many participants, and in this sense differentiated itself from “angry youth” activism that is often driven by anger. It featured a massive usage of visual memes by both sides to the extent that it was viewed as a “battle of memes.”³⁷ The Chinese Communist Party’s mouthpiece, *The People’s Daily*, even called it an “online carnival of the post-90s.”³⁸ Indeed, participants in the Diba Expedition were mostly youngsters—a *China Real Time* report claims that over 60 percent of them were of the post-1990 generation.³⁹ This is in accordance with the author’s observation—in November 2016, a managerial recruitment event by Diba attracted a total of 241 applicants; among the 239 who provided age information, only eight were born before 1990, 60 percent of them were born after 1995, and the average age was 20.6.⁴⁰

CONTESTING NATIONAL IDENTITY AND STATEHOOD OF CHINA IN THE DIBA EXPEDITION

The Diba Expedition reveals the dynamics between cyber nationalism and authoritarianism. As a massive operation outside the GFW, this event heightens the tension between the party-state and cyber nationalists. With this in mind, this section examines the event from three different angles: the Chinese state’s reactions, the Taiwanese perspective, and the nationalist netizens’ own narrative.

State Responses

The Chinese party-state showed mixed reactions to the Diba Expedition. Overtly, it encouraged and praised the campaign. The Chinese Communist Youth League Central Committee (CCYLC), for instance, posted a series of Weibo entries about the expedition before and after the event.⁴¹ Just ten minutes before the expedition started, its official Weibo account posted a poem by Chairman Mao titled “Long March,” together with the historical painting of the Peoples’ Liberation Army (PLA) crossing the Yangtse River to conquer then ROC capital Nanjing, and the Chinese Red Army’s disciplinary doctrine, “Three Main Rules of Discipline and Eight Points for Attention.”⁴² The entry was apparently supportive of the Expedition, though it cautioned nationalist netizens about how they should behave. *Global Times*, *The People’s Daily* subsidiary known for its nationalist appeal, defended the Diba Expedition against criticism in a commentary on 21 January, claiming that “the event’s value basis is patriotism.”⁴³ On 22 January 2016, *People’s Daily* published a commentary on WeChat titled “We Trust You, the Post-1990s.”⁴⁴ It denounced Taiwan-independence supporters as being incompetent, ignorant, narrow-minded, and arrogant compared to China’s post-90s generation, who “are making confident strides and improvising freely” and whose performance “is full of sunshine and self-confidence” and “brightens people’s eyes.” It hailed that “as long as we are confident

enough and make great strides forward, we will surely step down Taiwan-separatist forces at the foot of history!"

Both the CCYLCC and *People's Daily* neglected an inconvenient but apparent fact: to conduct such a patriotic act, nationalist netizens have to first overcome the barriers erected by the party-state; besides the GFW that prevents netizens from directly accessing Facebook, the authorities also diligently deleted mobilizing posts from Diba and other online platforms and shut down live streaming of the event on online video platforms.⁴⁵ A leaked official censorship directive betrays the state's concerns:

The Diba Expedition has become complicated. Local media shall moderate coverage of the event. Do not recommend the topic. Pay attention to removing negative comments that use this event to attack our system and cross-strait relations. Also watch for and stop the dissemination of harmful information such as "wall-climbing" techniques.⁴⁶

Evidently, though it openly endorsed the Diba Expedition, the state made serious covert efforts to watch, manage, and control the event.⁴⁷ This may be reflecting a split within the regime and institutional politics; but it was also possible that the state wished to reap the benefits of popular nationalism without risking it going out of control. The state's involvement conditions the contestation of national identity and statehood in the campaign as Taiwanese and dissenting netizens often question the spontaneity of the mobilization, as will be discussed below.

The Taiwanese Perspective

Even though their voices were buried in the flood of nationalist comments, most Taiwanese engaging in the cyber brawl disagreed with Chinese nationalists. Noticeably, they took advantage of the predicament that Chinese nationalist netizens were in: (1) association with the state made them look like state agents; and (2) though they seemingly had the state's endorsement, their patriotic action actually was not blessed by the state—they had to scale the GFW to comment on Facebook in the first place. Taiwanese and dissenting netizens often accused nationalists of being part of the "fifty-cent army" (state-sponsored trolls acting under the guise of ordinary citizens), and thus having no creditability at all. As one Taiwanese put it, "the CCP has released a large troop of 'fifty-cent army' slaves to attack Taiwan," and that only made Taiwanese "more united, more anti-communist, and more pro-independence."⁴⁸ A Mainlander also saw the Expedition as more likely a result of the state's conscious manipulation, arguing that the party-state had shown increasing interest in the world outside the GFW in recent years and deployed "fifty-cent army" squads on Twitter and Facebook; this netizen stated that the Diba Expedition was just an "exercise of larger scale."⁴⁹

The alleged association with the state not only deprived nationalist netizens of their credibility, but also transformed the debate over Taiwan independence from a national identity issue into one about different socio-political systems, particularly Taiwan's superiority over the Mainland as a more democratic, freer, and more civilized society. The frame was powerful because it also reminded nationalist netizens about the constraints placed on them by the authoritarian regime, even if they considered themselves patriotic. The irony was vividly conveyed in this comment: "Attacking the free world using the least free method of wall-climbing, rare! I support President Tsai."⁵⁰ A Taiwanese user commented,

“Poor Mainlanders, you don’t even have the right to vote! You are not even aware that the entire world dislikes you.”⁵¹ Another Taiwanese asserted that “poor Mainlanders always have only one choice and will vanish if they do not go with it” while Taiwanese “enjoy free life that Mainlanders can never have.”⁵² The user urged Mainlanders to wake up and struggle for better choices.

The Nationalist Narrative

How did nationalist netizens argue against Taiwanese and the dissenting netizens and achieve inner peace? Intuitively, the most straightforward option would be rejecting the accusation of being state agents. However, this strategy appeared futile. First, mainland netizens could hardly convince their opponents about their true identity; indeed, it would be dangerous to reveal one’s identity in online debates. Second, they could not deny the existence of the “fifty-cent army.” Further, engaging in such a debate would only get them into a more disadvantaged position. Thus, instead of arguing about their identity, nationalists developed a narrative to offset their critics and justify their actions. This narrative built on the unquestionable presumption of unification, flaws in Taiwanese democracy, and assertions of personal civility.

Indeed, the entire Diba Expedition centered on Chinese sovereignty and whether Taiwan is part of China. Nationalist netizens repeatedly cited state rhetoric on national identity and unification in their comments. Out of the top 100 comments on the most-commented post by Tsai, 39 reiterated the “Eight Honors and Eight Disgraces” (*Barong bachi*) by former President Hu Jintao and 16 quoted the poem “Homesickness” (*Xiangchou*). This is not an accidental observation. Out of the total 28,068 comments scraped from Tsai’s Facebook page, the above two passages appeared 5,272 and 1,046 times, respectively. Other frequent comments include the lyrics of “Ode to Motherland” (566 times) and declarations that Taiwan has been part of China since ancient times (520 times). The repetition partially can be attributed to the fact that the campaign was organized and coordinated—according to one organizer, the shift from using graphic memes to “Eight Honors and Eight Disgraces” was purposeful because the text conveys a more coherent and unified message to Taiwanese.⁵³

But why these passages were chosen reflects the legacies of state education and propaganda. These passages are probably the best known among Chinese that convey clear nationalist meanings that fit well in the situation. President Hu’s slogan starts with “Honor to those who love the motherland and shame on those who harm the motherland.” “Homesickness,” by the Taiwanese writer and poet Yu Guangzhong, vividly depicts the close ties across the Taiwan Strait, and is in a 9th grade textbook of Chinese literature. “Ode to Motherland” is purely nationalist, and was sung at the opening ceremony of the Beijing Olympics. The verbatim repetition of these suggests that the party-state has set the agenda for nationalist citizens and fed them a set of discourses in the Diba Expedition.⁵⁴

Besides the unquestionable assertion of national unity, Chinese nationalist netizens in the debate also dismissed Taiwanese democracy for being of low quality. Instead of envying Taiwanese for their rights and liberties, they found flaws with Taiwan’s political system, seeing it as a malfunctioning one that has caused many social ills. The following entry, which appeared multiple times, summarizes this critique in a highly sarcastic tone:

The religion of democracy is good, with everybody brainwashed. You can generate electricity using love and the votes can fill your stomach.⁵⁵ The Legislative Yuan was occupied but the air-conditioning was no good.⁵⁶ Democracy brings benefits and breast-rubbing cannot be spared.⁵⁷ Pay a hundred thousand, you can f—k Queen of the Sunflower Movement.⁵⁸ Comfort women were voluntary, the granny was happy to be a prostitute.⁵⁹ Elections are huge, everything else is not. Among the few rotten apples, which one can you choose? Democracy brings sugar daddies; the U.S. and Japan are here to dictate. As a running dog, the bones still have to be self-provided. Taiwan is a treasure island, but Taiwanese are the best well frogs across the world!⁶⁰

Nationalist netizens also accused Tsai and other targets of censoring their comments or disabling the graphic comment function, using that as evidence that they were not living up to the democratic principles they advocated. One nationalist netizen sarcastically requested Tsai not to delete comments because she has been advocating for freedom of expression, deriding her by saying: “You should not slap your own face, but it seems that you have, as Tianya visitors caught you deleting comments last time.” The netizen also asked Tsai to enable graphic comments because “many natural born pre-unification youngsters are coming with their meme graphs.”⁶¹ The fact that *Sanlih News* deleted all its posts from 1 January 2016 onwards and Tsai disabled graphic comments due to the storming meme comments validated their belief that Taiwan had embraced democracy only insincerely.

The depiction of Taiwan as a malfunctioning or even fake democracy was derived from multiple sources, including state propaganda. But it also largely resulted from Internet-enabled cross-Strait communication. For instance, nationalist netizens mentioned a series of specific socio-political events that they saw as blemishes or scandals in Taiwan’s democracy—including anti-nuclear power protests, the Sunflower movement, and the textbook revision controversy over the comfort women issue. They have learned about these issues precisely because the Internet has allowed Mainland netizens to access information on these issues and Taiwanese media coverage of them,⁶² which then helped develop the stereotype of Taiwanese democracy being chaotic, inefficient, and hindering development.

Nationalists also contested civility in the virtual debate. Unlike Taiwanese proud of their democratic system, Chinese nationalists boasted about their personal civility—being nice, hospitable, and kind to Taiwanese compatriots—and criticized Taiwanese for lacking such qualities. For instance, many nationalist netizens posted non-confrontational comments such as recipes of local dishes and scenic pictures, or invited Taiwanese to visit their hometown. This might be a result of organization and coordination, as expedition organizers instructed nationalist netizens to be civil and moderate. But the sense of moral superiority also developed as a learned experience in the Diba Expedition, as nationalist netizens experienced Taiwanese as being impolite, narrow-minded, and demeaning. As one Mainland user commented, “I respect you and your understanding of the Taiwanese political system. We only have national affinity because of our education . . . We treat you as compatriots. Why you treat us like enemies or even disrespectfully as pigs and dogs?”⁶³ A repeated comment argues that Mainland netizens had avoided using disastrous events such as the Taiwan Earthquake and the dust explosion accident to attack Taiwanese, while Taiwanese frequently brought up disasters such as the Nanjing Massacre to curse the Mainland. The entry concluded that “their self-perceived civility is far below that of the Mainland.”⁶⁴ Another comment provided a more detailed comparison (and accusation) in a much more antagonist tone:

Summarizing the battling situation of Mainland vs. Taiwan
 Culture and history vs. swearing and abuses
 Ridicule facial meme packages vs. vulgar low-moral photoshopped pictures
 Rational discussion vs. your mother's shit
 Friendship and family ties vs. Mainlanders go die
 Friendship and family ties vs. celebrating the Tianjin Explosion
 Friendship and family ties vs. celebrating the Tangshan Earthquake
 Friendship and family ties vs. celebrating the Wenchuan Earthquake
 Comment: Mainlanders win! I will teach people from Taiwan Province an English word, insular, which means 'island, narrow-minded, closed, and tunnel-visioning.'⁶⁵

Such a sense of moral superiority and the discursive practice that denounces Taiwanese as less civilized may be the "surface" appeal of the "deep structure" that nationalist netizens have in their mind and their lived experience of Internet-mediated interaction with the outside world.⁶⁶

RECONCILING PATRIOTISM AND AUTHORITARIANISM

Previous studies have suggested a few possible explanations for Chinese citizens' deference to or acceptance of authoritarian rule: they may support the regime because of its performance; they may agree with the state about stability maintenance; they may disagree but refrain from taking action; or they may be holding private truths but telling public lies.⁶⁷ These explanations may account for the passive support the regime enjoys, but are not sufficient to explain why participants in the Diba Expedition identified with the regime so strongly and showed so much active support for it.

As previous studies suggest, citizens may rally around the state because they lack alternative frames on specific issues,⁶⁸ or their frames have led them to support the regime.⁶⁹ Overall, it appears that nationalist netizens in the Diba Expedition have built a narrative frame that helped reconcile their stance with the authoritarian regime. This frame takes national identity for granted, contests Taiwan's democracy, and depicts Taiwanese as less civilized than Mainlanders. Their narrative is as follows: Yes, Taiwanese may have democracy. But the social ills and political dramas in Taiwan show that the democratic system is either fake or malfunctioning. We have an authoritarian system. But with it, we have achieved significant progress. The fact that Taiwanese and the outside world criticize our political system (which is superficial) without recognizing our progress (which is concrete) betrays their hypocrisy and narrow-mindedness. Moreover, we are more civilized as individuals, meaning we are morally superior. In reality, our system may be better.

The resonance between state and netizen rhetoric in this case was striking, showing the impact of state indoctrination through its nationalistic education and propaganda efforts. Through the long-term "patriotic education," the state repeatedly exposes Chinese citizens to the following message: China's one-party system is superior and other countries' democratic systems are, at best, misleading and fake, and at worst, lead to chaos.⁷⁰ Such a state–citizenry linkage, in addition to the state's endorsement of the Expedition, goes against the often taken-for-granted disposition that treats political activism as a form of non-institutional politics that is opposite to and different from institutional politics. Clearly, the Diba Expedition shows political activism is entangled with and appropriating institutional politics. In this regard, the analysis here confirms Jack Goldstone's point on

the “fuzzy and permeable boundary between institutionalized and noninstitutionalized politics.”⁷¹

But the story here is not just that the Chinese party-state has captured younger generations. More importantly, it shows that exposure to the outside world has not neutralized state propaganda, but rather has reinforced nationalism among China’s young netizens.⁷² Their beliefs were partially built on state propaganda, but also on their own lived experience of Internet-mediated interaction outside the GFW. As one organizer explained, “People who frequent Facebook know that Taiwanese have always had strong prejudice against the Mainland . . . Hopefully this event will help correct their biases towards the Mainland.” This explains why the BBC was also a target of the Expedition. Moreover, being regarded as state agents only reinforced nationalist netizens’ perception of being unfairly treated and misunderstood. This finding echoes other studies on overseas Chinese students. A 2016 survey study by Purdue University further reveals that experiences in the US have resulted in a more positive attitude toward China among Chinese students.⁷³ This may be because they have learned about more flaws in US politics and society, and so view their own society relatively more positively than before. It may also be that cross-national interactions have exposed Chinese students to foreigners who they believe often exhibit misinformed, prejudiced, and offensive views of Chinese current events.⁷⁴

CONCLUSION

As Zengzhi Shi and Guobin Yang argue, the Internet enables multiple forms of empowerment, including individual empowerment, to take action and produce social change.⁷⁵ Cyber nationalism is clearly a form of individual empowerment for many citizens, allowing them to act on behalf of a grand goal. In the Diba Expedition, nationalist netizens passionately defended China against external challenges despite state constraints and accusations by others that they were state agents. They did so by constructing a narrative frame that takes national identity for granted, contests Taiwan’s democracy, and depicts Taiwanese as less civilized than Mainlanders. While it is built partially on nationalist priors, misconceptions, and alternate facts, this frame indirectly justified and glorified authoritarian rule, helping nationalist netizens to reconcile their love of the nation and acceptance of authoritarian rule.

Nationalist netizens’ acquiescence to authoritarian rule seems to be a blessing for the party-state. But that does not mean that popular nationalism is risk free. In the Diba Expedition and other cyber nationalist events, more extreme, violent, and deviant voices have by no means been rare. For instance, many nationalists have “encouraged” Taiwan independence, hoping that the CCP will then have no option but to reunify the nation by force. Their impatience and dissatisfaction are also reflected in sayings such as “Re-take the Island, eliminate the people on it” (*liudao bu liuren*) and the nickname they gave the State Council Taiwan Affairs Office—“State Council Kneeling before Taiwanese Office.” This trend is not just incongruent with the state’s “peaceful unification” rhetoric; more importantly, it also shows the state’s incapacity to control nationalists’ sentiment, which may pressure it to adopt policies that it does not favor.

Mobilizations such as the Diba Expedition also expose nationalist netizens to different ideas. For instance, pro-liberal activists took the opportunity to engage and transform

participants in the event, and repeatedly posted entries with links to dissident websites. As one dissenting user stated:

I believe it is a good thing for those “little pinkos” answering to the state’s command to be exposed to the free world.⁷⁶ Freedom vs. no freedom, censorship vs. no censorship, and post-deletion vs. no deletion, the good and the bad are so apparent. They will know from inside in two or three days.⁷⁷

Though nationalism may be declining in China,⁷⁸ the Internet helps aggregate and mobilize nationalists more effectively, thus amplifying their mobilization efforts. In this regard, the Diba Expedition is part of a bigger trend. Indeed, not long after the event, another huge online brawl happened in April 2016 when the two sides disputed the handling of Taiwanese telecom fraud suspects. In this case, a similar narrative appeared, with Taiwan being denigrated as “Fraud Island.” Mocking the saying that “the most beautiful scene of Taiwan is the Taiwanese people,” netizens derisively stated that “the most beautiful scene of Taiwan is the Taiwanese Cheating People.”⁷⁹ Further, the Diba Expedition was not just about Taiwan; rather, it reflected ongoing nationalist movement on numerous other issues, such as Sino-Japanese animosity; controversies over Hong Kong, Xinjiang, and Tibet; and foreign media coverage on China.⁸⁰ In January 2017, nationalist netizens launched another expedition, this time against the Japanese hotel chain APA because its owner denied the Nanjing Massacre.⁸¹

Besides their domestic implications, these cases show that Chinese cyber nationalism has extended despite the GFW. As one participant joked during the Diba Expedition, “Taiwanese deride us for being constrained by the GFW . . . given the size of our population, were we free to use Facebook, Tsai’s post would be full of our graphic memes.”⁸² In fact, Chinese netizens are now active on all major social media platforms—such as Facebook, YouTube, Instagram, and Twitter—as well as commentary sections of international news outlets. They have brought with them their unique perspectives on China, the world, and the relationship between the two. Their participation has fundamentally altered, and will continue to transform, the landscape of online debates on China across the globe—though the impact still warrants further exploration.

NOTES

1. Diba was set up in 2004 and named after the football player Li Yi. Its more popular nickname, “Diba” (the Emperor’s Bar), comes from Chinese netizens’ belief that Li once claimed that his dribbling was on a par with Thierry Henry, the French football player that Chinese fans have fondly nicknamed “Emperor Henry.”
2. Lijun Yang and Yongnian Zheng, “Fen Qings (Angry Youth) in Contemporary China,” *Journal of Contemporary China* 21, no. 76 (2012): 637–53.
3. Yongming Zhou, “Informed Nationalism: Military Websites in Chinese Cyberspace,” *Journal of Contemporary China* 14, no. 44 (2005): 543–62; David Kurt Herold, “Rage and Reflection: Chinese Nationalism Online between Emotional Venting and Measured Opinion,” in *New Connectivities in China: Virtual, Actual and Local Interactions*, ed., Pui-lam Law (Dordrecht: Springer, 2012), 23–35.
4. It is unclear why Facebook failed to get all comments, but it is the best package that the author is aware of. Despite the public availability, all cited comments are anonymized to avoid the risk of users becoming targets of state repression and cyber bullying.
5. Bruce Gilley and Heike Holbig, “The Debate on Party Legitimacy in China: A Mixed Quantitative/Qualitative Analysis,” *Journal of Contemporary China* 18, no. 59 (2009): 339–58.
6. Wenfang Tang, *Populist Authoritarianism: Chinese Political Culture and Regime Sustainability* (Oxford: Oxford University Press, 2016), 44–5.

7. Suisheng Zhao, "A State-Led Nationalism: The Patriotic Education Campaign in Post-Tiananmen China," *Communist and Post-Communist Studies* 31, no. 3 (1998): 287–302.
8. Peter Hays Gries, "Tears of Rage: Chinese Nationalist Reactions to the Belgrade Embassy Bombing," *The China Journal*, no. 46 (2001): 25–43; James Reilly, *Strong Society, Smart State: The Rise of Public Opinion in China's Japan Policy* (New York: Columbia University Press, 2013); Jessica Chen Weiss, *Powerful Patriots: Nationalist Protest in China's Foreign Relations* (New York: Oxford University Press, 2014).
9. Reilly, *Strong Society, Smart State*; Suisheng Zhao, "Foreign Policy Implications of Chinese Nationalism Revisited: The Strident Turn," *Journal of Contemporary China* 22, no. 82 (2013): 35–53; Weiss, *Powerful Patriots*.
10. Susan Shirk, *China: Fragile Superpower* (Oxford: Oxford University Press, 2007), 62.
11. Philip N. Howard and Muzammil M. Hussain, *Democracy's Fourth Wave? Digital Media and the Arab Spring* (Oxford; New York: Oxford University Press, 2013).
12. Johan Lagerkvist, *The Internet in China: Unlocking and Containing the Public Sphere* (Lund: Lund University Press, 2007); Guobin Yang and Craig Calhoun, "Media, Civil Society, and the Rise of a Green Public Sphere in China," *China Information* 21, no. 2 (2007): 211–36; Adrian Rauchfleisch and Mike S. Schäfer, "Multiple Public Spheres of Weibo: A Typology of Forms and Potentials of Online Public Spheres in China," *Information, Communication & Society* 18, no. 2 (2015): 139–55.
13. Guobin Yang, "The Internet and Civil Society in China: A Preliminary Assessment," *Journal of Contemporary China* 12, no. 36 (2003): 453–75; Guobin Yang, "The Co-Evolution of the Internet and Civil Society in China," *Asian Survey* 43, no. 3 (2003): 124–41; Zixue Tai, *The Internet in China: Cyberspace and Civil Society* (London: Routledge, 2006).
14. Patricia Thornton, "Manufacturing Dissent in Transnational China: Boomerang, Backfire or Spectacle?," in *Popular Protest in China*, ed., Kevin J. O'Brien (Cambridge, MA: Harvard University Press, 2008), 179–204; Yongnian Zheng, *Technological Empowerment: The Internet, State, and Society in China* (Stanford: Stanford University Press, 2008); Li Gao and James Stanyer, "Hunting Corrupt Officials Online: The Human Flesh Search Engine and the Search for Justice in China," *Information, Communication & Society* 17, no. 7 (2014): 814–29. Jun Liu's chapter in this collection shows how digital media facilitated the evolution in contention repertoire in China.
15. Guobin Yang, *The Power of the Internet in China: Citizen Activism Online* (New York: Columbia University Press, 2009); Ashley Esarey and Qiang Xiao, "Political Expression in the Chinese Blogosphere," *Asian Survey* 48, no. 5 (2008): 752–72; Guobin Yang, "Lightness, Wildness, and Ambivalence: China and New Media Studies," *New Media & Society* 14, no. 1 (2012): 170–79.
16. Yanqi Tong and Shaohua Lei, "War of Position and Microblogging in China," *Journal of Contemporary China* 22, no. 80 (2013): 292–311.
17. See Xu Wu, *Chinese Cyber Nationalism: Evolution, Characteristics, and Implications* (Lanham, MD: Lexington Books, 2007); Simon Shen and Shaun Breslin, eds., *Online Chinese Nationalism and China's Bilateral Relations* (Lanham, MD: Lexington Books, 2010).
18. James Leibold, "More Than a Category: Han Supremacism on the Chinese Internet," *The China Quarterly* 203 (2010): 539–59; Wai-Yip Ho, "Islam, China and the Internet: Negotiating Residual Cyberspace between Hegemonic Patriotism and Connectivity to the Ummah," *Journal of Muslim Minority Affairs* 30, no. 1 (2010): 63–79.
19. Clay Shirky, "The Political Power of Social Media: The Political Power of Social Media," *Foreign Affairs* 90, no. 1 (2011): 28–41.
20. Peter Hays Gries, "Narratives to Live By: The Century of Humiliation and Chinese National Identity Today," in *China's Transformations: The Stories beyond the Headlines*, eds., Lionel M. Jensen and Timothy B. Weston (Lanham, MD: Rowman & Littlefield, 2007), 151–75; William A. Callahan, *China: The Pessimist Nation* (Oxford: Oxford University Press, 2012).
21. See Xiaodong Wang, "Supposed 'Patriotic Thieves' Not the Real Threat to China," *Global Times*, 12 July 2011, <http://www.globaltimes.cn/content/665873.shtml>; Rongbin Han, "Manufacturing Consent in Cyberspace: China's 'Fifty-Cent Army,'" *Journal of Current Chinese Affairs* 44, no. 2 (2015): 105–34.
22. Rongbin Han, "Defending the Authoritarian Regime Online: China's 'Voluntary Fifty-Cents Army,'" *The China Quarterly* 224 (2015): 1006–25; Rongbin Han, "Withering Gongzhi: Cyber Criticism of Chinese Public Intellectuals," *International Journal of Communication* 12, (2018): 1966–87.
23. See Peter Lorentzen, "China's Strategic Censorship," *American Journal of Political Science* 58, no. 2 (2014): 402–14.
24. Gary King, Jennifer Pan, and Margaret E. Roberts, "How Censorship in China Allows Government Criticism but Silences Collective Expression," *American Political Science Review* 107, no. 2 (2013): 1–18. The authors argue that the state prioritizes censorship of collective mobilization over general criticism. Other scholars argue that the state takes criticisms seriously as well. See Ashley Esarey and Qiang Xiao, "Understanding State Preferences for Information Control: Central–Local Relations in China's Quest to Tame the Web" (paper presented at the Association of Asian Studies Annual Conference, Chicago, 26–29

- March 2015). Christopher Cairns' chapter in this Handbook also suggests that the state may fine-tune its control over different types of content related to high-profile online scandals.
25. Lagerkvist, *The Internet in China*; Barbara Geddes and John Zaller, "Sources of Popular Support for Authoritarian Regimes," *American Journal of Political Science* 33, no. 2 (1989): 319–47.
 26. State Council Taiwan Affairs Office, "Bu Yunxu Shaoshuren zai Dalu Zhuanqian que Zhichi Taidu" (Will Not Allow the Few Who Make Profits in Mainland but Support Taiwanese Separatism), 30 December 2015, <http://www.chinanews.com/tw/2015/12-30/7694485.shtml>.
 27. See Eva Dou, Jenny W. Hsu, and In-Soo Nam, "K-Pop Singer's Apology Strikes a Chord in Taiwan's Election," 17 January 2016, <http://blogs.wsj.com/chinarealtime/2016/01/17/k-pop-singers-apology-strikes-a-chord-in-taiwans-election/>.
 28. *Eastday*, "FB Biaoqingbao Dazhan Huang Zitao Kongcheng Zuida Yingjia" (Facebook Graphic Meme War Huang Zitao Probably Would Be the Biggest Winner), 18 January 2016, http://photo.eastday.com/2013slideshow/20160118_9/index5.html.
 29. BBC, "Taiwan Election: How a Penitent Pop Star May Have Helped Tsai Win," 18 January 2016, <http://www.bbc.com/news/world-asia-35340530>.
 30. Facebook defines "top comments" as "the most relevant comments."
 31. Facebook comment on 20 January 2016 at 6:34am.
 32. Facebook comment on 20 January 2016 at 4:23am.
 33. Marco Huang, "Chinese Netizens Flood Tsai Ing-Wen's Facebook Page with Anti-Taiwan Independence Posts," 21 January 2016, <http://blogs.wsj.com/chinarealtime/2016/01/21/chinese-netizens-flood-tsai-ing-wens-facebook-page-with-anti-taiwan-independence-posts/>.
 34. Pu Shan and Hui Qiu, "'Diba fb Chuzheng' Zuzhizhe: Shua Barong Bach Gei Taidu Shang Aiguo Ke" (Organizer of "Diba Facebook Expedition": Teach Taiwanese Separatist a Patriotic Lesson with Eight Honors and Eight Disgraces), 21 January 2016, <http://news.sina.com.cn/c/zg/2016-01-21/doc-ifxnuvxe8316358.shtml>.
 35. Ibid.
 36. W. Lance Bennett and Alexandra Segerberg, "Three Patterns of Power in Technology-Enabled Contention," *Mobilization: An International Quarterly* 19, no. 4 (2014): 421–39.
 37. For a collection of the memes used in the Diba Expedition, see <http://www.v4.cc/News-1053222.html>.
 38. See Yu Xiao, "'Diba Yuanzheng', '90 Hou' de Wangluo Kuanghuan" (The "Diba Expedition": The Online Carnival of the "Post-90s"), 25 January 2016, <http://opinion.people.com.cn/n1/2016/0125/c1003-28080201.html>.
 39. Huang, "Chinese Netizens Flood Tsai Ing-Wen's Facebook Page."
 40. See <http://tieba.baidu.com/p/4877283134>.
 41. The Chinese Communist Youth League is the youth movement run by the Chinese Communist Party. It is the Party's major vehicle to connect to, indoctrinate, and guide Chinese youth. For an analysis of the CCYL's role in the Diba Expedition, see <http://www.dooo.cc/2016/02/40703.shtml>.
 42. See <http://weibo.com/3937348351/De1KAqVeT>.
 43. "Bubi Kuazhang 'Diba Chuzheng' de Liangan Fu Xiaoguo" (No Need to Exaggerate the Negative Impact of the Diba Expedition on Cross-Strait Relations), 21 January 2016, <http://opinion.huanqiu.com/editorial/2016-01/8425254.html>.
 44. "Renmin Ribao Ping Diba Chuzheng FB: 90 Hou Xiangxin Nimen" (People's Daily Commentary on the Diba Facebook Expedition: We Trust You, Post-90s' Generation), 22 January 2016, http://tech.163.com/16/0122/09/BDU4UF9I000915BF_all.html.
 45. Hongchao Sun, "Diba Chuzheng FB: Zhibo Pingtai Bei Fengjin Duoge Wangzhan Guan Pinglun" (The Diba Facebook Expedition: Live Streaming Platforms Banned and Multiple Websites Shut Down Commentary Sections), 21 January 2016, <http://tech.qq.com/a/20160121/011570.htm>.
 46. See [https://chinadigitaltimes.net/chinese/2016/01/\(真理部\)-帝吧出征事件/](https://chinadigitaltimes.net/chinese/2016/01/(真理部)-帝吧出征事件/).
 47. One of the organizers of the Diba Expedition was invited to the 2016 CCYLCC Commendatory Meeting on 4 May 2016. See "Liang Daozhang, Jin Dong, Zhao Ritian Deng Chuxi Tuanzhongyang Biaozhanghui" (Taoist Master Liang, Jin Dong, Zhao Ritian and Others Attended CCYL Central Committee Commendatory Meeting), 5 May 2016, http://news.ifeng.com/a/20160505/48695621_0.shtml.
 48. Facebook comment on 24 January 2016 at 1:46.
 49. Facebook comment on 22 January 2016 at 7:39.
 50. Facebook comment on 23 January 2016 at 11:25.
 51. Facebook comment on 24 January 2016 at 6:53.
 52. Facebook comment on 16 January 2016 at 1:40.
 53. Shan and Qiu, "'Diba fb Chuzheng' Zuzhizhe."
 54. Citing state rhetoric may be a strategy to avoid suppression. But this consideration should be secondary because: (1) Facebook is beyond direct state censorship; and (2) graphic memes used at the early stage of the Diba Expedition were not offensive to the state.
 55. "Generating electricity with love" is a slogan hailed in Taiwan's anti-nuclear movement. See Minlong Hong,

- “314 Fanhe Youxing ‘Yaorang Hedian Jiahe Xigui’” (14 March Anti-Nuclear Demonstration ‘Let Nuclear Power Die’), 6 March 2015, <http://www.appledaily.com.tw/realtimenews/article/new/20150306/569178/>.
56. Students occupying the Legislative Yuan in 2014 complained about the hot weather and demanded air conditioning. See Xiaotian Tang, “Kangyi Xuesheng Menhuai le, Paizhuo Han ‘Kai Kongtiao’” (Protesting Students Felt Extremely Muggy, Pounded the Table Demanding Air Conditioning), 19 March 2014, <http://www.chinatimes.com/cn/realtimenews/20140319002734-260407>.
 57. The Sunflower Movement leader, Chen Wei-ting, was caught committing sexual harassment. See Yangling Xu, “Taiyanghua Zhanshen Chen Wei-ting Shi Selang” (Sunflower Movement Warrior Chen Wei-ting Is a Sex Offender), 24 December 2014, <http://www.chinatimes.com/cn/newspapers/20141224000825-260102>.
 58. Johanne Liou, popularly known as Queen of the Sunflower Movement, was found selling sex. See SETN, “Taiyanghua Nvwang Liu Qiaoan Ren Maiying” (Sunflower Movement Queen Johanne Liou Admitted Selling Sex), 13 May 2016, <http://www.setn.com/News.aspx?NewsID=146339>.
 59. In the textbook controversy, some student protests argue that the comfort women (sex slaves) during World War II should not be described as being “forced.” See SETN, “Kegang Jingshuo Weianfu shi Ziyuan de!” (Course Guideline Says Comfort Women Was Voluntary!), 5 August 2015, <http://www.setn.com/News.aspx?NewsID=88435>.
 60. Facebook comment on 20 January 2016 at 4:22.
 61. Facebook comment on 28 January 2016 at 13:01.
 62. For instance, the popular forum Tianya.cn, which boasted over 125 million registered users as of February 2017, has a special board on Taiwan. Searching keywords “generating electricity with love,” “comfort women,” and “Joanne Liou” on this board returned 578, 2,449, and 440 results, respectively. Searching these terms together with “Taiwan” on the entire forum via Google returned 9,070, 18,900, and 5,590 results, respectively.
 63. Facebook comment on 16 January 2016 at 5:30pm.
 64. Facebook comment on 20 January 2016 at 6:09am.
 65. Facebook comment on 22 January 2016 at 17:22.
 66. The concepts are borrowed from Noam Chomsky’s discussion of linguistic structure, with the “deep structure” containing all information relevant to semantic interpretation and the “surface structure” all information relevant to phonetic interpretation. See Noam Chomsky, *Language and Mind* (Cambridge: Cambridge University Press, 2006), 111.
 67. Johan Lagerkvist, *After the Internet, Before Democracy: Competing Norms in Chinese Media and Society* (Bern: Peter Lang, 2010), 147–8.
 68. Ibid., 148.
 69. Zhou, “Informed Nationalism”; Han, “Defending the Authoritarian Regime Online.”
 70. Zhao, “A State-Led Nationalism”; Zeng Wang, “National Humiliation, History Education, and the Politics of Historical Memory: Patriotic Education Campaign in China,” *International Studies Quarterly* 52, no. 4 (2008): 783–806.
 71. Jack A Goldstone, “Introduction: Bridging Institutionalized and Noninstitutionalized Politics,” in *States, Parties, and Social Movements*, ed., Jack A. Goldstone (New York: Cambridge University Press, 2003), 2.
 72. Chinese citizens’ perceptions of foreign conditions are negatively correlated to their evaluations of China and the government. See Haifeng Huang, “International Knowledge and Domestic Evaluations in a Changing Society: The Case of China,” *American Political Science Review* 109, no. 3 (2015): 613–34.
 73. “Purdue Survey of Chinese Students in the United States: A General Report,” Center on Religion and Chinese Society, Purdue University, 15 November 2016, <https://www.purdue.edu/crcs/publications/crcs-reports/>.
 74. Henry Chiu Hail, “Patriotism Abroad: Overseas Chinese Students’ Encounters with Criticisms of China,” *Journal of Studies in International Education* 19, no. 4 (2015): 311–26.
 75. Zengzhi Shi and Guobin Yang, “New Media Empowerment and State-Society Relations in China,” in *The Internet, Social Media, and a Changing China*, eds., Jacques DeLisle, Avery Goldstein, and Guobin Yang (Philadelphia: University of Pennsylvania Press, 2016), 71–85.
 76. The term “little pinkos” often refers to pro-regime nationalists. See *The Economist*, “Youthful Nationalists: The East is Pink,” 13 August 2016, <http://www.economist.com/news/china/21704853-online-mobs-get-rowdier-they-also-get-label-east-pink>. Also see Maria Repnikova and Kecheng Fang, “Demystifying ‘Little Pink’: The Creation and Evolution of a Gendered Label for Nationalistic Activists in China,” *New Media & Society* 20, no. 6 (2017): 2162–85.
 77. Facebook comment on 20 January 2016 at 8:54am.
 78. Alastair Iain Johnston, “Is Chinese Nationalism Rising? Evidence from Beijing,” *International Security* 41, no. 3 (2017): 7–43.
 79. ETtoday, “Zuimeide Fengjing shi Pianren? Lu Wangyou Bian ‘10 ge Wanwan 9 ge Pian’ Feng Tai” (The Most Beautiful Scene Is Fraud? Mainland Netizens Composed “Nine out of Ten Taiwanese Are Con Artists” Doggerel to Mock Taiwan), 18 April 2016, <http://www.ettoday.net/news/20160418/682690.htm>.

80. See *The Economist*, “Youthful Nationalists.”
81. Kexin Zhao, “Diba Miaozhun APA Jiudian Zaici Chuzheng Taiwan Wangyou ye Jiji Canyu” (Diba Launched Another Expedition Targeting APA Hotel, Taiwanese Netizens Also Actively Participated), 22 January 2017, http://news.ifeng.com/a/20170122/50614872_0.shtml.
82. Facebook comment on 18 January 2016 at 4:11.

24. Microblog dissent and censorship during the 2012 Bo Xilai scandal

Christopher Cairns

Chinese Communist Party (CCP) leaders' decision in April 2012 to investigate top official and Politburo member Bo Xilai on charges of corruption and complicity in the murder of a British businessman, Neil Heywood, sent shockwaves through both official and social media channels right before a crucial leadership transition during the 18th Party Congress that year. In the scandal's early weeks before Party leaders settled on an official line, news outlets engaged in a flurry of reporting far more diverse than during previous instances of high-ranking official malfeasance. Allegations of Bo's misdeeds ranged from bribery, to illicit sexual activity, to supposedly plotting a central-level power grab – not to mention involvement in Heywood's murder. Yet until the official announcement that Bo would be removed from his post as Chongqing Party Secretary on 15 March, and to some extent even until his removal from the Politburo on 10 April, all of the above narratives competed in a cacophonous online sphere, particularly on microblogs like Sina Weibo, at the time China's preeminent venue for viral discussion of current events.

While a significant political event in its own right for leadership unity and anti-corruption efforts within the CCP, the Bo case also aptly illustrates the dynamics of Chinese dissent and protest in the social media era. Yet the mere fact that the scandal went viral on Weibo alone does not account for its uniqueness as an episode of popular protest against official corruption. Rather, the incident is a pivotal point in understanding social media's impact on popular contention in China for three reasons. First, blogger discussion of the scandal's unfolding events quickly moved beyond a focus on Bo's own behavior to raising questions about top party officials writ large. The case thus became high drama for senior leaders, calling their legitimacy into question just before the 18th Party Congress. Second, the incident was national in scope. Although events centered on Bo's alleged actions in Chongqing – especially his complicity in his wife Gu Kailai ordering Heywood's murder, and his relation to his police chief Wang Lijun – it drew national media attention and piqued the interest of online citizens nationwide. Third, and in a similar vein, the scandal was able to "go national" because it was the first Politburo-level scandal (but not the last) to occur in the social media era.

Beyond its specifics, the Bo case also prompts a broader question: what is unique about microblog-based dissent in China? Rather than being an entirely new category of dissent, I define microblog dissent for this chapter as simply political dissent on microblogs. Such a definition differs from broader conceptions of online activism in that the latter often entail a wide variety of practices, claims and themes that are not all critical of the state.¹ In contrast, microblog dissent (or any mode of political dissent, whether Internet-based or not) involves a critique of political authority, often state actors.

Although it is not a new category of dissent, the microblog medium may still shape how dissent unfolds in digital space. An analysis of the Bo scandal suggests two possible

unique characteristics of the microblog sphere: blogger-journalist synergies; and the presence of complex and often conflicting incentives for the state regarding whether to tighten or loosen online control, especially content censorship. As events unfolded, news releases about various actions taken against Bo, from his removal as Chongqing mayor all the way to his expulsion from the CCP, triggered successive waves of online commentary that in turn prompted propaganda officials to exercise “public opinion guidance” (*yulun daoxiang*) in an effort to avoid losing control over the narrative.

Second, the scandal highlights the conflicting incentives faced by media-relevant officials in deciding whether, when and how much to censor social media discussion. While some research would suggest that officials should aggressively censor discussion about the case as it might spur corruption-related collective action,² in co-authored studies of other “online breaking incidents” I find that incentives *not* to censor also exist: leaders may use non-censorship as a signaling or commitment device to show the public their resolve to follow through on some action; or they may not censor because doing so would make some problem worse as citizens infer that leaders are covering up bad news.³

This chapter adopts a quantitative, “big data” approach to evaluating the above claims in the context of the Bo scandal. I draw upon a unique dataset called WeiboScope gathered by University of Hong Kong researchers, and consisting of all Sina Weibo posts during the year 2012 for microbloggers with more than 10,000 followers.⁴ Repeatedly reading random samples of posts taken from dates in which the Bo scandal was at its peak, I develop sentiment categories that classify Weibo users’ diverging views into three camps regarding Bo and his relation to broader Party-state corruption: *Supporters*, *Questioners*, and *Critics*. I also employ a unique time-series measure of how the level of post censorship fluctuated during the scandal’s various episodes. I find that during the Bo scandal, the censors actively deleted comment threads that used the scandal to broadly question the Party-state’s legitimacy to govern, or even expressed skepticism or cynicism toward central leaders’ true motives. However, especially early on a surprising amount of discussion that aimed merely to find out the “truth” or facts of the case went uncensored despite its focus on such a sensitive topic. Moreover, even voiced support for Bo – risky for central leaders because of its association with the Maoist New Left – was censored more heavily at some points than others.

MAPPING THE SCANDAL: DIFFERENT SENTIMENTS, DIFFERENT EPISODES

While raucous, disjointed and ultimately full of mis- and false information, the discussion on Weibo carried high stakes for the CCP in shaping how the online public would view the deeper meaning of Bo’s downfall. At least three explanations competed to account for Bo’s removal from his posts, and ultimately from the Communist Party. The main explanation promulgated by top leaders was simply that Bo was a criminal who had abused his power as Party secretary to engage in various misdeeds, culminating with his involvement (along with his wife Gu Kailai) in arranging Neil Heywood’s murder. Branding Bo as a rotten official served top leaders’ purpose of deflecting attention away from other, more political motives they might have for opposing him.

A second, more politically charged explanation had to do with Bo's alignment with China's "New Left" (sometimes also referred to as "neo-Maoists") while running Chongqing. Bo had championed public displays of nostalgia for the Mao era and a return to overt leftist politics in public life, such as encouraging the singing of "Red" songs in schools and workplaces to revive revolution-era communist ideals, a practice largely rejected by Chinese leaders ever since Mao's death. This view of Bo's defeat held that leaders removed him to prevent the spread beyond Chongqing of such discredited practices.

Finally, the third and most potentially damaging theory (from leaders' perspective) was that Bo was removed because he had broken an unwritten but powerful norm of elite-level Chinese politics in the Reform era: not to jockey overtly for top posts, especially membership on the Politburo Standing Committee, the center of power in China. Variants of this theory ranged from the fairly innocuous – Bo's unconventional, attention-grabbing style and populist reforms in Chongqing such as providing public housing – up to serious threats to Party unity, especially the revelation that Bo had ordered his police chief, Wang Lijun, to wiretap senior leaders' communications, including President Hu Jintao's.

As these theories and related attempts by ordinary citizens and media professionals alike to establish the "facts" percolated through social media, different and often opposing viewpoints emerged in netizen comments. Especially in the scandal's first few weeks, many netizens rose to Bo's defense, viewing allegations against him as central leaders' attempt to eliminate a political rival and to strike a blow to neo-leftism more broadly. Other bloggers, however, acknowledged Bo's wrongdoing but differed as to how it reflected on CCP leaders and the political system. While some commentators accepted the idea that Bo was just a "bad apple," others went further to express doubt or cynicism about central leaders' true motives, or even declared the Party as a whole irremediably illegitimate, with Bo just representing the "tip of the iceberg" of a systemic problem.

Drawing on the WeiboScope data, the following sections identify the presence and strength of such sentiments during three different episodes in the overall scandal: (I) the immediate aftermath of Wang Lijun's flight to the US consulate in Chengdu, in which he possessed information about Bo's alleged misdeeds; (II) the time period surrounding initial action by central Party leaders to remove Bo as Chongqing Secretary and then to dismiss him from the Politburo; and (III) Bo's expulsion from the Party months later in September, 2012 and its aftermath. Each phase coincided with a surge in news and Weibo commentary but showed different patterns of daily censorship. By reading the posts, I identify the major viewpoints toward Bo and the Party that prevailed at different moments during the scandal, and manually code sample posts accordingly. I then use a computer-assisted text analysis (CATA) procedure called ReadMe to apply this categorization scheme to a much larger body of posts taken from each of the three phases, using the hand-labeled data as input.⁵ This exercise yields estimates of the breakdown of category proportions on all dates across the three episodes, trends that aptly illuminate the characteristics of microblog-based dissent mentioned above.

BREAKING DOWN THE SCANDAL'S THREE PHASES

Before discussing how I derived and coded the sentiment categories, this section addresses the temporal aspect by further describing the scandal's three episodes, or "phases."

Phase I (8 February–8 March) involved Wang’s trip to the US consulate and a few weeks thereafter—a time period in which Wang’s connection to Bo, the extent of Bo’s deeds and what action the higher-ups in Beijing were planning to take were all unanswered questions. Deciphering a “strategy” for how officials in Beijing would have likely chosen to handle protests in this phase is difficult, in part because leaders themselves may not have been able to agree on a unified response at this point. However, overall I expect a mixed response, with bloggers and journalists teaming up to spread information on Weibo that, at least in some cases, should prove difficult for authorities to suppress.

Second, Phase II (9 March–17 April) represented the pivotal moment in Bo’s downfall, and involved a series of turning points. First, on 7 March, the Politburo Standing Committee adopted a decision to dismiss Bo as Chongqing Party Secretary. Then a week later, on 14 March, Premier Wen Jiabao criticized Bo during his annual press conference, rebuking Bo’s attempts to revive “red culture” in Chongqing. Finally, on 10 April Bo was suspended from the Politburo and Central Committee and officially put under “investigation for serious disciplinary violations.” Additionally, Bo’s wife, Gu Kailai, was named as a suspect in the death of Neil Heywood. Compared with Phase I, by this time the top leadership had likely agreed on how they would respond to the scandal, and at least a general outline (if not some details) for how to deal with Bo. Here, I expect opportunities for bloggers to voice discontent about corruption (or Bo as “tip of the iceberg”) to be more limited and censorship to be tighter, although for reasons I discuss in the conclusion, at least some limited space remained.

Finally, Phase III (17 September–30 December) differs substantially from the first two phases in that it occurred months after Bo’s initial downfall, and well after his removal from power was certain. On 28 September, the Politburo adopted a decision to expel him from the Party.⁶ Among the three time periods, I expect Phase III to show the strictest overall censorship, and even to observe the absence or near-absence of more sensitive sentiments. By September, Party leaders had forged consensus not only to oust Bo from all public posts and the Party, but also to publicly repudiate him, list his alleged crimes and begin judicial proceedings against him. A major motivation for these decisive actions was the 18th Party Congress, scheduled to begin in November, where Xi Jinping would officially become China’s number one leader. Leaders doubtless viewed tying up the non-judicial stage of the Bo affair (by expelling him from the Party) as necessary to avoid further distraction during the Congress.

DEFINING THE SAMPLE AND SENTIMENT CATEGORIES

To filter for scandal-relevant data, my sample consisted only of Weibo posts containing one or more of the following keywords (in Chinese characters): “Bo Xilai”; “Wang Lijun”; “Chongqing Sick Person” (*chongqing bingren*, a euphemism for Wang Lijun, based on a documentary title); “very open news policy” (*duome kaifang de xinwen zhengce*, a phrase I found to identify topic-relevant content related to netizens’ observation of relatively low censorship in the initial weeks after Wang’s flight); “Secretary Bo” (his official Party title as Chongqing leader); “Discipline Inspection Commission” (referring to the Party disciplinary body that brought an investigation against Bo); “Central Discipline Inspection Commission” or “CDIC” (abbreviated *zhong ji wei*); “Gu Kailai” or “Bo Gu” (the two

surname characters for Bo and Gu, respectively, which often appeared in news reports as a single unit);⁷ “serious disciplinary violations” (*yanzhong weiji*); “the wife of Comrade Bo” (*bo xilai tongzhi qizi*); “Comrade Bo” or Heywood” (*haier wude* or *wude*, referring to Neil Heywood); “expulsion from public office” (*kaichu gongzhi chufen*); and “expulsion from the Party” (*kaichu dangji*). This left 68,885 total posts across Phases I–III in 2012. I went through several stages of pre-coding exercises to determine the key categories before moving on the full coded sample. Additional details are available in the Online Appendix.⁸

I coded three sentiment categories corresponding to three different groups of individuals with respect to the Bo scandal: *Supporters* (those who praised Bo’s policies and achievements or defended him against what they viewed as a witch hunt or purge, often but not necessarily from a leftist or neo-Maoist perspective); *Questioners* (those who expressed curiosity about finding the “truth” or analyzing the scandal’s events); and *Critics* (those who went beyond narrowly targeted criticism of Bo to raise doubt or skepticism about the rectitude of top leaders’ intentions in pursuing him, or even used the Bo case as an opportunity to challenge the Party or system more broadly. After multiple reads of post samples, I defined each sentiment category as follows. First, *Supporters* included two groups of comments. One group backed Bo as an exemplar of Maoist ideals, using his position in Chongqing to fight for ordinary people’s interests. The second group, while not necessarily Maoist or leftist, believed that Bo was an honest official who made sincere efforts to fight corruption. Although these two groups represented different ideological backgrounds and were originally coded separately, for simplicity’s sake I ended up subsuming both into the same category.

Second, *Questioners* were a broad group that included individuals with all manner of queries about the nature of the scandal. While some commenters merely wanted to know what was going on, others took a more aggressive approach and insinuated that Bo was guilty, and demanded further information. This category evolved between Phases I and III as additional information about Bo’s and Gu’s misdeeds became public. At each stage, however, comments in this category were characterized by posters’ desire to learn the facts, and in many cases to analyze them in depth. I excluded posts where I felt that commenters’ factual questioning or analysis went beyond a focus on Bo, and spilled over into broader criticism or cynicism about the political system or its leaders.

Before going further, the source of comments in the *Questioners* category deserves further scrutiny. Were these comments genuinely bottom-up from bloggers not associated with the state, or were at least some comments manufactured by the so-called “Fifty-Cent Party”? Rongbin Han describes what he calls the “Fifty-Cent Army” as mainly intended to promote pro-government discourse.⁹ King, Pan and Roberts similarly find that the purpose of fifty-cent commentary is “strategic distraction, not engaged argument.”¹⁰ In other words, both articles argue that Fifty-Cent commentary could serve as an alternative to censorship by making pro-government discourse so dominant in social media that other voices are pushed aside without actually having to delete them. Could such an argument apply to the *Questioners* category despite such comments not obviously cheerleading for the Party? And what about the other two categories? Although this chapter is focused on the state’s censorship response and not on separating out “Fifty-Cent” posts from organic ones, I do consider these possibilities in the conclusion.

Third, *Critics* included a range of different comments. Posts that might have otherwise been counted as *Questioners* but whose comments I judged to have expressed cynicism

toward the system or its leaders ended up in this category. More blatant were posts that lamented leaders' takedown of Bo as just business as usual in the hard-scrabble world of Chinese politics, hinting that Bo was merely on the losing end of a factional struggle in which allegations of wrongdoing or corruption were merely a weapon; or, even worse, that top leaders had gone after Bo to deflect attention from their own corrupt tendencies and poor governance practices. Even more provocative were posts that outright attacked the Party-state as rotten to the core, or that issued clear calls for systemic reforms like judicial independence or constitutionalism. I originally coded the latter two instances as separate categories, and subsumed them under the broader rubric of *Critics* as a practical matter only because these other categories had too few posts to reliably estimate their proportions, or for use in computer-assisted analysis.

Finally, I coded two “residual” categories that did not fall under one of the above three sentiments. *News* consisted of all instances in which a blogger (or news organization with a Weibo account) merely reposted what was clearly professional journalist or opinion content. This included both official and commercial media, as well as online news portals like Netease and Tencent. A major exception were posts that contained a news “re-tweet” but also included some original content that fit into one of the other three categories, in which case I assigned the post to that category (if the post had news plus a comment that did not obviously belong to another category, I left it as part of *News*).

I then coded all other posts not assigned to one of the other four categories as *Other*.¹¹ The most common potentially theoretically relevant sentiment that ended up on *Other* was what I termed “mainstream” criticism of Bo – i.e. posts focusing on Bo’s bad behavior but without any hint of doubt, questioning, skepticism or a broader anti-system critique. I had initially expected such posts to be frequent, and during initial coding treated them as a distinct category. However, to my surprise as coding progressed, I found such posts to be infrequent enough so as to make a *Mainstream* category un-analyzable statistically. Realizing this, I went back to the posts I had coded as *Mainstream* and reassigned all of them to other categories as appropriate, with the majority ending up in *Other*.

This exercise had two goals: to directly estimate the category proportions, and to produce “training data” posts for input into ReadMe, in order to estimate the longer time series. First, I wished to estimate the proportion of posts during the peak moments within each broader phase (I–III). Doing so provided a summary statistic into which sentiment(s) predominated during key junctures throughout the year, and each corresponded to a news event. Phase I had its peak around 8–12 February. Accordingly, I manually coded a random sample of 250 posts drawn evenly from across these five days into the sentiment categories. Next, Phase II had two separate peaks: 14–16 March and 11 April. Even though I lumped these two periods into a single phase as the two news events were related (Bo’s removal as Chongqing Party chief, and the continuation of his downfall via the accusations against Gu), it was important to code each peak separately in order to characterize the phase overall. I thus drew and coded two separate samples of 250 posts each, one from 14–16 March and the other from 11 April. Last, Phase III had a single peak on 28–29 September, and, as with the other peaks, I drew a total of 250 posts from these two dates. Thus, altogether my sample consisted of 1,000 posts taken from four different date ranges, a size I judged sufficient for reasonably precise, directly estimated category proportions for each peak, and for use in ReadMe.¹²

The other data component I extracted from WeiboScope was the count of censored posts (out of all posts relevant to the Bo scandal) for each date in the sample time frame. After determining topic-relevant posts according to the keywords above, I relied on WeiboScope's own built-in measure of censorship. To measure censorship, the dataset authors repeatedly returned to the same user timelines in their sample, downloading each one every 24 hours. This allowed them to create a measure of whether a post that had appeared during a previous download was later found missing, in which case the authors' program automatically marked that post as censored.¹³ Since each post in the data has an corresponding time stamp from when it was first collected, once I had the data it was straightforward to simply sum up the number of posts found "missing" for each date, which I assumed was due to censorship.¹⁴ I then divided this number by the total number of relevant posts per day as a crude estimate of censorship. However, due to the data collection procedure being slower than censors' ability to remove posts, some fraction of censored posts were "missing," thus biasing this estimate. The Online Appendix attempts to address this via a mathematical correction.¹⁵

RESULTS

I begin by reporting the directly estimated sentiment proportions, ReadMe-generated time series and level of censorship for each phase. Table 24.1 reports estimated mean proportions and the censorship rate.

Several trends stand out. The proportion for *Supporters* declines across time periods. *Questioners* varies across peaks, a result I suspect is due to this category being the most news-driven: the first peak (Wang's flight) and the third one (the announcement of investigation into Bo and into Gu Kailai) were in many ways more scandalous and shocking than the other two. A similar trend obtains with *Critics*. *News*, on the other hand, prevails during the less-volatile news events of 14–16 March and 28–29 September; of note, the presence of more news coverage and less independent commentary is positively related to the censorship rate.

These summary statistics are able to provide a rough topical breakdown of online discussion during different periods. For example, a *Critics* proportion of 19–20 percent, while not high, is fairly robust for similar political incidents on the Chinese Web, especially given the sensitivity of the Bo case; and *Supporters* dwindles to near zero by the end of the year, as might be expected given the trajectory of Bo's downfall. However, to get more

Table 24.1 Estimated category proportions, censorship rate and average posts

Measure (%)	8–12 Feb	14–16 Mar	11 Apr	28–29 Sep
Supporters	10	10	05	03
Questioners	21	09	26	09
Critics	19	15	20	16
News	25	52	34	56
Other	24	14	15	16
Censorship rate	23	52	40	69
Daily avg. posts	3,251	2,327	2,385	1,175

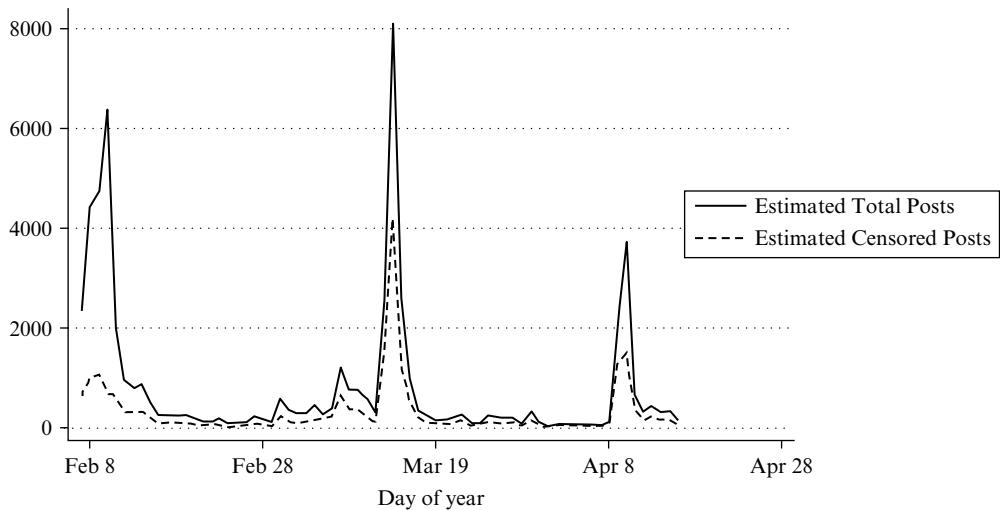


Figure 24.1 Total and censored posts for Phases I-II

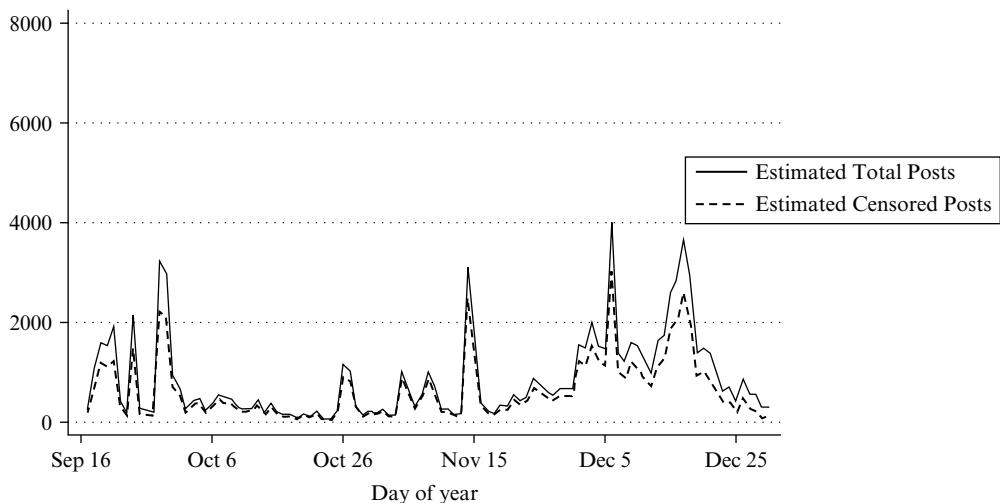


Figure 24.2 Total and censored posts for Phase III

leverage on these trends, time-series graphs are useful. Figure 24.1 shows estimated total and censored posts for Phases I-II.¹⁶

The graph identifies the middle of Phase II (14–16 March) as the year's highest peak, but with relatively high censorship. In contrast, the initial surge around 8–12 February (Phase I) had fewer posts but very low censorship by the standards of Weibo incidents. Finally, the peak on 11 April was lower, briefer and in the middle in terms of censorship. I now turn to Figure 24.2, which estimates total and censored posts for Phase III.

Three observations are immediately evident from the graph: censorship is higher, post peaks are lower, and overall volatility is higher with more peaks. While the censorship rate still varies, it is clearly above 50 percent of total posts for most of the phase. Along with this, post peaks are lower – this may be due both to an absence of major scandalous news (itself possibly due to controls on media reporting), and to higher censorship. Finally, volatility is higher. While I have no prior explanation for why this should be the case, it may be due to repeated and persistent state interventions into Bo-related discussion as well as the coincidence of the 18th Party Congress in November.

The table and graphs directly support the chapter's two claims about the characteristics of microblog-based protest. General curiosity about “the facts” of the Bo scandal on Weibo (the *Questioners* category) directly correlates with moments in which major news events took place. Indeed, the linkage between news events and this category is stronger than it is for the other two, more polarized categories. This suggests a blogger-journalist synergy in which news information about a breaking online event drives blogger curiosity about what is occurring, but itself does not directly drive the voicing of “valence” positions (although it may open space for them). Second, the Chinese state’s censorship response is clearly not monolithic across episodes/phases, or even within each phase, potentially suggesting a more multi-faceted logic for censorship than advanced in extant literature to date.¹⁷

Fluctuations in Sentiment Categories

Next, I turn to examining fluctuations in the sentiment category time series throughout Phases I–III. Figure 24.3 shows each category alongside the censorship rate in Phases I–II.¹⁸

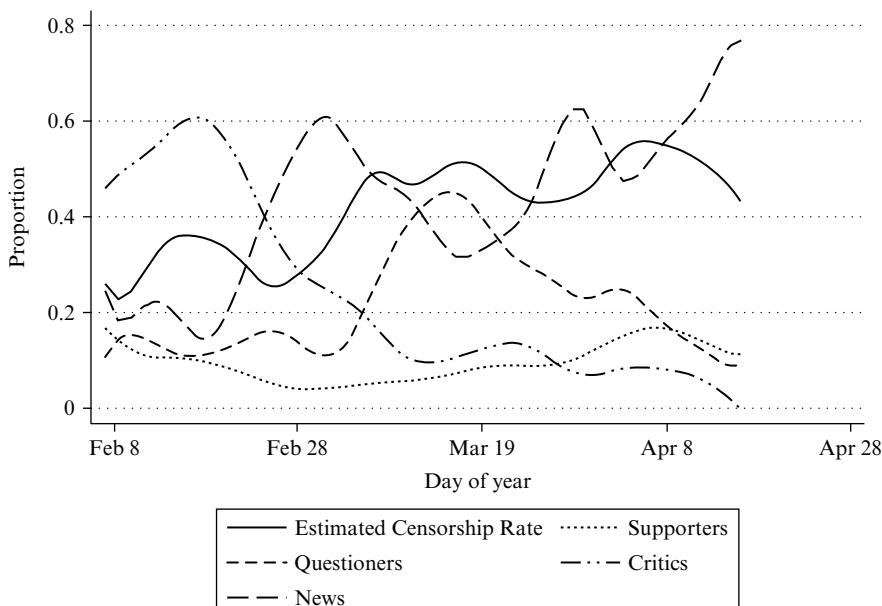


Figure 24.3 Sentiment category proportions for Phases I–II

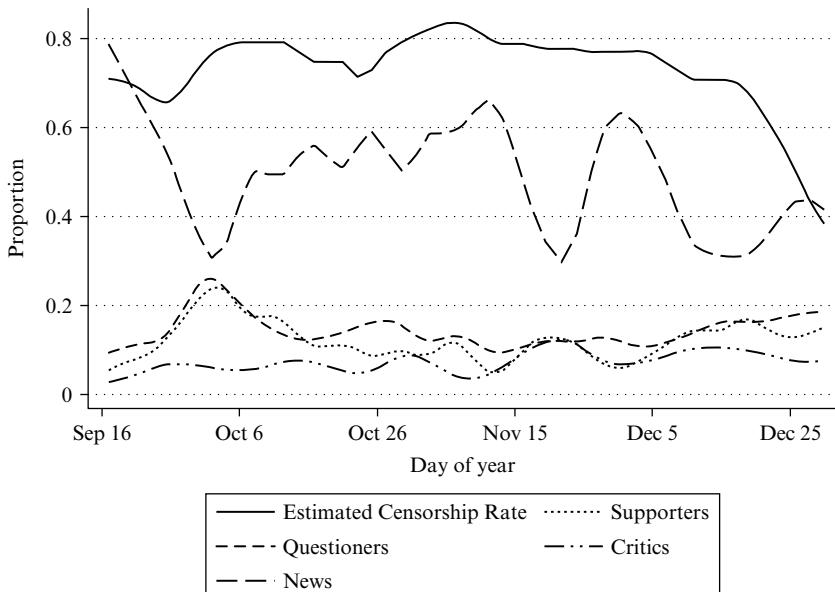


Figure 24.4 Sentiment category proportions for Phase III

This graph's most notable aspect is the overall upward or downward trends of each series.¹⁹ Censorship rises throughout, peaking near 60 percent. Its increase is mirrored in reverse by *Critics*, who peak early on during Phase I and then decline sharply. *Supporters* remain fairly low throughout but peaks in April during Phase II – the time when Bo came under the most sustained attack. Finally, *Questioners* peak around 14–16 March, a pivotal moment in which top leaders took action against Bo for the first time in removing him as Chongqing Secretary. Next, Figure 24.4 shows the trends in Phase III.

Censorship is consistently higher than in Phases I–II, at least until the very end of the year. Meanwhile, *News*, while fluctuating, generally takes up a much larger proportion of content than previously. *Questioners* and *Supporters* are held to low levels and *Critics* are especially suppressed, at around 10 percent of total content or less. Overall, Figure 24.4 is consistent with much higher censorship and overall tighter control (as evidenced by the substitution of blogger opinions for news content, much of it from state outlets) compared with the previous two phases.

Taken together, Figures 24.3 and 24.4 are broadly consistent with the chapter's claims. In early February, an initial bump in news content precedes a sharp rise in *Critics*. The point is not that surges in scandal news on Weibo always simultaneously accompany (or immediately precede) spikes in blogger curiosity, only that the former is a precondition for and influences the latter, often with a brief lag. Weibo is not a space where bottom-up “citizen journalism” is widespread. To be sure, there have been exceptions, such as the aftermath of a 2011 train collision in Wenzhou when citizens posted images of engineers at the crash site burying parts of the wreckage in pits, in what appeared as a cover-up.²⁰ But in general, news outlet coverage is how netizens become informed of an incident, and provides an official narrative against which they can react. Second, Figures 24.3 and

24.4 show the censorship rate paralleling different categories at different times. In Phases I–II (8 February–17 April) it closely parallels *Critics* early on while increasing alongside *Questioners* in mid-March. In Phase III, it accompanies the rise in both *Questioners* and *Supporters* in late September.

The concurrent movement of the censorship rate with different sentiment categories at different times suggests that officials' incentives regarding how to censor the Bo scandal cannot be accounted for with a monolithic logic such as concerns about potential collective action. While higher censorship of *Critics* in early February is intuitive – such individuals might be viewed as attempting to use the Bo case to coordinate broad anti-regime messages – why increase censorship in response to *Supporters* and *Questioners* in September? And why does the censorship rate sometimes appear to follow surges in news commentary, and sometimes not? In the conclusion, I address these questions and also revisit the chapter's three claims in light of the evidence.

CONCLUSION

In conclusion, the pattern of sentiment category and censorship rate variation across the three phases highlights the unique interplay between news media, microbloggers and the Chinese state during a contentious scandal that revealed CCP weakness and called its legitimacy as a “clean” governing party into question. Contrary to the idea that the Internet has empowered “citizen journalists” to challenge the state, the Bo case on Weibo shows how indispensable traditional media continue to be as precondition for online protests. The specific news event that triggered the initial wave of online commentary in early February followed Wang Lijun’s departure from the US consulate in Chengdu and subsequent removal to Beijing for questioning by China’s Vice-Minister of State Security, Qiu Jin. Rather than admit that Wang had been taken to Beijing, the Chongqing Municipal Government issued a statement saying Wang was receiving “vacation-style medical treatment” (*xiujia shi zhiliao*).²¹ As is characteristic of the raucous Chinese Web, bloggers immediately began mocking the statement. What was striking in this instance, however, was how many of them immediately assumed a connection between Wang’s disappearance and Bo Xilai’s own behavior. Such posts mostly ended up in the *Critics* category.

A second illustration of the role of news in shaping Weibo activity comes from Phase III, where news dominates the majority of total posts following a late September peak in the other sentiment categories. While, as exemplified above, news can prompt increased bottom-up comments, it can also displace them, especially when combined with censorship. Beginning in early October, the censorship rate reaches its peak for the year (around 80 percent), while the sentiment categories comprise less than 20 percent of total posts. Upon examination of the posts, I found that much of this news consisted of Bo-related reports from state media sources. The abundance of state media and suppression of a wider range of online commentary than usual is not surprising, given that the 18th Party Congress began in November. However, it does show the Chinese state’s ability, even prior to more recent media and microblog tightening under Xi Jinping, to flood social media with official news as a complementary narrative-shifting technique to censorship.

In addition, mutual variation in the censorship rate and various sentiment categories reveals a complex pattern that suggests that multiple factors may influence when, what

and how much the Chinese state orders Internet companies to delete blogger comments. In other work I develop a theoretical framework that conceptualizes key influences on CCP censorship of microblogs.²² Two such factors, which I term *responsiveness benefit* and *visible censorship cost*, are especially relevant to the Bo case. Both concepts should be thought of as reflecting the incentives that state leaders face in deciding whether and how much to censor across a variety of cases, not as forming a causal model of censorship in any given case. First, *responsiveness benefit* is the notion that leaders sometimes temporarily relax censorship, even on sensitive topics with some risk of fomenting opposition against the state, when they wish to show the public their resolve to take action on some issue. The idea is that by allowing public discussion to take place even at some risk to the Party-state, leaders show how seriously they take public discontent about the problem.

This would explain the relatively low censorship in early February, which persisted through a several-day surge in post volume and coincided with speculation that central leaders – or at least some dominant faction in Beijing – were using the relatively open criticism on *Weibo* to tarnish Bo’s reputation, making him easier to remove later. One individual I interviewed who worked at a high level within the Shanghai municipal propaganda system affirmed that the purpose of allowing such raucous speculation was to “ruin” or “smear” (*gao chou*) Bo.²³ Another prominent blogger also supported this theory, claiming that after authorities detained Wang subsequent to him leaving the US consulate, they allowed him to send a text message from his phone to journalists – in other words, to leak information that would eventually lead to tarnishing Bo’s reputation.²⁴

The other factor, *visible censorship cost*, captures the possibility that during highly visible incidents or scandals, overly aggressive online censorship by authorities can backfire as netizens interpret the sudden restrictions as evidence of a cover-up. Recent research suggests that rather than discouraging bloggers from seeking information about some event, highly conspicuous censorship actually motivates them further to find out what authorities are hiding.²⁵ This helps explain the increasing censorship trend from February to September, as censorship’s conspicuousness is a function not only of how many online citizens know about an event, but also how surprising or noteworthy they consider it; for example, a violent confrontation between ethnic separatists in Xinjiang and security forces might gain the attention of some Chinese outside the region if a ban on media reporting was not completely effective, but subsequent rapid censorship of all related commentary would not be surprising to most citizens. In the Bo case, microblogger attention to Wang Lijun’s flight and Bo’s subsequent fate would likely be greater during the scandal’s early weeks as the outcome and a host of related facts were still publicly unknown. Later on, however, the public knowledge that Bo’s career (and time as Party member) was likely over allowed the scandal to gradually peter out. Of course, this lesser focus was not independent of the authorities’ own efforts to wind down the scandal through public opinion guidance and censorship – *visible censorship cost* is not usually completely exogenous from authorities’ control. That said, at any given time point, both online citizen awareness of a scandal and how conspicuous they consider it to be shape the state’s cost–benefit calculation in weighing the effect of censoring on what inference the public will draw.

What about recent arguments that state control of social media is primarily focused on preventing collective action?²⁶ Examples of collective action events that have triggered rapid censorship include nationalist protests, unrest in Xinjiang and the activities of high-profile dissidents like Ai Weiwei. The Bo case provides an interesting counterpoint

to these examples – it was a highly sensitive issue, but no “on the ground” protests related to Bo’s downfall occurred, or were even attempted. An examination of the pattern of censorship across the three sentiment categories and three phases suggests that collective action potential is not a suitable explanation for this case. In general, censorship across all sentiment categories trends from looser to more stringent as one moves from Phase I to Phase III. The increasing share of news in Phase III as compared with I and II further reinforces the idea that, as the year progressed and the Bo scandal unfolded, state censors became ever less willing to countenance organic speech on Weibo, instead allowing only the reposting of news and non-provocative commentary.

This broad trend is not surprising given the high degree of political sensitivity leaders attribute to discussion of other elites’ alleged misdeeds. Yet, even within overall tight control, the three categories diverged, with *Critics* being censored the most, *Questioners* less and *Supporters* varying across phases. The fact that *Critics* occurred alongside increased censorship suggests, *pace* King, Pan and Roberts’ work, that some sensitive topics are almost always censored even if they do not directly relate to collective action. While King, Pan and Roberts may be right in that “ordinary” criticism is usually not censored, the sort of cynical and skeptical complaining that comprised much of the *Critics* category in this chapter is a clear exception: mere “complaining,” even when not an explicit call to arms against the state, may still not be allowed when it concerns embarrassing information about top elites themselves.

Another crucial result is that *Questioners* not only were not censored, but also were associated with lower censorship in Phase I. While *Questioners* at first might appear to be a less sensitive category than the other two, in reality mere factual information about some event is often what propels collective action, as citizens generate common knowledge – they know that each other knows about some revelation, for example Bo’s involvement in Neil Heywood’s death.²⁷ To be clear, shared information *per se* is not always sensitive; but in the case of elite-level official malfeasance we would expect any related information to be censored because “the government censors *all* posts in topics areas during volume bursts that discuss events with collective action potential. That is, the censors do not judge whether individual posts have collective action potential.”²⁸ In other words, King, Pan and Roberts have a binary conception of “sensitive” versus non-sensitive topics – the former have collective action potential while the latter do not. The Bo case, in contrast, recognizes the existence of competing incentives within any given issue, of which collective action is but one factor (albeit an important one).

As an alternative explanation, *Questioners* correlating with reduced censorship early on could be attributed to mere inaction on censors’ part: in this account, Weibo attention to Wang Lijun’s flight and connections to Bo caused a spike in posts while censors simply maintained their typical procedures of censoring only the obviously most extreme comments and did not crack down on the new posts – thus leading to a reduced overall censorship rate. This account would further maintain that censors did not adjust to the post surge because they had received no order(s) to do so, either due to top officials in Beijing simply being caught off-guard, or to genuine divisions about how to respond. While this explanation might be valid for a day, or perhaps at most a few days after Wang’s flight, it cannot explain the persistence of lowered censorship in response to *Questioners* across the approximately 30 days of Phase I, given what we know about the normally swift reaction times of the censors.

Finally, another alternative explanation for reduced censorship in the *Questioners* category is that such comments were created by state-backed Fifty-Cent members.²⁹ Although this study did not involve an effort to separate Fifty-Cent posts from organic ones, it is worth noting that many comments I assigned to *Questioners* showed a skeptical tone about Bo's (and, early on, Wang Lijun's) fate, while others emphasized the case as a matter of rule of law and disciplining Party cadres – both major CCP initiatives. While both sub-categories contained many posts that called for a full investigation and for justice to prevail, the latter instance contained a clear pro-Party tone consistent with Han's discussion of the Bo scandal.³⁰ However, in contrast to both Han and King, Pan and Roberts, even pro-government posts generally showed much more variety (and were less formulaic) than is typical of Fifty-Cent commentary.³¹ Thus, while there is evidence that Fifty-Cent posts were a major part of the Weibo content mix during the Bo scandal, if there were many in the WeiboScope data, they revealed perhaps a greater effort than in other cases to not appear like mere government propaganda.

BROADER IMPLICATIONS AND FUTURE RESEARCH

The above findings have implications for multiple topics: the Bo case itself; President Xi's current anti-corruption efforts; and, most broadly, how Chinese authorities may fine-tune responses to high-profile online scandals within a regime of overall tight information control. Both for the Bo case and for Xi's broader anti-corruption campaign, the observed pattern of censorship and its relation to the sentiment categories supports the notion that some degree of transparency is necessary for top leaders to obtain the support of China's largely educated, middle-income social media public in taking down particular officials. If leaders too rigidly attempt to control public discussion following a major announcement, the public may infer that the true state of affairs is worse than reported, since they think officials may be trying to hide bad news about (for instance) their own involvement in the corruption, a claim echoed by at least one recent formal model.³² Yet the leadership's motives for occasionally loosening censorship may not be limited merely to preventing a negative inference by the public, but rather more positively persuading citizens that leaders are taking decisive action to combat high-level corruption. This seems to be a priority of the Xi administration, which has staked its legitimacy on disciplining wayward officials. Periodically relaxing censorship is one tool central leaders can use in persuading a skeptical public to trust their ability to carry out anti-corruption efforts.

Finally, future research is needed as to the findings' generalizability both within China and in similar authoritarian states that tightly restrict online media. It may be that the Bo case cannot be separated from its broader context in 2012 that affected the CCP leadership – namely the 18th Party Congress and leadership transition and the Party's overall vulnerability after decades of breakneck economic growth, environmental degradation, social ills and corruption. However, the subsequent investigation, expulsion from the CCP and trial of former Politburo Standing Committee member Zhou Yongkang – the highest-ranking official to be removed from power since 1989 – instead supports the interpretation that Bo's case was not at all unique but a prototype for later takedowns of top officials. After the investigation against Zhou was made public on 29 July 2014, commenters on Weibo were observed to have considerable (temporary) freedom to criticize

not only him, but also the system as a whole.³³ While in this instance such openness was very short-lived and censorship quickly resumed, the fact that it occurred at all during an era of heightened media repression (under Xi) supports this chapter's claims.

NOTES

1. Guobin Yang, *The Power of the Internet in China: Citizen Activism Online* (New York: Columbia University Press, 2009); Guobin Yang, "Contesting Food Safety in the Chinese Media: Between Hegemony and Counter-Hegemony," *The China Quarterly* 214 (2013): 337–55.
2. Gary King, Jennifer Pan and Margaret Roberts, "Reverse-Engineering Censorship in China: Randomized Experimentation and Participant Observation," *Science* 345, no. 6199 (2014): 1–10; Gary King, Jennifer Pan and Margaret Roberts, "How Censorship in China Allows Government Criticism but Silences Collective Expression," *American Political Science Review* 107, no. 2 (2013): 326–43.
3. Elizabeth Plantan and Christopher Cairns, "Why the Chinese Government Sometimes Relaxes Social Media Censorship: Signaling Responsiveness, Avoiding Vulnerability," Working Paper, October 2017, <http://www.chrismcairns.com>; Christopher Cairns and Allen Carlson, "Real-World Islands in a Social Media Sea: Nationalism and Censorship on Weibo during the 2012 Diaoyu/Senkaku Crisis," *The China Quarterly* 225 (2016): 23–49.
4. The author would like to thank King-Wa Fu and Chung-Hong Chan at the University of Hong Kong's Journalism and Media Studies Centre for their ongoing work in collecting and maintaining the WeiboScope data. Their associated paper – King-Wa Fu, Chung-Hong Chan and Michael Chau, "Assessing Censorship on Microblogs in China: Discriminatory Keyword Analysis and the Real-Name Registration Policy," *IEEE Internet Computing* 17, no. 3 (2013): 42–50 – describes their methodology in greater detail. Their data from the year 2012 are freely available for download at <https://hub.hku.hk/cris/dataset/dataset107483>.
5. Daniel Hopkins and Gary King, "A Method of Automated Nonparametric Content Analysis for Social Science," *American Journal of Political Science* 54, no. 1 (2010): 229–47.
6. I set Phase III's starting date to 17 September instead of 28 September because discussion about Bo's ultimate fate was already beginning to surge by the former date after a months-long lull, marking a new phase in public attention to the issue.
7. Oddly, state media reports about Gu Kailai's involvement in Heywood's death and Bo's connection referred to her surname as "Bo-Gu," a manner in which she had never been publicly addressed before. In mainland China after 1949, women have generally used their own family name rather than their husband's in public; before this, it was customary in some instances to add the husband's surname, similar to the Western tradition. The communist takeover in 1949 nearly wiped out this practice, a fact remarked upon by many netizens who found it bizarre that Gu would be referred to with her husband's surname added. Many speculated that this was the news media's attempt to intertwine the two individuals' misdeeds in the public consciousness.
8. http://www.chrismcairns.com/uploads/3/0/2/2/30226899/online_appendix_to_microblog_dissent_and_censorship_during_the_2012_bo_xilai_scandal.pdf.
9. Rongbin Han, "Manufacturing Consent in Cyberspace: China's 'Fifty-Cent Army,'" *Journal of Current Chinese Affairs* 44, no. 2 (2015): 105–34.
10. Gary King, Jennifer Pan and Margaret Roberts, "How the Chinese Government Fabricates Social Media Posts for Strategic Distraction, Not Engaged Argument," *American Political Science Review* 111, no. 13 (2017): 484–501.
11. While originally I had separated out posts deemed to be topically irrelevant from relevant posts that expressed some sentiment not captured by the four categories, I ultimately chose to combine these two categorizations due to the infrequency of irrelevant posts.
12. As I discuss further in the Online Appendix, I was the sole coder for this project. Although an ideal scenario would be to have at least three coders independently assign the posts to categories and then to calculate inter-coder reliability, available time and resources precluded such an approach. However, prior to this project I already had extensive familiarity with the WeiboScope data, having done two previous related projects – Cairns and Carlson, "Real World Islands"; Plantan and Cairns, "Why the Chinese Government" – that similarly involved post coding exercises but featured teams of three coders (including me). During both projects, coders gave mutual feedback on post scoring. Although this prior experience cannot remove my individual bias, it did make me more conscious of how I might be over- or under-weighting certain features of the text when making decisions.
13. See Fu, Chan and Chau, "Assessing Censorship," for a fuller description.
14. Of course, the posts could also disappear due to users' self-censorship. While one could imagine reasons

- other than political pressure or fear why users would self-delete content, the net effect of preventing other individuals from viewing this content would be the same as if state or Sina.com censors had done the deleting.
15. http://www.chrismcairns.com/uploads/3/0/2/2/30226899/online_appendix_to_microblog_dissent_and_censorship_during_the_2012_bo_xilai_scandal.pdf.
 16. Figures 24.1 and 24.2 show not the actual count of total and censored posts I observed in the data, but rather *estimated* posts and censored posts after applying a correction formula to extrapolate the total numbers of posts/censored posts generated prior to (unobserved) Sina censorship. See the Online Appendix for details about this formula.
 17. King, Pan and Roberts, “Reverse Engineering” and “How Censorship”; Tao Zhu et al., “The Velocity of Censorship: High-Fidelity Detection of Microblog Post Deletions.” [1303.0597] Cornell University Library, 10 July 2013, arxiv.org/abs/1303.0597; Peter Lorentzen, “China’s Strategic Censorship,” *American Journal of Political Science* 58, no. 2 (2013): 402–14; Jonathan Hassid, “Safety Valve or Pressure Cooker? Blogs in Chinese Political Life,” *Journal of Communication* 62, no. 2 (2012): 212–30.
 18. To generate these time series I used ReadMe, which estimated the daily category proportions for *all* dates within each of Phases I–III (a total of 175 days), not just the narrower date ranges. I used the 1,000 hand-coded posts as “training data” and then applied the ReadMe algorithm to the entire corpus of 68,885 posts. See the Online Appendix for details.
 19. Figures 24.3 and 24.4 display polynomial-smoothed time series to increase interpretability.
 20. 高铁体风行：“我反正信了” [“High-Speed Rail Style” in Fashion: I Believe It Anyway] (in Chinese), *Yangcheng Evening News*, 28 July 2011.
 21. “Internet Buzzes on Fate of Wang Lijun,” *South China Morning Post*, 10 February 2012.
 22. Cairns, *China’s Weibo Experiment*, Ch. 2.
 23. Interview by author, Shanghai, 13 December 2014. While this individual was not directly involved in an agency with direct Internet oversight, his view provides a relative insider perspective on CCP media official thinking about what was unfolding during the scandal’s early weeks.
 24. “China’s Social Media Reacts over Growing Political Scandal,” PRI’s *The World*, 11 April 2012.
 25. Margaret Roberts, “Experiencing Censorship Emboldens Internet Users and Decreases Government Support in China” Working Paper (2015), <http://margaretroberts.net/wp-content/uploads/2015/07/fear.pdf>.
 26. King, Pan and Roberts, “Reverse Engineering” and “How Censorship.”
 27. Timur Kurian, “Sparks and Prairie Fires: A Theory of Unanticipated Political Revolution,” *Public Choice*, 61, no. 1 (1989): 41–74; Susanne Lohmann, “Collective Action Cascades: An Informational Rationale for the Power in Numbers,” *Journal of Economic Surveys*, 14, no. 5 (2000): 655–84.
 28. King, Pan and Roberts, “Reverse Engineering,” 7.
 29. The *Supporters*, and *Critics* categories were unlikely to have contained many Fifty-Cent posts because both categories represented an explicit challenge to the state – one from the neo-Maoist left and the other from regime critics or advocates of greater liberalization.
 30. Han, “Manufacturing Consent.”
 31. King, Pan and Roberts, “How the Chinese.”
 32. Medhi Shadmehr and Dan Bernhardt, “State Censorship,” *American Economic Journal: Microeconomics* 7, no. 2 (2015): 280–307.
 33. “Fall of Zhou Yongkang Lights Up China’s Internet,” *Wall Street Journal*, 29 July 2014.

PART 9

HONG KONG

25. Hong Kong's struggle to define its political future

Suzanne Pepper

Looking back, it is difficult to identify the point in time when ordinary activism and adversarial politicking evolved into the massive defiant protests that Hong Kong has staged repeatedly in recent years. The same political aspirations have progressed through several stages. In the “beginning” some, especially among the younger generation, welcomed the prospect of an end to British rule and looked forward to the challenge of creating an autonomous enclave within the Chinese state. It was the early 1980s, soon after Hong Kong learned about Beijing’s determination to resume sovereignty over the British colony come 1997. That was the expiration date on an old lease that had added a substantial hinterland, known as the New Territories, to the original Hong Kong Island acquisition.

To quiet fears, Beijing made many promises. Chief among them were promises about political rights and freedoms. Hong Kong’s democracy movement has been shaped ever since by the challenge those rights and freedoms represent. Beijing ultimately promised that all would be accommodated, with an extra bonus: universal suffrage would also be allowed to a degree never permitted under colonial rule.

Hong Kong had been the British Empire’s special exception, the only colony never allowed some form of directly elected representation in government. This was despite demands that extended back to the colony’s earliest days for elected representation in Hong Kong’s appointed colonial legislature. The last such agitation had occurred in the 1960s, and actually seemed set to succeed until the 1967 leftist riots gave London and official Hong Kong the excuse they needed to shelve the idea, yet again. It was then revived by the colonial administration on a better-late-than-never basis in the 1980s as part of the preparatory reforms designed to pressure Beijing to keep its promises.

These were written first as a declaration of intent in the 1984 Sino-British Joint Declaration on the Question of Hong Kong. This was a joint enterprise and produced the formal document whereby Britain agreed to return all of Hong Kong to Chinese rule in 1997. The promises were then elaborated under Beijing’s sole authority, to Beijing’s specifications, by a Beijing-appointed Drafting Committee. Its 59 members included 36 mainland officials and legal authorities, and 23 Hong Kongers. The latter were dominated by conservative business people, with only two pro-democracy partisans who resigned before the draft was finalized. The result was a Basic Law intended to serve as Hong Kong’s post-1997 constitution. Drafting was done in the late 1980s. The law was promulgated in April 1990.

Among the Basic Law’s high points that would sustain Hong Kong hopes for the next quarter century were: Article 12, promising Hong Kong a “high degree of autonomy”; Articles 25 through 41 on fundamental rights and freedoms; Article 45 promising the “ultimate aim” of selecting Chief Executives by universal suffrage; Article 68 that says the “ultimate aim is the election of all the members of the Legislative Council by universal suffrage”; Article 85, guaranteeing that Hong Kong courts “shall exercise judicial power

independently”; and Article 137 that says “educational institutions of all kinds may retain their autonomy and enjoy academic freedom.”

Chinese negotiators and officials were nevertheless unwilling to leave all these promises open-ended, much less guarantee that they would be retained in perpetuity. In fact, all the promises came with a time limit. According to the Basic Law, Article 5, “The socialist system and policies shall not be practised in the Hong Kong Special Administrative Region, and the previous capitalist system and way of life shall remain unchanged for 50 years.”

Beijing’s “one country, two systems” tagline signified one country with two political systems, identified only as socialist and capitalist, not dictatorship and democracy. To date, with 20 years having passed since 1997, there is still no explanation of the crucial Article 5 promise or all that Beijing drafters might have meant by capitalist and socialist systems. The 19th Chinese Communist Party (CCP) Congress in October 2017 marks Beijing’s first official statement toward that end.

Hence one conclusion about Hong Kong dissent, which might be introduced at the start, derives from having seen how the one country, two systems experiment has progressed through a series of controversies. These have erupted along the two-systems fault line as Beijing’s various promises were first made, then negotiated, written into the Basic Law, and finally as they are coming due for implementation.

It follows that the most plausible explanation for Hong Kong’s growing political discontent is the gradual realization that, when all those articles were written into the Basic Law, Beijing and Hong Kong were actually speaking two different political languages about two different ways of political life. For example, “universal suffrage” meant one thing in mainland Chinese practice, and something else again in the Western democratic tradition that Hong Kong reformers aspired to join.

Tensions have grown gradually along with realization of the disconnect between Beijing’s original pre-1997 Basic Law promises and the reality of post-1997 implementation. But that realization did not become widespread in Hong Kong until 2014—as debate over Articles 45 and 68 on universal suffrage elections erupted into the 79-day occupation of major city thoroughfares.

PROLOGUE: THE TRANSITION

For their part, Beijing officials initially seemed to think the disconnect did not matter. They could proceed on the assumption that saying one thing while meaning another didn’t matter because Hong Kong was not a “political city,” or so they argued at the time. They could proceed on that assumption because during the pre-1997 preparations, they relied largely on friendly forces to create the building blocks of a post-1997 government designed to Beijing’s Basic Law specifications.

Allies included: the pro-Beijing patriotic minority that had mostly been left to its own devices by the British administration; conservative colonial elites who transferred their loyalty from London to Beijing once satisfied their interests would continue to be preserved; and especially business leaders because, then as now and always, Hong Kong existed by reason of its cross-border economic life. Then as now Hong Kong’s big-business leaders also share Beijing’s disdain for popularly elected representative democracy.

There were several key dates and many lesser ones along the way as what were called liberal pro-democracy activists before 1997 evolved into pan-democrats and the dissenting “opposition” that pro-Beijing loyalists routinely revile today. A first taste of the disappointments that would produce this transformation occurred in the mid-1980s while the Basic Law was being drafted. In the forefront of the liberal lobby were lawyer Martin Lee Chu-ming, then its most articulate voice, and education activist-organizer Szeto Wah. They were then arguing that the only true guarantee of autonomy is a strong local government. Without it Beijing would likely intervene to ensure stability. The strongest form of government, they said, is one rooted in the people governed and based on direct popular participation.

There is a specific date associated with this argument: 16 September 1984, when “for the first time ever in Hong Kong history” over 1,000 people from 89 different groups joined in calling for direct universal suffrage elections to Hong Kong’s Legislative Council. Actually, this was not the first such gathering, but it was the first organized and led solely by Hong Kong Chinese. The 1960s’ agitation had featured a mix of British and Chinese reform advocates. In 1984, the setting was a small urban park that would become a nostalgic reminder for the goals of that first Ko Shan Theatre rally calling for universal suffrage.¹

That demand had anticipated a British proposal to introduce what was delicately described as an “elected element” into the council as part of their preparations for departure. Universal suffrage elections were being written into Beijing’s package of promises at this time, and the Hong Kong government began, finally, a limited reform effort. This was designed to dovetail pre-1997 preparations with post-1997 designs. The proposed date for this revolutionary change was 1988. But just-released British government documents have revealed what activists at the time had little trouble deducing: Beijing disapproved and Hong Kong’s colonial government acquiesced.² The sequence set an unfortunate precedent.

The climb-down was finessed by manipulating an early version of what has become a Hong Kong government ritual: consultation exercises whereby all members of the public are encouraged to have their say—after which the government carries on as planned beforehand. This was the same routine that provoked the 2014 upsurge of public anger.

In 1988, the official aim was to dovetail the Hong Kong government’s low-key reforms with the designs Beijing was writing into the Basic Law so as to try and ensure their post-1997 realization. The first direct universal suffrage election, for a minority of Legislative Councilors (18 among 60) was not allowed until 1991. Thus began the snail-paced progression toward the Basic Law’s Article 68 promise of a wholly elected legislature that is still nowhere in sight. Among the issues in 2014, along with Chief Executive elections, was yet another delay in progress toward the Article 68 mandate.

But the first real blow to the early optimism occurred just after the 1988 disappointment, when China’s own fitful 1980s democracy movement culminated in the 1989 occupation by protesters of Beijing’s Tiananmen Square. The Chinese government’s violent crackdown that cleared the square on June Fourth, and the subsequent persecution of protest leaders, marked the end of innocence for Hong Kong’s liberal idealists.

They and their successors commemorate that event to this day. Their annual June Fourth candlelight vigil in Victoria Park is the only commemoration allowed on Chinese soil. The vigil is still dedicated to the dead of Tiananmen Square, and the slogans that deliberately defy Beijing’s authority are renewed each year: Vindicate June Fourth; End

One-Party Dictatorship; Build a Democratic China. The organizer is still the Hong Kong Alliance for Patriotic Democratic Movements of China. Its leaders in 1989 were Martin Lee and Szeto Wah.

By 1997, however, the Soviet Union was no more; its empire had collapsed, and communism had lost its claim to historical inevitability. It was possible to discount 1989 and look forward, at least in the euphoria of the historic moment, to a time when China would be joining Hong Kong rather than the other way around. Virtually no one was pessimistic enough to predict that Beijing would be able to use the new wealth and power its communist government was harnessing from economic reform to reaffirm and strengthen the cause of political dictatorship.

Yet there remained a basic assumption within the June Fourth alliance, which then, unlike now, included virtually all the leaders of Hong Kong's democracy movement. They saw themselves as part of a larger project with national cross-border aspirations aimed at helping to build a democratic China—the only true guarantee, they argued, for a democratic Hong Kong. That larger project lies at the heart of what one of Hong Kong's most prominent loyalists, Jasper Tsang Yok-sing, identified as Beijing's "deep-seated fear" of Hong Kong's democracy movement.³

THE STORY BEGINS

Despite the pre-1997 euphoria, Hong Kong's democracy movement sank into a state of near oblivion for most of the first five years after 1997. Revival did not begin until 2002. The momentum that had built up during the 1990s ended abruptly after Beijing refused to accept some late-stage changes that London had unilaterally introduced into the Basic Law's designs.

These innovations came during the 1992–97 tenure of Christopher Patten, Hong Kong's last British governor. In the wake of the communist world's collapse, London belatedly decided it should have done more to prepare Hong Kong for what might be a new democratic dawn.

The 1997 break needn't have had so demoralizing an effect. But it did, under the combined impact of Asia's financial crisis and Hong Kong's new political order. Suddenly, liberal politicians were no longer Patten's favored few. They were on their own, and it was a lonely place to be. Except for the colonial-era reforms that only began in the 1980s after Beijing's 1997 intentions were known, Hong Kong was without the precedents or experience that might have helped the democracy movement find its footing and proceed more confidently. Hong Kong was also without the tradition that Beijing might have felt more inclined to respect.

Liberals, as they were still being called, were immediately recast as the new administration's opponents. Bad enough that they were kept at arm's length and beyond by the new administration Beijing had installed. They found themselves mocked even by friends and sympathizers as "one-trick political ponies" for their lack of economic expertise at a time when those skills were in greatest need.

The Democratic Party, founded by Martin Lee and Szeto Wah in the early 1990s when hopes were rising, began to fracture. Its Young Turks, as they were called, rebelled in frustration as the Party tried to find the right balance between opposition

and accommodation. They all called it “birdcage democracy,” but some were more willing to accommodate than others. Before long the Party was losing members in both directions—those who felt it was growing too moderate and those who concluded it was not moderate enough.

Young Turks damned the Legislative Council as a powerless debating society. Better return to the streets, they said, where we can at least have our say without deference to the new powers that be and the needs of professional politicians searching for votes in Hong Kong’s partially elected councils. There, previously unknown conservatives and pro-Beijing loyalists began winning seats that pro-democracy advocates seem to have assumed would always be theirs for the taking.

They had swept the field in 1991 when a portion of the Legislative Council’s seats—18 of 60—were finally opened up to universal suffrage election. The others were filled in the old way by appointment, and also by a new corporatist arrangement for various occupational sectors. These were the mostly conservative Functional Constituencies (FCs). The proportion then was 18 directly elected seats, 21 FCs, and 21 appointees.

A series of elections had followed after 1991, as Patten’s reforms were briefly done and then undone by the new Beijing-installed administration. Beijing’s choice for Hong Kong’s first post-1997 Chief Executive was conservative shipping magnate Tung Chee-hwa, who set about dismantling his predecessor’s innovations down to the last detail.

The final surge of 1990s’ enthusiasm was registered in a 1998 Legislative Council election called by the new Tung administration to expunge Patten’s improvisations and establish the new Basic Law designs. Turnout set a record. At 53 percent of all registered voters, it was the highest yet achieved by Hong Kong’s novice electorate. Voters turned out during a day of drenching rain, intent on returning their pro-democracy legislators that the Tung administration was doing its best to discredit and defeat.

By the time his revamp was complete, however, the colonial-era Urban and Regional Councils, responsible for amenities in town and suburbs, were gone. So were Hong Kong’s 18 District Boards that had been introduced as part of the better-late-than-never colonial reforms of the 1980s and 1990s. The boards carried on under a new name, rechristened District Councils, with a mix of appointed and elected members.

Patten had abolished the appointed board members. Tung’s councils restored them. They were not entirely phased out until 2015, and no pro-democracy sympathizer was ever among the appointees. Pan-democrats nevertheless did themselves no favors at the district level. They like to claim they cannot compete with their well-funded adversaries, but funding is not their only problem. Fractious radical versus moderate pro-democracy politicking, and even radical on radical, have taken its toll as well. As a result, they have now been relegated to what looks like permanent minority status. Their downward slide at this neighborhood level began with the 1999 District Councils election and was complete by 2011. At the time of this writing, Beijing loyalists and their conservative allies dominate all 18 District Councils in terms of majorities, chairmanships, and influence.

As for the Legislative Council itself, Beijing’s Basic Law (Annex II) designs came into their own following Tung Chee-hwa’s renovations. All of Patten’s electoral tinkering were abolished. Initially, the balance was 20:40 between directly and indirectly elected members in a 60-seat chamber. Not content to rely on that division alone (plus an internal two-house voting division, and strictly limited legislative powers), proportional representation was introduced for the directly elected seats.

The aim was to prevent pro-democracy candidates from winning more than about one-third of the council's seats. These have now been increased to 70, and the balance between directly and indirectly elected stands at 40:30. Yet pan-democrats have been unable to move much beyond their one-third minority status that the Basic Law and post-1997 administrations have conspired to achieve—this despite routinely winning as a combined total close to 60 percent of the popular vote for the directly elected seats.

In contrast, their pro-Beijing and pro-establishment conservative competitors began with next to nothing in that first 1991 election. It was the pro-Beijing patriotic community's first real foray into the world of mainstream colonial Hong Kong where no one anticipated pro-Beijing loyalists might grow into the formidable campaign machine they have become today. Their lead organization is the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB). It was founded about the same time as the Democratic Party, in the early 1990s. But the DAB is a unified, disciplined, communist-style mass-based party that developed rapidly during the first 20 years of its life and exponentially thereafter. It currently claims 36,000 members and is Hong Kong's largest political organization by far. The Democratic Party and several others still have only a few hundred members each.

The DAB is also, in effect, the electoral wing of the Chinese Communist Party (CCP). Its local branch remains “underground” in Hong Kong. This adheres to the old conspiratorial tradition whereby party members do not identify themselves openly until the government is able to change from white to red, meaning until they can form a government that is unchallenged by an opposition and under their sole leadership.⁴

The DAB's main helpmate is the old Federation of Trade Unions (FTU), which dates back to the late 1940s. Today it can claim tens of thousands of affiliated unionists, by far the largest number in Hong Kong, who provide a reliable unlimited source of hands-on campaign energy.

All these loyalist forces—plus mainland-owned businesses, newspapers, bookstores, and patriotic schools—are overseen by the central government's Hong Kong Liaison Office. Its hundreds of mainland staffers make it their business to connect with likeminded community groups and opinion leaders throughout the city. When fully mobilized, as it now always is at election time, the combined DAB–FTU force with Liaison Office coordination and guidance has become a major obstacle to the success of pro-democracy candidates. The effort gives a whole new updated meaning to the classic “united front” tactics of traditional communist parties in Cold War days and before.

REVIVAL: ARTICLE 23

During those 1997–2002 years in the wilderness, democrats admitted to staging street-theatre demonstrations and photo-ops just for the back-page publicity they might generate. When Tung Chee-hwa was confirmed for a second term in 2002, a small band of hunger-strikers were among the few who bothered to mark the occasion by protesting publicly. Even though one opinion poll registered only 16 percent of respondents looking forward to a second Tung term, the opposition was too dispirited and disorganized to do more.⁵

For his part, however, Tung could report to Beijing that all his basic post-1997 institution-building tasks had been completed. The DAB and FTU were extending their outreach into every district, and popularity polling showed them reaching parity with their pro-democracy competitors. Beijing could begin to relax. Its “one country, two systems” stratagems seemed on course to succeed. Tung therefore began his second term by launching a drive to tackle the last major item on his to-do list. The Basic Law’s Article 23 stipulated that Hong Kong must pass local legislation to safeguard national security. According to Article 23:

The Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People’s Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies.

This exercise rekindled all of Hong Kong’s fears about the two-system arrangement because it was the first time since 1997 that Hong Kongers were forced to confront the mainland-style dangers they thought they had escaped. Consultation drafts were unveiled in September 2002, with three months allowed for public debate.⁶ The official “nothing to fear” mantra seemed meaningless given the range of proscription.

Most dangerous and relevant to Hong Kong’s experience were the Consultation Document’s proposals about subversion, meaning an attempt to overthrow the central government or “disestablish the basic system of the state,” as defined in the constitution, by force or other “unlawful means.” The usual accomplice acts were to be criminalized and extra-territorial application introduced as well.

Sedition meant incitement to commit treason, secession, and subversion. But an extra element of danger appeared in proposals to criminalize the production, sale, and possession of seditious publications without “reasonable” cause, such as academic research or news reporting.

Some of the roughest edges had disappeared from the revised draft issued in February 2003, but by then public debate had taken hold and alarm bells were ringing. Calls to allow a final draft for line-item Legislative Council debate were rejected. The sponsoring unit was not the Justice Department where the legislation was being drafted. Instead it was the enforcement arm of the project that led the promotion campaign; and, if there was any one reason why the public ultimately rose up in rebellion, it was the behavior of the then Secretary for Security, Regina Ip Lau Suk-yee.

Regina Ip somehow managed to combine bureaucratic arrogance with mainland-style campaign belligerence into a new combination that Hong Kong had never seen in any of its ranking civil servants. No one was exempt from her scorn, including “taxi drivers, restaurant waiters, and McDonald’s staff”—dismissed as unknowing and uncaring along with know-nothing politicians, lawyers, journalists, and students.

Another cause of public anger was SARS, or Severe Acute Respiratory Syndrome. World health authorities added insult to injury by naming it after the Hong Kong Special Administration Region. But the mysterious new strain of influenza did not originate locally. It was eventually traced across the border to Guangdong province. There national security regulations, since amended, treated epidemics as state secrets—hence the initial silence of mainland health authorities. Within weeks the disease had spread worldwide

via the Hong Kong transit point where cross-border travelers were continuing to come and go as usual. By the time the all-clear was finally signaled in June, SARS had killed 300 people in Hong Kong alone.

Before Article 23 and SARS, however, Hong Kong's democracy movement had already begun to recover from its post-1997 malaise. The democracy movement's self-conscious revival began in mid-2002 at the start of Tung Chee-hwa's second term. Two new social action groups dedicated themselves to regenerating the momentum for reform. They aimed to disseminate their ideas in conventional ways, through schools, churches, and the media.

The convener of Power for Democracy, set up in June 2002, was university academic Joseph Cheng Yu-shek. He assumed the thankless task of candidate-coordination, beginning with the District Councils election in 2003. The idea was to try to curb the factional self-defeating instincts of activists while nevertheless encouraging them to stand as candidates at election time. Cheng has continued in this role ever since.

Democracy Development Network (DDN) was another new group, this one launched by Reverend Chu Yiu-ming and others. He was noted for his assistance to fleeing mainland dissidents after the 1989 Tiananmen Square crackdown. DDN's action plans were announced in March 2003, just as the SARS epidemic was bringing social life to a standstill. The new campaign was to have been launched at the old Ko Shan Theatre where the first rally in 1984 had held out the promise of elected self-government.

In 2003, activists were invoking that same promise with demands for further progress toward full universal suffrage elections after 2007. The date came from Annexes I and II of the Basic Law itself. These held open the possibility of further progress toward the full universal suffrage elections as promised in Articles 45 and 68—ten years after 1997 “if there is a need.” The new effort would appeal for solidarity in demonstrating the need, and Article 23 clinched the argument perfectly.

Journalists were especially concerned about the state secrets proposals. The foreign organizations restrictions caused Bishop Zen Ze-kiun to worry that the Catholic Church might suffer discrimination as it did on the mainland. Lawyers organized an Article 23 Concerned Group. Among its leaders were Legislative Councilors Audrey Eu and Margaret Ng. They translated the complicated legal details into everyday language that even Regina Ip's taxi-drivers could understand. The lawyers produced a series of bilingual pamphlets explaining each of the “seven deadly sins,” as some took to calling the proscriptions. Audrey Eu and Margaret Ng were among the new Civic Party's founders in 2006.

And then there was the organization that brought it all together: the Civil Human Rights Front. This was a new coalition of existing advocacy groups formed in September 2002. Their purpose was pure advocacy. The Front's activities were then, and remain, separate from those of election-oriented political parties with all their diverse constituencies.

Such was the consensus and organization that produced the upsurge of dissent on 1 July 2003. Articulating those aims were the student unions of all eight publicly funded tertiary institutions. They sent a joint letter to Premier Wen Jiabao upon his arrival in Hong Kong for the sixth anniversary of reunification on 1 July. They were inviting him to discuss not his chosen topic of economic intergradation between Hong Kong and the mainland, presented as Beijing's solution to Hong Kong's sagging post-1997 economy and slow recovery. Rather, the students wanted to discuss the two burning issues of the day: Article 23 and electoral reform.

Everyone assumed the cause was lost. The Front organized one last protest march scheduled for Reunification Day, 1 July, and also organized a wake. The latter was to take place outside the old Legislative Council building on 9 July, the day the bill was expected to be passed into law. Slogans chosen for the protest were “Oppose Article 23 Legislation” and “Return Political Power to the People.” The two demands were meant to signify both the immediate danger and the long-term means to safeguard against future calamities such as SARS—by carrying forward the Basic Law’s original promise of autonomous locally elected government.

But instead of the 30,000 turnout on 1 July, predicted by chief government pollster Professor Lau Siu-kai, turnout was estimated at half a million. The 9 July evening wake was transformed into a grand celebration, with people filling the streets all around the council building and sound-surrond effects featuring the theme song “We Shall Overcome.” Legislators from the conservative pro-business Liberal Party had lost their nerve after seeing the size and anger of the 1 July crowd. They withdrew support for the government’s bill, leaving it without the simple Legislative Council majority needed for passage.

Activists planned one more outdoor event in July 2003. Article 23 provided the momentum they needed, and political reform advocates hastened to exploit the opportunity it provided. They improvised the canceled Ko Shan Theatre rally into a downtown street carnival. The original idea in March had been to fill the old theater with 1,000 supporters and try to rekindle the hopeful anticipation of the 1980s.

Instead, by conservative police estimate, at least ten times that number turned out in sweltering heat on 13 July. The message was all about the need for directly elected government as the only safeguard against leaders like Tung Chee-hwa and Regina Ip who would insult the public’s intelligence and disregard popular concerns. The carnival also was meant as a pep rally for the coming 2003 District Councils election in the hope democracy advocates could use the momentum to regain the ground they had been losing since 1997.

Among pro-Beijing loyalists, however, it was said at the time that the successful use of Article 23 as a campaign issue in that 2003 election was what convinced Beijing officials they had to come down hard against this revival of pre-1997 fears and demands. The solution: exploit the Basic Law’s many escape clauses and rephrase the promises. It was at this point, after the unexpected upsurge of dissent in 2003 over national security, that the language Beijing was using to articulate its promises began to take on new unfamiliar inflections.

BEIJING RESPONDS

By all accounts, officials both in Hong Kong and Beijing were shocked at the size of the 1 July 2003 turnout. No one was prepared because, like Regina Ip, no one had been willing to hear the voices of dissent throughout the months preceding. In Beijing, national leaders had called a crisis meeting within days of the 1 July march, and decisions were made during the coming year that would lead directly from 2003 to Hong Kong’s upsurge of dissent a decade later. That is also how long it took Hong Kong campaigners to learn to interpret Beijing’s political language.

Bits and pieces of the official 2003 response filtered out and were eventually summarized by *Eastweek* magazine in what was regarded as the most authoritative account.⁷ National leaders decided to abandon their post-1997 indirect approach in favor of more hands-on supervision directed by the Central Coordination Group for Hong Kong and Macau Affairs. This group had been established on a less formal basis in 1978 when planning began for Hong Kong's 1997 return. Since 2003 the group has been headed by a member of the CCP's Political Bureau Standing Committee. Its members are now so hands-on that they personally lobby key Hong Kong allies and opinion leaders whenever the occasion seems to demand.

Beijing leaders interpreted the events of 2003 in the only way that made sense to them, and concluded that Hong Kong pro-democracy campaigners didn't just want to win more seats in coming elections. And they not only took seriously the Basic Law's promise of a wholly elected legislature. They also wanted a legislative-led system instead of the executive-led one they had inherited from the British. In the eyes of Beijing's communist leaders, that could only mean one thing: democrats aimed to "seize power from below" via universal suffrage elections.

Thereafter, Beijing officials began making their case in terms of the challenge as they saw it. In Beijing's eyes, the 1 July 2003 marching slogan—"Power to the people"—is a threat to the central government's sovereign right to rule as sole leader of the unitary Communist Party-led state. In the words of Beijing's rhetorical 2004 responses: returning power to the people of Hong Kong through a wholly elected government would be tantamount to independence and a denial of Chinese sovereignty over the Special Administrative Region.⁸ Beijing therefore rejected all demands for a resumption of universal suffrage electoral reforms come 2007. Additionally, beyond 2007, Beijing reserved to itself the right to decide whether or not such reforms might be necessary and, if so, what form they should take.

BASIC LAW RE-SET

Beijing's post-2003 Basic Law re-set was recorded in a series of key central government directives providing the roadmap and a timetable leading directly from 2004 to 2014. The first, dated 6 April 2004, would have the most drastic consequences—although its precedent-setting significance was not immediately appreciated. At the time, pro-Beijing partisans reportedly cheered the end of Hong Kong's progress toward democratic reforms, but until 2014 no one outside loyalist circles understood it in such stark terms.

It was a simple interpretation by the National People's Congress Standing Committee (NPCSC) of those troublesome Basic Law annexes that had led Hong Kong campaigners to hope progress toward universal suffrage could resume as of 2007. The interpretation said only that before any changes could be made in procedures for electoral reform, either for the Chief Executive or the Legislative Council, the Hong Kong government must first report to Beijing on the perceived need, and Beijing must make the decision to proceed.⁹

This was the change that would come to be recognized as a direct betrayal of promises made before 1997. In the early 1990s, British officials had raised a related point and Beijing's official answer was unequivocal, with reference to electing all Legislative

Councilors by universal suffrage. It was, replied Beijing, “a question to be decided by the Hong Kong SAR itself and it needs no guarantee by the Central Government.”¹⁰

Next, on 26 April 2004, came a simple decision from the Standing Committee about the coming new terms of the Chief Executive and Legislative Council, to begin in 2007 and 2008, respectively. The Standing Committee ruled that there was no immediate need for further progress toward electoral reform. At that point half of the 60-seat Legislature was directly elected; the other half was elected by the mostly conservative and loyalist Functional Constituencies. The Chief Executive was both nominated and elected by a committee elected by the same Functional Constituencies. The decision nevertheless promised that Hong Kong “will certainly be able to progress” to achieve the ultimate goal of universal suffrage elections.¹¹

Finally, on 29 December 2007, came another Standing Committee decision. Perhaps some changes could be introduced in 2012. But for the ultimate prize of universal suffrage elections, another ten years must pass before the sequence could begin: for Chief Executive in 2017, and 2020 for the Legislative Council.¹² Campaigners were aghast. Martin Lee worried that he might not live so long.

The small window of opportunity allowed for 2012 reinforced local awareness of Beijing’s stubborn resistance to the basic concept of direct one-person, one-vote elections. The council was enlarged from 60 to 70 seats in 2012. But Beijing’s 29 December 2007 decision had stipulated that the existing half-half balance between directly elected and small-circle Functional Constituency legislators must be retained in 2012.

The Hong Kong government together with the pro-Beijing DAB came up with a plan to allow District Councilors to tap five of their number to become legislators. This is the same sort of bottom-up indirect election design that characterizes the mainland People’s Congress system. The Hong Kong plan was to gradually replace all the much-maligned FCs with indirectly elected District Councilors. But in public at least these future plans were only discussed informally at forums and during media interviews.

The struggle to resist this idea took months and was only partially successful. It also had the negative effect of reinforcing the radical–moderate divisions that had been developing within Hong Kong’s democracy movement since 1997. But the 2010 agitation to defeat the government’s reform proposal was preparing the ground for Beijing’s 2017 promise and all that followed, with one important addition. Hong Kong’s younger generation was coming of age.

In anticipation of their arrival upon the political stage, local education authorities prepared a new national political studies curriculum. It was to be compulsory for all students from the first grade upward, scheduled to begin with the 2012 fall semester. The draft study materials seemed to have been prepared in Beijing, not Hong Kong. They aimed to instill from the earliest age emotional attachment to the nation and its symbols but with country, party, and people all conflated into one indivisible whole.

Middle school student Joshua Wong Chi-fung was the hero of this campaign. He began entirely on his own in 2011, with only a small group of classmates. By the start of the 2012 school year, his group had succeeded in raising the alarm among parents, teachers, and students throughout the city. It had been another hot summer, with meetings, protests, and marches. In September the new political studies curriculum was withdrawn and relegated to the shelf, where it joined the Article 23 legislation, waiting for a more propitious time.

These were also the years when the new idea of “genuine” autonomy began to emerge. Young imaginations were intrigued by the writings of Horace Chin Wan, who published a book on Hong Kong as a city-state in 2011.¹³ Concerns derived not just from the political stalemate but also from Beijing’s many cross-border economic and infrastructure projects. These included: an influx of mainland tourists and day-tripping traders; pregnant mainland women rushing to give birth in Hong Kong, where they crowded out locals in public hospital wards; the mammoth Hong Kong–Macau Bridge; and the high-speed, big-budget rail link connecting Hong Kong with all points north. The cumulative impact was seen as a forced assimilation strategy aimed at erasing the physical border in fact without doing so in name. All contributed to the climate of protest and perpetual agitation.

OCCUPY, 2014

The biggest item on the agenda, however, was Beijing’s promise for a universal suffrage Chief Executive election in 2017, preparatory to a wholly elected Legislative Council in 2020. Electoral reform thus became the prime focus of political attention from 2013 onward. Campaigning began with an article in the Chinese-language *Hong Kong Economic Journal* on 16 January 2013. The author was a University of Hong Kong law professor, Benny Tai Yiu-ting. Talking about his motivation in the months that followed, he recalled his own student days in the 1980s when young people had been inspired by the historic challenge of building Hong Kong into a test case for Chinese democracy. His generation’s youthful enthusiasm had been ground down by years of disappointment and Beijing’s endless rhetorical arguments.

Benny Tai proposed what he thought might be a way of forcing Beijing’s hand. He titled his article “Civil Disobedience, the Most Lethal Weapon,” and proposed a three-day demonstration with 10,000 people blocking Hong Kong’s downtown financial district in the name of genuine democratic elections. Reverend Chu Yiu-ming joined him along with Chinese University of Hong Kong sociology professor Chan Kin-man.

In 2013–14, the three men spent close to two more years talking, organizing, and preparing for their ultimate Occupy Central act of non-violent civil disobedience—all the while hoping it would not be necessary because Beijing would finally heed their well-intentioned appeals. These appeals were also being spelled out by most of the same academics, politicians, and activists who had come together for the 2010 agitation. They reconstituted themselves as the Alliance for True Democracy, with Joseph Cheng as convener.

By the time the Hong Kong government inaugurated its official consultation period in late 2013, ostensibly to solicit opinions and proposals from the public, Alliance campaigners had already gone through many proposals. They had dismissed the idea of direct American-style primary elections as impractical. But Joshua Wong’s student friends were initially among the most insistent in calling for civic nomination as the next best alternative. They wanted some form of popular participation not just in the election of Chief Executives but in the nomination of candidates as well. Otherwise, they argued, it would not be a true democratic election.

Toward the end of the consultation period, in the spring of 2014, a group of 18 moderate academics convened by Brian Fong Chi-hang came up with one of the most

moderate proposals. They called it civic “recommendation.” Chief Secretary Carrie Lam, then the second ranking member of Hong Kong’s government after its Chief Executive, led the consultation exercise. She intimated that the recommendation idea, as opposed to actual popular nomination, was the only one of all the proposals that might actually be acceptable to Beijing. It was not.

When Beijing finally issued its decision, on 31 August 2014, campaigners knew they had lost again. All they were being offered was a mainland-style “universal suffrage” election, with Beijing approving candidates who must first receive majority approval from half of Hong Kong’s existing, unreformed, Functional Constituency-based 2000-member Election Committee.¹⁴

Benny Tai declared his Occupy project a failure, and word began circulating that he was too disheartened to carry on. Had the younger generation not stepped forward the campaign might have ended then and there. A few weeks later, while university students were organizing their impromptu classroom boycott, skeptical onlookers at one public forum asked what they hoped to achieve. Student leaders said they knew they could not force Beijing to retract its 31 August (“8.31”) ultimatum. Their purpose was something different. They wanted to alert the wider Hong Kong public to the dangers lurking amid all the complicated legal language and academic debates about electoral reform. The public should know what was at stake before any more decisions were made in anticipation of universal suffrage elections that would call upon everyone to cast their votes in the name of democracy.

The classroom strike had just ended two days before, and crowds kept gathering spontaneously outside the Legislative Council building. Confronted with the “unlawful assembly,” police made their fateful decision, on 28 September, to try and clear the area with volleys of tear gas fire. Benny Tai issued his call to begin the Occupy Central civil disobedience sit-down soon afterward. But it was already happening without him—not in the downtown financial district as he had planned, but at the Legislative Council building as crowds rushed out “to protect our students.”

Demonstrators first blocked access to the building and the main thoroughfare nearby, and then occupied other key roadways in other parts of town where encampments sprang up and remained for the next 79 days. Those in the direct line of fire on 28 September had only their umbrellas for protection against the volleys of tear gas. That dramatic street scene set the tone for the days and nights of debate and protest that followed, and came to be known as Hong Kong’s Umbrella Revolution.¹⁵

FROM 2014 TO 2047

The street blockades were more or less allowed to wind down of their own accord. The last barricades came down in December 2014. Multiple arrests were made at that time, but actual charges only began to be announced in March 2017. A joint trial for the three original Occupy leaders and six others, the “Occupy Nine,” was finally held in late 2018. All were found guilty on various counts of incitement to cause a public nuisance. Each charge carries a maximum prison sentence of seven years. But an anticipated lengthy appeals process will determine the actual amount of time each of the nine will serve.

Occupy participants and campaigners have spent the past three years assessing what

happened and trying to decide what to do next. For those closest to Umbrella-Occupy, the verdict is one of abject failure. Many thought Beijing might still modify the 8.31 directive, a hope that survived right down to the end. The Legislative Council was required to vote on the proposal, which required a two-thirds super-majority to pass. The government's bill, drafted to 8.31 specifications, was successfully vetoed by pro-democracy legislators voting as a bloc in June 2015, despite intense pressure to break ranks.

It was a rare show of unity achieved only after Beijing officials refused to allow any modifications. In fact, officials had doubled down and finally acknowledged shortly before the final June 2015 vote that the electoral reform design was what they meant by universal suffrage: 8.31 was Beijing's final articulation of the Basic Law's Article 45 promise.

The impact was profound on a democracy movement that had grown since the 1980s and flourished on the promise of democratic elections. New questions led to new insights, and on to the ultimate conclusion that Hong Kong had been sold a false bill of goods. If 8.31 was what Beijing meant by universal suffrage, then what was the end game? What did all the Basic Law's other promises mean? And might they actually be hiding the secret as to why Beijing had only given the "one-country, two-systems" design a 50-year guarantee?

If Hong Kong had not unexpectedly pushed back against Article 23, and the national political studies curriculum, and the 8.31 version of mainland-style universal suffrage, then the "two-systems" design would already have progressed a long way toward becoming one country and one people with one political system, in fact if not in name, decades before 2047.

So that must be what Beijing had meant all along. The Basic Law was actually a roadmap with a timetable, skillfully designed to achieve the transition from two systems to one integrated system unified under Communist Party rule. No wonder no one had ever explained what Article 5 meant with its elusive 50-year guarantee. Beijing drafters must have calculated that 50 years would be about enough time to get the job done.

These were the kinds of questions that led the thinking of many young and not-so-young Occupy veterans to progress from "genuine" autonomy to self-determination, and on to independence. The moderates' moderate, Brian Fong, was among those who gave up in exasperation, saying Hong Kongers should write their own constitution because Beijing's Basic Law offered no hope or protection.

But, as in 2003, it was not just dissenting ideas that alarmed Beijing. It was also the link between those ideas and elections, in terms of the candidates Hong Kong voters were electing to represent them in its purpose-built councils. Even though they had been designed to discourage such popular democratic representation, candidates had not abandoned the cause and voters were not abandoning the candidates.

Contrary to widespread assumptions, the voting public was not inclined to punish Occupy participants and supporters for the 79 days of disruption they had caused. Several candidates defied conventional wisdom and did better than expected: in the November 2015 District Councils election; a February 2016 by-election; the September 2016 Legislative Council election; and even in the stacked Functional Constituency-based Election Committee election in December 2016. This is the committee that endorses Beijing's approved choices for Hong Kong Chief Executives.

Student leaders had indeed done what they set out to do by alerting the wider public to the issues at stake. The ideas that germinated during the struggle for universal suffrage and the Umbrella Occupy street blockades seemed on course to move slowly forward along the obstacle course Beijing had designed. But then several new Occupy-generation

Legislative Councilors overstepped a boundary line they didn't know existed because it hadn't yet been laid down. And Beijing finally overcame its reluctance to define what it means by Hong Kong autonomy.

The newly elected legislators improvised the wording of their oaths during the 12 October 2016 swearing-in ceremony, some with maximum disrespect for the central government and its Hong Kong interventions. Two legislators-elect even declared their allegiance specifically to Hong Kong, rather than the national government. What the new legislators had done was comparable to challenging Beijing's jealously guarded sovereign right to rule by calling for "power to the people."

In response, Beijing has now laid down new markers that would make the way forward that much more precarious. Not only did Beijing immediately, on 7 November 2016, issue an interpretation of the Basic Law's Article 104, mandating word-for-word sincerity in oath-taking, and behavior afterward, for all government officers including legislators.¹⁶ More ominous were the implications of the Hong Kong appeals court rulings to the effect that Hong Kong courts are not only bound to obey any such Basic Law Interpretations by Beijing. They must also be retroactively enforced, meaning they become what the law has always been dating back to 1 July 1997.¹⁷ The Hong Kong government consequently initiated judicial proceedings to disqualify and unseat a total of six Occupy-generation legislators elected by voters in September 2016. Appeals proved futile. The courts ruled consistently for the government against the appellants.

Besides disqualifying six legislators, one additional ominous lesson emerged from the oath-taking saga. Suddenly, Hong Kong has realized that there are no pillars of legal protection for any of the Basic Law's promised rights and freedoms. Beijing can issue an "interpretation" at any time on any question, and Hong Kong courts themselves have ruled that they must obey.

With Beijing's intentions finally being clarified in so many ways, and most strikingly at the 19th Party Congress in October 2017, the challenge for Hong Kong's democracy movement is whether it can continue to push back against official decrees that are translating each Basic Law promise for two-systems autonomy into the language of one-party dictatorship. According to Xi Jinping's governing principles appended by the 19th Party Congress to the Party's constitution, Beijing exercises "comprehensive jurisdiction" over Hong Kong's "high degree of autonomy." This division of labor is to be achieved via "organic integration."¹⁸

Li Fei, who serves as Beijing's official communicator when explanations seem necessary, flew to Hong Kong in November and presented a clear definition of Xi Jinping's cryptic words. Li addressed directly the apparent contradiction between Beijing's comprehensive jurisdiction and Hong Kong's autonomy. He said it means that the central Beijing and local Hong Kong governments govern Hong Kong jointly. Beijing exercises direct control over important matters. Local autonomy is confined to local affairs and remains the responsibility of local officials, as delegated by Beijing. Hong Kong only enjoys as much autonomy as Beijing is willing to allow.¹⁹

NOTES

1. Suzanne Pepper, *Keeping Democracy at Bay: Hong Kong and the Challenge of Chinese Political Reform* (New York: Rowman and Littlefield, 2007), 208.

2. Mark Roberti, *The Fall of Hong Kong* (New York: Wiley, 1996), chapter 17.
3. *Wen Wei Po* (*Wenhui bao*), Hong Kong, 2 October 2013.
4. Christine Loh, *Underground Front: The Chinese Communist Party in Hong Kong* (Hong Kong: Hong Kong University Press, 2010).
5. Hong Kong Transition Project, Baptist University, *Winter of Despair: Confidence and Legitimacy in Crisis in the Hong Kong SAR*, December 2001.
6. Hong Kong Security Bureau, *Proposals to Implement Article 23 of the Basic Law, Consultation Document*. Hong Kong: Government Printing Department, September 2002.
7. "Zheng zheng 300 ri" [300 Days of Political Struggle], *Dong zhoukan* [*Eastweek*], no. 39 (26 May 2004), 19–26.
8. Journalist Frank Ching and then Executive Councilor Leung Chun-ying provide a relatively easy-to-read summary of this argument, beginning with Ching's "Power Play" column in the *South China Morning Post*, 8, 28, and 30 January and 3 February 2004.
9. Interpretation by the SCNPC of Annex 1 (Article 7), and Annex II (Article 3) of the HKSAR Basic Law, 6 April 2004.
10. Ministry of Foreign Affairs, PRC, "Facts about a Few Important Aspects of Sino-British Talks on 1994/95 Electoral Arrangement in Hong Kong," *China Daily*, 1 March 1994. Beijing official Lu Ping made a similar statement in 1993: "How Hong Kong develops democracy in the future is a matter entirely within the sphere of Hong Kong's autonomy, and the central government cannot intervene" (*Renmin ribao, haiwaiban* [People's Daily Overseas Edition], Beijing, 18 March 1993).
11. Decision of the SCNPC on Issues Relating to the Methods for Selecting the Chief Executive of the HKSAR in the Year 2007 and for forming the Legislative Council in 2008, 26 April 2004.
12. Decision of the SCNPC on Issues Relating to the Methods for Selecting the Chief Executive of the HKSAR and for Forming the Legislative Council in 2012, and on Issues Relating to Universal Suffrage, 29 December 2007.
13. Chen Yun (Chin Wan), *Xianggang cheng bang lun* (Hong Kong: Tian chuang chubanshe, 2011).
14. Decision of the SCNPC on Issues Relating to the Selection of the Chief Executive of the HKSAR by Universal Suffrage and on the Method for Forming the Legislative Council of the HKSAR in the Year 2016, 31 August 2014.
15. For a useful account, see: Jason Y. Ng, *Umbrellas in Bloom: Hong Kong's Occupy Movement Uncovered* (Hong Kong: Blacksmith Books, 2016).
16. SCNPC Interpretation of Article 104 of the Basic Law of the HKSAR of the People's Republic of China, 7 November 2016.
17. Hong Kong Court of Appeal, Civil Appeal No. 224 of 2016 (Case No. CACV 224/2016), 16 January 2017.
18. Xi Jinping, "Work Report to the 19th Party Congress," in *Xianggang jingji ribao* [*Hong Kong Economic Times*], 18 October 2017 [full text, Chinese original]. The full-text English translation differs slightly in *The China Daily*, 4 November 2017, and in "Resolution on Amendment to CPC Constitution," *The China Daily*, 25 October 2017.
19. "Li Fei, Chairman of the Basic Law Committee of the National People's Congress Standing Committee, at the Basic Law Seminar on the 20th Anniversary of the Establishment of the Hong Kong Special Administrative Region," *Ta Kung Pao* [*Dagong bao*], Hong Kong, 17 November 2017 [full text, Chinese].

26. Dissenting media in post-1997 Hong Kong

Joyce Y.M. Nip

The de-colonization of Hong Kong took the form of Britain returning the territory to China in 1997 as a Special Administrative Region (SAR). Twenty years after the political handover, the “one country, two systems” arrangement designed by China to govern the Hong Kong SAR is facing serious challenge: Many in Hong Kong have come to regard Beijing as an unwelcome control master; and calls for self-determination have gained a substantial level of popular support. This chapter examines the role of media in this development, as exemplified by key political protest actions. It proposes the notion of “dissenting media” as a framework to integrate relevant academic and journalistic studies about Hong Kong. From the discipline of media and communications study, it suggests that operators of dissenting media are enabled to put forth information and analysis contrary to that of the establishment, which, in turn, help to form an oppositional public sphere. In the process, the identity and communities of dissent are built, maintained, and developed, contributing to the formation of a counter public that participates in oppositional political actions.

Studies on the impact of media, mainly conducted in stable Anglo-American societies, tend to consider mainstream media as institutions that index¹ or reinforce the status quo,² and alternative media as forces that challenge established powers.³ In Hong Kong, the 1997 political changeover was accompanied by a reconfiguration of power relationships in line with China’s one-party dictatorship. The change runs counter to the political aspirations of the people of Hong Kong, and has bred a political movement for civil liberties, public accountability, and democracy. In this context, some journalists, newspapers, and the de facto public service broadcaster have been found to act like rebels of resistance⁴ among the mainstream media, which have been co-opted.⁵ In addition, some recent online-only news media run by media professionals have taken an uncompromisingly independent editorial position to champion media freedom. These online-only media startups differ from alternative media in their financing, background of practitioners, and routine production of content, but tend to operate on a smaller scale than mainstream media. To examine the role played by media in the growth of political dissent in post-1997 Hong Kong, I propose the notion “dissenting media” to discuss selected (1) rebellious elements in the mainstream media, (2) politically focused alternative media, and (3) uncompromising online media startups in relation to major political events and protests.

Unlike most similar studies, which try to identify the most influential media, this discussion starts with the premise that the three sectors of dissenting media, although operating according to different business models and cultures, impact political dissent in concert with each other. They provide repressed information, which constitutes an information world shared by potential dissenters.⁶ They provide alternative commentaries about events and issues, hence offering diverse representations of the world as resource for individuals’ formation of analytical perspectives. The impact of the media is strongest when acted through interpersonal networks.⁷ Interactions in offline and increasing online

channels—including chat forums and more recently social media—provide the basis of the formation of identity and communities of dissent, which resonate with calls for political action.⁸ Networked communication on digital social networks has been suggested as the connective mechanism of organization of social movement actions in which individuals become self-mobilized through forming and sharing their personalized interpretations of public affairs.⁹ Dissenting media also provide an alternative platform for the creation of public opinion leaders.¹⁰ Where political activists and politicians are operators, media and politics become so intertwined that the two cannot be analyzed as separate spheres impacting one another. In the following, the various ways in which dissenting media connect to the politics in Hong Kong are discussed with reference to key political events from 2003 through the present.

2003: REBELLIOUS MAINSTREAM MEDIA MOBILIZE PROTEST

The year 2003 marked a turning point in the relationship between Hong Kong and Beijing. On 1 July—the anniversary day of the return of the ex-colony to the “motherland”—half a million people took to the streets in the territory to protest against a proposal released by the Hong Kong government (with support from Beijing) to implement Article 23 of the Basic Law (the mini-constitution of Hong Kong) via local laws to prohibit “treason, secession, sedition, subversion against the Central Government,” “theft of state secrets” and “ties with foreign political organizations.”

The huge turnout at the 2003 demonstration reflected widespread disapproval of the performance of the Hong Kong government and fear about the erosion of freedom of information and expression; but only pockets of the mainstream media expressed opposition to the proposed legislation. They included: the *Apple Daily* and its sister, *Next Magazine*; the *Hong Kong Economic Journal*; the government-run but editorially independent Radio Television Hong Kong; and several commercial radio phone-in talk shows.¹¹ The *Apple Daily*, one of two best-selling newspapers in Hong Kong and the most read newspaper by demonstrator participants,¹² for example, played the role of activist media by calling upon its readers on 1 July 2003 to join the demonstration, using the frontpage headlines “No to Tung Chee-hwa” (the then Chief Executive of Hong Kong) and “Take to the streets; we won’t disperse without seeing you.” The 1 July demonstration was abundantly publicized beforehand by the rebellious elements of the mainstream media, such as the top-rated phone-in program *Teacup in a Storm*, hosted by Albert Cheng King-hon on *Commercial Radio*. Mobilization by popular mass media served to legitimize and normalize dissent, which was particularly influential for those who had not participated in protest demonstrations before.

In a survey conducted among participants of the 2003 demonstration, more than 60 percent of respondents considered mobilization information from the mass media to be “very important.” Above all, however, peer mobilization was more important (67.5 percent). At that time, online information was growing, and 53.5 percent of respondents reported it as important in mobilizing their participation.¹³ Young people were sharing information and connecting on online newsgroups and chat forums about their intention to participate.¹⁴ However, the information shared among peers came, in the first place, from the mass media.

POST-2003: ALTERNATIVE RADIO PROVIDES ALTERNATIVE VIEWS, BREEDS POLITICAL PARTIES

Even before the 1 July demonstration, other developments were brewing that led to a significant expansion of alternative media in the following years. Just over two weeks before the demonstration, Albert Cheng received a warning from the government broadcasting regulator that views presented on his program were partial. At the time, *Commercial Radio* was applying for renewal of its broadcasting license, and news reports said the government was inclined to grant a renewed license for only a short three years.¹⁵ In the wake of public pressure exerted through full-page newspaper advertisements collectively placed by groups of individuals, the government eventually renewed the license of *Commercial Radio* for 12 years, as before. Nonetheless, in 2004 Cheng and two other prominent hosts of *Commercial Radio* quit their programs, citing political pressure as the reason.¹⁶

These developments brought home the urgent need to defend freedom of expression, and led to rapid growth of alternative media on the web after 2003. Within a couple of months of the departure of the radio hosts, a dozen politically oriented web radio stations emerged.¹⁷ The better-known ones included *Radio-45*, formed by a political group that was to become the Civic Party in 2006, *Radio 71*, the *People's Radio*, and *DIYHK*—the latter three formed by a mix of activists and entrepreneurs.

One radical member of the main opposition Democratic Party, Tsang Kin-shing, extended independent radio beyond the Internet and began broadcasting *Citizen Radio* by microwave in 2005 without a license. Its repeated applications for a sound broadcasting license have been unsuccessful, with different reasons given by the government on different occasions. Through the time of this writing, *Citizen Radio* has continued to broadcast with occasional seizures of equipment and arrests by police, in addition to streaming its programs on a website. Tsang became a founding member of the League of Social Democrats (LSD), formed in October 2006, which then launched *My Radio* in 2007, which has become the strongest Internet radio service in Hong Kong (excluding the mainstream ones) with a growing 58,655 subscriber base on its YouTube channel in January 2018.

These alternative radio stations gave voice to center-left politicians and social activists as hosts of talk programs to monitor and challenge the establishment. They also offered opportunities for community groups to submit programs. The challenging and alternative voices together served to circulate a diversity of views in Hong Kong at a time when most of the mainstream news media refused to give pro-democracy political parties any significant coverage. While politicians and activists built their influence on the alternative web media, they bonded and formed new political parties.

The newly formed political parties—the Civic Party and the LSD—represented different class interests with different political positions: The Civic Party was an organization of barristers and elite professionals taking a liberal democratic stance, while founding members of the LSD were grassroots-oriented radicals, one of whom was Trotskyite Leung Kwok-hung, nicknamed “long-hair.” However, they were united in the fight for greater democracy in Hong Kong, and in January 2010 five legislators from the Civic Party and the LSD resigned ahead of a decision to be made by Beijing about the method of selecting the Chief Executive and members of the Legislative Council in 2012, forcing a by-election as a de facto referendum about the public will regarding direct elections.

The Democratic Party did not join the resignation, but its leaders held a meeting with the deputy director of the Central Government's Liaison Office in Hong Kong—the first of its kind in the Democratic Party's history—one week after the by-election.

During the electioneering for the by-elections, the Internet radio stations formed an alliance to stage a series of campaign debates among candidates when the dominant television station, TVB, refused to do so. According to Leung and Lee, this is evidence that Internet radio contributed to the development of “transgressive contention” in the politics of Hong Kong.¹⁸ However, the low turnout for the by-election (17 percent in contrast to the usual 50 percent), despite calls on the Internet radio from dissenting political parties on electors to cast their votes, suggests that the impact of the Internet radio was limited. Although the five resigned legislators were re-elected to the Council, this was probably because pro-establishment political parties boycotted and did not field any candidates to the by-elections.

2006 AND BEYOND: ALTERNATIVE ACTIVIST CITIZEN MEDIA BUILDS LOCAL IDENTITY AND PROTEST CAPACITY

Between 2006 and the 2014 Umbrella Movement, a new text-based web news media outlet focused on news reporting, *In-Media Hong Kong*, became the central mobilizing force of a series of protest movements targeted at preserving cultural heritage sites threatened by urban development. Unlike the alternative radio stations, which focused on talk programs, *In-Media Hong Kong* (launched in 2005 with collective donations from academics and activists) developed along the concept of citizen journalism emerging at the time. Soon after its establishment, *In-Media* spear-headed the first of six protest movements of expanding scale and increased resistance during this period.¹⁹ In 2006, *In-Media*'s editorial team called for action to protect the Star Ferry Pier from planned demolition. At one point, five of its editors broke into the cordoned-off area and, with 12 other young people, chained themselves to the pier to try to stop its demolition.²⁰ The occupation drew heavy coverage from the mainstream media, and propelled the voice of protesters into the public arena.

The Preserve the Star Ferry Movement bred the political group Local Action, which was to fight for democratic participation in the territory's land-use planning. The planned demolition of the Queen's Pier in 2007 became Local Action's first issue of engagement. For the first time, the political fight for democracy became directly linked to the cultural heritage of the city and the economic issue most fundamental to the people's livelihood in a metropolis rated as one of the most expensive real estate markets in the world. The concern about land use was shared by V-Artivist, a group formed in 2007 that aims to “give art back to the people.” It produces videos about communities affected by government land planning projects, which are disseminated online and screened in local communities. It also runs community-based art events, and co-organizes a social movement film festival and video training program.

The concern about land use and the desecration of Hong Kong's heritage and culture by mainland China flared up again in 2009–10 when Choi Yuen Village was earmarked to be demolished to make way for the construction of an express rail link between China and Hong Kong. It culminated in a protest involving almost 10,000 people encircling

the legislative chamber on the day the issue was debated in January 2010.²¹ Opponents were angry that Hong Kong's heritage and natural environment would be sacrificed for the profit of land developers, and were concerned about the further subsuming of Hong Kong's way of life under mainland China's.

As in the Preserve Star Ferry and Queen's Pier Movements, *In-Media Hong Kong* played a central role in recruiting and mobilizing participation in the anti-express rail link movement. Eddie Chu, one of the five *In-Media* editors in the Star Ferry Pier occupation, mobilized participants in a citizen reporter workshop organized by *In-Media* to report stories about the express rail link.²² Content published by *In-Media* on the movement covered neglected issues, rebutted mainstream media's perspectives, gave voice to the weak minority against more powerful actors, and provided space for contributors to discuss forms of expression used in social movements.²³ Other Internet alternative media also covered the movement comprehensively.²⁴ Together they provided alternative information and opinion about the express rail link proposal. The Preserve Choi Yuen Village Movement gathered political force for Eddie Chu to form the Land Justice League in July 2011, which would fight against the government's North-East New Territories Development Plan in 2012–14. Chu's work won him such popular support that he was elected as District Councillor in 2015 and Legislative Councillor in 2016.

POST-2009: SOCIAL MEDIA FACILITATES ALTERNATIVE MEDIA ACTIVISM

Since June 2008, content published by the alternative media was made even more accessible when Facebook became available in Chinese.²⁵ Facebook, which would become the most used social media in Hong Kong, together with WhatsApp (which came in 2009), encouraged information sharing and made conversation about public affairs a part of daily life. The interconnection and interactivity provided by these communication technologies rode on the waves of escalating political grievances and helped radicalize the young people of Hong Kong. Eddie Chu himself cited Facebook as a space of mobilization over the anti-express rail link movement, as well as in his later election campaign in the 2015 District Council election.²⁶ Joshua Wong Chi-fung, who was to lead the fight against the moral and national education curriculum in 2011–12, and became one of initiators of the Umbrella Movement in 2014, said he became interested in social issues when he came across information about the anti-express rail link movement on social media.²⁷ He said that since the de facto referendum in 2010, he had spent one-and-a-half hours every day reading news and editorials,²⁸ and then publishing short commentaries, discussing, and debating with others on Facebook.²⁹

When the government proposed in early 2011 to implement a compulsory moral and national education curriculum in schools, the radicalized young generation rose up. Joshua Wong founded the student group Scholarism in May 2011 to fight against what many saw as propaganda that brainwashed the young with "patriotic" pro-China values. A poll conducted in June 2011 found that those with a positive appraisal of Beijing's policy towards Hong Kong plummeted to 34 percent from 53 percent in the previous year.³⁰ A public demonstration held on 29 July 2012 against the proposed curriculum drew 90,000 protesters, and eventually forced the government to postpone implementing the

proposal as planned. During the Anti-Moral and National Education Movement, core members of Scholarism depended almost entirely on Facebook for communication. They also used social media heavily for mobilization in the movement.³¹

After the Anti-Moral and National Education Movement, Scholarism started a website and Facebook public page, Dash, in 2013 (which closed in May 2016 when the group transformed into a political party). Meanwhile, a new wave of alternative activist media sprang up. Left 21, involving some who published earlier Trotskyite political magazines,³² was formed in 2011, prompted by the observation that many young people had participated in the anti-express rail link movement. Some of the new outlets appearing around this time include: in 2011, *SocREC*; in 2012, *Our TV*, *Keyboard Frontline*, *VJ Media* and *Passion Times*; and in 2013 *Dash* web radio, *Workers News*, *Polymer* and *Hong Kong Peanuts*. *SocREC* and *Workers News* focus on communities of the underprivileged and social movements. For example, *SocREC* aims to air alternative voices that contradict the “main melody of harmony of the central [government],” mostly using photographs and videos.³³ *VJ Media* started with a radical position supportive of local autonomy;³⁴ but, at the time of writing, its website contains mainly lifestyle and entertainment pieces. *Polymer* was formed by a group that split from an online forum to call for resistance against Chinese colonization. *Our TV* aims to be a citizen-initiated, even-handed public service media, while *Keyboard Frontline* focuses on issues of freedom of expression.

Among the alternative activist media, *Passion Times*, launched in October 2012 by the political group Civic Passion (formed early in the same year), stood out by being published as a free-of-charge hard-copy newspaper distributed in mass transit railway stations in addition to its web version, while others relied on inexpensive websites or even merely a public Facebook page. In November 2012, *Passion Times* also started an Internet radio station—which played a major role in recruiting Civic Passion’s supporters—and later produced other cultural products including comics, novels, and theatre performances.³⁵ Wong Yeung-tat, founder of Civic Passion, claims his political position to be localist left-wing; but many describe Civic Passion as “rightist” because of its antagonism towards the (nominally communist) mainland Chinese government and encouragement of a personality cult of its leaders.³⁶ *Passion Times* distinctly differs from other alternative activist media in its explicitly vitriolic stance towards the Chinese communist regime. Something of an antidote to *Passion Times*, *Hong Kong Peanuts* is an Internet radio station that provides commentaries from liberal democrats using a similar style of language.

Alternative media had a new issue to face in 2013 when the government announced on 17 October the rejection of the application of Hong Kong Television Network (HKTN) for a free-to-air license. HKTN had applied for a license in January 2010 on the invitation of a government official; the government’s final decision was widely seen as politically motivated, as by then HKTN had been broadcasting television dramas via broadband Internet whose portrayal of the political reality of Hong Kong had drawn strong interest from the audience and whose production standards had won high praise even from critics. The government’s decision led to a large-scale Support HKTN Movement involving media professionals, pro-freedom activists, politicians, and, above all, ordinary television viewers. The first protest rally held on 20 October eventuated in the creation of the public Facebook page “Ten thousand people supporting!!! Issue a license to HKTN now!!!,” which has continued to be active on political issues, with over 405,000 followers as of January 2018.³⁷

POST-2011: UNCOMPROMISING ONLINE-ONLY MEDIA STARTUPS

While alternative media boomed, since 2012 independent online-only media run by media professionals have constituted the third sector of dissenting media. The most eye-catching, and also the first, was *House News*, launched in June of 2012. D100, run by Albert Cheng, the former *Commercial Radio* host who by then had finished one term of being a legislator, came in December of the same year. Their appearance in 2012 was partly the result of frustration arising from decreasing press freedom in mainstream media, and partly of encouragement from heightened political activism in society.

House News followed the same model as the *Huffington Post* in the US, aggregating content from other sources and following up with its own reports. Created as a business following principles of rationality and tolerance, it also published a rich array of blogs written by pro-democracy liberals. It was highly critical of the government, with 30.6 percent of its editorials criticizing the personal conduct and governing style of the then Chief Executive of Hong Kong, Leung Chun-ying, and 45.9 percent criticizing principal officials and members of the government's highest advisory body, the Executive Council.³⁸ It became a popular online news website and had 300,000 unique visitors every day when it closed down in July 2014 ahead of the occupation event on 1 October 2014 planned by the Occupy Central Movement with Love and Peace (OCLP). Proprietor Choi Tung-ho cited political fear as the main reason.³⁹

The OCLP had been in planning since March 2013 in anticipation of a decision made by Beijing in 2014 about the methods of selecting members of the Legislative Council and Chief Executive of Hong Kong in 2017. What was not anticipated was Beijing's release of a White Paper on Hong Kong in June 2014, which stated that the central government has "comprehensive jurisdiction" over Hong Kong, and that it has the "power of oversight over the exercise of a high degree of autonomy in the HKSAR." The document was read as an expansion of the central government's power beyond what was stipulated in the Basic Law that had been agreed upon prior to the handover. The decision of China's National People's Congress Standing Committee (NPCSC) on 31 August 2014 to affirm, in effect, a Beijing veto over who can stand as a candidate for Chief Executive in the future shattered the hope for democracy of several generations of people in Hong Kong—from those who had started fighting for direct elections in the 1980s, to the most recently radicalized young generation. In response, students pre-empted the OCLP by occupying the square in front of the government office headquarters on 26 September. Police attacked with pepper spray and tear gas; occupiers defended themselves with umbrellas, and earned the name the Umbrella Movement. Occupation spread to the main thoroughfare and other districts and lasted 79 days.

DISSENTING MEDIA AND SOCIAL MEDIA IN THE UMBRELLA MOVEMENT

An inter-connected array of digital media provided informational resources, communications infrastructure, and mobilization capability to the Umbrella Movement, which involved the participation of 18–20 percent of the adult population in Hong Kong.⁴⁰ Core

members of Scholarism, one of the student organizations that initiated the 26 September occupation, used WhatsApp, Telegram, and SMS to communicate among themselves. Scholarism also used the Facebook public pages of the group, Dash, and Joshua Wong's to communicate with the public.⁴¹

A deep divide was found between supporters and non-supporters of the Umbrella Movement in the media they used, indicating the existence of two rather separate worlds of news information. About 40 percent of supporters relied on websites and social media as their main source of information about current affairs, while more than 40 percent of non-supporters relied on television.⁴² A network analysis of the number of posts shared by followers of Facebook public pages related to the Umbrella Movement found that the *Apple Daily* was the only heavily shared mainstream media Facebook page.⁴³

The news information world on social media accessed by supporters of the movement was formed by inter-connected dissenting media—consisting of rebellious mainstream media, alternative media, and professional media startups. As part of the network, the *Apple Daily* was in one of the clusters of pages that also included (among others) the *United Social Press*, *Dash*, and *Keyboard Frontline*. With followers of the *Apple Daily* sharing its posts with followers of these other activist media pages, *Apple Daily*'s “one person, one photo, support the students” campaign received a strong response from Facebook users.⁴⁴ *In-Media Hong Kong*'s Facebook page had the most shares among pages relevant to the Umbrella Movement; it was most connected with the Hong Kong Federation of Students, Scholarism, the OCLP, and the *House News* bloggers, among others, in another cluster. The *Apple Daily* and *In-Media* clusters were well connected to each other, but they had few links with *Passion Times*, which formed a separate cluster with other pages.⁴⁵

Those who obtained political news through social media tended to support the Umbrella Movement and distrust the Hong Kong SAR and Chinese central government. This suggests the formation of an “insurgent public sphere” on social media during the Umbrella Movement.⁴⁶ Prior to that, it has been found that inter-connection on social media increases the chance of even those who hold differing attitudes using alternative media; thus, social media usage drives alternative media use. In turn, usage of online alternative media is a significant predictor of participation in protests.⁴⁷ This can be explained by the finding that frequent use of alternative media has a significant effect on the user's identification with the pro-democracy movement,⁴⁸ hence facilitating the formation of a counterpublic.⁴⁹

POST-UMBRELLA MOVEMENT: ALTERNATIVE MEDIA AND ONLINE MEDIA STARTUPS MUSHROOM

The failure of the Umbrella Movement brought grave disappointment to many, but the spirit lived on in the several new political parties—the Hong Kong Indigenous, Youngspiration, and Demosisto (replacement of Scholarism in 2016)—and a diverse spectrum of activist alternative media formed afterwards. In 2014, *Singjai* web radio, which seeks to fight for freedom in Hong Kong and features liberal democrats as program hosts, was launched.⁵⁰ *Truth Media Hong Kong* was started by a former member of SocREC in April 2015, and aims to provide impartial reports in text, in addition to visuals

with its small team of volunteer journalists.⁵¹ *Radical Hong Kong* was formed by citizen journalists in August 2015 to promote marginalized voices and the development of civil society through its news reporting. *Channel-I*, which provides programs mainly hosted by members of the Hong Kong Indigenous, was launched in December 2015.

More professional media startups have cropped up in the same period. The *Local Press*, launched in April 2014, is the only one that highlights its advocacy for local autonomy. The *Stand News*, a revival of *House News* with additional co-founders, started in December 2014. An English-language venture, *Harbour Times*, headed by a former diplomat and targeting the international political community, appeared in 2014. *Initium* and *Fact Wire*, both launched in 2015, have won a reputation for high-quality in-depth and investigative reports. The English-language *Hong Kong Free Press* (2015) is an aggregator of translated stories with commentaries and some original reporting. *Hong Kong Citizen News* was formed in 2017 by senior journalists long associated with fighting for press freedom.

Professional media startups tend to focus on press freedom and stress editorial independence. The *Stand News*, for example, explained its appearance this way on its website: “We overlooked the challenge of operating independent media in this era in Hong Kong. We under-estimated the pressure cracking down on autonomous media. We . . . have not given up the dream of independent autonomous media. . . . The *Stand News* is the answer.” Most of the above-mentioned professional media startups include commentaries critical of the mainland regime, although *Initium* and *Harbour Times* highlight their neutrality.

On the other side, several pro-establishment media operations were also launched around the time of the Umbrella Movement. They include: in 2013, the *Bastille Post*, *Speak Out Hong Kong*; in 2015, *Hong Kong Good News* and *Hong Kong G Pao*; and in 2016, *Dot Dot News*. Their commentaries focus on discrediting the democrats, particularly those advocating self-determination. Their news, where provided, portray the central Chinese government from a positive angle. *HK01*, launched in 2015, is more even-handed.

CONCLUSION

Studies of alternative media inevitably arrive at the conclusion that despite their agitational and mobilizational effects, the counterpublic formed around them is small in scale.⁵² This is usually the case, as suggested by the low impact of the web radio alliance during the de facto referendum in Hong Kong in 2010. However, if rebellious mainstream media and independent professional startups are included under the banner of dissenting media, as justified and proposed in this analysis, the aggregate implications of dissenting media become substantial. The inter-connection among them afforded by social media further amplifies their effects.

NOTES

1. W. Lance Bennett, “Toward a theory of press-state relations in the United States,” *Journal of Communication* 40, no. 2 (1990): 103–27.
2. Edward S. Herman, and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (London: Random House, 2010).
3. Chris Atton, *Alternative Media* (London: Sage, 2001).

4. Carol P. Lai, *Media in Hong Kong: Press Freedom and Political Change, 1967–2005* (London: Routledge, 2007).
5. Joseph M. Chan, and Chin-chuan Lee, *Mass Media and Political Transition: The Hong Kong Press in China's Orbit* (New York: Guilford Press, 1991); Ngok Ma, “State–press relationship in post-1997 Hong Kong: constant negotiation amidst self-restraint,” *The China Quarterly* 192 (2007): 949–70.
6. Joshua Meyrowitz, “Medium theory: an alternative to the dominant paradigm of media effects,” in *The Sage Handbook of Media Processes and Effects*, eds., Robin L. Nabi and Mary Beth Oliver (London: Sage, 2009).
7. Jack M. Mcleod, Dietram A. Scheufele, and Patricia Moy, “Community, communication, and participation: the role of mass media and interpersonal discussion in local political participation,” *Political Communication* 16, no. 3 (1999): 315–36.
8. Jack M. McLeod, and Dhavan V. Shah “Communication and political socialization: challenges and opportunities for research,” *Political Communication* 26, no. 1 (2009): 1–10; Joyce Y.M. Nip, “The queer sisters and its electronic bulletin board: a study of the Internet for social movement mobilization,” *Information, Communication & Society* 7, no. 1 (2004): 23–49.
9. W. Lance Bennett, and Alexandra Segerberg, “The logic of connective action: digital media and the personalization of contentious politics,” *Information, Communication & Society* 15, no. 5 (2012): 739–68.
10. Dennis K.K. Leung, “Alternative Internet radio, press freedom and contentious politics in Hong Kong, 2004–2014,” *Javnost: The Public* 22, no. 2 (2015): 196–212.
11. Hong Kong Journalists Association (HKJA) and Article 19, *Beijing Turns the Screws: Freedom of Expression in Hong Kong under Attack—2004 Annual Report*, June 2004, accessed 1 May 2017, https://www.hkja.org.hk/site/Host/hkja/UserFiles/File/annualreport/e_annual_report_2004.pdf.
12. Joseph M. Chan, and Robert Chung, “Who can mobilise 500,000 people onto the streets? July 1 demonstration and political communication in Hong Kong [Chinese],” 16 July 2003, HKU POP site, accessed 30 January 2018, <https://www.hkupop.hku.hk/english/columns/columns22.html>.
13. Joseph M. Chan, and Francis L.F. Lee, “Media and large-scale demonstrations: the pro-democracy movement in post-handover Hong Kong,” *Asian Journal of Communication* 17, no. 2 (2007): 215–28.
14. Ngok Ma, “Social movements and state–society relationship in Hong Kong,” in *Social Movements in China and Hong Kong: The Expansion of Protest Space*, eds., Khun Eng Kuah, and Gilles Guiheux (Amsterdam: Amsterdam University Press, 2009), 45–63.
15. Lai (2007).
16. HKJA and Article 19, *Beijing Turns the Screws*.
17. Leung (2015).
18. Ibid.
19. Edmund W. Cheng, “Street politics in a hybrid regime: the diffusion of political activism in post-colonial Hong Kong,” *The China Quarterly* 226 (2016): 383–406.
20. Iam-chong Ip, “Hong Kong: The rise of a new political force,” in *Info-Rhizome: Report on Independent Media in the Chinese-Speaking World (2008/09)*, eds., Iam-chong Ip and Oi-wan Lam (Hong Kong: Hong Kong In-media, 2009), 47–68.
21. Ho-fung Hung, and Iam-chong Ip, “Hong Kong’s democratic movement and the making of China’s offshore civil society,” *Asian Survey* 52, no. 3 (2012): 504–27.
22. Hoi-dick Chu, “Blind eye to forced evictions (series on Guangzhou-Shenzhen-Hong Kong high-speed train and Choi Yuen Village [Chinese]),” *In-Media Hong Kong*, 28 February 2009, accessed 29 April 2017, <http://www.inmediahk.net/node/1002198>.
23. Betty Yung, and Lisa Yuk-Ming Leung, “Diverse roles of alternative media in Hong Kong civil society: from public discourse initiation to social activism,” *Journal of Asian Public Policy* 7, no. 1 (2014): 83–101.
24. Leung (2015).
25. Carolyn Abram, “Facebook in translation,” 28 June 2008, <https://www.facebook.com/notes/facebook/facebook-in-translation/20734392130/>.
26. “Don Quixote in district elections 3: Bizarre campaigning of Chu Hoi-dick [Chinese],” *Stand News*, 31 October 2015, accessed 1 May 2017, <https://thestandnews.com/politics/%E5%8D%80%E9%81%B8%E5%94%90%E5%90%89%E8%A8%B6%E5%BE%7-3-%E6%9C%B1%E5%87%B1%E8%BF%AA%E7%9A%84%E5%A5%87%E7%95%B0%E9%81%B8%E6%88%BO/>.
27. Chi-fung Wong, “Stepping onto the path of social movements: sharing of my experience and ideas [Chinese],” 23 March 2011; republished 14 April 2012, accessed 1 May 2017, <https://www.facebook.com/notes/%E9%BB%83%E4%B9%8B%E9%8B%92-joshua-wong/%E8%B8%8F%E4%B8%8A%E7%A4%BE%E9%81%8B%E8%B7%AF-%E5%80%8B%E4%BA%BA%E7%86%93%E6%AD%87%E8%88%87%E7%90%86%E5%BF%B5%E5%88%86%E4%BA%AB-20110323/208352545923928/>.
28. It is known that Wong mainly used online media to obtain news about public affairs, but it is not known to what extent the suppliers of information are mainstream media, activist media, or professional media startups.

29. Wong (2011).
30. “Table. How would you evaluate the policy of the Central Government on Hong Kong after the Handover?” University of Hong Kong Public Opinion Programme, last modified 23 February 2017, <https://www.hkupop.hku.hk/english/popexpress/handover/policy/datatables.html>.
31. Alice Y.L. Lee, and Ka-wan Ting, “Media and information praxis of young activists in the Umbrella Movement,” *Chinese Journal of Communication* 8, no. 4 (2015): 376–92.
32. Lai-ying Lau, “Publishing and thought explorations: Socialist Youth Association, Sun Mui (Seedling)/ Pioneer [Chinese].”
33. “About us [Chinese],” *SocREC*, 9 June 2014, accessed 30 April 2017, http://www.socrec.org/?page_id=32.
34. Gary Tang, “Online media: the growing arena of public opinion in Hong Kong,” *Asian Politics & Policy* 6, no. 1 (2014): 155–76.
35. “Who interviews whom: Local left-wing politics Hung Go-fung x Wong Yeung-tat [Chinese],” *Ming Pao*, 23 September 2012, accessed 30 April 2017, http://newsabeta.blogspot.com/2012/09/blog-post_2871.html.
36. “Pause of localism 6—Civic Passion: Political fellowship and its model of operation [Chinese],” *Stand News*, 22 February 2017, accessed 1 May 2017, <https://www.thestandnews.com/politics/%E6%9C%AC%E5%9C%9F%E4%BC%91%E6%AD%A2%E7%AC%A6-6-%E7%86%B1%E8%A1%80%E5%85%AC%E6%B0%91-%E6%94%BF%E6%B2%BB%E5%9C%98%E5%A5%91%E5%8F%8A%E5%85%B6%E9%81%8B%E4%BD%9C%E6%A8%A1%E5%BC%8F/>.
37. The television licensing issue also prompted the launch of a satirical lifestyle magazine, *100 Most*, in March 2013 (preceded by the *Black Paper* launched by the same proprietor in January 2010). Hours before the government’s announcement of the result of the license applications, the proprietor announced the forthcoming establishment of a new television channel, which came in May 2015 as the online-only *TV Most*.
38. Gary Tang, “Online media: the growing arena of public opinion in Hong Kong,” *Asian Politics & Policy* 6, no. 1 (2014): 155–76.
39. Shirley Zhao, and Gary Cheung, “Pro-democracy website *House News* closes, citing political pressure, low revenue,” *South China Morning Post*, 27 July 2014, accessed 30 April 2017, <http://www.scmp.com/news/hong-kong/article/1560104/pro-democracy-website-house-news-closes-citing-political-pressure-low>; “Choi Tung-ho: Everybody, The *House News* closes today!” *In-Media Hong Kong*, 26 July 2014, accessed 1 February 2018, <http://www.inmediahk.net/node/1024732>.
40. “HKU POP releases popularity figures of CE and the Government,” 28 October 2014, accessed 1 February 2018, <https://www.hkupop.hku.hk/english/release/release1195.html>; Francis L. Lee and Joseph M. Chan, “Digital media activities and mode of participation in a protest campaign: a study of the Umbrella Movement,” *Information, Communication & Society*, 19, no. 1 (2016): 4–22.
41. Lee and Ting (2015).
42. Wai-ho Wong, and See-hang Chan, “Occupy Central and media divide: how do the two worlds get closer? [Chinese]” *Apple Daily*, December 11, 2014, accessed 1 May 2017, <http://hk.apple.nextmedia.com/news/art/20141211/18965285>.
43. King-wa Fu, and C.H. Chan, “Networked collective action in the 2014 Hong Kong Occupy movement: analysing a Facebook sharing network,” *International Conference on Public Policy* (ICPP), 2015.
44. Zhongxuan Lin, “Contextualized transmedia mobilization: media practices and mobilizing structures in the Umbrella Movement,” *International Journal of Communication* 11 (2017): 24.
45. Fu and Chan (2015).
46. Paul S.N. Lee, Clement Y.K. So, and Louis Leung, “Social media and Umbrella Movement: insurgent public sphere in formation,” *Chinese Journal of Communication* 8, no. 4 (2015): 356–75.
47. Dennis K.K. Leung, and Francis L.F. Lee, “Cultivating an active online counterpublic: examining usage and political impact of Internet alternative media,” *International Journal of Press/Politics* 19, no. 3 (2014): 340–59.
48. Michael Chan, “Media use and the social identity model of collective action: examining the roles of online alternative news and social media news,” *Journalism & Mass Communication Quarterly* 94, no. 3 (2017): 663–81.
49. Leung and Lee (2014).
50. “About us [Chinese],” accessed 29 April 2017, <http://www.singjai.hk/blank-3>.
51. “Truth media Hong Kong [Chinese],” *Post 852*, 1 May 2015, accessed 29 April 2017, <http://www.post852.com/97764/%E5%B0%88%E8%A8%AAtmhk%E5%89%B5%E8%BE%A6%E4%BA%BA%EF%BC%9A%E6%88%91%E8%A6%81%E5%81%9A%E4%B8%80%E5%80%8B%E8%97%8D%E7%B5%B2%E9%83%BD%E7%9D%87%E7%9A%84%E7%B6%B2%E5%AA%92/>.
52. Leung and Lee (2014).

PART 10

ETHNIC MINORITIES

27. The environmental protest movement in Inner Mongolia

*Uchralt Otede**

BACKGROUND

Since the 1990s, environmental degradation of grasslands in the Inner Mongolia Autonomous Region has become increasingly severe because of large-scale resource development and rapid industrialization. As a result, local residents attempting to protect the environment on which their lives and livelihoods depend have frequently come into conflict with developers and regional governments. In many cases, the structure of the conflict has been extremely unbalanced. On one side are enormous state-run resource development companies or polluting companies closely allied with the local government. On the other are local residents who have suffered harm and are relatively weak in economic and political terms. In this context, what means have victims of environmental pollution used to fight back? What are the characteristics of their struggle? This chapter focuses on the actions of the victims of environmental harm.

Studies of the environmental protest movement in Inner Mongolia have come from three perspectives. The first is the perspective of national governance and social control, which focuses on the detrimental effects of the environmental protest movement on the development of an ethnic minority region.¹ This perspective emerged following the 2011 unrest in Xilin Gol League. Over a single week in May 2011, two victims of environmental harm were killed in the course of resistance. These shocking events triggered street protests by several thousand individuals, most of whom were ethnic Mongol students or local residents. Immediately after this unrest, a paper was submitted by a government office in Inner Mongolia, expressing concern that protests by ethnic minorities would obstruct economic development, threaten societal stability, and negatively influence ethnic solidarity. The paper emphasized the following three arguments. First, Inner Mongolia is an ethnic minority region, where ordinary criminal cases can easily develop into ethnic unrest. Second, in ethnic minority regions, political, economic, cultural, and religious problems are complexly intertwined, and the causes of mass conflict are multiple. Third, ethnic separatists, religious extremists, and terrorists have influence in ethnic minority regions, and these groups use environmental protest to incite crowds of ethnic minorities, inducing large-scale conflict and crisis between the government and the people or between different ethnic groups. The paper's author, a professor of state administration at the Inner Mongolia University of Finance and Economics, proposed policies for how the government should investigate, monitor, and manage protests in ethnic minority regions.² This kind of discourse is also used in other ethnic regions, such as Xinjiang, for social control—as Tom Cliff points out in this volume—and it also has been employed in helping to suppress protest conducted by ethnic Han Chinese.

The second perspective is that of ethnic culture and politics, which focuses on the Mongolian ethno-environmental discourse regarding Inner Mongolia. Baranovitch discusses the symbolic influence that the environmental crisis of Inner Mongolia's grasslands is having on Mongol intellectuals. He acknowledges that Mongol intellectuals link environmental problems to ethnic politics and identity. Additionally, he emphasizes that over the past 20 years Mongol intellectuals have developed a highly ethnicized environmental discourse, and that this discourse has played an important role in the environmental protests of recent years. Baranovitch also observes that the Mongolian ethno-environmental discourse has two aspects: the ethnicization of the environment and the environmentalization of ethnicity. Symbolically, the Inner Mongolian environmental protest movement has depicted these issues as problems of the Mongol people, thereby attracting the concern of a wider spectrum of the Mongol community. Politically, the protest movement has strategically presented the issue as an environmental problem, thereby successfully gaining the sympathy of the Chinese government and non-Mongols.³

The third perspective is that of environmental sociology, which focuses on the struggles of victims of environmental harm.⁴ This perspective is adopted in this chapter, as it examines the struggles of such victims as they confront polluting companies and regional governments. From this perspective, it is clear that the environmental resistance movement is not a phenomenon unique to Inner Mongolia. Looking more broadly at East Asia, we can observe that the pattern of developers and local governments coming into conflict with local residents over environmental pollution has occurred historically and continues to occur today in Japan, Korea, Taiwan, and China. Examples include citizen activism in Japan in the late 1960s and early 1970s,⁵ the self-relief movement in Taiwan in the late 1980s and early 1990s,⁶ and the environmental protest movement in China from the 1990s to the present.⁷ Similarly, in terms of the methods adopted by victims of environmental harm, the self-relief and rightful resistance approaches adopted in other regions have been widely used in Inner Mongolia.

This chapter examines two incidents that differ significantly in method of resistance and societal impact. The first is the series of environmental protests that occurred in May 2011 in Xilin Gol League. In this movement, victims of environmental harm found that they were unable to resolve their problems within the state's existing governmental and legal systems, and therefore turned to individual direct action that included violence. The second case is environmental resistance by ethnic Mongols living in the village of Enko in northern Xilin Gol League. Between 2000 and 2005, Enko residents opposed the pollution of pastures and the illegal occupation of land by a paper mill. Their methods resembled rightful resistance and primarily involved petitioning government institutions, litigation, and negotiations with government officials.

In addition to documentary records, this chapter is based on field research conducted by the author in Xilin Gol League, Inner Mongolia, in 2014 and 2016. The case studies are based in part on interviews with leaders and central members of the environmental protest movement. However, all names of individuals and villages have been changed.

The chapter is organized as follows. The first section begins with an overview of underground resource development in Xilin Gol League and the resulting environmental degradation. Then, the environmental protest movement of May 2011 is discussed. The second section focuses on the village of Enko in East Ujimchin, Xilin Gol League, and discusses the actions of local residents opposing industrial pollution.

ENVIRONMENTAL DEGRADATION AND THE SELF-RELIEF MOVEMENT

Xilin Gol League covers 203,000 square kilometers in central Inner Mongolia and has a population of 1,040,000, a third of whom are ethnic Mongols. The league borders Mongolia in the north and is 180 kilometers from Beijing in the south. Until 2,000, traditional grazing represented the core of Xilin Gol's economy. Since then, industrialization based on resource development has proceeded rapidly. As of June 24, 2014, Xilin Gol league's Government home page states, more than 100 coal basins have been discovered in the league, with 1,448 billion tons of coal reserves confirmed and 2,600 billion tons projected. Currently, five coalfields are estimated to contain over 10 billion tons of coal reserves each, and 21 fields contain between 1 billion and 10 billion tons. In 2012, 145 million tons of coal was produced.

The large-scale development of underground resources has been accompanied by severe environmental degradation. First, grassland ecosystems face a crisis caused by the mining of these resources. The grasslands of Xilin Gol League are the easternmost such lands on the Eurasian continent and comprise the bulk of Inner Mongolia's grasslands. In 1997, they were designated a national nature reserve, and the typical grassland ecosystems of Inner Mongolia's plateaus became the target of conservation. However, rich coal reserves were discovered inside the reserve, and as a result of the ensuing large-scale mining, the reserve's grassland ecosystems have been disappearing at a rapid pace in recent years. In 2010, Xilin Gol League had 53 coal mines covering 3,640 square kilometers. If land used for production, worker residences, and infrastructure is included, the figure is said to be double that. Observers have noted that, as a consequence, the nature reserve has shrunk to half its original size.⁸

In addition, large-scale coal mining and the concomitant development of thermal power plants and coal chemical industries consume large quantities of groundwater and surface water, destroying the aquatic environments of Xilin Gol League's grasslands. To secure the large amounts of water required to mine, process, and utilize coal, most mines dam natural rivers and streams. This practice has resulted in the widespread destruction of downstream aquatic environments, the loss of the grassland's wetlands, and desertification. In addition, the development of underground resources in the grasslands has severely damaged the living environment of local herders. Those who live close to mining sites suffer harm from the contamination of and other problems related to the water, land, and air. The coal mining process uses large quantities of surface water and groundwater, and involves the release of large quantities of wastewater directly onto the land's surface or underground. As a result, local residents and their livestock suffer the double harm of drinking water shortages and drinking water pollution. Further, open-pit mining has affected water-table levels; according to reports, in places where water could once be found by digging down 10 meters, it is now impossible to find water even when a hole is dug more than 100 meters deep.⁹ Regarding the land, mining development has caused extensive degradation of pastures and other land resources, including permanent destruction of pastures due to open-pit mining, environmental pollution from the large quantities of solid waste that are released during mining, and ground subsidence.¹⁰ From the sky, coal dust rains down accompanied by sand, dirt, and noise pollution, severely harming the health of humans and livestock.¹¹

It was in this context that local residents and students launched a large-scale environmental protest movement in Xilin Gol League in May 2011. This movement began with tragedy when two residents attempting to stop environmental pollution lost their lives at the hands of developers. The first of these tragedies occurred on the night of 10 May. Large trucks transporting coal from the Xilin Gol Number Two Open-Pit Mine had been driving around the clock across the pastures of a West Ujimchin herder named Mergen, causing pollution, dust, and the destruction of the pastures. Aiming to stop this activity, on 10 May, Mergen and approximately 20 of his relatives argued with truck drivers on one of the routes used to transport coal. The truck drivers ignored Mergen's demands and drove forward forcibly, dragging Mergen to death and then fleeing the scene. A police officer who was present pursued the truck drivers who had killed Mergen. However, other truck drivers obstructed him, and no arrest was made that night. The following day, the two fleeing criminals were arrested. The incident later came to be referred to as the 5-11 Incident.

Only a few days later, a second tragic incident occurred. Individuals living near the Manit Mine in Abaga Banner, Xilin Gol League, demanded that the Ping An Mining Company halt production because of problems with noise, dust, and the drinking water. On 14 and 15 May, approximately 30 residents gathered in the mining district to demonstrate. On the morning of 15 May, the demonstrators clashed with those on the coal mining side, and seven individuals were injured. The police intervened and temporarily quelled the conflict. However, that evening, clashes escalated on both sides. A number of the young people on the residents' side and approximately 100 individuals on the miners' side fought using metal rods and pickaxe handles. During this conflict, a power shovel operated by someone on the miners' side rammed into a small car driven by Yan Wen Long, a local resident, killing Yan. The perpetrator attempted to escape but was arrested on site by local police. This incident later came to be referred to as the 5-15 Incident.¹²

These tragedies triggered large-scale street protests in Xilin Gol League. On 23 May, local herders protested near government offices in West Ujimchin Banner. Subsequently and continuing through 27 May, local herders and ethnic Mongol students held large protests in Xilinhhot, the government seat of Xilin Gol League, and in West Ujimchin Banner, Bordered Yellow Banner, and Plain Blue Banner. The protesters were displaying to the regional governments their sadness for the victims who lost their lives in conflicts over the environment, and their anger at the developers for causing massive damage to the grassland ecosystems and the lives and livelihoods of herders. These citizens and students demanded that the local government protect the grassland ecosystems and the interests of the herders. In addition, the loss of lives in an environmental conflict deeply affected Inner Mongolians living in other countries, where protests occurred and petitions against the Chinese government were delivered. For example, on 30 May, Inner Mongolians living in Japan gathered in front of the Chinese embassy in Tokyo and demanded that the Chinese government protect the grassland ecosystems and the interests of the herders.

The governments of Xilin Gol League and Inner Mongolia swiftly responded. On 27 May, Hu Chunhua, the Communist Party Secretary of Inner Mongolia (the top party post), visited West Ujimchin Banner's general high school and talked with teachers and students who had participated in the protests.¹³ On the same day, Hai Ming, the top official in West Ujimchin Banner, had his title changed, and the responsibility of local government leaders came into question. Strict measures were adopted to ensure that the unrest in Xilin Gol

League did not spread to other parts of the autonomous region. Large numbers of armed police were dispatched to the area, and restrictions were placed on the movement and assembly of local residents. In particular, the activities of students at several universities in Hohhot, the government seat of the autonomous region, were closely monitored. In addition, an observer was reportedly assigned to follow young employees of certain government entities at the workplace to prevent them from participating in the street protests.

Additionally, officials promised harsh punishment for the murders of the two victims of environmental harm. Four individuals involved in the 5-11 Incident were arrested, and Li Lindong, the principal offender, was executed only three months after the incident occurred. The government also strengthened its oversight of underground resource development companies throughout Xilin Gol League. Between 20 May and 15 June, the Inner Mongolian government performed a study of 833 mining development project sites in Xilin Gol League and ordered 149 mines to shut down and implement changes. In addition, the government paid compensation with the intention to improve or resolve pollution issues such as noise, dust, and pasture destruction, and constructed roads for the transport of resources.¹⁴ As a result, the large-scale environmental protests in Xilin Gol League died down less than a month after they began.

The protest methods used in this case resemble those employed in the self-relief movements frequently observed in Taiwan and mainland China's Han-dominant districts. Sakai explains the concept of self-relief as follows:

'Self-relief' is a legal term that contrasts with 'public relief,' but here it refers to a particular Taiwanese usage of the term to describe instances in which citizens suffering harm from pollution do not depend on the legal system for help but rather take individual direct action. Methods range from relatively peaceful actions such as rallies, demonstrations, and other collective appeals, to violent methods such as the blocking or surrounding of roads leading to the site in question, the destruction of property, and the formation of self-relief troops that attack or intimidate the target of protest.¹⁵

Research on self-relief movements in mainland China has noted that for local communities opposing companies that wield enormous economic power and similarly powerful local governments, "self-relief involving violence is one of the few options that residents dissatisfied with simply crying themselves to sleep can employ to force companies or government entities to negotiate."¹⁶ These characteristics apply to the Xilin Gol League case. That is, in the 5-11 and 5-15 Incidents, local residents directly confronted the sources of problematic pollution and attempted to resolve these problems using individual direct action. This approach resulted in the escalation of conflict and the deaths of the two residents. This type of self-relief continues to frequently occur throughout Inner Mongolia today, albeit to differing degrees.

INDUSTRIAL POLLUTION AND RIGHTFUL RESISTANCE

In contrast with self-relief activities, in another type of environmental protest movement people seek solution through law, policies, and other officially promoted values.¹⁷ These features are demonstrated in Enko villagers' anti-pollution actions. In the village of Enko in East Ujimchin Banner, Xilin Gol League, sheep and cattle grazing was long the core

production activity. However, between 1996 and 2005, paper mills were constructed on both sides of the village pastures, and dark, foul-smelling wastewater was continuously released into these pastures. The first factory was constructed by the local government. However, operations were halted two years later because of unprofitability. A second factory moved to the area in 2000 from Hebei Province and continued to pollute the village pastures for five years, until 2005.

The damage caused by environmental pollution in Enko is discussed in a 2005 written judgment by the Inner Mongolia High People's Court, which includes the following information. In May 2000, DH Paper Mill dug up village pastures to construct a sewage discharge dam. At that time, the mill occupied 1362.8 mu (1 mu = 666.67 m²) of pastureland that belonged to the three plaintiffs in the case. Starting in August of that year, the paper mill began to discharge wastewater inside the embankments. On 11 December 2001, the embankments collapsed, releasing the wastewater inside and polluting 831.8 mu of the plaintiffs' pastureland.¹⁸

Enko's residents did not directly confront the paper mill. Instead, they sought to eliminate the source of the pollution and receive compensation by going through third parties, such as the government, the mass media, and the courts. Therefore, petitions, litigation, and negotiation were the primary forms of action of the resisting residents.

Led by Damba, the former village secretary, 18 households suffering harm participated in petitions and lawsuits. Damba and the others first spent several years petitioning government bodies. They traveled numerous times to lodge complaints regarding the situation with the government of East Ujimchin Banner, the Communist Party Committee, the Animal Husbandry Bureau, and the Environmental Protection Bureau. However, the government officials insisted that the governments of Xilin Gol League and Inner Mongolia as well as China's central government had authorized the construction of the paper mills, and they ignored the villagers' petitions. Next, Damba and the others went to Hohhot and petitioned the autonomous region's Petitions Department, Environmental Protection Bureau, and Grassland Management Department. They also appealed to a television station. However, after receiving the petitions, the government officials either returned the problem to the regional level or provided ambiguous answers. Thus, these actions did not contribute to the problem's resolution.

In the process of petitioning the government, Damba and the others learned a surprising fact when they visited the autonomous region's Environmental Protection Bureau. The official who received their petition immediately telephoned Xilin Gol League's Environmental Protection Bureau. From the content of this telephone call, Damba and the others learned that government officials in Xilin Gol League and East Ujimchin Banner had not received permission from the autonomous region's Environmental Protection Department to construct the paper mill; they had constructed it without leave. This discovery was important. Officials in East Ujimchin had insisted that they had received permission to construct the mill from the autonomous region government and the central government. This claim turned out to be false.

After making this discovery, Damba and the others went to the office of East Ujimchin Banner's governor. They pressed him with questions: "Is this how you trick people? Are you still the governor of the banner? The governor is supposed to work for the benefit of the people. What are you doing? Aren't you polluting the native land of the people?" The governor fled without responding.

Unable to hope for a resolution to their problems through petitioning the regional government, Damba and the others increasingly began to feel they were in personal danger. They read a newspaper report about petitioners engaged in a land conflict in southern China being arrested by the regional government and imprisoned for three years, and they began to worry that the same thing could happen to them. They began to consider going to Beijing, which was beyond the reach of the regional government. Just at that time, Chen Zhen, an environmental activist from Beijing, visited East Ujimchin Banner. Through an introduction from a third party, Damba met with Chen Zhen and asked him to take him to Beijing so he could petition the government there. After listening to an explanation of the situation that Damba and the others found themselves in, Chen Zhen drove them to Beijing in his car. Damba had been told by the regional government that it was not acceptable to petition the central government without leave. Therefore, when he was about to cross the border from Inner Mongolia to Hebei Province, he telephoned the governor of East Ujimchin Banner and informed him that he was going to Beijing to lodge a complaint.

With the help of a large number of former Educated Youth, known as *Zhiqing* in Chinese, living in Beijing, Damba and the others were able to petition the State Environmental Protection Administration. A short time later, an investigative team from the Administration arrived in Enko to survey pollution from the paper mills and the living conditions of the herders who had suffered harm. In addition, the Administration worked with China Central Television to broadcast information regarding the pollution in Enko on a nationally prominent legal television show.

By petitioning Beijing, Damba and the others applied significant pressure on the East Ujimchin Banner government. However, in response, the regional government did not shut down the paper mill, but instead moved to restrain Damba and the others from continuing to petition. Shortly after the group returned from Beijing, the township government's People's Congress took place. At this congress, the township's Communist Party Committee criticized Damba and accused him of opposing the township's economic development, mobilizing people to participate in the petitioning of government agencies, stirring up unrest among the masses and disturbing societal stability, and acting counter to party guidance. They made the same accusations against Enko's current party secretary, Soila, who had accompanied Damba to Beijing, and dismissed him from his position as secretary.

Because petitioning central government entities did not resolve their problems, Damba and the others brought a lawsuit against the paper company. Through an introduction by the former Educated Youth, they contacted a well-known Beijing law firm. Damba served as the representative of seven herder households on the plaintiff side. These seven households were situated surrounding the paper mill's wastewater pond and had been directly harmed by the pollution. Two weeks later, Damba and the others were contacted by a Beijing lawyer and filed legal documents with the Xilin Gol League Intermediate People's Court.

Shortly thereafter, a large group of regional officials came to Enko. Officials from Xilin Gol League and the East Ujimchin government arrived in over ten cars, visited 18 households that had suffered harm from the pollution, and demanded that they drop the lawsuit. Three cars arrived at Damba's home carrying the governor and directors of the Animal Husbandry Bureau and the Land Management Bureau of East Ujimchin Banner,

together with the Xilin Gol's deputy governor and Intermediate People's Court officials. They piled gifts, including meat, eggs, alcoholic drinks, and rice, in the entryway and attempted to convince Damba to drop the lawsuit. He did not respond to the regional governments' settlement offer. However, most of the other households that filed the suit with Damba accepted the offer. Government officials visited the other households and stated that if they accepted the offer, the banner government would provide Enko 960,000 yuan. They promised that 600,000 yuan of this sum would go to the village and that the remaining 360,000 yuan would go to the villagers who had suffered damage. This promise led four of the seven households that had filed the lawsuit and 11 of the households that had been indirectly involved to drop their claims.

Since the majority of the plaintiffs who had filed the lawsuit with Damba dropped their claims, the suit was dismissed. Damba and the two remaining households then contacted their Beijing lawyers and filed another lawsuit. Approximately one month later, a trial occurred, and the defendants were ordered to pay Damba and the others 250,000 yuan in compensation. The plaintiffs objected to this decision and appealed to the Inner Mongolia Higher People's Court. This trial resulted in the defendants paying Damba and the other plaintiffs 360,000 yuan. This sum was substantially lower than the compensation the plaintiffs had sought and did not resolve the issue of compensation for land.

In 2005, the State Environmental Protection Administration criticized pollution from paper mills as one of nine critical pollution issues facing the country, and sought reforms within a set period of time. In response, the paper mill left East Ujimchin Banner. However, many issues remained unresolved for Damba and the others, including the return of land, the restoration of polluted land to its previous condition, and compensation for fences that had been destroyed during construction of the paper mill.

Once again, Damba and the others went to Beijing and petitioned the State Land Administration Bureau regarding their land issues. They argued that the East Ujimchin Banner government should return the land that had been occupied during the construction of the paper mill to the village and restore polluted land to its previous condition. In response, State Land Administration Bureau officials acknowledged that the demands were legitimate, but argued that the grassland certificate Damba and the others had brought with them as evidence that they owned the land was invalid. The officials stated that all land in China was either owned by the state or collectively, and, to prove their right to the land in question, Damba and the others required a collective land ownership certificate. The East Ujimchin Banner government must issue this certificate and, if it did not, its behavior would constitute a violation of state policy, they stated.

After receiving this information, Damba and the others returned to East Ujimchin Banner and went to the banner secretary's office to negotiate. They stated they had been to the State Land Administration Bureau and asked the secretary why collective land ownership certificates, which were part of national policy, were not being issued in their region. The secretary responded that their certificate would be issued presently, and suggested that if they had a particular demand they should ask him about it so it could be resolved. As a result of the ensuing discussion, he promised to provide Damba and the others with enough iron fencing to enclose 1,000 mu of pastures, to dig new wells, to construct livestock barns and rooms for herders, and to pay them 40,000 yuan to compensate for the money spent on travel to present their petitions and other costs. The banner government quickly fulfilled these promises. In addition, because it was impossible from a

technological or fiscal perspective to restore the land owned by Damba and the others that had been occupied during the construction of the mill, they were provided with other land in Enko as a replacement. Further, the location of the new land was such that Damba's household had to continue living next to polluted land over the long term.

The methods of environmental protest used by the Enko villagers display the characteristics of "rightful resistance." O'Brien and Li describe rightful resistance as follows:

Rightful resistance is a form of popular contention that operates near the boundary of authorized channels, employs the rhetoric and commitments of the powerful to curb the exercise of power, hinges on locating and exploiting divisions within the state, and relies on mobilizing support from the wider public. In particular, rightful resistance entails the innovative use of laws, policies, and other officially promoted values to defy disloyal political and economic elites; it is a kind of partially sanctioned protest that uses influential allies and recognized principles to apply pressure on those in power who have failed to live up to a professed ideal or who have not implemented some beneficial measure.¹⁹

The actions taken by the Enko villagers fit this description. First, Damba and the others consciously and scrupulously ensured that they acted within the limits of the state legal system and regional government rules. For example, as previously mentioned, when they traveled to petition Beijing, Damba telephoned the banner's director of public safety before crossing the border of Inner Mongolia to inform him that they intended to petition the central government. At the least, this behavior indicates that Damba was aware he was circumventing the regional Public Security Bureau's warning that it was forbidden to petition the government without leave. Thus, he dutifully telephoned the regional Public Security Bureau before going to petition the central government.

Additionally, Damba and the others discovered within the process of lodging their complaints that the actions of the officials in the banner government violated national laws and high-level policies, and they used this discovery to press their case and debate the banner officials. As previously discussed, Damba and the others learned that the banner government was lying regarding having obtained permission to construct the paper mill from the autonomous region government. After receiving this information, they pressed their case and gained the upper hand in the dispute. In addition, when they petitioned the State Land Administration Bureau, they learned that the banner government should have been issuing collective land ownership certificates. With this information, Damba and the others went to the office of the banner secretary, negotiated with him, and succeeded in securing material compensation.

CONCLUSION

The environmental protest movements in Inner Mongolia chronicled herein illustrate two points. First, the methods adopted in environmental protest movements in Inner Mongolia display characteristics of self-relief and rightful resistance. Self-relief is a form of action taken by individuals who cannot hope to resolve their problems through formal legal systems or government authority, and therefore attempt to resolve them using informal methods. One of the most familiar informal methods is violent confrontation, in which individuals literally put their bodies on the line. This type of confrontation risks

developing into bloody or deadly incidents, and carries a heavy price for the victims of environmental harm. In contrast, rightful resistance relies on knowledge of formal political and legal systems and central or regional government policies. Individuals gain this knowledge during the process of petitioning, bringing lawsuits, and negotiating with government officials. It is also important to uncover evidence of negligence or cover-ups by local government officials and to use this against them in negotiations. These types of actions require the investment of large amounts of time and money.

Second, the environmental protest movements discussed in this chapter were struggles to protect the environments that sustain lives and livelihoods; those involved were not fighting for a particular ethnic group. For the victims of environmental harm, the opponents are polluting companies and regional governments; ethnicity is not a relevant factor, as the victims include both Mongol and Han individuals. The unimportance of ethnicity in these disputes also is seen in the fact that Mongol herders joined with Han former Educated Youth to confront polluting companies and regional governments.

Characterizing conflicts that primarily involve ethnic Mongols as ethnic minority issues leads the discussion in a direction that misses the essence of the problem. Importantly, such a misinterpretation may lead government officials to repress such conflicts under the pretext of societal stability and ethnic unity. Consequently, misidentification of these protests as ethnic disputes risks obliterating opportunities for legitimate expression by local residents on the one hand, and covering up official corruption and collusive relationships between polluting companies and government officials that lie behind incidents of environmental pollution on the other.

NOTES

- * This chapter is translated and revised (with permission) from a previous publication in Japanese: Wuqiriletu, “Uchi mongoru no kankyo kōsō undō,” in *Sōgen to kōseki: Mongoru to chibetto ni okeru shigen kaihatsu to kankyo mondai*, eds., Tanase Jirō and Shimamura Ippei (Tokyo: Akashi Press, 2015), 183–204.
- 1. Chun-mei Kun, “Zhongguo shaoshu mingzu diqu quntixin tufa shijian fangfan yu yindao yanjiu,” *Neimenggu caijing xueyuan xuebao* 4 (2011): 68–72. Quan-liang Xu, “Minzu diqu tufa shijian wangluo yulun yindao celue,” *Yinshan xuekan* 2 (2014): 78–80.
- 2. Kun, “Zhongguo shaoshu mingzu diqu quntixin tufa shijian fangfan yu yindao yanjiu,” 69.
- 3. Nimrod Baranovitch, “The 2011 Protests in Inner Mongolia: An Ethno-environmental Perspective,” *The China Quarterly* 225 (March 2016): 214–33.
- 4. Wuqiriletu, “Uchi Mongoru no kankyo kōsō undō.”
- 5. Fujibayashi Yasushi, “Jyūmin undō saikō—seikatsushi no naka no yigi mōshidate komyuniti no keisei to tenkai—kōdo keizai seichyō kōki no kōgai hantai undō o jirei toshite,” *21 seiki shyakai dezayin kenkyū* 7 (2008): 67–75. Sakai Tōru, “Taiwan no minshyuka akuta saikō—1980 nendai kankyo osen o meguru ‘jiriki kyūsai’ undō o chyūshin ni,” *Kokusai kyōryoku ronshyū* 19, no. 1 (2011): 139–53.
- 6. Tadayoshi Terao, “An Institutional Analysis of Environmental Pollution Disputes in Taiwan: Case of ‘Self-Relief’,” *The Development Economics* 40, no. 3 (2002): 284–304.
- 7. Yu-lin Zhang, “Zhongguo nongcun huanjing ehua yu chongtu jiaju de dongli jizhi: Cong sanqi quntixin shijian kan ‘zhengjing yitihua’,” in *Zhongguo huanjing shehuixue diyiji*, eds., Cai Ling and Bao Zhiming. (Beijing: Zhongguo shehui kexue chubanshe, 2014), 139. Jun Jing, “Renzhi yu zijue: yige xibu xiaguncun de huanjing kangzheng,” in *Zhongguo huanjing shehuixue diyiji*, eds., Cai Ling and Bao Zhiming. (Beijing: Zhongguo shehui kexue chubanshe, 2014), 171.
- 8. Hai-qing Geng, “Meitan fujiqu kaifa moshi jiexi: Yi Xilinguole meng weilie,” *Diyu yanjiu yu kaifa* 29, no. 4 (2010): 32–7.
- 9. Ji-si Ting and Lan Hai, “Qiantan Xilinguole meng kuangchan ziyan kaifa wenti,” *Neimenggu keji yu jingji* 207, no. 5 (2010): 68–70.

10. Chaolemeng Qiqige, "Xilinguole meng caoyuan kuangqu kaifa xianzhuang ji shengtai zhili yanjiu chutan," *Neimenggu Caoye* 23, no. 4 (2011): 12–15.
11. Yu-ming Wang and Hai-liang Cai, "Caoyuan biancheng xinxing nengyuan jidi you fenqi: Kexue kaifa yixiaokuai youxiao baohu yidapian?," *Jingji cankao bao*, 9 October 2009, http://jjckb.xinhuanet.com/sbdb/2009-10/09/content_184098.htm.
12. "Neimengu gonganting tongbao 'wuyiaoyiao', 'wuyiaowu' anjian zhengpo zhuangkuang," Yulin wang, <http://www.ylrb.com/news/2011/0602/article-476833.html>.
13. "Hu Chunhua kanwang xi wuzhumuqin qi zonghe gaozhong shisheng, Ren Yaping peitong," Neimenggu xinwen wang, 28 May 2011, <http://inews.nmgnews.com.cn/system/2011/05/28/010600940.shtml>.
14. "Xilinguole meng tingchan zhengdun 149 zuo kuangshan," Neimenggu kuangye lianhehui, <http://www.nmgkl.com/Article/201111251700.html>.
15. Sakai, "Taiwan no minshyuka akuta saikō," 143.
16. Zhang, "Zhongguo nongcun huanjing ehua yu chongtu jiaju de dongli jizhi," 154.
17. Uchralt Otede, "Informal Grassland Protection Networks in Inner Mongolia," in *The Living Politics of Self-help Movements in East Asia*, eds., Tom Cliff, Tessa Morris-Suzuki, and Shuge Wei (Singapore: Palgrave Macmillan, 2018), 107–29.
18. "Damulinzhabu deng su neimenggu dong Wuzhumuqin dianhua jiangban chang, dong Wuzhumuqin qi renmin zhengfu huanjing wuran sunhai peichang an," Zhongguo sifa Ku, <http://sifaku.com/falvanjian/10/zadwzc9f965.html>.
19. Kevin J. O'Brien and Lian-jiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006), 2–3.

28. Ethnic unrest and China's multiple problematic others

Tom Cliff

PROLOGUE: FOR WHOM THE BELL TOLLS

On 2 May 2015, an unarmed petitioner from a small town in Heilongjiang was shot dead by a railway policeman using a recently issued handgun fired at point-blank range into the man's chest. The incident struck a nerve in Chinese society. As *Renmin Ribao* later put it, the convergence of many "sensitive factors" made the case very "complex."¹ The slain man, Xu Chunhe, was the sole supporter of three young children, an elderly mother and a mentally ill wife. He himself had been laid off, medically unfit for work. Xu's petitioning aimed to make his plight known to higher-level authorities and thereby obtain state support—an action that would inevitably have attracted unwelcome attention to the corrupt local officials who, to avoid such attention, ordered the police (including the hapless killer) to prevent Xu from boarding trains. Making it a nationwide media event, the issuance of handguns to ordinary police one year earlier (for the first time since the establishment of the PRC) was opposed by many in Chinese society. For weeks following the shooting of Xu Chunhe at the Qing'an railway station, the Internet was alive with debate and criticism from both anonymous netizens and high-profile "Big V" Weibo personalities. The event precipitated the downfall of those corrupt local officials, and was later dubbed one of the "Top 10 events to arouse public interest in 2015."² Ruminating on why public outrage continued even after central authorities declared that the policeman had "carried out his duty correctly"—therefore case closed—a 15 May editorial in *Renmin Ribao* mused: "The sound of a gunshot travels far, the whole truth has been revealed."³

The sound of that gunshot is unlikely to have travelled so far if the victim of the bullet had been a Uyghur. An event that took place just two months later, and also in Northeast China, provides an illuminating comparison. Due to the ever-worsening conditions of their lives in Xinjiang, and the near-impossibility of obtaining authorization to travel abroad, many Uyghur people were (and, at time of writing, still are) trying to get out of China illegally. Xinjiang's borders were heavily policed, so Southwest China became a favorite place to sneak over the border until that area, too, came under the security spotlight. In July 2015, some prospective emigrants apparently headed towards the Heilongjiang border with Russia, one small group holed up in a rented apartment in Shenyang (Liaoning province) en route. As an official announcement related at the time, there they were discovered during a police "counterterrorism sweep," the aim of which was to search out and arrest Uyghurs who were on a "pilgrimage to escape persecution" (*yijilate* 伊吉拉特).⁴ State discourse directly associates *yijilate* pilgrimage with terrorism.⁵ Less than one week before the Shenyang incident, on 8 July 2015, Thailand had repatriated over 100 asylum-seeking Uyghurs. They were cast as terrorists by Chinese state media,⁶ giving the families holed up in the apartment in Shenyang little reason to surrender.

When the group in Shenyang (three men and one woman, accompanied by three young children) resisted arrest, the police called in over 200 reinforcements, including a counter-terrorism unit. Reportedly armed with “long knives and blunt instruments” (suggesting kitchen utensils), the three men were shot dead and the woman injured in the ensuing attack. Nothing more was mentioned of the three young children. “Quick, resolute action,” the official announcement claimed, had “prevented people from being injured or killed, or society being [negatively] affected.”⁷

Then everything went quiet: the initial “Uyghur terror” spin was suddenly downplayed, and the original statement by the government, as well as all major news reports citing it, was deleted after just 24 hours. By the following afternoon (14 July 2015), only one original item—a microblog posting by state broadcaster China Central Television (CCTV)—remained online. Unlike the widespread coverage afforded the Qing’an incident, the Shenyang Uyghurs disappeared almost completely from the newscape. The foreign media picked up on the abrupt change of tone,⁸ but domestically it appeared that the usually vocal online public had little interest in pursuing this particular case of state-sanctioned violence.

The central themes and argument of this chapter are hinted at by an exception—perhaps the sole exception—to the otherwise complete absence of public critique following the killing of the Shenyang Uyghurs. Highly ironic, this exceptional comment apparently went unnoticed by both the Chinese censors and the foreign media reporting on the event. Below the CCTV microblog post, amidst the barrage of boilerplate comments praising the bravery of the SWAT teams that stormed the apartment, @三七二十三 wrote: “I mistakenly thought they were petitioners, but all along they were terrorists. At last I can relax.”⁹

INTRODUCTION

This chapter argues that the “Uyghur terror threat” discourse outside Xinjiang is a tool that authorities at all levels deploy in pursuit of maintenance of stability among the Han majority.¹⁰ Notably since early 2014, there has been a distinct rise in the usage of this discursive tool in predominantly Han Chinese populated areas; militarized policing that was once limited to “special places” (*teshu diqu*, like Xinjiang and Tibet) or special periods (like during high-level meetings) has become almost commonplace. There is a clear correlation between places with known potential for social unrest and the urgency with which the threat perception is propagated in those areas. Focusing empirically on the rust belt province of Heilongjiang, this chapter aims to show that the “Uyghur terror threat” discourse is used as a mobilization tactic independent of the actual or perceived threat from such terrorism. That is, the threat of Uyghur terrorism is, in China today, a securitization “speech-act” directed at Han people: mobilising and controlling Han Chinese people is a foremost objective of this speech-act.¹¹

The chapter proceeds in the following manner. The first section discusses securitization theory and social control through mobilization in the Chinese context. The second section describes the extension of the war on terror from Xinjiang to the whole of China. The third section summarizes the important political role played by the institution of petitioning. The final three sections tease out some of “the forms, dynamics, and institutional linkages”¹² of securitization through an in-depth analysis of the May 2015 Qing’an shooting

incident and comparison with my ethnographic research into the on-ground practice of securitization in eastern Heilongjiang a few months later. The chapter proposes that the Qing'an shooting incident was a key point in a “reset” of state–society expectations concerning stability and the right to protest—a reset that was consciously engineered from the top down. The 18-month period over which the major tangible transformations of this reset took place is bracketed on the early end by the Kunming railway station attacks on 1 March 2014 and on the latter end by the “Grand Military Parade” on 3 September 2015.

SECURITIZATION IN THE CHINESE CONTEXT

The Copenhagen School’s influential notion of “securitization” holds that a stated threat to security is neither solely perception nor solely objective reality, but instead should be seen as a “speech act.” In a speech act,

the utterance *itself* is the act. By saying it, something is done (as in betting, giving a promise, naming a ship). By uttering “security” a state-representative moves a particular development into a specific area, and thereby claims a special right to use whatever means are necessary to block it.¹³

A later formulation by the same group clarifies the three rhetorical steps of successful securitization. First, an actor (e.g. the state representative) claims that an existential threat exists (e.g. to the nation, the state or a population within the nation). Second, the securitizing actor claims that extraordinary countermeasures—emergency actions which circumvent or override the norms and rules of that polity—are needed in order to neutralize that threat. Third, the securitizing actor convinces an audience (e.g. a population within the nation) that such rule-breaking behavior by the actor is justified in view of the severity and immediacy of the threat. Under securitization, the nature of the threat and how to deal with it (rhetorical steps one and two) are taken off the agenda for discussion—in Buzan et al.’s words, lifted “above politics.”¹⁴

The two essential aspects of securitization are societal compliance and societal mobilization—respectively, popular acceptance of state transgression and recruitment of the population in the state’s securitization agenda. As Migdal’s work makes clear, mobilization of the population enables social control by the state, and the state’s ability to mobilize society is determined by the level of dependence of society on the state. External or internal threats (terrorism, war, financial crisis, natural disaster, disease epidemic, etc.) provide opportunities for the state to claim that extraordinary measures are necessary and emphasize the population’s dependence on the state for protection from these threats, and thereby mobilize the society.¹⁵

The securitizing state actor thereby expands its own powers and establishes a new set of norms vis-à-vis the population. These new (and theoretically temporary) norms enable the securitizing actor to impose behavioral restrictions or additional behavioral requirements on any citizens that potentially constitute part of the threat—but, more importantly for my argument, also on those citizens that are posed as being threatened (the audience). For example, after the July 2009 Urumqi riots, Han people in Xinjiang were forced to cancel their summer holiday travel plans, the Internet was cut off, and many public recreation facilities were closed. Political study and “anti-terror” marching

exercises with wooden sticks were mandatory daily activities in many work units. Since 2009, all Xinjiang residents have been subject to additional surveillance measures (mandatory GPS installation in all vehicles) and restrictions on movement (recall of all passports) that do not apply to Chinese citizens elsewhere in the country. Thus, with instability and (Uyghur) terrorism as the pretext, Xinjiang Han are controlled by proxy.

With Islam and any Uyghur expressions of socio-cultural difference as its targets,¹⁶ repressive securitization in Xinjiang has now reached farcical heights. In early 2017, a Uyghur cadre's failure to light up a cigarette in the presence of a Uyghur village elder—and thereby actively offend religious and cultural sensitivities that (according to the state media) are associated with Islam—had the cadre very publicly reprimanded and demoted.¹⁷ Under these securitized circumstances, failing to stop at a red light, peacefully protesting illegal land dispossession or forced abortion, or reading the Koran in the privacy of one's own home can easily be cast as expressions of intent to commit a terrorist act and responded to accordingly—with lethal force.¹⁸

Securitization in Xinjiang has encouraged Han citizens (the audience) across China to treat any member of the Uyghur population as automatically suspect. The state media identifies the enemy as the “three evil forces” of (religious) extremism, (ethnic) separatism, and (Islamic) terrorism, thereby producing and iteratively confirming this prejudice. Not coincidentally, these characteristics inhere in the Uyghur population: expressions of non-Han ethnicity are associated with separatism, and Islam is associated with terrorism. “Religious extremism,” asserted the state-run *Global Times*, quoting a Chinese expert, is “the deep-rooted cause of Xinjiang’s terror threats.”¹⁹ Frequent, terse but triumphant official reports of terrorist plots or “illegal religious activities” (implicitly a breeding ground for terror activities) being thwarted serve to remind Han settlers that the state and people are faced with the clear and present danger of a Muslim insurgency. The message is that terrorists and religious extremists are hidden among, difficult to distinguish from, and may even be sheltered by the general Uyghur population. Since, to the average Han person, in Xinjiang or elsewhere, any Uyghur could be a terrorist, all become potential terrorists.

Nationwide, the speech acts of the contemporary anti-terror discourse are designed to produce uncertainty and fear, and to operate as rousing calls to action. Their syntax echoes the anti-imperialist and anti-counterrevolutionary discourse of high socialism in China—“people must stay vigilant against terrorists”²⁰ and “report suspicious activity.” The anti-terror fight is couched as a “people’s war”²¹ that will be “long-term” and “complicated,”²² and requires “ultra-tough measures and unconventional means.”²³ The state’s claim for the need to take extraordinary measures and the demand for the population to grant state agents expanded powers—the second and third rhetorical steps of securitization—as well as the imperative of popular mobilization can be clearly discerned in these statements. In this way, the asserted link between the categories of Islam or Uyghur and the category of terrorist is affirmed and lifted “above politics.” It is not to be discussed.

Securitization may have—and typically does have—hidden aims that, for the securitizing actors, are more important than the explicit aim of threat mitigation. Xinjiang has been increasingly securitized since the riots of 5 July 2009, but even before 2009, state actors from the center to the localities posed the ever-present threat of instability to attract financial support—as well as to justify restrictions and requirements as noted above.²⁴ Just as war is lucrative, instability is a political and economic resource for institu-

tions and individuals in certain positions.²⁵ The rhetorical or actual threat of terrorism gives security organs a *raison d'être*, and invariably leads to these organs concentrating and commanding more economic and military resources, and more political power.²⁶ This process plays out in Western democratic states as well, affecting the allocation of power and money in a broad range of sectors.²⁷ Internal threats to CCP political power and the "stability maintenance regime" gave rise to the People's Armed Police (PAP); Xinjiang and Tibet were where the PAP grew into the extremely powerful organ it is today. Similarly, the Xinjiang Production and Construction Corps has made use of heightened anxiety about Xinjiang since 2009 to secure increased central subventions.²⁸ More broadly, the perceived need for development to maintain stability in Xinjiang²⁹ has consistently attracted large subsidies and capital infrastructure investments from the central government and richer eastern provinces of China under the auspices of a series of very large-scale developmental plans.³⁰ Amounting to trillions of yuan of investment, these overlapping developmental plans have granted opportunity for well-placed individuals to generate enormous wealth, typically involving corrupt means.³¹ It is, in other words, essential to question the stated motives of the securitization of the Uyghur terror threat in contemporary China.

Chinese authorities' assertions that they are facing an existential threat in the form of Uyghur terrorism do not satisfactorily explain the extent of the militarization of the streets in Han-majority regions. In the first instance, such displays of force are used to back up state claims that they are "striking hard at terror" in defense of the Chinese civilian population, and to make that same population feel at once grateful and uneasy. This itself is a form of social control, and signals that the discourse of Uyghur instability has spread beyond Xinjiang not least because the need for a discourse of Uyghur instability has spread beyond Xinjiang. With economic slowdown, social unrest and tensions have been on the rise since Xi Jinping took power in late 2012. Militarization is not simply about preventing terror attacks on Han civilians—it is primarily about rapidly or even pre-emptively "harmonizing" potentially unstable elements of the Han population itself. People feel less uncomfortable when they are told that the police on the streets are there to protect them from dangerous "others," rather than to protect the state from them or other Han. The following section gives a sequential overview of how securitization, posing Islam or Uyghur as existential threat, was successfully extended to the whole of China.

THE WAR ON TERROR GOES NATIONWIDE

The Kunming railway station attacks of 1 March 2014 prompted a significant up-tick in Uyghur terror threat mobilization beyond Xinjiang. Eight knife-wielding Uyghurs, including two women, surged through the crowded station hall for 40 minutes, killing 31 people and injuring 141, before being shot dead by a SWAT team. The Chinese state news agency, Xinhua, declared that the event brought "fear and terror into the lives of ordinary people" and changed "Chinese people's attitude towards terrorism."

"I never realized terrorists are so close to us," a resident in Kunming wrote on China's microblog Sina Weibo after the tragedy. After seeing the attack in Kunming, Chinese people have begun to believe it could happen in their own cities, around them or their families, Turwinjan Tursun,

associate researcher with the Xinjiang Academy of Social Sciences, said. Mei Jianming, an anti-terrorism expert at the People's Public Security University of China, said the violence has seeped outside the borders of Xinjiang into other parts of China.³²

By saying something, something is done. By saying that “ordinary Chinese people” (read, Han people elsewhere in China) are afraid of Islamic Uyghur terrorists from Xinjiang—that they are justified in feeling afraid and indeed should be afraid—those people become afraid. Nationwide, the population becomes aware that they are expected to express fear and defiance in the face of this threat. In other words, people recognize this as a mobilizational call.

State actions parallel the speech-acts by specifically identifying the problem, the solution, and both the explicit and the implicit state expectations of the non-enemy citizenry—those ordinary Chinese people. On an inspection tour of Xinjiang in late April 2014, Xi Jinping pronounced that the “long-term stability of Xinjiang is vital to the whole country’s reform, development, stability . . . and national security.”³³ Subsequently, “anti-terror plans [went] national”³⁴—and with them a heightened threat-perception, expanded state repressive powers, and greatly-increased popular mobilization in China’s war on terror. Legislation was passed allowing ordinary police to carry handguns for the first time in over 60 years; many expressed reservations, but the terror threat exemplified by the Kunming attacks carried public opinion at the time. SWAT teams and units of the People’s Armed Police were deployed widely and in unprecedented numbers across central and eastern China.³⁵ Official statements warning of the spread of religious extremism and illegal religious activities from the periphery to the Chinese heartland were ramped up in early 2015, augmenting the threat perception.³⁶ By early 2017, Uyghur terrorism had been raised to the very highest level of threat: “[The East Turkestan Independence Movement] is the most prominent challenge to China’s social stability, economic development and national security,” claimed Cheng Guoping, state commissioner for counterterrorism and security.³⁷ “Anti-terror rallies” in key Xinjiang cities involving paramilitary troops numbering in their thousands lifted the political theatre of state mobilization to new heights.³⁸ All this contributed to and rhetorically supported a “creeping normalization of militarized policing in China.”³⁹

Securitization helps to suppress non-violent and even legitimate forms of protest. Paramilitary troops on the ground and ordinary police with handguns both visually reinforce the speech-act—the claim that an existential threat is posed by Uyghur terrorism—and, no less importantly, pose a physical threat themselves. The threat that militarized policing poses is not limited to those carrying out or intending to carry out violent terrorist acts. Rather, by virtue of being visible to all, and with security forces granted a mandate to shoot first and ask questions later, the show of force is more broadly directed at all forms of unrest and dissent. Kunming provided what criminologist Xu Jianhua called the “trigger” for the arming of ordinary police. But Xu insisted that the move to increase police firepower across China was already afoot: “Xi Jinping [has] wanted to do this for some time.”⁴⁰ Moreover,

Along with the guns, Chinese leaders issued this new rule: When dealing with those deemed to be terrorists, officers should now shoot instantly, without warning or hesitation. The problem with the new order is that authorities can now use it to justify any shooting, said Peking University law professor Zhang Qianfan.⁴¹

Significant public resistance to the arming of ordinary police was vindicated as, over the next six months, police bullets killed unarmed individuals who had been quarrelling non-violently with police or local authorities. The victims were often framed as carrying out “terrorist” activities, and, although the claim was unconvincing, the outcomes were irrefutable. No police were prosecuted, the incidents were hushed up, and guns continued to be handed out to officers with little or no training. Residents of a remote township in Yunnan where, in September 2014, the threat of terrorism was used to justify police killing, said the authorities were lying: “There are no terrorists here. The only people we are afraid of are the police.”⁴² Any casual observer could read clearly between the lines: non-violent protest was now potentially subject to an armed response; whether by accident or design, people “causing trouble” for local authorities may be fired upon.

This society-wide propagation of the perception that “now is not the time to stick one’s neck out” is not merely an unintended consequence of Chinese state authorities’ declaration that the nation and state face an existential threat in the form of Islamic or Uyghur terrorism. The Chinese Communist Party must surely recognise that the Han Chinese population is the greatest threat to its own continued rule. In most places in China, Uyghur unrest is a far more remote possibility than Han unrest. There are far more Han, and Han have good reasons to protest too. It is politically acceptable in China to subject “Uyghur terrorists” to all manner of harsh, even pre-emptive, repression and violence. But, when applied to Han protesters, disproportionate force does not necessarily go unquestioned—which could draw dangerous attention to government corruption or mismanagement, as in Qing’an and many other cases. Thus, the primary objective of securitization and popular mobilization in Han-majority regions of China is to demonstrate, without ever stating it directly, the mortal danger of “making trouble” under these securitized conditions—thereby deterring them from making expressions of discontent themselves.

I am not suggesting that officials’ concerns regarding terrorism are not genuine—incidents happening under their watch would certainly have a negative effect on their career; but the extension of the Uyghur terror threat from Xinjiang to other parts of China does provide a rich discursive resource that they can deploy to deal with their other, often more pressing, problems. In this way, the informal institutions governing state–society relations in the realm of petitioning and protest are reshaped. While citizens’ rights to express grievances (especially through petitioning) is rhetorically supported at the highest level, citizens’ propensity to do so is severely curtailed.⁴³

PETITIONING AND PROTEST: SENSITIVE BUT NOT SECURITIZED

A lasting nationwide norm that petitioning inherently constitutes a threat to social stability has never been established because the central government has assiduously avoided making any such statement. The legitimacy of the central government depends in part on maintaining the political myth that it is just and upright, and will evenhandedly resolve the grievances of ordinary people and keep the corruption of lower levels of government in check. In this way, some version of the petitioning system has since dynastic times played a dual role in reporting on the activities of political officials in far-flung localities and in bestowing political legitimacy to central authorities.⁴⁴

The central government places the burden of responsibility for controlling petitioners and other forms of protest on the localities and institutions to which the protesters belong. A failure to maintain social stability by resolving grievances or, more commonly, repressing unrest at the local level can have an immediate and devastating effect on local cadres' careers. Every level of government, from the county to the center, levies fines on subordinate levels if petitioners from down below reach their level. This means that all levels spend large sums of money and deploy many staff to prevent petitioners from escaping the locality. The extrajudicial mistreatment of petitioners is well documented.⁴⁵ One female petitioner that I interviewed on a number of occasions was detained for 30 days in a "black jail" outside Beijing, being fed starvation rations for the duration and regularly beaten until she agreed to go home to Heilongjiang without presenting her petition in the capital. Aged over 70 at the time, she sustained permanent internal injuries and musculoskeletal damage that severely hampered her movement; but even the constant presence of the Community Management Office personnel outside her home did not prevent her from attempting to make the journey again. Hers is an extreme but not unusual story: many petitioners, and every single one of approximately 30 I have interviewed personally, felt that they had nothing to lose and sought, above all, to "see justice done." Yet, while petitioners are routinely, and with state sanction, subjected to brutal, illegal, and unjust treatment, both the right to petition and the right to discuss how petitioning is handled are upheld.

SECURITIZING HEILONGJIANG IN SUMMER 2015: FROM QING'AN TO THE GRAND MILITARY PARADE

The Qing'an incident of 2 May 2015 demonstrates the difficulty of explicitly securitizing Han petitioning and protest. This section contrasts the complex socio-political calculations involved in managing Han petitioners with the simplistic yet widely-accepted categorization of all Uyghurs as potential terrorists, and the subsequent slippage from assertion to action—the treatment of all Uyghurs as terrorists. This comparison demonstrates the utility of the "Uyghur terror threat" discourse in helping to suppress Han petitioning and protest.

The Qing'an incident caused a multi-sided debate in the Chinese media. The manner of Xu Chunhe's death and subsequent handling of the affair were strongly criticized by ordinary netizens, seasoned petitioners, known rights activists, and online personalities in social media postings—and also by influential state-controlled media outlets. Early local government reports claiming that Xu and his mother were rightfully stopped because they were "repeat petitioners" were met with scorn and outrage from the online Chinese community.⁴⁶ Rights activists and lawyers declared the shooting an excessive use of force. A seasoned petitioner from Dalian organized an online petition calling for a full and transparent investigation into the shooting; he received threatening telephone calls telling him to step down and was physically sought after by thugs.⁴⁷ Notably, the official publication *Beijing Youth Daily* joined the critics, on 7 May stating unequivocally that "petitioning is a citizens' right," and that it was illegal to stop Xu boarding the train on the basis of him having petitioned in the past: "If security guards can prevent people from boarding trains [simply] on suspicion of being a petitioner, how are citizens' rights

protected?" The editorial then argued that if Xu had not been illegally prevented from going about his business, there would have been no reason for him to "cause trouble" and the fatal shooting would never have occurred.⁴⁸ On the same day (7 May), a Jiangsu government-controlled news site criticized Xu's bereaved mother for refusing the 200,000 yuan compensation offered by the police, and accused the online commentators who were raising questions about the incident of being "emotional" and "deliberately contrary." The Op-Ed claimed that Xu's belligerence towards the railway police officer was "nothing less than an act of terrorism."⁴⁹ However, despite pointed reference to the "lingering shadow" of the Kunming railway station knife attacks of March 2014, this line of justification failed to catch on.

Ai Weiwei Studios conducted an interview about the Qing'an incident with "Big V" blogger and rights activist Wu Gan that illustrates the complexity of contentious politics in contemporary China. Wu Gan, known to many by his online handle "Super Vulgar Butcher," was briefly but closely involved with the Qing'an incident. According to the interview, Wu Gan heard about the event via WeChat and Twitter on 4 May, and was "immediately suspicious." He consulted with his boss at Beijing Fengrui Law Firm and obtained the go-ahead to investigate the case and offer legal support to Xu's mother, then boarded a train to Harbin. In the meantime, he put out a call on social media for people to send him any and all online information pertaining to the incident, rightly fearful that such information might be deleted from cyberspace by censoring authorities.

Unbeknownst to him, the Harbin Railway Public Security Bureau (PSB) had already rounded up all the eyewitnesses that they could find and deleted their photographs and videos of the altercation. While on the train, Wu Gan got a message from a Qing'an high school student who witnessed the event, and said he had a video and pictures of the event which showed Xu Chunhe being beaten by the police officer while restrained by other railway staff. The student was at school in Dalian and offered to meet, so Wu Gan disembarked at Shenyang and boarded a train to Dalian. Fearful that the student might change his mind, Wu convinced him to send through the video; shortly afterwards, the Harbin Railway PSB caught up with the student and convinced him to delete the video. Wu Gan met the student and audio-recorded his eyewitness account; that afternoon, the police visited the student again and debriefed him for three or four hours. Wu Gan "waited until he felt sure that the student was not in big trouble," contacted his lawyer friends to notify them that the student may need help and have them offer it free if needed, then headed towards Harbin with the intention of beginning his on-site investigation. He never got there. En route (7 or 8 May), Wu received a call from the PSB's Internal Political Security Department warning him off. "If I did continue my journey," he explained with a nervous laugh, "I may have been stopped." Wu Gan met, recognized, and retreated from the red line.

With the initial spin ineffective, it took over a week for the political center to decide on and assert their own "correct interpretation" of events. Then things moved quickly. On 11 May, the English-language *China Daily* published a strongly worded call for a high-level investigation into the incident, and heads were rolling in Qing'an County the following day: the deputy magistrate, the chief procurator, and about ten other officials were suspended and put under investigation for violations of discipline. The petitioner was dismissed as a drunken hooligan who had willfully attacked the police officer, used his own child as a weapon, and even tried to grab the officer's pistol. Xu's violent attacks

compelled the officer to shoot, the authoritative police report declared; the police officer was cleared and victory was declared for the forces of justice and upright governance. All media outlets nationwide were directed on 13 May not to “follow-up or hype the Qing’an shooting incident,” and that “negative, harmful Internet commentary” must be deleted.⁵⁰ Upper-level authorities’ displeasure at the handling of the incident and the inconsistency of the state message came through very clearly in the *Renmin Ribao* editorial of 15 May.

While official proclamations fell into line after 15 May, the public uproar continued. As one example, legal scholar Zhang Xuezhong (reputedly fired in 2013 from East China University of Political Science and Law for criticizing the government) posted a scathing commentary on Weibo:

I absolutely do not count on our dictatorial authorities to conduct an investigation and publish the truth about these kinds of incidents. After Xia Junfeng was executed, Supreme People’s Court President Zhou Qiang said bluntly, “If [migrant peddler] Xia Junfeng were not put to death, society would be in chaos.” The political considerations behind the execution of Xia Junfeng for rebelling against *chengguan* [city management officers] and the shielding of police for shooting dead ordinary citizens are one [and] the same—they both stem from requirements of the dictatorship to “maintain stability.”⁵¹

ANALYSIS OF THE QING’AN INCIDENT

The Qing’an incident and aftermath make clear that, unlike the notion of Uyghurs-as-terrorists, petitioning sits in an ambiguous zone. The Central Government affirms the right to petition and express grievances, but does not, in practice, tolerate any activity that brings people together in opposition to state power.

Social control in China depends in part on maintaining a pervasive sense of uncertainty about “how far is too far” to push grievances—itself a function of state actors’ ability to declare ostensibly legal actions impermissible. Wu Gan’s attempt to prove police misconduct was dangerous because it threatened to reduce uncertainty for petitioners coming into conflict with security forces. By the time he retreated, perhaps he had already crossed the red line: ten days later, on 18 May, Wu Gan was involved in a demonstration in Jiangxi, and arrested soon afterwards. When many of his colleagues from the Beijing Fengrui Law Firm were detained in the 9 July 2015 suppression of rights lawyers—the “709 incident” (see the chapter by Pils in this volume)—Wu Gan was sent to the same detention center in Tianjin, later to be charged with endangering state security.⁵²

Many ordinary Chinese people are willing to stand up for the “weaker members of society”—but, with rare exception, this extends only to other people who are “like them.” Petitioners support other petitioners; Han support other Han. Most Han are willing to ignore the plight of Uyghurs and adherents of Falun Gong, convenient turns of the head made easier by Uyghurs’ classification as potential terrorists and Falun Gong’s classification as an evil cult. The regular and blatant violations of those groups’ human rights are rarely taken up by mainstream Chinese “rights defenders”—whether they are qualified lawyers or “Big V” bloggers. Both pragmatism and racism appear to influence this choice: some fights are easier to win, and most people in China are well-attuned to the danger of contesting something deemed so sensitive as to be off the agenda for public discussion.⁵³ In December 2016, more than 18 months after the public outcry had diminished, Weibo

“Big V” Li Gang summarized the political message conveyed by the Qing'an incident and its aftermath thus: “This one gunshot made the millions of petitioners nationwide tremble with fear of death; made 1.3 billion ordinary people feel need to tread carefully, as if walking on thin ice, when facing the police.”⁵⁴

EASTERN HEILONGJIANG PREPARES FOR THE GRAND MILITARY PARADE

The securitization of Heilongjiang in the lead-up to the 3 September 2015 Grand Military Parade spread that psychological thin ice across the border region, despite the summer heat. The China Policy Institute analysis piece that this chapter expands on was prompted by the palpable tension that I sensed while in the region for over two weeks in August 2015. Heilongjiang province has a high proportion of laid-off workers, and has been a site of continual social unrest since the early 2000s. Most ordinary people’s economic situation has become significantly worse since the beginning of 2013. The plunge in demand for and the price of coal, in particular, has driven one of the northeastern region’s major industries to the wall, and their workers home “to rest”—or onto the streets. Popular discontent has been on the rise, and periodically has manifested in actual protest. Under these conditions, it is not coincidental that the “Uyghur terror threat” was given great prominence in the media and official statements in July–August 2015.

The media barrage had a marked effect on public discourse and popular anxiety in Heilongjiang. As soon as I disembarked at Jixi airport (far Northeast Heilongjiang) in mid-August, a taxi driver warned me: “There are lots of police around. Security is tight.” The taxi driver told me to be careful and to carry my passport at all times so as not to be mistaken for one of the Uyghurs that the newspaper had reported were “on their way here.” The local radio stations reported far-off incidents of Islamic terrorism, even ones involving just a couple of people in places where such violence was commonplace. China Central Television (CCTV) had been carrying stories of thwarted terror attacks inside the country since at least the beginning of July, contributing to a heightened level of anxiety in urban centers across China;⁵⁵ in Heilongjiang, even rural areas were tense. In this news context, Islamic terror was spoken about briefly and furtively. A local businessman explained the heightened tension in society by saying, “Uyghurs . . . are not happy with the central government and they want to make trouble. Be very careful.” Driving around, I encountered checkpoints in the most remote locations; but I did not see, or even hear confirmation of, a single Uyghur in the region.

The apparent invisibility of the enemy did not deter the Mishan City Anti-Terror Work Leadership Small Group. On 28 August, just days before the Grand Military Parade, the Small Group publicly announced that, “according to intelligence received, terrorists were in the region and would attempt to steal across the international border to Russia” (200 km distant). The terrorists were, the report said, “planning to undergo terrorist training and carry out ‘holy war’ . . . with knives and bombs.” The report instructed all citizens to be “on the lookout,” and asserted that:

Suspicious people are Xinjiang people, possessing the characteristics of Uyghurs, obviously not locals, their words, deeds and mannerisms are all very suspicious; 2. They repeatedly appear in

border villages, enquiring about the border situation; 3. Their expressions are not natural . . . 6. They are . . . falsely ingratiating, seizing opportunities to hear about police patrols and other local security matters.⁵⁶

Clues as to what the authorities were truly concerned about come from how they mobilized their political and civilian resources. I observed Community Management Office personnel on public watch at railway and bus stations of the many townships in the region with ongoing petitioner problems. In the last days before Beijing was closed for the military parade in early September 2015, Beijing-bound flights were packed with officials who were headed to the capital specifically to do “stability preservation” work. Each prefectural-level city in the Northeast dispatched their mayor or vice-mayor, high-level internal security personnel, and the leaders of key state enterprises—a significant proportion of the region’s governing elite. But it was not Uyghurs who were threatening to be unstable, despite the rumors flying around the Northeast. Asked why so many officials had to personally go to Beijing for the period of the military review, one official confided that “each has to look after their own children.” The potentially disruptive “children” were Han people from the officials’ enterprises and administrative areas. For local officials in Heilongjiang, petitioners appeared to pose a more tangible threat than terrorists.

CONCLUSION

This chapter describes how the discourse of existential threat from Uyghur terrorism has been used by state authorities to mobilize the diverse and increasingly restive population against themselves or people like them (Han people), and thus maintain social control. One of the effects of propagating the Uyghur terror threat discourse and mobilizing state and society against it in predominantly Han-populated regions of China is that all forms of protest and dissent—including but not limited to petitioning—have been made more risky. New norms and rules for dealing with social unrest have come into play as a direct result of this securitization. Formal, legally constituted rules include the unprecedented arming of ordinary police in 2014, the anti-terror law that came into effect in 2016, and the increased security budgets of local governments and security apparatuses. These have meant visible increases in paramilitary hardware and well-armed paramilitary patrols on public streets, and a large corpus of undertrained and jittery beat police throughout the country. Chinese people are also aware that the category of “terrorism” is used flexibly to suit the needs of the authority that does the classifying. More specifically, they cannot help but be aware of how Uyghurs are linked with terrorism and subsequently treated. Ordinary civilians that have grievances take both the formal rules and their consequences into account as they consider bringing their complaints to the attention of state authorities. Cognizant that if facing down “stability preservation” is difficult and dangerous, encountering an “anti-terror” response is often fatal, many are likely to think better of it.

NOTES

1. Li Zheng, “Qing’an qiang an: Women gai cong zhong kandao shenme? (Qing’an Shooting Incident: How Should We View This from the Inside?),” *Renmin Ribao*, 15 May 2015, 5.

2. *Renmin Ribao* Editorial, “2015 nian yulun fanzuan dianxing shijian (Major Public Debate Incidents of 2015),” *Renmin Ribao*, 25 December 2015, 4.
3. Zheng, “Qing'an qiang an.”
4. Mishan Machinery Net, “Liaoning Shenyang jingfang jibi Xinjiang fenzi (Liaoning Shenyang Police Shoot Dead Xinjiang People)” (2015), <http://www1.hfelm.com/cgal/20076.html>.
5. Xinjiang Ribao Editorial, “Renqing ‘Yijilate’ de benzhi jiqi weihai (Recognize the Essence of ‘Hijrah’ and the Threat it Poses),” *Tengxun Xinwen*, 7 December 2015, <http://news.qq.com/a/20151207/052050.htm>.
6. Ben Blanchard, “Uighurs ‘on way to jihad’ returned to China in hoods,” *Reuters*, 11 July 2015, <http://mobile.reuters.com/article/idUSKCN0PM00w20150712?irpc=932>.
7. Mishan Machinery Net, “Shenyang Police Shoot Xinjiang People.”
8. “Three ‘Xinjiang Terrorists’ Shot Dead by Police in China,” BBC News, 14 July 2015, <http://www.bbc.com/news/world-asia-china-33517512>.
9. “还以为是上访的，原来是恐怖分子啊，总算放心了。” See Yi Xian, “Liaoning Shenyang jingfang jibi 3 ming baokong fenzi (Liaoning Shenyang Police Shoot Dead Three Terrorists),” Weibo, 14 July 2015, http://www.weibo.com/1132422373/Cr1YYs0xZ?from=page_1002061132422373_profile&wvr=6&mod=weibotitem&type=comment#_rnd1495759615588.
10. Within Xinjiang, Uyghurs have been posed as a threat to stability since at least the early 1990s (the Baren incident; see Hastings, this volume); but it was the 11 September 2001 attacks and the “global war on terror” that really motivated the Uyghur terror discourse in the PRC, and it has been growing ever since. Note that I respectfully disagree with Hastings’s characterization of Uyghur actions in Xinjiang during the 1990s as a “low-level insurgency,” although I suggest that his usage of the term here demonstrates how widely effective the Chinese state discourse has been.
11. Barry Buzan, Ole Wæver, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner, 1998).
12. Michael C. Williams, “Words, Images, Enemies: Securitization and International Politics,” *International Studies Quarterly* 47, no. 4 (2003): 511–31.
13. Ole Wæver, “Securitization and Desecuritization,” in *On Security*, ed., Ronnie D. Lipschutz (New York: Columbia University Press, 1995), 55.
14. Buzan, Wæver, and de Wilde, *Security*, 26.
15. Joel Migdal, *Strong Societies and Weak States: State–Society Relations and State Capabilities in the Third World* (Princeton: Princeton University Press, 1988).
16. Xinjiang Ribao, “Zhang Chunxian: bawo xiandai wenhua fazhan dashi, jianchi xiandai wenhua yinling (Zhang Chunxian: Firmly Grasp the Developmental Trend of Modern Culture, Insist on the Leading Role of Modern Culture),” CPC, 22 May 2012, <http://cpc.people.com.cn/GB/64093/64102/17950782.html>; Liang Zheng, “Integrating Islam the Key to ‘Modern Culture’ in Xinjiang,” *Eurasia Review*, 23 August 2012, <http://www.eurasiareview.com/23082012-integrating-islam-the-key-to-modern-culture-in-xinjiang-oped/>.
17. Caiyu Liu, “Xinjiang official demoted for timidity in fighting religious extremism,” *Global Times*, 11 July 2017, <http://www.globaltimes.cn/content/1041792.shtml>.
18. Radio Free Asia, “Four Uyghur Women Forced to Abort their Babies in Xinjiang,” 30 December 2013, <http://www.rfa.org/english/news/uyghur/abortion-12302013050902.html>; Radio Free Asia, “Uyghur Petitioners Beaten, Detained over Land Grab,” 7 May 2014, <http://www.rfa.org/english/news/uyghur/land-05072014144335.html>; Radio Free Asia, “Authorities Put 25 Hotan Uyghurs on Public Trial for ‘Endangering State Security,’” 27 March 2015, <http://www.rfa.org/english/news/uyghur/hotan-uyghurs-put-on-trial-03272015170151.html>.
19. “Anti-Terror Plans Go National,” *Global Times*, 26 May 2014, <http://www.globaltimes.cn/content/862190.shtml>.
20. “Investigations reveal details of Xinjiang terror attack,” Xinhua, 6 July 2013, http://news.xinhuanet.com/english/indepth/2013-07/06/c_124966189.htm.
21. “China wages ‘people’s war’ on terrorism,” Xinhua, 5 January 2015, http://news.xinhuanet.com/english/indepth/2015-01/05/c_133897845.htm.
22. Xinhua, “Xinjiang’s Party chief wages ‘people’s war’ against terrorism,” 26 May 2014, http://www.chinadaily.com.cn/china/2014-05/26/content_17541318.htm.
23. “Anti-Terror Plans Go National.”
24. Tom Cliff, *Oil and Water: Being Han in Xinjiang* (Chicago: University of Chicago Press, 2016).
25. Carolyn Nordstrom, *Global Outlaws: Crime, Money, and Power in the Contemporary World* (Berkeley: University of California Press, 2007); Tom Cliff, “Lucrative Chaos: Inter-Ethnic Conflict as a Function of Economic ‘Normalisation’,” in *Inter-Ethnic Conflict in Western China*, eds., Ben Hillman and Gray Tuttle (New York: Columbia University Press, 2016).
26. Security apparatuses, like other bureaucratic entities, have a natural impulse to grow and build up their own importance. See David Ehrenfeld, “The Management Explosion and the Next Environmental Crisis,”

- Schumacher Centre for a New Economics (1990), <http://www.centerforneweconomics.org/publications/lectures/ehrenfeld/david/the-management-explosion-and-the-next-environmental-crisis>.
27. Jean-Claude Paye, "Sovereignty and the State of Emergency: France and the United States," *Monthly Review* 68, no. 8 (2017).
 28. Liu Yong, "An Economic Band-Aid: Beijing's New Approach to Xinjiang," *China Security* 6, no. 2 (2010): 27–40.
 29. Political discourse in the PRC makes a direct link between economic development and social stability, which together form the basis of CCP legitimacy.
 30. The Great Western Development Plan (2000–), the post-GFC stimulus plan (2008–), the Assist Xinjiang Plan (2010–), and, most recently, the Silk Road Economic Belt, part of the much-vaunted "One Belt, One Road" (2013–).
 31. Cliff, "Lucrative Chaos"; Victor Shih, "Development, the Second Time Around: The Political Logic of Developing Western China," *Journal of East Asian Studies* 4, no. 3 (2004): 427–52.
 32. Xinhua, "China wages 'people's war' on terrorism."
 33. Xinhua, "President Xi stresses Xinjiang's stability vital to whole nation" (2014), http://news.xinhuanet.com/english/china/2014-04/30/c_133302106.htm. Xi is here taking up a centuries-old refrain, propagated numerous times since 2009 alone. See Cliff, *Oil and Water*, 211.
 34. *Global Times*, "Anti-Terror Plans Go National."
 35. Julia Famularo, "How Xinjiang Has Transformed China's Counterterrorism Policies," Center for the National Interest (2015), <http://nationalinterest.org/feature/how-xinjiang-has-transformed-china%E2%80%99s-counterterrorism-13699?page=2>.
 36. Wei Xu, "Clergy Urged to Lead Battle against Extremism Spread," *China Daily*, 28 November 2016, http://usa.chinadaily.com.cn/china/2016-11/28/content_27504874.htm; Duwei News, "Neidi jinlai qiangshi fankong: Musilinjie 'jingyan shenxing' (Strengthened Anti-Terror Measures in Eastern China: Muslims are Wary)," 15 November 2015, <http://china.dwnews.com/news/2015-11-15/59695851.html>; Al Jazeera, "China's Communist Party hardens rhetoric on Islam," 12 March 2017, <http://www.aljazeera.com/news/2017/03/china-communist-party-hardens-rhetoric-islam-170312171857797.html>; Christian Shepherd and Michael Martina, "Religious extremism is spreading to inland China: official," *Reuters*, 28 November 2016, <http://www.reuters.com/article/us-china-security-xinjiang-idUSKBN13N12P>.
 37. Yunbi Zhang, "Anti-terror fight remains focused on East Turkestan group," *China Daily*, 10 March 2017, http://usa.chinadaily.com.cn/epaper/2017-03/10/content_28509431.htm.
 38. Edward Wong, "Chinese Security Forces Rally in Xinjiang in a Show of Power," *New York Times*, 20 February 2017, https://www.nytimes.com/2017/02/20/world/asia/xinjiang-china-police-rallies.html?_r=0.
 39. Famularo, "How Xinjiang Has Transformed China's Counterterrorism Policies."
 40. Barbara Demick and Julie Makinen, "China rearms Beijing beat police after series of stabbing attacks," *Los Angeles Times*, 12 May 2014, <http://www.latimes.com/world/asia/la-fg-china-guns-police-20140512-story.html>.
 41. William Wan, "Chinese police start carrying guns and the fatal effects have rippled across the country," 27 September 2014, <http://news.nationalpost.com/news/chinese-police-start-carrying-guns-and-the-fatal-effects-have-ripped-across-the-country>.
 42. Wan, "Chinese police start carrying guns."
 43. Hui Mingsheng, "Anjianyuan youquan zuzhi Xu Chunhe shangfang ma? (Did the security guard have any right to prevent Xu Chunhe from petitioning?),"*Beijing Youth Daily*, 7 May 2015, http://epaper.ynet.com/html/2015-05/07/content_131653.htm; Li Gang, "Zaitan 2015 Heilongjiang Qing'an huochezhan qiangji an (Revisiting the 2015 Heilongjiang Qing'an Railway Station Shooting Incident)" (2016), <http://www.weibo.com/ttarticle/p/show?id=2309404056643968070207>.
 44. Elizabeth Perry, "Challenging the Mandate of Heaven: Popular Protest in Modern China," *Critical Asian Studies* 33, no. 2 (2001): 163–80. For a concise historical review of the PRC's petitioning system, see Guang and Yang, this volume.
 45. Human Rights Watch, "*We Could Disappear at Any Time*: Retaliation and Abuses against Chinese Petitioners" (New York: Human Rights Watch, 2005); Renee Xia and Songlian Wang, "Beating and Detention of Petitioner Latest in Series of Heilongjiang Abuses," Chinese Human Rights Defenders, 27 March 2009, <https://www.nchrd.org/2009/03/urgent-actions-article-1/>.
 46. Wo Ai Kanxiang Xingfu Chufa, Weibo, 9 May 2015, <http://www.weibo.com/1787184943/CgZJF3iXz?type=comment>; Ye Molihua Man Tianya, "Zhang Xuezhong Xiansheng Guandian," 8 May 2015, <https://freeweibo.com/weibo/3840160108121423>.
 47. Radio Free Asia, "Woman to Sue over Police Killing of Her Son in China's Heilongjiang," 12 May 2015, <http://www.rfa.org/english/news/china/police-05122015143505.html>.
 48. Mingsheng, "Did the security guard have any right?"
 49. Liu Songhan, "Heilongjiang qiangji an: dei jingyi wangluo fenqing shengyin (Heilongjiang

- Shooting Incident: Beware of Online ‘Angry Youth’ Voices” (2015), <http://review2.jschina.com.cn/system/2015/05/07/024625758.shtml>.
- 50. China Digital Times, “Minitrue: Do Not Hype the Qing'an Shooting Incident” (May 2015), <http://chinadigitaltimes.net/2015/05/minittrue-do-not-hype-the-qingan-shooting-incident/>.
 - 51. China Digital Times, “Shooting Raises Concerns about Police Accountability” (May 2015), <http://chinadigitaltimes.net/2015/05/shooting-raises-concerns-about-police-accountability/>.
 - 52. China Change Editorial, “Activist Who Rejected TV Confession Invites CCTV Interviewer to Be Witness at His Trial,” *China Change*, 24 March 2017, <https://chinachange.org/2017/03/24/activist-who-rejected-tv-confession-invites-cctv-interviewer-to-be-witness-at-his-trial/>.
 - 53. Buzan, Wæver, and de Wilde, *Security*, 26.
 - 54. Li Gang, “Zaitan 2015 Heilongjiang Qing'an huochezhan qiangjian (Revisiting the 2015 Heilongjiang Qing'an Railway Station Shooting Incident).” Cf. Tom Cliff, “The ‘Terror’ Angle in China’s Domestic Stability Maintenance,” University of Nottingham, 18 March 2016, <https://cpianalysis.org/2016/03/18/the-terror-angle-in-chinas-domestic-stability-maintenance/>.
 - 55. CCTV, “Yi ren yundao yinfa zhengche chengke taocuan: Minzhong jinzhang xinli niang naoju (One Person Faints and a Trainload of People Flee in Disorder: A Nervous Population Creates Farce),” Tengxun Xinwen, (2015), https://view.inews.qq.com/a/NEW2015070305656204?refer=share_recomnews.
 - 56. Mishan City Anti-terror Work Leadership Small Group, “Kongbu fenzi yu cong Heilongjiang bianjiang toudu (The terrorists want to sneak across the Heilongjiang border),” QQ Tengxun Xinwen, 28 August 2015, <http://view.inews.qq.com/a/NEW2015083000840004>.

29. More creative, more international: shifts in Uyghur-related violence

Justin V. Hastings

INTRODUCTION

While this Handbook discusses a wide variety of types of dissent and protest, none of them have been more violent than the dissent of ethnic Uyghurs. Uyghur dissatisfaction with the Chinese government has led not only to protests, but also riots that have resulted in hundreds of deaths, and deadly attacks on Chinese government buildings and personnel, Uyghur collaborators, and Han civilians.

What explains the path that violent Uyghur dissent has taken? To be clear, by focusing on Uyghur-related violence, it is not the intent of this chapter to discount that much Uyghur dissent and protest have been peaceful. It is perhaps the case, although unknowable given the paucity of information, that the vast majority of Uyghur dissent and protest does not involve violence, and the focus on violence in this chapter should not be taken to indicate that Uyghur dissent and protest is inherently violent.

But there are several reasons why it is useful to focus on trends in violent Uyghur dissent. First, mistrust between the Chinese government and Uyghurs means that, in what is perhaps a self-fulfilling prophecy, even protests that are initially peaceful often turn violent in Xinjiang.¹ Second, when violence does erupt in Xinjiang, it is often especially deadly relative to protest in other parts of China. The 2009 riots between Han Chinese and Uyghurs in Urumqi, for instance, were the deadliest incidents of ethnic unrest since the Cultural Revolution. Third, the violent aspects of Uyghur dissent are the only instances of dissent in China that approach the definition of a terrorist campaign, with individuals and groups launching attacks against government and civilian targets. In this, at least some parts of Uyghur dissent are fundamentally different from other types of dissent in China. Fourth, as we will see, Uyghur dissent has become internationalized, which has broader implications for how we can think about Uyghur unrest.

In examining Uyghur-related violence, this chapter does not focus on grievances that Uyghurs may have against the Chinese government. While the specific grievances that Uyghurs have are not unimportant, and may broadly affect target choice, in this chapter, I take as a starting point the assumption that grievances are constantly present, and are sufficient to cause a certain minimal level of discontent, which may or may manifest itself in violence. At the same time, grievances are not the main constraint on the form that Uyghur violence takes when it does appear. The specific reasons that people engaged in violence give for their actions often shift, with multiple grievances deployed at specific times depending on the audience, and the emotional and mental state of the militants or the group involved.² As such, it is not particularly useful to connect specific grievances to specific acts of violence. Instead, I focus on the inputs that go into producing violence, and how Chinese government policies have constrained these inputs over time, resulting

in shifts in the nature of violence several times since the “modern” era of Uyghur-related violence began in 1990.

First, militants need access to physical supplies (whether knives, guns, explosives, chemicals, vehicles, electronics, or other goods) with which they can actually carry out attacks. They also need a means to deliver the weapons and other supplies to the intended targets. Having a treasure trove of guns in Country A does little good for a terrorist group if the target is in Country B. Some weapons, such as guns and professionally made explosives, may be sufficiently difficult to produce that the ability of the organization to conduct attacks using those weapons can be constrained by cutting off supply routes or limiting supply within an area. In response, attacks may decrease or shift to using other weapons, such as knives, cars, or homemade explosives.

Second, militants need time and political space (that is, relative freedom from being captured) to organize attacks. More complex attacks (as measured by the number of targets simultaneously attacked, the difficulty of attacking specific targets, and the sophistication of the weapons used to stage the attacks) generally require more time and more political space, inasmuch as more sophisticated attacks are likely to require more communications among plotters (thus increasing the chance of being captured by counter-terrorists). Conversely, attacks that require little planning or communication among different members are harder for counter-terrorists to interdict.³

Third, militants need targets. Targets can be broadly related to grievances and objectives held by violent groups (a group whose goal is to overthrow the Japanese government is unlikely to be interested in attacking Western tourists in Thailand, for instance), although the primary constraint on target choice is unlikely to be the particular ideology or grievances of a violent group. The group’s motivations may change, grievances are fungible, and in any event, even with constant goals, the particular strategy of violence used by a group may change in response to factors unrelated to grievances, such as the ease of attacking specific targets, the perceptions of the population and the adversary, and the political environment.⁴ Hardening targets – making them more difficult for terrorists to attack, whether through increased security, or decreasing the damage that is done when terrorists do attack them, such as with physical barriers – can have varying effects. Terrorists could shift to softer targets that are easier to attack or to damage,⁵ or they could continue to attack hard targets due to the increased symbolic value attached to the target by the adversary through the hardening itself.⁶

Repression has the effect of constraining all three input factors, resulting in shifts in the nature of violence. First, government crackdowns can focus on limiting the supply of weapons and materials used to carry out attacks. This can be done through registration, control, or confiscation of weapons and other materials (such as ammonium nitrate, which is often used in large bombs). To counter weapons that are smuggled into an area, the government can also attempt to cut off smuggling routes through border checkpoints and border patrols, as well as pressure bordering countries to crack down on their own supplies of goods useable for terrorist attacks. Second, crackdowns can focus on conducting surveillance against potential suspects, capturing terrorism suspects, and disrupting terrorist cells before they can stage attacks. Third, governments can harden targets, either putting some targets out of the reach of terrorist attacks or decreasing the probability terrorists will attack those targets successfully (and if they do, decreasing the damage they do).⁷

In this chapter, I chart shifts in Uyghur-related violence since 1990 across three time periods bookended by major incidents of Uyghur-related violence or Chinese government repression. I take as my starting point the Baren incident in 1990, when a low-level insurgency began that culminated in the Chinese government's response in the form of the first Strike Hard campaign in 1996. The second time period continues with a spike in violence in the late 1990s, followed by a lull until the Han-Uyghur riots in Urumqi in July 2009, which killed nearly 200 people. I focus in particular on the third period, and the changes in the nature of violent Uyghur dissent since the 2009 riots. While Uyghurs' (often violent) dissent and protest against the Chinese government have occurred with varying frequency for decades, recent years have seen qualitative changes in Uyghur-related violence.

First, protests and attacks have shifted to harming Han Chinese civilians as well as government personnel, both inside and outside Xinjiang. Second, violent attacks have used creative methods that minimize the necessity of logistics or planning, blunting the effectiveness of the Chinese government's repressive apparatus. Third, Uyghurs increasingly have left China and joined transnational Islamist terrorist groups, representing a shift from separatist sentiment to internationalist goals. These developments have resulted from a push factor of Chinese government repression making standard attacks and protests difficult within Xinjiang itself, and a pull factor of a transnational Islamist terrorist movement that is actively seeking recruits from places like Xinjiang.

UYGHUR VIOLENCE FROM THE BAREN INCIDENT TO THE STRIKE HARD CAMPAIGN

Although there had been short-lived Uyghur-led Turkic rebellions against Han Chinese rule in the 1930s and 1940s (leading to the First and Second East Turkestan Republics),⁸ the era of modern Uyghur violent resistance to Han Chinese rule arguably began with the Baren incident in April 1990, when hundreds of armed Uyghur separatists besieged government offices in Baren, attacked police, seized weapons, and fended off Chinese military forces for several days before being defeated. The Baren incident was a logistically sophisticated operation, with successfully implemented plans to seize government guns and vehicles, and the creation of hundreds of homemade bombs. It was also organizationally sophisticated, involving hundreds of fighters and at least four planning meetings, a training camp, and fundraising through theft in the months leading up to the attack.⁹ Its targeting was also typical of the period, inasmuch as the attackers targeted government officials, particularly police, although Han civilians were also occasionally attacked.¹⁰

Over the next six years, the violence escalated. Rebel cells proliferated throughout the restive parts of Xinjiang: the Chinese government broke up 17 cells in 1992, for example.¹¹ Attacks also took a variety of forms. Bombings targeted a Kuqa county government office and a Xinjiang Production and Construction Corps unit in 1991, and buses in Urumqi in 1992.¹² There was a series of explosions across southern Xinjiang in 1993.¹³ Shootings targeted Han civilians in Hotan in 1991, and assassinations took place in Kashgar prefecture in 1993.¹⁴ Violence escalated in 1995, with riots and protests in Hotan and Yining, and the destruction of 32 "counter-revolutionary groups," which is what arguably led to the Strike Hard campaign in 1996.¹⁵

In general, the pattern of attacks followed that of a fairly standard low-level insurgency. The attackers formed cells, had planning meetings, ran training camps, and on occasion were able to gather enough attackers and weapons to stage mass attacks (such as Baren). They largely targeted government officials and building, Uyghur collaborators, and some Han civilians. The logistical sophistication of the attacks was also typical of guerrilla campaigns: where possible the attackers used guns or professional (usually mining) explosives, but also made use of homemade explosives and knives where necessary. In the five years of the insurgency up through 1995, Chinese police confiscated at least 83 firearms, 10,000 rounds of ammunition, several tons of explosives, and nearly 250 bombs.¹⁶ Spread across a number of years, and among dozens of disparate terrorist cells, the weapons captured were enough to cause many problems for China in Xinjiang; but the separatists were clearly not armed to the teeth, and were susceptible to any crackdown that impeded their ability to plan attacks or obtain weapons.

SHIFTS IN UYGHUR VIOLENCE FROM THE STRIKE HARD CAMPAIGN TO THE URUMQI RIOTS

Chinese Government Crackdown

In response to the increasing violence, in March 1996, the Chinese government announced the first of many Strike Hard campaigns in Xinjiang, moving to round up suspects, shorting up state control of religious institutions (including mosques, imams, and religious schools) in Xinjiang, and clamping down on Uyghurs' involvement in groups that could conceivably provide organizational capabilities outside of the Chinese states.

While the repressive measures overall were designed to control the Uyghur population, and prevent their ability to mount organized resistance, there were two pathways to prevent this resistance. First, surveillance of Uyghurs and repression within Xinjiang constrained the ability of Uyghur groups to plan attacks (or have any gatherings outside the attention of the state) by breaking up groups and arresting potential plotters. Of the ingredients necessary for a sophisticated plot, the crackdown reduced plotters' time and political space. In 1998 and 1999, for instance, the Chinese government claimed to have broken up over 250 Uyghur cells of different persuasions.¹⁷

Second, China's crackdowns on border checkpoints were meant to prevent smuggling networks from moving guns and explosives into Xinjiang from outside the country (largely Central Asia). In this, the Chinese government was already assuming that there would be some element of internationalization in Uyghur separatist activities, and was seeking to reduce the ability of separatists to acquire relatively sophisticated weapons, such as high explosives or professionally made guns. For example, in April 1998, the biggest Uyghur weapons smuggling operation ever (according to the Chinese government) was uncovered at a checkpoint between Kazakhstan and Xinjiang, although only seven guns were recovered. Supposedly the weapons smugglers had made 17 previous trips, which did not add up to a huge arsenal.¹⁸

After the 11 September 2001 terrorist attacks in the United States, the Chinese government attempted to draw parallels between its struggles with Uyghur separatism and international separatism, even releasing a white paper in 2002 going into the greatest

detail yet on Uyghur separatist activities, and claiming a substantial connection between Uyghur-related violence in Xinjiang and international terrorist groups.¹⁹ At the time, most of these apparent connections were indeterminate in nature and vague in how they affected Uyghur unrest in China itself.

Logistical and Organizational Shifts

In response to the beginning of the Strike Hard campaign, Uyghur violence actually briefly increased, but Uyghurs found it increasingly difficult to plan sophisticated attacks that required extensive planning, sophisticated weapons, or both.²⁰ As a result, the insurgency, such as it was, began to look less like a traditional insurgency or terrorist campaign, and more like sporadic outbursts of violence. From 2001 to 2007, in fact, there seems to have been a lull in violence in general, whether one relies on Chinese sources or foreign sources.²¹ What violence that did occur had to operate within the confines of what was possible given the Chinese government's pressure on the ability of groups to plan and to acquire weapons. As a result, Uyghur-related violence saw less logically sophisticated, less organizationally complicated incidents.

Because access to manufactured explosives or guns largely was cut off by the crackdown, there was an increase in the proportion of incidents that involved knives, improvised explosive devices (IEDs), and using cars as weapons (years before running victims over with cars became the go-to ISIS-inspired terrorism method in Europe). Incidents also tended to involve one or two individuals taking matters into their own hands, or rioting that attracted large numbers of people. In both types of incidents, little communication that could be intercepted by government authorities prior to the violence was required.²²

In 2008, for instance, before the Beijing Olympics, the Chinese government claimed to break up a number of Uyghur separatist cells that were in various stages of planning attacks on the Olympics itself, as well as Chinese government targets in Beijing and Shanghai. In January, police confiscated "four kilograms of yellow sulfur and one-hundred kilograms of nine other types of chemicals, computer equipment and discs, 'holy war' materials, as well as eighteen completed devices."²³ In March and April, another raid turned up "9.51 kilograms of explosive precursors, and eight blasting caps."²⁴ While the materials captured would be enough to build a number of medium-size bombs, there was no C4 or TNT captured – the extremists were relying on homemade explosives, and did not appear to have any guns, indicating that they were being constrained logically from more sophisticated attacks.

Homemade explosives were used in conjunction with knives and vehicles in several incidents in 2008. In August, two Uyghurs rammed a stolen truck into a group of soldiers in Kashgar, then continued the attack with improvised explosive devices and knives. Sixteen soldiers were killed, but authorities did not find any professionally made guns or explosives in the attackers' possession.²⁵ Later the same month, a different group of Uyghurs commandeered one or more taxis, and attacked several government buildings (including a Public Security Bureau station) with homemade explosives.²⁶ Again, the attacks required little planning other than making the explosives.

The 2009 Urumqi riots are perhaps the greatest example of violent Uyghur dissent operating under constraints, as an outgrowth of the inability to plan sophisticated attacks or acquire professionally made weapons. While the Chinese government blamed the

riots, which took place over several days in July 2009 and killed nearly 200 people (and injured several hundred more), on outside provocateurs,²⁷ there is little reason to think that there were outside instigators or that such instigators were even necessary. In fact, the riots apparently started in response to a conflict that had taken place days before in Guangdong between Han Chinese and Uyghur workers at a factory, after some Uyghurs had been accused of attacking a Han Chinese woman. Moreover, the fact that there was a follow-up riot by Han Chinese in September 2009 over anger at the Chinese government for its response to the July 2009 riot suggests that planning and weapons are not needed for unrest.²⁸

Initial Internationalization

As China cracked down in Xinjiang, Uyghurs were pushed out of China, and unrest began in small spurts outside of China in countries with concentrations of Uyghur expatriates. Between 1997 and 2000, there were several violent incidents in Central Asia and Turkey, although in some circumstances, it was unclear whether the incidents were separatist in nature or simply a result of personal or business conflicts between Uyghurs and others.²⁹ In 2000, for example, a moderate Uyghur leader was killed in Kyrgyzstan.³⁰ Some Uyghurs also joined the Islamic Movement of Uzbekistan (IMU), which shifted from being focused on Uzbekistan to Central and South Asia more generally (a faction of the IMU would eventually declare its allegiance to ISIS upon that group's attempted entry into South and Central Asia).³¹ Uyghurs who had been abroad also apparently attempted to come back to Xinjiang. In 1998, for example, according to the Chinese government, 30 people who came back from outside China were captured in the province.³²

Uyghurs also made their way to Afghanistan and Pakistan, with some joining Islamist groups, in part to receive training that they could take back to China. Such was the case with many of the 22 Uyghurs captured by the US in Afghanistan in 2002 and detained in Guantanamo Bay for a number of years before being sent, in fits and starts, to asylum in countries around the world (despite China's requests for their return).³³ After 2000, however, even these avenues were often cut off. China responded to the spread of Uyghurs abroad by pressuring countries to crack down on Uyghur residents' activities. This strategy had the effect of replicating the Chinese crackdown in the countries adjacent to China, denying any Uyghur groups the time and political space to plan attacks (or even to engage in peaceful activities), and rendering it more difficult for groups to smuggle weapons from adjacent countries into China.

Pakistan, for its part, deported a number of Uyghur students back to China in the wake of the Ghulja incident in 1997,³⁴ and shut down Uyghur guesthouses in the country in 2000 and 2006.³⁵ In 2003, Pakistan also launched an operation in the country's northwest against an Islamist group hideout that met with unusual resistance. The group turned out to be a Uyghur organization that had sought refuge in Pakistan.³⁶

China, with Russia, Tajikistan, Kyrgyzstan, and Kazakhstan, founded the Shanghai Five in 1996, which became the Shanghai Cooperation Organization (SCO) in 2001 with the admission of Uzbekistan. While the actual cooperative activities of the SCO were sparse in the initial years, security cooperation was focused on countering "terrorism, separatism, and extremism," and military exercises (first in Kazakhstan, and then in China in 2003) centered on counter-terrorism activities. Implicit in the focus of the SCO

was China's push for member states to crack down on Uyghur smuggling and activities, which they duly did – cutting off safe havens and the few reliable land smuggling routes into Xinjiang (from Kazakhstan, Kyrgyzstan, and Pakistan).³⁷

SHIFTS IN UYGHUR VIOLENCE SINCE THE URUMQI RIOTS

Since 2009, the Chinese government has shifted tactics. The ban on outside communications that was imposed on Xinjiang in the wake of the 2009 riots was lifted after a year, and Wang Lequan, the longtime hard-line Communist Party secretary for Xinjiang, was replaced with Zhang Chunxian, who was at least overtly more conciliatory.³⁸ At the same time, the government progressively has imposed measures that are designed to control the Uyghur population and to constrain their ability to practice Islam, as well as travel abroad. For example, the government began taking DNA samples of Xinjiang residents wanting passports in June 2016,³⁹ and recalled all passports of Xinjiang residents in November 2016, making it difficult for them to leave China and travel abroad legally.⁴⁰ Further, religious instruction has been allowed only in government-approved institutions.⁴¹ In 2014, the Chinese government banned fasting by some government officials during Ramadan,⁴² and in 2017 began requiring Uyghur men to cut their beards, and women to eschew veils in public places.⁴³

China generally has been more open about reporting the occurrence of Uyghur-related violence in Xinjiang and elsewhere in China, although it remains less than transparent about the specifics of that violence. This is undoubtedly partly because of the shifts in location of Uyghur-related violence. While Xinjiang itself is subject to the stifling hand of the local government, both in daily life and in what is reported in the media of Uyghur violence, the government is less prepared to cover up Uyghur-related violence in other parts of the country (let alone outside of China). According to the Global Terrorism Database, incidents involving "Uighur separatists" or one of the groups that is usually blamed for violence in Xinjiang (typically the East Turkestan Islamic Movement, the Uyghur Liberation Organization, or the East Turkestan Liberation Organization) showed a dramatic increase from 2010, with a peak in 2014 (although it is unclear if this because there actually was an increase in violence or because there has been better reporting of violence since the 2009 Urumqi riots).⁴⁴

Uyghur-related violence since 2009 is, in some respects, a continuation of the violence seen before 2009 in terms of creative tactics and targets, but a departure in other respects, as incidents pushed the limits (in terms of casualties and creative tactics) in terms of what could be accomplished under Chinese government constraints, and as Uyghur-related violence began to appear in new places, including elsewhere in China and in Southeast Asia.

More Creativity

Post-2009 violence has continued in the same vein as pre-2009 violence. Targeting of Uyghur collaborators within Xinjiang, and attacks on Chinese government buildings and personnel within the region have continued. The pro-government imam of the largest mosque in Kashgar was stabbed to death in July 2014 by militants, for example.⁴⁵ With

their access to guns and professional explosives largely cut off, and with the Chinese government hindering the ability of potential attackers to plot sophisticated attacks, Uyghurs engaged in violence have continued with more creative attacks with less sophisticated weapons, using knives and homemade explosives to stage attacks, and have been able to kill a surprising number of people in individual attacks. In June 2013, a group of rioters in Lukqun near Turpan apparently attacked a construction site, a government office, and a police station early in the morning, using knives to stab victims, and setting fires as they went, killing 17 civilians and nine security personnel, and suffering ten killed by police.⁴⁶ In April 2014, two militants attacked Urumqi's main train station with knives, and then detonated homemade suicide vests, injuring 79 and killing one person besides themselves.⁴⁷ Similarly, in a coordinated attack that did require planning, four separate explosive devices were detonated at markets and police stations in Luntai district in Xinjiang in September 2014, killing 50 people (including 40 attackers, suggesting that the attackers rushed the scene at the same time as the explosives were set) and injuring more than 50 others.⁴⁸ To be fair, in recent years, whenever the Chinese media reports an incident with so many attackers, it is not unlikely that the "attack" is actually a riot, which can involve a large number of people without any planning at all or any sophisticated weapons.

Attackers have continued to ram automobiles into crowds, often in parallel with stabbing and explosives attacks, in a bid to maximize casualties with minimum planning. The attacks take place in multiple waves, with an initial ramming incident followed by an explosive or knife attack, or a second wave of attacks on the responders. In May 2014, attackers in two SUVs crashed through barriers and into an early morning market in Urumqi, ramming into market stalls and shoppers, and tossing out up to a dozen explosives before ramming into each other and exploding (possibly indicating the SUVs were also rigged with explosives). The attack killed more than 30 people, including the four attackers, and injured 90.⁴⁹ In June 2014, militants reportedly attempted to ram a truck into a police station and detonate explosives in an attack in Yecheng county. Police killed 13 people.⁵⁰ In June 2015, attackers in a car ran through a traffic checkpoint in Kashgar, and then ran over and stabbed three policemen. In a second wave, attackers on a motorcycle arrived to attack the checkpoint, police cars, and police with explosives. At least 18 people were killed.⁵¹ In these tactics, the Uyghurs actually mirrored another group operating in an environment with a highly capable state adversary – the Provisional Irish Republican Army (IRA) in Northern Ireland, which was known to stage second-wave attacks against first responders after bombings.⁵²

Many incidents in Xinjiang are not planned (or planned well) by the attackers, and could be better described as riots or violent clashes with police than actual attacks. In April 2013, for instance, police in Bachu near Kashgar clashed with Uyghurs. Three unarmed police investigating suspects with knives were attacked and killed, possibly after lifting a woman's veil during house searches. Armed police then responded and fought with the suspects, leading to a total of 21 people being killed, and the Uyghurs' house being set on fire.⁵³ In December 2013, police broke up an "illegal gathering" near Kashgar, which turned into a clash involving knives and explosives. The resulting clash resulted in the deaths of 14 Uyghurs and two police officers stabbed to death.⁵⁴

In July 2014, according to the Chinese government, hundreds of masked "militants" with 'jihad' banners wielded knives and axes to attack government offices and a police

station in Elixku in Shache county. They then went on to Huangdi, set up a roadblock, and attacked and threatened civilians in cars, as well as hijacking a bus; 35 Han civilians and two Uyghur government officials were killed, with 59 attackers killed and 215 arrested. The Chinese government claimed that the attack had been planned beforehand by a militant connected to the East Turkestan Islamic Movement.⁵⁵ Other sources said that the violence broke out when police attacked a protest against Ramadan crackdowns.⁵⁶ Incidents such as these suggest that, while there certainly are organized attacks by militants in Xinjiang, the constraints placed on Uyghurs' ability to plan attacks means that violence often breaks out as a spontaneous, or at least ill-planned, response to the repression meant to clamp down on violence.

SHIFTS TO THE REST OF CHINA

As staging attacks in Xinjiang itself has become increasingly difficult, and as many Uyghurs have moved out of Xinjiang (whether as refugees or to join jihadist organizations abroad, or both), violence has spread into the rest of China. Except for demonstrations that escalate out of control (which are unlikely to happen outside of Xinjiang), these attacks have many of the same characteristics as other post-Strike Hard attacks: little planning or sophistication, creative use of attack vectors, and increased targeting of Han Chinese civilians. Violence in China outside of Xinjiang is particularly perplexing for the Chinese state inasmuch as the measures used in Xinjiang itself – close control over the Uyghur population's practices and movements, and a pervasive presence of the security forces – are not realistic when spread over the entire country. This leads to instances in which Uyghurs have been able to stage attacks in prominent locations outside of Xinjiang. In October 2013, for instance, an automobile containing three Uyghurs rammed into a group of people in Tiananmen Square in Beijing and burst into flames, killing two people plus the attackers, and injuring more than 30 others. A Uyghur separatist group later declared responsibility.⁵⁷

The Chinese government can pursue a policy of cracking down on Uyghurs as individuals, no matter where they are, but this has resulted in violence appearing in border areas outside of Xinjiang. Later, in March 2014, a group of Uyghurs used knives and cleavers to attack civilians at Kunming's main train station, killing 31 people and injuring 143. Police shot four suspects dead and captured a fifth (a woman who was jailed for life).⁵⁸ Three men who did not participate in the attack (but had apparently trained the attackers) and had been arrested two days before the attack at the border attempting to leave China were later executed in connection with the attack.⁵⁹

Kunming is a long way from Xinjiang, and an admittedly odd place for an attack by Uyghur separatists. According to Chinese police, the group had been attempting to leave China, and had been unsuccessful doing so across the Yunnan and Guangdong borders. After hearing about another group of Uyghurs who were unsuccessful in leaving China for Laos (presumably the three men who were captured before the attack), the group decided to make a final stand in Kunming.⁶⁰ Other sources suggested that the Uyghurs were from a group of people who had fled Xinjiang after police violently suppressed a demonstration against an imam's arrest in Hotan in 2013, killing 15.⁶¹ Refugee and separatist are not mutually exclusive categories, and the Kunming attackers could have

been both. As such, motivation is less interesting than the form the violence took: while coordinated, planning and supplying the attack did not require a long time or communications that could be intercepted, and the weapons used could be easily obtained anywhere the attackers happened to be. The target itself was also soft, and required no special planning to access or damage. The target was also close to the attackers themselves, minimizing logistical issues and the chances of being discovered. In short, the Kunming attack happened when, where, and how it did because of constraints imposed by Chinese government crackdowns.

Continuing and Expanding Internationalization

The ongoing Chinese government crackdown within Xinjiang after the 2009 Urumqi riots continued and expanded the outflow of Uyghurs from Xinjiang, and from China itself. Frustrated in Pakistan and Central Asia, Uyghurs seeking to escape eventually moved to routes through Southeast Asia, and (seemingly) Northeast Asia, leading to incidents in southwestern and northeastern China. Soon after the Kunming incident, for instance, in April 2014 sixteen Uyghurs, including six women and children, were involved in an incident at the Vietnamese border with China in which (apparently) the group seized the guns of the Vietnamese border guards in the process of returning them to China, resulting in the death of five Uyghurs and two Vietnamese border guards. The incident was close in time to arrests of other groups of Uyghurs in Vietnam and Thailand for illegal migration.⁶² As examined in the chapter by Cliff in this volume, the next year, in July 2015, Chinese police staged a raid on an apartment in Shenyang, reportedly killing three knife-wielding “Xinjiang terrorism suspects” shouting “holy war” slogans and capturing 16 people, including a woman and three children. The location – far from either Xinjiang or China’s border with Southeast Asia – suggests that the Uyghurs were attempting to flee China via Russia or perhaps even North Korea, South Korea, or Japan.⁶³

As during the early 1990s and early 2000s, China’s political leaders claimed that Uyghur separatists had nefarious international links that justified China’s stance and, perhaps more importantly, that provided Uyghurs with the motivation and capability to stage attacks. This time, however, there was more evidence of internationalization of Uyghur networks. As with Central Asia and Pakistan in the 1990s and early 2000s, China put pressure on countries that received Uyghurs to return them (or not to accept them in the first place). This time, China pressured Southeast Asian countries, as its campaign to make Uyghurs *personae non gratae* in Central Asia seems largely to have worked. Southeast Asian countries largely acquiesced:⁶⁴ in addition to the altercation with Vietnamese border guards in April 2014, Thai authorities deported more than 100 Uyghurs in 2015 (several months after allowing many more to continue on to Turkey);⁶⁵ Laos returned seven Uyghurs in 2010; Cambodia suddenly expelled 20 Uyghurs in December 2009 (shortly before receiving a multi-billion dollar aid package from China);⁶⁶ and Malaysia returned Uyghurs to China in 2011 and 2012.⁶⁷

While many of the Uyghurs may have simply been straightforward refugees – reportedly the Uyghurs who fled to Cambodia had witnessed events during the July 2009 Urumqi riots and were being processed by the UN Refugee Agency (UNHCR) at the time they were deported⁶⁸ – two factors deepened the internationalization of Uyghur separatism and exacerbated security issues associated with Uyghurs fleeing China. First,

the networks needed to spirit even genuine Uyghur refugees out of China, through transit countries, and to (one would assume) countries that would eventually receive them were themselves (perhaps by necessity) forms of organized crime. These networks provided those fleeing China with false passports, safe houses, and transport. The networks could also be used to engage in violence. On 17 August 2015, a pipe bomb in a backpack exploded at the Erawan Shrine in Bangkok, killing 20 people. The confused (and confusing) investigation that followed eventually resulted in the arrest of two Uyghurs, with arrest warrants issued for over a dozen others, either Turkish citizens or individuals living in Turkey. Some sources suggest that the attackers were motivated by Thailand's return of a group of Uyghurs a short time before to China, instead of allowing them to continue on to Turkey to seek asylum. Others claimed that the perpetrators were angry about the Thai government's crackdown on the human smuggling trade. The actual motivation is not particularly important for the purposes of the argument here. Rather, in the course of the investigation of the bombing, police uncovered a network that stretched between Turkey and Southeast Asia, and that used fake Turkish passports to move people from Southeast Asia to Turkey.⁶⁹

Second, transnational terrorist groups themselves took note of the Uyghurs' plight in Xinjiang and reached out to Uyghurs for recruitment and propaganda purposes. Although transnational terrorist groups were not unaware of the Uyghurs' situation before the July 2009 riots – Uyghurs' participation in terrorist groups in Central and South Asia in the 1990s and early 2000s, and the presence of Uyghurs in Afghanistan during the US invasion were proof of that – the riots brought Xinjiang to the center of transnational Islamist groups' attention, with both al-Qaeda and the Islamic State making calls for Uyghur recruits and attacks within China. The Islamic State released a recruiting message in December 2015, and several reports indicated that, as of 2015, there were at least 100 Chinese nationals (not all necessarily Uyghurs) who had joined ISIS.⁷⁰ In February 2017, the Iraqi branch of ISIS released a video in which Uyghur fighters threatened China.⁷¹

The human smuggling networks supporting Uyghurs' flight from China through Southeast Asia and transnational terrorist groups' outreach to Uyghurs also have contributed to a small influx of Uyghurs into Southeast Asian terrorist groups. In 2014, for example, four Uyghurs were arrested in Poso, Indonesia, and accused of attempting to join Mujahidin Indonesia Timur (MIT), the Indonesian terrorist group based in Central Sulawesi province that had declared its allegiance to the Islamic State. The Uyghurs apparently were helped by a human smuggling network that gave them fake Turkish passports and transported them through Thailand and Malaysia, then to Bandung in Indonesia.⁷² Another Uyghur was arrested in Bekasi, West Java, in December 2015 on suspicion of planning a suicide attack, while ten Uyghurs did successfully join MIT in Sulawesi, with all being killed in the course of the Indonesian government's successful effort to find and kill Santoso, the leader of MIT. The Uyghurs had traveled through Cambodia to Thailand. After receiving fake passports, they had entered Indonesia by flying from Kuala Lumpur to Makassar.⁷³

While foreign members are not new to Southeast Asian terrorist groups – the al-Qaeda affiliate Jemaah Islamiyah counted Singaporeans, Malaysians, Indonesians, and Australians among its membership, and liaised with Filipinos, Rohingyas, Cham, and Arabs in coordinating and financing attacks⁷⁴ – generally Southeast Asian groups received help from outside (usually Middle Eastern) groups, and were not themselves

magnets for others seeking to increase their capacity or engage in violent jihad. Uyghurs' move to join these groups is a new step for both Uyghur dissenters and Southeast Asian terrorist groups.

CONCLUSION

The Chinese government faces a situation where violent incidents continue within Xinjiang, and in China in general, despite the extraordinary measures taken by the government to curtail Uyghurs' religious practice, movements, and ability to organize outside of the state. While the Chinese government's claims of international forces fomenting violence in Xinjiang have been overplayed, particularly in the late 1990s and early 2000s, they are somewhat less overplayed now. Uyghurs joining up with Islamist terrorist groups in Southeast Asia and the Middle East is in some ways a symptom of the Chinese government's repressive measures. Uyghurs who oppose the Chinese government have little space to do so within Xinjiang, and, upon leaving China, gravitate to groups that are willing to provide them with training, resources, and ideological positioning within a larger transnational Islamist movement. China has secured control over Xinjiang at the cost of a metastasization of Uyghur dissent from a primarily ethnic movement localized in Xinjiang in the 1990s to one in which some Uyghurs have found transnational Islamist terrorism attractive.

At the same time, precisely because the Chinese government's measures have been so successful in cutting off flows of weapons and people into Xinjiang, and in disrupting the planning cycle of militants intending to stage attacks, the violent incidents that have occurred have been creative in their ability to cause casualties with a minimum of planning or professionally manufactured weapons, and have not actually needed international help or training. No amount of repression is likely to stop demonstrations or spontaneous displays of anger that escalate into violence. In fact, repression likely makes violence, both planned and unplanned, worse.

Uyghur-related violence or incidents have also sprung up in places inside of China – Kunming, Beijing, and Shenyang – in part because Uyghurs fleeing Xinjiang have not been able to leave China. The result is that China is now beset from two sides as a result of its own measures: if a large number of Uyghurs, fleeing the Chinese government, do go abroad and receive Islamist terrorist training and experience, they may eventually find ways to bring that training and experience back to Xinjiang. Yet even if China is successful in pressuring other countries to crack down on and return Uyghurs fleeing China, the trends in violence have occurred because of the crackdown within Xinjiang, not because of foreign influence, and are unlikely to be affected.

China has responded to this possibility by preventing many Uyghurs from moving around Xinjiang itself. Beginning in April 2017, the Chinese government also reportedly began rounding up Uyghurs and other Muslim ethnic minorities and sending them to re-education centers, where they were subjected to indoctrination sessions designed to 'de-radicalize' them. The actual numbers of Muslims sent to the centers is uncertain, but estimates range from several hundred thousand to a million or more.⁷⁵ Given the cost of indefinitely detaining such a large percentage of the Uyghur population, it is unclear what the Chinese government sees as the long-term solution to the issue of Uyghur-related

violence. However, aside from making the task of surveillance more straightforward for the Chinese government, while they exist, the detention centers also mean that it is harder for Uyghurs to engage in violence in Xinjiang, or to leave China.

NOTES

1. Justin V. Hastings, "Uighur Demonstrations and the Perception of a Single Chinese State," *Problems of Post-Communism* 52, no. 1 (2005): 1–11.
2. John Horgan, *The Psychology of Terrorism* (Abingdon, UK: Routledge, 2014).
3. Justin V. Hastings, "Charting the Course of Uyghur Unrest," *The China Quarterly* 208 (2011): 891–912.
4. Andrew H. Kydd and Barbara F. Walter, "Strategies of Terrorism," *International Security* 31, no. 1 (2006): 49–80.
5. Patrick Brandt and Todd Sandler, "What Do Transnational Terrorists Target? Has It Changed? Are We Safer?," *Journal of Conflict Resolution* 54, no. 2 (2010): 214–23; Martin C. Libicki, Peter Chalk, and Melanie W. Sisson, *Exploring Terrorist Targeting Preferences* (Santa Monica, CA: RAND, 2007).
6. Justin V. Hastings and Ryan J. Chan, "Target Hardening and Terrorist Signaling: The Case of Aviation Security," *Terrorism and Political Violence* 25, no. 5 (2013): 777–97.
7. Eli Berman and David Laitin, *Hard Targets: Theory and Evidence on Suicide Attacks* (Cambridge, MA: National Bureau of Economic Research, 2005).
8. James Millward, *Violence in Xinjiang: A Critical Assessment* (Washington, DC: East-West Center, 2004), 5.
9. Xinjiang Tongzhi: Gong'anzhixi Weiyuanhui, *Xinjiang Tongzhi: Gong'anzhixi*, ed., Xinjiang Weiwu'er Zizhiqu Difangzhi Bianzuan Weiyuanhui (Urumqi: Xinjiang Renmin Chubanshe Chuban, 2004), 790–95.
10. Hastings, "Charting the Course of Uyghur Unrest."
11. Xinjiang Tongzhi: Gong'anzhixi Weiyuanhui, *Xinjiang Tongzhi: Gong'anzhixi*, 83, 85.
12. Ibid., 81–3, 86.
13. Ibid., 294.
14. Information Office, "'East Turkistan' Terrorist Forces Cannot Get Away with Impunity" (Beijing: State Council, 21 January 2002).
15. Xinjiang Tongzhi: Gong'anzhixi Weiyuanhui, *Xinjiang Tongzhi: Gong'anzhixi*, 318.
16. Ibid., 319.
17. Xinwen Ban'gongshi, *Zhongguo Xinjiang Lishi Yu Xianzhuang* (Beijing: Zhongguo Renmin Gongheguo Guowuyuan, 26 May 2003), chapter 6.
18. Information Office, "'East Turkistan' Terrorist Forces Cannot Get Away with Impunity."
19. Ibid.
20. Hastings, "Charting the Course of Uyghur Unrest."
21. Ibid.
22. Ibid.
23. "Xinjiang Pohuo Liang Qi Zhendui Aoyun Kongbu an (Xinjiang Uncovers Two Olympics-Related Terrorist Incidents)," *Xinhua Meiri Dianxun (Xinhua Daily Telegraph)*, 11 April 2008.
24. Hastings, "Charting the Course of Uyghur Unrest," 910.
25. Guangxiong Tao, "Kashi Xiji an Xianfan Shenfen Chaming; Baozha Zhuangzhi Yu 'Dongtu' Xiangsi (Kashgar Surprise Attack Suspects Are Identified; Explosive Devices and Similarities to 'East Turkestan')," *Zhongguo Shinwen (China News)*, 5 August 2008.
26. "Xinjiang Quanli Zhiuib Kuche Baozha an 3 Ming Xiangfan (Xinjiang Hunts with All Its Might 3 Suspects from the Kuqa Violent Incident)," *Renmin Ribao (People's Daily)*, 11 August 2008.
27. Edward Wong, "China Locks Down Restive Region after Deadly Clashes," *New York Times*, 6 July 2009.
28. Lei Liao, Song Xu, and Zhongfa Li, "Zhongguo Xiwang Qita Guojia Ying Renqing Jingwai 'Dongtu' Kongbu Fenlie Shili De Benzhi (China Hopes Other Countries Will See Clearly Essence of Overseas 'East Turkestan' Terrorist and Separatist Power)," *Xinhua News Agency*, 7 July 2009.
29. Uyghurs have left China for other countries – particularly Central Asia, South Asia, Turkey, and the US – in several waves since the early 20th century. It is unclear whether the Uyghurs involved in the Central Asian violence were Chinese nationals or had taken on local nationality, but they were likely to have been descendants of emigrants from China, at the very least. See Tian Guang and Mahesh Ranjan Debata, "Identity and Mobilization in Transnational Societies: A Case Study of Uyghur Diasporic Nationalism," *China and Eurasia Forum Quarterly*, 8 no. 4 (2010): 59–78.
30. Millward, *Violence in Xinjiang*, 19–22.
31. Dawood Azami, "The Islamic State in South and Central Asia," *Survival* 58, no. 4 (2016): 131–58.

32. Xinjiang Tongzhi: Gong'anzhixi Weiyuanhui, *Xinjiang Tongzhi: Gong'anzhixi*, 295.
33. Neil Arun, "Guantanamo Uighurs' Strange Odyssey," *BBC*, 11 January 2007.
34. Ziad Haider, "Sino-Pakistan Relations and Xinjiang's Uighurs: Politics, Trade, and Islam along the Karakoram Highway," *Asian Survey* 45, no. 4 (2005): 522–45, 535.
35. Ibid.; "Editorial: Uighur Terrorist in Pakistan," *Daily Times*, 27 June 2006.
36. "'Eastern Turkistan' Terrorist Killed," *China Daily*, 24 December 2003.
37. "Jiefangjun Shouci Chujing Yanxi; Zhongji Jinming Juxing Lianhe Fankong Junyan (PLA for the First Time Has Exercises Outside of the Country; Chinese-Kyrgyz Hold Combined Counterterrorism Military Exercises Today and Tomorrow)," *Xinhua News Agency*, 11 October 2002; Charles Carlson, "Central Asia: Shanghai Cooperation Organization Makes Military Debut," Radio Free Europe/Radio Liberty, 5 August 2003.
38. Keith Bradsher and Xiyun Yang, "Top Official Dismissed over Urumqi Protests; China Moves Swiftly to Replace Party Chief as Police Quell Violence," *International Herald Tribune*, 7 September 2009.
39. "Chinese Police Require DNA for Passports in Xinjiang," *BBC*, 7 June 2016.
40. "China Confiscates Passports of Xinjiang People," *BBC*, 24 November 2016.
41. Philip Wen, "Strangers in Their Own Land: Is China Forcing Uighurs to Extremes?," *Sydney Morning Herald*, 1 March 2014.
42. "China Bans Xinjiang Officials from Observing Ramadan Fast," *BBC*, 2 July 2014.
43. "China Uighurs: Ban on Long Beards, Veils in Xinjiang," *al-Jazeera*, 1 April 2017.
44. Study of Terrorism and Responses to Terrorism (START), "Global Terrorism Database" (College Park: University of Maryland, 2016).
45. "Imam of China's Largest Mosque Killed in Xinjiang," *BBC*, 31 July 2014.
46. Associated Press, "China Says Riots in Western Xinjiang Region, Home to Uighur Muslim Minority, Leave 27 Dead," *CBS News*, 26 June 2013.
47. Adrian Wan and Teddy Ng, "Urumqi Bombing Was Suicide Attack by 'Religious Extremists,'" *South China Morning Post*, 1 May 2014.
48. "China Says 50 Dead in Violence in Xinjiang," *VOA News*, 26 September 2014.
49. Associated Press, "Urumqi Car and Bomb Attack Kills Dozens," *The Guardian*, 23 May 2014.
50. Adam Jourdan, "Chinese Police Shoot Dead 13 Attackers in Restive Xinjiang," *Reuters*, 21 June 2014.
51. Shohret Hoshur, Mamatjan Juma, and Joshua Lipes, "At Least 18 Dead in Ramadan Attack on Police Checkpoint in Xinjiang," *Radio Free Asia*, 23 June 2015.
52. Brian A. Jackson et al., *Aptitude for Destruction, Volume 2: Case Studies of Organizational Learning in Five Terrorist Groups* (Santa Monica, CA: RAND, 2005), 93–140.
53. Shohret Hoshur, "Xinjiang Violence Leaves 21 Dead," *Radio Free Asia*, 23 April 2013.
54. Reuters, "China Says Six Arrested after Deadly Riot in Xinjiang," *The Star (Malaysia)*, 17 December 2013.
55. Ben Blanchard, "Almost 100 Killed During Attacks in China's Xinjiang Last Week," *Reuters*, 2 August 2014.
56. "Xinjiang Violence: China Says 'Gang' Killed 37 Last Week," *BBC*, 3 August 2014.
57. Jonathan Kaiman, "Islamist Group Claims Responsibility for Attack on China's Tiananmen Square," *The Guardian*, 25 November 2013.
58. "Four Sentenced in China over Kunming Station Attack," *BBC*, 12 September 2014.
59. "China Executes Three over Kunming Station Attack," *BBC*, 24 March 2015.
60. "China Knife Massacre Culprits Wanted to Wage Jihad Abroad, Official Says," *The Guardian*, 5 March 2014.
61. Shohret Hoshur, "China Train Station Attackers May Have Acted 'in Desperation,'" *Radio Free Asia*, 4 March 2014.
62. Nga Pham, "Vietnam Border Shoot-out Raises Uighur Questions," *BBC*, 29 April 2014.
63. "Three 'Xinjiang Terrorists' Shot Dead by Police in China," *BBC*, 14 July 2015.
64. Jacob Zenn, "Undocumented Uyghur Migrants Find New Route to Southeast Asia," *China Brief* 14, no. 17 (2014).
65. Susan Cunningham, "Bangkok Shrine Bombing: Case (Pretty Much) Closed," *Forbes*, 23 December 2015.
66. Seth Mydans, "After Expelling Uighurs, Cambodia Approves Chinese Investments," *New York Times*, 21 December 2009.
67. Roseanne Gerin, "Rights Groups Say Malaysia Should Not Deport Undocumented Uyghurs," *Radio Free Asia*, 7 October 2014.
68. Mydans, "After Expelling Uighurs."
69. Cunningham, "Bangkok Shrine Bombing."
70. Jack Moore, "ISIS Fighters from China's Uighur Minority Vow to 'Shed Blood' at Home," *Newsweek*, 2 March 2017.
71. Lucy Hornby, "ISIS Uighurs Threaten 'Rivers of Blood' in China," *Financial Times*, 2 March 2017.

72. Jakarta Post, “4 Uighur Jihadists Linked to ISIS Flew to West Java Via KL, Say Indonesian Police,” *Straits Times*, 16 September 2014.
73. Ruslan Sangadji, “Last Uighur Member of MIT Shot Dead,” *Jakarta Post*, 18 August 2016.
74. Justin V. Hastings, *No Man’s Land: Globalization, Territory, and Clandestine Groups in Southeast Asia* (Ithaca and London: Cornell University Press, 2010).
75. Shohret Hoshur, “‘No Releases’ of Thousands Held for Years in Xinjiang Township Political ‘Re-education Camps,’ *Radio Free Asia*, 6 August 2018.

Index

- 709 incident 69–70, 426
- Acre, Moises 185
- Act for the Punishment of Counter-Revolution 49
- Adidas 127
- Administrative Reconsideration Law 267
- Afghanistan 437, 442
- Agricultural Bank of China 114
- Ai Weiwei 57, 372
- Ai Weiwei Studios 425
- AIDS *see* HIV/AIDS
- al-Qaeda 442
- All-China Environmental Federation 82
- All-China Federation of Trade Unions 119, 128–32, 144, 147, 154–5, 159–61, 164
- All China Lawyers Association 53
- Alliance for True Democracy 389
- Alpermann, Björn 5, 267
- Amity Foundation 294
- Anderson, Benedict 237
- Ansteel 126
- APA 356
- Arab Spring 347
- Areva 283
- arson 18
- artists 56–7
- Asia Briefing Ltd 114
- Asia Foundation 154
- Asia House Foundation 260
- Asian Games 270–71
- atheism 318, 327
- auto strikes (2010) 119–20, 130–32, 156
- Baidu 143, 208
- Baidu Baike 340–41
- Bao Longjun 69
- Bao Zhuoxuan 69
- Baranovitch, Nimrod 407
- bargaining power 109, 120–22, 125, 131–2
- Basic Law (Hong Kong) 378–89, 391–2, 395, 400
- Bauer, Michael 267
- BBC 355
- Becker, Jeffrey 283
- Beijing Art Academy 57
- Beijing Construction Committee 222
- Beijing Homeowners Forum 219
- Beijing Property Management Association 221–2
- “Big V” 417, 425–7
- Bimber, Bruce 335
- Blecher, Marc 115
- blogs 6, 57, 68, 142, 239, 243, 325, 334, 337, 400–401, 426
- Bo Xilai 141, 361–75
- bombs 13–16, 427, 433–6, 439, 442
- Bondes, Maria 5, 255–6, 267
- boundary activation 185–7, 195–6, 198
- boundary-spanning contention 291–2
- Buddhism 292, 294–5, 308
- Bulgaria 101
- Bureau of Industrial and Commercial Administration 230
- Buzan, Barry 419
- cab drivers *see* taxi drivers
- Cai Yongshun 144, 205
- Cairns, Christopher 7
- Cambodia 441–2
- capitalism 15, 98, 119, 129, 301, 379
- Catholic Patriotic Association 306, 324
- Catholicism 14, 292, 305–12, 323, 325, 385
- CEDA Foundation 299
- censorship 29, 35, 51, 68, 100, 184, 276–7, 288, 294, 336–8, 346–7, 351–3, 356–7, 418, 425
see also self-censorship
during the Bo Xilai scandal 361–75
Great Firewall 55, 350–51, 353, 355–6
- Center for Legal Assistance to Pollution Victims 259
- Central Committee 47–8, 51, 54, 132, 168, 364
- Central Coordination Group for Hong Kong and Macau Affairs 387
- centralism 85–6
- Chai Jung 244
- Chan, Jenny 3, 138, 152
- Chan Kin-man 389
- Chang, Gordon G. 13, 15–16
- charity 290–301, 316
- Charter 08 movement 52–3, 55
- Chen, Albert 64
- Chen Feng 112, 156
- Chen Jiangang 68
- Chen Jianghua 274
- Chen Weiguang 161, 164

- Chen Xi 320
 Chen Xitong 13
 Chen Zhen 412
 Cheng Guoping 422
 Cheng, Joseph 389
 Cheng King-hon, Albert 395–6, 400
 Cheng Yu-shek, Joseph 385
 Chin Wan, Horace 389
 China Central Television 258, 261, 341, 412, 418, 427
 China Christian Council 298–9, 317, 319–22, 324–5
 China Consumers' Association 81
 China Labor Bulletin 28, 119–25, 131, 137, 140–41
 China National Nuclear Corporation 283
 China Post Group Corporation 114
 China Strikes 137, 140–41
 China University of Politics and Law 63, 259
 China Urban Labor Survey 110
 Chinanet 283
 Chinese Academy of Labor and Social Security 113–14
 Chinese Academy of Social Sciences 110
 Chinese Communist Party 1–2, 9
 Bo Xilai scandal 361–6, 371–2, 374–5
 Central Committee 47–8, 51, 54, 132, 168, 364
 and environmental disputes 253, 276–7, 281, 285–7, 407, 409, 411–12
 and ethnic minorities 407, 409, 411–12, 421, 423, 426, 432, 434–6, 438, 440–43
 governing political expression 47–58
 and grassroots organizations 97
 and Hong Kong 379, 383–4, 387, 391
 and labor activism 105–16, 119–20, 126, 129–32, 144, 151–5
 and the legal system 62–71, 75–88
 Ministries *see individual Ministries*
 petitioning 167–81, 188
 see also petitioning
 and religion 290–92, 295, 299–301, 305–9, 311, 316–26
 and technology 347, 350–51, 355
 and unrest 12–13, 16–17, 21–2, 39
 Chinese Communist Youth League 350–51
 Chinese People's Political Consultative Conference 51, 223–4, 226–7, 239, 270, 310, 336
 Chinese Research Academy of Environmental Sciences 258
 Chinese Society for Environmental Sciences 253
 Choi Tung-ho 400
 Chomsky, Noam 359
 Chou Tzu-yu 348
 Christianity 1, 14, 154, 290–91, 295–301, 305–12, 316–26
 Chu, Eddie 398
 Chu Yiu-ming 385, 389
 Chuang, Julia 200
 citizen journalism 370–71, 397, 402
 citizenship rights 106, 138
 Civic Party 385, 396
 Civic Passion 399
 Civil Human Rights Front 385–6
 Civil Procedural Law 79, 81, 83
 civil society organizations 153–4
 claim-making 92, 97, 101, 290–93, 300, 333
 claim-staking 290–301
 class struggle 47–8, 50, 57–8
 see also middle class; working class
 Cliff, Tom 8, 406, 441
 Cold War 383
 collective bargaining 119–20, 122, 128, 130–32, 137, 156
 collective petitions 4, 100, 167, 189, 198, 212–13, 216, 219, 222
 in rural China 167–81
 coming collapse thesis 12, 15–17, 21
 Committee of Beijing Homeowner Associations (CBHA) 219–31
 communism 12, 16, 20–21, 92, 101, 151, 292–3, 306, 346–7, 363, 381, 383–4, 387, 399
 compensation 196–200, 237, 257, 410–11, 413–14, 425
 Confucianism 85
 construction industry 108, 115, 122, 124, 138, 146
 Consumer Protection Association 81–2
 Consumer Protection Law 81
 Copenhagen School 419
 corruption 13, 16–17, 20–22, 33, 53, 57, 83, 96–8, 106, 151, 171, 178, 181, 198, 257, 321, 417, 421, 423
 Bo Xilai scandal 361–2, 364–6, 374
 crime 13, 66, 69, 292, 361–2, 442
 Criminal Law 50–51, 53, 57
 Criminal Procedure Law 53, 72
 crowd sizes 36–8, 42
 crowdsourcing 154
 Cultural Revolution 47–8, 62–3, 168, 309, 317, 432
 cyber nationalists 346–56
 cyber-petitions *see* online petitions
 Daoism 294, 308
 democracy 15, 52–4, 229, 282, 353–5, 378–9, 381, 390–91
 see also universal suffrage

- Democracy Development Network 385
 Democracy Wall protests 47–50, 57
 Democratic Alliance for the Betterment and Progress of Hong Kong 383–4, 388
 Demosisto 401
 Deng Xiaoping 12, 48, 56, 63, 76, 152
 Deng Yanhua 100
 deprivation 17–18, 197
 Dezan Shira & Associates 114
 Diba Expedition 346, 348–56, 358
 Didi Chuxing 32, 125, 139, 141, 146
 digital media 332–42
 see also blogs; social media
 Dimitrov, Martin K. 101
 disability 64, 76, 86, 94, 99
 dispatch labor 3, 105, 108–9, 113–14, 116, 126–7, 138
 dissenting media 394–402
 domestic violence 57
 Dong Baohua 109
 drug addiction 291, 295–301
 Dynamics of Contention 187
- e-government 93
 East Turkestan Independence Movement 422
 East Turkestan Islamic Movement 438, 440
 East Turkestan Liberation Organization 438
 Eco-Canton 273–4
 economic growth 12–14, 21, 50, 76, 105, 107, 120–22, 129–30, 151–3, 159, 253, 268, 276, 316, 320, 374
 Economy, Elizabeth 268
 Educated Youth 412, 415
 education 1, 34, 41, 53–5, 78, 109, 115, 122–3, 125, 153, 231, 256, 267, 318–19, 321, 326, 335, 342, 352–4, 379, 398
 see also teachers
 Elfstrom, Manfred 3–4, 28, 34, 152
 employment contracts 76–7
 see also dispatch labor; Labor Contract Law
 environmental disputes 2, 30, 33–4, 40–42, 53, 78, 81–3, 86, 100, 151, 291–2, 312, 332, 336, 341–2, 374
 see also pollution
 anti-nuclear protests 280–87
 in Inner Mongolia 406–53
 networked contention against waste incinerators 253–62
 possibilities for environmental governance 266–77
 public interest campaigns 235–48
 PX protests 235, 240–41, 244–5, 265, 332–42
 environmental impact assessment (EIA) 243, 253, 255–6, 259, 261, 269–71, 285
 Environmental Movement 235–6, 238–9, 245–6
 environmental nongovernmental organizations 244–5, 247, 253–4, 257–62, 267–8, 273
 Environmental Protection Bureau 411
 Environmental Protection Law 82–3, 267
 Epp, Charles 85
 Equal Opportunity Commission 86
 ethnic minorities 1–2, 13–14, 21, 151, 298–9
 ethnic unrest 417–28
 Inner Mongolia 13–14, 21, 406–53
 shifts in Uyghur-related violence 432–44
 Uyghurs 1, 9, 13–14, 417–18, 420–24, 426–8, 432–4
 Xinjiang 13, 21, 35, 356, 372, 406, 417–23, 427–8, 432, 434–43
 Eu, Audrey 385
 Euromonitor International 122
 European Union Human Rights Committee 154
 evictions 28, 32–3, 39–41, 64–5, 198
- Facebook 334, 346–8, 350–56, 358, 398–9, 401
 faith-based charity 290–301, 316
 faith-based nongovernmental organizations 294, 298–9
 Falun Gong 12–13, 65, 67, 75, 155, 290, 426
 family planning 53, 107, 117
 Fang Cai 138
fangsheng 294–5
 farmers 12, 14, 21, 167, 184–6, 189–92, 195–200, 233, 257, 347
 see also land-related protests
 FAW-Volkswagen 127
 Federation of Trade Unions 383–4
 feminism 57
 Feng Yongfeng 260
 fifty-cent army 347, 351–2, 365, 374
 Fight for 15 campaign 146
 financial crisis (2008) 13, 15, 107, 110–11, 120, 137
 financial crisis (Asian) 381
 Flanagan, Andrew J. 335
 flooding 12
 Fong Chi-hang, Brian 389–91
 Ford Foundation 154
 Fordism 138
 foreign direct investment 114
 formalism 50–52
 Four Big Freedoms 47
 Four Cardinal Principles 47–51
 Four Modernizations 48, 58
 Four Noble Truths 295
 Four Unlikes 245–7
 Fraenkel, Ernst 65, 70
 free riding 18, 242

- freedom of expression 48, 51, 53, 57–8, 64, 98, 282, 353, 396, 399
- Friedman, Eli 109
- Friends of Nature 82, 260, 267, 273
- Friendship Associations 230
- Fu Hualing 2–3
- Fukushima 280–81, 285–7
- Gallagher, Mary 109
- Gamson, William 205
- Gang of Four 62–3
- Gao Zhisheng 62–3, 65, 67–8
- gender 81, 86, 105–7, 197, 319, 326
- Global Alliance of Incinerator Alternatives 260–61, 265
- Global Terrorism Database 438
- Global Village Beijing 260
- Göbel, Christian 2
- Goldstone, Jack 354–5
- Goodman, David 28
- Google 208
- Gospel Rehab 291, 296–301
- government-organized nongovernmental organizations 154, 163
- Grand Military Parade 419, 427–8
- Grano, Simona A. 5–6
- grasslands 8, 406–9, 413
- grassroots organizations 1, 4, 78, 83, 86, 91–101
- Great Firewall 55, 350–51, 353, 355–6
- Green Beagle 257, 260–61, 273
- Green Family 273
- Green House 262
- Greenpeace 261
- gross domestic product 120, 122, 126, 243, 247, 268
- gross regional product 29–30
- Gu Kailai 361–2, 364–7
- Gu Yuese 322
- Guang Lei 4
- guanxi 93–5, 100–101, 310–11
- guns 21, 417, 422–3, 427, 433–6, 439, 441
- Hai Ming 409
- Halliday, Terence C. 86
- Han Rongbin 7, 365, 374
- hard authoritarianism 16–17
- Hassid, Jonathan 151–2, 159, 161
- Hastings, Justin V. 8–9
- He Qinglian 13
- health 115, 151, 291, 298, 336, 408
- health and safety 108, 152
- healthcare 106, 110, 153
- Hebei Buddhist Charity Association 294
- Heilongjiang Longmay Coal Group 126
- Hess, Steve 185–6
- Heurlin, Christopher 4, 167, 256
- Heywood, Neil 361–2, 364–5, 373
- Hirschhorn Museum 57
- HIV/AIDS 78, 295–6, 298–9, 301
- Home of Buddhist Light 295
- homeowner activism 2, 9, 28, 30, 32–3, 40, 256
- rights protection actions 204–16
in urban China 219–32
- Homeowners' Forums 224–6, 228–9
- homeowners' organizations 204, 206–7, 209–10, 213–16, 219–32, 277
- Honda 156
- see also* auto strikes (2010)
- Hong Kong 2, 13, 49, 55, 242, 262, 356
- anti-nuclear protests 280–82, 286
- dissenting media in 394–402
- labor activism 151, 153–4, 157, 159, 161, 163
- political future of 378–92
- religion 296, 298–300
- Hong Kong Alliance for Patriotic Democratic Movement of China 381
- Hong Kong Indigenous 401–2
- Hongde Jiayuan 294
- hooligans 18, 20, 29, 33, 425
- household registration *see hukou*
- Housing Fund Bureau 110
- housing prices 192–5, 208
- see also* land values
- Hsing You-tian 186
- Hu Chunhua 409
- Hu Jintao 69, 75, 79, 83, 107, 115, 119–20, 130–31, 167, 247, 267, 276, 316, 326, 352
- Huang An 348
- Huang, Philip 113
- Huang Songyou 78
- Huang Yizi 327
- Huawei Technologies 110
- hukou* 106, 109, 114, 152–3, 173, 186, 197–200
- human rights 48, 51–2, 62–71, 99, 151, 316, 426
- Human Rights Action Plan 52
- human rights lawyers *see* rights lawyers
- hunger strikes 228, 383
- Hurst, William 198
- ICTs
- cyber nationalists 346–56
- digital media 332–42
- microblog dissent during the Bo Xilai scandal 361–75
- Indonesia 442
- inflation 106
- informalization 98, 126, 137–8, 147

- Inner Mongolia 13–14, 21
 environmental protest movement 406–53
- Instagram 356
- Institute of Social History 140–41
- intellectuals 8, 48–9, 52, 55, 62, 239, 407
- internal security 12–15, 17, 428
- International Covenant on Civil and Political Rights 51, 76
- International Covenant on Economic, Social, and Cultural Rights 51
- International Labour Organization 137, 154
- International POPs Elimination Network 260, 265
- Internet 9, 29, 32, 78, 93, 206, 332, 347, 419
 see also digital media
- internships 115–16, 138
- Ip Lau Suk-yeo, Regina 384–6
- iron rice bowls 12, 76, 107, 192
- Ishihara, Shintaro 56
- ISIS 436–7, 442
- Islam 294, 420–23, 427, 434–5, 437–8, 440–43
 see also Uyghurs
- Islamic Association 294
- Islamic Movement of Uzbekistan 437
- Japan 55–6, 262, 280–81, 285–6, 353, 356, 407, 409, 433, 441
- Jasic Technology 1
- Jemaah Islamiyah 442
- Jiang Ping 63
- Jiang Shigong 64
- Jiang Tianyong 70
- Jiang Zemin 56, 316–17
- Jiaodian Online Real Estate 228
- Jinde Charitable Foundation 294
- Johnson, Thomas 243, 256
- Joint Declaration on the Question of Hong Kong 378
- Joppke, Christian 292
- just-in-time delivery system 125
- JYP Entertainment 348
- Kazakhstan 437–8
- Kerr, Clark 146
- King, Gary 365, 373–4
- Ko Shan Theatre 380, 385–6
- Korea 407, 441
- Kosovo war 55
- Kuomintang 281
- Kuruvilla, Sarosh 34
- Kyrgyzstan 437–8
- Labor Contract Law 105, 109, 113, 126–7, 155
- labor dispatch 3, 105, 108–9, 113–14, 126–7, 138
- Labor Dispute Mediation and Arbitration Law 105, 111–12
- labor disputes 32, 38–9, 41, 53, 64, 76, 78, 80, 86, 105–16, 129–33, 277
 in South China 151–62
- Labor Law 106, 115
- labor nongovernmental organizations 119, 128, 130–32, 151–62
- labor protests 30, 34–5, 42, 111, 113–15, 119–20, 132–3
 characteristics and strategies of 122–9
 context, trends, and causes of 120–22
 in South China 151–62
 state and trade union responses 129–32
 taxi drivers *see* taxi drivers
- labor rights 76–7, 109, 120, 127–8, 132, 162
- labor shortage 119–22, 130, 132
- Lam, Carrie 390
- land grabs *see* land-takings
- Land Justice League 398
- land petitions 186–200
- land-related protests 36–7, 39–42, 80, 184–200, 256–7
- land-takings 2, 28, 32–3, 36–7, 41, 78, 167, 171, 181, 184–6, 189–92, 195–200, 256
- land values 14, 194, 198
 see also housing prices
- landfills 254, 256–8, 266, 269
- landlords 20, 157
- Landsea survey 27, 30, 32
- Laos 441
- Lau Siu-kai 386
- Law for the Protection of the Rights and Interests of Women 75
- Lawyers Law 53
- layoffs 12, 76, 78, 98, 107, 110–11, 114, 121, 126–7, 198
- Le Mons Walker, Kathy 184–5
- League of Social Democrats 396
- Lee Ching Kwan 109, 236
- Lee Chu-ming, Martin 380–81, 388
- legal advocacy 62–71
 see also rights lawyers; *weiquan* movement
- legal system *see also* individual laws
 labor legislation 105–16, 119–20, 130, 132, 137, 155, 158
 mass disputes 75–88
 rights lawyers 2, 9, 52–3, 55, 62–71, 81, 85, 88, 131, 261–2, 316–17, 323, 325, 424–6
 see also *weiquan* movement
- Legislation Law 267
- Lei Guang 146
- Lenin, Vladimir 18
- Leninism 47

- letters and visits system 168–71, 180, 187
see also petitioning
- Leung Chun-ying 400
- Leung Kwok-hung 396–7
- LGBT 64
- Li Buyun 63
- Li Fei 392
- Li Gang 427
- Li Jinxing 67
- Li Lianjiang 144, 205, 236–7, 414
- Li Lindong 410
- Li Tingyu 29
- Liang Qichao 324
- Lin Gengxin 348
- Lin Jueqing 296, 298–300
- Lin Qilei 68
- Little Grass Workers' Home 157, 160–61
- Liu Genghua 113–14
- Liu Jun 7, 244, 333
- Liu Weiguo 68
- Liu Xiaobo 52, 63
- Liu Xiaogang 161, 164
- living standards 15
- lobbying 229
- Local Action 397
- Locke, John 66
- looting 18
- Lovol Heavy Industry Co. Limited 81
- Lu Yuyu 29, 31
- Lu Zhang 108
- Luo Jingming 273–4
- Macao 242, 296
- Malaysia 441–2
- Mallet 30
- manufacturing industry 115, 119–27, 130, 268
- Mao Da 260
- Mao Zedong 20, 47, 56, 93, 100, 131, 152, 168, 179, 317, 350, 363
- Martial Law 49, 281
- Marxism 47, 63, 299
- mass frames 198
- mass incidents 75–88, 106, 155, 164
- mass line 92–3, 129, 135, 168
- maternity benefits 108, 110–11, 113
- McAdam, Doug 187, 300
- McCarthy, Susan K. 6, 290, 316
- Measures on Detention and Repatriation of Urban Vagrants 170
- medical mistreatment 34, 41
- Mei Jianming 422
- Meikle, Graham 333–4
- melamine milk powder cases 77–8
- memes 348, 350, 352–4, 356, 358
- Mertha, Andrew 144
- #MeToo movement 1
- Miao Chun Yu 114
- micro frames 198
- microblogs 68, 261, 325, 334, 361–75, 418, 421
see also Weibo
- middle class 2, 4, 15, 28, 39–40, 42, 97, 208, 231, 235, 242, 257
see also class struggle; homeowner activism
- Migdal, Joel 419
- migrant workers 2, 9, 12–13, 27, 32, 35–6, 38–9, 76, 78, 98, 105–10, 116, 119, 121–2, 126–8, 138, 151, 153, 155–6, 162, 172, 198
- minimum livelihood guarantee 97–8
- minimum wages 77, 105, 107–8, 110, 115, 137, 146, 153, 158, 182
- mining 31, 123, 126, 146, 185, 189–90, 408–10, 435
- Ministry of Civil Affairs 154, 275
- Ministry of Construction 220
- Ministry of Housing and Urban-Rural Development 254
- Ministry of Justice 62–3
- Ministry of Land and Resources 190–91
- Ministry of Public Security 106
- Mo Wenguang 299
- Mujahidin Indonesia Timur 442
- Municipal Bureau of Land Planning 210
- municipal solid waste incinerators *see* waste incinerators
- Myanmar 298–9
- Nandu.com 272
- Nanjing Massacre 55, 356
- National Art Museum 56–7
- National People's Congress 49, 64, 83, 86–7, 108, 113, 126, 222, 227, 267, 270, 336, 387–8, 400
- Standing Committee 51, 83, 86–7
- national security 57, 69, 422
see also terrorism
- National Security Law 57
- nationalism 7, 14, 55–7
- cyber nationalists 346–56
- Nature University 260–61
- neo-Maoism *see* New Left
- neoliberalism 54
- Netease 366
- networked contention 253–62, 264
- New Citizens' Movement 53
- New Left 362–3, 365
- New Normal 121, 131, 133
- New Year 38, 42, 172
- Ng, Margaret 385
- Nike 127

- NIMBYism 34, 235, 237–9, 242, 245–7, 256, 262, 268, 341
- Nine Dragons Paper 110
- Nip, Joyce Y.M. 8
- nongovernmental organizations 80–86, 88, 147, 151, 237, 239
- environmental 244–5, 247, 253–4, 257–62, 267–8, 273
- faith-based 294, 298–9
- GONGOs 154, 163
- labor 119, 128, 130–32, 151–62
- not in my back yard *see* NIMBYism
- nuclear power 235, 237, 241, 280–87
- O’Brien, Kevin J. 100, 144, 205, 236–7, 291–2, 414
- Occupy 389–92, 397–8, 400–402
- Olson, Mancur 18, 242
- Olympics 48, 57, 189, 352, 436
- one child policy 117
- see also* family planning
- One China 7, 163, 346, 348, 379
- one country, two systems 7–8, 379, 384, 391, 394
- online petitions 171, 339–41, 424
- open-door policy 268
- Opinions on Constructing Harmonious Labor Relations 132
- OPPO 81
- Organic Law 197–8
- Otede, Uchralt 8, 407
- Oxfam 154
- Pakistan 437–8, 441
- Pan, Darcy 3–4, 147
- Pan, Jennifer 365, 373–4
- Pan Yue 259
- Panyu Lide Shoes Co. Ltd 127–9, 131
- Panyu Migrant Worker Service Center 127–9
- Paraxylene plants *see* PX protests
- Park, Albert 138
- Party Document 9 52–5
- passports 420, 427, 438, 442
- patriarchy 57
- patriotism 7, 49, 52, 142, 290, 305, 322, 379, 383, 398
- cyber nationalists 346–56
- Patten, Christopher 381–2
- Pavlićević, Dragan 5, 9, 213, 216
- Pei Minxin 16
- Peking University 63
- pensions 30, 53, 106–8, 110–11, 115, 121, 127, 152
- People’s Armed Police 421–2
- People’s Liberation Army 54, 350
- People’s Liberation Army Navy 13
- Pepper, Suzanne 7
- Pepsi 128
- Peru 185
- petitioning 101, 317, 320–21, 324, 336, 407, 411–12, 414–15, 417–18, 423, 426–8
- collective *see* collective petitions
- evolution of petition system 168–71
- land petitions 186–200
- online 171, 339–41, 424
- Phoenix Television 262
- Pils, Eva 2–3, 53, 259, 316, 323, 426
- police 1, 18–20, 22, 29, 32, 34, 56, 63, 69, 86, 131, 139–41, 143, 146, 157, 161, 167, 171, 176, 270, 282–5, 361, 363, 396, 400, 409, 417–18, 421–3, 425–8, 434–5, 439–40
- see also* security forces
- riot police 27, 125–6, 283
- Politburo 7, 13, 159, 361, 363–4, 374
- political expression 47–58
- politics of gossip and talk 92, 95–8
- pollution 33–4, 41–2, 78, 81–4, 171, 242–3, 253–4, 256, 258, 261, 266–9, 271, 276–7, 280–81, 284–6, 295, 406–15
- see also* environmental disputes
- Potter, Pitman B. 2, 50
- privatization 106–8, 115, 145, 152
- Property Law 222, 229
- property management companies 28, 32–3, 41, 204, 206, 208–14, 216, 219–22, 225–8, 230–31
- in ethnic minority regions *see* ethnic minorities; *individual regions*
- property-related disputes 30, 32–3, 36, 190
- see also* homeowner activism; land-takings
- proportional representation 382–3
- prostitution 139, 295
- protests and acts of resistance 1–9
- crowd sizes 36–8, 42
- cyber nationalists 346–56
- and digital media 332–42
- see also* blogs; social media
- environmental *see* environmental disputes
- environmental public interest campaigns 235–48
- frequency of protests 38–40
- geography of protests 34–6
- governing political expression 47–58
- grassroots organizations’ daily politics 91–101
- homeowner activism 2, 9, 28, 30, 32–3, 40, 204–16, 219–32, 256
- in Hong Kong *see* Hong Kong
- and labor legislation 105–16
- see also* labor disputes

- land-related protests 36–7, 39–42, 80, 184–200, 256–7
 legal advocacy as resistance 62–71
 mass disputes and the legal system 75–88
 microblog dissent during the Bo Xilai scandal 361–75
 petitioning *see* petitioning
 religious *see* religion
 unrest and regime survival 12–22, 42
 unrest, bird's-eye view of 27–42
 worker protests *see* labor protests
 Provision on Minimum Wages 105, 107–8
 Provisional Regulations on Handling Labor Disputes in State Enterprises 106
 public interest litigation 76, 81–8
 public opinion 15, 87, 168, 228–9, 243–4, 251, 270–71, 283, 286, 324, 341, 362, 372, 395, 422
 Public Security Bureau 156, 414, 425, 436
 PX protests 235, 240–41, 244–5, 265, 332–42
 Qiu Jin 371
 QQ 128, 334
 racism 426
 radio 395–7, 399–402
 railways 81, 241, 389, 397–9
 rallies 79, 106, 167, 410, 422
 Randolph, John 267
 re-education through labor 65, 69, 311, 443–4
 real estate developers 36, 39–42, 184–5, 192, 194–5, 199–200, 204, 206, 208, 210–11, 214, 220–22, 228, 230, 317, 320–21, 324
 recycling 241, 245, 254, 260, 273–4
 Red Guard 48, 350
 Red Spear 20
 reform and opening 52, 54, 69, 71, 105, 192, 306, 363
 regime survival and unrest 12–22, 42
 Regulation on the Disclosure of Government Information 267
 Regulations on Handling Labor Disputes in Enterprises 106
 Regulations on Religious Affairs 290–91, 321
 religion 1–2, 13–14, 21, 33, 64, 406, 420, 422, 435
see also individual religions
 charity, repurposing, and “claim-staking” resistance 290–301
 informality as resistance 305–12
 resistance and activism in official churches 316–26
 Religious Affairs Bureau 294, 297–9, 317–18, 322
 Reny, Marie-Eve 6, 294, 316
 repertoires of contention 332–42
 repurposing 290–95, 300–301, 316
 resident committees 91–5, 97–101, 209–11, 224
 resistance *see* protests and acts of resistance
 resource value activation 185, 187, 192–5, 198, 200
 revolts 18–22, 96
 ride-hailing apps 125, 139–41, 143, 146
see also Didi Chuxing; Uber
 Rightful Resistance 235–9, 242, 245–7
 rights lawyers 2, 9, 52–3, 55, 62–71, 81, 85, 88, 131, 261–2, 316–17, 323, 325, 424–6
see also *weiquan* movement
 Riot Act 20
 riot police 27, 125–6, 283
 riots 13–14, 18–19, 22, 29, 106, 137, 139–40, 151, 378, 419–20, 432, 434–9, 441–2
 road blocking 1, 106, 167, 171–2, 175, 207, 212, 284, 320, 390–91, 410, 440
 Roberts, Margaret 365, 373–4
 Rocca, Jean-Louis 28
 Romania 21
 Rootes, Christopher 238
 rule of law 50–53, 65–6, 68, 71, 76, 85, 105, 180, 374
 rural residents
 collective petitions 167–81
 grassroots organizations 91–101
 land-related protests 184–200
 Rural-Urban Migration in China Project 109
 Russia 417, 427, 437, 441
 rustbelt 12, 418
 Sakai, Tōru 410
 Samsung 81
 sanitation workers 124–6, 138, 147
 Sargeson, Sally 199
 scabbing 142–3
 Scholarism 398–9, 401
 Scott, James C. 292
 securitization 8, 418–24, 427–8
 security forces 19–21, 29, 35, 42, 56, 297, 323, 372, 422, 426, 440
see also police
 Selden, Mark 3, 138, 152
 selection bias 29, 42, 209
 self-censorship 152, 158, 375–6
 self-employment 138, 144–5
 self-immolation 14, 73
 self-relief movement 408–10, 414
 separatism 13, 348, 351, 372, 406, 420, 434–8, 440–41
 service industry 122–3, 125–6
 Severe Acute Respiratory Syndrome 384–6

- Sewell, William 293
 sex workers 139, 295
 Shambaugh, David 12–13, 16–17
 Shanghai Cooperation Organization 437–8
 Shanghai Railway 81
 Sheng, Zhiming 4–5
 Shenzhen Airlines 124
 Shi Lu 56
 Shi Zengzhi 355
 Shirk, Susan L. 13
 Show Luo 348
 Sichuan earthquake 57
 Siegel, Abraham 146
 Silver, Beverly 146
 sit-ins 94–5, 100, 106, 167, 207, 212, 284, 324
 smuggling 13, 433, 435, 437–8, 442
 snowball sampling 334–5
 social insurance 105, 108–11, 114, 116, 121, 125–8, 153, 156, 199
see also social security
 Social Insurance Bureau 110
 Social Insurance Law 105, 110, 155
 social media 1, 9, 29, 31–4, 41–2, 67–8, 100, 120, 123, 128, 132, 141–3, 154, 280, 283, 332, 334–5, 340, 346–56, 395, 400–401, 424–5
see also Facebook; Weibo
 social networks 91, 138, 143–4, 172, 186, 206, 286, 336, 338–9, 342, 395
 social security 110, 127, 132, 153, 199
see also social insurance
 socialism with Chinese characteristics 54–5
 soft authoritarianism 16
 Sohu 283
 Solinger, Dorothy 108, 144
 Song, Yu 199
 South China Institute of Environmental Sciences 270
 Soviet Union 12
 special economic zones 106, 141
 speech acts 418–20, 422
 Standing, Guy 138
 State Council 49, 51, 64, 82, 125, 132, 168, 191, 267, 281
 State Environmental Protection Administration 259, 412–13
 state-owned enterprises 76, 78, 105–8, 114, 130, 138, 142, 152, 243, 254, 285
 statism 75, 83–6
 Steinhardt, H. Christoph 5, 29
 Stern, Rachel E. 151–2, 159, 161
 Stohl, Cynthia 335
 Strike Hard campaigns 1, 434, 436, 440
 Strike Map (CLB) *see* China Labor Bulletin
 strikebreakers 142–3
 strikes 1–2, 12, 28–9, 32, 47, 79, 106, 109, 113, 115, 119, 122–8, 131–2, 138–42, 144–6, 152, 156, 167
 strolling protests 270, 282–3, 292, 339
 structuralist theory 40
 Su Yang 4
 subcontract workers 109, 114, 127, 138–9
see also dispatch labor
 suicide 13, 106, 138, 142, 439, 442
 Sun Long 5
 Sun Yat-sen University 273
 Sun Zhigang 170
 sunbelt 12
 Support Vector Machine (SVM) 40–41
 Supreme People's Court 51, 78–83, 113, 118, 225, 426
 Supreme People's Procuracy 51, 83–4, 86–7
 Survey Report on Labor Conditions of Service Sector Workers 126
 Swider, Sarah 146
 Tai, Benny 390
 Tai Yiu-ting 389
 Taiwan 280, 407, 410
 anti-nuclear protests 155, 281–2, 285–6
 Diba Expedition 346, 348–56
 religion 296
 Tajikistan 437
 Tang Wenfang 286
 Tarrow, Sidney 17, 238, 300, 333
 Tate Modern 57
 taxi drivers 3–4, 9, 32, 41, 125, 137–47, 335, 339–40, 384–5, 427, 436
 teachers 32, 34, 78, 125, 132
see also education
 Telegram 401
 temporary agency workers *see* dispatch labor
 Tencent 366
 Teng Biao 53, 68–9, 323
 Tentative Provisions on Labor Dispatching 127
 terrorism 19, 406, 417–28, 432–7, 442–3
 Thailand 417, 433, 442
 think tanks 144, 281
 Three Rectification, One Demolition campaign 308, 316, 322–5
 Three-Self Patriotic Movement 294, 298–9, 306, 310–11, 317–22, 324–5, 327
 Tiananmen Mothers 49
 Tiananmen Square democracy movement (1989) 47, 49–50, 52, 54, 56–7, 101, 106, 321, 380–81, 385
 June Fourth 63–4, 69, 380–81
 Tianya 353
 Tibet 13–14, 21, 35, 125, 155, 356, 418, 421
 Tilly, Charles 300, 333

- torture 62, 64–5, 67–70, 73
 tourism 97–8, 100, 268, 389, 433
 trade unions 3, 106, 113, 115, 119–20, 126–33,
 146–7, 153–5, 160–61, 169, 383
see also All-China Federation of Trade
 Unions
 transparency 53, 79, 180, 196, 210, 243, 253,
 267–8, 272, 275, 284, 374, 424, 438
 transportation sector 120, 123, 125, 132
see also taxi drivers
 truck drivers 125, 138, 409
 Trump, Donald 67, 70
 Tsai Ing-wen 346, 348–9, 351–3, 356
 Tsai, Kellee 300–301
 Tsang Kin-shing 396
 Tsang Yok-sing, Jasper 381
 Tung Chee-hwa 382–6, 395
 Turkey 442
 Twitter 334, 347, 351, 356, 425
- Uber 139, 146
 Umbrella Revolution 389–92, 397–8, 400–402
 United Front Work Department 322
 United Nations 52, 64, 441
 United Nations Security Council 55
 United States 56, 85, 146, 296, 340, 353, 435,
 437, 442
 Universal Declaration of Human Rights 51,
 66
 universal suffrage 378–80, 382, 385, 387–91
see also democracy
 universities 54–6, 63, 125, 138, 170, 198, 225,
 229, 274, 340, 390, 410
 unrest and regime survival 12–22, 42
 unrest, bird's-eye view of 27–42
 urbanization 204
 Uyghur Liberation Organization 438
 Uyghurs 1, 9, 13–14, 417–18, 420–24, 426–8
 shifts in Uyghur-related violence 432–44
 Uzbekistan 437
- V-Artivist 397
 Vala, Carsten 6, 292
 Vietnam 93, 441
 villager committees 93–7, 100–101
- Wah, Szeto 380–81
 Walmart 126–7, 138, 147
 Walzer, Michael 67, 70
 Wang Aiguo 297, 299
 Wang Baosen 13
 Wang Lequan 438
 Wang Lijun 361, 363, 367, 371–4
 Wang Rong 159
 Wang Yang 130, 159
- Wang Yu 69
 Wang, Zhengxu 5
 Warsaw Pact 12
 waste incinerators 235, 240–41, 243–5, 253–62,
 266–77, 280
Water Margin 20
 WeChat 128, 142–3, 219, 283–4, 288, 334–5,
 337–8, 350, 425
 Wedeman, Andrew 2
 Wei Jingsheng 13, 48–50, 128
 Weibo 29, 141, 243, 334–5, 342, 346, 348,
 361–4, 417, 421, 426–7
WeiboScope 362–3, 366–7, 374
weiquan movement 53, 62, 259, 261, 311, 317,
 323, 325
see also rights lawyers
 Weller, Robert 293
 Wen Jiabao 53, 75, 79, 83, 107, 115, 119–20,
 130–31, 167, 276, 364, 385
 WhatsApp 398, 401
White Book on Human Rights 64
 Whyte, Martin King 16
 Wickedonna 29, 31
 women *see* gender
Women's Federation 197
 Wong Chi-fung, Joshua 388, 398, 401
 Wong, Joshua 389
 Wong, Natalie W.M. 5–6, 274
 Wong Yeung-tat 399
 Woodman, Sophia 2–3, 93, 98
 worker protests *see* labor protests
 working class 15, 40, 76, 114, 131, 138, 141
see also class struggle
 working conditions 42, 105–6, 119–22, 125,
 127, 132, 137, 139–40, 145, 152, 162
 World Bank 261
 Wright, Teresa 15
 Wu Gan 425–6
 Wu Keping 294
 Wuhu Ecology Center 260
- Xi Chen 92, 144
 Xi Jinping 9, 54, 62, 69–71, 79, 87, 119–21,
 131–3, 145, 168, 171, 181, 216, 247, 276,
 282, 291, 308, 316–17, 321–2, 326, 364,
 371, 374–5, 392, 421–2
 Xia Junfeng 426
 Xie Yang 70
 Xin Chunying 108
 Xinfang Regulation 168–70
 Xinhua 421
 Xinjiang 13, 21, 35, 356, 372, 406, 417–23,
 427–8, 432, 434–43
 Xinjiang Production and Construction Corps
 421

- Xu Chunhe 417, 424–6
Xu Jianhua 422
Xu Zhiyong 53

Yan Wen Long 409
Yang Fenggang 303
Yang Guobin 355
Yang Xuehui 156
Young Turks 381–2
Youngspiration 401
YouTube 356, 396
Yu Guangzhong 352
Yu Jianrong 170–71, 286–7
Yue Yuan Industrial 127–8, 131
Yugoslavia 55

Zemin, Jiang 16
Zen Ze-kiun 385
zero-sum game 205

Zero Waste Alliance 260, 262, 273
Zhang Boju 273
Zhang Chunxian 438
Zhang Dejiang 199
Zhang Kai 323, 325
Zhang Lei 67
Zhang Lu 3, 152, 154, 156
Zhang Qianfan 422
Zhang Xuezhong 426
Zhang Yuheng 5–6
Zhao Zhangyuan 258–9, 261
Zhongnanhai 12
Zhou Enlai 48
Zhou Shifeng 70
Zhou Yongkang 374–5
Zhou Zhanshun 170
Zhu Rongji 199
Zhu Weifang 324
Zhuang, Wenjia 112

