

State & Social Protest

Ching Kwan Lee

Abstract: This essay sketches an array of cultural, political, and bureaucratic mechanisms that mediate the Chinese Communist state's relationship with the major types of social protests, in the process exploring how governance and contention have transformed each other in the past six decades. In particular, it spotlights a noteworthy development in recent years: the increasingly salient market nexus between state and protest. While the regime response of making economic concessions to protesters is hardly unique in the context of China's own past, the transition from top-down mandated concession to pervasive bargaining between the state and protesters is a significant break with past patterns. The negotiability of cash and material rewards insinuates a market logic of governance that is made all the more poignant by the singularly formidable fiscal and infrastructural capacities of the current Chinese regime among its authoritarian counterparts worldwide.

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The history of Chinese protest registers a spectrum of popular grievances and protesters that is as wide and diverse as that of any society. The period of the People's Republic of China (PRC) inherits and continues China's millennia-long legacy of social unrest, featuring tax rebellions, anti-corruption and exaction-relief petitions by peasants, market strikes by merchants, industrial strikes by workers, patriotic demonstrations by students and urban citizens, religious and sectarian movements, and ethnic strife and rebellion. On top of these "traditional" modes of social unrest, the current era of one-party rule under the Chinese Communist Party has introduced contemporary varieties of protest stemming from the contour of its political and economic development. These include cycles of political campaigns and mass mobilizations under Mao, pro-democracy movements at the beginning of urban economic reform, and the more recent "not in my backyard" environmental protests and cyber protests in the age of globalization.

The blurred boundary between Chinese state and society is a common point of departure for understanding the Chinese government's management of

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social protest. Rather than emphasizing autonomy and antinomy, China scholars have long underscored the dynamic interaction and mutual constitution of state and society relations from at least the late Imperial era through the Republican and Communist eras. Scholars have deployed lively metaphors to capture this state-society imbrication: a “cultural nexus of power,” a “gray zone,” a “third realm,” and the fluid “amalgam of wet and dry, colorless and colorific as in the art of calligraphy.”¹ These conceptions apply as much to routine governance as to moments of unrest. Scholarship on the Chinese state and on social protest consistently points to a durable duality of state authoritarianism and social contention. The insight, in a nutshell, is that state domination and social protest is not a zero-sum game in which both sides are locked in a starkly antagonistic mode of “dominance versus resistance.”

This essay sketches an array of cultural, political, and bureaucratic mechanisms that mediate the Chinese Communist state’s relationship with the major types of social protests, in the process exploring how governance and contention have transformed each other in the past six decades. It is a story of how the state manages protest, but also a story of how it inadvertently or sometimes intentionally creates protest. This study also spotlights a noteworthy development in recent years: the increasingly salient *market nexus* between state and protest. Market nexus refers to the systematic and preponderant reliance on the state bargaining with protesters using cash and material rewards, eclipsing without replacing other mechanisms of state-society engagement in moments of unrest. While the regime response of making economic concessions to protesters is hardly unique in the context of China’s own past, the transition from top-town mandated concession to pervasive bar-

gaining between the state and protesters is a significant break with past patterns. The negotiability of cash and material rewards insinuates a market logic of governance that is made all the more poignant by the singularly formidable fiscal and infrastructural capacities of the current Chinese regime among authoritarian counterparts worldwide. An incipient commodification or monetization of state power and citizen rights will have important implications for the durability of authoritarianism in twenty-first-century China.

The distinctiveness of the Chinese experience of social protest resides less in its form than in its dynamics. Rather than simply reacting to and managing protest arising from social conflict, the Chinese state has consistently played a proactive role in endorsing – and even encouraging and engineering – some types of protest. Prominent China scholars have attributed this Chinese peculiarity to the lasting influence of Confucian political ideology. For instance, a central argument running through Elizabeth Perry’s seminal work *Challenging the Mandate of Heaven* is that Chinese political cultural precepts – from Mencius’s Mandate of Heaven to Sun Yat-sen’s Three Principles of the People to Mao’s Mass Line – lend as much legitimacy to paternalistic state authoritarianism as to bottom-up rebellion reacting to state failure to deliver benevolence.² The Chinese conception of “rights” distinctly privileges socioeconomic security and collective livelihood, in contrast to the Anglo-American tradition that emphasizes political liberty and individual freedom.³ Therefore, throughout Chinese history, moral economy protests – in which the aggrieved populace makes economic and welfare claims and postures as filial-loyal subjects to the government – have mostly been met with accommodation and sym-

Ching
Kwan Lee

pathy rather than repression and hostility. Protest is not necessarily a subversive force against the state, but an integral element in the Chinese political imagination for both the rulers and the ruled. Inherent in the logic and schema of Chinese authoritarian governance are the seeds for contention and challenge against it.

Chinese Communism under Mao continued to profess an ideological commitment to guaranteeing the security of people's livelihood in exchange for subservience and loyalty to the state. Aside from making uncanny references to Confucian political values in Red Guard slogans and in the training manuals for Communist Party members, the Chinese Communist regime also institutionalized state provision of material security and life chances to state industrial workers and urban residents through the work unit system. Thanks to its unprecedented administrative capacity to penetrate society, the Communist state, far more than its Imperial or Republican predecessors, was able to put into practice and formalize in concrete institution what sociologist Andrew Walder has termed the "neo-traditional" pattern of state-society authority relations. It is predicated on a command economy that allows the state to centralize and redistribute resources. The Communist Party's vast and deep networks of cells and activists also functioned to cultivate patron-clientelist loyalties and deference, and preempt autonomously organized political dissent.⁴

But Communist neo-traditionalism, just like the Confucian Mandate of Heaven, was a double-edged sword. Socialism created its own structure of inequality, and its ideology of state paternalism and equalitarianism inspired significant protests in Mao's time. Contract and temporary workers, young apprentices, and non-state sector workers – all deprived of the economic security others enjoyed – were the

driving force behind the strike waves in 1956 and 1957, the so-called wind of economic worker rebellion during the Cultural Revolution, and the strikes in 1974 and 1975. Another impetus for state-sponsored social contention has come from the Maoist Mass Line doctrine, which stipulated the involvement of the masses in governance. Examples abound: from the state orchestrating peasants' "speaking bitterness" against former landlords in struggle meetings during the land reform; to Mao's invitation of intellectual criticisms against the Party during the Hundred Flowers Campaign; to his famous injunction "to rebel is justified," aimed at fueling Red Guard activism; to his endorsement of the January 1967 seizure of power by workers in Shanghai. Of course, leveraging this cultural logic of power and protest did not stop Mao from flexing the state's repressive muscles and ruthlessly crushing unrest when protests culminated in regime-threatening chaos.

The Confucian cultural logic of contention also finds contemporary echoes in the post-Mao period. Rural and urban protesters often appeal to central government edicts as justification for protest against local corruption and the failure to implement central policies. In the *longue durée* of Chinese political culture, post-Mao "rightful resistance" by farmers against tax burden or fraudulent village elections, and by workers against pension arrears, wage default, managerial and cadre corruption, are only the latest manifestations of a core dynamic of state power and social protest. Commenting on the parallels between social protests in mid-Qing Dynasty and today, sociologist Ho-fung Hung has observed that "the Confucianist-familial conception of political power motivated protesting subjects to appeal to higher authorities against local officials in mid-Qing times. The salience of similar appeals among today's protesting citizens

suggests that this conception of power continues to prevail.”⁵ Moreover, in mid-Qing, as in Mao’s China, the state was by and large tolerant of protest and willing to alleviate the subjects’ economic hardships, reprimanding wayward officials or siding with weaker social groups in civil disputes. But beyond certain limits, repression, arrest, and punishment against protesters were equally prevalent.

Newer elements in Chinese cultural schema emerged in the era of “reform and opening,” when the reform leadership let in international flows of goods, information, ideas, and practices, and as a result came under increasing pressure to adopt and comply with international norms of governance. As the pace of lawmaking picked up and the state began to speak the language of legal rights and citizenship, protesters lost no time in invoking and appropriating similar vocabulary in their “rights activism.” But does discursive transformation and expansion portend deeper reconfiguration of political beliefs, imaginations, and demands, moving away from state paternalism and hierarchical obedience and toward political rights and democratic governance? Existing ethnographic evidence seems to suggest that a new discursive repertoire can coexist with traditional cultural logic: workers’ “rights talk” is compatible with a persistent emphasis on socioeconomic livelihood rights (over the liberal rights to free association), and farmers continue to see rights as emanating from the state, rather than as self-evident and naturally endowed.

Notwithstanding its longevity and tenacity, Confucian cultural hegemony does not exhaust the mechanisms connecting state and social protest. To deliver material and moral benevolence, the state must have substantial fiscal capacity and a penetrating administrative presence in society. Even in the Qing dynasty, the propensity

of protesters to appeal to either local or central governments, and to use either peaceful or violent strategies, varied with the ebbs and flows of both the emperor’s moral legitimacy and the state’s fiscal and administrative capacity to dispense relief and justice. Compared to its Imperial predecessors, the Communist state’s impressive increase in “infrastructural power” (to use sociologist Michael Mann’s memorable term) sheds particular light on how the Communist political economy has generated its own peculiar dynamics, at times conducive to unusually large protests, but also proving exceptionally effective in containing them. Several institutional features of the Communist polity have shaped the volume, direction, and capacity of social protests. First, contemporary protesters have continued to appeal to central authorities for protection against local malfeasance because the political economy of Communist China retained the hierarchy and tensions among various levels of the polity, or what political scientists have termed “fragmented authoritarianism” and “decentralized authoritarianism.”⁶ Second, the centralization of economic and political resources in the Communist state made it the perennial target of social contention. Even in the reform era, the visible hand of the state as the creator and regulator of, and a player in, the market invites state-engaging protests triggered by conflicts in the market economy. Third, when the central government imposes national policies throughout the country, it inadvertently creates large numbers of similar grievances, or it creates unorganized interests whose uncoordinated mobilization may still generate aggregate political pressure.⁷ Fourth, the party-state’s organizational penetration into society is normally a powerful tool of domination, but in moments of crisis, as during the 1989 Tiananmen demonstrations, official unions and official

student organizations could turn subversive from within.⁸

Finally, although Communist political economy can be conducive to social protests, it is equally effective at containing them. Bereft of democratic oversight and political competition, repression of protesters by the Communist state has been particularly ruthless, though selective. Yet besides repression, there are other less direct (but equally insidious) ways of containing protest. Government policies create heterogeneous interests and internal tensions within society. Through policies that arbitrarily accord different rights and entitlements to different groups of workers or farmers, for instance, the state has very effectively erected social boundaries and cleavages, fragmenting inter- and intra-class or inter-regional solidarity and creating winners and losers within a particular social group. Over and over again, studies of micro-mobilization show how state policies have produced cellular protests that have difficulty transcending local or class boundaries.⁹

One obvious difference between the politicized Maoist period and the economically focused post-Mao leadership has been the current state's reluctance to endorse, much less encourage, popular protests. Whereas Mao used mass protest and the rhetoric of class struggle as tools to advance his party's agenda, the post-Mao regime has refrained from proactively instigating mass movements. Especially after the bloody debacle of the 1989 uprisings in Beijing and other major cities, both state and society have become weary of mass movements. The only exception may be the recurrent waves of nationalistic protests against Japan over territorial disputes and over textbook accounts of Japanese wartime atrocities. Even there, the Chinese government is ambivalent, finding itself at pains to navigate a fine line between restraining and encouraging such in-

tensely emotional bottom-up mobilization.

Seemingly incongruous with its authoritarian outlook, the PRC government has relied on a variety of legal and bureaucratic institutions to absorb and manage protests. Functioning as the state's frontline tentacles and providing a structure of engagement, these institutions, running the gamut from mediation and arbitration to petition and litigation, incorporate citizens into its machinery of rule. For officials, channeling conflicts into these procedural games buys them time and order, removing the physical and public display of disharmony that can spark escalation or contagion. For protesters, playing by government-sponsored legal-bureaucratic rules offers one of the few institutional protections and leverages for their activism in an authoritarian context, in addition to the chance of winning material and symbolic rewards.

Among these institutions, the petition administration – or *xinfang*, literally letters and visits – is perhaps the preeminent embodiment of the Chinese state's simultaneous endorsement and containment of popular contention. With origins in Imperial times and analogues in other Communist countries, the petition system has always been an essential component of the PRC government, excepting a brief rupture in the initial years of the Cultural Revolution. Proclaiming the basic guiding principle “to satisfy the proper or legitimate demands of the people,”¹⁰ petition bureaus accept complaints about misimplementation of policies, official corruption and malfeasance, problems with economic livelihood, and public service provision. Even though fewer than 0.2 percent of petitions succeed in having their complaints addressed, ordinary citizens continue to file an annual average of 11.5 million petitions, in the forms of in-

dividual letters but also organized demonstrations, large-scale marches, and public speeches.¹¹ For the Communist state, just as it did for the Ming and Qing emperors, the petition apparatus performs multiple governance functions: to provide a flow of information about local officials and social problems; to leverage popular pressure to monitor and discipline officials; and to display the symbolic presence of central authorities as guarantors of righteousness. For the aggrieved populace, not only is petitioning free of charge, it is also a politically safe means of soliciting intervention and assistance from higher-level governments. Petitioning is again a double-edged sword, and recent state efforts to strengthen administrative capacity while at the same time prohibiting mass petitions and capital appeals attest to the fine line the state must patrol.¹²

Besides revamping and reinforcing the petition bureaucracy, the reform decades have also ushered in an impressive strengthening and professionalization of the judiciary, mediation, and arbitration systems. Absorbing protests by channeling them into the legal system has been aided by an energetic and rapidly expanding legal profession keenly interested in creating a market for its services. In ordinary circumstances, the protracted and arduous processes of arbitration and litigation demobilize collective action by consuming aggrieved citizens' time, emotion, energy, and solidarity through endless rounds of red tape, paper chases, near-interminable waiting, and appeals. In recent years, when these legal and paralegal bureaucracies have also been required to contribute to stability preservation, officials have pursued a strategy of cross-departmental "joint action," arbitrarily invoking rules across different bureaucratic arenas to fight what they call "an integrated battle." In response, aggrieved citizens

have come up with their own strategy, also couched in military metaphors, of "fighting a simultaneous sea, land and air battle," meaning a mix of legal and extralegal mobilization. State and protesters' engagement with the law as gamesmanship does not necessarily produce a rule-of-law political culture, but instead nurtures a cynical and instrumental view of the law.¹³

Repression remains a central element in the Chinese state's manual for dealing with protests that challenge or criticize its political and ideological monopoly. Human rights lawyers, intellectual dissidents, leaders of ethnic strife, and religious activists are still subjected to constant harassment, house arrest, abuse, and imprisonment in "black" or official jails.¹⁴ Massive crackdowns on cross-class and multicity mobilizations, such as the 1989 pro-democracy demonstrations and the Falun Gong quasi-religious movement in 1999, stand out as exceptions to the more recent rule of "using force judiciously." As the numbers of mass incidents motivated by socioeconomic grievances grew over the reform period, the state came to recognize that moderate levels of protest are inevitable and that repression may provoke more violence, as shown in the 2008 Weng'an incident in Guizhou. There are now clear stipulations limiting the use of arrest and coercive force against situations of mob violence, assault on government buildings and property, and disruption of public order. At least in the big cities, police work emphasizes preempting protest through intensive surveillance and human intelligence gathering. These techniques include partitioning jurisdictions into grids whose overall security is assigned to officials as personal responsibility; recruiting a network of paid informants embedded in local communities; and using closed circuit television cam-

eras, biometric technology, and satellite location tracking on problematic individuals, assisted by quasi-police forces hired by city governments or security companies employed by local businesses. The explosion in the number of “mass online incidents” also requires heavy investment in Internet policing, media and cyber censorship, and propaganda – virtual rather than physical repression.

Since the early 2000s – in the wake of a rising tide of social protest related to labor plight, land seizures, property rights violations, and environmental degradation – the Chinese state has openly announced its concern about social instability. From the slogan of “constructing a harmonious society” to instituting a new “social management system,” stability preservation, or *weiwen*, now ranks with economic development as a top priority of the Chinese state. While the tried and true methods of bureaucratic absorption, patron-clientelism, and selective repression are still deployed, there has also been a new emphasis on pacifying protesters by bargaining with cash. This practice, which officials have called “buying peace with money,” was initially adopted around 2008. Beginning as an expedient way to ensure stability on the eve of the Beijing Olympics, when aggrieved citizens seized that sensitive moment to stage a large number of social protests and petitions, buying stability has since become a standard practice in the governance tool kit of the Communist regime. Local governments around the country, especially at the lowest levels of township and street, have set up “Integrated Security, Petition and Stability Maintenance Centers” with the explicit mandate to handle conflicts and disputes. “Stability maintenance funds” at every local government level now have budgets whose aggregate size has, in recent years, reportedly exceeded the bud-

get for national defense.¹⁵ Besides cash payment to people who stage public acts of defiance, buying stability takes the form of grassroots officials finding jobs for protest leaders, or paying for urgent services and utilities (such as water supply, electricity, garbage collection, or the construction of a new school) when these become the subject of disputes.¹⁶

Conceding to moral economy protesters is of course nothing new. But concession and toleration from above is quite different from bargaining on the ground with protesters about conditions for acquiescence. And instead of the state making ad hoc and arbitrary concessions, dishing out cash payment or other material benefits in exchange for compliance has become a patterned and routinized response to popular unrest, summed up in a widely circulated popular maxim: “Big disturbance big resolution, small disturbance small resolution, no disturbance no resolution.” The grassroots state has turned into a marketplace where gamesmanship (or *boyi*, meaning strategic game playing) between officials and citizens determines the price tag of stability.

Routine stability maintenance work by grassroots officials who are dedicated to the task has been codified in handbooks and detailed flow charts that categorize types of protests and specify a triage system linking them to the personal responsibility of particular officials in a particular locality. Jurisdictions with good records in stability maintenance develop best practice models that are then presented and shared with other jurisdictions in cadre training classes. Stability maintenance officials have developed effective skills to manage the process of protest bargaining, including emotion control, co-opting protest leaders and fragmenting protesters’ solidarity, tactfully using arrests to turn protest leaders into government collaborators, and transforming protesters’

“rights consciousness” based on the law into pragmatic, realizable rights in line with the government’s policies and regulations. Last but not least, like protesters leveraging the specter of instability, grassroots officials also capitalize on instability to augment their departmental and personal career interests. The existence of instability justifies demands for increased budgets for the departments and personnel working in stability maintenance.

On the part of citizens who use road blockages, sit-ins, and marches with banners as bargaining chips, the process of negotiation transforms their subjective experience with state authoritarianism. Grassroots officials bring a human and flexible face to an otherwise impersonal and inflexible bureaucratic juggernaut. And upon discovering the extent and limits of state power at various levels, protesters also turn to negotiation as a process to adjust demands in pursuit of greater benefits. Some come to realize that if their grievance is caused by higher-level governments, there is little wiggle room for bargaining, while others learn how to exert just the right amount of pressure on the right departments to maximize results. Citizens’ “rights consciousness” is very much shaped by the transformative and malleable process of engagement with officials. It is not, as is often assumed in the current China literature, a static state of mind that is fully formed prior to protests and to which protesters are committed from beginning to end.¹⁷

A similar market logic of absorbing potential social challengers is applied to the rapidly growing numbers of non-governmental organizations. In Guangdong and Shanghai, the city governments buy social services, essentially outsourcing to and establishing a commercial contract with grassroots NGOs. Repression and harassment are still routinely inflicted on

NGOs and other informal groups with sensitive advocacy agendas (such as labor rights, human rights, political reform, or religious freedom groups). Yet for many others with a service orientation – including neighborhood civic groups, HIV-AIDS health services, and those providing elderly care or migrant education and recreation – government contracts for their services afford them much-needed financial resources to run and stabilize their organizations, develop a professional staff, and facilitate longer-term planning. From the perspective of the Chinese state, incorporating NGOs with a cash nexus achieves the twin objectives of commercializing and co-opting the rapidly growing civil society, channeling their agendas and practices into state-endorsed directions.¹⁸

In post-socialist China – when state paternalism in the form of welfare and employment security has been drastically reduced, the use of force has become politically undesirable, and ideological indoctrination has ceased being effective – the Chinese government’s repertoire for the quotidian management of popular unrest now pivots on bargaining and buying stability. This market-oriented strategy has so far preserved stability by depoliticizing state-society confrontation, and by granting aggrieved citizens a certain degree of political leverage, in addition to the relatively expansive opportunities to obtain material concessions and symbolic rewards from the state. Thanks to the pervasive practices of bargaining, state domination is experienced as non-zero-sum, totalizing and transparent yet permissive of room for maneuvering. Material gain has become the linchpin of subordination. If patron-clientelism in Mao’s era was at least partially buttressed by activists’ ideological subscription to Chinese Communism, today it is unabashedly materialistic.

However, the turn to the market as a mechanism of governance has uncertain consequences. For all the short-term effectiveness of commodifying governance, state authority and citizen rights are “fictitious commodities,” to use economist Karl Polanyi’s term, because turning them into commodities necessarily destroys their essence and purpose.¹⁹ When state-society bonds depend so heavily on the market-like exchange of compliance for benefits, there is no authority in authoritarianism, no noncontractual elements of contract, and arguably no durability beneath the façade of stability. A fiscal crisis, a recalcitrant and principled protest leadership, or any unexpected derailment of the bargaining process can provoke the state’s repressive machinery, politicizing state-society interaction.

Even as they manage to defuse imminent instability, officials lament that their authority often depends on making payment. Grassroots officials are the first to understand the pitfalls of what they call “passive stability maintenance,” managing unrest but leaving intact its root causes (such as weak enforcement of the law or the lack of institutional representation and resolution of class interests). The constant shuffling of leading cadres across localities as they move up the bureaucratic ladder means that the superiors of these grassroots officials are interested only in short-term pacification. Using market logic to maintain stability likely spawns persistent unrest, both because of its avoidance of underlying problems and because of the opportunity it creates for joint capitalization by protestors and basic-level officials. Protest bargaining does little to mitigate citizens’ sense of injustice and violation. Even after obtaining compensation, protesters are often embittered by and indignant at the unequal playing field on which bargaining takes place, and that is always backed by the possible inflic-

tion of state violence. No matter how expedient and effective protest bargaining may be in particular instances, a significant number of officials and citizens come out of the process feeling disappointed or resentful.

Beyond China, other authoritarian states have pursued similar strategies of fragmenting opposition forces, making concessions and targeting transfers to disgruntled communities, and strategically alternating between carrots and sticks in managing dissent. In Egypt, despite differences in overall economic strategy, state authoritarianism under Nasser, Sadat, and Mubarak nurtured reciprocal, moral-economic relations with labor, and pursued a combination of repression and concession aimed at curbing incidents of labor protests – with the apparent goal of preserving the impression of regime legitimacy.²⁰ Indonesia’s Suharto regime was notoriously deft in selectively tolerating but fragmenting opposition forces, whereas Russia under Yeltsin’s and Putin’s competitive authoritarianism fostered regime-supporting crowds and street demonstrations.²¹ Yet China stands out among these autocratic regimes in its unrivaled administrative penetration into society, its deep fiscal reserves, as well as its disciplinary capacity over its own agents (party members and state officials). In recent years, civil service reforms in the direction of professionalization, rationalization of cadre assessment, and enhancement of its monitoring and incentive systems promise to make the party and the state even more powerful. These uncommon capacities mean that the Chinese party-state can preserve stability with its multipronged repertoire of protest bargaining, bureaucratic absorption, and patron-clientelism more effectively and systematically than its counterparts elsewhere. Yet these strategies also have a tendency to reproduce protests without resolving the underlying

causes of popular discontents. A creeping erosion of state authority may quietly develop beneath the visible surface of authoritarian stability, subjecting the regime

to a deep-seated vulnerability that is revealed only when a fiscal crisis hits or when aggrieved citizens are no longer willing to bargain away their rights.

Ching
Kwan Lee

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