

Civil Society and the Potential for Solidarity: Toward a Critical Sociology of Post-socialist
Chinese Society

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Thesis

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Solidarity and Civil Society

It was July 02 2011. I was sitting in a meeting hall of the “Shanghai Social Innovation Incubator Park,” attending a seminar on organic food. Right before the seminar, a farmers’ market was held in the open ground of the park. An unregistered local NGO and several activists helped to organize the market. Several peasants, who grew organic food, were invited to set up stalls and sell their agricultural products directly to urban consumers. Because the temperature was as high as 38 C (around 100 F), not so many consumers attended as the activists had expected. But still, around a hundred people came, buying food and chatting with the peasants. In the city of Shanghai, this was perhaps the first self-organized farmers’ market that had ever been held. My friend, Letian,¹ who was an activist in the food movement, introduced me to these events. Tianle got her master’s degree in development study at the New School in New York City in 2007, and had since then worked for the Beijing office of an international NGO in the field of fair trade. In 2010, she decided to move toward a kind of activism that better engaged with local problems. The organic food movement and the farmers’ market were her starting point.

The rationale of the organic food movement was to connect consumers and producers. Adopting the model of “community supported agriculture” (CSA), the major participants of the movement were NGOs, consumers, and small peasants as entrepreneurs. In practice, NGOs or food movement activists would firstly help small peasants to establish their own organizations. In these organizations, peasants were supposed to enact regulations for agricultural production, such as a ban on agricultural chemicals and fertilizers, while peasants supervise one another. On the other side, these organic food NGOs and activists help

¹ All names in this dissertation are pseudonyms.

consumers in urban communities to self-organize, and hold farmers' market around neighborhoods. Consumers were required to not only periodically come to the farmers' market to buy food, but also understand peasants' life situations and processes for agricultural production. Ideally, the farmers' market should be run by a management committee, constituted of both small peasants and urban consumers who were democratically elected from the two groups.

Compared with other social movements in China, the organic food movement is quite young. Yet it has spread very fast. Take the city of Beijing as an example. Within the two years after Letian organized the first farmers' market, activists had established connections with more than one hundred small peasants. These activists had helped to run the market twice a week, touring in neighborhoods in different districts. There were, typically, more than one thousand to five thousand participants in each market. The reason behind this popularity, as Tianle suggested, was Chinese people's concern on food security problem. Since the beginning of this century, as constraints on media reporting on public safety have been loosened, food scandals have become an increasingly heated topic of discussion in China's public sphere. Scandals like contaminated baby formula, tainted dumplings, and counterfeit pork buns shocked the nation. Talking about these food scandals, a consumer, who had later become an activist in the food movement, said, "After knowing that there are people faking baby formula, I think, well, trust no longer exists in this country." Urban consumers in big cities, especially the middle class, were enthusiastic about the activism in the organic food movement, since they were eventually provided with a chance to establish direct contacts with the producers who were growing their food. "On holidays, I bring my grandson to visit those peasants. We (the peasants and my family) have known each other quite well now. That makes me feel safer." The activist added.

However, activists in the food movement, including Letian, insisted that the meaning of the movement should not be limited to solving the food security problem. Tianle once told me, “We use the idea of ‘organic food’ and ‘safe food’ to attract many consumers to participate in the farmers’ market. But after they join us, we would tell them that this is not only about eating healthy food. They need to know things beyond that.” The “things beyond that” referred to environmental protection and increasing peasants’ income. The idea of environmental protection was more accessible: The overuse of chemicals and fertilizers had caused environment deterioration. Reducing the use of chemicals and fertilizers would not only make the food more “organic,” but also contribute to the environment. By contrast, the connection between increasing peasants’ income and the food movement was not so clear at a glance. As a matter of fact, since the public had discussed the food scandals, small peasants had always been presented in the mainstream media in a negative way. Many people suggested that the origin of the food scandals lay in China’s mode of food production, which was still in many aspects managed by small peasants. These people argued that, as production in this mode tended to be fragmented, it was hard to supervise production processes and control quality. The activists in the food movement held a different view. They sought to expose the food problem at a deeper level. They reminded the public that, although small peasants and small-scale business were often the apparent source of the publicized scandals, one could not ignore the underlying distorted economic system: Because of the urgency of industrialization, the price of agriculture products in China had long been suppressed and the interests of the small peasants had never been assured properly. For the activists, the food movement was a chance to educate urban residents that they needed to pay a higher price for food, for the sake of their own families and at the same time the welfare of small peasants.

That was why a seminar was often held after the farmers’ market. The activists hoped that the seminar could offer people from different socioeconomic background an opportunity

to communicate, and that through communications, urban residents, especially the middle class, could eventually identify with the value the movement sought to advocate.

Around fifty consumers attended the seminar, many holding their grocery shopping bags. Discussants were Letian, Wuxiao, an IT engineer and the leader of a consumers' group in Shanghai, Fanyi, a sociology student and an NGO practitioner, and Lao Jia, a peasant who planted rice. Discussions were quickly elaborated. The majority of consumers were more interested in the definition of "organic food." One participant asked about the difference between the agricultural products in the farmers' market and the agricultural products that were labeled as "organic" and sold at supermarket. Fanyi explained that the agricultural products sold at supermarket mostly came from big corporations. These corporations might set up complex standards for organic food, emphasizing the quality of water and soil, while receiving certifications as such from the government. By contrast, what small peasants could guarantee was only the absence of chemicals and fertilizers in their production and products.

Then many consumers began to wonder why they should pay a higher price to buy the peasants' agricultural products that had not been certified by the government. Fanyi explained that the control of water and soil did not contribute so much to the food quality, and that this kind of costly control only deprived small peasants of their chances to profit from the burgeoning food industry. He also told consumers that the merit of farmers' market was the direct contact between producers and consumers, as small peasants did not need to share the money with so many intermediate links. Letian then stood up and intervened. She said, "If today some peasants claim that they would not use chemicals and fertilizers, they are actually making contributions to the environment. Consumers need to understand that this is a behavior worth encouraging. It is all of us who have caused current environmental pollutions. If every one of us is responsible for a problem, how could we ask peasants to undertake the cost of solving the problem all by themselves?"

Later, Wuxiao delivered a speech, in which he articulated his view on how to become a responsible consumer. He firstly described the current economic system as a place where men deceived each other: Whereas urban residents deprived rural residents of chances for economic development, rural residents grew the most poisonous foods and sold them to urban residents. To mend this situation, Wuxiao suggested that urban consumers should give up the idea that “the customer is king.” He said, “In the current economic system, emphasizing the idea that ‘the customer is king’ necessarily leads to an alienated relationship between the consumers as customers and the producers as food providers. The relationship between consumers and producers should be a reciprocal and cooperative one.” He then went on talking about his experience in organizing middle class consumers in his own neighborhood, and how their organization had come into contact with small peasants.

The seminar lasted for about two hours. Most participants left immediately after the formal discussion was over, with a question mark on their faces. A few of them stayed and chatted with Lao Jia, asking him what he had done to make his rice different from the rice sold in an ordinary market. Letian looked at me and smiled. “Farmers’ market and seminar on organic food have spread to the city of Shanghai. This is just the first time. More people will come to Fanyi and Wuxiao later on.”

Figure 1.1 Seminars on Organic Food and Farmers’ Market in Beijing²

² Chang Tianle provides the photos.



Debates on China's Civil Society

What I have just presented is a section of civil society activism in contemporary China. Such gatherings, organizations, and public communications in the food movement are by no means extraordinary phenomena in this country. During the past two decades, Chinese people have witnessed the growth of a sphere that is relatively autonomous from state

tutelage. Within this sphere, grassroots NGOs develop rapidly.³ Protests among industrial laborers and middle class homeowners frequently occur.⁴ Both in commercialized media and on the Internet, social criticisms mushroom.⁵ Intellectuals of all kinds are seeking opportunities to engage with public discussions.⁶ Scholars may continue their debate on whether it is appropriate to apply “civil society” as a concept that has been developed in the West to the analysis of China’s history and political transition.⁷ Yet no one can deny that “civil society” as a sphere for voluntary social and political life is becoming increasingly real and influential in this country.

Existing studies of China’s civil society have focused on the mismatch between the authoritarian political system and vibrant civil society activisms. These studies have been elaborated mainly around two themes. The first theme is to explain how civil society activisms are possible in an authoritarian system. In the vein, numerous studies point out that the authoritarian state is not a unitary entity, and that conflicts and frictions between different sectors of the state have created a large number of opportunities for citizens to organize and express their concerns.⁸ Others take a functionalist perspective, and rather argue that the Chinese state has tolerated such a semi-autonomous sphere, as organizations and actors in this sphere could help the state to distribute social services and hold local governments in check.⁹

³ For a detailed discussion on how to distinguish the real NGOs from the GONGOs (government organized non-governmental organizations), see the *Chinese NGO Directory* created by the *China Development Brief* (CDB) in 2013. The CDB collects data through nine regional NGO networks in China, and finalizes a directory of 251 NGOs. As the directory indicates, 82% of the NGOs are established after 2000, and 46% are established after 2006.

⁴ Lee 2007; L. Zhang. 2010.

⁵ G. Yang 2011.

⁶ J. Xu 2004.

⁷ For some of these debates, see P. Huang 1993; Wakeman 1993; Perry 1994; Unger and Chan 1995; Zhang and Ong 2008: 7.

⁸ E.g. O’Brien and Li 2006; Sun and Zhao 2008; Lei forthcoming.

⁹ E.g. Saich 2000; Spires 2011; Teets 2014.

Another theme apparent in the literature is to describe the strategies actors have taken to overcome the constraints set up by the state, and the potential political consequence these activisms may have for China's political transition. Most studies of protests fall into this category.¹⁰ While most of these researchers acknowledge the inability of these activisms to immediately transform the fundamental political system, they nonetheless suggest that, by widening a space for citizens to organize and voice their demands, the fledgling civil society in China is generating a transformative, or even counter-hegemonic political culture.¹¹ A few researchers focus on the negative side of these activities. They emphasize the absence of cross-class alliance in civil society.¹² They also underscore the fact that the majority of participants in China's civil society are less interested in questioning the legitimacy of the communist rule and directly confronting the central state; they are rather interested in making use of existing institutions to achieve particular interests.¹³ Some of these researchers even argue that the political system in China is strengthened, rather than weakened, through mobilization in civil society.¹⁴

This literature suggests the complex image of how state-society relations have been constituted in contemporary China. But in my opinion, they are limited in three principal ways. First, most of these studies have ignored variations among and within civil society activisms. While participants of the abovementioned civil society activities are from various socioeconomic backgrounds, and are organized in dramatically different forms, typical practice in studies of China's civil society is to select one element, e.g., environmental NGOs, labor protests, or activities of human rights lawyers, to observe how civil society interacts with the state. The problems of this approach are not only that researchers would

¹⁰ E.g. Lee 2002; O'Brien and Li 2006; X. Chen 2011.

¹¹ Goldman 2005; O'Brien and Li 2006.

¹² Perry 2008.

¹³ Lee and Zhang 2013.

¹⁴ Perry 2007.

certainly have a “biased” sample. A more severe problem is that researchers tend to ignore that these different forms of activism and types of actors, and the connections among them also constitute a specific ecology in which civil society is organized, and that this ecology should also be a subject for investigation.

Second, with respect to what is commonly referred to as political culture, researchers tend to be interested in only civil society actors’ attitude toward the state, and are particularly interested in those actions that (potentially) confront the state. While it is true that many civil society activists in China as an authoritarian regime are directed against the state, still there is a significant part of civil society activists mobilized against non-state actors, such as big corporations. As I have shown in the organic food movement case, it is urban residents’ attitude toward small peasants, rather than their attitude toward the state, that defines the movement’s conditions.

Third, these studies tend to ignore the impact of the market on civil society. Most of the researchers have simply assumed that a rising market economy would contribute to the development of civil society in China, as the market could provide critical resources that weaken the state’s monopoly in many aspects of citizens’ social life. These researchers seldom scrutinize the mechanisms of how the market economy could be related to civil society, and thus they ignore the fact that, on some occasions, the market may also have a negative impact.

This study is based on reflection on these problems. I intend to offer a new analytical framework for understanding the vigorous, yet fragmented civil society in China. My questions are, in a condition where an authoritarian state has begun to tolerate, or even cooperate with extra-state activists, what are the real constraints for civil society development? What are the political consequences of these constraints, and where is the hope

for overcoming them? In studying China as a particular case, I also hope to provide a new approach for critically reviewing the relationship between civil society and democratization.

Civil Society and Solidarity

The Idea of Solidarity

Among all the values that have been attributed to civil society, in this project, I am particularly interested in the formation of solidarity. Solidarity, in Jeffrey Alexander's words, is a sense of "we-ness." Solidarity is "the feeling of being connected to others, of being part of something larger than ourselves, a whole that imposes obligations and allows us to share convictions, feelings, and cognitions, gives us a chance for meaningful participation, and respects our individual personalities even while giving us the feeling that we are all in the same boat."¹⁵

Solidarity has been a subject for investigation for classical sociological theorists. Durkheim distinguishes organic solidarity and mechanical solidarity. Whereas mechanical solidarity is based on similarities, which dominates in pre-modern societies, organic solidarity is based on functional interdependence among differentiated individuals.¹⁶ While Durkheim seems to suggest that the organic solidarity should arise with the development of a capitalist market economy and a more complex division of labor, in this project, I would like to emphasize people's conscious choice. To say a political community has solidarity implies that members in the community recognize the existence of others, accept those who have different identities as moral and political equals, and more importantly, compromise and concede when they see the merits in arguments presented by those who represent competing

¹⁵ Alexander 2006: 13.

¹⁶ Durkheim 1975.

interests or worldviews. Simply stated, solidarity could be understood as what Hannah Arendt, following Kant, calls an “enlarged mentality.”¹⁷

Solidarity is different from democracy, which is usually understood as a set of political institutions for collective decision-makings, such as the vote, parliament, and a competitive party system. But solidarity is the basis for a well-functioning democracy. To study civil society through the lens of solidarity is not to dismiss the importance of building democratic institutions, but to take one step back, and search in a broader, supra-political realm for the environment to which democratic institutions could be anchored.

In discussing the sources of solidarity in a modern world, Craig Calhoun lists three forms, direct social relations, categorical identities, and public deliberations. According to Calhoun, concrete networks of actual connections between people may generate solidarity, as much reference to community has pointed out. By contrast, solidarity growing out of categorical identities may not be based on any actual interactions, but on sharing a specific dimension of culturally significant similarity. Categories like nation, class, and race could all become sources for solidarity. Public deliberation is another form. It is not based on any personal connections, and is in principle always open to strangers. Solidarity in publics is formed through people’s practice of using rational-critical discourse to deliberate affairs of common concern.¹⁸

While Calhoun, alongside many other critical theorists, emphasizes the third form, publics, in imagining the kind of solidarity that could be formed in a modern world, I regard all three sources as equally important for political transition in China. After the communist party came to the power, it has established a huge network of “mass organizations” that extend to every corner of society, including villages, neighborhoods, schools and industrial

¹⁷ Cf. Benhabib 1996.

¹⁸ Calhoun 2003.

plants.¹⁹ Thus the chance for establishing concrete social networks without state tutelage has been wiped out. There are of course numerous categorical identities in China as a socialist regime. But most of these categories, such as class and ethnicity, are state-imposed. Instead of being used by citizens to express their particular needs, wishes, and desires, these categories have mainly been appropriated by the state to assault class enemies and forge nation unity. In this context, the formation of concrete social networks and categorical identities is no less transformative compared with efforts in building the publics.²⁰

The Institutional Foundation of Solidarity

What is the institutional foundation for solidarity? Jürgen Habermas's study on the bourgeois public sphere suggests that this political culture originates from the rise of laissez-faire, free-market capitalism. In his seminal work, *The Structural Transformation of the Public Sphere*, Habermas traces the origin of the modern public sphere in Britain, France, and Germany in the eighteenth and early nineteenth century. He shows that, within the private realm, there developed a sphere in which the bourgeoisie had not only learned to critically reflect upon itself and its role in society, but also, through rational-critical political debates, formed "public opinions" that held the power of the ruler (the state) in check. Although the bourgeois public sphere is viewed as highly exclusive from today's standard (only propertied and well-educated males have the right to attend), according to Habermas, the normative ideal inherent in those early democratic deliberations, i.e., disregard for status,

¹⁹ Mass organizations (*qunzhong zuzhi*) include organizations like trade unions, the Communist Youth Leagues, women's federations, residents' committees and villagers' committees. These organizations have been widely established in schools, factories, villages and neighborhoods, facilitating the party-state to spread its networks of control in society. For a detailed study of the history of mass organizations and their transformation in contemporary Chinese society, see Schurmann 1970, Yu 2008.

²⁰ I recognize that the development of these three forms of solidarity is not always positively correlated. For example, excessively strong categorical identities may result in exclusion of minority groups in the public sphere, which threatens the formation of solidarity in public deliberations. However, the relationship between three sources of solidarity in contemporary China is beyond the scope of this study.

and rational-critical communications, has served as the basis for the expansion of the public sphere, as those who have been excluded could also appeal to the normative ideal.²¹

Criticisms of this account have mainly focused on the relationship between the emergence of public discourse and the rise of capitalist market economy. For example, feminist scholars point out that the social foundation for a bourgeois public sphere does not necessarily guarantee the potential expansion of the public sphere, as the separation between the public and the private makes it especially difficult for particular groups, like women, to problematize their concerns publicly.²² Others suggest that workers' movements, rather than the bourgeois deliberations in salon and teahouse, have contributed more to the formation of some core values in the public sphere, such as freedom to speech and press.²³

Reflecting upon these criticisms, Habermas later shifts his approach, and tries to search for a less historical, more transcendental basis for the public sphere. Taking up the division between social integration and system integration, Habermas argues that the institutional foundation for the public sphere lies in a "lifeworld" that is outside both the bureaucratic state and the capitalist market. According to him, the state and the market cannot become the basis for the public sphere, as the steering media in these two systems, power and money, are non-discursive, whereas the "lifeworld" is the locus of basic human values, and could thus nurture the development of communicatively rational actions. Although this shift has dismissed capitalist market economy as the only basis for solidarity in a modern world, and thus expanded the space for exploring the institutional foundation for the public sphere, by suggesting that this foundation lies in human beings' inherent capacity to communicate, Habermas has lost his sociology.²⁴

²¹ Habermas 1991.

²² Fraser 1992.

²³ For a summary of these criticisms, see Calhoun 1992.

²⁴ Calhoun 1991: 29-32.

Alexander seeks to establish a theory that describes “the middle ground between the generalities of high-flown discourse and the ongoing, concrete events of everyday life.” He pays special attention to the role of social movements. For Alexander, social movements occupy a central position in the cause of “civil repair,” as they not only challenge the powerful, but also call the previously accepted definition of “we-ness” into question. However, civil repair can only occur when the “vertically” excluded groups are situated in a “horizontally” integrative environment. According to Alexander, this environment is an umbrella-like field that covers a wide range of institutions, including what is coined as the “communicative institutions,” such as public opinion, mass media, and voluntary organizations, and the “regulative institutions,” such as voting, parties, office, and law.²⁵ In *The Civil Sphere*, Alexander intends to demonstrate that these institutions “must be understood not simply as value or interest maximizing organizations, but as a structured level of mediations between civil discourse and events, powers, and movements, as structures that, civilly and uncivilly, mediate the flows of everyday social life.”²⁶

My concern with Alexander’s framework is that it does not take the entwinement of the institutions into account. It is commonly acknowledged in social science studies that many of the communicative institutions Alexander mentions, such as the mass media, may reinforce prejudice, rather than serve as a social force for incorporation. Some form of regulative institutions, such as parties and law, may also play the role as excluding the marginalized and the disadvantaged. While both the communicative institutions and regulative institutions could be considered as products of existing power structures, Alexander has not provided a convincing argument for how the “horizontally integrative”

²⁵ Alexander 2006.

²⁶ Alexander 2007.

aspect of these institutions could be disentangled from the “vertically exclusive” one.²⁷ On analyzing the role of these institutions, he simply insists that they should be considered from the perspective of how they are oriented to public engagement, which renders his theoretical model tautological. Therefore, although his framework might be inspiring for describing the formation of solidary sphere that has already happened, it is not very useful in analyzing the conditions and mechanisms that make solidarity possible (or impossible) in the present.

Civil Society and Solidarity

Both intellectuals and activists place high hopes on the rise of an independent civil society to transform authoritarian regimes. Historically, civil society has often been linked with the idea of bourgeois society. Yet most current studies on civil society regard it as an ensemble of institutions, organizations, and voluntary networks that are relatively autonomous from both the state and the market.²⁸

The most well known case illustrating the miraculous power of civil society is the Solidarity movement in Poland, where the transition to democracy has been interpreted as a series of juxtapositions: “society against the state, nation against the state, social order against political system, *pays réel* against *pays légal* or *officiel*, public life against the state, private life against public power.”²⁹ Putting aside such exceptional cases, even less unified and confrontational activities in civil society may still contribute to the emergence of a solidary sphere. When most formal channels are blocked, through protests, insurgencies, and other forms of collective actions, resisters in civil society are able to problematize social issues and make their specific concerns visible to the public. These resisting activities may in turn revitalize some of the channels controlled by the state, which would have only served as

²⁷ Interestingly, although Alexander has not taken the entwinement of institutions into consideration, he pays a lot of attention to the entwinement of discourses.

²⁸ Baiocchi 2005; Baiocchi et al. 2011.

²⁹ Cf. Cohen and Arato 1992: 31.

an ornament for “democratic politics” in an authoritarian regime.³⁰ Some less confrontational activities, such as neighborhood self-organizing, may also have significant political implications, as these activities could serve as the training program for citizens to learn the basic skills for participation, with which people are often unfamiliar under authoritarian control.³¹ Through negotiations and struggles with the authoritarian state, civil society creates a space for public deliberations. As constrained and non-institutionalized a space this might be, it is better than a black silence.

What is less articulated in this civil society thesis, however, is that the mere existence of extra-state institutions and activisms cannot guarantee the formation of a solidary sphere. First of all, these extra-state institutions and activisms do not constitute a field devoid of power and inequality. Non-state institutions, such as religion, community, family, and market, from which civil society activities draw strength in an authoritarian environment, may well become, alongside the authoritarian state, another source of exclusion and domination. For example, the capitalist market economy that grants certain groups of people opportunities to emancipate themselves from the state tutelage could also marginalize another group who has not been well prepared for market competition. While opposition to state socialism often finds its root in traditional values, these values may reverse the socialist commitment to gender and ethnic equity after the opposition takes over the running of society, and thus further exclude the disadvantaged groups.³²

From another perspective, while people more or less expect fragmented resisting powers in civil society to engage with one another so as to form an alliance against the

³⁰ An example here is the transformation of China’s “letters and visits” system. Through actively and creatively make use of the channels set up by the state, citizens are able to convert some state controlled institutions into the institutions supporting demands making. See X. Chen 2008: 54-70.

³¹ M. Zhou 2014.

³² The antifeminism movement in post-socialist Eastern Europe could be an illustrative example here. These movements compel women back into their “natural” family roles, criticize women’s participation in the labor force and in public life, and label those women who try to defend their control over reproductive decisions as the allies of the Communists. Cf. Verdery 1996: 79-82.

authoritarian system, many of them ignore the fact that this alliance *per se* could create obstacles for solidarity. A common problem for these alliances is that, in order to survive in climates of severe repression, they frequently do not follow democratic principles in their internal operations.³³ Even in Poland, where the formation of the Solidarity movement involved negotiations between the professionals and the ordinary workers,³⁴ the development of civil society around different moral visions and value systems was still insufficient in the 1970s and 1980s. In criticizing the limitations of the movement, Polish sociologist, Jadwiga Staniszkis argues that, since the legitimacy of the Solidarity is based on its moral rightness, there emerges a deep disinclination to disclose differences and conflicts inside the movement. Any attempt at exposing the cleavages, ambiguity, and pluralism of ideas is rashly labeled as “a conspiracy of extremists who want to destroy the movement’s unity.” As this political moralism tends to see things in black and white terms, it unintentionally reproduces the old communist rule, “he who is not with us is against us.” The movement hence missed the chance to take into account a variety of possible meanings of resistance and transition.³⁵ Analysts argue further that this “over-symbolization” of confrontations between Polish state and society has thus delayed the development of pragmatic, issue-oriented politics, which in turn had an adverse impact on the consolidation of democracy after the transformation of the formal political system.³⁶ This demonstrates that the emergence of counter movements external to the state – even if they are the movements that have the capacity to challenge the state – are not necessarily equivalent to the introduction of a truly plural political culture and the creation of a new foundation for social integration and more democratic governance.

³³ Fung 2003.

³⁴ Kennedy 1991: 102-109.

³⁵ Staniszkis 1984: 140-146.

³⁶ Ekiert and Kubik 2001. For a parallel criticism on the anti-apartheid associations in South Africa, see Klug 1995: 214-235.

Thus, to explore the potential of solidarity in civil society, there are two principles we need to follow. The first is that we must abandon the imagination that civil society is a social sphere standing external to the authoritarian state and the market. The boundary between civil society and other systems tends to be porous. What is important is not whether the state and the market are present in civil society, but how the principle of integration in different spheres penetrates each other. Second, we must also abandon the imagination that civil society is a unitary entity. How civil society is internally organized may also have a great impact on whether solidary relations could be formed.

In the following sections, I will mainly elaborate the first point. The second point would be elaborated in Chapter Two.

In Search of a Solidary Sphere in China

The State and Civil Society

At the formal level, few changes have taken place in the state-civil society regime in China after the market economic reform. Most civic associations are supposed to be under the party's control, and NGOs are not allowed to register unless organizers are willing to surrender to the supervision of the government.³⁷ Although the constitution guarantees citizens' rights to protest and demonstration, in real practice, applications for protest and demonstration are seldom approved. Bureaucrats in the government could, without any due procedure, command publishers or the mass media not to issue certain publications. Academic studies on certain topics, such as the famine during the Great Leap Forward, the Cultural Revolution, and the student movement in 1989, are still prohibited. As the party-state is extremely reluctant to forge any real representative institutions, the channels left for

³⁷ For an introduction to the basic policies and environment for China's NGOs, see Saich 2000, Ma 2005.

actors in civil society to voice their concerns have almost remained the same since the socialist era: the party-controlled mass organizations for grassroots participations,³⁸ the letters and visits (*xinfang*) system for supervising local bureaucrats,³⁹ and the party-controlled people's congress for deliberating laws, regulations, and policies.⁴⁰

Most of the studies on the Chinese state in the recent decade have focused on how the state is able to cope with an increasingly autonomous and plural society without liberalizing the fundamental political institutions. Some researchers portray the state's efforts in incorporating (or coopting) newly emerging organizations and institutions in civil society.⁴¹ Attention goes to new policies governing and managing NGOs and charity foundations. Others demonstrate how the state has tried to revitalize its channels for participations. Falling in this category are studies on how mass organizations, such as the residents' committees and the women's federation,⁴² have strived to reform themselves so as to be closer to the groups they claim to represent. There are also studies on how the government has reformed the letters and visits system so as to make the complaints and grievances released in society more controllable.⁴³ These studies reach a conclusion that, through interactions between the state and actors in civil society, a space have been carved out in China for citizens to negotiate with the state, though these negotiations do not necessarily lead to democratization.

³⁸ Mass organizations (*qunzhong zuzhi*) include organizations like trade unions, the Communist Youth Leagues, women's federations, residents' committees and villagers' committees. These organizations have been widely established in schools, factories, villages and neighborhoods, facilitating the party-state to spread its networks of control in society. For a detailed study of the history of mass organizations and their transformation in contemporary Chinese society, see Schurmann 1970, Yu 2008.

³⁹ The office for letters and visits is a place where citizens could lodge complaints and grievances, especially on issues relevant to misbehaviors of local government officials. The office is supposed to channel those issues to respective departments and monitor the progress of settlement. For a study on the history and current condition of the letters and visits system, see X. Chen 2011.

⁴⁰ For an introduction to the history and the transformation of the National People's Congress in China, see O'Brien 2008.

⁴¹ e.g. Ho 2001, Read 2003.

⁴² e.g. Howell 1996, Read 2001.

⁴³ Chen 2011.

From the perspective of solidarity, although this literature helps to provide us with an image of how ordinary citizens could appeal to the state and voice their particular demands, it tends to overlook how the strategies the state employs have shaped the way citizens see and interact with one another. For example, while most of the studies on protest recognize that these demands-making activisms are fragmented, and that these activisms neither “scale-up” to include participants with similar interests and concerns, nor propose a more universal discourse on citizenship and rights, these studies have mainly focused on in what condition specific protest could achieve its goal. Seldom do scholars probe the mechanisms through which the state has made the formation of a more inclusive alliance impossible.

Another literature appropriates Foucault’s theory on governmentality. These governmentality studies suggest that, through privatization, the Chinese state has learned “neo-liberal” governing techniques that enable control by moving individuals to pursue their personal interests and cultivating citizens to become self-responsible and self-managing subjects. Through studies on citizens’ behaviors like job searching and home buying, these studies reach a conclusion that the Chinese state has achieved the goal of “governing from afar,” and argue that the conventional imagination of the confrontation between civil society and the state in China is wrong.⁴⁴

Regrettably, these studies tend to overlook the distinction between individual liberties in private life and liberties to engage in public life. Governmentality scholars are best able to substantiate their theoretical arguments when they intentionally select highly private issues as subjects for their investigation. The governmentality literature does not, however, have an account on how the state rules and governs when participants of politics go beyond their parochial and particular demands, and attend public deliberations. Hence, what is missed here is the same as that in the state-civil society tension literature: Whereas these studies have an

⁴⁴ Zhang and Ong 2008, Jeffreys and Sigley 2009.

account of how the state manages to adjust its relationship with individuals making demands, they ignore how the state could shape the relationships among different kinds of individuals.

What I want to single out in this project is the legacy of the communist rule in China. Since the party-state has incorporated many liberal discourses, such as the emphasis on market and private property, after the economic reform, socialism as a unified ideology arguably no longer exists in the economic sphere. The Communist Party of China no longer emphasizes its commitment to the cause of communism either. Although the utopian discourse of communism has never entirely disappeared in citizens' political life, practices that are directly linked to the utopian discourse are becoming increasingly ritualized.⁴⁵ But what has not been changed is the presumption about the role of the party-state. The Communist Party of China has set up various channels for participation in the socialist regime. While these channels have been set up for multiple purposes, such as mobilizing citizens in state led political campaigns, or establishing linkages between bureaucracies and the mass,⁴⁶ these channels bear the same presumption about the relationship between citizens and the party-state: While the people are allowed, or even encouraged to voice their concerns, only the communist party could perform the role as the final arbiter. In this presumption, individuals are not supposed to have any concerns transcending their sectional or parochial interests, unless they submit themselves to the party, or become part of the party.⁴⁷

I contend that this legacy is not just an abstract political doctrine. Nor is it simply a “political culture.” It has been reproduced and translated in concrete political settings of the

⁴⁵ For example, all children in China are still required to join Young Pioneers and wear its red scarf today. Children are also required to swear that they would dedicate their whole life to the cause of communism when they are admitted to the Young Pioneers. But except for these rituals, what the Young Pioneers is actually doing almost has nothing to do with socialist and communist ideology. The Young Pioneers organize students' activities. In most occasions, its role is more like scouting in the West than an instrument appropriated by the party-state to promote ideological cultivation.

⁴⁶ For some discussions on these contradictions, see Teiwes 1993.

⁴⁷ For a detailed discussion on the relationship between the leadership of the party and the transformation of individuals' consciousness in socialism, see Glaeser 2011: 61-162. “Socialism as a Self-fulfilling Prophecy – The Party's Project.”

state, and these settings have real consequence on civil society activisms. This study provides an account on how this legacy is kept alive in Chinese people's political life. I demonstrate this combination of discourse and practice of the state from three angles. The first angle is the "mass organizations" which serve as the "nerve tips" of the party-state. The presence and transformation of these "mass organizations" are important for whether concrete social networks and categorical identities could be formed, since the "mass organizations" used to be established to wipe out independent mutual trust networks and impose state-assigned identities. The second angle is the police and the security bureau. They play important roles in the formation of categorical identities and public deliberations, since, whenever citizens try to establish connections going beyond certain boundaries, they need to be prepared to encounter the state through its security system. The last angle is the people's congress, or more importantly, the National People's Congress. This institution has a significant role, as nominally it is the only legitimate place where public deliberation at the national level could take place.

In analyzing the state, I will not only introduce how these different institutions are arranged at the formal level. A more important task is to display how these institutions are experienced in social movements and citizens' associational practices.⁴⁸ I will try to show that, although the state may appear to be more tolerant of citizens' protests and demands-makings, by reinforcing the conventional channels, what has been strengthened are the vertical links between citizens and the party-state. What has remained underdeveloped are

⁴⁸ Those who expect an institutionalist observation of the Chinese state would be disappointed. My analysis is not about the distribution of power and resources among different sectors of the state, or how these different sectors have been coordinated. My approach is also slightly different from the ethnography of grassroots state, which has been employed by scholars like Burawoy and Verdery in their studies on the state in post-communist regimes. See Burawoy and Verdery 1999. While I recognize, along with Burawoy and Verdery, the importance of seeing the state through citizens' live political experiences, I also want to suggest that these experiences tend to be multi-layered. Ordinary people and activists encounter the state through different institutions and channels. Although the grassroots state agencies, such as the "mass organizations" are very important in many occasions, they are by no means the only place where citizens and the state meet.

horizontal links among citizens. As individuals are left with few opportunities to reflect upon their roles in society, and think through their relations with other members in the political community, the state's role in consensus formation might even be fortified.

The Market and Civil Society

Most scholars on China's civil society and liberal intellectuals in China assume that the impact of the market on civil society is a positive one, since the market constitutes the material basis for civil society. Yet in their interpretations, the positive impacts of the market are mainly presented as either liberalizing citizens from state tutelage by granting them opportunities and resources, or facilitating citizens' challenge of state authority. How the market has shaped the formation of a solidary sphere, i.e., the communicatively oriented interactions between citizens, is largely under theorized.

Leftist scholars in China are more concerned about the hierarchizing effect brought by the market on public deliberation. Some of them remind the public that what is referred to as civil society is essentially dominated by a neo-liberal ideology. Others more straightforwardly argue that civil society is a place where dominant class extends its influence and reproduces its domination.⁴⁹ In my opinion, although these leftist scholars have provided us with a critical approach for observation, their presumption that civil society is a simple reproduction of the power inequality produced in the capitalist market is of less empirical value.⁵⁰ Civil society might be able to limit the colonizing effect of the market, if institutional arrangements could be constructed that would help to generate a public discourse

⁴⁹ See H. Wang 2008; S. Wang 2008: 112-120. As a matter of fact, these leftist scholars on China have echoed leftist scholars in the West. An example here could be David Harvey's criticism on the concept, global civil society. Harvey argues that, since the most needy individuals lack the financial resources to pursue their own rights, they have to turn to advocacy groups and NGOs, which tend to be elitist and unaccountable. These NGOs, which are usually considered as important constituents of (global) civil society, eventually become "trojan horses for global neo-liberalism." See Harvey 2006: 51.

⁵⁰ For a systematic critique on reproducing social relations to abstract economic laws, see Cohen 1982.

and translate the commercial power into public concerns. Hence whether specific environment in civil society could achieve that goal is an empirical question that needs to be investigated.

With respect to the relation between market and civil society, my approach is similar to that in the exploration of how the state has shaped the solidary sphere. The market cannot be taken as an absolutely external power either. On the contrary, it penetrates and influences civil society through multiple ways. In my analysis of the power of the market, again, I will take three different angles. The first angle is to see how the commercial power of corporations directly influences discourses and practices among civil society activists. The organic food movement I have demonstrated in the beginning of this chapter will be an illustrative case in this category, as what activists in the food movement want to fight against is big corporations, rather than the state. The second angle is to examine those organizations and institutions that are within civil society, but have close connections with corporations or the commercial power. These organizations and institutions include NGOs in the corporate social responsibility (CSR) movement, and private foundations for charity and philanthropy. They occupy important position for deciding the potential of civil society, because they tend to be the place where integration principles of different fields intertwine. Lastly, I will also look at the communicative institutions that have largely been shaped by commercial powers, such as the Internet and online forums.

My empirical analysis shows that the effect of the market is a mixed one. The market is providing critical resources for citizens to establish concrete social networks outside state tutelage, form categorical identities, and explore new space for public deliberation. These resources tend to benefit not only the middle class, but also some more disadvantaged groups. However, commercial powers also from time to time threaten the formation of concrete social networks and categorical identities by creating a competitive discourse that emphasizes

market as the best organizing principle. These discourses tend to be in an advantaged position vis-à-vis the public discourse emphasizing solidarity, as the state is more tolerant to the discourses presented by the commercial power in the market. Additionally, the hierarchizing effect of the market is magnified when the commercial power monopolizes communicative institutions.

Civil Society and Critical Theory

In articulating his critical stance, Horkheimer summarizes the differences in epistemological basis between traditional theory and critical theory. According to Horkheimer, traditional theory often (wrongly) assumes that the activity of scholars takes place alongside all the other activities of a society, but in no immediately clear connection with them. Hence intellectuals and scholars tend to accept the self-definition of the familiar and fail to look more deeply at how the categories of our consciousness have been shaped and how they in turn have constituted both the world we see and what we take to be possible. This epistemological stance has a consequence, as scholars insisting on this stance are likely to understand social conditions structuring human actions as fixed. The traditional theory thus accepts the world as it exists, and precludes recognition of the possibilities for fundamental change by reproducing rather than challenging the reification.⁵¹ On the contrary, the project of critical theory aims at demystifying the coherence of these underlying conditions, and searching for new approach for emancipation. In this dissertation, I am using the term “critical sociology” in its classical sense.

To carry out a critical sociology project on China’s civil society implies a reflection upon the imagination that the state and the market are two totalities structuring people’s

⁵¹ Cf. Calhoun 1995.

actions. All structures have multiple layers. Some layers tend to have a more profound impact on actions, whereas the impact brought by other layers tend to be temporary or ephemeral. Structures may by themselves be contradictory, which means that they could bring both positive and negative impacts on actions.⁵² The first task of a critical sociology is to recognize the complexity of these structures, and provide a detailed account of how constraints on the potential for solidarity have been formed and realized, rather than simply identify the colonizing power of the bureaucratic state and the capitalist market as totalities as the source of the problem.

This reflection on this concept of structure also implies a shift to an actor and practice-centered project. Focusing on actors (i.e., their rationale, emotion, practice, and personal experience) is to recognize that individuals are not a mere presentation of administered totalities. On the contrary, they should be treated as the subject of creative culture. Being constituted by inter-subjective relations with others, individuals are enabled, through multiple involvements with others, to reach beyond their narrow self-identity. Therefore what critical sociologists need to do is not only articulate the mechanisms of how constraints are implemented. They also ought, through careful comparison and contrast among various cases, display the strategies and actions that have real consequences in transforming structures. In this project, I will mainly highlight three sets of strategies. The first one emphasizes the translatability of political discourse, or more precisely, a more flexible attitude on how political ideals and political actions could be combined. The second strategy encourages actors to appreciate the idea of “organizational pluralism,” which introduces people to recognize the function of different forms of organization in civil society activism. The third strategy highlights empirically grounded ideological debate among activists taking different political stance.

⁵² I am indebted to Sewell for articulating the complexity of the concept of structure. See Sewell 2005.

The Study: A Multi-sited Ethnography

The methodology used in this study can best be described as a “multi-sited ethnography.”⁵³ My analysis heavily relies on interviews and participant observations conducted at different sites of China’s civil society. From the year 2011 to 2014, I spent 16 months in Beijing, Shanghai, Guangzhou, Shenzhen, and Foshan to do field research during which I collected a quite heterogeneous sample including 106 activists. These people are public intellectuals, NGO practioners, human rights lawyers, grassroots campaigners, and managers of private foundations. The time they started their career in civil society varies, from immediately after the student movement in the early 1990s to recent years. They work in a wide range of fields, including environment, laborers, community organizing, health, women’s rights, cultural heritage preservation, etc. Whereas the majority of the sample is well educated, there are also quite a few activists coming from marginalized and disadvantaged groups. The duration of my interviews lasts from half an hour to four hours, and the average is one and a half hours. Besides these interviews, I also attended my informants’ meetings, helped in organizing collective actions, traced major activists’ debates online, and occasionally participated in these debates as a researcher.

This particular way of collecting data is based on my reflection upon the existing studies on China’s civil society. Till now, the common practices of these studies are to select particular organizations (e.g. NGOs, homeowners associations), groups (e.g. dissident intellectuals, human rights lawyers), or activisms (e.g. peasants’ protests, laborers’ insurgencies), and examine how these elements in civil society have interacted with the state. As I have argued in the beginning of this chapter, while these studies have offered us an increasingly explicit description on the state-society relations in China, many interactions and

⁵³ Marcus 1995.

conflicts within civil society that are of political significance have been ignored. I have plenty of cases to illustrate this point in my empirical chapters. But here I could briefly elaborate one case to show how problematic it is to focus only on the state-society regime.

On studying the equal education movement in China in recent years, if we only look at the interaction between the state and the movement, we may reach a conclusion that this is a civil rights movement aiming at reducing inequality between urban-*hukou* residents and migrant residents, and expanding universal education right. We would not be able to recognize that the universal education right claimed by the movement actually bears a very parochial content, until we shift our lens and examine the discontinuities within the movement: While middle class activists mobilize a large number of working class parents to sign petitions, working class migrant families' concerns for their children's education, which are different from those of the middle class, have never been incorporated into the agenda of the movement, and working class families have very few opportunities to substantively participate and voice their concerns. If we continue this exploration, and investigate the debate between the movement and the counter-movement organized by *hukou* residents, we would further recognize that the movement has failed to shift the public deliberation on education issues from a zero-sum struggle for interests to a normative debate on what could be a more just distribution of the finite education resources.⁵⁴ By limiting the scope of study to state-society relations, researchers often misrecognize the state as the one and only place where public deliberations happen.

In contrast to that approach, I hope to achieve a more comprehensive understanding of the power relations, communication networks, topography of issues, and the structure of

⁵⁴ There has not been published works in English on China's equal education movement. The key concern here is that "migrant families" are not a homogeneous group, and they include both the middle class migrant families and the working class migrant families. For an introduction to the basic fact of the movement, see A. Zhou 2013.

influence of factions by more flexibly moving across the boundaries among players, organizations, and institutions within civil society. My ambition is to grasp the history and development of the network in China's civil society by following and tracing actors.⁵⁵ At stake here is not drawing a sample that could statistically represent the overall situation in China, but selecting cases that could better illustrate the tensions and variations in the field. Therefore, in terms of case selection, I follow the "most variant strategy" in case study.⁵⁶

The cities I have chosen represent dramatically different political context. Beijing is the capital city. The repression of civil society by the authoritarian state tends to be strong. But since it is also a city where top universities and intellectual elites gather, the activities in civil society appear to be the most vibrant. Resisters in other provinces go to Beijing to appeal to the state, even if their issues mainly happen at the local level. Activists in the city think and talk about possibilities of transforming the authoritarian system, as if the knowledge developed from their experience in a single city is enough for a master plan for the whole country. Here the boundary between the national and the local is blurred. Guangzhou presents a very different picture. As the local government tends to intervene the least in both market and society, many intellectuals and journalists regard this city as the most liberal place in China. The development of civil society largely depends on citizens' associational and voluntary networks, rather than the enlightenment and mobilization of intellectual elites. Activists here may concern about their potential influence in the southern China, or the whole country, but they mostly believe that a real civil society is possible only when this civil society is well embedded in the local culture. Since activists in Guangzhou are

⁵⁵ Methodologically, this may approximate Latour's actor-network theory, which advocates exploring theoretically informed questions in the field by following the actors. However, I do not identify with Latour's distaste for sociological categories, such as class. While I acknowledge that it is important for researchers to be reflexive about the applicability of sociological concepts in particular context, I do not think that this reflexivity necessary leads to abandonment of all sociological categories in analysis. For an introduction to the actor-network theory, see Latour 2005.

⁵⁶ Becker 1998.

influential in the Zhujiang River Delta, activists in Shenzhen and Foshan mostly follow this model. The state in Shanghai is less repressive than that in Beijing. Yet it varies dramatically from the “laissez-faire state” in Guangzhou, as it develops the most meticulous techniques in incorporating various forms of participation from civil society into its overall governance. Because of the very many projects launched by the local state for managing and financially supporting civil society organizations, activists in the city more often cooperate with the state.

To clarify in the beginning, by doing research in these multiple cities, I am not trying to generalize a model for how variations at the municipal level could shape civil society activism. To follow such a model is to miss the epistemological basis of this project, which emphasizes the multiplicity of structures, and activists’ strategic actions in overcoming structural constraints. I will highlight the difference a local political context makes if it helps us to understand the articulation of a structure’s multiplicity and actors’ practice. But I will also show that these variations are elaborated in divergent ways, and sometimes variation among different cities is insignificant due to the constraints imposed from a broader environment.

This “most variant strategy” has also been applied in other dimensions. On looking at social protests and insurgencies, I approached both the middle class and the working class. After I worked with and interviewed intellectual elites, I went to chat with activists at the grassroots who, from time to time, complained to me on the ignorance and arrogance of intellectuals. I interviewed plenty of activists who had concentrated on a particular issue and claimed to represent the interest of a particular class, and I also interviewed those activists who believed that they were classless and represented the universal. I listened to Marxist activists and activists working with corporations talking about their ideologically oriented understandings on labor issues, and then got to know how these people were disliked among

other laborer activists. To some degree, the heterogeneity of my sample might have attenuated the flavor of ethnography, which is typically predicated on attention to the everyday, and an intimate knowledge of face-to-face communities and groups. But I believe it is worth making such a sacrifice in exchange for the knowledge on associations and connections among very different kinds of players in the field.

This rationale determines that my interviews cannot be very structured, as the questions a human rights lawyer is interested in discussing may not make sense to a laborer activist. Generally speaking, each of my interviews started from talking with the interviewee on his or her personal experience in civil society. Then I asked them to offer their opinions on some of the common concerns in their fields. But as these “common concerns” were discovered in the process of data collection, I had been continuously adjusting the way I proposed my questions. For example, I had no idea what the central debate was for environmental NGOs before I contacted activists in this field. Later, as I discovered that many activists had been struggling with themselves on whether to establish a formal organization, or whether their organizations should attend NIMBY movements, I began to intentionally ask every activist I met in this field about their opinions on the relationship between environment NGOs and social movements, and present antithetical opinions to them to stimulate debate.⁵⁷ When I entered the field in the summer of 2011, my informants often mocked me for being “too academic,” “having read too many useless western theories,” and “proposing the wrong questions.” But when I left the field in the summer of 2014, many of my informants showed interest in listening to my comments on the debates in their circle, as they believed that the extensiveness of my data collection had already been sufficient for helping me to form opinions “on a neutral stance.”

⁵⁷ This approximates the methodology of “sequential interviews.” See Small 2009; Yin 2014.

The Organization of the Dissertation

This dissertation is organized as six chapters. Chapter two is on the internal structure of civil society. In this chapter, I provide a historicist account on how the discourse of civil society has been introduced to China after the 1989 student movement, and how this discourse has been translated across different fields. The focus of the analysis in this chapter will be the relationship between intellectuals and civil society. I will introduce the debate between the “left” and the “right” in China’s circle of social thought, and analyze how this debate has influenced the cultural formation of civil society by demonstrating the links between different kinds of intellectuals and different kinds of social movements. Chapters three, four, and five discuss the potential for solidarity in China’s civil society and the constraints people encounter in constituting the solidary sphere. In all three chapters, I will illustrate how the powers of the state and the market have negatively influenced the formation of solidary relations, and how these external powers have interacted with the internal structure of civil society. I will also try to demonstrate which strategies are effective in overcoming these constraints.

Mobilizing Calhoun’s operationalization of the idea of solidarity, these three chapters elaborate the theme of solidarity from three different, but potentially complementary, perspectives. Chapter three examines the boundary for solidarity through the establishment of reciprocal ties among citizens. The empirical stories I tell in this chapter concentrate on neighborhood self-organizing and grassroots self-management broadly defined. Chapter four explores the possibility of categorical identity formation. My major focus is on the relationship between protests and various kinds of civil society organizations. Chapter five discusses the relationship between solidarity and public deliberations. To highlight the function of the state and the market, I scrutinize the role of communicative institutions, such

as the National People's Congress and commercialized media on the Internet. In the concluding chapter, firstly I explore some of the new trends in the relationships between the state and civil society, and between the market and civil society in China. Then I discuss the implications of this study.

The Internal Structure of Civil Society

It was March 19, 2013. I sat in a lecture hall with a capacity of three hundred at the Sun Yat-sen University, attending Professor Gangjian's class, "civil society and philanthropy." Gangjian was an associate professor of anthropology, and the dean of the Institute of Civil Society at the Sun Yat-sen University. He went to college at Peking University, got his master degree in political science at Fudan University, and then a Ph.D. in anthropology from the Chinese University of Hong Kong. Starting his career as a professor in 2004, Gangjian was now in his early 40s. He had established his reputation by building connections between the academic community, civic associations, and social movements. Once in a formal interview, Gangjian told me that, around the year 2000, it had become clear to him and his colleagues that they were going to create a movement, of which the core concept was civil society. "We don't say we are to overthrow the communist party, because that would immediately bring our cause to an end. We don't even mention the word 'politics.' We say we want to build a 'society.' Within this society, there is good governance. There is the development of voluntary service, and the growth of non-profit organizations... Now I know that my lifelong project is to legitimize civil society in China so that the country could have a peaceful transition to democracy. I don't think civil society alone could turn China to democracy. But I do regard it as an indispensable condition."

The "civil society and philanthropy" class was the most popular undergraduate course at the Sun Yat-sen university. In each week, Gangjian lectured in the first one and half hours, teaching civil society theories, mainly following the traditions of Gramsci and Polanyi. In the first lecture, he briefly criticized the leftist and rightist intellectuals' interpretations of China's social problems, such as the widening gap between the rich and the poor,

deterioration of environment, corruptions among government officials, etc. Gangjian said, while the left had attributed these problems to the global capitalist economy, the right concerned government's intervention in the market. He labeled both interpretations as too reductionist, and suggested that his class was to help students to explore a third approach, "civil society." In the last hour of each class, the professor invited guests off campus to share their experiences with the students. These guests were grassroots resisters in environmental campaigns, student activists in old city protection movements, NGO practitioners, staff in private foundations, journalists, public intellectuals, and even government officials supervising private charities. Diversified as their backgrounds were, they were all Gangjian's friends.

I had been in Gangjian's class every week since I started my fieldwork in Guangzhou in the beginning of 2013, watching how he taught this particular concept, civil society, in a Chinese university. The students were generally excited about the class, especially the guest talks. Till then, the class had gone quite smoothly for weeks – so smoothly that I had begun to question whether it was that easy to disseminate the political discourse of civil society in China among the younger generation. Suddenly, well before Gangjian finished his lecture for that day's class, a student stood up and raised his concern.

"Professor Gangjian, you have been talking about civil society for several weeks, but you never articulate the definition of the concept. To me, it sounds like an ensemble of good things, an idealized world, the opposite of the dark reality. Am I getting you wrong? What on earth is this civil society about?"

The professor answered: "I simply can't tell you what necessarily constitutes civil society, because I don't think there is any authoritative answer. Everybody may have his understanding, and everybody may bring his understanding to this field. Even if we reach an

authoritative definition in the end, the definition should be the outcome of people's deliberation."

"Then why don't you focus on concrete things? Why don't you say 'NGO theories,' 'charity theories,' 'social movement theories?' My intuition is that these are all very different things. What's the benefit... I mean... what's the point of bringing these scattered things together?" The student did not seem to be satisfied with Gangjian's response. To push the discussion further, I raised my hand and concurred the student. "Charles Tilly once said similar things. He said that the idea of civil society was normatively compelling, yet analytically weak. He also said that we could break down the concept and study some more empirically related subjects, such as citizens' networks of mutual trust."⁵⁸

"Yes, yes. There are many scholarly discussions on civil society in the West. But civil society in China is not only of academic interest. It is politics." Gangjian appeared to be open to our challenges, yet he began to speak in a much faster speed. "This discussion would be meaningless unless we are able to contextualize it in a transitioning China. Civil society in China is a surge of thoughts, a political discourse, according to which many institutions, mechanisms, organizations, and even this class have been produced..."

"But isn't the context of transition making this concept more risky?" The student interrupted. For some reasons unknowable to me, he looked somewhat irritated. "It we can't tell what real civil society is, any people may claim that they are 'civil society'..."

The professor terminated the conversation by complimenting the student on his capacity of critical thinking. Then he shifted the topic and began to summarize the lecture.

⁵⁸ Cf. Emirbayer and Sheller 1999.

Unpacking the Internal Structure of Civil Society

As what I have suggested in the previous chapter, apart from the constraints imposed by the state and the market, whether activism in civil society could contribute to the formation of a solidary sphere also depends on how these activisms are internally organized. This chapter provides an analytical framework for unpacking civil society.

We could imagine civil society as involving a field of discursive connections. Within this field, there are clusters of communications organized around various regions, issues, and categories, with more or less biased and parochial concerns. These clusters are then woven into a wider public with more universal concerns, yet looser density of communications. For example, in China's civil society, you could see a cluster organized by Cantonese activists aiming at preserving the Cantonese language and culture, a cluster for environmental campaigns, and also a cluster among migrant workers, being framed as a sort of counter-public. Linking these actors, organizations, institutions, and activisms involved in these different clusters are intellectuals and research institutes, such as Professor Zhu and the Institute for Civil Society at Sun Yat-sen University, networks of human rights lawyers, foundations, and the commercialized mass media.⁵⁹ Calhoun suggests that what is important in the investigation of the field is how these clusters maintain their boundaries and their relation to the larger public. If we understand this, we are equipped with better knowledge on the meaning of "fragmentation" in China's civil society: Are these fragmentations reflecting irreconcilable sectional interests, some functional divisions that are necessary to the formation of a plural culture, or a felt need of the disadvantaged groups for distancing themselves from the dominant ideology – if there is any – in civil society?

⁵⁹ I am indebted to Craig Calhoun for articulating that we may not necessarily need, as what has been suggested by feminist critiques, multiple public spheres to maintain a plural culture. For a discussion on the inner structure of public sphere, see Calhoun 1992: 33-39. For the feminist critiques, see Fraser 1992: 109-142.

The core of the analysis in this chapter, unlike many other analyses, is on the relationship between intellectuals and social movements.

Intellectuals, Civil Society, and a Field of Idea Formation

Scholarly debates on intellectuals' role in resistance and transition in civil society have long been controversial. On the one hand, many theorists highlight intellectuals' function as using abstract knowledge for a critical-universalistic mode of public engagement and intervention. In Gramsci's analysis on the possibility of transforming capitalism, the "organic intellectuals" are supposed to enlighten the proletariat by articulating to them their real interests, and create a working class hegemony.⁶⁰ Although not all scholars believe in the necessity of the working class hegemony, many would nonetheless agree intellectuals' role in unifying and intellectualizing citizens' discursive demands, without which a meaningful change of the political system is unthinkable. Studies on dissident intellectuals in east Europe during democratic transition often fall into this category.⁶¹ However, on the other hand, the criticism that intellectuals have betrayed their mission as defenders of universal values and allied themselves with the powerful is also long standing.⁶² Some critics even doubt the necessity of intellectuals in transformation, arguing that the cooperation between intellectuals and the subordinated has never really happened, as the blueprint proposed by intellectuals is often too abstract to capture the texture of the life experience of the subordinated,⁶³ or, that intellectuals may only serve to reproduce domination and power inequality, if their leadership in resistance is realized.⁶⁴ Underlying these debates are several oppositional binaries, such as

⁶⁰ Gramsci 1971.

⁶¹ Kennedy 2002.

⁶² E.g. Benda 1928. Cf. Eyal and Buchholz 2010.

⁶³ Scott 1985.

⁶⁴ Foucault 1980.

the antithesis between intellectuals and laypersons, and the dichotomy between transformation and reproduction.

Borrowing insights from social studies of science and technology, recent studies on intellectuals have shifted from defining the boundary and responsibility of intellectuals in a series of oppositional binaries to investigating the field in which intellectual practices are embedded and interrelated.⁶⁵ Studying this field firstly requires researchers to abandon the approach that treats intellectuals and other actors in a compartmentalized fashion. Instead, the field approach assumes that the creation and contestation of ideas often happen within a complex network, where people of different identities and statuses gather, and information and resources flow in multiple directions. Therefore, more attention should go to the ties among these actors, the structure of these ties, and the multiple modes of interactions. Second, the field approach also implies that what social scientists call “agency” is more broadly distributed among actors. It suggests that those who do not have enough educational and cultural capital to be labeled as intellectuals, neither passively accept what intellectuals say, nor simply treat abstract knowledge as useless and irrelevant. Rather, these “non-intellectuals” may also be able to “transform, translate, distort, and modify meaning or elements they are supposed to carry.”⁶⁶ Hence, this approach is less interested in categorizing stages in transformation than scrutinizing how knowledge and ideas are spread, translated and reformulated within networks.

While the insights from social studies of science and technology have more often been applied to research on the relationship between intellectuals and the market, or the role of experts in social movements, I contend that these analytical tools are also applicable to studies on civil society, resistance, and the transformation of ideology. Civil society can be

⁶⁵ Eyal and Buchholz 2010.

⁶⁶ Latour 2005.

seen as an ensemble of institutions, associations, and networks of voluntary life that are relatively autonomous from the state and the market.⁶⁷ By definition, activities in civil society cannot be organized around any single principle. The field approach reminds us to appreciate the multiplicity within idea formations. For example, even if we assume that there is potentially a liberal movement in China, this movement cannot be formed by making different actors in civil society to have exactly the same political epistemic in liberalism. Liberalism as a political ideology is not able to survive in civil society unless various actors from the wider public participate in the interpretation, application, and reconstruction of its doctrines. Additionally, people in actions quite often do not accept any political doctrines, including liberalism, as holistic worldviews. Instead, they from time to time consciously decide the boundary for applying these doctrines, or creatively combine discourses from different ideological stances to interpret the world and justify their practices. The field approach is extremely sensitive to these subtleties in idea formation. Adopting the analytical tools from this approach thus may help us to have better meso-level observations on the interactive relations between intellectuals and civil society.

Networks in China's Civil Society and Political Transition

To disaggregate China's civil society into component parts, I elaborate my analysis at three levels, intellectuals in the "social thought circle," intellectuals who are directly involved in organizations and mobilizations in civil society, and professional activists at the grassroots.

Intellectuals in the "social thought circle" engage the public mainly through theoretical debates, whereas intellectuals who are directly involved in civil society are in contact with activists through various approaches, such as organizing NGOs, providing resources and services to grassroots resisters, or serving as consultants in social movements.

⁶⁷ Baiocchi et al., 2011.

For intellectuals, attending social activism often to some degree involves risks, especially in an authoritarian regime like China. But there are also incentives for Chinese intellectuals to participate in civil society: As the boundary for professional academic studies is less rigid (compared to that in the US), it is a common practice for many intellectuals, especially those who are studying politics and society, to step in public debates and gain credits for their scholarly works through popularizing their ideas in non-academic fields. Additionally, in both Confucian culture and socialist doctrines, there is a long lasting tradition encouraging intellectuals, or the well-educated to go into the mass, serve the mass, and enlighten ordinary people. Therefore, although these two groups are by no means large in size, they are nonetheless quite visible in the public. In China, they are sometimes also referred to as the public intellectuals.

Professional activists at the grassroots have received relatively few concerns in studies on civil society in China. I call them “professional” activists, simply because these people have begun to take their activities in civil society as a profession. Many of these activists start their career in civil society by leading or attending activism that struggle for their own interests, like a neighborhood protest against an unlawful developer, or a labor insurgency demanding for social security payments. Most of the organizations formed in these fragmented activism disband immediately after participants fully or partially achieve their goals. Yet a tiny portion of participants may choose to stay and become activists striving for goals that are beyond particular and parochial interests. Some of these activists may work in NGOs established by intellectuals. Some of them may establish their own organizations and have these organizations registered. Others remain outside any civil society organizations. Quite often, these activists play the role as mediators between intellectuals and grassroots resisters. When activities like protests occur, it is these activists who introduce journalists and human rights lawyers to grassroots resisters, and inform those resisters who

often have zero experience in contentious politics the skills of talking to the powerful. They are also the key actors in those actions that unify and escalate the fragmented activisms, such as submitting jointly signed proposals to the National People's Congress. These people are important actors in civil society, because they occupy the position where grand political ideals and concrete everyday politics meet. In a context where formal organizations, like political parties, are prohibited, these grassroots activists constitute a network where information and resources are able to flow across fields.

Intellectual Debates in China's Social Thought Circle

Quite often, people imagine the transformation from authoritarian state socialism as a process during which the political ideology of liberalism triumphs.⁶⁸ While liberalism is associated with democratic politics, market economy, and an open society, socialism has been equated with plan economy and totalitarian state control, a set of political arrangements that have historically been proved to be unfeasible. This fundamental opposition between liberalism and socialism as a transitioning culture used to have great mobilizing effect in the east and central Europe. It has also in some way structured scholars' analysis on the cultural formation of civil society in China. When portraying the rise of lawyers as a potentially critical and confrontational force, researchers call this the "birth of a liberal movement."⁶⁹ When pointing out the limitation of peasants' resistances, researchers say that those rural resisters' understanding on citizenship and rights are different from the rights discourse employed by some liberal intellectuals.⁷⁰ The problem of these accounts is that they tend to assume that there is (or should be) a group of liberal intellectuals proposing an explicit goal

⁶⁸ Kennedy 2002: 5.

⁶⁹ Halliday and Liu 2007. In the title of the book chapter, there is a question mark after the "birth of a liberal movement."

⁷⁰ O'Brien and Li 2006: 122.

for China's transition: Had these liberal intellectuals established themselves in the public sphere and won support from the mass, China could also have followed the "civil society against the state" model, and become democratized. However, a fact that we cannot afford to ignore is that the goal of China's reform and the connotations of "socialism" and "liberalism" have already become contestable in the public sphere since the 1990s. One has to get familiar with the transition of China's intellectual sphere and the social thoughts circle in the past three decades to understand why this is the case.

As a matter of fact, a group of liberal intellectuals, who was comparable to the liberal intellectuals in some eastern European countries before democratization took place, did shortly exist in China during the 1980s. Immediately after the reform and open-up policies were launched, young scholars and public intellectuals developed non-official channels for expression, and sought to break free of the state ideological strictures. At that time, these intellectuals constituted a highly homogeneous group, as there was a near-universal approval among them of the kind of modernity as it was presented in the West. These intellectuals applauded the central government's decision on terminating the Cultural Revolution and initiating the market economic reform, yet regarded the pace of the reform as too slow, and advocated further privatization, and political reforms, such as competitive elections and judicial independence. They disseminated their ideas through activities like publishing translated western humanity and social science works, organizing discussion groups, and holding public speeches at universities. Although the expressions of the critical ideas were by no means free from constraints, intellectuals' reflections upon China's culture and political institutions had been quite influential. Their appreciation of modernity in the West was then especially well echoed among university students.⁷¹ In China's intellectual sphere, these

⁷¹ For a detailed description between the liberal intellectuals and the student movement, see Zhao 2001.

activisms in the 80s were often referred to as the “new enlightenment movement” (*xin qimeng yundong*).⁷²

The failure of the student movement, and the following state’s repression were of course the most direct cause for the demise of the “new enlightenment movement.” However, it was a series of debates on public issues in the 90s, including issues like the marginalization of peasants, state-owned enterprises reforms, and China’s entry into the WTO, that has produced a profound rift among intellectuals. During these debates, the new left (*xinzuopai*), as a loosely organized group, has risen in the intellectual sphere. Some new leftist intellectuals used to be participants of the “new enlightenment movement” in the 80s. While liberal intellectuals have largely inherited the legacy of the “new enlightenment movement,” the leftist intellectuals have diverged from their peers in the following four aspects. First, drawing on the insights of the neo-Marxian thought, and post-modernist (post-colonialist) theories, the leftist intellectuals alert the public to the repressive mechanisms and relationships embedded within globalization, and the negative impact of market economic reform, such as the widening income gap between urban and rural populations.⁷³ Second, most leftist intellectuals share a more subtle understanding on the role of the state in promoting economic growth and maintaining social justice, and therefore object to the idea that less state intervention is the solution to all problems. Some of these intellectuals even believe that the state power has already been weakened to an alarming situation due to privatization, and economic liberalization, and call for strengthening the bureaucratic state, especially the central government, to solve domestic crisis and build China’s prestige in the international community.⁷⁴ Third, most of these leftist intellectuals are against a linear account on the history of China, which interprets China’s socialist practices in the past as

⁷² For a detailed description of the “new enlightenment movement,” see Xu 2004.

⁷³ E.g. H. Wang 2008.

⁷⁴ E.g. S. Wang and Hu 2001.

being without a single redeeming feature. They remind the public the positive impact socialist practices have brought to China's economic taking off, and criticize that some of the welfare that used to be realized during the socialist period, such as rural health care and education, is withering away in the reform era.⁷⁵ Fourth, leftist intellectuals more or less doubt the correlation between social justice, liberty, and constitutional democracy, and the necessity of building one-man-one-vote democratic institutions in China.⁷⁶

With the rise of the new leftist intellectuals, the previously homogenous group of liberal intellectuals as the “enlighteners” has split into two antithetical groups, the liberals (*ziyoupai*, or the new rightist, *xinyoupai*), and the new left. At the core of their debate are intellectuals' basic judgments on the most primary source for social pathologies. The left are more vigilant to the unconstrained market power. Some of them even believe that neo-liberalism has already become China's dominant ideology.⁷⁷ Although China's economic reform has never rigidly followed the neo-liberal doctrines, such as strong private property, free trade, and minimum state intervention,⁷⁸ in the eyes of the leftist intellectuals, the capitalist logic of maximizing interest has already been penetrating the way the society is governed. On the other side, most of the liberals tend to attribute social problems to authoritarianism, or the unconstrained state power. In their eyes, although the economy has largely been liberalized in the past three decades, the most fundamental political arrangements have almost remained the same; Underlying these arrangements is the socialist ideology that only the communist party is able to represent the interest of the majority, and lead the country to prosperity, which is an assumption that has already been falsified in the

⁷⁵ E.g. Wen 2013.

⁷⁶ E.g. Cui 1997; S. Wang 2008. The “New Leftist” intellectuals have a range of views and advocates. My summary of their political stance here is informed by Xu Jilin's analysis on the Chinese intellectual sphere. See Xu 2004.

⁷⁷ E.g. H. Wang 2008: 98-160.

⁷⁸ Harvey 2007: 120-151.

history of socialist practices. Both sides claim that they are against the “dominant ideology,” and therefore both sides claim that they are critical intellectuals.

The implication of having two antithetical groups of critical intellectuals is significant: Ideological debates now not only happen between a civil society striving for independence and an authoritarian state striving for maintaining control. They not only happen among high-level party-state officials with different political stance. They begin to happen within a sphere that is relatively autonomous from the state.

Although the details of these intellectual debates are not accessible to everybody in the wider public, and many intellectuals are reluctant to be categorized as either the liberals, or the left, the impact of the emergence of the rift has been extensive. Some commercial media begins to use the terms, “the liberals,” and “the new left” to indicate scholars’ and public intellectuals’ political stance. The Chinese version of “the political compass” becomes popular among Internet users.⁷⁹ Understanding this extensive impact requires us to scrutinize how these intellectuals’ political ideals and discourses are received and translated in civil society.

The Creation of Critical Discourses in Civil Society

On the “Right”

Liberal intellectuals came onto the stage of China’s civil society earlier than leftist intellectuals. As a matter of fact, it was the liberal intellectuals who had put forward the concept of “civil society” (*gongmin shehui*, or *shimin shehui*, as the early version of the translation) in scholarly discussions. In 1992, a theoretical discussion on civil society was initiated in a privately sponsored journal, *Chinese Social Science Quarterly* (Zhongguo

⁷⁹ See <http://zuobiao.me> (accessed Nov 26 2014).

Shehui Kexue Jikan).⁸⁰ Deng Zhenglai, who was then an independent scholar (and also the founder of the *Chinese Social Science Quarterly*), published an essay, *Constructing China's Civil Society* (Jianguo Zhongguo de Shimin Shehui), on the opening issue of the journal. From 1992 to 1994, Deng organized discussions on civil society in several issues on the journal.⁸¹ Deng paid a lot of attentions to the English academic circle, and scholars like John Keane largely influenced his understanding on civil society. Deng portrayed civil society as a space where citizens were able to firstly dam against the penetration of state power, and then organize to actively participate in public affairs. In defining the term, he emphasized that civil society was not necessarily a bourgeois society, and the bourgeois society in Marx's analysis was but one historical form of civil society. He also stressed that, although civil society was the antithetical concept to the state, this concept did not imply that participants in civil society were to rebel against the state. As a matter of fact, for Deng, the major benefit for constructing a civil society in China was to broaden a space between the state and individual citizens, so that the two powers could be balanced, and politics in China would no longer need to shift between totalitarian control and ochlocracy.⁸²

For those intellectuals who had barely recovered from the shock aroused by the tragic ending of the student movement, Deng's interpretation was especially compelling.⁸³ On recalling the motivation for participating in civil society, Gangjian, the dean of the Civil Society Institute at the Sun Yat-sen University, said,⁸⁴

⁸⁰ The journal was then published at Hong Kong.

⁸¹ See issue 1, 3, 4, 5, 7, 8. Some of Deng's essays on civil society were later embodied in an edited volume. See Deng 2008.

⁸² Deng and Jing 1992.

⁸³ Many intellectuals have attributed the failure of the movement to the absence of independent civic associations, or even China's revolutionary culture. Because of the state's prohibition, intellectuals seldom openly comment on the student movement in published works in Mainland China. For an analysis of the absence of participating channels in a "total society," and its consequences, see Sun 1994. For a radical criticism on the "revolutionary culture" in the movement, see the essay written by one of the leaders of the movement, Liu Xiaobo. Liu 1994.

⁸⁴ Interview May 20 2013.

I was in high school when the student movement happened. After it was over, every intellectual in my generation was thinking, “What on earth has happened? Why is that the case? Why China’s democratization cannot follow that path?” The students in 1989 obviously had good intentions, but the final outcome of the movement had placed China in a worse situation. If the student movement had not occurred, China’s political reform might have gone more smoothly. This is the greatest tragedy in China... Then in 1992, I encountered Deng Zhenglai’s theory on civil society. His theory proposes that there is a possibility of positive state-society interactions (liangxing hudong). This has had great impact on my intellectual life. I would claim that all what I have done, and what I have discussed in my papers are to substantiate his point.

Most intellectuals I have interviewed, who entered civil society in the 90s, have similar expressions on how they have reflected upon the radicalism in the student movement, and accepted Deng’s thesis.

Albeit a splendid interpretation of civil society as a theoretical concept, intellectuals in the 1990s knew little about what to do in practice. Apart from going into business, a common attempt was to establish NGOs. In 1994, the historian, Jiecong, and his friends, Xiongli (novelist), Pingdong (educationist), and Yanxiao (university teacher) founded China’s first privately organized environment NGO, the Friends of Nature (*Ziran zhi You*, FON).⁸⁵ Jiecong was sprung from a prominent family. He was the grandson of Liang Qichao, a leading philosopher and reformist during late Qing dynasty and early Republican. Liang Congjie’s father, Liang Sicheng, was known as the “father of Chinese modern architecture.”

⁸⁵ The FON is also the first officially registered NGO in China. For some details of the establishment of this organization, see the oral history of Liang Congjie. M. Wang 2012: 1-14.

Jiecong hoped to make use of his special identity to break the ice in the languished public life in Beijing after the student movement, and encouraged ordinary citizens to participate in public affairs that were relevant to their vital interests. Some other intellectuals later followed this model, and established their own organizations. These organizations, primarily in the fields of environment and poverty alleviation, constituted the first wave of NGOs in China. Most of them received financial support from international foundations, such as the Ford Foundation and the Oxfam. The contact between these organizations and the broader domestic public was limited. In most of the time, intellectuals emphasized the cooperative aspect of civil society, and managed to avoid the confrontational aspect.

This image of peaceful and positive state-society interactions was later disrupted by the rise of a second wave of intellectuals, mainly constituting of law scholars and human rights lawyers. Although quite a few lawyers and law scholars had been active in social activism since the 1990s, what marked their debut in civil society was the Sun Zhigang case. Sun Zhigang was a university graduate and fashion designer who went to Guangzhou to work in 2003. At that time, according to the custody and repatriation regulations in China, the police could detain anyone who did not have a *hukou*, or temporary living permit, and return him to the place where he could legally live and work. Sun was detained by the police for not having a permit, and died in the detention center three days later. After being reported by the mass media, the case triggered a public outcry. Several lawyers and law scholars submitted a joint letter to Premier Wen and the State Council, asserting that the custody and repatriation regulations in China were unconstitutional, and calling for the abolition of the regulations. One month later, the Premier announced that the regulations were abolished.⁸⁶ This event was celebrated as a success that bottom-up collective actions pressed the state and changed state's

⁸⁶ Interestingly, participants of this campaign, such as Biaoteng, are not quite sure whether there are any direct causal relations between the joint letter and the government's decision. Interview May 15 2013.

policies. From then on, more and more lawyers in China have begun to identify themselves as “rights defending lawyers” (*weiquan lvshi*), a term indicating one’s willingness to take cases that are politically sensitive and confront the government authority.

Unlike the intellectuals in the 1990s, law scholars and “rights defending lawyers” more openly express their critical stance. The writings of Václav Havel and the tradition of civil disobedience have deeply influenced major actors in this group.⁸⁷ At the center of their advocacy is a discourse of legal rights. These law scholars and lawyers argue that the entity that is most likely to violate individual rights is the state, especially when this state is not constrained by law and constitutional democracy. The most common practice of the “rights defending lawyers” is to take individual cases, which usually involve conflicts between corrupted government officials and the weak and disadvantaged lower class people, and then magnify the impact of these cases to expose the misbehavior of local government officials in the public, with the help of some commercialized media, such as the *Southern Weekly*. Apart from working as individuals, the lawyers also form networks. The most well known network is the OCI⁸⁸ established in 2003 by Yongping and Biaoteng, two of the participants in the Sun Zhigang case. This organization aims at orchestrating the activities of the “rights defending lawyers,” and proposing more articulated political views. Before its leader, Yongping, was arrested in 2014, the organization had led, or been involved in a series of advocacy campaigns, such as promoting open government information, and requesting a disclosure of government officials’ wealth.

Compared with the intellectuals in the 1990s, the “rights defending lawyers” and law scholars have more connections with the wider public. This is mainly due to the frequently occurred “rights defending campaigns” (*weiquan yundong*) in China in the recent decade.

⁸⁷ The selection of Havel’s writings has been translated into Chinese in 2003. See Havel 2003.

⁸⁸ All the names for organizations in this dissertation are also pseudonyms.

Since the late 1990s, marginalized peasants, veteran state-owned enterprises workers, migrant workers, middle class homeowners, HIV/AIDS patients, Hepatitis B carriers, and other groups have risen in succession in the public to claim their social and economic interests. Besides taking individual cases, the lawyers and some law scholars have also occasionally participated in citizens' collective actions by either cooperating with grassroots resisters, or directly leading these resisters. With the aid of the commercialized media and the Internet, the discourse of "rights defending" (*weiquan*) has become well received among citizens with various socioeconomic backgrounds. Because of the combination with various social activisms, from the beginning, the rights discourse has never been constrained to the idea of private property, but contains a wide range of social and economic rights instead.

Divergences sometimes occur between these two groups of liberal intellectuals on whether it is appropriate at this stage to employ radical and confrontational strategies. However, these two groups basically share the political ideal of democratization and liberalization. Personal connections between the two groups are quite common.

The discourses proposed in civil society on the "right" are highly coherent with the political stance of liberal intellectuals in the social thought circle. The overwhelming concern is to check the state power. Liberal intellectuals and human rights lawyers believe that encouraging the rise of an independent civil society and implementing rule of law to protect individual rights are means to achieve this goal. They also optimistically believe that the development of market economy would promote the development of civil society. Additionally, in these people's eyes, the political discourses like independent civic associations and individual rights are all universal principles that could be applied to any issue and any group. This attitude explains why many of them have the experience of shifting among several fields after they start their career in civil society. Take the founders of the

FON as examples. In explaining the original intention to establish environment organization, Yanxiao said,⁸⁹

It was a coincidence. We simply wanted to look for some issues that had the potential for mobilizing more people to participate. Environment protection was then such an issue. In addition, it was not a politically sensitive topic at that time.

Yanxiao later moved to the field of primary education in rural areas, though she had kept her concerns in environment. Xiongli quitted the FON due to the pressure from the state, and has later become an outspoken critic on China's ethnicity policies. Pingdong has established a private think tank on education policies. Law scholars and the "rights defending lawyers" take a similar attitude. When asked how the OCI made choices among the various kinds of campaigns and social movements happening in contemporary Chinese society, Yongping said,⁹⁰

We consider how many people are involved in a particular kind of injustice, and how intense this kind of injustice is.

Chasing after various kinds of injustice, Yongping had cooperated with middle class homeowners, peasants who had lost their land, victims of fake commodities, and recently migrant parents struggling for their children's education right.

On the "Left"

The discourses created on the "left" are far less coherent. First of all, several leftist intellectuals, who are leaders in the debate within the social thought circle, have taken a

⁸⁹ Interview Jan 12 2013.

⁹⁰ Interview Dec 17 2012.

suspicious, or even oppositional attitude toward the concept of civil society. Wang Hui has repeatedly criticized the state-society dichotomy inherent in the analytical framework of civil society, insisting that this framework has missed the real political dynamics in China's transition.⁹¹ He also argues that the rights defending campaigns employing the liberal discourse of individual rights have bypassed the issue of class, and political justice.⁹² By the same token, Wang Shaoguang emphasizes that the theory of civil society is nothing but a myth created under the canopy of neo-liberalism.⁹³ He more straightforwardly suggests that the idea of civil society refers to the bourgeois society. Being influenced by these thoughts, many leftist intellectuals who are working in civil society avoid using the term "civil society."

Whereas liberal intellectuals start from the theoretical concept of civil society, i.e., an independent space between state and individuals is theoretically necessary, most leftist intellectuals start from pragmatic issues. The most prominent group organized by leftist intellectuals is the "school of rural construction" (*xiangjianpai*). This school has grown out of a magazine. In 2002, a development economist, Juntie, launched the *China Reform (Rural Edition)*,⁹⁴ a magazine edited by a group of scholars on rural China. Since the magazine vividly exposed many problems in the rural area, its editorial office in Beijing later became a place where rural petitioners from all over China gathered and communicated. Juntie

⁹¹ E.g. H. Wang 2008: 131.

⁹² H. Wang 2014.

⁹³ E.g. S. Wang 2014.

⁹⁴ The *China Reform* is a magazine created and supported by the National Development and Reform Commission. Its target readers are high-level government officials. Juntie proposed to have more discussions on rural problems immediately after he began to work as the chief editor of the magazine. But his proposal was initially unwelcomed among other editors. Later he managed to raise funds from the Oxfam and create the rural edition. From 2002 to 2005, the *China Reform* was transformed from a monthly magazine to a bimonthly magazine. While the topics in the first half of a month basically remained unchanged, the topics in the second half were designed as discussing rural issues. The higher authority stopped the rural edition in 2005. Many participants of the "school of rural construction" believe that this is because some government officials in the higher authority do not accept the fact that a leftist intellectual is influential in the *China Reform* magazine.

encouraged his students and other scholars to receive rural petitioners in the editorial office, so that scholars in the academic circle could better understand what was going on in reality. Based on this magazine, a loosely network connecting scholars and fieldworkers on rural China was gradually formed. The “school of rural construction” endeavored to reverse the public opinion that economic reform in China had already succeeded in the 80s, and remind the government officials to pay attention to the declining rural economy.⁹⁵ To organize peasants and mobilize university students to serve peasants, the “school of rural construction” established two NGOs, the YYC Academy for Rural Construction, and the LSM Center for Rural Construction.⁹⁶ These two organizations help peasants establish cooperative societies (*hezuoshe*), provide training programs to university students who are to work as volunteers in rural development projects, and spread the idea of ecological agriculture in rural China.

The “school of rural construction” has shared with many leftist intellectuals in the social thought circle the criticism on the power of the market. To combat the deteriorating rural conditions, some participants of the school turn to the revolutionary culture and China’s socialist legacy. They wear red scarves when mobilizing peasants, and request university students attending aiding agriculture projects to sing revolutionary songs. Selections of Mao’s works are popular among this group. Some participants of the school turn to postmodernist and postcolonial thoughts, and claim to be against industrial development and market economy. In introducing their rural development projects, intellectuals in the school often cite postcolonial development works by scholars like Arturo Escobar to justify their

⁹⁵ For a systematic discussion on rural issues in China, see Wen 2005.

⁹⁶ These two figures were both pioneers in rural construction movement in Republican China. While YYC advocated the education for the mass, LSM had more concerns on economic issues. Because their approach for rural construction diverges from the radical approach proposed by the communist party, such as land collectivization and the elimination of the landlord class, their advocates and their contribution to rural China construction have long been blotted out, or even negated in the government propaganda. The government closed the YYC Academy in the year of 2007.

stance.⁹⁷ They sometimes even sell translated postcolonial works, like *Subaltern Studies*,⁹⁸ when they hold farmers' market (see figure 2.1). However, unlike the liberal intellectuals, who have a well-articulated political ideal (constraining the state power) and concrete propositions for actions (encouraging independent civic associations, protecting individual rights and implementing rule of law), intellectuals in the “school of rural construction” have seldom explained what a postmodernist approach for development could look like, and what kind of actions could serve to achieve the goal of constraining the market power. For example, while the school encourages peasants to self-organize and to establish cooperative societies, it often fails to articulate to both the peasants and the public the difference between these cooperative societies and the practice of land collectivization in the socialist era, and how peasants could be able to better make use of the market when they establish their cooperative societies.

Figure 2.1: Leftist Intellectuals Selling Postcolonial Theory Books at Farmers' Market⁹⁹



⁹⁷ E.g. Pan 2009. Xu Baoqiang and Wang Hui have edited a volume on postcolonial theories, which embodies work by scholars like Escobar and Spivak. See Xu and Wang 2001.

⁹⁸ See Liu and Xu 2005.

⁹⁹ These books are *The Last Confucian*, *Bibliography of Yan Yangchu*, *Developmental Illusions*, *Subaltern Studies*, *Women, Nation, and Feminism*, *Illustration of Practices in Constructing New Villages*, and *Open Veins in Latin America*.

Elsewhere, other leftist intellectuals take a totally different approach. Drawing on Polanyi's argument in *The Great Transformation*, a group of sociologists at Tsinghua University puts forward the term "active society" (*nengdong shehui*) as an ideal for social activists. They disagree with many leftist intellectuals in the social thought circle on the view that neo-liberalism has already become China's dominant ideology, though they also worry about the devastating effect the market economy has brought to certain groups of people's social life. They have distanced themselves from the leftist intellectuals in the social thought circle, because they believe that this devastating effect has not been generated by market alone, but is instead the outcome of the cooperation between capitalism and China's bureaucratic state. Therefore they propose a battle on two fronts, i.e., "active society" against both the state and the market.¹⁰⁰ Michael Burawoy and his idea on the public sociology have largely informed sociologists from Tsinghua.¹⁰¹ Quite a few scholars in the department have been widely connected to various social movements and civic associations. These scholars do not object to the agenda of liberal intellectuals who have established NGOs, and they also make friends with many human rights lawyers. The difference between these sociologists and the liberal intellectuals is that the former group pays more attention to the power inequality inherent in civil society.

Generally speaking, the leftist intellectuals have a much weaker voice in civil society compared to their counterparts on the "right." Unlike the liberal intellectuals and human rights lawyers, who have gained support from the commercialized media, the leftist intellectuals are mostly inept in handling their relations with the media. Some commercialized media, like the *Southern Weekly*, even occasionally negatively report the

¹⁰⁰ The Research Group on Social Development from Department of Sociology at Tsinghua University 2010.

¹⁰¹ Shen Yuan, the chair of sociology department at Tsinghua, translated several of Burawoy's works on the public sociology and published an edited volume in 2007. This is also the first Burawoy's work being translated into Chinese. See Burawoy 2007.

social activism held by the leftist intellectuals, criticizing the leader of the “school of rural construction,” Juntie, as having zero knowledge in economics, and implementing “scary totalitarian project” in the YYC Academy.¹⁰² Because of this particular environment, many leftist intellectuals working in civil society like to pose themselves as the marginalized, and regard those who hold liberal discourses as the mainstream. I was once attending an activity held at the LSM Center. An associate professor of sociology at the China University of Agriculture gave a lecture to over a hundred university students on how to participate in aiding agriculture projects. The students joyfully sang three revolutionary songs before the professor delivered her speech. To respond to the students, the professor said,

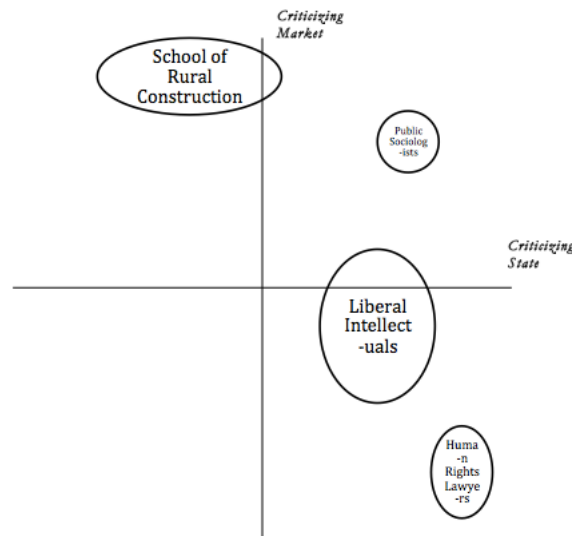
What we are doing now is truly revolutionary. We are proposing something that the mainstream society and the system do not accept. What have you just sung? If you sing these songs at Peking University, or Tsinghua University, you would be regarded as too weird. This is the only place where you could sing these songs aloud.

In her lecture, the professor repeatedly complained that contemporary education at universities was alienated from reality, and university students only had a command of some empty words, such as “democracy,” and “rule of law,” after graduation. Holding onto these empty words, some university students had achieved nothing in villages, except inciting mother in laws to sue daughter in laws, and mobilizing villagers to rebel against the village party secretaries. Then she emphasized that, to help peasants develop rural economy, and reconstruct rural culture, university students firstly had to forget about those empty words. She also talked about her success and failure in aiding agriculture projects to demonstrate that

¹⁰² Lin 2008. URL <http://news.sina.com.cn/c/2008-01-22/154214801571.shtml> (accessed Jan 11 2015).

the basis for any achievements in rural China was an immense knowledge on peasants and the structure of rural community.¹⁰³

Figure 2.2: Ideological Stance of Intellectuals in Civil Society



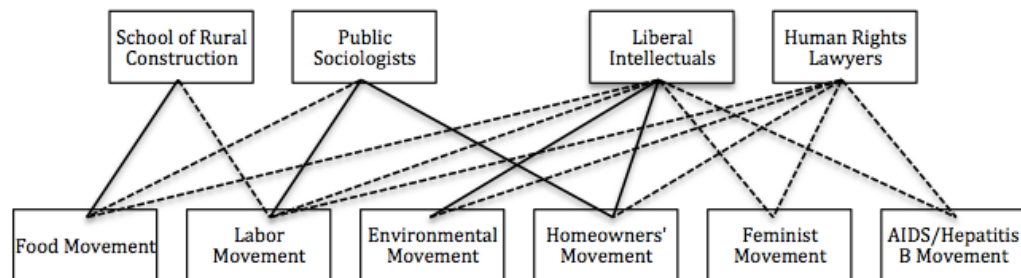
To visualize the ideological stance of these intellectuals, I place them on a coordinate system (see Figure 2.2). Whereas the horizontal axis indicates intellectuals' attitude toward the state, the vertical axis indicates their attitude toward the market. The height and width of the bubbles demonstrate variations within each group. As is shown in the chart, while the majority of the intellectuals in the school of rural construction avoid criticizing the state, few members in the group have a critical stance toward the state. While the liberal intellectuals mostly believe in the urgency in criticizing the state and downplay the problem of the market, some of them insist on criticizing the market.

¹⁰³ Observation note, Jul 23 2011.

Critical Discourses Extending Out

The relationship between intellectuals in civil society and grassroots activists are not axiomatic. To trace these connections, I mainly focus on two inter-related variables. The first one is the personal connections between intellectuals and grassroots activists, while the second one is the translation of discourses. I visualize these connections in Figure 2.3. I categorize grassroots activists through the fields they work in. The six fields demonstrated here do not cover all issues in China's civil society. But they are the most visible and influential fields. I use solid lines to indicate strong ties, or that grassroots activists in particular fields share common values with particular groups of intellectuals. I use broken lines to indicate weak ties, or that grassroots activists simply keep contact with intellectuals.

Figure 2.3: Relationship between Intellectuals and Social Movements



The overall picture is that liberal intellectuals and human rights lawyers tend to have wider connections with various kinds of social movements in civil society. Labor movement, environmental movement, homeowners' movement, feminist movement, and AIDS movement all have connections with intellectuals and actors on the "right," because their

activisms all to some extent involve the ideas of citizenship and rights. While intellectuals in the school of rural construction and public sociologists also have connections with social movement activists, these connections tend to be constrained in the field of peasants and laborers. In this section, I will firstly briefly introduce the personal connections between these different kinds of movements and different kinds of intellectuals. Then I will discuss the translation of discourses. Since the translation of discourses is more complex, and I will repeatedly go back to this point in the following chapters, in this chapter, I will only analyze the discourses in homeowners' movement and labor movement. I am not arguing that these two movements tend to be more important than other movements. I select these two movements, because they best display the complexities of the translation of discourses.

Intellectuals on the "right" have connections with activists in almost all social movements. Liberal intellectuals and human rights lawyers have organized various workshops and training programs to spread the political ideal of "civil society." For many grassroots resisters, it is the experience of attending these workshops and training programs that has led them to the career of professional activists. Additionally, these grassroots activists often get resources in various forms from these liberal intellectuals and human rights lawyers. Liberal intellectuals pay special attention to the environmental movement and the homeowners' movement. I have explained the rationale of why liberal intellectuals choose the environmental movement in the previous section. I will explain why they prefer the homeowners' movement in chapter three.

The personal connections between leftist intellectuals and social movements are less developed, because leftist intellectuals have entered civil society in a later stage. Workshops and training programs for grassroots activists did not exist until recent years. A particularly interesting point here is that, as far as I have observed, there is no connection between leftist intellectuals and environmental movement. While environmental movement in the West, at

least in Europe, is often associated with political forces on the left, in China, many leftist intellectuals have often labeled the environmental movement as “bourgeois.”

So, how are their discourses translated in concrete social activisms?

Activists in Homeowners' Movement: Those Who Are on the “Right”

As housing has been commercialized in China after the economic reform, a large proportion of urban residents have become homeowners. Since the late 1990s, homeowners have begun to self-organize in their neighborhoods and managed their maintenance funds. This new form of neighborhood organization, or the so-called homeowners' associations, has been endorsed by the state, with its legal status being confirmed in the newly passed “property law” in 2007.¹⁰⁴ The enlarged space for associations has facilitated the organization of homeowners' collective actions. Protests against real estate developers, property management companies, and sometimes even local governments hence frequently occur. These conflicts around housing and neighborhoods have promoted the formation of networks among homeowners. In recent years, the organizations connecting homeowners' associations from different neighborhoods begin to emerge, firstly in the most commercialized cities, such as Guangzhou, Shenzhen, Shanghai, and Beijing, then in other inland cities, such as Xi'an, Hangzhou, and Nanjing. Activists in these organizations work for advancing interests of homeowners as a social class, not the interest of any particular neighborhood.

Most activists in these organizations highly identify with the discourses proposed by liberal intellectuals, namely independent civic associations and less state intervention in market activities. They hold the view that, since homeowners' assemblies and property management companies are two equivalent entities in the market, the best way to coordinate

¹⁰⁴ For a detailed introduction of housing privatization and homeowners' associations in urban China, see Zhou 2014.

the relations between the two is to let them freely bid and negotiate. They argue that government interventions in neighborhood affairs have largely hindered the development of homeowners' associations. Activists' insistence on this liberal stance sometimes even transcends immediate interests. For example, to pacify conflicts between homeowners and property management companies, some local governments would subsidize homeowners when the two sides cannot achieve consensus. While most participants in homeowners' associations within neighborhoods regard government's concession as a success, activists in supra-neighborhood organizations are especially against these subsidies, as these activists believe that the government interventions would deprive homeowners of their opportunities to self-manage their neighborhoods and introduce homeowners to overly rely on the government. The activists alert government officials to the negative impacts of interventions. To struggle for more autonomy for homeowners' associations, they also submit proposals to the National People's Congress, advocating lowering the threshold for establishing homeowners' associations and simplifying the procedure for registration.

Because of this political stance, many activists are closely connected to liberal intellectuals and human rights lawyers. Some activists also identify with intellectuals' ideal in democratization. One activist in a supra-neighborhood organization in Beijing said,¹⁰⁵

I was astonished when I saw the term 'homeowners' association' for the first time. I was like... 'Has the communist party fallen asleep?'

Allowing homeowners to establish homeowners' associations implies that the party has opened a window for us. Now you could have one-man-one-vote in your neighborhood, in your homeowners' assembly.

These are also the only place where you could have true one-man-one-

¹⁰⁵ Interview Oct 31 2012.

vote in urban China. Now that the communist party has opened the window for us, we have to make use of it. Once there is a political reform in China, all these homeowners' associations and supra-neighborhood organizations would become the organizational basis for a political party.

Activists in Guangzhou and Shanghai show a relatively milder stance. However, although these activists never talk about issues like forming a political party, they nonetheless work closely with liberal intellectuals in places like civil society institute at the Sun Yat-sen University, and regard homeowners' associations as a nascent force for the development of civil society in China.

Activists in Labor Movement: Those Who Are Not Quite on the "Left"

Major participants of labor movements in cities like Guangzhou are migrant workers. In China, the term "migrant workers" refers to those laborers who work in cities, yet have their *hukou* registered in rural areas.¹⁰⁶ Because of the *hukou* system, these people's legal rights in labor relations are poorly guaranteed, and their access to welfare provided by local governments is also quite limited. Compared with the middle class, the working class has less space for association. While the homeowners' associations have been endorsed by the state, industrial laborers have never been allowed to independently organize trade unions. Nonetheless, many labor activists have sought to break this constraint by either organizing labor NGOs, or forming advocacy networks.

¹⁰⁶ *Hukou* refers to a household registration record required by law in China. It officially identifies a person as a resident of an area, and defines one's access to education, employment, health care and other social welfare. Before the economic reform, moving away from the place where one's *hukou* was registered had been tightly controlled. Currently, although many individuals are able to leave their hometown, find jobs, buy properties and establish families in another place, it is still very difficult for the majority of them to transfer their *hukou* registrations across regions, especially across provinces.

There are mainly three types of these laborers' organizations. The first type is the "rights defending" organization, which helps migrant workers to go through legal procedures so as to claim their legal rights. The second type focuses on constructing migrant workers' communities and working class culture. The third one emerges recently. It is dedicated to what people usually call the "collective bargaining" (*jiti tanpan*). The problem the "collective bargaining" organization attempts to deal with is the absence of independent trade unions. These organizations provide consulting service to migrant workers in their negotiations with the capitalists. Activists in these organizations help workers to democratically elect their representatives, advise them how to avoid risks and repressions in collective actions, and provide workers with secured sites for meetings. While most working class collective actions disband immediately after participants achieve their goals, these "collective bargaining" organizations manage to keep contact with major activists in each "collective bargaining," and network them so that migrant workers in different factories could communicate their experiences.

Intellectuals on the left side have long concerned the welfare of the migrant workers. Naturally, the contacts between these leftist intellectuals and activists in labor movements are common. Yet these are all complex interactions. Political discourses used in labor activism vary tremendously across the three types. The relationship between labor activists and leftist intellectuals is also different.

On the one hand, some labor activists do echo few propositions raised by the leftist intellectuals, such as the reflection on the discourse of legal rights. This reflection is especially popular among the "collective bargaining" organizations. Activists in these organizations tend to believe that legal procedures would weaken workers' solidary power. Besides the fact that legal procedures are often time consuming and costly, some laborer activists also propose that many of workers' basic needs go beyond what have been

guaranteed by law. When talking about his understanding on the relationship between social movements and law, a leader in a “collective bargaining” organization said,¹⁰⁷

Social movements are not supposed to be constrained by existing laws.

Social movements question the legitimacy of existing laws. If claims made in a social movement are proved to be valid, we have to amend existing laws, or enact new laws to consolidate the validity of the movement. China is now experiencing a transition. What is transition?

Transition is a period in which the validity of the previous legal framework needs to be questioned. Therefore we need to pay more attention to the validity of laws, not the laws per se.

As I have mentioned above, some leftist intellectuals have been seeking to revitalize a socialist culture to engage with current social problems. These leftist intellectuals believe that it is necessary for activists in civil society to acquire a language criticizing capitalist economy and alienation. Otherwise these activists would be trapped in the myth of the discourse of legal rights, which is actually a bourgeois discourse.¹⁰⁸ Many activists working for constructing working class community and culture are the pioneers in adopting this language. At the MWH, a labor NGO in Beijing, activists compose music and claim that their music is anti-capitalism and anti-consumerism. The MWH has also founded a “workers’ college.” When talking about the course arrangement at the “workers’ college,” the founder of the MWH particularly emphasized that the college did not only teach students pragmatic skills, such as computer software, but also intend to indoctrinate students with the “laborers’ values.”¹⁰⁹

¹⁰⁷ Interview May 15 2013.

¹⁰⁸ For details, see H. Wang 2014.

¹⁰⁹ Interview Sep 25 2012.

The values in the mainstream society are the value of the capitalists and the value of the bureaucrats. People in the mainstream society tend to evaluate one's achievement through how much money he has. But we believe that the inherent nature of human beings is labor. It is labor that creates wealth. If people don't recognize that, they become the slaves of the capital, and become alienated.

Lecturers at the MWH also talk about other critical analysis on economy, such as industrialization and price scissors in late development countries. These critical discourses have inspired many grassroots activists. Many graduates of the “workers’ college” have later become practitioners in labor NGOs. Yet it is worth mentioning here that activists’ adoption of the Marxist discourses has little to do with their collective memory of China’s socialist past, as most migrant workers have grown up in rural areas, and have no experience of working in state-owned plants. Neither have these Marxist critical discourses till now been associated with any concrete advocate of political and economic arrangements. For these labor activists, the Marxist discourses are more of an inspirational function, than specifically pointing out directions for action.

On the other hand, there also exist many working class activists who have intentionally distanced themselves from the leftist intellectuals. Many people working in “rights defending” organizations are such activists. These activists suggest that nowadays there are already many laws in China protecting workers’ rights, such as the labor contract law, the arbitration law, and the social security law, and that these laws are gradually improving. Hence the major concern is to implement the laws. These activists also believe that operating labor activism within the framework of law best protect workers’ interests.

Sometimes, even some activists in the “collective bargaining” organizations express distaste for some leftist intellectuals’ over-obsession with the Marxist doctrines, as they believe that emphasizing the Marxist discourses today has few pragmatic values. When talking about his understanding on Marxism, an activist at a “collective bargaining” organization said,¹¹⁰

I personally have always been thinking that Marxism is outdated. Marxism has emphasized the concept of class and ownership. Do these theories tell anything about how workers should establish their own organizations? Except for calling for abolishing the private ownership of property, has Marx ever proposed anything feasible? In our practices, we don’t even emphasize the idea of class. We acknowledge that workers are in a disadvantaged position. Then we advocate ‘rights,’ ‘action,’ and ‘participation.’

Since three types of laborers organizations are different in their ideological stance, activists from time to time debate with one another. Yet, to seek more financial supports, many activists in the labor circle have also learned to take a resilient ideological stance and speak more than one language. Many laborers organizations have connections with intellectuals on both sides. The MWH is a case in point, albeit this organization has widely been recognized as “Marxist,” or “leftist.” The leader of the organization avoids mentioning the term “civil society” when he talks to the leftist intellectuals, while he also knows how to strike a chord in the audience when he participates experience-sharing meetings on constructing NGOs held by the liberal intellectuals. As a matter of fact, the course at the “workers’ college” is a combination of many different things. While it teaches students

¹¹⁰ Interview Apr 18 2013.

computer software and Marxist theory on alienation, it also touches upon themes like labor contract law, community social work, and even research methodology. If you ask the leader of the MWH whether this organization is a leftist organization, he would say,¹¹¹

I don't like this label. I don't like to categorize people through their ideological stance. What we really care is how to solve problems in reality. I think there are two kinds of people. One starts from concept, and the other starts from reality. I belong to the second group. New concepts continue to come out, civil society, NGO, charity, philanthropy, and social enterprises. These are just different names. Names are insignificant for me.

Conclusion

This chapter shows that the intellectual debate between the “left” and the “right” in the “social thought circle” does have an impact on the cultural formation of civil society in China. Ideological debates happen among intellectuals who are directly involved in activism in civil society, and among those professional activists at the grassroots level. However, it is also clearly demonstrated that the two forms of critical discourses are not equally powerful in China’s civil society. Compared with those on the left, these liberal discourses are more extensive in three ways.

The first is the *cohesiveness* of discourses, which refers to the extent to which the discourses raised by intellectuals and activists in a certain category could remain uncontradicted, or at least reconcilable. My empirical study shows that what liberal intellectuals have proposed in civil society are more coherent. Although different actors have

¹¹¹ Interview Sep 25 2012.

their own concerns on how transformation in China is possible, most divergences among these actors are on specific strategies. Liberal intellectuals and human rights lawyers all believe in the necessity of constraining the state power, implementing rule of law, and exploring the potential for constitutional democracy, and also regard civil society as critical in this process. While most leftist intellectuals believe in a critical stance toward the capitalist market, there are huge gaps between them on whether civil society could be counted on in checking the market, and whether social activists should also criticize the party-state.

The second dimension is the *translatability* of discourses, which refers to whether specific discourses could be translated into politically consequential actions in civil society. My study finds that, in China's civil society, the liberal discourses have been better combined with concrete actions. The liberal intellectuals and human rights lawyers advocating legal rights and checking government power find their allegiances in the widely spread "rights defending campaigns," and citizens' associational practices that aim at carving out a space to dam against the state intervention. On the other side, whereas leftist intellectuals in the "social thought circle" radically object to the over-expansion of the market logic in people's social and political life, many of their propositions, such as reflection on modernity and criticism on the depoliticized politics, have remained theories. Practices that echo these discourses in civil society could best be described as fragmented and ambiguous.

The third dimension is the *extensiveness* of discourses. This measures the range to which certain discourses have traveled among actors in civil society. Again, my empirical study shows that the liberal discourses, such as constraining the state power, protecting individual rights, and rule of law, are more extensive. Although leftist intellectuals often claim that they speak for the interest of the disadvantaged groups, and dismiss liberal intellectuals as speaking for the bourgeois class and the powerful, connections between leftist intellectuals and some disadvantaged groups, like the migrant workers are not always

smooth, and cooperation between disadvantaged groups and the liberal intellectuals widely exist. Compared with the leftist discourses, the liberal discourses are also more extensive among the middle class activisms, and cross-class activisms.

Therefore we reach a conclusion that civil society in China is more “liberal” than it is “leftist.” In practice, many people on the left side have also recognized this fact. When I talked with Yinghai, who used to be Juntie student and work with intellectuals in the “school of rural construction,” she explained the powerlessness of the leftist discourse to me in the following way.¹¹²

The development of civil society in the West has experienced two stages. In the first stage, the market is separated from the state, and in the second stage, the society is separated from the market. Then there are three separated sectors. Hence you could see a lot of leftists in civil society in the West, especially in Europe. But in China, the first stage has not yet been completed. The absolute state power still exists. Therefore it is natural for people to think that the major task for civil society is to resist the government, and that a liberal discourse should dominate civil society.

Huayu is a professor of sociology at Tsinghua University. She has been widely connected to many labor activists. At a dinner party, which several grassroots activists attended, Huayu and the activists were talking about the ideological debate between the “left” and the “right” in the public sphere. She said,¹¹³

¹¹² Interview Jan 16 2013.

¹¹³ Observation note, Oct 27 2012.

If I were in the West, I would have been on the left. People like us who care about the welfare of workers, peasants, and ordinary citizens must be leftists. But in current China, if you claim to be on the left, others would quickly associate you with the domination of the bureaucratic state.

Both Yinghai and Professor Huayu attribute the difficulties leftist intellectuals have encountered in the public articulation of their political agenda to the domination of the party-state. This reminds us that the state does not only set up a repressive environment for public discussion and intellectual articulation, as many studies on authoritarianism have already suggested, but also structures how different voices within civil society debate with one another. The state's incorporation of some liberal discourses during the market economic reform has provided leftist intellectuals with certain space to rise and criticize. But as long as the state still holds onto the socialist discourses as its official ideology, it would always remain a challenging task for leftist intellectuals to find the right language and illustrate a real critical stance. As a matter of fact, the dilemma leftist intellectuals and leftist movements face during socialist transition is not unique to China. In analyzing workers' protest, Polish sociologist Jadwiga Staniszkis suggested that, although the words of Marxism often described what workers wanted, like self-government and democracy, since these were the same words the regime used to describe its own activities, workers were shamed by using the vocabulary of their oppressors.¹¹⁴ Today in China, this "semantic" problem also exists for those leftist intellectuals and leftist activists who would like to distance themselves from both the party-state and the liberal intellectuals.

¹¹⁴ Staniszkis 1979.

The fact that the leftist discourses cannot be articulated in the public sphere is politically consequential for transition. Without questions and challenges from the left, many discourses advocated on the right side become devoid of content. A case in point is liberal intellectuals' emphasis on the discourses of rights and citizenship. While these discourses are popular in a variety of social activisms in different social classes, liberal intellectuals tend to simplify the interpretation of these activisms, and attribute all problems to the unconstrained state power and the corrupt legal system. Although the importance of constraining state power and implementing rule of law can never be overstated in an authoritarian regime like China, a civil society without state intervention and a constitution are far from sufficient for citizens to defend their rights. As sociological studies on citizenship tell us, the acquisition of rights is always an "instituted process," and the guarantee of individual rights depends on a balance between the state, the market, and civil society.¹¹⁵ Yet when it comes to the specific institutional arrangements for protecting certain rights, the liberal intellectuals are always as ignorant as the leftist intellectuals. They offer few insights, only repeating some of their slogans, such as "state power without check necessarily does evil," or "the most fundamental problem in China is the absence of constitutionalism." Additionally, by emphasizing an oppositional binary between the state and civil society, many contradictions within civil society have been silenced. Liberal intellectuals tend to hold a classless claim that every member in the political community could be equally benefitted if a real transition takes place. This statement is rarely true, especially when different groups are deprived of the opportunity to articulate their particular interests.

My analysis on the intellectual sphere and the cultural formation of resistance in civil society suggests that, to correct this negative consequence, leftist intellectuals have to shoulder more responsibilities, as the potential of the discourses they advocate has not yet

¹¹⁵ Somers 1993, 2008.

been fully realized in the public sphere in China. To achieve this goal, leftist intellectuals and leftist activists first have to give up the idea that they could leverage state power to combat liberal intellectuals as their “opponents” in civil society. Ironically, if the leftists truly want to develop criticisms against the over-expanding capitalist market in China, what they need to do is to articulate their relationship with the bureaucratic state. If the leftists are not able to articulate how their proposed projects, to keep capitalism in check, could be different from the ones that have been implemented by the so-called socialist state, it will always be hard for leftist intellectuals to translate their critical discourses to consequential actions in civil society. None of these strategies are easy in the context of China. But the vigorous social activism, which I have shown in this paper, already illustrates that opportunities for actions and change exist in this country. If leftist intellectuals could also join in criticizing the authoritarian state, criticism in China’s civil society may be elaborated in a more meaningful and constructive way.

Solidarity and Concrete Social Networks

It was March 15, 2013, one week after I arrived at the city of Guangzhou, and began to work as a research fellow in the School of Philanthropy at the Sun Yat-sen University. My colleague, Anna, brought me to a “rap session” (*shenliaohui*) held at the ICS. The topic of the session was on the brutality of officials in the urban management bureau. The urban management bureau was established around the year 2000. Being responsible for maintaining city environment and sanitation, officials in the bureau, or more commonly called the *Chengguan* in China, had been involved in a wide range of routine works, such as cracking down on unlicensed street vendors, and dismantling architectures when their owners were “uncooperative” in urban relocation projects. Formally, the *Chengguan* were not a part of the police force. Yet they had been granted partial law enforcement power, and were equipped with steel helmets and police batons. The ambiguous definition of their legal status, and the absence of supervision had caused numerous conflicts between the *Chengguan* and ordinary citizens in many Chinese cities. Since reports on these conflicts frequently appeared on the media and the Internet, in the public, the *Chengguan* had become a symbol of state violence. On March 6, several *Chengguan* at Chigang District in Guangzhou had physical confrontations with a female street vendor, when they forced the unlicensed vendor, who was then selling fruits on a public way, to leave. The police arrived at the scene and handcuffed the vendor. A passerby photographed the whole process and posted pictures on the Internet. A picture in which the street vendor’s little daughter hugged her subdued and crying mother had aroused public indignation (see figure 3.1). Immediately after the confrontation was known on the Internet, some activists intervened in the affair, and requested the urban

management bureau at Chigang to publicize *Chengguan*'s video clip.¹¹⁶ These activists had also visited the street vendor and talked to her and her family. The ICS held a “rap session” for these activists to report to their colleagues and friends on what had happened and chat what to do next.

Figure 3.1 Picture and Manga of the *Chengguan* Abuse Case¹¹⁷



¹¹⁶ Because of the frequently occurred conflicts between the *Chengguan* and street vendors, many municipal governments, including Guangzhou, began to require the *Chengguan* to video themselves when they carry out their tasks on the street.

¹¹⁷ The first picture is the photo taken on the scene, while the second one is a cartoon created by a netizen after the issue was spread on the Internet. A *Chengguan* has been added to the cartoon, pushing the woman street vendor from behind. The cartoon is titled, “Kid, mom is not able to hold you” (*Haizi, mama meifa baoni*).



Speakers of the session were two journalists, a human rights lawyer, a scholar, an activist in environment campaigns, and a few university students. Several ordinary citizens, including Anna and me, audited the session. The discussion meandered for about two hours. In the beginning, participants' focus was on the abuse of the administrative power. The human rights lawyer suggested that both the *Chengguan* and the police had violated the law. The environment campaigner was more interested in discussing how to transform people's concern on this singular case to a deeper concern on the accountability of the urban management bureau. The university students worried that too much mobilization in civil society and media exposure would further endanger the street vendor and her family, as the management bureau might later take revenge.

Yet at some point, participants of the session began to acknowledge that, although the event was but another demonstration of the detrimental effect brought by an unchecked state apparatus, constraining this apparatus alone was far from solving conflicts in urban management. On the one hand, many street vendors, who were mostly migrant workers from rural areas, preferred crowded public streets to indoor markets established by the

government, as doing their business on the street could substantially limit cost; Quite a few urban residents also liked to keep these street vendors around, as compared with large-scale supermarkets, the vendors had provided the residents with fresh meats and vegetables for instant consumption at a low price. On the other hand, street vendors often obstructed the traffic and harmed hygienic conditions. These negative impacts had also been visible to the public. Sometimes it was the urban residents living nearby who had appealed to the management bureau, requesting clearance of unlicensed street vendors around their neighborhoods. Through mobilization in civil society, activists might successfully force the urban management bureau to penalize the few *Chengguan* who had beaten the vendor. However, if people were unable to find a way to balance between the interests of street vendors (and some urban residents who dislike doing grocery shopping at supermarkets) and the city hygiene, conflicts between different groups would sooner or later occur again.

Hence the focus of the discussion was then transformed to questions on urban governance: Who had the power to define the use of public ways? In what way could people with different interests and concerns negotiate and compromise with one another? Were a strong state and its apparatus the only option for coordinating these different interests and concerns? In the “rap session,” one of the journalists, Xinshao, provided an answer to these questions.

Surprisingly, Xinshao suggested that the frequent conflicts between the *Chengguan* and street vendors were a result of the absence of self-governance. He started his argumentation by talking about the experience in his own neighborhood: There was a relatively concealed space near Xinshao’s neighborhood. In recent years, this space had attracted many street vendors, as it used to be invisible to the *Chengguan*. While some residents living nearby welcomed the vendors, others blamed the vendors for polluting the environment. To coordinate this conflict, the homeowners’ association in the neighborhood

came out and went to talk to the vendors. Later the two sides (the vendors and the residents) achieved a consensus. The homeowners' association collected a small fund from the street vendors. Those vendors who sold vegetables paid two *yuan* per day, whereas those who sold and slaughtered live poultry paid five *yuan* per day. Then the homeowners' association passed on the fund to the sanitation staff at the neighborhood's property management company. The sanitation staff was responsible for cleaning the space everyday after they received the fund as their overtime pay. Xinshao concluded, "Both of the two sides had transferred part of their rights. I sacrifice the sanitation and traffic around my neighborhood, while your business offers me some convenience in my grocery shopping. This is an embodiment of self-governance." Unfortunately, because of the intervention of the *Chengguan*, this win-win situation had not lasted long. As more street vendors turned to that "self-organized space," the rent of stalls in a nearby indoor market began to fall. The manager of the indoor market thus appealed to the urban management bureau, requesting the bureau to regulate and punish the unlicensed vendors. The *Chengguan* then went to the "self-organized space" several times and confiscated many groceries. After that, many vendors had become reluctant to pay the sanitation fee, as in their eyes, the space was no longer a "safe" place for doing business. As the fund continued to shrink, the sanitation staff eventually went on strike. As a result, the hygienic condition around the neighborhood quickly deteriorated, which had provided further justifications for *Chengguan*'s intervention. After a few rounds of clearance, the self-organized market no longer existed. To summarize the story, Xinshao said, "I personally think this model of self-governance has many benefits. Since the vendors are expected to sell groceries in that place for a long term, they seldom cheat their customers. Yet the basis for this self-governance is the absence of the *Chengguan*. As long as the *Chengguan* come, the self-governance disintegrates."

Xinshao's story aroused participants' interest. A scholar attending the session argued that the *Chengguan* was still necessary in many occasions. He talked about his experience of visiting Tainan. He said he could hardly walk on the street in Tainan, as there was no *Chengguan* in that city managing street vendors. "It is important that we be vigilant about the over-expanding state power. But on the other hand, we also have to be vigilant about some populist ideas."

I also raised my concern. I said, "Self-governance may be a practical idea for managing street vendors near residential communities. But could we possibly apply this model to the street vendors in commercial areas? The stream of the people there is large and unstable. You don't even have a homeowners' association in those places being ready for negotiation."

Xinshao responded, "Yes, yes, the management of commercial areas is another story. But if we could have more self-organized markets near residential communities, more street vendors would have relatively ideal places for doing their business. Then the pressure for the *Chengguan* would also be largely mitigated." He thought for a while, and added some comments. "We have to distinguish two concepts. One is self-governance, and the other is state intervention. State intervention shouldn't emerge unless self-governance doesn't work. The state should have played a negative role of the third-party. Yet in the recent twelve years, the power of the *Chengguan* has continuously grown. Now the urban management bureau takes on over three hundred functions. The communist party is to establish a political department in the bureau. As a matter of fact, the *Chengguan* is becoming increasingly militarized. Those *Chengguan* almost have everything except a gun. If things continue in this way, how could we avoid violent conflicts?"

Solidarity, Concrete Social Networks and Neighborhood

What Xinshao and other participants of the “rap session” were discussing is actually a classical question in studies on politics: Where should be the boundary for state intervention? Xinshao suggests that there is too much state intervention in urban China. He tries to use a case to illustrate that, at least in some occasions, Chinese urban residents are not entirely incapable of self-managing their own affairs. Additionally, Xinshao believes that this kind of self-management bears merits that state interventions do not have: Whereas managing street vendors through the *Chengguan* system often involves violence, the formation of “self-organized grocery markets” is based on participants’ negotiation and cooperation.

Xinshao’s insight echoes a large body of literature in the studies on the “social capital” and networks of trust in civil society, which grounds the formation of those norms that are crucial to the function of democracy, like reciprocity and collaboration, in people’s everyday interactions in concrete social networks.¹¹⁸ Critics of this literature point out that the interpersonal relations in these networks are often not sufficient for complex, large-scale society, where communications among people are mostly mediated through markets, or formal organizations.¹¹⁹ But in an authoritarian context like China, developing solidary relations in concrete social networks has particular political significance. As I have introduced in the first chapter, the party-state in China does not only control the will formation in formal politics, but also extends its influence to citizens’ everyday political life. In many areas, the one and only legitimate organization is the “mass organization” (*qunzhong zuzhi*) established by the party-state.¹²⁰ The rationale of this political arrangement is that only

¹¹⁸ E.g. Putnam 2001.

¹¹⁹ Calhoun 1999. Others suggest that this literature has emphasized the “autonomy” of civil society to an extent that how the political institutions of the state could influence people’s associational life has been ignored. See Skocpol and Fiorina 1999; Baiocchi 2005.

¹²⁰ For a detailed discussion on the history and transformation of the “mass organizations,” see Yu 2008.

under the guidance of the party could people achieve solidarity and mutual understanding. Therefore, the meaning of self-managing a grocery market goes beyond defensively carving out an autonomous space to dam against state penetrations. The short-lived grocery market is a challenge to the organizational hegemony of the party-state.

In this chapter, I intend to provide more details in the formation of solidary relations in concrete social networks. Most of these concrete social networks have their basis in citizens' residential communities, or neighborhoods. The practices of self-governance, or self-management in neighborhoods are various. Some of the cases I will be discussing are as ephemeral as the "self-organized grocery market" in Xinshao's neighborhood, while others are more stable, or even have been institutionalized and become a part of the urban governing structure. But before I proceed to the empirical details, it is necessary to explain why I have a particular focus on the concrete social networks in neighborhood.

In the tradition of urban studies in the US, neighborhood has always been an important site for observing the possibility of solidarity in people's urban life. Through studying residents' day-to-day interactions, researchers intend to understand how strong ties among people are created, and in what way these ties serve to provide public goods in neighborhoods, or exclude outsiders and reproduce inequality.¹²¹ Yet these "neighborhood effects" (both positive and negative) come into being in the condition that the local enjoys some degree of financial and political autonomy. In the socialist era, this local autonomy at the neighborhood level arguably did not exist in urban China. When the vast majority of urban residents worked in state-owned enterprises and public institutions, neighborhood was nothing but an extension of the work unit (*danwei*) system: Many people lived in the "welfare housing" provided by their work units. People working in the same work unit

¹²¹ For the provision of public goods, see Zhou 1995. For the "neighborhood effect" in the reproduction of inequality, see Wilson 1987; South and Crowder 1997.

tended to live in the same neighborhood. And the management of these neighborhoods was subject to the oversight of work units.¹²² Neighborhood was thus less a place for creating solidary relations among individuals than implementing state governance and control.

It is the market economic reform that has detached neighborhood from the work unit system. Since housing has been privatized and commercialized in the 1990s, many urban residents have bought home from real estate developers and moved out from public housing neighborhoods. Additionally, as a large number of migrant workers have come to cities to look for jobs, and become tenants in private housing, they have also created their own neighborhoods that can hardly be incorporated into the previous socialist governing system. These transformations in the economic domain have on the one hand introduced people who are socioeconomically homogeneous to move near each other, and on the other hand widened a space for urban residents to deliberate their common concerns, and solve their own problems outside state tutelage.

Both the state and civil society have recognized the emergence of neighborhood politics. The state has launched the “community building” (*shequ jianshe*) campaign since the late 1990s. More fiscal resources have been transferred to neighborhoods. State agencies that are closely related to neighborhood governance, like the street office and the residents’ committee, have been renovated and strengthened. The state hopes that through these reforms it could shift its governance and control network from the work unit system to residential communities.¹²³ On the other side, many activists in civil society have dedicated themselves to the cause of neighborhood self-governance. They either establish NGOs aiming to train community organizers, or unite neighborhood organizations across districts in a city. Some of

¹²² For some detailed discussions on housing and neighborhood in socialist China, see Whyte and Parish 1985; Zhang 2010. For discussions on the governance of neighborhood in socialist era and its transformation, see Read 2012; Yip 2014.

¹²³ For a detailed introduction to the “community building” campaign, see Bray 2006; Xu 2008.

them regard their work as an entry point for pushing forward more profound political changes. For more than once, I have heard these activists talking in this fashion: “Self-governance (*zizhi*) is the natural enemy of dictatorship (*zhuanzhi*).” With the rise of these new actors, one could no longer claim to have a well-grounded knowledge of urban politics in China, if he or she does not understand the dynamics at the neighborhood level.

My focus in this chapter’s analysis is on the opportunities and constraints for forming solidary relations in neighborhood. My arguments will be elaborated in three sections. In the first section, I discuss the relationship between the emergence of a more autonomous economy and the creation of a space for self-governance. What does it mean by saying “neighborhood self-governance” in urban China? What could be “self-organized?” In this section, I provide a comparison between middle class neighborhoods and working class neighborhoods. Then in the second section, I demonstrate how these potentials for solidarity in the practice of self-governance could be repressed by external powers, i.e., the state and the market. In the last section, I recount some examples of how in some occasions these barriers were overcome and in the process highlight activists’ strategies.

A Newly Emerging Space

Middle Class Neighborhood: Self-governance Based on Collectively Managing Properties

The basis for self-governance in middle class neighborhoods comes from the necessity of collectively managing the shared amenities. Middle class neighborhoods have

become identifiable in urban China after housing privatization and commercialization.¹²⁴ The newly built commercial housing neighborhoods are mostly gated communities. They usually consist of dozens of apartment buildings, and contain a population of around 1,000 to 5,000. Within these gated neighborhoods, residents share many amenities, such as roads, green areas and meeting halls. According to China's property law, homeowners in a private housing neighborhood are supposed to jointly own these shared properties.¹²⁵ Whereas the management of these properties in public housing neighborhoods is subject to the oversight of the housing bureau and the work unit, in private housing neighborhoods, this responsibility has been transferred to residents (homeowners).

The routine tasks for managing the shared properties are many and various. They include things like maintaining elevators, clearing garbage, cleaning roads, mowing lawns, repairing leaking roofs and ensuring security. In a high-end commercial housing neighborhood, the management is more complicated, because the list of shared properties in these neighborhoods may extend to parking lots, playgrounds, or even gyms and swimming pools. By leasing advertisement boards or parking lots, homeowners in some commercial housing neighborhoods can also expect to earn an income from their shared properties. In most cases, residents in commercial housing neighborhoods employ property management companies to deal with all relevant affairs. To employ a property management company and negotiate with the company on the amount of service fee, and the sharing of income from the jointly owned properties, residents (homeowners) in a neighborhood have to form a collective.

¹²⁴ For an analysis on the relationship between housing privatization and middle class formation, see Zhang 2010.

¹²⁵ Article 73 in the property law. For an English translation, see <http://www.lawinfochina.com/display.aspx?lib=law&id=6642>

Apart from engaging in a commercial relationship with property management companies, residents in private housing neighborhoods also have to self-manage their maintenance funds, which usually range from 10 million to 50 million *yuan*. Being collected from both the developers and the homeowners when the private housing neighborhoods are built and sold, these funds could be used to renovate the apartment buildings, build disabled access or enlarge a playground. On many occasions, homeowners within a neighborhood disagree with one another about how the funds should be spent. For example, a frequently occurring problem in neighborhoods today is that parking space is insufficient, as many neighborhoods were built at a time when the majority of urban residents in China did not own automobiles. With respect to this problem, some residents hope to sacrifice the grassed areas in their neighborhoods to enlarge the parking space, while others suggest spending extra money to build an underground parking lot. Yet others, those who do not have cars, might be more content if no money were spent on solving the parking problem, and desire more residents to park their cars outside the neighborhood. In discussing the use of the fund, residents have to collectively decide how to balance between different interests.

Compared with the situation in many other areas, the state has demonstrated a relatively benign attitude toward homeowners' practice of neighborhood self-governance. Since the early 2000s, the state has allowed residents in private housing neighborhoods to organize homeowners' assemblies and register homeowners' associations. The legal status of these new forms of neighborhood organizations has also been confirmed in the property law passed by the national congress in 2007. In some cities, like Shanghai, agencies of local governments even participate in the formation of these neighborhood organizations, and help homeowners to go through the lengthy process of registration. Although, as I will further elaborate in the next section, these newly emerging associations are by no means entirely autonomous from state control, they at least provide middle class homeowners with a stable

organizational framework to self-manage their neighborhood affairs. As time goes by, the practice of self-organization in some commercial housing neighborhoods may extend to other areas. The abovementioned case of organizing grocery market is just one case. Other practices include forming Waldorf education groups for children,¹²⁶ and establishing consumers' organizations for purchasing organic food.

Working Class Neighborhood: Self-governance Based on Seeking Public Service

There is not a definite type of working class neighborhoods in urban China. The configuration of neighborhoods holding migrant workers and their families varies both within cities and across regions. Many of the migrant workers, especially those who are young, live in dormitories in plants or industry parks. Others become tenants in private housings that are owned by villagers who used to work in farming. Locating near plants or industry parks, these housing settlements are often at the fringe of cities. As villagers who have profited from renting out their housing gradually move out to places with better amenities, those "rural" communities have become migrant workers' neighborhoods.

A special type of migrant workers' neighborhood that has been widely discussed in both academic studies and the public these days is the "villages in the city" (*chengzhongcun*). The "villages in the city" are a product of rapid urbanization since the late 1990s. In southern Chinese cities, like Guangzhou and Shenzhen, local policies allow villagers to keep their use right to part of their land when municipal governments decide to appropriate rural land for urban expansion. To participate in and benefit from urbanization, villagers, often led by their villagers' committees, build high-density apartment buildings to rent out to migrant workers coming from other provinces. The dwelling environment in these neighborhoods is

¹²⁶ Waldorf education is a humanistic approach to pedagogy based on the educational philosophy of Austrian philosopher Rudolf Steiner. Its emphasis on the flexibility of curricula design has attracted many middle class families in China these days, as people commonly believe that the primary education system in the country is too rigid.

unpleasant, if not horrible. To maximize profit, villagers violate all sorts of regulations on construction. In these “villages in the city,” the distance between two six-story apartment buildings may be less than one meter. Despite millions of safety hazards, the cheap housing and the location have attracted many migrant workers.¹²⁷

While self-governance in middle class neighborhoods is based on the need for collectively managing shared properties, for the migrant workers, the first and foremost purpose for organizing themselves is to provide public service in their neighborhoods. As I have introduced in the first chapter, migrant workers’ access to welfares provided by municipal governments are severely constrained, because of their *hukou* status. Additionally, since the vast majority of them are industrial laborers taking low-tech jobs, their income level tends to be at the bottom within the urban population. Hence, in terms of the access to public service, migrant workers are very likely to be in a marginalized position in both the state and the market system. Reciprocal ties in their neighborhoods could to some extent alleviate the lack of public service. An illustrative example here would be childcare.

Most kindergartens in urban China are public, which usually distribute their enrollment quotas only to families whose *hukou* is registered in specific urban regions. In recent years, quite a few private kindergartens specializing in alternative education have emerged, but obviously they are not affordable to migrant workers’ families. Those private kindergartens that migrant families could afford are often of the worst quality. They are usually a kind of business run by migrant entrepreneurs seeking profits from the low-income class. And even this kind of service is now and then in short supply. If migrant families are not able to, or not willing to send their children to those private kindergartens with the worst facilities and teachers in a city, the only option left is to divide the family and send the

¹²⁷ For a vivid description on the “villages in the city,” and the power dynamics between villagers and local governments in urbanization, see Hsing 2012.

children to their grandparents in rural areas. To cope with this conundrum, activists in some migrant workers' neighborhoods organize mothers and establish community day care centers.

Whereas self-governance is a common and institutionalized practice in middle class neighborhoods, it is more of an experiment in working class neighborhoods. Many working class neighborhoods do not have any form of self-governance, and those who have self-governance tend to practice it in a narrow range. This is, of course, a reflection of the difference in economic resources between the two groups. Whereas middle class neighborhoods have the maintenance fund, working class neighborhoods mostly start from zero. The intervention of some non-profit organizations, like NGOs or philanthropy foundations, is crucial in initiating self-governance activities. Another important divergence from middle class neighborhoods is that the state has never endorsed any form of migrant workers' independent organizations. The only legitimate organization in migrant workers' neighborhoods is the villagers' committee, which is supposed to represent the interest of the villagers, or the landlords. Therefore, compared with the middle class, the working class has less space for association, and the boundary for their self-governance is far less articulated. These differences will become more salient when we come to the state repression on the solidary relations within neighborhood.

Confronting Interventions of the State

Many would think that as China is an authoritarian regime, by definition, the state tends to wipe out any form of self-organization in society, or constrain those activities to the minimum range. The survival of self-organization, if there is any, needs to be explained, whereas state interventions are a natural thing that needs no explanation. But the discourse of self-organization or self-governance is by no means alien to the package of political

discourses employed by the Chinese Communist Party. As a matter of fact, the party-state has always been emphasizing the value of self-governance throughout the years in the socialist era and the era after the economic reform. The “mass organizations” are nominally an institution where people practice self-organization. Promoting neighborhood self-governance has been highlighted in the “community building” campaign initiated by the state since the late 1990s.¹²⁸ “Small government, big society” (*xiao zhengfu, da shehui*) is even once an important and widely spread slogan in the reform on state bureaucracies.¹²⁹ Thus we need ask, why does the state extend its own power when it claims to promote citizens’ self-governance? Are the official discourses on self-organization and self-governance merely a mask for the party-state’s political domination? Understanding these questions requires us to pay more attention to the reasons the state has deployed in the legitimations of its interventions, and consider the details of how those interventions have been implemented.

Intervention for the Sake of “Stability”

During the first few years after homeowners’ associations emerged in the 1990s, the state had basically taken a “laissez-faire” attitude toward these new neighborhood organizations. That began to change in Shanghai in the early 2000s. In 2000, a local policy was issued, requiring state agencies at the grassroots level, like the street offices and the residents’ committees, to assist in the establishment of the homeowners’ associations. Since then, the common practice in Shanghai has been that the residents’ committees work with the representatives of homeowners’ to form “preparatory groups,” and these “preparatory groups” then nominate candidates for the committee vote. In recent years, many other cities have begun to follow the Shanghai model. Through the practice of “preparatory groups,” the

¹²⁸ See the central government file in 2000, Suggestions of the Ministry of Civil Affairs on Promoting Nationwide Urban Community Building (*minzhengbu guanyu zai quanguo tuijin chengshi shequ jianshe de yijian*).

¹²⁹ Feng 2001.

state agencies at the grassroots level have got opportunities to exert their influence in the committee votes. These agencies sometimes also attend meetings in homeowners' assemblies, or even request homeowners' associations to regularly report to them about deliberations on significant issues in neighborhoods. The grassroots state agencies justify their interventions as promoting neighborhood self-governance and resolving conflicts. As the newly emerging homeowners' associations suffer from many shortcomings, these state agencies argue, the party-state has to assume the responsibilities of initiating a basic representative framework within neighborhoods and coordinating interests among different actors.

What is worth mentioning here is that, not all homeowners are against these interventions. On the contrary, many homeowners accept the state's justification for its interventions. There are many reasons for this. While there are many housing related disputes since housing commercialization started, homeowners quite often lack capabilities to deal with these problems by themselves. First of all, the development of the homeowners' associations in urban China has been rather slow, far behind the pace of housing commercialization. Although many municipal governments have opened the registration of homeowners' associations around the year 2000, by 2011, the percentage of private housing neighborhoods where a homeowners' association has been established is still quite low, even in some very commercialized cities, like Guangzhou and Beijing (less than 20). Sometimes it is property management companies and real estate developers that have hindered homeowners' self-organization. Sometimes homeowners themselves lack enthusiasm to go through the lengthy process of registration.

Even in those neighborhoods where the homeowners' associations have been established, homeowners' rights as property owners and consumers might not necessarily be guaranteed. Some real estate developers intentionally withhold land-planning schemes when

they sell commercial housings to homeowners. For example, real estate developers would tell homeowners that a new park would be built on an open land near their neighborhood, and later build some high-rises on the land instead. Some property management companies refuse to share the income from the shared properties in neighborhoods with property owners. If the judicial does not work properly, the homeowners' associations are often not sufficiently powerful to challenge the authority of the corporates.

The third problem is corruption in the use of the maintenance fund. As many HAs begin to be established in cities, homeowners quickly discover that corruption does not only occur in state bureaucracy; it also happens within their neighborhoods. If homeowners cannot find proper channels to supervise their HAs, many opportunities are left for committee members to corrupt. Some of them are bribed in negotiations with property management companies or real estate developers. Some get rake-off without recording the amount of money in the public account. When large projects, such as the construction of an underground parking lot, are launched, committee members have more chances to make a side profit. It is even widely believed that becoming the head of an HA could quickly help one earn a good deal of money.

For many homeowners, the state interventions could be a reliable starter for neighborhood self-governance in a situation that homeowners are in a weak position vis-à-vis property management companies, and lack experience in democratic deliberations.¹³⁰

Many existing studies on homeowners' associations and homeowners' activism have recognized these state interventions and homeowners' attitude toward the state agencies. Some of them criticize the state as reproducing authoritarian control in neighborhoods.¹³¹ Others suggest that these interventions have imposed constraints on urban movements,

¹³⁰ For a more systematic analysis on homeowners' attitude toward state intervention, see Zhou 2014.

¹³¹ Heber 2009.

making the middle class “conservative.”¹³² Those who are even more disappointed are the liberal activists. Liberal activists used to be excited about the emergence of homeowners’ associations. They had imagined that the combination of a propertied class and autonomous associations could become a starting point for some more fundamental changes. In some liberal newspapers, like the *Southern Weekly*, columnists once argued, “The homeowners’ associations will be the antecedent of civil society in China,” or “Neighborhood self-organization may have a greater impact than the reform of the formal political system.”¹³³ In the early 2000s, some liberal activists, such as Yongping, had been quite active in homeowners’ activisms. Yongping once even encouraged some leading homeowners, who had stood out from organizing homeowners’ associations, to run for the election of deputies at the district people’s congress. But these liberal activists have become discouraged after the state stepped in to institutionalize homeowners’ associations. In an interview, Yongping explained to me that, as homeowners began to consider issues like registration and cooperation with “the system,” homeowners’ movement had moved further away from the political ideal of democracy and justice.¹³⁴

While these criticisms are correct in revealing the fact that it is hard for homeowners’ activisms in contemporary Chinese society to evolve into any radical movement against the political system,¹³⁵ they have largely missed the point in describing the dynamics of neighborhood politics. By focusing on the power balance between state and society, and

¹³² Zhu and Ho 2008.

¹³³ Here are two examples of such media discussions: To explore the road of reform, civil society should be the antecedent (Tanxun gaige lujing, gongmin shehui xianxing). And Neighborhood self-organization may be more important than political reform (Shequ zizhi keneng bi zhenggai geng zhongyao) *Southern Weekly*, September 07 2010.

¹³⁴ Interview Dec 17 2012.

¹³⁵ In some way, blaming the middle class homeowners for not being brave enough to challenge the state when they manage their shared properties is like asking why the nineteenth century English working class had not become more revolutionary when they protected their interests and claimed their rights. Whether some activisms aiming at specific interests have the potential to become the hotbed of counter movement is an empirical question. Hence it is misleading to assume this potential *a priori*. For a criticism on the teleological narration of class politics, see Somers 1992.

presuming the interaction between the two as a zero-sum game, these criticisms have ignored some more subtle, yet profound impacts the state interventions have brought to the relations among homeowners within a neighborhood, and the relations between homeowners and property management companies. Let me further scrutinize the way the state has implemented its interventions to explain this point.

In a situation when the property management market is immature, and homeowners lack experience in community organizing, it is absolutely justifiable for the state to spare more efforts in maintaining the basic order. But in terms of strengthening the judicial part of the state to penalize the malfeasance in market exchange, or establishing a legally based, impersonalized system to check corruption in the use of the maintenance fund, the grassroots level state agency powers are quite limited. As far as I know, the party secretaries in the residents' committees and the officials in the street offices seldom consider solving problems from the perspective of maintaining the order of the market, or cultivating homeowners' capabilities in public deliberations. Usually, these concepts are too abstract and remote for these grassroots level state officials. Their most urgent concern is to maintain "social stability" (*shehui wending*).

In China, what could be defined as threatening "stability" includes a long list of activities, from protests and demonstrations in any public space to hanging banners and spreading leaflets within a neighborhood. The state agencies at the grassroots level are most nervous when citizens living in their administrative region are mobilizing any collective actions, as the number of collective actions, or more commonly called the "incidents of a mass character" (*quntixing shijian*) in China, happening in a region in each year is an indicator employed by higher-level government authorities to measure the lower-level

officials' performance.¹³⁶ At best, what these state agencies could do is to pacify some chaotic situations in neighborhoods.

In many occasions, these interventions aiming at maintaining "social stability" hurt the formation of solidary relations in neighborhood self-governance. For example, when some homeowner activists in a neighborhood suspect that the committee members have been corrupted and intend to organize an interrogation in the homeowners' assembly, the party secretary in the residents' committee may come out, warning the activists against trouble-making strategies, and persuade the committee members to publicize the account or resign from their posts. In some cases, the activists may successfully form a new committee after the old committee members resign. But this is achieved through party secretaries' manipulation, rather than homeowners' collective deliberation.

This specific way of pacifying disturbance is like asserting in the neighborhood that a party secretary has a better judge than ordinary homeowners on whether particular committee members are corrupt, and a command from the party has more binding power than a decision collectively made in a homeowners' assembly. Especially in cities like Shanghai, where the grassroots state agencies are more powerful,¹³⁷ homeowners in newly emerging commercial housing neighborhoods have already been accustomed to submitting to the authority of the residents' committees and the street offices. People always expect the state to perform the role of arbiter when disputes occur in neighborhoods. The newly rising middle class homeowners have thus missed an opportunity to learn and practice the skills of participation and supervision.

The impact of these state interventions on the relationship between homeowners and property management companies is similar, albeit the commercial relationship is more

¹³⁶ For a more detailed description on China's "maintaining stability system" (*weiwen xitong*), see Lee and Zhang 2013.

¹³⁷ For a comparison on the reform of the state agencies in different cities, see Derleth and Koldyk 2004.

complex. In theory, the homeowners' assembly and the property management company are two equivalent entities in the market. One of the benefits homeowners expect to enjoy after they buy a home in commercial housing neighborhoods and move out from public housing neighborhoods is that they could freely choose property management companies from the market, instead of passively accepting the services from the companies the government assigns. The homeowners should pay the property management companies a service fee, of which the price is supposed to be decided by the market. Yet in practice, this "market order" is often distorted.

In the early 2000s, property management used to be an industry with huge profit. Many homeowner activists hoped to activate competitions in the property management market so that they could enjoy the services at a lower price. But their attempts at employing new property management companies were always obstructed by the companies in their neighborhoods. In some extreme cases, the property management companies hired gangs to intimidate leading activists who were trying to organize homeowners to vote the companies out. These companies stayed in neighborhoods even after the homeowners' assemblies had already made the decision to dismiss them and hired new ones. At that time, in newspapers, people often read stories like two groups of security men, who were employees of two property management companies, fought with each other in a neighborhood. However, with the passage of a new labor and contract law in 2007 and monetary inflation, the cost of maintaining neighborhood properties has dramatically increased. As the profit margin in the property management industry has been reduced dramatically, in recent years, fewer and fewer property management companies would like to stay in neighborhoods where homeowners do not welcome them, especially when the homeowners' assemblies refuse to increase the service fee, or increase the company's share in the income from shared properties. In some cases, the property management companies that are losing money simply

leave the neighborhood without saying goodbye to the homeowners' assembly, leaving the garbage, the parking lot, the elevators, and many other amenities unattended.

Facing all these conflicts, what the state agencies are thinking of is again maintaining "social stability." This has been achieved by alternating carrot and stick. On the one hand, the state has imposed more constraints on homeowners' associations, as, in the eyes of state officials, it is homeowners' activism that is initiating these conflicts. For example, the party secretaries in neighborhoods often stress an article in the property law that two-thirds of voters in a homeowners' assembly are needed for passing a decision on significant issues. While it is very common that collective actions start from a small group of activists, these party secretaries are eager to label those activists and their meetings as "illegal." On the other hand, the street offices and the district governments are always ready for making concessions by subsidizing homeowners. The grant of subsidies has become more frequent in recent years, as the profit margin of neighborhood property management decreases. For example, the government would step in when the property management company in a neighborhood quits. If homeowners in this neighborhood threaten to organize protests or appeal to higher authorities, sometimes they could even obtain temporary neighborhood management service for free.

Many scholars have also recognized the exercise of the state power in neighborhoods, and argue that the state has aligned with corporate power to repress the residents. My criticism goes beyond that. I contend that the problems of state interventions in the commercial relationship between homeowners and property management companies are not only (or even mainly) that homeowners' interests cannot be advanced. What these state interventions have hurt is firstly the principle of fairness: Whereas the financial resources the street offices command are transferred from the revenues collected by the district governments, which are supposed to be used to provide "public" goods in a certain

administrative region, part of the resources eventually go to particular “private” neighborhoods. And the only reason for spending this money is that middle class homeowners in these few neighborhoods claim that they do not like to pay a higher fee to the property management companies providing service to them! Extending this concern, one would quickly find that resolving conflicts in this way is very likely to be unsustainable. An activist working in the field of homeowners’ activisms, Guangchen, expressed his opinion in my interview.¹³⁸

The money is finite, and it should be used in some more crucial areas, like education and health care. Today, a district government is able to subsidize one neighborhood, and the leader in the government may even think that the neighborhood could be used to show his political achievement. But what if two hundred neighborhoods protest to the government at the same time tomorrow? Could the government subsidize any homeowners who claim that they do not like to pay the service fee?

Guangchen suggested that the best solution was to cancel any subsidies and grant homeowners the real right in self-governing their neighborhoods.

Except front burning issues, such as the security of the electric power system, the government shouldn’t take care of anything in commercial housing neighborhoods. If elevators don’t work, just let them be. Homeowners could climb stairs. After one month, I’m sure that many homeowners can no longer bear this situation, especially those who live above the fifth floor. Then there will be someone coming out, organizing homeowners, or establishing a committee for the management of

¹³⁸ Interview Nov 10 2012.

elevators. Later they will calculate the service fee: How much does it cost to employ security men? How much does it cost to employ cleaners? How much does each one of us need to pay? The government should let them calculate the cost all by themselves. Those who have the capability to buy home in Beijing cannot be idiots. They all work in enterprises. Some of them even have their own business. They must know how to do it. If they are not able to achieve consensus through one meeting, they could have a second meeting, a third... Once they make it, the problems in governing neighborhoods are automatically solved.

Another activist, Bingchen, expressed a similar view.¹³⁹

The problems in self-governance can only be solved through having more self-governance. The maintenance funds are corrupted. The shared properties in neighborhoods are deteriorating. Fine. Let homeowners see them (the bad results). Then they will begin to concern public issues in their neighborhoods.

However, as long as the grassroots state agencies still take maintaining “social stability” as their priority, it will always be hard for activists to convince these state agencies that granting homeowners the real right in self-governance is actually a necessity. The specific way the state has implemented its interventions has created a special phenomenon: While homeowners’ rights-defending campaigns against local governments, real estate developers, or property management companies seem to spring up all over in urban China, homeowners’ self-governance within neighborhoods is still under-developed, as in most

¹³⁹ Interview Oct 31 2012.

occasions, homeowners become demobilized after their material demands are partially and temporarily satisfied by the grassroots state agencies.

Intervention for the Sake of “Stability” (Another Face)

Compared with those in the middle class neighborhoods, state interventions in working class neighborhoods tend to be more brutal. As I have introduced above, the state has never endorsed any form of independent working class associations. Since self-governance within working class does not have any organizational or institutional basis, grassroots state agencies often directly undermine citizens’ social networks. Whereas it is a common practice that grassroots state agencies subsidize homeowners when the state officials cannot pacify chaotic situations, they seldom subsidize the working class when they undermine self-governance networks in working class neighborhoods. In these interventions, these state actors no longer suggest that they are promoting self-governance or coordinating interests. They more often claim that they intervene for the sake of public security, or again, “social stability.” Ma and her community-based childcare center are a case in point.

Ma was an activist in working class communities. In 1982, she left her hometown at the age of sixteen, and had since then worked at Beijing, firstly as a nanny, then a laborer on assembly lines. Getting married and giving birth to her daughter, Ma eventually established her family in the city. Few years after she had settled down, Ma began to attend activities in an NGO called HRW. The organization was among the first few NGOs established in China in the late 1990s, and it had successfully converted Ma to an activist. When I interviewed her in January 2014, she had already been working in civil society for more than fifteen years. At the end of 2013, she had got her own NGO registered.

The idea of a community-based childcare center came to Ma in 2006. Apart from the fact that most migrant workers’ families did not have access to public childcare in cities,

what had motivated Ma to establish the center also included her reflection upon her experiences at the MWH. Ma joined Hengsun and his colleagues at the MWH in 2004. While she had always enjoyed learning *Das Capital* and building schools for migrant children with Sun Heng and his colleagues there, she also felt that activists around Hengsun, who were mostly men, had few concerns on mobilizing women. Ma hoped that, by establishing a childcare center in neighborhood, she could not only alleviate one of the many difficulties in migrant families, but also mobilize more working class women to stand out and participate in community affairs.

Locating at Shijingshan, a suburban community near Beijing, Ma's childcare center started from five mothers. The five mothers all came from working class families. Ma sent them to Professor Zhang, an expert in preschool education at Beijing Normal University, to get the training they needed for performing the role as kindergarten teachers. Professor Zhang had long concerned the issue of migrant children's preschool education. She held the belief that preschool education should not be a privilege for urban *hukou* children, and that migrant children could also receive proper preschool education as long as their parents participated and their residential communities provided supports. Zhang also believed that even those mothers who had not been well educated could become the best teachers. Additionally, Zhang was against luxurious teaching aid. She suggested that common articles, like ropes, sticks, and handmade shuttlecocks, could also become toys inspiring children's imagination and creativity. Since she and Ma shared the same ideal, she offered her training courses to the mothers for free.

The childcare center was originally free. Working class parents sent their children to the center in the morning, picked them up before lunch, and sent them back after lunch. Since the center worked pretty well, one year after the establishment of the center, the parents began to request Ma to add lunch. The parents told Ma that if the center could feed the

children during lunchtime, they would be able to take on jobs that were farther away from the neighborhood. As the management of the childcare center became more complex, Ma decided that she should mobilize more parents to participate. With the help of the five mothers, a “parents management committee” was established. The committee met once a month, and was responsible for calculating the cost of the childcare center and making the expenditure and the income meet. Since 2008, the center had begun to charge the parents. The initial amount was 200 *yuan* per month, and was later raised to 300 *yuan* due to inflation. The money went to buying groceries for children’s lunch, paying rent, and eventually, subsidizing the five mothers. Compared with that at some private kindergartens (around 1000 *yuan* per month), the price at Ma’s center was incredibly cheap. The open tutorial style at the center had attracted many migrant families in neighborhoods nearby. On the utmost, there were more than eighty children receiving preschool education at the center. Since the mother-teachers got their paychecks from the “parents management committee,” which collected money from the migrant families, for a long period of time, the operation of the childcare center fully relied on the community, and was financially independent of external charity foundations and the local government.

The success of the childcare center inspired Ma. She began to use the management committee to organize more activities. A reading group was established, in which professor Zhang and other intellectuals were invited to give lectures to migrant parents. However, all of these activisms were terminated in the fall of 2013. Since the beginning of 2013, the police had begun to frequently invite Ma to “have tea” at the police office. The police said the childcare center was illegal, and required Ma to disband the management committee. Ma and the five mothers appealed to the education bureau, but their request for a permission to run the childcare center was immediately declined. The education bureau suggested that the center and the mother-teachers failed to meet the government standard. The childcare center

was located at an activity center run by a residents' committee in Shijingshan. The management committee was short of fund to expand the site and renovate amenities so as to meet the government requirement on the size and the conditions of kitchen, classrooms, and playground in a kindergarten. A further complication was that none of the five mother-teachers had a teaching qualification certificate. To obtain a teaching certificate in China, one had to either have a bachelor degree, or graduate from a normal college. But most of the mothers Ma mobilized had only received primary education. As all these government regulations set up insurmountable barriers for Ma and her colleagues, the center that had existed for almost eight years was suddenly trapped in a difficult situation.

On September 1, the day in which the fall semester in most schools in China began, the residents' committee terminated the lease and forced the migrant children and the mother-teachers to leave. After that, Professor Zhang had made attempt to help. A journalist came, and later reported the story of Ma and the childcare center on Weibo, the equivalent of twitter in China. More than seven thousand citizens signed online petitions to support the center. The management committee had also petitioned for several times. But none of the government agencies was willing to relent what the state held as the regulation for kindergartens. In this process, the government had established itself as a defender of public security. State officials at the residents' committee and the street office repeatedly stressed that holding eighty children within a place that failed to meet the government standard was extremely dangerous. They also warned Ma that she was not able to assume the responsibility if anything like food poisoning occurred. Eventually, the grassroots state agencies achieved their goal. The childcare center was closed.

In this case, the state intervention did not appear to be purely unreasonable. For many reasons, accidents in private migrant children kindergartens and schools now and then took place in China these days. Popular voice requesting the government to strengthen the

supervision on migrant children education had never ceased. After I interviewed Ma and visited her childcare center, I wrote an entry on an Internet forum to tell the story. While many readers expressed admiration for Ma's efforts and regret at the closing down of the childcare center, quite a few readers suggested that on this event, they were with the government. A typical response was that, if the government had not closed down the center, potential safety hazards like fire accident might someday become realized. Even Ma said she fully understood the state officials in the residents' committee and the street office. "Aren't there many accidents in kindergartens these days? In case something happens, the media would come to expose the event. Then the state officials would not be able to stay in their positions."

But a salient problem many people in this public discussion had ignored was that, by closing down the childcare center, the migrant children had not become "safer." In my interview, Ma introduced to me the recent conditions of the migrant children. After the center was closed down, some parents sent their children to those private kindergartens of much higher price and lower education quality. Some sent their children back to their rural hometown. Others left their children alone at home when the parents went out to work. While it was true that the government to some extent had the responsibility to ensure public security, the standard it had set up failed to take the real situations and problems in migrant workers' community into consideration. For example, kindergarten teachers with a bachelor degree might be equipped with better knowledge in tutoring children compared with the five mothers, who had only taken few training courses. But employing those teachers would be too costly for the childcare center. Ma said, "We were far behind the standard. If we are to fulfill the requirement, we die." If the real intention for the intervention was to provide migrant children with a safer education environment, as the state officials had claimed, the government could have helped Ma and her colleagues to upgrade the amenities in the

childcare center, or established more public kindergartens that were accessible to children without urban *hukou*. However, the state had done none of these except relentlessly saying no to the activists and the parents who were trying hard to solve their own problems.

Ma's childcare center is not a single case. Many working class community organizations have experienced similar harassment from the government. These working class community organizations are often established with the help of NGOs, and their routine activities are mostly limited to things like organizing reading groups and singing groups. From the perspectives of both liberal intellectuals and leftist intellectuals, these organizations are the least radical, as they neither advocate constitutional democracy and citizens' rights, nor employ discourses like "new working class," or "criticizing neo-liberalism." But this "conservativeness" has not saved these organizations from the intervention of the state. Since many of these organizations are located in "villages in the city," where planning and architectures often fail to meet the state standard, it is easy for local governments to find fault. Many things could become an excuse for government intervention. When I was in the field, I got to know at least three working class community organizations that had been harassed by local governments because of "lack of proper fire fighting facilities at the activity site," and the local governments had not actually given activists the opportunity to improve their facilities. These local government agencies sometimes also exert pressure on landlords, requiring them not to lease housing to NGOs or activists. Those who are not sufficiently tough-minded may quit these social activisms after several rounds of harassment.

Confronting Competitions from the Market

It is commonly believed that the rise of a market economy in a communist authoritarian regime could widen a space for citizens to practice self-organization outside

state tutelage. However, while a liberalized economy may offer people critical resources for self-organizing, the rise of corporate power in that market economy may also negatively influence the formation of solidary relations in civil society. Corporate power may directly interrupt concrete social networks for solidarity. For example, real estate developers and property management companies in private housing neighborhoods often play such negative roles. Since homeowners' interests are in many occasions diametrically opposite to those of real estate developers and property management companies, these corporate powers tend to undermine neighborhood organizations. Quite often, the strategies these corporations employ are very similar to those employed by state actors. Real estate developers can harass homeowners. Property management companies can bribe committee members in homeowners' associations. These corporations thus work to diminish, if not entirely eliminate homeowners' associations, as it would be much easier for them to deal with individual homeowners than a homeowners' assembly. Although people working in real estate development and property management companies may not have an interest in maintaining the same kind of "social stability" grassroots state officials seek, their desires for keeping homeowners in an atomized status are exactly the same.

Corporate power may also indirectly shrink the space for citizens' self-governance by creating a discourse in the public sphere that the organizing principles of the capitalist market, or big corporations are the best (or the only) solution to various social problems. The debate on food safety issues and the food movement could be an illustrative example here.

As I have introduced in the introduction chapter, food scandals are the origin of the organic food movement. While the mainstream media only attributes these problems to the government's dereliction of duty, activists in the organic food movement has managed to make use of these scandals as an opportunity to remind the public about problems in rural

economy. The approach the activists have adopted is to establish self-organization networks among both small peasants and middle class consumers and manage cooperative societies.

These cooperative societies now and then have frictions with local government agencies, like other forms of social networks for self-organization. But for the organizers and the participants of these markets, the major challenge has come from the market, or more precisely, those who hold the view that small peasant is the problem and big corporation is the solution. Supermarkets and food production companies have been trying to leaflet advertisements in the farmers' market. Additionally, the agencies of these companies often visit the meetings held by food movement activists, and disseminate their view that small peasants are not able to produce organic food. Their argument is that organic food is a "high-tech business," and only big corporations have the capability to buy machines that are indispensable in the production of safe food. Some of them even blame NGOs and activists for cheating consumers: They suggest that as the agricultural products brought by the small peasants have not been certified by the government or certification authorities, it is not legitimate to use the term "organic food" in the farmers' market.

Facing these challenges, the activists have to spend more efforts in persuading participants of the farmers' market that forming cooperative societies is a better choice than buying certified organic food in supermarket. The activists often discuss the definition of "organic food" and the meaning of certification with the participants. These activists suggest that many standards held by certification authorities lack concerns on concrete situations. For example, some certification authorities would require farmers to let their land lie fallow for a certain period of time before growing organic food so that the soil could self-clean the preexisting contamination. Big corporations often use the fallow periods to demonstrate their capability, as small peasants usually cannot afford not producing for several years. However, what the big corporations have not said is the necessity and the effectiveness of the

fallowness. If a piece of land has been contaminated by heavy metals, it may take hundreds of years for the soil to self-purify. Stop farming for two or three years does not make any sense. If this land has not been polluted, what is the point for forcing farmers to let their land lie fallow? In addition, these activists argue that certificates from the government are not something worth boasting about. Since government bureaucracies are generally corrupt, which is already known to the public, what the government certificates suggest may be nothing but a fact that the producers have bribed the government officials. The activists always tell consumers, “It’s better to trust the peasants whom you could from time to time meet and talk with than the corrupt government bureaucracy or interest-seeking supermarkets.”

The activists have also used the media to criticize the intervention of big corporations, suggesting that the corporations are establishing thresholds excluding small peasants from benefiting from the booming food industry. By disproportionately profiting from the so-called organic food, the corporations are creating a new form of privilege, as only wealthy families are able to afford the uncontaminated food. Notwithstanding these efforts, challenges from the market are stern. Chang once told me in a chat that she had the feeling that she was running in a race and have to contest with abounding advertisements. “If we don’t articulate our discourses, powerful corporations would soon monopolize China’s food industry.”

Bridging the Ideal and the Practical

In the above sections, I have discussed various forms of constraints from the state and the market on citizens’ self-organization and self-governance in concrete social networks. While the effect of these structural constraints is very significant, by no means do I want to

display an image that the formation of solidary relations at this level is simply impossible. On the contrary, I would like to propose that variations exist among these different forms of activisms, and that activists' strategies count.

What is of particular importance here is the proper combination between political ideals and practice. First of all, the political ideal of solidarity in self-organization and self-governance plays a significant role in transforming civil society. Presenting this ideal to the public is indispensable, because people do not always by nature enjoy self-organization, and have a distaste for intervention, as some classical liberalist doctrine assumes. In many occasions, self-organization appears to be costly and time consuming. Relying on the state and the market on the contrary could be beneficial, at least temporarily. The issue best illustrating this point is homeowners' attitude in homeowners' movement. As I have demonstrated above, homeowners could sometimes get subsidies from government when they are not able to achieve consensus with property management companies or real estate developers. In many cases, homeowners become demobilized after they successfully achieve their goal. Many activists in this field have also recognized this point. Ninghuo has established an NGO in Guangzhou for training homeowners to self-organize their neighborhoods. In his training courses, he often stressed that the rights defending activities like protests and demonstrations are not the end of homeowners' activisms, and that homeowners have to continue their participations even after they have got what they want from the government or real estate developers.¹⁴⁰

Many homeowners' associations are born from rights defending activities. But in these years, I have always been talking to my trainees that the ultimate goal for participating in neighborhood affairs is to self-

¹⁴⁰ Interview Apr 16 2013.

manage their shared properties. If your homeowners' associations are only for organizing protests and demonstrations, these homeowners' associations must be short-lived. To organize protests and demonstrations, what you need is passion. But to manage the shared properties, what you need is the spirit of contract.

Similar problem happens in other fields. Residents who cannot bear the negative effect brought by street vendors regard *Chengguan's* intervention as the best solution, far more convenient than participating in the self-managing committee held by neighborhood organizations. For middle class consumers who want to purchase "organic food," supermarket may well be an ideal choice compared with the farmers' market, if these consumers are left with no opportunities to reflect upon the relationship between consumers and producers, and China's urban-rural economic inequality. In these cases, people need a vision, or an imagination of an idealized world to go beyond their short-term, and concrete concerns. If intellectuals and activists hope to broaden the space for self-organization and solidary relations at the community level, they have to articulate in the public why these forms of activism are good and necessary.

This articulation is by no means easy. Liberal intellectuals often voluntarily give up this responsibility, as, in their opinion, this form of activism is too trivial. As a matter of fact, what some grassroots activists advocate, such as minimum state intervention in homeowners' collective deliberations, highly identify with some of the political doctrines liberal intellectuals propose to the public. However, liberal intellectuals like Yongping begin to feel disinterested in homeowners' movement, when they see that activists in the homeowners' movement focus on details in laws and regulations, and the techniques for self-organizing. Activists in this field suggest that the party-state at the grassroots level should not intervene

unless there are not enough homeowners in a neighborhood who are willing to attend the homeowners' association. Liberal intellectuals like Yongping think this statement is not brave enough. Activists talk about the possibility to change policies on homeowners' associations through appealing to the people's congress. Some liberal intellectuals think this is to cooperate with the system. These liberal intellectuals tend to be more interested in cooperating with those activists that are more radical in manner and directly challenging the authority of the state, rather than the domination of corporate powers.

On the other side, although few leftist intellectuals in civil society would suggest that helping citizens to self-organize is too trivial, their cooperation with the grassroots activists is not smooth either. The emergence and the development of the food movement best illustrate this point. Before the farmers' market and the cooperative societies linking consumers and peasants emerged, intellectuals and activists in the "school of rural construction" had also attempted to organize peasants and cultivate organic agricultural products that avoided the use of chemicals and fertilizers. Some professors even went to countryside to grow rice and raise pigs together with farmers. Many of these efforts had attracted media attentions, but the effectiveness of improving rural economy and strengthening peasants' self-organization were quite limited. Starting from an ideological stance that the market was bad for peasants, and modernity was necessarily achieved through undermining rural economy, many of these activists had seldom carefully considered how peasants could make use of the market, and whether modernity in rural economy could be presented in alternative ways. While the professors had successfully grown "organic rice" with the peasants, they were not able to sell them effectively. As the peasants had benefitted little from these activists, their passion for joining the organizations established by the professors began to decrease.

It was not until some activists proposed the idea of organizing consumers and establishing cooperative societies was the food movement rejuvenated. These food

movement activists share the political stance of reflecting on the capitalist market economy with the intellectuals in the “school of rural construction.” But these organic food activists have been better at demonstrating to the public why allowing big corporations to monopolize the food industry could be problematic, and how ordinary citizens could participate to prevent the worst situation from occurring. This is mainly because the food movement activists have accumulated the skill of mobilizing and organizing urban residents, which is what the intellectuals in the “school of rural construction” lack.

Therefore, the key to a successful strategy might be that activists have to figure out a more flexible, non-ideological way to debate with the repression from the state and corporate powers. Rather than reject the involvement of the state and the market in abstract theories, activists have to propose feasible plans to substitute the organizing principles of the bureaucratic state and the capitalist market.

Solidarity and Categorical Identity

It was Jan 12, 2013. The weather in Beijing was cold. Yanxiao, an activist in the field of environment, brought me to a small seminar. Yanxiao was one of the co-founders of the FON, the first officially registered private environmental NGOs in China. She had devoted herself to the cause of environment protection since the 1990s. Yet her influence had extended to wider participants in civil society. For many students in my generation, we encountered Liang firstly through the well-known three-hour long documentary film, *The Gate of Heavenly Peace*, in which she offered observations and insights on the 1989 student movement.¹⁴¹ Serving as the director of several NGOs and charity foundations on rural education, she had also written many essays on education, rural development, and poverty alleviation. I contacted Yanxiao at the end of the year 2012, asking her whether I could have a face to face talk with her, after reading so many of her articles and seeing her for so many times on YouTube. Learning the theoretical ambition of my research project, she invited me to attend a seminar before the interview. “We will be discussing the role of environmental NGOs in environmental movements.” She said, “For someone like you who are interested in the ecology of China’s civil society, this is a must-see.”

Fifteen people attended the seminar. Most of them were environmental activists. Few were scholars like me. The organizer of the seminar was Yawei, the chief editor of a newly established, privately sponsored journal, *The Youth Environmental Review* (*Qingnian*

¹⁴¹ The well known three-hour long documentary film records the whole process of the 1989 student movement in Beijing. Liang Xiaoyan is one of the major interviewees in the film, alongside some of the leaders of the movement, such as the dissident intellectual, Liu Xiaobo, and student leaders like Wang Dan and Chai Ling. Liang was a university teacher when the movement took place in Beijing. She was by no means a leader of the movement. But because of her students’ participation in the movement, she was also involved. Liang was sympathetic to the students, but nonetheless offered many criticisms in the documentary film on how the movement had been organized.

Huanjing Pinglun, YER). The theme of the seminar, as Yanxiao had told me, was the relationship between environmental NGOs and environmental movements, or more precisely, the NIMBY movements.

The word NIMBY (not in my back yard) is perhaps a pejorative term in the West, indicating residents' oppositions to development projects nearby for the sake of their own interests. Yet in China, intellectuals and the media often celebrate the emergence of NIMBY movements, taking those movements as a signal for the rise of citizens' "rights consciousness" (*quanli yishi*). NIMBIES are supposed to broaden the channels in which citizens could talk to the state, and provide opportunities for environmental NGOs, as civil society organizations, to develop and expand. But reality tells a different story: Whereas NIMBIES frequently occur in China, environmental NGOs are still hardly apparent on the public scene. For example, within the year of 2012, the public has witnessed four large-scale NIMBY movements in the country. In Shifang (Sichuan Province), Qidong (Jiangsu Province), Ningbo (Zhejiang Province), and Yinggehai (Hainan Province), citizens have spontaneously organized themselves to protest against municipal governments' plans for building chemical plants. While participants in the four protests have performed courageously, and more or less succeeded in forcing the local governments to concede, in those processes, environmental NGOs have in most of the time been absent.

As early as 2010, some media began to criticize environmental NGOs in China for not being able to engage citizens' environmental concerns. A journalist at *Southern Metropolis Daily* wrote a report on the FON, suggesting that the organization, which used to pioneer environmental activism in the 1990s, had become "lost in translation" in a time when citizens' environmental awareness continuously grew.¹⁴² Even sharper criticisms had come from grassroots resisters in the NIMBY movements. For example, in an interview

¹⁴² Zhang 2010, 2013.

conducted by the YER, Huang Xiaoshan, who was a leader in a NIMBY protest against a garbage incinerator plant in Beijing, said, "... At that time, our protest had already lasted for several months. If those NGOs were really sensitive to environmental problems, they should have voluntarily contacted us. But they didn't. We didn't expect them to solve our problems, as we knew that they were not that powerful. Had they sent two old ladies to cry with us, it could be soothing and supportive. But they had done nothing."¹⁴³ In the academy, Huan Qingzhi, a professor at Peking University, wrote a series of articles, arguing that, while the "opportunity structure" for environmental movements had already emerged in China, environmental organizations had not been well prepared.¹⁴⁴ The public was especially unsatisfied with some well-known environmental organizations, such as the FON.

Facing these criticisms, the environmental activists held a seminar to discuss the problem. The discussion at the seminar was elaborated along two themes. First, were criticisms from the public fair to environmental NGOs? Taking China's political environment into consideration, were there really any "opportunities" for environmental NGOs to be involved in environmental movements? Second, if the answer to the above question was yes, what kind of role environmental NGOs could play in these movements? What were environmental NGOs for?

The participants of the seminar soon reached consensus on the first question. The opportunities for environmental NGOs to attend environmental movements were not so many as outside speculators suggested, especially for registered NGOs. A graduate student from Taiwan offered his opinion first. He suggested that, as a Taiwanese, he used to assume that environmental NGOs necessarily embrace NIMBY movement, as this kind of movement provided a perfect opportunity for NGOs to grow. It was not until he began to do fieldwork in

¹⁴³ For some details, see <http://www.greenyouth.org/page/?id=1148> (accessed Feb 10 2015).

¹⁴⁴ Huan 2012.

China did he realize that this was not the case in an authoritarian regime. He talked about the experience of one of his informants, who was the leader of an environmental NGO, during a NIMBY campaign against a local chemical plant. According to this Taiwanese student, although the leader appeared to be very conservative when citizens protested, he was nonetheless closely watched, and had to report to the local government about his schedule everyday until the protest ended. Yanxiao concurred on this point. She told the audience about the experience of the FON in a campaign for rescuing an environmental activist: When Liu Futang, an activist in Hainan Province, was arrested for printing books on environmental protection without governmental approval, the FON did plan to lend a helping hand. However, the government began to intervene even before the FON took any actions. Someone from the department in charge went to talk with the staff at the FON, warning them to consider “potential consequences” of being involved in Liu Futang’s case. The term “consequence” here implied that the FON might lose its qualification as a non-profit organization in the government’s annual examination. In response to Yanxiao, Yawei also briefly discussed all the constraints a registered NGO had to encounter if its leader decided to attend any forms of contentious politics.

As a matter of fact, this consensus was hardly anything new in the circle of environmental activists. Before I attended the seminar, I had repeatedly heard people talking about this phenomenon as the “paradox for establishing environmental NGOs in China.” Activists established environmental NGOs so as to better engage in environmental issues and problems, but for many, the day they successfully got their organizations registered was the day they waved goodbye to some of the most effective strategies in dealing with environmental concerns in current Chinese society, such as protest and demonstration. In the seminar, a law scholar began to offer a concluding remark. “It is all because China doesn’t have constitutional democracy.” He said. “Of course it is.” I thought, sitting silently in the

corner of the seminar room, and waiting for someone to contribute a different opinion, “Isn’t there anything we could do before constitutional democracy is realized in China?”

Yawei vocalized my question. Then the discussion moved on to the second theme. Nobody present said, “NO, we shouldn’t be involved in environmental movements, and we should wait until constitutional democracy is realized in China.” Yet every participant had different takes. Here the consensus no longer existed. Someone suggested that, to defend the freedom to protest, environmental organizations should remain unregistered. Others disagreed. These people suggested that, apart from protest, there were many other things environmental organizations should do, such as promoting environmental legislation and cultivating public awareness of environmental issues. Still others expressed that this was more of a technical question: The key was that environmental organizations had to perform as a “neutral” actor when they attended environmental movements, providing a more “objective” environmental impact assessment (or requiring local governments to publicly demonstrate the assessment), instead of being tied up with the interests of NIMBY participants.

Yanxiao delivered a relative long speech. She acknowledged the point that there should be a division of labor between protests and environmental organizations. Yet she was more interested in environmental organizations’ role in education and cultivation. She suggested that in every NIMBY protest, there might emerge some grassroots resistance leaders, and it was environmental NGOs’ responsibility to network these resisters in different protests, and cultivated them so that they would be able to develop environmental visions going beyond their immediate interests. Yanxiao called these grassroots resisters “active citizens” (*jiji gongmin*). According to her, “active citizens” might not be professional activists working in NGOs, but they were not the kind of resisters who cared only about their

personal interests. Activists from some environmental organizations said that there were trying Yanxiao's approach. But the discussion here was ultimately fragmented.

Right before the end of the conversation, the graduate student from Taiwan spoke out again, and offered his opinion. He said, "During the past two and half months in the mainland, I have discovered that many people here are placing too many expectations on a single person or a single organization. As a matter of fact, disintegration of organizations has been quite common during transition. For example, people thought the Taiwan Environmental Protection Union was a robust organization in the early 1990s. But when I worked as a volunteer in that place in 2000 – guess what I was required to do – I was sorting out their files, as the organization was going to disband. So don't expect bellwether. What is needed is actually a more conglomerate ecology."

Yanxiao concurred again. "By no means am I defending the FON today, as I myself am unsatisfied with it. But it is certainly inappropriate to place all expectations on this single organization. We need to think more about how to complicate the ecology of environmental activisms. Everyone pursues his own visions, and searches for people with similar goals. Yet at the same time, everyone has to recognize the value of others so as to cooperate with one another, rather than depreciate others to justify oneself."

Cellular Protests, Nodal Organizations, and the Formation of Categorical Identity

What Yanxiao and other participants of the seminar were discussing was a topic that had largely been bypassed in studies on China's civil society, the potential coupling between protests and organizations. Scholars on China's civil society have studied protests and civil society organizations separately, but they seldom probe the question on how the two might

possibly meet. The few studies that have concerned the role of organization in protest often only look at the organizations in single protests, like whether the establishment of a homeowners' association in a neighborhood could facilitate homeowners in this particular neighborhood to organize collective actions against developers or local government.¹⁴⁵ Yet what is even more important to political transitions is the kind of organizations that go beyond particular interests and serve as the nodes to link different protests. Ideally, an environmental NGO could be such a nodal organization. As Yanxiao and some other participants of the seminar suggested, environmental NGOs could either unify and intellectualize fragmented voices from the grassroots so as to promote legalization and policy changes, or they could develop civic forces for environmental protection by networking activists from discursive protests and insurgencies. But in reality, the process of unification, intellectualization, and network formation has been hindered, as NGOs and protests are quite often not allowed to meet. As I will elaborate in the following sections, the challenge environmental activists are facing is not unique. The problem of segregation between organizations and protests is also a common concern in other fields, such as laborer insurgencies, or even HIV/AIDS patient protests. While scholars on China's civil society have become quite knowledgeable on how protests and NGOs could emerge in an authoritarian environment, with respect to the consequences of decoupling between protests and NGOs, these scholars do not have much to say.

This chapter unpacks one of the consequences. The segregation between protests and organizations provides an unfavorable environment for the formation of categorical identities. By categorical identities, I refer to the kind of identities that posit a set of individuals equivalent to each other insofar as they share a crucial category of similarity. Nation is the primary example here, if we are discussing civil society at a global level. But

¹⁴⁵ Read 2007

since this is a study conducted at the national level, other categories established around class, region, and issue are more important in analysis. Rural-*hukou* migrant workers could be an identity. Environmentalists could be an identity. Cantonese speakers could also be an identity. Categorical identities are another source for solidary relations. Unlike the solidarity in concrete social networks, in which solidary relations are cultivated in direct interactions among citizens, solidarity in categorical identities is based on sharing a specific dimension of culturally significant similarity.¹⁴⁶

Studies on identity politics in established democracies have paid special attention to the relationship between social movements and the formation of identities.¹⁴⁷ Scholars also inquire into the question on whether these emerging identities are broadening the scope of democratic politics, or compartmentalizing public deliberations.¹⁴⁸ But in this chapter, I would like to take one step back, and explore the possibility for citizens to form categorical identities and independently articulate their interests, as in the transition from authoritarian socialism, these processes do not often spontaneously happen. There are a lot of “categories” in socialist regimes, in the realm of class or race. But these categories are mostly imposed by the socialist state, during which the integration of the political system is emphasized, and the articulation of different interests is dismissed. In analyzing the contradictions within socialism, Jadwiga Staniszkis argues that this particular form of “categories” is rooted in a myth that the unity of society is possible without the mediation of “politics.” Criticizing this system as unsustainable, Staniszkis names it “power without politics.” According to Staniszkis, the myth has an enduring effect on transition, even after oppositional forces emerge. Since resistance could also be carried out in the form of totality, participants in the resistance may still not be able to articulate their interests. In this condition, some of the

¹⁴⁶ Calhoun, 2002.

¹⁴⁷ Calhoun, 1994.

¹⁴⁸ Castells, 2010.

reform agenda, such as privatization, could be top-down implemented without any social basis, leaving the public unaware of who would be benefitted, and who would be harmed.¹⁴⁹

Civil society in transitioning China has not been organized around any single ideological concerns, as I have introduced in Chapter two. This fragmentation on the one hand leaves more space for actors in civil society, especially those who are in a socioeconomically disadvantaged position, to identify with their peers and articulate a vision for transition that distances itself from the one proposed by elites. On the other hand, the fragmentation may also imply a lack of strength to dam against the penetration of the state and the market. The state's efforts in segregating organizations and protests are but one example in this category. This paradox requires specific examination. Like the previous chapter on solidarity and concrete social networks, I will arrange empirical materials and discussions in this chapter as three sections. The first section introduces the opportunities actors in civil society enjoy in forming categorical identities. My emphasis is on the possibility of different forms of organizations and networks. The second section analyzes how the discourses and practices from the bureaucratic state and the capitalist market may negatively affect the formation of solidary relations based on categorical identities. I argue that both the state and the market influence the formation of categorical identities through structuring the relationship between different components in civil society. Apart from further exploring the relationship between organizations and protests, I will also scrutinize the relationship between human rights lawyers and grassroots resisters, and the tension between corporate social responsibility movement and laborers' movement. The last section again deals with the question, in this condition, what are the best strategies?

¹⁴⁹ Staniszkis, 1991, 1992.

Development of Networks and the Emergence of Categorical Identities

Unlike the situation in Eastern Europe during socialist transition, where civil society activisms were organized around the fundamental opposition between state and society, most activisms in China's civil society now are organized around specific issues. Citizens organize collective actions, such as protests and demonstrations, to demand very concrete things, like pensions, social security payments, compensation for pollution, or penalizing a corrupted local government official. Some forms of organization may emerge during this process. Yet most of these organizations quickly disband after participants of the collective actions fully or partially achieve their goals. Hence most collective actions from bottom up have remained fragmented and discursive, though the number of the collective actions happening in the country every year is dramatically increasing in the recent decade.¹⁵⁰ However, linkages among these activisms truly exist. In some occasions, these fragmented forces join one another and become visible forces promoting legalization or policy changes. For example, in 2006 and 2007, 180,000 homeowners in different cities jointly signed a petition letter, requesting the National People's Congress to revise three articles in the "property law," so that homeowners would no longer be in a disadvantaged position in negotiations with developers and property management companies. This petition later partially succeeded. Hepatitis B carriers throughout the country have also been protesting against discriminations in education and employment.¹⁵¹ Since the year 2005, more than 20 laws and regulations discriminating hepatitis B carriers have been abolished.

¹⁵⁰ Lee and Zhang, 2013.

¹⁵¹ China has the highest prevalence of hepatitis B virus infection in the world. As of 2010, China has 120 million infected people, which constitute of almost ten percent of the whole population in the country.

These activisms are able to survive, because activists have figured out more flexible ways to form and maintain networks that link various collective actions. Because formal organizations representing interests of specific groups, such as trade unions and the women's federation, are still in total control of the party-state,¹⁵² activists have learned to live on the edge, and shift among different statuses. Some of them simply keep their organizations unregistered. Others register their organizations as enterprises in the industrial and commercial bureau. For example, Laowei is an NGO for training laborer activists. Each year, it helps workers from over a hundred enterprises to organize collective bargaining with their employers. Laowei provides services to workers for free, and its major source of income is international human rights foundations. But it is registered as a law firm. The well-known OCI has also been registered as a business.

Although being registered as firms keep these organizations away from enjoying some of the benefits for non-profit organizations, such as tax exemption,¹⁵³ in the specific political environment of China, this strategy has a lot of merits. First of all, this helps activists and their organizations to escape government censorship. Activists in Laowei do not need to worry about losing the qualification as a non-profit organization by being involved in contentious politics, as by legal and administrative definition, Laowei is not a non-profit organization. This is not to say that the state does not have any leverage in controlling and managing these NGOs registered as firms. In an authoritarian regime, the state could become brutal in treating activists and NGOs whenever it feels necessary. But without the facilitation

¹⁵² As a matter of fact, while the regulation on formal organizations representing the interests of specific constituencies is still rigid, the regulation on other forms of civil society organizations has already been loosened. For example, according to the regulation on managing civic associations a decade ago, grassroots NGOs have to be endorsed by a department in the government that works in relevant fields to get registered. But in recent years, many municipal governments have loosened this regulation, and allowed NGOs to directly register in the civil affair office, even if no government department claim to be responsible for supervising these NGOs.

¹⁵³ As a matter of fact, because the regulation on managing non-profit sectors in China is extremely under-developed, although the state from time to time promise that non-profit organizations, like NGOs and charity foundations, should have tax exemption, in practice, this promise has rarely been realized.

of some routinized forms of censorship, such as the annual examination on NGOs, implementing direct interventions implies a high moral cost for the state. For example, the leader of the OCI, Yongping, was arrested in 2010 for not paying sufficient tax after the organization received a large amount of fund from Yale University. The government required Yongping to pay reparations, which amounted to millions. Immediately after Yongping was arrested, activists in civil society began to launch campaign to raise money. These activists claimed that although everybody saw it clearly that the state was implementing a ridiculous policy that asked non-profit organizations to pay tax, as citizens observing disciplines and obeying laws, they were still trying to help Yongping to catch up with the tax. The fundraising was very successful. After Yongping was saved out of jail, the operation of the OCI continued. As a matter of fact, the government has made decisions to entirely close down the OCI for several times. But after being forced to close down, activists in the OCI could easily register another “firm” in the industrial and commercial bureau. The OCI has changed its name for at least three times. But activists all know that the organization is still what it is. The burgeoning market economy has thus broadened the space for organizations.

What has facilitated the formation of networks among activists and fragmented collective actions also includes the rapid development of Internet technologies, especially the spread of web 2.0 sites and the popularity of smart phones. The commonality of these technologies is that they encourage users to generate contents, and interact and collaborate with one another in the social media. These are important changes, as they turn more activists and collective actions into “nodes.” The spread of NIMBY protests could be an example here. According to some environmental activists, the emergence of NIMBY movements is actually not a new phenomenon in China. As early as the late 1990s, local protests against polluting enterprises have already existed. The point is that participants in these collective actions rarely had opportunities to connect with their counterparts in similar collective

actions happening elsewhere, except passively waiting for the few well-known environmental NGOs, like the FON, to lend them a helping hand, or the mainstream media to report their stories. Since online communities like BBS, blog, and weibo (the Chinese twitter) have become popular, participants in any single protest could self-report their issues and attract public attention. In the NIMBY protest against a PX chemical plant in Xiamen in 2007, which has often been celebrated as the first NIMBY movement in China, several leading activists used their blogs to broadcast to the whole nation on what was going on. Few years later, when residents in Panyu, a district in the city of Guangzhou, protested against the building of a garbage incineration house, leading activists posted almost all information on their neighborhood BBS, including their petition letter to the municipal government, and a letter to the mayor requesting a talk. Basuo, one of the leading activists, said,¹⁵⁴

In the beginning, I was thinking to post an advertisement on major newspapers, as I was afraid that the municipal government would not take our petition letter seriously. But later I got to know that advertisement would cost us more than 100 thousands yuan. That was too expensive for us. Then I decided to post the message on Jiang Wai Jiang, our neighborhood BBS. At that time, because of our continuous protests, Jiang Wai Jiang had already become very famous. I knew that many journalists were browsing our neighborhood BBS everyday. So I just posted it. Not surprisingly, the news that residents in Panyu invited the mayor to have a talk in their neighborhoods was everywhere on the mainstream media on the next day. This was as if we had posted advertisement on all major newspapers in Guangzhou for free.

¹⁵⁴ Interview Apr 04 2013.

Internet forums like BBS not only help activists to broadcast their voice when the traditional media like newspapers are monopolized by the state, but also facilitate communications among activists from different regions. When the protest in Panyu succeeded, Basuo and some other leading activists have established an NGO called the Zero Waste Alliance, which concerns the issue of garbage processing all over the country. The Zero Waste Alliance intervenes in NIMBY protests against garbage incineration plant in different cities, cooperates with some municipal governments in popularizing waste classification, and promotes legalization in environmental protection. The previous parochial NIMBY protest has thus extended out.

Although the Panyu case appears to be an exception in the field of environmental activism, it does demonstrate that, with the help of the Internet, activists in discursive protests have opportunities to line up with their comrades from afar. What is worth mentioning here is that the web 2.0 technologies have been upgraded tremendously in the recent decade. While most activists used BBS or blogs ten years ago, people's interest in these two Internet tools has subsided in recent years, and online activism has mostly turned to weibo, and recently wechat. This upgrade has been continuously lowering the threshold for participation. Since the few earliest BBS in China are university-based, the first wave of BBS users is mostly well-educated elites. Those who are socioeconomically disadvantaged do not even have access to some of the online forums in BBS. Blogs tend to be more inclusive. But maintaining a blog also requires basic Internet literacy and high writing skills. Weibo has made things much easier, since there is a word limit of 140 words for each entry.¹⁵⁵ Weibo is also better attached to handheld devices, like the smart phone. Although the development of

¹⁵⁵ Although the word limit in Weibo equals to that in Twitter, since most Chinese words are “shorter” than English words, Weibo users could actually convey more information than their counterparts on Twitter. Generally, each entry on Twitter constitutes of at most two full sentences, whereas Weibo users could speak four sentences if they carefully arrange their words.

Internet technologies has by no means leveling the gap between different kinds of people (even within the word limit, there will always be someone who are better at expressing themselves), with the popularization of smart phones in various classes, including the new working class, communications and connections among activists in different localities are becoming unprecedentedly convenient.

The abovementioned are all potentials for the formation of categorical identities. How these potentials have been repressed in practice? Again, we need to elaborate it in details.

The State Political Settings That Generate Tensions among Civil Society Actors

As I have introduced above, the Chinese state has made great efforts in segregating organizations from some more contentious forms of politics. But this control is by no means seamless. The development of market economy, and the specific way the state implements annual examination on NGOs have created opportunities for activists to build linkages among discursive collective actions. This section further explores the relationship between protests and nodal organizations. I will discuss how the political settings of the state have structured the relationship among different civil society actors. My starting point is that the political environment in China has polarized the behaviors of NGOs and nodal activists by drawing a line between the cooperative organizations and the radical organizations. Organizations on the cooperative side avoid any form of contentious politics, whereas their counterparts on the other side intervene in contentious politics without proper calculation on costs and benefits. The interactive relations between grassroots resisters and nodal organizations on these two sides need to be analyzed separately.

Those Organizations on the Conservative Side

Standing on one extreme is a large number of registered NGOs that are too timid to attend any protests. The first wave of environmental NGOs established in the 1990s falls into this category. The leaders avoid participating in any form of contentious politics, because, as I have introduced in chapter two, they want to emphasize the cooperative side of civil society. Most of these leaders believe that at the point their organizations step into activities like protests and demonstrations, cooperation and communication cease, and violence occurs, which would inevitably endanger their relationship with the government. A typical activist holding this attitude was the late leader of the FON, one of the founders of the organization, Jiecong. Liang was well known for his reluctance to participate in any radical actions. In articulating the vision and the strategies for the FON, he said,¹⁵⁶

The FON is the first private environmental organization in China, and my personal identity is a member of the national committee of CPPCC (Chinese People's Political Consultative Committee). If we fail, it's over. People in other NGOs would say, "Come on. Don't mention that again. The FON created a lot of disturbances some time ago, but it was all in vein." Therefore we must take a more steady, or even conservative approach. If we provoke the government, or irritate the government, we would create obstacles for the development of other NGOs. That's why we have always been keeping a low-key, moderate attitude.

Jiecong's attitude is especially common among those intellectuals who have experienced the 1989 student movement, and established NGOs in the 1990s. These intellectuals seem to have distaste for all things confrontational. They all believe in the

¹⁵⁶ Wang 2012.

importance of citizens' participation in solving environmental problems. Yet as they often worry about the potential violence inherent to mass politics, they advocate that citizens should be introduced to some milder forms of participation, such as receiving environmental education, bird appreciation, planting trees, and clearing garbage. Some of these intellectuals also believe that NGOs should not too often intervene in local struggles, because participants in these struggles are demanding things that are too parochial and too trivial. In the circle of environmental activists, there is a widespread story on Jiecong's attitude toward some local environmental struggles: A member of the FON once wanted to attend a local campaign for protecting two old trees in a village, and wrote to Jiecong for suggestions and help. Liang replied that he also felt sorry that the old trees would be chopped down, but cutting wood in villages did not violate any laws. Liang also said that the FON would prefer to spare more efforts in issues like protecting golden monkeys, as golden monkeys were legally defined rare animals, and NGOs should supervise the government to shoulder its obligations. The member who had written to Liang eventually got two membership application forms for the FON.¹⁵⁷

While nobody could deny the importance of cooperation in civil society, in some occasions, confrontation is unavoidable. In the field of environmental protection, penalties on violating environmental laws are weak. Decision-making processes on building chemical plants and garbage incineration house are often not transparent. Government sponsored environmental impact assessments could be distorted by corporations, and are thus from time to time unreliable. Local residents have few choices but to resist. In this context, environmental activists' choice of avoiding NIMBY movements becomes politically consequential. First, without organizations, violence does often occur in NIMBY movements. In the NIMBY protest against a PX plant in Qidong, angry resisters rushed into the municipal government, and stripped the mayor naked. In Shifang, the police had to use tear bomb to

¹⁵⁷ The oral history of Jiecong also touches upon this story. See Wang 2012: 6.

disperse the demonstrators against the establishment of a chemical plant. Experts on public administration emphasize communication between government and citizens in decision-makings. But without some form of institutionalization, it is easy to repeat the violent procedure whenever a local government tries to launch a development project. Second, as NIMBY protests frequently occur in the country, the public is getting increasingly tired of this form of resistance. In recent years, non-governmental associations of scientists have risen to criticize the absence of scientific knowledge in these protests, and used the Internet to disseminate the idea that many chemical plants, including those producing PX, are safe. In some of these anti-“anti-PX” campaigns, younger generation scientists dismiss the validity of NIMBY campaigns, and express their concerns about the negative impact NIMBY protests could bring to the development of science and industry in China.¹⁵⁸ Facing these challenges, grassroots resisters are often not able to articulate their concerns. Third, and the most important point, because the organizations that are supposed to go beyond parochial interests are absent, NIMBIES have become the real “not in MY backyard,” which implies that most local activists would remain silent when chemical plants or garbage incineration houses are built in other people’s “backyard.” Then the problem of equity and fairness again rises: Those who have the capability to organize NIMBY movements are always well-educated middle class. In several well-known NIMBY movements, such as the anti-PX campaign in Xiamen and a similar in Ningbo, the major participants are all middle class. In the future, the government could simply choose to build polluting plants in economically less developed regions to avoid conflicts.

¹⁵⁸ Songshuhui-association of science communicators, a non-profit organization dedicated to science communication at the mass level, has organized a discussion on relevant issues. For details of the discussion, see Science Communicators in The Internet Era. URL <http://songshuhui.net/archives/88746> [accessed Sep 02 2014]

Conservative organizations are not only in the field of environmental activism. They widely exist in other fields, such as HIV/AIDS movement, and laborer insurgencies.

Those Organizations on the Radical Side

On the other extreme are the radical organizations that deny the possibility of cooperating with the government in this political system. Leaders in these organizations usually think that the party-state is totally corrupted, and the best way for a political reform is to get rid of the whole thing in an old system, and create a new one from the very beginning. Quite often, these organizations do not care about issues like registration, as registration could be a signal for willingness to cooperate with the system. They do not care whether the mainstream media would report what they are doing either, because being reported by the mainstream media, which is almost entirely controlled by the party-state, could also be a signal for conformity and obedience. The core actors of these organizations are mostly law scholars and human rights lawyers, whom I have introduced in chapter two. Unlike the liberal intellectuals in the 1990s who emphasize the cooperative side of civil society, these law scholars and human rights lawyers applaud the emergence of grassroots resistances, as they perceive these bottom-up struggles as an indispensable force in transforming the political system. Hence these activists are not afraid of attending confrontational activities. Some of them regard being invited to “have tea” in the police office, threatened by officials in the state security office, or even jailed as “glorious.” Many human rights lawyers associated with the OCI are such kind of people. When Yongping was arrested in 2010, some activists suggested that it was unwise to raise fund and save Yongping, as these activists believed that Yongping could accumulate more political and moral capital if he was kept in prison for a longer period of time.

The interventions of these organizations in protests may help grassroots resisters in organizing and mobilizing, and linking with actors in other protests. But their interventions generate a huge ethical problem in contentious politics. First of all, the presence of these organizations *per se* could endanger grassroots resisters. While it is always risky in an authoritarian regime like China to attend activities like protests and demonstrations, inviting someone who is blacklisted by the government to attend or even lead these activities makes things even riskier. Since these activists are often closely connected to dissident intellectuals abroad, international human rights foundations, and even some foundations whose ideology is oppositional to the Communist Party in China, like the National Endowment for Democracy in the United States of America, the Chinese state is more likely to be vigilant toward the protests these activists attend. Additionally, these human rights lawyers and law scholars often encourage grassroots resisters to be more courageous in their collective actions, and familiarize them with a language of rights, liberty, and democracy. Observers in established democracies may feel that it is good to have more people learn the significance of democracy and articulate this political ideal. Yet again, in an authoritarian regime like China, expressions of political ideals like democracy and liberty add to the odds of being repressed by the state. Working with some of the human right lawyers, some grassroots resisters are jailed, and others lose their jobs.

It is believed that there is an ethical problem here, as many grassroots resisters could have avoided those harsh penalties, had the radical human rights lawyers and activists not been involved. Since the year 2005, there have always been debates within China's civil society on whether radical human rights lawyers and activists should be involved in those protests that propose economic, rather than political goals. Opponents suggest that most ordinary citizens attend contentious politics mainly for the sake of their private interests, or some very concrete things. They might not be sufficiently powerful to achieve their goals in

their negotiations with the government. Failure in obtaining compensations for a piece of appropriated land or getting corrupted local government officials penalized is nonetheless far less suffering than being prisoned. These opponents believe that there is an unequal power relation between the human rights lawyers and grassroots resisters. Most grassroots resisters do not expect being harshly repressed by the state, when they believe in what the human rights lawyers tell them and make decisions to escalate or radicalize their actions. At least, these grassroots resisters, who are often from the socioeconomically disadvantaged groups, do not have enough information to weigh the pros and cons before they are turned to fighters for China's democratization.

The most radical criticisms actually come from within the circle of human rights lawyers and human rights activists. A typical example here is Shanyu, the leader and the founder of the TI, and one of the co-founders of the OCI. Shanyu used to study economics as a graduate student at Peking University, and planned to pursue a Ph.D. degree in economics at University of Chicago. But later he gave up his dream in academic study, and made up his mind to stay in China after graduating from Peking University, as he believed that political activists, rather than economists, were in more urgent need in the country. Shanyu and Yongping had been friend for a long time, and worked together since they were graduate students at Peking University. They together brought about several well-known campaigns. Yet the two activists split up in 2009, because Shanyu could no longer stand the way lawyers at the OCI intervened in grassroots resistances. The major divergence between the two was that Yongping concerned more about the linkages between each single protests and the political ideal of democratization, whereas Shanyu believed that activists at the OCI should prioritize the interests of grassroots resisters. According to Shanyu, many human rights lawyers who were associated with the OCI were too eager to make use of each case to expose the "seamy side of the system" and criticize the Communist Party, while in the political

environment of China, criticizing each case as it stood and blaming specific officials, government departments, or laws and regulations are often more effective strategies in helping grassroots resisters to defend their rights. Shanyu appreciated those human rights lawyers and activists' courage, but he maintained that, for lawyers, challenging the authoritarian system without considering the interest of their clients was unethical.

Since 2009, Shanyu posted several articles online, openly criticizing Yongping's approach in organizing campaigns and grassroots resistances. He even issued a statement for quitting the OCI. Talking about this dispute in my interview, Shanyu said,¹⁵⁹

This split is a public split. Privately Yongping and I are still friends. The divergence between us is a very complex divergence. First of all, I acknowledge that political actions in an authoritarian regime are special, and being courageous is very important for these actions. But mere courage is not sufficient. Since 2005, I had been debating with Yongping. I put this to him bluntly: Civil society has grown in China for all these years. It is the right time for split to occur. Why are you afraid of split? Only after split could we articulate our philosophy. Only after our philosophy is articulated could we aggregate proper colleagues. Without this articulation, different kinds of people would muddleheadedly work together and hinder one another. In the end, we achieve nothing.

Feeling frustrated about convincing Yongping and other activists at the OCI, Shanyu began to provide assistance to grassroots resisters in his own organization.

Biaoteng, who is also one of the co-founders of the OCI, holds a similar view. In an open speech delivered at the TI in 2010, Biaoteng argued that,¹⁶⁰

¹⁵⁹ Interview Oct 16 2012.

Although the grand background for rights-defending campaigns is the political ideal of democracy, the most important thing in specific cases is the interest of clients, as this is what the ethic of lawyers requires. No matter those clients turn to you for being forced to relocate or being persecuted for their religious belief, as an attorney you have to prioritize defending their interests. You shouldn't take other appeals, such as hype and your own reputation, as the most important.

Many human rights lawyers and activists disagree. Jiangwei is a well-known human rights lawyer in China. When I asked him whether there was a concern on ethical issues in his work, he said that he did not feel like there should be one.¹⁶¹

If an attorney is mature, he should have known how to balance between social justice and his client's interest. Additionally, we negotiate with our clients whenever we want to make the case as a political campaign. We would tell them that the media coverage is a double-edged sword. It might help you. But it might also incur government repression. We will remain low-key if our clients ask us not to publicly expose their cases. In rare occasions, our calculation goes wrong. But it is definitely not our fault, because in an authoritarian regime, you can never predict how the government is going to react when you are involved in politically sensitive cases.

¹⁶⁰ For a partial transcription of Biaoteng's speech, see http://blog.boxun.com/hero/201007/tengb/1_1.shtml (accessed Feb 19 2015). Biaoteng also emphasized in this speech that the principle of prioritizing the interests of clients does not apply to all cases, such as the Falun Gong case. As the state has been so determined to persecute disciples of the Falun Gong, no matter how hard a human rights lawyer works to defend his client's interest, the judicial outcome would not be different. In those cases, human rights lawyers should be bolder in advocating the political ideal of democracy and religious freedom.

¹⁶¹ Interview Jun 18 2013.

Bingxiong is also a human rights lawyer. When we discussed the criticism on ethical issues, he said,¹⁶²

I think these criticisms are confusing and misleading the public. One cannot assume that if human rights lawyers had not escalated the issues, the government would have tolerated those grassroots resisters. You don't have any evidence to support this assumption. As a matter of fact, if there is a principal contradiction in contemporary Chinese society, this contradiction should be that the public power is still violating ordinary citizens' basic rights. Hence, what is the best strategy for defending clients' rights? Criticizing the existing system, and building a new system that is fair, open, and transparent.

Huili, another human rights lawyer, holds a similar view. In my interview, he said,¹⁶³

I of course agree with the idea that human rights lawyers should prioritize the interest of their clients. But I don't agree with the idea that human rights lawyers should be blamed for endangering their clients in political campaigns. Let me draw you an analogy: A group of people were fighting with a tiger. Accidently someone was eaten. It was not this poor guy's colleagues who had harmed him, but the tiger. In current Chinese society, this tiger is the judicial authority.

Since the two sides both appear to be very reasonable, to probe this divergence, I have interviewed some of the grassroots resisters who had worked with human rights lawyers/activists. In my opinion, the tension between grassroots resisters and human rights

¹⁶² Interview Jan 25 2013.

¹⁶³ Interview Jan 29 2013.

lawyers/activists is more of an issue of communication. First of all, it is by no means fair to say that these human rights lawyers/activists are in a secured situation, and make use of the grassroots resisters to realize their political ideals. As a matter of fact, many radical human rights lawyers or leaders in those radical organizations are leading a risky life. Being interrogated by the police or state security officials is almost a matter of routine. Many of them have lost their license as lawyers for taking politically sensitive cases. Some of them, including Yongping, are even prisoned. However, although the human rights lawyers/activists claim that they negotiate with the grassroots resisters on proper strategies in protests and insurgencies, what these professional activists have always ignored is a simple fact that people experience state repression differently. Unlike the professional activists who have encountered state repressions for so many times in their life, most grassroots resisters do not have any experience in contentious politics before they become leaders of protests. While it is true that the authoritarian state is hard to be predicted, professional activists are nonetheless far more knowledgeable than ordinary people in choosing the right strategy in different contexts. Ahman's case could be an illustrative example here.

Ahman is a father of two children, who works in a jewelry processing plant at Panyu, a district in the city of Guangzhou. His career as an activist started from 2010, when he organized fellow workers in the plant to protest for establishing social security accounts. Although the newly passed labor and contract law in 2007 had already stipulated that migrant workers in privately owned enterprises also had the right to establish social security accounts, in practice, this right had seldom been guaranteed. Ahman consulted a labor NGO and human rights lawyers associated with the organization. Activists and lawyers in the organization confirmed to Ahman and his colleagues that workers did have the right to social security, and encouraged them to act more courageously. With the help of the organization, Ahman mobilized over 140 workers in the plant and demonstrated at the district government. This

action had eventually forced the local government to concede. At the end of 2011, the government allowed Ahman and his fellow workers to have their own social security account, as long as they and their employer could make up all the payments from 1999. Workers soon paid their part to their employer. However, the employer began to procrastinate and refused to transfer the money to the bureau of social security and pay its due part. The human rights activists at the organization then suggested to Ahman that the workers could besiege their employer. Ahman took their advice. He bore in his mind activists' direction that physical confrontation should not occur. But things just lost control after the stalemate lasted for over two days. The human resource manager in the plant attempted to fight his way out, and Ahman and some of his fellow workers fought back. Eventually, Ahman and a woman worker activist were arrested. They originally thought that they would be allowed to go home after being interrogated by the police, as basically nobody had been hurt in the event. But the destiny waiting for them was that they were jailed immediately after being questioned at the police station.

The NGO soon started a campaign for saving Ahman and the woman activist. A month later, the two worker leaders were released on bail. On the other side, the employer of the plant paid the money to the bureau of social security, and workers' social security accounts were established. Therefore the NGO celebrated the case as a success. After getting out of prison, Ahman became a volunteer at the NGO, teaching resisters from other plants how to safely protest for establishing social security account, while the woman activist totally collapsed, and decided not to attend any politics in the future. Talking about the relationship between ordinary workers and NGOs, Ahman demonstrated a quite complex attitude. In my interview, he said,¹⁶⁴

¹⁶⁴ Interview Apr 29 2013.

I know that the human rights activists and lawyers had been working very hard to save me when I was in prison. But the feeling of staying in prison was still something they didn't understand. They didn't understand how my wife felt during that period of time either. I have an optimistic personality. Hence I have recovered quite well. But my colleague (the woman activist) is still trembling after all this time if somebody mentions our action in front of her. I really don't know how I could help her. Seeing the whole procedure retrospectively, I have a sense that the activists at the NGO had not done enough "psychological construction" in their work. They were more accustomed to saying things like "Rush ahead!" or "How are you able to stand this kind of repression? You need to stand up and defend your right!" But they have not been sufficiently meticulous to take our life situation into account. I understand that whenever there is a revolution, or a reform, some people have to die. I think it is OK for me to sacrifice some of my overtime payment and do some voluntary work at the organization. But I don't feel that I am so determined as to sacrifice my life.

Because of this tension between grassroots resisters and nodal organizations, although radical activists frequently intervene in contentious politics, it is very hard for them to cultivate strong ties with grassroots resisters and then develop a network that goes beyond each specific protest. Those who are unsatisfied are not only grassroots resisters. Sometimes activists in radical organizations also feel depressed. In explaining the tension between activists and grassroots resisters, Danli, an activist working for the AIDS movement, said,¹⁶⁵

¹⁶⁵ Interview Jul 24 2011.

As human rights organizations, what we want is always media coverage, and publicly announced judgment. If we succeed, we could set up the case as a model that other resisters could follow. When we ask these grassroots resisters, “Should we call more journalist? Should we contact international human rights foundations?” Their answer is always “yes.” But for them, all these methods are just a means to force local governments to concede. As long as local governments concede, they recall the lawsuit. It is always the case that we spend a lot of efforts in preparing for the lawsuit, and then the resister suddenly recall the lawsuit. One year later, this person might come to us again, saying that local government no longer subsidizes him, and that he recovers his will to sue the government. Well, then we contact those journalists and international human rights lawyers again, and try to make it a case with political consequence. But one month later, this guy would come to us again, “I have already got my money. So thank you for your help and goodbye.”

Challenges from Commercial Powers in the Market

As I have introduced in the beginning of this chapter, the development of the market economy has provided both opportunities and resources for the formation of categorical identity. But the impact of the market on solidary relations is not always a positive one. In some occasions, the commercial power in the market also imposes constraints for the growth of crucial networks among civil society actors. In this section, I will mainly use the debate on labor organizations and laborers’ activisms as a case to elaborate the point.

In chapter two, I have introduced that there are several types of labor organizations in China's civil society, those that defend laborers' rights according to existing laws, those that help workers to organize collective bargaining, and those that dedicate themselves to the cause of community and culture building. Although these labor organizations diverge from one another in their visions and their approaches, they are mostly established by working class people, or involve working class people in the formation of the organizations. In fact, there is still another type of organizations claiming themselves to work in the field of laborers, the NGOs that work with corporations and serve as the agents in the corporate responsibility system (CSR) movement.¹⁶⁶ Instead of supervising corporations and checking these corporations so as to ensure their activities comply with laws and ethical standards, these NGOs form a cooperative relation with brands, such as Adidas and Burberry, and provide services to workers in suppliers' plants. The services these "labor NGOs" provide are many and various, but most of them focus on education and consultation. Some of the organizations open hotlines in plants and provide psychological consultation service to workers for free. Some of them offer sex and AIDS prevention courses to young women workers. Still others design programs to help migrant parents to communicate with their children who are not able to stay with the families due to China's *hukou* system.

While many of these services facilitate solving social problems,¹⁶⁷ the rationale behind these NGOs is counter to building solidary relations within workers as a category. First of all, many of these NGOs deny the necessity of articulating the identity as workers, or

¹⁶⁶ There are many approaches in the CSR movement. While some corporations choose to donate money to charity foundations, others employ local NGOs to provide services to employees. For some detailed discussions, see Shamir 2011.

¹⁶⁷ For example, the AIDS prevention courses could familiarize migrant workers with crucial knowledge in sex and reproduction. According to a survey conducted by researchers at Sun Yat-sen University, over 40 percent of women migrant workers in Guangzhou have experienced at least one artificial abortion. Since migrant workers frequently move and do not have urban *hukou*, the family planning office in urban China seldom covers this population when it offers education materials. Education and dissemination of knowledge are thus critical in reducing the artificial abortion rate. Song et al., 2013.

the working class. Activists working in these NGOs are often critical toward those laborers' organization dedicating to building a working class culture. When talking about the possibility of a working class, a leader of an NGO working for the CSR said,¹⁶⁸

My work is not ideologically oriented. I never say things like "labor is glorious," because, frankly speaking, labor is the least glorious in contemporary Chinese society. Let's face this reality. You don't have other ways to achieve success except earning a lot of money. Look at the advertisements in our time. They are all the same: a luxurious mansion and a beautiful hostess with a lovely child, greeting the host who drives a Mercedes-Benz. I think 99 percent of workers dream to live such a life. These workers do not will to be trapped in the working class.

This leader then suggested that, rather than looking for a working class culture, which is but an illusion created by leftist intellectuals, labor NGOs should be more pragmatic, and assist workers to develop "human capitals," so that these workers could one day also become bosses.

Second, the NGOs working as agents of the CSR movement tend to deny that there is a fundamental contradiction between capital and labor, and thus also deny that collective actions against capitalists are an important link in the formation of categorical identity among workers. Therefore, those who work in this kind of NGOs also tend to dismiss the laborers' organizations that encourage workers to adopt confrontational strategies. In talking about her critical attitude toward confrontational activities like lawsuit and protests, a manager at a non-profit organization that works with big brands said,¹⁶⁹

¹⁶⁸ Interview May 14 2013.

¹⁶⁹ Interview Apr 07 2013.

Lawsuit is too difficult for ordinary people in China, needless to say protests and demonstrations. Three or five years may have passed after you complete the whole procedure. Even if you eventually get something, you are left with a broken heart. We really don't want to see workers walk on this line. We would try our best to convince them not to do that. If any employee in the plants to which our organization provides service has a complaint over the management, we would represent the employee to negotiate with the brand, or ask the brand to supervise the supplier. By inducing the two sides to sit down and talk, we could establish a harmonious relationship between capital and labor.

In the interview, this informant also suggested that, since the capital-labor tension in contemporary Chinese society had already been largely alleviated, and workers' salary was continuously growing, radical activities like protests had become unnecessary. She dismissed those organizations that encouraged workers to protest as outdated, as she believed that these organizations knew nothing but to intensify contradictions between the management and the workers.

So why is the CSR approach problematic? The first problem here is that, while people who work in the CSR criticize working class culture as a creation of the leftist ideology, what they have imposed to workers is not less illusory. These NGOs have never explicitly explained in the public how the 99 percent of workers who are thinking of mansions and Mercedes-Benz could realize their dream without a proper reconstruction of the industrial structure and the redistribution system, which is often a result of political struggles and negotiations. What these NGOs offer to the working class people are mainly "human resource" courses, which tell workers basic skills in networking or making *guanxi*.

While this kind of knowledge is important, it is far from enough for helping workers to start their own business.

Second, NGOs working with brands in the CSR movement often (intentionally) ignore that the establishment of “harmonious relationship” between capital and labor is contingent. Big brands in consumer goods market may be incentivized to hire local NGOs to provide services to employees of their suppliers, as failure in obeying ethical standard in production could ruin the reputation of these corporations. But at the same time, there are hundreds and thousands of plants and workshops in cities like Guangzhou, of which the employers are extremely insensitive to critiques in the public. These employers would not spend money to hire NGOs. They might be connected to brands through multi-level contracts, or simply on their own. They are often the group that carrying out the production procedure to the lowest human rights and environment standard. Yet they are out of the sight of those NGOs working with brands in the CSR movement.

Even if some of the contradictions between capital and labor could be solved by non-confrontational methods, the idea that a “harmonious relationship” could be achieved without workers’ independent organization and articulation is by itself risky. Here the rationale of the NGOs cooperating with the commercial power in the market and the party-controlled trade unions in a socialist regime is strikingly similar: Both claim that they could represent the interest of workers, and both suggest that workers’ interest could be maximized under their guidance. To some degree, the rationale of the NGOs working in the CSR movement is even more ridiculous than that of the party-controlled trade unions. Whereas the interest of a revolutionary party from time to time diverges from the interest of state owned enterprises,¹⁷⁰ it is hard to see how the interest of an NGO employed by brands could diverge from the

¹⁷⁰ For a discussion on the relationship between the party and the unions in socialist China, see Harper 1969.

interest of the capitalists. Some of the activists in the field of labor also recognize this point. Yiduan, the leader of Laowei, a “law firm” that assists workers in their collective bargaining with capitalists, commented the NGOs in the CSR movement as follows,¹⁷¹

Although these organizations claim themselves to be part of the civil society, they are actually against the spirit of civil society. They don't work to cultivate workers as subjects. They don't check the corporate power. They try to cover up power inequality. They claim that they care about the welfare of employees. But as far as I have discovered, what they have done is not significantly different from the work of the trade unions in the socialist system thirty years ago in China.

NGOs working in the CSR movement seldom openly criticize other types of laborers' organizations. The reverse argument is true. Activists in other types of laborers' organizations often criticize NGOs working with corporations as fake laborers' organizations. These activists take delight in talking about how wealthy some of the leaders in these NGOs are, and how much certain people in these NGOs like red wine, implying that these organizations are in no way close to a working class life. However, the power balance within civil society is a function of many other factors. Several factors may facilitate the commercial power to have more discourse power.

First, NGOs working with brands have relatively sustainable financial resource, whereas other types of labor NGOs have to rely on the assistance of international human rights foundations. Recently, the Chinese government begins to purchase services from NGOs. But the financial resource here mainly goes to those organizations sponsored by the government, or at least the organizations that demonstrate a cooperative attitude toward the

¹⁷¹ Interview May 15 2013.

government. Radical organizations that are involved in confrontational activities can hardly obtain resource directly from the market and the state.

Second, in the political environment of China, the government is more likely to tolerate, or even cooperate with the organizations that claim to build “harmonious relationship.” For NGOs who have connections with organizations and institutions abroad, surviving is always hard. But connecting with international human rights foundations makes life harder.

Third, NGOs working in the CSR movement claim themselves to be professional, while dismiss other types of labor NGOs as ideologically, or even emotionally oriented. Almost all NGOs working in the CSR movement emphasize that the impact of their project on workers could be quantitatively assessed. They also often use numbers to justify their approach as the best approach in labor activisms. For example, they would say that cooperating with a brand to offer training courses to workers in a plant is better than cooperating with grassroots leaders in protests, because the former approach may immediately cover 20,000 workers, while the latter approach cannot even guarantee the number of workers they serve. Whereas this justification might appear to be amusing in the eyes of labor activists, it might be a good justification in the public, especially to the middle class audience who are also quite familiar with the discourse of numerical management.

The challenges from the corporate power in the market for solidary relations based on categorical identity truly exist, albeit in a more invisible form.

The Idea of “Organizational Pluralism”

This chapter demonstrates the opportunities and constraints for building solidary relations that are based on categorical identity. I intend to show that, although fragmented

political activism frequently occur in many fields, such as environment and labor, independently articulating an identity that goes beyond parochial and particular interest is still hard. The formation of categorical identity is hard, because both the state and the market are imposing constraints on a variety of social activism. These constraints are implemented through many channels, but the major rationale is to introduce all civil society activism to activities that merely seek private interest. The state leaves space for citizens to express their own concerns and bargain with local governments, while severely penalize those grassroots resisters who are connected to nodal organizations and actors, such as NGOs advocating citizenship and human rights lawyers. Although the commercial power in the market has never directly prohibited the development of civil society organizations and activism, by taking part in civil society through the CSR movement, the commercial power is able to exert its influence. Rather than treating laborers as the subjects who have the potential to independently self-organize and articulate their interests in the public, the commercial power defines laborers as a group of people who concerns only about personal interests, and whose interests could only be represented by the NGOs employed by corporations.

The critical strategy for overcoming these constraints thus lies in bridging the gap between the everyday political struggles that address ordinary citizens' concrete concerns, and the political activism that go beyond making particular and specific demands, and advocate universal and abstract political ideals. The data collected in my field research indicates that it is not absolutely impossible to fill this gap in China's civil society. Although the environment is repressive, some actions can still be regarded as a better choice than others.

Bridging the gap between the two types of political activism requires professional activists, human rights lawyers and intellectuals to reject a totalizing interpretation of politics and put themselves in grassroots resisters' position when trying to expand or escalate

grassroots activisms. By totalizing interpretation of politics, I refer to a vulgar narration that regards everything associated with the party-state or the “system” (*tizhi*) as the source of all evils, and that expects all resistances standing on the other side to directly challenge the “system.” Staniszkis names this interpretation as a “politics of symbols,” and suggests that this way of seeing the world largely inherits the communist doctrine. In studying the transition of people’s political attitude, she argues that the younger generation activists in Poland could better expand the range of political alternatives if they give up the “politics of symbols.”¹⁷² Shanyu, who criticizes some human rights lawyers for proposing political slogans in the public without considering the interest of grassroots resisters, said exactly the same thing. He suggested that, for human rights lawyers and professional activists, the most important thing is to get informed on the mechanisms of how repressions and constraints have been carried out, because,¹⁷³

In politics, one cannot be said to be ethical simply by taking an anti-Communist Party stance. The Communist Party is an abstract concept. Who is the Communist Party? Who the hell possesses the Communist Party? Nobody could claim to possess the Communist Party. Hu Jintao cannot. Xi Jinping cannot either. Therefore, it does not make sense to criticize that all problems come from the existence of the Communist Party. Political ethics are not black and white. Political ethics are specific. In this case, have you been able to adhere to principles? In that case, have you been able to adhere to principles?

Apart from more thoroughly considering the life situation of grassroots resisters, what professional activists need to do to bridge the gap between the two types of political

¹⁷² Staniszkis 1991: 107.

¹⁷³ Interview Oct 16 2012.

activisms is to cultivate a group of “middle-level” activists. These “middle-level” activists may not work as full-time activists, like NGO practitioners, yet their activities may transcend pursuing parochial and concrete interests. As I have introduced in the beginning of this chapter, Yanxiao calls this kind of activists “active citizens.” In many other fields, professional activists simply call them volunteers. This “middle-level” is important, because in a situation where formal organizations can hardly survive in contentious politics, a group of loosely networked activists could ensure the exchange of information and resources. As a matter of fact, cultivating “active citizens” or volunteers is what many labor NGOs focusing on collective bargaining are currently doing. Activists in these NGOs search for potential volunteers each time when they help workers to organize collective bargains. After workers achieve success, these NGOs would keep contact with those grassroots leaders who show interest in pursuing a career in civil society activism. A common practice is to ask these grassroots leaders to periodically return to the NGOs to share their experience on topics like how to avoid being arrested with workers who want to protest in other factories. These NGOs sometimes also offer follow-up training programs to grassroots leaders, or simply send these leaders to conferences so as to familiarize them with the language scholars and journalists use. Many of these grassroots leaders become volunteers in labor NGOs, like Ahman. Some of them later even establish their own organizations.

The key issue here is to keep a flexible attitude toward the form of organization and network. The majority of grassroots leaders may quit civil society activism after successfully leading a protest. Few of them may stay for a while, working as volunteers. A tiny portion of them eventually becomes professional activists, or establishes their own organizations. For intellectuals and activists who aim at cultivating a “middle-level,” it is important to keep open toward this diversion. Tulv, a lecturer at the workers’ college in

Beijing, said that although she was the most happy when she saw her students become NGO practitioners, she did not think that it was necessary to introduce everyone to this approach,¹⁷⁴

Our training program is free, and lasts for a semester. At the end of each semester, almost half of our students have left. In the remaining half, only very few of them would work in laborers' organizations. These few people might also leave these organizations few years later due to many reasons. Every time when my students say they want to quit, I talk with them and try to convince them. But I know that even if they don't work in any laborers' organizations, and return to production lines, they will be different from ordinary workers who have not gone through this process. They see world differently, and they may influence their fellow workers. Although they are no longer active in the public scene, they may contribute to our cause in a different way. I believe, all efforts are not made for nothing.

Fengyong, an environmental activist and the leader of the Nature University, is another figure advocating the “organizational pluralism.” His major argument is that there should not be any single form of organization dominating civil society activisms. The size of an organization could be large or small, and regulations within the organization could be more or less rigid. These all depends on one's position in civil society, and the role he or she means to play. On his blog, he repeatedly argue that inducing activists coming from grassroots struggles to have their organizations registered unnecessary, and sometimes even harmful. According to Fengyong, these grassroots resisters are often at the “front line,” and are responsible for uncover problems that have never been seen. For these actors, flexibility

¹⁷⁴ Interview Jan 08 2014.

is more important than other values, such as nurturing a democratic culture in deliberations within their groups. Therefore, leaving them alone and keeping them in loose networks may better help them. To conclude this chapter, let me cite Fengyong's blog entry on justifying his claim on "organizational pluralism."¹⁷⁵

One and another cruel facts have revealed to us that we can never count on any single method to solve difficult problems in this world. We can never expect to remove an iceberg by adopting only one method from melting, smashing, moving, sinking, scraping, and lifting. If we acknowledge that we have limit, if we really want to face the difficult problems in the real world, we have to believe in that environmental activisms should be organized in multiple forms. We either become all-purpose organizations, which is almost impossible, or recognize the value of those organizations and actors existing in forms that are different from us. Only in concerted efforts do we meet our real comrades in battles.

¹⁷⁵ Feng 2013.

Solidarity and Public Deliberation

It was Nov 29 2012. The weather in Beijing had become chilly. I was at the reception office of the municipal education bureau, with a group of migrant parents protesting for their children's right to the college entrance exam.

In China, both the entrance exam and college enrollment are state organized. In principal, high school students are only allowed to take the exam in the province where their *hukou* is registered, regardless of where they and their families live. It is the education bureau that determines the maximum number of students each university can enroll per year. After the exam, these universities distribute their enrollment quotas across provinces and regions. Since enrollment is determined at the province level, the chance for a student to be enrolled is dependent upon his or her score vis-à-vis his or her provincial counterparts.

So why do the migrant families advocate attending the exam in the place of residency instead of *hukou* registration? There are multiple reasons. The first concerns where the migrant children should receive high school education. In the year 2002, the previous nationally uniform college entrance exam was transformed into a province-based exam. Since that time, many regions have begun to formulate their own standards for high school education. For example, while a science major in Shanghai has to choose only one subject from physics, chemistry, and biology on which to be examined, his or her counterpart in Jiangsu Province has to prepare for all the three. This variation suggests that it is better for one to receive high school education in the place of his or her *hukou* registration, in order to be prepared for the exam. For migrant children, a significant obstacle is that most public high schools in China only enroll students who have passed a local entrance exam, which is only open to local middle school students (Grade 7 to 9). Thus, to be eligible for matriculation in a

high school in the location of one's *hukou* registration, migrant children also have to receive at least part of their middle school education there. In many of the migrant families that have a plan for college education, the children are sent to their so-called "hometowns" at the age of twelve or thirteen. For such families, the debate over the "right to exam" is not only about where to take the exam, but where the teenage children should study and live as well. These families would not need to be divided if migrant children were allowed to take the exam in the same location where their parents live and work.

Besides family reunion, there is another incentive for parents, especially for parents in Beijing and Shanghai, to insist on taking the exam in the place of residency rather than that of *hukou* registration: the likelihood of enrollment is significantly higher in these two cities. As I mentioned above, universities allocate quotas across regions. In the current system, two types of regions receive disproportionately more quotas. The first regions are the outlying poverty-stricken areas, such as Xinjiang Uyghur, Hainan, Gansu, and Ningxia. These places often contain high percentage of ethnic minorities. The rationale for granting more quotas to the populations there is similar to the affirmative action. The other regions are Beijing and Shanghai. This is because these two cities have a large number of universities, especially elite universities. In 1995, the ministry of education in China initiated the "Project 211" to raise the research and education standard of high-level universities. Since then, about one hundred universities and colleges have been selected and given special support. Twenty-six of these universities are located in Beijing, and ten in Shanghai. In Shandong Province, where the population is approximately four times as that in Beijing, the number of "Project 211" universities is only three. In many inland provinces, such as Shanxi, Henan, Yunnan, and Tibet, the number is as low as one. These "key universities" tend to distribute more quotas to

local students.¹⁷⁶ For example, the percentage of Shanghai students Fudan University enrolls each year has always been around fifty. The number of Beijing students Tsinghua University enrolls has long been exceeding the sum of students from Jiangsu, Anhui, Hubei, and Sichuan. A student in Beijing is a hundred times more likely to be enrolled in Peking University than his or her counterpart in Guangdong Province.¹⁷⁷ Eligibility for college enrollment in Beijing and Shanghai is, therefore, a “privilege.” In China, this “privilege” is widely recognized among students and education practitioners.

Since 2010, the migrant parents in Beijing had protested to the education bureau on a monthly basis, for family reunion and a better chance for their children to get into elite universities. The actual leader of this activism was Yongping and his colleagues at the OCI. Apart from protests, Yongping had also organized parents to hold street sign-in petitions, cooperated with the academy to initiate public discussions, and designed a proposal for reforming China’s college exam and enrollment system. Framing its goal as “providing equal education opportunities to children of all tax payers, regardless of their *hukou* location, wealth, and socioeconomic status,” the movement had raised wide concern in civil society.

As the deadline for 2013 college enrollment exam registration was approaching, increasingly more migrant parents began to join in the protests. When I arrived at the education bureau at seven o’clock, two hours before the reception office opened, there had already been more than one hundred parents waiting at the door.

Not having met any of the parents, I stood silently in a corner and watched. Before officials from the education bureau came, participants of the protest were chatting in twos

¹⁷⁶ There have been a lot of discussions in China’s public sphere on whether elite universities, as public universities, should be allowed to enroll more local students. Supporters point out that public universities in US also enroll more local students. But one thing to mention here is that, unlike the state universities in US, many public universities in China, especially those elite universities, receive financial support from the central government, rather than provincial governments, or the local governments. For the details of these discussions, see Zhang 2011, 2010; Zhang and Yang 2009.

¹⁷⁷ Zhang 2011.

and threes, and greeting each other by one's nickname on the Internet. Most of them were complaining about China's *hukou* system. A man at his forties slightly raised his voice to attract attention. "I have been living in the apartment I bought for more than ten years! But without a Beijing *hukou*, nothing is convenient. My wife and I have jobs. My child studies at a prestigious school. Now that we have already proved ourselves to be capable of surviving in this city, why should we be deprived of the opportunity to attend the college enrollment exam?" Some were discussing newly issued policies in other cities, like Shanghai. A woman revealed that the municipal government of Shanghai would be adopting a points-based system to hierarchize high school students, and that those migrant children whose parents had college degree would be eligible to attend the enrollment exam. On hearing this anecdote, a parent standing nearby said, "This is so ridiculous! The government is encouraging children to use their daddies to get ahead." Another parent interrupted. "A ridiculous policy is better than nothing. Shanghai is at least moving forward. A points-based system is discriminating. But it at least indicates new comers with a direction for making efforts. Look at us! Beijing is like a pool of dead water. Now we are all stagnating here."

Some mentioned activism organized by their opponents, a group of Guo'an fans club members.¹⁷⁸ These Guo'an fans claimed that only those who watched Guo'an games in the Beijing Workers' stadium were the real "Beijingers," and blamed migrant populations for diluting traditional culture in the city. To point against the parents' protests, these opponents also organized protest at the education bureau. Once they even presented a silk banner to the bureau to praise the municipal government for "successfully preventing 'outlanders' from seizing local resources." One of the parents concluded, "There's no justice and fairness in China now. Everybody is so selfish. And the government is not introducing people to

¹⁷⁸ Guo'an is the soccer team in the city of Beijing.

consider the welfare of others. Instead the government is encouraging people to be more selfish.”

Someone from the government showed up around ten o'clock. The parents asked the government official to offer a timetable for the reform of the college enrollment system. As expected, they received no definite reply. As many journalists and researchers like me were present, one of the leading parents suggested to others that they should do something to attract more passerbys and create a hotspot for media report. Another leading parent mentioned the “hangmu style.”¹⁷⁹ “The landing experiment on China’s aircraft carrier has already been successful. When will the cause of equal education in China take off?” Many participants concurred. Striking the pose at the front gate of the education bureau, the parents began to shout their slogan, “Equal education. People oriented!” I struggled to move closer, and noticed that what they were holding in their hands was the Constitution of the People’s Republic of China (see figure 5.1).

Figure 5.1 Migrant Parents Protesting at the Education Bureau

¹⁷⁹ On Nov 25 2012, few days before the protest, China announced that it had successfully landed a jet fighter on its new aircraft carrier for the first time. An official photo showed two technicians on the carrier crouching and pointing to give the green light to the fighter pilots. The photo sparked a national urge to grab a friend, strike a similar pose, and post the photo online. Internet users in China dubbed the craze as the “hangmu style.” Hangmu was the Chinese word for aircraft carrier. For a detailed explanation, see <http://www.sino-us.com/43/1208447441.html> (accessed Mar 12 2015).



Civil Society, Solidarity, and Public Deliberation

According to some incomplete statistics, nowadays over 10,000 protests are happening in China each year.¹⁸⁰ The protests organized by the parents in the equal education movement are neither among the largest, nor the most radical. The reason I elaborate the movement in the beginning of this chapter is that it offers us a hint on how public deliberation may take place in contemporary Chinese society. Compared with other protests and collective actions, in which participants are mostly homogeneous, the issue of equal education involves many different interest groups. Within civil society, people are categorized into several fractions according to their *hukou* location and socioeconomic status: the migrant families, which can further be fractionalized into the middle class and the working class, and the Beijing *hukou* families. I regard the parents' activism as an initiator of a *public* deliberation, not only because the parents have brought the issue to the state, but also

¹⁸⁰ Lee and Zhang 2013.

that the realization of the goal the movement has proposed, which is equalizing education resource in the country, depends on whether people in those abovementioned interest groups could achieve consensus through negotiation and compromise.

This chapter explores the possibility of solidarity based on public deliberation. Public deliberation could also be a source of solidarity. Unlike concrete networks and categorical identities, solidarity formed in publics are not primarily based on personal connections and are always in principal open to strangers. Solidarity in publics is formed through citizens' mutual engagement and rational-critical discourse about common concerns.

Existing studies on China's civil society, especially those on the commercialization of the media, and the formation of protests and social movements, have also concerned the possibility of public deliberation and solidarity. Researchers tend to applaud the emergence of these activisms, as they more or less believe that these activisms are weakening the state's monopoly in opinion formation and public discussion.¹⁸¹ The tacit assumption here is that the more people could carve out a space that is independent of the state tutelage in an authoritarian regime, the more likely there will be a solidary sphere for public deliberation. However, if we more carefully scrutinize the multiple repressive mechanisms embedded in these activisms, we would discover that challenging the state by itself does not constitute a sufficient condition for solidarity. The NIMBY campaigns I have introduced in the previous chapter could be an example here. Participants of NIMBY campaigns in urban China often openly criticize municipal governments for monopolizing the decision-making process. But these campaigns could be quite parochial, as they do not take various social and economic concerns in urban development into account.

The debate between liberal intellectuals/human rights lawyers and feminist activists could be another example. Different kinds of struggles against the state policy on family

¹⁸¹ Yang and Calhoun 2007; Guo 2010; Guo and Shen 2012.

planning (or the one child policy) have long existed in China, and these activities have often been framed as the resistance against state violence in fertility and the protection of human rights. Proposals advocating for reforming the policy at the National People's Congress always win popular attention and support. Yet since 2012, feminist organizations have begun to question these campaigns. These feminists argue that the major participants of the anti-one-child-policy campaign are males, and these males tend to ignore the patriarchal domination in fertility in private families. Some of these feminists suggest that, in places where the traditional conception of "carrying on the family line" still dominates, the state policy on family planning may be the one and only weapon for women to rebel against the will of their husbands and mother-in-laws. They put forward to the public their worries that women's role in society would again reduced to the function of procreation, if the one child policy were abolished, and hence advocate a more cautious reform on the child-bearing policy.¹⁸² These empirical facts remind us that, to explore the potential for solidarity in public deliberation, what we need to examine are not only how civil society activisms are changing state-society relations, but also how these activisms may transform the way different groups within civil society are related to one another.

In the following sections, I will investigate the potential for solidarity from the abovementioned perspective. The arrangement of this chapter will be similar to that of the previous two chapters. I will firstly list how the state and the market have provided actors in civil society with opportunities to develop a space for public deliberation. Next, I will illustrate some activisms that are inclusive in discourse, yet exclusive in practice. This is to show how the two external powers, the state and the market, have also set up constraints for

¹⁸² For a summary of these discussions, see Li Sipan. 2013. Why Don't Liberalists in Mainland China Support Feminism? URL http://www.21ccom.net/articles/sxwh/shsc/article_2013062586295.html [accessed Sep 02 2014]

the formation of solidarity. In the last section, I will be talking about the political consequence of different strategies to break up the constraints.

Something worth mentioning before I elaborate my empirical details is the concern on measurement. Compared with the previous two sources, solidarity in publics is relatively harder to be identified and measured. Although in theory it is easy to distinguish between a political process that concerns only balance of powers and interests, and a process that is communicatively oriented, in practice, the struggle for one's own benefits and the pursuit for universal good often coexist and intertwine in human beings' political actions. Here I contend that two criteria are crucial for observers to judge whether any culture of solidarity has been formed in a specific public deliberation. The first one emphasizes that all citizens who would potentially be influenced by a political decision have the opportunity to voice their concerns and substantively change the way a deliberation is framed. The second one suggests that we would not be able to know whether there is the solidary culture in a public deliberation until we discover that the outcome of this deliberation cannot be fully predicted by the pre-existing distribution of power and force among various actors.

In Search of Communicative Institutions in Authoritarian China

Appropriate institutions are needed for social integration in large-scale societies. Apart from representative political institutions, scholars have also examined the role of populist movements and the mass media.¹⁸³ People usually think it hard to have a public sphere in an authoritarian regime, as in an authoritarian environment, most of the communicative institutions are constrained, or monopolized by the state. But most scholars

¹⁸³ Calhoun 1988; Alexander 2006.

on China would more or less acknowledge the risk of applying this assumption to this specific authoritarian regime. Studies on populist movements before the economic reform and media criticisms in the eighties both show that, rather than being entirely constrained, social activism in an authoritarian regime could be quite radical.¹⁸⁴ In literature on contemporary civil society, it is not a new finding that the rising market economy has produced various opportunities for citizens to express critical opinions. Recent studies have mostly focused on critical news report on the commercialized media and Internet activism. Researchers argue that, although these newly emerging communicative institutions are by no means free from governmental control, the introduction of the commercial power has enlarged a space for public deliberation.¹⁸⁵

While I acknowledge the critical tendencies inherent in China's socialist tradition, and the emancipatory impact brought by the market, in this section, I will mainly talk about how channels defined by the state could also be revitalized and become communicative institutions in public deliberation.

Revitalizing Channels in the State

The most important representative political institution in China is the people's congress (*renmin daibiao dahui*). The congress is set up at each province, municipality, and district in cities direct under the central government. At the highest level, the National People's Congress (NPC) constitutes of about 3000 deputies. These deputies are supposed to be democratically elected and cover different regions, industries, and ethnic groups. They may or may not be party members and government officials. Deputies meet in Beijing annually, and are responsible for making laws. Counter-intuitively, the deputies are not

¹⁸⁴ Zhao 2001; Wu 2014.

¹⁸⁵ E.g. Yang 2013.

expected to be “professional politicians.” Outside the annual meeting of the NPC, which usually lasts for two weeks, the deputies are ordinary citizens as workers, peasants, engineers, professors, entrepreneurs, etc. The rationale of this arrangement is that deputies need to know the life situation of a particular group very well, and voice concerns for the group they represent. Yet at the same time, deputies are also free to raise issues that go beyond the interest of any particular group.

Although the NPC is the *de jure* highest organ of state power in China, many China watchers, including myself before I went to the field, have long taken this organ as a “rubber-stamp parliament,” as no one would deny that the Communist Party is the *de facto* controlling power in the country. At best, some political scientists have argued, the NPC is a forum for mediating policy differences between different parts of the party.¹⁸⁶ However, I discover in my field research that many activists in civil society take this “rubber-stamp parliament” seriously, and that in some occasions, the NPC could become a link between civil society activists and the state.

Activists engage in the people’s congress through mainly two approaches. The first approach is to run for the election as an independent candidate, and become a deputy. Quite a few activists I have interviewed have such experience. Although the whole election procedure is under strict control of the communist party, for activists, securing themselves a position at the district level, or sometimes even the municipal level, is not a mission impossible. One of the greatest obstacles is to get oneself to be listed as a candidate. In the current election system, quotas for deputies at each level are assigned from above beforehand. While people in a wider public are supposed to participate in selecting candidates, in practice, party organizations at the grassroots level have more power to decide, or even manipulate the whole process. To run for an election, activists need to self-recommend, or mobilize others to

¹⁸⁶ O’Brien 2008.

recommend them. Sometimes they do succeed in convincing the committee organizing the election to include their names in the vote. Even if they fail to do so, there is still another way: Activists could spare more efforts in persuading citizens to choose the “selecting others” (*lingxuan taren*) option and write their names in the vote. Activists who hope to win through “selecting others” should have wide connections with schools and neighborhoods, and an outgoing character so as to approach people. These activists have a chance to win, because the majority of candidates assigned by the party have no experience in competitive politics. These candidates almost have no training in politicians’ basic skills, such as delivering a public speech, whereas the activists tend to have a better sense of what a competitive election could be like. Activists’ potential success may also depend on a fact that many citizens have become bored with a “democratic” election manipulated by the party, and would like to choose anyone who appears to be distanced from the party.

With respect to the meaning of attending the election, some activists suggest that the major purpose is to educate the mass about their political rights. These activists attribute the powerlessness of the people’s congress to not only authoritarian control, but also citizens’ apathy to politics. According to their understanding, if more citizens could, like themselves, be serious about the election of congress deputies, rather than passively accept the candidates assigned by higher authorities, the election could become truly competitive, and more deputies would be willing to represent the interest of their constituents. Other activists think that they would be in a better position to voice people’s concerns if they become congress deputies. Yongping is such a person. He has begun to attend the election since he was a graduate student at Peking University. He gathered enough “selecting others” votes and got a position in the people’s congress in Haidian district in 2003, and was re-elected in 2006. During his terms, he led a group of migrant parents to protest, and successfully convinced the district government to grant equal opportunities to migrant children in the enrollment exam

of middle school. During their protests, whenever government officials showed impatience toward the parents' demands, Yongping stood out to highlight his identity as a deputy in the district congress. In such a situation, government officials' reluctance to talk with the parents would appear to be even more unjustifiable.

As running for the election is more of a symbolic meaning, most activists have more enthusiasm for another approach: lobbying deputies selected by the party to make new laws, or change policies. I encountered this phenomenon for the first time when I interviewed activists in the field of homeowners' movement. Many activists in Beijing took delight in talking about their achievement in revising the draft of China's property law in 2006 and 2007. When the draft of China's first property law was publicized for open discussion at the end of 2006, activists discovered that regulations on homeowners' property were extremely favorable to property management companies and real estate developers. Hence leading activists in the homeowners' movement proposed three amendments to the property law. First, the activists advocated that relevant articles in the law should articulate that it is homeowners, rather than property management companies and real estate developers, who own the "shared part" (*gongyou bufen*) in commercial housing neighborhoods, including meeting halls and parking areas. Second, the activists expected the property law to recognize homeowners' assemblies as a subject of lawsuits, so that local courts would no longer be able to decline homeowners' claims against property management companies and real estate developers. Third, these activists suggested that the threshold set up in the draft for establishing homeowners' associations, which was two thirds of all homeowners in a neighborhood, was too high. They hoped that this threshold could be lowered so that homeowners might encounter fewer obstacles in self-organization. Working together with homeowner activists in other cities, the activists in Beijing eventually got more than 182,000 homeowners from all over China to sign and support their amendments. During the annual

meeting of the NPC in 2007, activists mailed the copies of the signature book to deputies who publicized their contacts, and tried to convince them to propose their petition in the meeting.

When I heard the story for the first time, I was wondering who would care about this petition. The response I got from my interviewees was that “there would always be a few,” and that as long as activists successfully lobbied one deputy to propose the amendments, the book with 182,000 signatures would be presented to the Center. The lobbying process was totally random, as the activists had no idea which deputies would help them to propose the amendments. Basically the activists went to talk with any deputy who showed interest in their proposal, even though many of these deputies might not have adequate knowledge in the issue activists were discussing. Chen Bing, one of the leading activists in the lobbying campaign, shared with me his story.

In the campaign, he encountered a deputy who was a professor in pure mathematics. The professor said he would like to propose the amendments in the annual meeting, as he believed that, as an intellectual, he had the responsibility of reflecting what people concerned for in public deliberations. However, his cooperation with the activists was conditional: The professor would not propose the petition unless Bingchen could *prove* to him that what they demanded was justifiable. Bingchen then spent several hours, trying to convince a mathematician that parking areas and meeting halls in commercial housing neighborhoods should belong to homeowners. Nonetheless, this campaign was quite successful. In the end, eight deputies, including the mathematician, presented the activists’ amendments in the annual meeting of the NPC. A few months later, the newly issued property law did incorporate some of the activists’ suggestions. The “shared parts,” such as meeting halls in commercial housing neighborhoods now belonged to homeowners, although parking area had

been excluded. The homeowners' assembly was recognized as a subject in lawsuits.¹⁸⁷ And only decisions on "significant issues," not all issues, needed two-thirds of votes.

As I delved into my field research, I gradually discovered that the lobbying campaign organized by homeowner activists was by no means a unique case, and that it was almost a common practice for activists, especially those in Beijing, to maintain a smooth relationship with a few deputies and lobby them for changing policy whenever it was necessary. It was hard for activists to find deputies as "radical" as themselves. But it was not that hard for them to find a few deputies who concerned about public issues, like environmental protection, women's rights, and poverty alleviation, and who were willing to speak out. Although no one I interviewed was one hundred percent sure that their lobbying campaigns could be effective, most of them believed that they would at least "get something" if they continuously made efforts in communicating with deputies. Judging from previous policy changes and legislation, these activists were not just being Pollyannaish. Activists working in the field of laborers suggested that laws on workers' social security and industrial injury compensation were continuously being improved in recent years. Environmental NGOs had been working on the revision of China's environmental protection law for years, struggling for the right to sue in environmental hazards. When I returned from the field in 2014, environmental NGOs registered at the provincial level had already been recognized as subjects in environmental lawsuits, whereas previously only government sponsored organizations could play such role.

These activists understood the gap between law and practice. But for them, changes in laws could at least set up new norms. For example, although the regulation on migrant

¹⁸⁷ The newly issued property law has not explicitly granted homeowners' assembly the status as corporate. But a new article has been added to the law, stipulating that homeowners may sue homeowners' associations or homeowners' assemblies if the latter violate homeowners' individual rights. This article illustrates that homeowners' associations and homeowners' assemblies could be the accused. According to the principle of reciprocity, homeowners' associations and homeowners' assemblies could also be the accuser. Activists thus believe that the new law has partially incorporated their concerns, though in an implicit way.

workers' social security had never been fully carried out in any province in China, the issuance of the new labor contract law in 2007 had at least encouraged many migrant workers to struggle for their right to social security. Whenever workers organized themselves and protested, they could find relevant articles in the law to justify, or simply back up their demands. The activists also understood that policy changes were often promoted bit by bit. For example, while the environmental activists hoped that all registered environmental NGOs could have the right to sue, the newly issued environmental protection law only granted this right to NGOs registered at the provincial level. In this way, the FON, which was registered at the district level, was excluded, though activists in the FON had played a leading role in promoting the revision of the law. Yet activists in the FON were still optimistic about the change, as they perceived the change as a signal for further potential changes.

I provide a section of the relationship between the NPC and civil society activists to illustrate how representative political institution in an authoritarian regime works. Contrary to the conventional thinking on authoritarian China as a regime where citizens have no opportunity to express their concerns and hold the state to be checked, the section I demonstrate here suggests that these channels do exist, and that people in civil society also think they exist. Previous studies on the party-controlled "mass organizations" and the "letters and visits" system have also highlighted this point. Yet the "mass organizations" and the "letters and visits" office are both peripheral to the controlling system of the party-state. What I want to emphasize here is that even the political institutions that are at the center of the system are potentially accessible to citizens.

So what is the problem of these communicative institutions? How are they creating an unfavorable condition for the formation of solidarity? This needs to be analyzed in specific cases.

The Problem of Communicative Institutions in an Authoritarian State

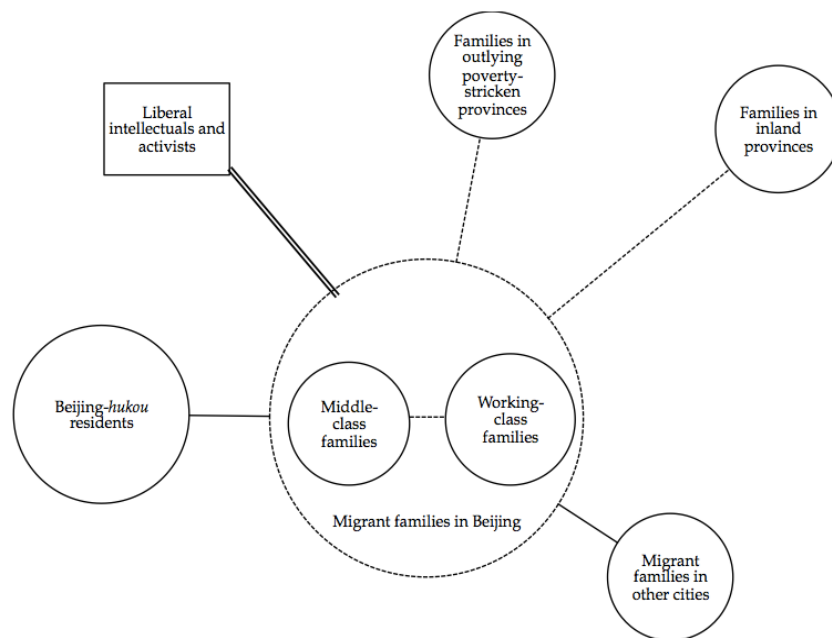
My basic argument is that, although the political institutions of the state, including the NPC, have opened channels for citizens to voice their concerns, these institutions provide few opportunities for people to openly debate with one another. In this environment, social movements are more likely to remain parochial, because participants of the movements are less likely to know others' situations, achieve mutual understanding, and establish consensus that is based on common values. In some occasions, the state's role as the final arbiter is even reinforced as civil society activists continuously engage with its institutions. In political issues that involve few interest groups and implications of policy changes are relatively predictable, these political institutions may work well in channeling citizens' demands, and sometimes even appear to be quite efficient. But in those issues that involve various interest groups and the implications of policy changes are hard to see at first sight, problems with these institutions become more apparent. The equal education movement I have introduced above is a perfect case to illustrate this point.

The Equal Education Movement as A Case

As I have explained in the beginning of this chapter, the equal education movement involves complex interests (see figure 5.2). With respect to issues of access in higher education, migrant families in big cities like Beijing and Shanghai are actually in a very inexact position in the hierarchy. Compared with those families whose *hukou* is registered in Beijing and Shanghai, there is no doubt that the migrant families are disadvantaged. But issues of advantage become more complex if we compare the migrant families with those living in poverty-stricken areas, and other inland provinces. As I will demonstrate later, since

the quotas are finite, granting benefits to these migrant families may even harm those who occupy even lower positions in the hierarchy. On another level of analysis, migrant families in big cities like Beijing and Shanghai are not a homogeneous group. Within this group, there are the upper middle-class parents who could afford sending their children to study abroad if the college enrollment policies in China become unfavorable. They have the government issued “talent resident permit,” and sometimes refer to themselves as the “green card holders.”¹⁸⁸ There are also the working-class parents who have never been to college, and do not even have a plan for their children’s high school education. As I will elaborate later, the term “equal education” means different things for these two groups.

Figure 5.2 Complex Interests Involved in the Equal Education Movement



Migrant parents’ activism could be an initiator of public deliberation. But whether any solidary relations could be formed during the public deliberation depends on how the

¹⁸⁸ Municipal governments in Chinese cities issue a “talent residence permit” to migrants having professional skills, such as university professors, lawyers, and engineers. Some people refer to the “talent residence permit” as the “green card” in China. These “green card” holders enjoy some of the benefits attached to *hukou*. The range of benefits varies across cities.

movement is organized: To what extent is the movement inclusive? To what extent are participants of the movement capable of raising a proposal that aims to advance common good? To understand this, we need to scrutinize the movement.

First of all, the intervention of Yongping and some other liberal intellectuals did have shifted the nominal goal of the movement to “universal education right.” Yongping was in touch with migrant parents in the winter of 2009. After knowing that a potential reform of the examination and enrollment system could have an impact not only on the migrant families in Beijing, but also on the approximately 80 million Chinese citizens who were not living in the place where their *hukou* was registered, Yongping decided that OCI should take the initiative in organizing an equal education movement. Before that, fragmented protests on migrant children’s education had widely existed, but most of these protests had bargained with the state on a case-by-case basis. Some migrant parents with the “green card” even came up with the suggestion that exam eligibility should be based on family property ownership. Had their proposal be implemented, the large working class in the migrant population would be excluded. Yongping and his colleagues at the OCI managed to make this movement appear to be more inclusive. Trying to influence the state policy via the NPC, they drafted a “non-governmental proposal” (*minjian fang’an*). This proposal advocated that a student should be granted eligibility for college enrollment in a certain province as long as he or she fulfilled the following two criteria: 1) The student had a successive three-year high school academic record in the province; 2) The student’s parents worked in the province. The proposal was released on the Internet in the end of October 2011. By the end of 2012, over 100,000 citizens had signed to support the proposal. Later, migrant parents activists managed to lobby sixty congressional deputies to propose for the movement, which had made the issue of equal education a hot and contentious issue in the 2012 NPC session.

To cooperate with the academy, Yongping also networked with several scholars in law, education, demography, and sociology. Among these scholars, the most critical figure was Fanqian, a public intellectual, and a constitutional law scholar at Peking University. Fanqian used to carry out research on China's college enrollment system and its regional discrimination. Fanqian believed that the best solution to the existing problems in the enrollment system was to standardize the exam, and abolish the *hukou*-based quota distribution, which was somewhat different from the movement's demand that migrant children attended the exam in their place of residency. But he nonetheless believed that granting migrant children more convenience in college enrollment exams was the first step in formulating a more equal education system. Therefore he joined the parents' activism, and at the same time cultivated a support for the movement based on neutrality and objective distance. He publicly made an argument that the existing college enrollment system was "unconstitutional," as it violated the principle that all citizens were equal before the law. To broadcast his view, he organized academic conference, wrote a lot of columns, and was periodically on TV shows, fighting with his opponents. During the expansion of the movement, these intellectuals have played major roles in disseminating the movement's message and initiating public discussion.

In the whole process, what had been in the limelight was a universal right discourse the movement had presented to the public. This discourse could be broken down into two separate claims. First, the movement formally included all migrant children, not migrant children from any particular social strata. Second, the movement asserted that endorsing migrant children to attend the exam in the place of their residency would not only benefit migrant families, but also contribute to the overall fairness of the college enrollment system.

The problem is that there is a huge gap between the discourse and practices in the movement. This gap is more clearly seen when we situate the parents' activism in relation to attitudes of other groups.

Encounter with the Other

With regard to the quality of public deliberation in the equal education movement, I mainly offer two criticisms. The first criticism is that while participants of the movement advocate equal education opportunities, their stated demand have avoided criticizing the quota system, which is the root of inequality in China's college enrollment. In this way, the movement has become an effort aiming to enlarge the "privileged" group, rather than criticize the existence of privilege. The second criticism is that while the movement nominally includes all migrant families, substantively working class families have been excluded. I will explain these two points one by one.

The first criticism involves the parents' ambiguous attitude vis-à-vis the quota system. In early 2010, Fanqian submitted an open letter to the premier of China, urging the state to abandon the quota system and standardize the college entrance exam. While parents frequently drew on Fanqian's critique of the constitutionality of the current exam system, his critics of the quota system had not been well incorporated into the agenda of the movement, as parents regarded a quota-distribution reform as too remote from their immediate concerns.¹⁸⁹ Most migrant parents simply insisted that their children should share the quotas with Beijing-*hukou* students. Some even suggested that after the "non-governmental proposal" was implemented, the allocation of quotas should be adjusted according to the flow of migrant populations, which implied that host regions of migrant children, including

¹⁸⁹ In the proposal the movement submitted to the NPC, both standardizing the exam and equalizing quotas were listed as alternatives. But these alternatives were demonstrated as being either infeasible or unhelpful for addressing migrant families' concerns.

Beijing and Shanghai, would be granted more quotas, while regions like Sichuan, Hunan, and Hubei, where acceptance rates used to be relatively low, would be further deprived of quotas. This choice had left them in an embarrassing position: on the one hand, the movement was protesting against the *hukou* restriction on the place for attending the exam, in the name of equal education. On the other hand, the movement acquiesced to the quota system that stratified citizens' access to education by their *hukou* status.

Because of this gap, the movement's proposal had encountered a lot of objections since it was released. In a CCTV debating program, *Adversary*, Zhu Xu, who worked in media, challenged a parent present by raising a rhetorical question, "If your *hukou* were registered in Beijing, and one day you got a job in Shandong, would you still consider taking your children with you, or even protesting for their right to the exam in Shandong?" Shandong Province was the place where college acceptance rates were among the lowest in the country. Zhu proposed the question to suggest that the parents' real goal was simply the high acceptance rate in Beijing, rather than extending a right to universal education, as the leaders of the movement had claimed. In the debating program, Zhu further alleged that although the "non-governmental proposal" might alleviate the regional inequality in China's education, it would definitely aggregate the class inequality. He suggested that the two criteria listed in the proposal, academic records and certificates of parents' work, were easily forged if one had money. Hence, if this proposal were put into practice, it would but create another channel for rich people all over the country to purchase their children an opportunity to attend the exam in places where acceptance rates were higher. The worst part was that people would not only pour into Beijing and Shanghai, but also seek opportunities in places like Xinjiang and Hainan, where not only the acceptance rate was much higher, but also the college enrollment exam was much easier. Then the truly disadvantaged would be harmed.

Unfortunately, the parents had never appropriately responded to these questions and challenges. Some participants of the movement simply acknowledged that their activism was only for a private interest. In an open salon organized by migrant parents, one of the major activists, Panli, delivered a speech, in which she frankly told the audience that the motivation for her to bring her son to Beijing was the rich economic and humanitarian resources in the city. She said, “I don’t think this motivation is evil. Nobody could say that a mother’s desire to let her child live in a better environment is evil. ‘Seeking benefits and avoiding disadvantages’ (*quli bihai*) is part of human nature.” To open her speech, she said, “I know it may be inappropriate to talk too much about one’s private interest in a public speech. But I nonetheless have decided to tell you the story of my family today. This is because, through communications with the parents of my son’s classmates, I have found that many Beijing-*hukou* residents know nothing about the distress we are now suffering.” In *Adversary*, a teenage migrant child explained his situation in a similar fashion. He said that he would no longer be a happy kid if he were sent back to his hometown, because of the heavy schoolwork burden and fierce competition there.

While sharing the details of one’s life situation could provide the audience with an opportunity to put one’s feet in others’ shoes, these narratives, as responses to the question of participants’ motivation, was not powerful. By focusing on how one had “sought benefits and avoid disadvantages” in such a utilitarian fashion, Panli and the teenage child actually shied away from the discussion of equal education, an ideal of which the movement had struggled to propose to the public.

The second criticism involves the issue of class. The movement proposed to use academic records to substitute *hukou* registration in determining the eligibility for college enrollment exam. Yongping suggested that this proposal was much more inclusive than the one proposed by those “green card” holders, who would like to categorize people according

to their property ownership. But a question Yongping's proposal could not answer was who had access to high school in Beijing. In principle, most public high schools in big cities only accepted local-*hukou* students. Migrant children were not enrolled unless their parents were "green card" holders, had some *guanxi*, or could afford steep extra fees. These fees in some high schools had already gone up to 200,000. Obviously, this was not an amount a working class family could afford. To reiterate, the *hukou* system had established hurdles for both middle class migrant families and working-class families, but the first insurmountable hurdle emerged at different points for the two groups. For the middle class, this hurdle was the college enrollment exam, while for most working-class, it emerged after their children graduated from middle school (Grade 9).¹⁹⁰ After completing compulsory education, the vast majority of working-class migrant children either returned to their so-called "hometown" to attend high school, or directly entered the job market. By transforming the criteria from property ownership to high school academic record, the bias had simply become more inconspicuous, rather than being eliminated.

As a matter of fact, principal activists of the movement were mostly middle class parents. Huyang's husband was a metro engineer. She had a college degree, and used to be a small business owner before attending the movement. When I was in the field, she had already become a professional activist working for the OCI. Taoling was an eloquent and persuasive speaker, and she worked in the media. Her task in the group was to communicate with journalists. Shenwan worked as an IT engineer, and was a "green card" holder. Middle class activists often went to working class communities to hold sign-in activities. But the interaction between the activists and the working class parents was extremely superficial. A

¹⁹⁰ A comparison between Beijing and Shanghai could also illustrate the bias of the movement. Shanghai is also a host city for large numbers of migrant populations, and the college acceptance rate in the city is also far above the national average. But significantly fewer individuals in Shanghai have joined the movement. This is because the hurdle for the middle-class has been cleared in the city: local policy has allowed the children of "green card" holders to attend both the high school enrollment and the college examinations.

common dialogue went as follows: An activist said, “We are protesting for migrant children’s education rights. Please sign to support us.” Then the other side simply signed, or questioningly murmured, “Does it work?” On some occasions, the activist would explain, “State policies would be changed if we accumulate enough signatures.” On other occasions, the activist would immediately leave and look for the next subject. Rarely was the communication more profound than this. While working class parents had contributed the majority of the over 100,000 signatures, their concerns had not been included in the movement’s proposal. The working class participated in the movement mainly as “numbers.”

While Yongping and the OCI hoped that the movement could include the large working class of the migrant population, none of the migrant laborers’ organizations in Beijing had shown any interest in participation. In talking about the implication of the protests, one labor activist simply commented, “This is a bourgeois movement.” Another activist said, “I’d rather they not use the term ‘human rights.’ How can one claim that he is struggling for human rights when he has no idea on the life situation of those humans he tries to represent?”

To conclude, I have demonstrated that the actors involved in the movement have various concerns, and their interests are not always consistent with one another. I have also shown how these different concerns and interests have been simplified into a single claim, releasing the *hukou* restriction in the college enrollment exam. I argue that the movement has failed to shift the public discussion from a zero-sum struggle for interests to a normative debate on what counts as a more just way to distribute the finite education resources, though participants of the movement have repeatedly stressed that they are fighting for “universal education rights.”

Further Scrutiny of the NPC: The Political Consequence of Public Deliberation

The part of the story that has commanded most of my attention is the fact that, while the movement has continuously appealed to the public, many of its concerns have remained parochial. To understand why this has happened, we need to go back to the details of how parents have managed to lobby deputies at the NPC.

When Yongping and his colleagues in the OCI decided to propose to the NPC in the end of 2011, most of the migrant parents, having zero experience in social movement at that time, had never heard of the word “lobby.” Huyang was the leader of the parents’ lobby group. She said, before she knew Yongping, the only thing she could think of was to rely on *guanxi*, using her personal connections to land a school for her daughter. Yongping had taught her a lesson: there was a way to talk directly and openly to the state and to voice one’s demand. Another activist told me joyfully how she had successfully persuaded a woman deputy, who was a private entrepreneur, and also a mother, to propose for the movement. She commented, “Many people say China would be in chaos if we have democracy. I think they are wrong. You see, what we are practicing is nothing but democracy. As far as I feel, democracy is not that mysterious and difficult.” Yongping also suggested that accustoming ordinary citizens to the skills of communicating with deputies was one of the movement’s greatest achievements.

But scrutiny of the institutional arrangement of the NPC would cast a shadow over the parents’ optimistic self-interpretation of their lobby activities. First of all, the activist’s imagination that democracy in China is easy has its root in reality: The threshold for making a proposal in the NPC is amazingly low. As I have introduced in the previous section, quite a few deputies are interested in contacting activists and channeling citizens’ demands. In each conference, a deputy could submit any number of proposals, and there is not a rule denoting

the minimum number of deputies one has to lobby so as to make a proposal be discussed. Thus, as long as the activists succeed in lobbying one deputy, theoretically their voice will be heard by the state.¹⁹¹ However, what the participants of the lobby group have avoided discussing is where their proposal is supposed to go after being submitted by the deputies. In fact, proposals like this are most likely to be directly transferred to “relevant departments in the government,” instead of going through any deliberation process. Nobody knows how many proposals could form a sufficiently high pressure for the state to respond. For the activists as the outsiders of the NPC, it is also totally unimaginable how the state would respond if “relevant departments in the government” receive contradicting proposals from groups with opposing interests. It is this unimaginable state that plays the role of the ultimate arbiter. Therefore, while the NPC has become increasingly important for the party-state to collect information about what is going on in Chinese society, this representative institution is not yet a space where competing interests could openly debate and negotiate with one another.

This particular institutional arrangement has shaped the movement’s strategy in talking to the NPC. Being exempt from the trouble of directly facing potential opponents, what the activists need to consider is simply how to bring more pressure to the state, rather than how to persuade others to accept the movement’s vision, or to have a more thorough calculation of how their proposals could negatively impact the welfare of others. According to what I have observed in the field, while lobbying and proposing was one of the recurring themes in my interviews with the parents, what they had discussed most was not how the deputies had proposed the issue, and whether there were deputies opposing the movement’s

¹⁹¹ There are basically two kinds of documents deputies could propose in the annual conference of the NPC. One is called the motion (*yi'an*), and the other is known as the “opinions, criticisms, and suggestions” (*yijian, piping yu jianyi*). In principle, a motion is always on legislation, while “opinions, criticisms, and suggestions” can be anything relevant to state policies. In most of the time, what deputies submit are “opinions, criticisms, and suggestions.”

suggestion, but the popularity of the “non-governmental proposal” in the mass media. They frequently said, “This time our proposal is on fire (*huole*).” For the participants of the movement, proposing in the NPC not only directly pressed the state, but also served to increase media exposure, which would later bring another form of pressure to the state.

Unfortunately, not everyone is equally capable of using the NPC to voice his or her demands to the state. In the process of this seemingly serious democratic deliberation, there are always many individuals who should have been included are actually ignored. Particularly important in this case are the residents in inland provinces and economically under-developed regions, as these individuals are very likely to be negatively influenced by the “non-governmental proposal,” and they have even fewer chances to voice their demands through other channels in civil society.

Readers may challenge my proposition by suggesting that citizens in democratic institutions also form interest groups and press the state for their own concerns, and that even in well established democracies, it is often the case that all interest groups are not equally powerful in public deliberations. Readers may suggest that, even in established democracies, a movement aiming at a universal goal may start from a relatively small group of citizens with some parochial concerns. But my point is that the “scale up” of these parochial, or even exclusive movements largely depends on the institutional arrangement in a political system. If democratic institutions are designed for collective decision-making, they mean to provide participants with opportunities to see who their opponents are, and what their opponents want. To engage in this game, players usually have to recognize interests and concerns of those in other positions. Democratic institutions thus guarantee a thin layer of solidarity, if decision-making procedures embedded in these institutions could at least formally include everyone who would potentially be influenced by the decisions that are going to be made. Yet the NPC as a political institution is nowhere close to that. While it seems to successfully

make citizens believe that they are participating in politics, in this system, the citizens' role is reduced to raising demands and the role of the arbiter is entirely left to the state. Engaging with this kind of political institution, participants of social movements are less incentivized to reflect upon their positions in a stratification system, and are thus less likely to take the welfare of others into account.

The specific rationale inherent in China's communicative institutions in the public has a consequence on the ethos of citizens' deliberation: People tend to understand politics as a relationship between the state and social groups who have particular concerns, whereas their capability of thinking of the interactions among different social groups has been deprived. If we probe the attitudes of actors from different positions in the equal education movement, we would discover that their thinking of the relationship between the state and civil society activism is strikingly similar. When analyzing the debate between the participants of the movement and the movement's opponents, Taoling, a leading activist, said,¹⁹²

They (the Beijing-hukou residents) criticized me for being self-interested.

I won't deny that I am very self-interested. But why should I be benevolent? Why should I give up my chances and grant them to others?

To preserve justice and fairness is the government's responsibility.

Fairness is not achieved by asking ordinary citizens like us to compromise and concede. Individuals do their best to protect their private interest, and the state will do the rest.

Taoling was not a unique case among activists in the movement. When I was in the field, I often heard the migrant parents talking about the relationship between their actions

¹⁹² Interview Dec 18 2012.

and equity in education in a similar fashion. These parents firmly believed that, even if what they were fighting for was but the privilege of enjoying the higher acceptance rate in Beijing, they should not be blamed, because it was the state's responsibility to ensure that privilege did not exist in this country. According to this understanding, it is absolutely legitimate for one to ignore the welfare of others in public deliberations, as individuals are not supposed to be responsible for the realization of justice and fairness.

On the other side, the vast majority of Beijing and Shanghai *hukou* residents simply feel surprised that they are involved in the public discussion. Some of them are annoyed that journalists have given too much media exposure to a movement that they cannot care less. After I posted Panli's speech on the Internet, a Beijing-*hukou* resident commented below my entry,

Beijing residents are the privileged? Are you kidding me? Look at the skyrocketing housing price, the air pollution, traffic jams... We are just the ordinary folks (laobaixing). Why are these migrant parents creating this noise at my door? If they are not satisfied with the educational resources they currently enjoy, they should ask the state to give them more.

I suggest that people on the two sides have a similar understanding of politics, as their imaginations of the state are equally abstract. In their imaginations, the state is always able to provide more welfare, as long as individuals and groups in society are powerful enough to put the screws on it. This state always has leverage to preserve justice and fairness, even if sympathy, affection, and solicitude are hardly found between self-interested individuals and groups competing for resources. People criticize the state for not being able to provide sufficient higher educational resources, and equally distribute these resources

among citizens. But the only solution they could think of is to call for a more omnipotent state. I would argue that this imagination of the state is a real “false consciousness,” as the state is actually not an abstract entity, and it has its root in civil society: The state needs to draw on financial resources from civil society, which are by no means infinite, and the state is not able to abolish an unequal system without at least a minimal consent of the group that has enjoyed certain degree of privilege in the pre-existing system, no matter this consent is achieved through a threat of using force, or the privileged group’s voluntary compromise. If, one day in the future, a fiscal crisis reveals the ridiculousness of the imagination of the state, or simply makes it hard to maintain this imagination, real political crisis would occur in China.

The Problem of Communicative Institutions in the Newly Rising Market: An Observation

Then, have the newly rising communicative institutions enriched by the commercial power in the market provided an alternative to the political institutions monopolized by the state, or at least nurtured a more plural environment for public discussion? While I do not have any systematic data to answer this question, I would like to offer an observation on the relationship between civil society activisms and these new communicative institutions to unpack some of the mechanisms.

Studies have found that the commercialized media in China tends to be more critical toward the state, compared with some traditional media that is still under strict control. The commercialized media in an authoritarian regime is highly incentivized to offer critical news report in China, as Chinese people as consumers in the market today like reading things that are against the state, the party, or government policies. This is especially true in the Internet

media, where users also participate a lot in the creation of information. Many scholars thus applaud the emergence of these new media, and suggest that they contain positive tendencies in enlarging the public sphere in China.¹⁹³ While these studies have also recognized the existence of government censorship, they nonetheless offer more descriptions on how Internet users in China have taken strategies to overcome censorship, and how some characters that are inherent in the Internet technology have made the government censorship ever harder. As far as I have observed, most activists in China's civil society also share this optimistic attitude. In some fields, such as the environment and feminist movements, Internet literacy has become one of the basic skills indispensable for organizing activism.

However, while creating a space that is relatively distanced from the center of the state tutelage, the expansion of these new technologies may also generate new forms of control. The relationship between the commercial power and the development of social networking service (SNS) technologies is an illustrative example here. A bit historical account is necessary to understand my argument.

A decade ago or even earlier, popular SNS technologies were BBS and blog. These technologies provide scattered on-line interactions. BBSes were most popular in bounded places like a university campus, and each university had a unique forum. Blog was of a similar fashion. Users of blog chose different blog service providers. While these users might exchange links with one another, most of the time they remained separate. These early IT products have begun to decline when corporations intervene and provide more widely connected and user-friendly products. In China, these products are Weibo (the Chinese twitter), Renren (the Chinese Facebook), and recently Wechat. The commonality of these products is that they tend to integrate the previously scattered forums on the Internet, and unify discussions happening in various space and time in a single platform. Many people

¹⁹³ Yang 2011.

today, especially well-educated ones, are still cherishing the “good old days” with the early technologies, because discussions on the BBSes in Peking University and Tsinghua University encountered less censorship. In most such occasions, it was university students who were managing and maintaining these forums. The organization and management of on-line discussions were also more democratic, as users participated a lot in the creation and the defense of rules. But even those well-educated elites will not deny that early technologies provided access to on-line discussions only to a small group, and it is the popularization of smart phones, and the creation of those new products that have made a more inclusive deliberation possible.

So why are these new technologies more vulnerable to control and manipulation? First of all, while these corporations are all tempted to present more critical views so as to attract more users, they are also very clear that to overdo them may cost their license for profiting in a continuously expanding IT market. Hence corporate power from time to time voluntarily practices censorship to make sure that criticisms in the communities they establish could appear to be sharp, but not touch the party-state’s bottom line.

On another level of analysis, in these SNS public discussions, the corporations’ goal of seeking profit and the goal of deepening deliberation are not always compatible with one another. For example, to prolong the time users spend on certain websites, a usual technology that has been employed is to calculate the record of individual users’ preferences in reading, and recommend contents that they are more likely to click. This means that, while the SNS developed by corporations may have included more participants on a single platform, the chances for these participants to encounter opinions that are divergent from their own have been reduced. In this way, the structure of on-line discussions is more likely to reproduce the pre-existing power structure in civil society. People are still able to produce small-scale on-line forums. But without being connected to those large platforms, voices in those small-scale

forums are not going to be heard. The subordinated and the marginalized thus do not necessarily win more opportunities to problematize their issues after they have access to these newly emerging communicative institutions.

If we look at labor activists' subtle and complex understanding of these new SNS technologies, we may have a better sense of how the seemingly unified communicative institutions have actually segmented public discussions. When talking about the role of well-known SNS websites, like Weibo, quite a few labor activists suggest that, while these websites may help ordinary citizens to broadcast their views, they are useful mainly to middle class. The labor activists regard Weibo as a "bourgeois" websites, because the most heated issues in that platform are what the middle class cares most about, like environmental protection. Many labor activists, especially those who are relatively well educated, have also recognized the importance of Internet literacy. So they have registered account on platforms like Weibo, and posted their views and information on labor activisms. However, as the major audience on these platforms is the middle class, labor issues like migrant workers' social security, compensation for industrial injuries, or simply frequently occurred labor insurgencies, even if surviving censorship's possible erasure (carried out by both the government and corporations), are not very much likely to spread wide.

Several university students I have interviewed are interested in helping workers to get familiar with Internet technologies. "Help workers to enter the civil society that has been dominated by the middle class." Some of them have explained to me their ambition in this way. Yet they also acknowledge that, till now, their efforts have not been quite effective. University students suggest that, although the younger generation of migrant workers in urban China has already begun to upgrade their mobile devices to smart phones, most of them, especially those working on the assembly line, are not allowed to use smart phones when they work. In their spare time, workers are more interested in using their smart phone

for entertainment, downloading TV dramas or popular music, rather than seriously engaging in politics. Refreshing news feeds every five minutes and participating in public discussions by offering timely comments are thus definitely not these migrant workers' style. Even if few laborers become interested in on-line political discussion, platforms like Weibo are for them more of a place to learn than a place to speak. Grassroots labor activists are more familiar with QQ (an IT product for group chat). While QQ could also be used in mobilization, it is a closed system, which means that no one outside could be informed about what is going on. Therefore, compared with that of the middle class, it is harder for the working class to utilize IT technologies to appeal to a wider public and seek wider supports.

Maybe it is too early to offer a generalization on the impact of the newly emerging communicative institutions nurtured by the market, as IT technologies develop fast these days and new products are continuously coming out. But my take of this issue is that, till now, the market has not been able to create a truly pluralist environment for public discussion outside the state tutelage. In some way, these new communicative institutions reproduce the structure of political institutions monopolized by the state: Criticisms that are directed against the state are regarded as sufficiently good criticisms, and criticisms on power inequality within civil society are bypassed, or even intentionally ignored.

The Possibility of Articulation

So is it really possible to develop solidarity based on public deliberations in an authoritarian regime? Are all newly emerging phenomena, such as the revitalization of the NPC and on-line political discussions, merely illusions that mask the continuous reproduction of the pre-existing system? Should people avoid thinking about the power inequality within civil society until the establishment of constitutional democracy and competitive elections, as

some radical liberal activists usually suggest? I do not have definite answers to these questions. But what I can say is that, although the communicative institutions inherent to the authoritarian state, and to the market that is under control of the state, have largely structured the way many civil society activists are organized, the opportunities these institutions have left to citizens and activists also make the outcome of those activists contingent. To be more precise, people are still making choices in this specific environment, and it is these choices, together with the structural constraints set up by the state and the market, that are determining the political consequences of civil society activists.

In the equal education movement, the middle class parents and the liberal intellectuals were making choices. Their choices have reinforced the structure set up by the state. Particularly important here is the role of liberal intellectuals. It is needless to say that a liberal activist like Yongping has no faith in the state's propaganda that only the communist party could represent the fundamental interests of the overwhelming majority. Yet at least in one aspect, his manner of understanding politics has affinities to the rationale of a paternalistic state: Yongping also disregards the responsibilities individuals may take in the creation of a more just society. I once asked him how he would deal with the counter-movement organized by the Beijing *hukou* residents. He paused for a while, and said,

The equal education movement we are organizing now is quite similar to the civil rights movement in US. When African Americans fought for their rights, they meant to deprive whites of their privileges. Do you think all whites would turn a blind eye to that? Of course many conservative whites would object to the movement. But because these whites were not on the side of justice, they were eventually submerged in the long river of the history.

It is totally understandable to me that Yongping has far less interest in leading the movement to engaging opponents in civil society than bargaining with the state, because, as what I have just introduced, the institutional environment has left almost no opportunity for horizontal negotiation.¹⁹⁴ What has astonished me is his evolutionist belief that people on the wrong side of the history would naturally disappear, as it recalled for me the most orthodox Marxist ideology that progressive social transformation was dependent upon a set of pre-determined principles. If justice and fairness are not supposed to be achieved through the moral practices of ordinary citizens, these values are no longer relevant to what these citizens believe from the bottom of their hearts.

To clarify, I am not criticizing liberal intellectuals in China for unconsciously holding a Marxist belief. What I want to demonstrate here are the consequences of insisting on such a stand. The first consequence is his incapability of forming a compelling argument for the others in the public to respectfully hear and understand. Even some of the activists in his group had recognized this problem. Taoling euphemistically attributed Yongping's ignorance to his academic background. She said, "Law scholars tend to believe that right is absolute. Both Yongping and Professor Zhang simply told us, 'You have this right!' It is like they start from the concept of right *per se* to prove that we have the right. But for others, this claim is oversimplified. Who would like to listen to us talking abstractly about the concept of right?"

The second consequence is his incapability of making sense of the discourse "universal right" for a wider population, though he seems to be very capable in habituating a group of people with the slogan of "universal right." This is directly linked to how the working-class has been ignored in the movement. There used to be a chance for the

¹⁹⁴ I met another activist in the field. He claimed that he used to be in the equal education movement, and suggested the parents to organize more routine activities targeting Beijing residents, rather than repeatedly petition the government. He also said it was because he disagreed with Yongping that he was labeled as a "separatist" and excluded from the movement.

organizers of the movement to recognize the class difference within the migrant population. In 2011, the OCI drew a sample of 1,000 from the individuals who had signed to support the movement, and conducted a survey. The survey was originally designed for exploring the various problems migrant families encountered in different phases of children's education. Were the survey to be carried out in this way, it would have been clear that the working-class families had a different concern. But Yongping despised this survey design as "too trivial," and "not touching upon the root of the problem." He asked for a survey that could more crisply expose the unconstitutionality of the current education system and the resentfulness of the migrant population. Finally, the survey only asked respondents whether they would like their children to attend the college enrollment in Beijing, and why they would like to do so. There was not a single variable in the data that could be used to measure the respondents' class or socioeconomic status. Rather than make the invisible problems seen, Yongping and the movement he has organized actually conceal difference and silence the truly disadvantaged.

So my opinion is that, to improve the quality of public deliberations, what intellectuals should do is to challenge the binary opposition between the state and civil society, rather than reinforce it. Of course, this is not an easy task. It is relatively easy to tell ordinary citizens that mere criticizing the state could solve social problems. In an authoritarian context, these criticisms could sometimes appear to be heroic. It is always a bit embarrassing to point out in the public that ordinary citizens are in many occasions part of the problems. As a matter of fact, it is often tempting for intellectuals to interpret politics in binary terms, as reducing all problems to the control of the authoritarian state mobilize the vast majority of people. However, as I have shown in my empirical analysis, if intellectuals choose to cover up the power inequality within civil society, rather than articulate differences

in the public, decision-makings are necessarily bent to favor the interest of the advantaged group, such as the middle class.

The equal education movement I have analyzed above is not a single case. One could easily identify a “middle class bias” inherent in many social movements and civil society activisms in contemporary China. Environmental campaigns could be another example. In February 2015, Chai Jing, a celebrity journalist, released her self-financed documentary film, *Under the Dome* (Qiongdong zhi Xia), on the Internet. As the film was on air pollution in China, a heated issue, within three days of its release, it was viewed over 150 million times. In the film, Chai attributed the air pollution problem to the monopolization of state owned enterprises, and suggested that by introducing more market mechanisms in the energy industry, the pollution would be largely alleviated. The documentary film avoided talking about the cost of solving air pollution problems. Hence it cleverly avoided talking about how people in different regions and classes were to share this cost. When talking about the upgrade of industry, and the potential problem of unemployment, Chai simply introduced the history of London and Los Angeles, and argued that industrial laborers easily got new jobs after the air became clean. Many environmental activists openly claimed that they supported this documentary film. (In fact, several environmental NGOs had participated in the making of this film.) I communicated with some of them in private. While they acknowledged that the film was somewhat “bourgeois,” they nonetheless insisted that criticizing the state was the most important task and other concerns were of secondary importance.

I contend that, to correct this bias, intellectuals and activists on the left side should shoulder more responsibility. This is not only because, as I have introduced in chapter two, the potential for leftist discourses have not yet been fully developed. This is also because liberal intellectuals in China are the group that likes to emphasize the oppositional binary between the state and civil society, and hold a universal, classless claim that every individual

would equally be benefitted if state power could be constrained or withdraw from citizens' economic and social life. In contrast, leftist intellectuals are the group that focuses on substantive inequality, and at least on the surface, legitimize their stance by claiming that they represent the interest of the disadvantaged. To achieve the goal of articulation, leftist intellectuals should at least recognize civil society as a sphere where different opinions could be expressed and open debate is possible. If they insist their ideological stance that civil society is bourgeois, and seek opportunities for transformation merely through cooperating with the state, they lose their battleground. Then the claim that civil society is a bourgeois society becomes a self-fulfilling prophecy. With more leftist intellectuals and activists participating in leading and framing social movements, people would see more hopes in rebuilding the link between citizens and the political system.

Civil Society and Critical Sociology

In previous chapters, I have demonstrated the various kinds of civil society activism in urban China. At first sight, these activism appear to be vibrant. One can almost identify in China's civil society all elements that are present in civil society in established democracies, NGOs, protests, advocacy campaigns, and voluntary networks. But I have tried to illustrate that the potential for solidarity is still quite uncertain, as these activism tend to have limited impact on the formation of self-governance networks, categorical identities, and public deliberation. This implies that, although civil society in China is broadening a space for citizens to talk to the state, it falls short in providing a new basis for social integration.

To search for underlying constraints in the development of a solidary sphere, I trace the mechanisms of how the state, the market, and the internal structure of civil society possibly affect activism in civil society.

With respect to the relationship between the state and civil society, I argue that while the state has opened a relatively autonomous space for citizens to organize, talk, and even criticize government, it has managed to prohibit the development of horizontal links within civil society. To state in oversimplified terms, while the state tolerates or sometimes even encourages the emergence of concrete social networks, it maintains a negative attitude toward citizens' practices of self-governance and self-management; while the state allows both civic organizations and protests, it does not allow these two elements to meet in civil society, which constitutes a huge obstacle for the formation of categorical identity; while the state sets up channels for people to express their demands, no political settings of the state guarantee that people with different demands could publicly meet and debate, and hence the state's role as the final arbiter is reproduced in public deliberations. In a word, the state has

developed more meticulous technologies in its governance of civil society so as to prevent the formation of a solidary sphere without having to close down extra-state social activisms.

With respect to the relationship between the market and civil society, I argue that while a burgeoning market economy has granted people more liberty in action, in some occasions, the market may also impose constraints on the formation of solidary relations. Some discourses emphasized by commercial power, such as professionalism and efficiency, can be corrosive to the formation of self-governance networks and categorical identities. Additionally, as the authoritarian state tends to be more tolerable to the actors and organizations that have closer connections with commercial power in civil society, these actors and organizations have inherent advantage in debates and struggles with other actors and organizations. Without a strong public discourse, the stratifying mechanisms in a capitalist market could be directly translated into inequalities of public deliberations in civil society, and thus magnify negative impacts brought by the market in China.

I have also demonstrated that the state and the market do not work by themselves, and that these external powers become effective by interacting with the internal structure of civil society. In this project, I mainly elaborate the tension between intellectuals bearing abstract political ideals and grassroots activists who are more pragmatically oriented, and the tension between civil society organizations that tend to institutionalize political participations on the one hand and protests that tend to be more spontaneous on the other. While these kinds of tensions may be common in other contexts, I argue that the particular political environment in China makes it especially difficult for actors in different categories to understand one another, and that people's inability to cooperate has also led to the under-development of solidarity.

Starting from the concern on internal structure of civil society, I tend to show that many of the constraints that have been imposed on China's civil society are neither fully

determined nor unchangeable. By illustrating the variations among social movements and organizational practices, I intend to display that some strategies are more effective in overcoming the constraints than others. These strategies include the flexibility in combining political discourses and actions, the acceptance of the principle of organizational pluralism, and the articulation of empirically grounded ideological debate. Therefore, although some of the discussions in this dissertation do contain a layer of cynicism, I am neither providing a law-like model of the conditions for the emergence of solidarity, nor making a deterministic argument that transforming China's authoritarian system through civil society activism is impossible.

This concluding chapter will be elaborated as two sections. In the first section, I will discuss some of the new trends occurring in the relations between state and civil society, and between market and civil society in China. The second section is on the implications of this study.

Solidary Relations Challenged

New Trends in the State

As civil society in China evolves, the state is also developing new technologies to control and govern emergent social forces. As far as I have observed, the state's strategies of governing civil society have moved from passively revitalizing organizations that are inherent to the party-state system, to actively engaging with organizations and actors who do not have any governmental background. In the 1990s and the early 2000s, the state was still trying to renovate its "mass organizations," such as trade unions, the women's federation, and residents' committees, so as to channel demands from society. These transformed "mass

organizations” are sometimes referred to as the GONGO (government organized non-governmental organization) in the literature on civil society in China.¹⁹⁵ While the state has never given up the GONGO strategy, in recent years, many new policies have been enacted to regularize real non-governmental and non-profit organizations.

Rules for NGO registration are continuously being changed. Previously, an NGO had to get a permit from a “responsible institution” (*guakao danwei*) so as to get registered. This “responsible institution” could be any sector of government bureaucracies as long as its function was relevant to the kind of activism the NGO planned to organize. For example, an environmental NGO could apply for this permit from the environmental bureau. It could also ask for help from the education bureau, if it claimed that its activities involved cultivating citizens’ environmental awareness. While it could contact these bureaucracies at the national level, it could also turn to their agencies at the municipal or district level. However, although NGOs theoretically had a wide range of choices, in practice it’s not quite that way. Because most government officials regarded supervising NGOs as troublesome and tended to decline activists’ application, it had been quite hard for people to find a proper government bureaucracy willing to issue the permit. Then this regulation was changed in 2010. In several municipalities, the responsibility of supervising NGOs has been shifted to a single state department, the bureau of civil affairs. While there is still a possibility that activists who want to register their organizations get rejected, the concentration of the power to issue permit has nonetheless made buck-passing less likely to happen. Some provincial governments, like the government in Guangdong, have even allowed certain types of NGOs to register without permission from any “responsible institution.”

A similar trend could be found in government’s regulation on private foundations. Before 2004, the majority of charity foundations in China had government background. But

¹⁹⁵ Unger and Chan 1995, Saich 2000, Ma 2005.

after the new *Regulations for the Management of Foundations* was issued in 2004, registration has become easier, and more than three thousand foundations have been established, many of which are organized by corporations or entrepreneurs without any government background.

Besides standardizing the governance of non-governmental and non-profit organizations, the state has also been actively involved in the cultivation of organizations and institutions in civil society. What is worth mentioning here is the fact that, although the concept “civil society” has always been somewhat politically sensitive in China’s public sphere,¹⁹⁶ the state has been relatively open to some associated concepts, such as “the third sector,” “social innovation,” “social entrepreneur,” “charity and philanthropy,” and probably to some China watchers’ surprise, “participatory budgeting.” Some local governments, like the municipal government of Shanghai, sponsor incubators for social enterprises. To some extent, the introduction of participatory budgeting programs has become a fashion in local governance.¹⁹⁷ An NGO in Beijing called *Canyushi*, which works to introduce participatory budgeting programs at the community and district level, has contracts with many local governments around the whole country. The leader of *Canyushi*, Huaqing, told me in an interview how eager those government officials were in introducing these new programs. According to Huaqing, these programs were especially popular among those government officials who had gone through training programs abroad, as these officials could establish their decision as applying advanced international governing techniques to the local.¹⁹⁸ Another kind of civil society fashion is the program of “government purchasing service”

¹⁹⁶ The state has never publicly announced that discussion on “civil society” is prohibited. As I have introduced in previous chapters, universities offer classes on civil society, and some research institutes are named after civil society. But at the same time, many scholars and journalists are also aware that if the term civil society is employed in publications, it adds to the risk of being censored.

¹⁹⁷ He 2011.

¹⁹⁸ Interview Oct 18 2012.

(*zhengfu goumai fuwu*), which refers to the practice of government outsourcing some of its social responsibilities to NGOs to do particular jobs. While there could be another study on why the Chinese government is willing to, or even interested in employing these new programs, what I want to demonstrate here is a simple fact that the cooperation between government and newly emerging civil society organizations is no longer taboo in China, and in some occasions, it has even become a new norm.

So, what is the impact of these new trends? Currently there are two kinds of opinions. The majority of activists are optimistic. For them, although they are very clear from the bottom of their hearts that the state would not easily give up control, the adjustment of policies in registration has lowered the threshold for establishing new organizations, and government's attempt at introducing new programs has nonetheless granted more financial resources to civil society activists.

Another interpretation is pessimistic. Those of this disposition are usually liberal activists who firmly believe in the opposition between state and civil society. Their rationale is that state intervention fragments civil society, thereby making a unified counter-hegemonic project even less likely to happen. These liberal intellectuals and liberal activists sincerely hope that those who are engaging in less confrontational activities, such as organizing environmental NGOs, could be their "reserve army" in the project for promoting fundamental political transition. In the 1990s and even the early 2000s, this hope had a factual basis, as connections between these activists and those who were working in less radical areas, whom I would call issue pragmatists, were quite frequent. It was liberal intellectuals and liberal activists who had brought the political ideal of civil society to these pragmatists. But the link is no longer so vital. As the state has also begun to talk about concepts like the third sector, the natural linkage between activists who are ideologically oriented and those organizations that are more pragmatically oriented has been broken. While connections between these two

sectors still exist, the change in state practice has created a large sector in which actors feel perfectly suited to participate in civil society without proximity to the radical activists. In my interview, one liberal activist said with anger, “The state has begun to assign its own players to occupy civil society.”¹⁹⁹

Adopting the theoretical scope of the solidary sphere, my interpretation of these new trends is different from both of these optimistic and pessimistic interpretations. I contend that state interventions in civil society have neither made the formation of solidarity easier, nor more difficult. These interventions have made political struggles more complex. My argument is more easily understood if we shift the lens and examine what the state tries to exclude when it programs civil society.

First of all, no matter how many financial resources the state may have to spend in the cultivation of the third sector, these resources would not be granted to civil society organizations and actors that are likely to generate or simply be involved in conflicts. Here the meaning of conflicts is not limited to the conflict between state and civil society, but may include various kinds of conflicts within civil society. Contrary to the judgment made by some anthropologists who employ Foucault’s theoretical framework -- that the Chinese state has established a neo-liberal governing technique that is impersonal in nature and avoids direct repression and control,²⁰⁰ -- government officials, especially those who are at the grassroots level, often make use of the new state policies to reward those organizations and actors that have a cooperative attitude, and penalize those they regard as inappropriate. The story of and reflections by Boxiao, a labor activist working in the field of industrial injuries, illustrates this practice.

¹⁹⁹ Interview Oct 16 2012.

²⁰⁰ Zhang and Ong 2008, Jeffreys and Sigley 2009.

Boxiao is a veteran who went to work in Shenzhen as a technical worker in the early 2000s. In an accident, Boxiao lost three of his fingers. During his recovery at the hospital, he encountered volunteers from a labor organization, which aimed at helping injured workers. Through interactions with those volunteers, Boxiao gradually discovered that he had a talent in organizing civil society activists. Hence later he himself has become an activist and established his own NGO for helping other injured workers. Boxiao's daily work involves consoling injured workers and their family members, and helping these people to go through the lengthy legal procedures for compensation. Boxiao occasionally participates in advocacy campaigns for improving relevant articles in the labor and contract law. But he never leads those campaigns, as he seems to be more interested in being with the sufferers at the hospital. In the eyes of liberal intellectuals and liberal activists, Boxiao is by no means "radical," as he never mentions in his work slogans like constitutional democracy or liberalization. Even among labor activists, Boxiao appears to be conservative. For him, practices like "collective bargaining" are too risky to pursue, as workers in these "collective bargaining" campaigns are asking for benefits that have not been guaranteed by law.

Three years ago, Boxiao decided that he would take the state-organized qualifying exam for social workers for professional reasons. He had heard that, in the future, the government would only purchase services from those NGOs in which a certain proportion of the staff had the state-issued social worker certificate. Yet during the past three years, all his applications for taking the exam have been denied. He has been given all kinds of weird reasons for those rejections. Sometimes it is because he has not used the correct format in writing his curriculum vitae. Sometimes it is because he has not honestly reported where he worked before he was enlisted, while the reality is that he was just a high school student before he went to the army. Boxiao is not a unique case. Several of the activists I have interviewed have similar experience in their confrontation with the state. As a matter of fact,

many activists who have been involved in human rights activism do not even bother probing the state to see whether they could benefit from those new policies. One of them once told me, “Those are all good resources. But they just don’t belong to me.”

Second, these new state programs have prioritized service provision rather than encouraging the formation of interest groups and self-governance. While the state has become increasingly tolerant to NGOs that provide services or practice education, those organizations that are supposed to represent the interests of particular groups, such as the trade unions and peasants’ unions, are still tightly controlled by the state. Homeowners’ associations are the only exception, in which the state allows middle class homeowners to organize outside state tutelage. In some extreme cases, the new state programs even compress the space for self-governance. The “free lunch program” could be an example here.

For children attending schools in mountainous areas, getting lunch has always been hard. Many NGOs used to set up projects in those areas to help parents and teachers to solve the lunch problem. In 2011, Deng Fei, a well-known journalist, launched an advocacy campaign with his celebrity friends to bring the lunch issue to the public. This campaign had been so influential that a few months later, premier Wen announced a new policy that 1.8 billion *yuan* would be allocated each year to offer free lunch to children living in poverty stricken areas.²⁰¹ While the state-sponsored free lunch program is carried out in an entirely centralized, top-down fashion, those NGOs that have previously worked in this field are wiped out, as local governments regard them as unnecessary. Many of the previous practices, like organizing parent-teacher committees and establishing self-managed canteens, are also wiped out. When the public celebrates the campaign as a demonstration of successful interaction between civil society and the state, many problems in the free lunch program, such as huge corruption, lack of local participation, and ignorance of local conditions, are

²⁰¹ For some details in this campaign, see Deng 2014.

overlooked. Of course I do not argue that the state should not spend money to provide lunch to children in need, or that fragmented efforts made by small-scale NGOs always offer the best solution to social problems. My point is that the state tends to spend money to employ organizations to provide services to people in need, rather than to support those people to self-organize and solve their own problems. In these programs, citizens are treated as subjects who need to be taken care of, rather than subjects who can speak up for themselves and participate in public affairs that are relevant to their own welfare.

As I have introduced in previous chapters, self-organization, formation of categorical identities, and the practice of negotiating conflicting interests are all important sources for solidarity. Yet the new state programs have till now not provided a friendlier environment for these solidary relations. To express this more precisely, state interventions have enlarged the space for civil society activisms, or the “third sector,” as some state-sponsored researchers in China would prefer to say. But the new resources these interventions bring to the field have not cleared away any of the pre-existing constraints for solidarity’s development. In this increasingly enlarged space for civil society activisms, the proportion of the activisms that would have a real political consequence in transforming the pattern of how power is exercised may actually decrease. That, however, depends on the strategies and practices of political struggle, which in turn have become more complex in this new field of civil society.

The market makes that complexity even greater.

New Trends in the Market

As the newly issued regulations on charity foundations in 2004 have largely loosened the constraints on entrepreneurs’ participation in philanthropy, private entrepreneurs have won more opportunities to exert influence in civil society. Since the mid 2000s, many of these entrepreneurs have begun to organize their own foundations to financially support civil

society activities they prefer, rather than donate money to government-sponsored foundations. Among these newly established foundations, the most legendary one is the SEE (Society of Entrepreneurs and Ecology) Foundation founded by over a hundred entrepreneurs in China in 2008. Establishing itself as a grant-making foundation in the field of environmental improvement, the SEE has been widely involved in various kinds of civil society activities. By implementing democratic principles in its internal deliberation and management, the entrepreneurs also intend to show to the public their capacity for association and organization.²⁰² Apart from organizing foundations, such commercial powers also seek to influence civil society through other approaches, such as the corporate social responsibility (CSR) movement.

In addition to providing more financial resources to NGOs and social activists, entrepreneurs and commercial powers have also proposed new discourses in the public sphere on how civil society should be organized. Like the human rights lawyers, entrepreneurs also criticize the state's domination of citizens' public life, albeit in a much milder and less confrontational form. Leading actors in these private foundations often advocate de-bureaucratization of charity and philanthropy. As ordinary citizens in China are so accustomed to the narrative that state bureaucracies are corrupt, the discourse on de-bureaucratization could sometimes be extremely influential. For example, in 2011, a corruption scandal in the Red Cross, a government-sponsored charity foundation, was exposed to the public. From then on, donations to charity foundations that have a government background have continued to decline. When an earthquake hit Ya'an in Sichuan Province in the spring of 2013, celebrities and intellectuals openly organized advocacy campaigns on the Internet, calling on citizens to donate money to private foundations, such as the ONE

²⁰² Yang Peng, who used to be the secretary general of the SEE, records the details of the formation and the organization of the foundation. See Yang 2012.

Foundation, instead of sending money to government bureaucracies for corruption. They implied that such money would be wasted given the corruption of these bureaucracies.

Within a few months after the earthquake, the ONE Foundation received donations up to 400 million *yuan*, far exceeding the resources that any foundations with a government background acquired. This was an amazing figure, considering the fact that the disaster relief program in the ONE Foundation had barely started when Ya'an earthquake happened, and the foundation did not even have a network for distributing disaster relief resources at the local level.²⁰³

Besides, commercial powers also take a critical attitude toward grassroots NGOs and activists. Entrepreneurs and their allies tend to regard the majority of existing social activisms in China as emotionally oriented, or even corrupt, and advocate that these activisms should adhere to market principles, such as innovation, proficiency, and efficiency.²⁰⁴ Indicators that are usually used to evaluate the performance of companies, like the KPI, have been adopted to evaluate the achievement of NGOs.

Then, what is the impact of the new trends in the market? Currently there are also two kinds of opinions in China's civil society. An optimistic opinion suggests that the rise of the commercial power has not only brought more financial resources to activists, but also made ideas like charity, social innovation, and probably civil society popular among university students and white-collar workers. Now participating in NGOs and joining voluntary works have almost become fashionable in big cities. On the other side, leftist intellectuals tend to

²⁰³ According to the financial report released one year later, the ONE foundation was eventually only able to spend less than 10 percent of the donation in its disaster relief work.

²⁰⁴ The most typical criticism comes from Xu Yongguang. Xu used to work as the secretary general in the China Youth Development Foundation, a foundation sponsored by the Communist Youth League. He has been working in a private foundation, the Narada Foundation, since 2007. For a systematic explanation on his view of de-bureaucratization and marketization, see Xu 2014.

hold a pessimistic opinion, as many of them believe that entrepreneurs are doing nothing but spreading neo-liberal discourses in civil society.

I would argue that both the optimistic and pessimistic interpretations are not quite right. The optimistic interpretation is inappropriate, as it fails to see that, with respect to grant makings, commercial powers are as selective in their largesse as the state. Like the state, newly established foundations try to avoid conflicts and prioritize service provision over the formation of self-governance networks. According to a recent report conducted by the Social Resources Institute (SRI), less than 1.5% of the foundations established after the issuance of the new foundations regulation have ever sponsored grassroots NGOs.²⁰⁵ A few private foundations, such as the SEE Foundation, and the Harmony Foundation in Guangdong, have dedicated resources to grassroots organizations and community building. Yet these foundations are the few exceptions.

The optimistic view also fails to recognize the negative impact brought by the discourses of efficiency and professionalism. Although it is totally reasonable to require the non-profit sector to use resources more efficiently and to keep their financial situation open to the public, newly rising private foundations tend to ignore the fact that many of the works conducted in civil society are hard to evaluate, especially with quantified measures. As I have introduced in Chapter Four, if we use the number of workers an organization has reached to measure the performance of the organization's project, NGOs working in the CSR movement would easily beat out those labor organizations working in the field of "collective bargaining." But if we acknowledge that what migrant workers need are not only services, but also development in their capacity to self-organize and speak in the public, we have to reconsider the meaning of professionalism, efficiency, and their measures promoted by entrepreneurs and their organizations.

²⁰⁵ Social Resources Institute 2013.

On the other side, leftist intellectuals' pessimistic interpretation is also problematic, as this interpretation fails to recognize the possibility of resistance and reflection within these new terms of struggle. As a matter of fact, criticism of the commercial powers' intervention has started almost immediately after the rise of private entrepreneurs in civil society. Opinion leaders among civil society activists, like Fengyong, write columns to criticize domestic private foundations. Feng is the leader of the Nature University (*ziran daxue*), an environmental NGO working for connecting the fragmented NIMBY campaigns in China. Feng repeatedly argues that although being "professional" is very important in organizing civil society activisms, this "professionalism" cannot be equated to the kind of "professionalism" in business. Therefore private entrepreneurs should not have too much power to decide the details of how civil society is organized. Fengyong also advocates that entrepreneurs should include more grassroots activists when they make decisions on issues like distributing grants.²⁰⁶ The China Foundation Evaluation List established by the SRI could also be regarded as a form of criticism, as the list invites grassroots NGOs to evaluate the work of foundations. In the list, activists in grassroots NGOs openly criticize domestic foundations as being "arrogant," "unprofessional," and with a "lack of knowledge of civil society." The SRI suggests that the purpose for conducting such research is to help domestic foundations understand the needs of grassroots NGOs so that these foundations could adjust their selection criteria and methods for evaluation.²⁰⁷ Through these efforts, the tension between foundations and grassroots NGOs is becoming increasingly visible in China's civil society.

Thinking across these perspectives, I believe that the impact on solidarity of rising commercial powers is contingent. If activists and intellectuals are able to establish a public

²⁰⁶ For an introduction of these columns, see Huo 2013.

²⁰⁷ Social Resources Institute 2013.

discourse that is sufficiently robust to check the colonizing commercial powers, the market economy could bring an alternative to the state tutelage for civil society actors. But if activists, intellectuals, and ordinary citizens all assume that commercial powers are something on which to rely just because it is a force different from the authoritarian state, commercial powers might actually reproduce the way the authoritarian state exercises its governance on civil society activists.

What Do These Stories Tell Us?

A Theory for Criticizing Authoritarianism

The first implication of this study is about understanding the political consequence of authoritarianism.

Currently, there are basically two approaches for thinking about the typology of political regimes and democratization. The first one focuses on political institutions. Whereas democracy is characterized as a regime in which legitimacy is based on competitive elections and rule of law, authoritarianism is defined as the absence of these institutions. In this approach, democracy is treated as a categorical, or even binary variable. A second approach focuses on the real political processes for decision-making and the protection of citizenship. In Tilly's language, "a regime is democratic insofar as it maintains broad citizenship, equal citizenship, binding consultation of citizens at large with respect to governmental activities and personnel, as well as protection of citizens from arbitrary action by governmental agents."²⁰⁸ According to this definition, no existing regime in the world is absolutely democratic. As the broadening of citizenship and the enlargement of public politics are both gradual processes, in this approach democracy is actually treated as a continuous variable.

²⁰⁸ Tilly 2000.

Political sociologists are especially sensitive to the mismatch between formal political institutions and the real political processes. They thus tend to emphasize that the establishment of formal democratic institutions by themselves is not sufficient for guaranteeing citizenship and maintaining a wide space for equal participation, and that civil society activists are crucial if members in a polity hope to deepen democracy.²⁰⁹

The second approach is obviously more welcomed in studies on authoritarianism in China and its potential for democracy in recent years. Scholars also tend to focus on the mismatch between formal political institutions and real political processes. But instead of suggesting that democracy is not sufficient in regimes where formal democratic institutions have been established, like what scholars on deliberative democracy have done, scholars on China intend to show that democracy actually to some extent exists in this country where formal democratic institutions have not been established. Empirical studies of various kinds of activists in civil society discover that, although there is no competitive election in China, citizens have channels to hold local government officials accountable,²¹⁰ claim social and economic rights when they are violated,²¹¹ participate in deliberations on local public affairs,²¹² offer critical opinions on politics,²¹³ and raise concerns that would later be incorporated into government policies.²¹⁴ Researchers have thus had to work hard to explain why politics do not look so undemocratic in an authoritarian regime with a single party dominating formal political institutions. On the other side, leftist intellectuals who are conducting research in Chinese have begun to combine the deepening democracy literature and empirical studies on China's civil society to legitimize the maintenance of

²⁰⁹ E.g. Evans 2004. For other discussions on the "thin-ness" of electoral democracy, see Elster 1998: 1-17.

²¹⁰ Tsai 2007.

²¹¹ O'Brien and Li 2006.

²¹² Leib and He 2010.

²¹³ Lei forthcoming.

²¹⁴ Teets 2014.

authoritarianism in China. “Formal democracy, like one-man-one-vote and competitive party system, does not always work so well. Westerners have also recognized that.” These leftist intellectuals argue. They publicly suggest that, as evidence has already shown that channels for expression and participation have not been closed in this country under the leadership of the communist party, China may develop its own way to make democracy work.²¹⁵

To understand where both of these arguments have gone wrong, we have to go back to the empirical. While many researchers attribute the rise of civil society in China to both the loosening of state control, and the development of a market economy after the reform, most of them have failed to recognize that many of the phenomenon they have identified in their studies, like criticizing government, resistance, and participation in decision-making, are nothing new in China’s politics. Let me use Ya-wen Lei’s empirical study on critical news report in China as an example to explain this point. Lei counts the frequency of critical news reports in three Chinese cities, Beijing, Shanghai, and Guangzhou, and explains the variation among the three cities by unpacking the way in which the state implements control and the degree to which news reports are commercialized in each location. She argues that it is the weak state control in Guangzhou and a highly developed local newspaper market that have made the “public sphere” in the city the most critical of the three sites. Thus she concludes that the rise of the market economy has created a conundrum for the authoritarian state to maintain its control.²¹⁶

If we introduce a deeper historical dimension to these observations on the production of critical news reports in China, we would quickly discover that Lei’s model on the condition for a “public sphere” does not hold. One could easily find news reports that are more critical and radical during the Cultural Revolution, or even in the 1980s. Whereas most

²¹⁵ For some of these discussions, see Cui 1997, Wang 2008.

²¹⁶ Lei forthcoming.

critical news reports today are directed against specific issues or policies, people openly criticized the way the communist party operated socialism during the Cultural Revolution.²¹⁷ Journalists tended to make every possible connection between existing social problems and China's fundamental political system during the 1980s, as they regarded these public expressions as a necessary mass education for future liberalization.²¹⁸ Arguably market economy did not exist in China during the Cultural Revolution, and during the 1980s, the market economic reform had barely started in urban China, to say nothing of the commercialization of new reporting. Therefore it is hard to argue that, in general, one needs the market to have critical debates in a Chinese public sphere under communist rule. If a "public sphere" could be measured by the degree to which newspapers are critical, as Lei suggests, civil society in China has actually become demobilized after the Cultural Revolution and the rise of the market economy. In a historical scope, the variation identified by Lei becomes insignificant: A newspaper may criticize local policies more or less often. But no matter how critical these news reports may appear to be, they are always constrained by a pre-existing framework that filters out concerns on the possibility to transform the political system. Let me make myself clear. I am not suggesting that the problem lies in the fact that the abovementioned researchers do not have sufficient knowledge of China's history. My point is that these researchers may misrecognize something that is inherent to China's political system, and too readily identify it as an exogenous force that may transform the system.

I contend that authoritarianism should not be understood through the chances the state grants to citizens to voice concerns and express criticisms. Authoritarianism could be understood better by considering when and where these chances are terminated. Here, again,

²¹⁷ Wu 2014.

²¹⁸ Zhao 2001.

Staniszkis's description on the "dual state" in socialist regime could be a useful conceptual tool. The concept depicts the co-existence of two segments within the party-state system. On the one hand, there is the prerogative state assuming the right to act for "the public good," which it then proceeds to define. However, on the other hand, it does occasionally make the decision to limit its own prerogatives, and withdraws from some areas of social life. As a result, these areas start to be regulated by the normative state, which applies relatively predictable legal rules established by the appropriate legislative bodies and controlled by means of institutionalized procedures. The problem is, as Staniszkis argues, the division between the two states is by no means along any administrative structure. Instead, the form and duration of this division is determined solely by the prerogative state, since it is not subject to legal controls.²¹⁹ If the concept of the "dual state" also applies to post-socialist China, researchers should not be captivated so much by any "new" space the Chinese state has opened for civil society activisms, because no matter how open this space may appear to be, it could be curtailed, revised, or suspended at any moment. The Chinese communist state has not relinquished its prerogative side no matter how much civil society it allows.

The merit of the theoretical framework of solidarity is that it encourages us to look for the boundaries of this seemingly open space for political participation. With regard to the boundary of this space, most civil society analysts, and even practitioners, think in terms of the number or size of civil society activisms, or the demands these activisms have made. For example, some researchers believe that the nature of the demand a protest makes constitutes a critical variable in deciding whether this protest would be repressed. Whereas those protests raising political concerns are more likely to be repressed, those raising merely economic concerns tend to have more space for actions. Others believe that the critical issue here is

²¹⁹ Staniszkis 1992.

whether a protest is connected with organizations. Those activisms that appear to be more “organized” encounter higher risk of being repressed by the authoritarian state.²²⁰

I hope my descriptions on various fragmented sections of China’s civil society could remind researchers that the previous measures lack empirical efficacy. Whereas migrant parents are allowed to organize and protest at the education bureau in the central government, they are not allowed to establish mutual-help organizations within their neighborhoods to take care of their children. Whereas a celebrity journalist is allowed to issue an independently made documentary film in which the most important two state owned enterprises in the country are harshly blamed, an ordinary labor activist who criticize local government officials in a small-scale rights defending campaign has been denied the opportunity to attend the qualification exam for a social worker certificate. Perhaps, the boundary of the space for participation in an authoritarian regime has nothing to do with the size or the manner of civil society activisms. To “attract” state intervention, an activism does not need to be large in size. It does not need to be radical in the way it talks to the state. Whenever these activisms begin to involve actions aiming at establishing meaningful connections among citizens, or establishing a self-organized political community where members are able to recognize one another without state tutelage, they encounter the bottleneck set up by the state.

What has been ignored or bypassed in previous studies is the reproduction of China’s ideological settings. On the surface, these ideological settings have been turned upside down after the introduction of market mechanisms. During the socialist period, publicly talking individual interests lacks critical legitimacy, as according to the doctrines of state socialism, individuals’ interests are supposed to be subordinated to the interests of the collectivity, or the whole country. Within three decades after the economic reform, voicing individual concerns has become legitimate in many occasions, and perhaps, the only legitimate

²²⁰ Li 2014.

expression in public deliberations. A resistance and demand that go beyond individuals' concrete and immediate concerns are severely restricted, or even punished by the state. Yet the continuity here is that the party-state still remains to be the final representative of the interest of the whole political community.

Civil Society and the Potential for Political Change

I also hope that this study could remind researchers that adopting any one-dimensional measurement in the investigation on civil society is both scientifically and politically risky. Civil society could be developed in multiple dimensions. Yet researchers of civil society in authoritarian regime often consciously or unconsciously forget about this point. People more or less expect that civil society could transform an authoritarian system through a unified, well-organized counter-hegemonic movement, perhaps with the Polish Solidarity movement of 1980-1981 in mind. With this in mind, some are inclined to place various civil society activisms in a hierarchy. Articulating the political ideal of constitutional democracy is more advanced than demanding material benefits. NGOs dedicated to advocacy campaigns are more advanced than those delivering services, or helping citizens to establish mutual-help networks. Organized social movements directed against the central state are more advanced than those fragmented collective actions directing against specific government officials at the local level. Those activisms that are small in scale, vague in ideological articulation, and less confrontational to the state are regarded as of secondary importance, or at best a rudimentary level of civil society that could later develop into something else.

The problem is that many of these activisms are not unimportant for political change. On the contrary, they have their roles and functions in building solidary relations among citizens. For example, as most China watchers naturally equate a counter-hegemonic

movement in China as a movement based on a liberal ideology, the activities of leftist intellectuals tend to be ignored. However, while leftist intellectuals in China are less articulated in their ideological stance, they are also criticizing politics, and are also in many ways dissatisfied with the state. They have chosen a language different from the one liberals use around constitutional democracy and the rule of law, because their particular concerns about Chinese society have moved them to a different language. While acknowledging the urgency of emphasizing constitutional democracy and rule of law in China, we also have to acknowledge that the debate between the “left” and the “right” may help to better articulate some of the abstract political concepts, such as citizenship, that are embedded in democratic transformations. Without proper challenges from the left, many of the political ideals proposed by the liberal intellectuals would become devoid of content. Another example is the advocacy networks in the field of labor and environment. These networks link grassroots resisters, volunteers, and intellectuals. They tend to be loosely organized and small in scale. Rarely do they get registered. Many studies on labor protests and environmental campaigns have ignored the existence of these networks. Some of the researchers even argue that there is no civil society coming into play in these issues, simply because they do not see a group of registered organizations. My account on the activities of these networks suggests that they are no less important than formal organizations. Without such networks, formal organizations like NGOs and spontaneous social activisms from the grassroots level lose the ground on which meet.

The second problem of adopting one-dimensional measurements of civil society is that researchers tend to ignore the possible interactions among different forms of civil society activisms. The most illustrative example here would be the relationship between intellectuals and grassroots resisters. Some researchers take a Gramscian approach, and assume that what the liberal intellectuals have articulated could represent all forms of resistances in civil

society, or that liberal intellectuals would sooner or later unify the discursive resistances with their ideological articulation. Others follow James Scott's approach on "everyday resistance," and claim that grassroots resisters in China are simply uninterested in the abstract political ideals proposed by liberal intellectuals, and that these resisters are only interested in their own material interest. In fact, both approaches are flawed. Grassroots resisters may have their own worldview, which is different from what liberal intellectuals have proposed. But this does not imply that grassroots resisters are not able to establish political imaginations that go beyond their parochial and temporary concerns. To understand how this could happen, we need to regard intellectuals and grassroots resisters as equivalent actors and watch how they interact. In my description on the rights defending campaigns and categorical identity formation, it was precisely this interaction that went wrong. The two groups either worked separately, or made use of each other, rather than presented the specific knowledge they have gained from their life experience to enrich the political understanding of the other side. It is not the presence or absence of certain elements in social activisms, but the way these different elements are connected with one another, that is inhibiting the emancipatory potential of China's civil society.

In discussing the possibility of a critical theory in late-capitalism, Habermas says, "Rather than serving a critique of ideology, this analysis would have to explain the cultural impoverishment and fragmentation of everyday consciousness. Rather than hunting after the scattered traces of revolutionary consciousness, it would have to examine the conditions for recoupling a rationalized culture with an everyday communication dependent on vital traditions."²²¹ Habermas suggests that it is meaningless to hunt after the scattered traces of revolutionary consciousness, as the mechanism of reification in late-capitalism has made any possible resistance fragmented. What I want to demonstrate in this study is that authoritarian

²²¹ Habermas 1987: 355-356.

socialism in China has also transformed itself. It has made its political system appear to be increasingly open. Resistance in civil society in such an environment also tends to be fragmented. In this condition, searching for liberal intellectuals who are able to organize and lead a counter-hegemonic movement through their ideological articulation is not that different from searching for communist revolutionaries who are able to initiate a fundamental political transition in a capitalist regime where a welfare state has already been established. Articulating abstract liberal ideology is of less political efficacy. An effective criticism on politics should unpack how specific political arrangement in a regime has deprived people of their capability to establish a more appropriate imagination of other members within the same political community, and thus hindered the emergence of a more transformative political movement. This is what intellectuals and activists have to articulate in the public, and also where a well-grounded empirical research on civil society should start.

Appendix

Informed Consent

(This form will be in Chinese.)

Purpose of this study:

You are being asked to participate in a research study conducted by Mujun Zhou, a graduate student from Brown University. The purpose of her study is to understand the role of liberal activists in the cultural formation of civil society in urban China. This study will result in the completion of Mujun Zhou's doctoral dissertation and to achieve her Ph.D. degree.

Research procedures:

In this research, you will be asked some questions in an interview. These questions are related to your general information as a liberal activist in civil society, your networks with other liberal activists, and your political opinions on civil society and liberalism in China. The interview will require approximately one hour and a half of your time. The interview will be recorded only if you agree. If you decide to participate in this research, you will be asked to sign this consent form.

Risks:

The main risk of this research is that you will be identified when an unfavorable opinion about another individual, a group of people, or the government is associated or related to them, although I will try my best to keep confidentiality.

Benefits:

You should not expect to receive any direct benefits from your participation in this study. However, your responses will help researchers understand the nature of cultural transition in civil society in a socialist regime.

Confidentiality:

The content from this interview will be made public through my doctoral dissertation. However, the identity of people who collaborated in this research will be kept strictly confidential. The results of this project will be coded in such a way that your name will not be attached to the final form of this study. The researcher will use and publish only non-identifiable data. While individual responses are confidential, pieces of this interview may be used, but with your name changed. All data will be stored in a secure location accessible only to the researcher.

Participation and withdrawal:

Your participation is entirely voluntary. You are free to choose not to participate or to answer any particular questions. If you feel uncomfortable to answer any of the questions, or would

like to stop at any time, you are free to do that, and that will have no effect on your relationship with other liberal intellectual activists and Brown University.

Questions about the study:

If you have questions or concerns during the time of your participation in this study, or after its completion, or you would like to read the final results of this study, please contact:

Principal Investigator:
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If you have questions about your rights as a research subject, please contact:

Susan Toppin
Research Protections Office, Brown University
Susan_Toppin@brown.edu
(1-401) 863-3050

Given of consent

I have read this consent form and I understand what is being requested of me as a participant in this study. I freely consent to participate. I have been given satisfactory answers to my questions.

☐ I give consent to be audio recorded during the interview.

Name of respondent (printed)

Name of respondent (signed)

Date

Name of researcher (printed)

Name of researcher (signed)

Date

知情同意书

研究目的：

周沐君是美国布朗大学社会学系的博士研究生。她现在邀请您参加一项研究。这项研究关注的是当今中国公民社会里的积极分子和政治文化。研究的成果将被转化为她的博士论文，帮助她获得博士学位。

研究过程：

在这项研究中，您将接受访谈，回答一些问题。这些问题涉及您在公民社会里的活动，和您对一些政治概念，比如“公民权利”的看法。只有在得到您的同意的情况下，研究者才会对访谈进行录音。如果您打算参与这项研究，您需要在这份知情同意书上签字。

危险：

这项研究有可能产生的危险是，读者可能会在研究者发表和出版的论文中通过言论和行动辨识出您，虽然研究者会尽最大努力避免此情况发生。

收益：

这项研究不会为您带来任何直接的收益。然而，您的参与将会帮助研究者以及她所在的学术共同体更好地了解中国社会转型中公民社会的发展和文化变迁。

保密：

这次访谈的内容将以研究者博士论文的方式公之于众。但是您的身份将会被保密。研究者在写作的时候将替换您的名字，只会发表那些不能辨认出您身份的材料。所有访谈录音和访谈记录将被存放在安全的地方，只有研究者本人能接触原始访谈资料。

参与和退出：

您的参与是完全自愿的。您可以自由选择是否参与，是否回答某些问题。如果某些问题让您觉得不舒服，您可以拒绝回答。您可以在访谈过程中的

任何时刻要求停止研究。您不会因此受到任何惩罚。这也不会影响到您与研究者和美国布朗大学之间的关系。

关于这项研究的疑问：

如果您对这项研究有任何疑问，或者希望阅读这项研究的最终成果，请联系：

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我已经阅读了知情同意书。我了解这项研究对于参与者的要求。我自愿参与这项研究，回答研究者在访谈过程中提出的问题。

被访人签字：

日期：

我同意研究者在访谈过程中录音。

被访人签字：

日期：

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