

Police Reform and State Coercive Capacity Building in China

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警务改革与国家强制能力建设

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Abstract

With the increasing diversity and complexity of Chinese society in recent years, China's social control system has become less and less able to meet the needs of social development. In this context, China's central and local governments have tried to reform the police system to strengthen the coercive capacity of the state. There are seven main models of police reform in China, which embody two core features of current coercive capacity building: on the one hand, deepening the reach of the police to the grassroots to strengthen the "penetrative power" of the police in controlling society; on the other hand, standardizing law enforcement to enhance the state's "inhibitory power" over the police. "Penetrative power" is the prerequisite for "inhibitory power," and "inhibitory power" is the precondition for the effectiveness of "penetrative power." The dialectical relation of the two is the key to building coercive capacity.

Keywords

police reform, state coercive capacity, penetrative power, inhibitory power

摘要

近年来，随着社会的多元化和复杂化，原有的社会控制体系越来越不适应社会发展的需求。在这种背景下，中央和地方不断开展警务改革，试图藉此推进国家的强制能力建设。各地的警务改革实践主要有七种模式，这些警务改革模式体现了当前国家强制能力建设的两大核心特征：一方面强化警察对社会进行控制的“渗透性权力”，另一方面则强调对警察进行规训的“抑制性权力”。“渗透性权力”是“抑制性权力”得以发生的前提，而“抑制性权力”是“渗透性权力”得以有效的保障。处理好这两者的辩证关系，是确保新时期国家强制能力建设顺利进行的关键。

关键词

警务改革、国家强制能力、渗透性权力、抑制性权力

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The police and police reform in China, focusing on social control and coercive capacity building, have attracted increasing public attention in recent years. In general, in any society there are three social control systems: endogenous control systems, organizational control systems, and legal control systems. Endogenous control systems consist of the family and community and are strongly endogenous: here the function of social control, free from state control, is based on self-discipline which is formed in long-term daily interactions.² In contrast to endogenous control, China's organizational control system, built and carried out by government and party organizations, exercises external coercive power. And unlike its legal control system, China's organizational control system has economic and social functions aside from the secondary or adjunct function of social control. China's endogenous and organizational control systems are actually non-specialized social control mechanisms since the function of social control is secondary, while the legal control system, consisting of public security agencies and judicial agencies, etc., specializes in social control.

With the disintegration of the endogenous and organizational control systems in the process of social transformation, the legal control system has come to play a much more important role: state governance and maintaining social order demand the strengthening of the legal control system. "Welcoming the law to the countryside" 迎法下乡 demonstrates this need (Dong Leiming et al., 2008). Among all of China's legal control agencies, the Ministry of Public Security and its units are most in need of reform, for their social control function has been seriously damaged by chronic bureaucratization and increasingly arbitrary use of power 权力自由化.³ Bureaucratization undercuts police-community relations, while the arbitrary use of power by grassroots police is usually injurious to the public interest.

Apart from these problems, for a long time most police officers have been overburdened. "Due to manpower shortages, police officers in neighborhood stations 派出所 [PCSs] have had to become multitaskers and a third of their rest time is eaten up by work. . . . Long-term overwork overwhelms and exhausts them" (Dai Haiping, 2003: 51–52). This situation might well trigger resentment. In addition, "being overburdened could induce psychological problems and longtime separation from family and friends may cause loneliness"; "If things go on like this, police officers may become irritable, which tends to lead to unjust, illegal and undisciplined behaviors, a great danger to law enforcement" (Zhang Yirong, 2008).

² "Social control" is similar to what other scholars have called "informal social control" or "non-specialized social control" (see Wang Qiliang 2007; Cheng Zhuru, 2003). This article does not use the concept of "informal social control," which divides social control into the "official" and the "informal, but instead proposes a third type, "organizational control."

³ The arbitrary use of power, or "power liberalization," in public security bureaus refers to the situation where the power of the police is not regulated by law and usually involves violent law enforcement and extorting confessions by torture.

Working under difficult conditions, “five hundred police officers lose their lives and ten thousand are injured while on duty every year” (Ministry of Public Security, 2000).

Faced with these problems, local governments have embarked on police reform to ease the burden on police officers, weaken bureaucratization, regulate the power of police at the grassroots, and rebuilt harmonious police-community relations.

In the case of both emphasizing “shifting police resources to grassroots units” 警力下沉 and “standardizing law enforcement,”⁴ the fundamental goal of police reform is to strengthen coercive capacity, “the capacity of the state to maintain its domination by violence or threat of violence” (Wang Shaoguang, 1997: 1–2). Violence and threats are not by nature a bad thing because when they are used to fight criminal acts, they can protect the rights and interests of law-abiding citizens. To advance coercive capacity building through police reform, which will meet the needs of the community, is a positive response to the decline of China’s endogenous control system and organizational control system.

Some students are pessimistic about police reform in China and argue that it has not standardized the power of the public security bureaus nor protected the fundamental rights of the citizens (Cheng and Zhang, 2012). A comparative study of the police systems in four European countries, however, shows that institutional change in state coercive capacity is closely related to a state’s political experience and embodies the general developmental characteristics of the state’s administrative system (Bayley, 1975). It must be noted that for a developing country, the state’s control over society comes first from coercive capacity building; in other words, “penetrative power” comes first. To be sure, “inhibitory power,” which involves the state’s control over the police, also needs to be reinforced in order to protect citizens’ rights. The political logic of China’s police reform in recent years demonstrates that the core of coercive capacity building in China is the dialectic interaction between “penetrative power” and “inhibitory power.”

Models of Police Reform

Police reform was first proposed in China in the 1980s. In 1984, the consensus among participants at a National Public Security Basic-Level Conference was that the traditional model of public security administration was out of date and more police were needed on the streets to maintain public security. This led to an attempt to build a dynamic and preventive policing system. In 1988, Fushun and Nanjing were the first cities to implement a patrol system and dynamic policing model. The Eighteenth National Public Security Work Conference in 1991 discussed public security reform and proposed formally establishing a patrol system in big and

⁴ “Shifting police resources to grassroots units” aims to raise the percentage of policemen in such units.

medium-sized cities. Such a system began to be implemented nationwide after the National Municipal Police Patrol Work Conference in 1993. The Nineteenth National Public Security Conference in 1996 approved a document, the *Outline for the Ninth Five-Year Public Security Work*, which stipulated the strategies to be followed in public security reform. At the conference, the problems of “serious bureaucratization,” “overly elaborate institutions,”⁵ and a “low level of standardization and scientization in management” were discussed and it was pointed out that, “to maximize the role of the police force, the distribution of police resources and the design of institutions should be based on the principle of strengthening policing at the basic level and avoiding an excessive division of labor, so that more police resources are distributed to grassroots units and other units with heavy tasks” (Wang Yong, 2003: 32). The *Outline*, as it were, provided the blueprint for the police reform of later decades. The subsequent police reforms have been aimed at “improving and strengthening public security work in grassroots units,” though specific reform programs differ.

Police reform in various cities can be categorized into seven types (according to the extent of reform): 1) “expanding the staffing of PCSs” 派出所增员; 2) “one policeman [performing] multifunction” 一警多能; 3) “strengthening police offices” 警务室强化; 4) “merging PCSs” 派出所合并; 5) “abolishing PCSs” 派出所撤销; 6) “abolishing sub-bureaus” 分局撤销; and 7) setting up “police stations” 设立警署.

The first type, “expanding the staffing of PCSs,” is the most modest in the sense that it only aims at raising the percentage of police officers in PCSs and does not involve any major adjustments. Reforms in Zhejiang province are an example. In July 2012, a decision was made at the provincial Police Chief and Neighborhood Station Work Conference: “If the police forces in the PCSs in a prefecture (or municipality) do not reach 45 percent of the total number of police, or if the number of police in urban sub-bureaus does not reach 60 percent, the prefecture (or municipality) will not be qualified for [recognition as] an ‘outstanding public security bureau,’ an ‘advanced unit in regularization,’ and a ‘superior unit in fighting, preventing and curbing crime.’” The provincial leaders declared that “these stringent measures aim to encourage police officers to take root in the community and establish a grassroots-oriented approach, which involves putting more energy, funds, and manpower in grassroots units and promoting cadres from grassroots units” (Chen Dongsheng, 2012).

Reforms in Cangzhou, Yingkou, and Chongqing are typical examples of the “one policeman, multifunction” model. Unlike the quantity-focused model of “expanding the number of PCSs,” this type focuses on functional integration, enhancing efficiency by having each policeman perform multiple functions. In 1999, the Cangzhou Municipal Public Security Bureau (PSB) “organized two joint-policing detachments which consist of traffic police, patrol police, and police from the PCSs, and assigned the two detachments to two bureaus of the municipality; the municipality’s 18 PCSs became joint-policing brigades, each of which has three

⁵ “Overly elaborate institutions” refers to the fact that there are so many organs in public security agencies that some of their functions overlap and that it is difficult to coordinate them.

squadrons, with each squadron responsible for policing around the clock. With joint policing the result will be integrated law enforcement, which incorporates police response, police dispatching 出警, public security management, traffic management, crime prevention, and community service" (Hao Hongkui, 1999: 51). In 2004, the Yingkou Municipal PSB "decentralized a part of the power of eight departments down to PCSs to ensure a balance of function, power, and responsibility" (Guo and Zhang, 2004: 40). Chongqing merged its traffic police and patrol police into "traffic patrol police." The "one policeman, multifunction" model can reduce unnecessary intermediate links and strengthen the police without increasing the number of policemen.

The "strengthening police offices" model propels PCSs into the community and advocates increasing police offices to maintain social order. In 2007, the "PCSs in Zhucheng were split into 208 rural community police offices which are equivalent to traditional township PCSs. Thus the total number of PCSs increased from a dozen to 208" while "their functions were reduced, since the major function of PCSs is supervising community police offices and handling ID card and license plate duties" (Zhang and Sun, 2009).

The "merging PCSs" model aims at improving the practical "crime-fighting" ability of grassroots units by transferring police to lower levels and merging PCSs. Hefei is an example. In October 2008, the Hefei Municipal PSB started the process of merging its police forces. "Fifty second-level agencies were combined into twenty-eight agencies, and the remaining police officers after the recombination were assigned to grassroots units." In 2009 and 2010, "the police in the municipal bureau and its sub-bureaus were reduced by 20 percent and the extra police officers were distributed to grassroots units"; "PCSs were reduced from 58 to 39 (almost a third) and 163 policemen in the municipal bureau and 912 new policemen were assigned to grassroots units, thus the number of first-line police has reached 95 percent of the total police force"; as an additional measure, "police offices were built nearby the site of closed PCSs to minimize inconvenience after the merger of PCSs" (Li Guangming, 2011).

The "abolishing PCSs" model has been adopted by Daqing, Huangshi, and a few other places. Unlike the first four types, this model, in order to enhance efficiency, involves a big change in that PCSs are disbanded and replaced with sub-bureaus. Daqing, which initiated this type of reform, discarded the traditional administrative pattern of "one district, one bureau" in 2005 in order to build a flat organizational structure and achieve a balance between the number of staff and the number of officially established posts 编制 (Cao Liwei, 2008).⁶ Government leaders in Daqing believe that Daqing's reform "combines the sub-bureau system and the traditional PCS system, and also retains the advantages of both; precisely speaking, it creates a 'super PCS' under the old title of 'sub-bureau'" (Research

⁶ *Bianzhi* 编制, literally "establishment of posts," refers to "the authorized number of personnel (the number of established posts) in a[n] . . . administrative organ, a service organization or a working unit" (Brødsgaard, 2002: 364), according to which the finance department funds the relevant organs.

Office, 2006: 20–21). The reduced levels of management enhance the new sub-bureaus' control capacity; for policemen who originally worked in PCS, working in new sub-bureaus implies an improvement in their political status.⁷ After comparing all kinds of reform models, the Huangshi PSB finally chose "abolishing PCSs." In May 2011, the PSB abolished 28 PCSs and set up 27 sub-bureaus. Thus "the percentage of first-line police in the total police force has increased from 48.8 percent to 85.7 percent, the number of agencies has been reduced by 79 and policemen reduced by 360" (Nie Chunlin, 2011).

Henan province adopted an even more dramatic reform called "abolishing branches" 分局撤销. This is characterized by abolishing sub-bureaus and assigning their police officers to PCSs. In 2010, the Henan Public Security Department chose four provincially administrated municipalities, including Xinxiang, as experimental sites. The four cities were required to accomplish the reform by November 15, 2010. "Making the PCSs bigger and stronger" was the key objective of this reform. Two important aspects are involved: first of all, assigning police to grassroots units by abolishing sub-bureaus and making sure every PCS is sufficiently staffed to meet its needs; and second, merging the functions of the traffic police, the patrol police, and the criminal police and assigning these police to PCSs. The new PCSs are equivalent to sub-county-level units and contains five township-level units: a criminal case investigation brigade, a security management and service brigade, a traffic management and patrolling brigade, a community policing brigade, and a policing logistics office. In addition, each PCS is equipped with one discipline and law inspection team 纪检法制督察工作队.

Police reform in Shanghai and Liaoyuan has followed the "setting up police stations" model. In this model, the biggest change involves abolishing both sub-bureaus and PCSs and setting up wholly new and separate police stations. Shanghai is the first to have tried this model, having established police stations in 1994. Some observers claim that, "as a composite and practical combat unit, the police station will evolve with the development of the urban management system, urban planning, and neighborhood committees; police stations can be viewed either as a small version of sub-bureaus or as a big version of PCSs" (Li Zheyu, 2007: 86). Liaoyuan abolished its sub-bureaus and PCS and set up eight police stations in 2003 (Zhang and Jiang, 2004). Shanghai and Liaoyuan, however, reestablished sub-bureaus in 2004 and 2005, respectively, due to a lack of a supporting legal system. In short, the "setting up police stations" model failed.

⁷ According to Cao Liwei, "political treatment is an issue grassroots policemen are most concerned about and if this problem is not dealt with well, the grassroots will hold no attraction for them. The grassroots public security units of Daqing were generally of a low rank in which it was very hard to be promoted; there were 400 county-level leadership positions in sub-bureaus, 15.7 percent of the total number of posts. After the police reform, there are 800 county-level leadership positions in sub-bureaus, 32.5 percent of the total posts, which includes 226 deputy county-level leadership positions." This undoubtedly was a huge incentive for grassroots policemen (see Cao Liwei, 2008: 77).

Although the seven models are different from one another, all of them have developed around two kinds of tensions. The first is between policing methods or types and social needs. The original system was too bureaucratic (most police officers worked in offices rather than on the streets) to adapt to the big changes in Chinese society. The second tension is between new policing methods and the existing legal system. It may well be because of this tension that the “setting up police stations” model failed. Apart from the two tensions, some police reforms might face a third tension, which is caused by a mismatch between the particular type of police reform and interest structures. This tension is obvious in the last three reform models. Adjustment to interest structures and a clash with some vested interests always accompany reform. For example, abolishing sub-bureaus means that some police chiefs 局长 will be retired. Another thing in common is that these reform models share the same operating logic. First of all, reforms often start with urban PCSs, since urban areas usually are smaller and wealthier than rural areas, making reform easier. Second, these reforms are intended to deal with the bureaucratization of public security departments by reducing layers of management, strengthening grassroots police units, and decreasing the excessive division of labor within the police force. Finally, police reform aims to reinforce upper-levels’ supervision so as to prevent the arbitrary use of power in subordinate agencies. The last three models even go beyond the pattern of “one district, one bureau” 一区一局 and reduce grassroots units’ dependence on local governments.

“Penetrative Power” and Going Back to the Grassroots

One of the fundamental goals of the police reform in the new era is to enhance the penetration of the state’s coercive power into society. Institutional reform should result in the allocation of more police resources to grassroots units, thus counteracting the bureaucratization of the police and improving efficiency. In this sense, police reform is a response to bureaucratization of the police and a device to reinforce “penetrative power,” the capacity of the state (especially its coercive institutions) to exercise control over society.⁸

All the seven models of police reform involve community policing, as it is the best way to accomplish the shifting of police resources back to the grassroots. However, community policing faces two major dilemmas: since China’s police-to-population ratio is low,⁹ how to allocate limited police resources to the

⁸ It should be noted that “penetrative power” here is different from the “despotic power” or “infrastructural power” of Michael Mann. Despotic power is an individual power of the state against civil society, which is derived from the use of power by the elite and is independent from consultation with civil social groups; infrastructural power is a collective power which coordinates social life through national infrastructure and is achieved through basic power structures (see Mann, 2007: 68–69). “Penetrative power” in this article refers to the state’s exercise of control over society, which can be “despotic” or “infrastructural.”

⁹ According to Fan, Wang, and Wang (2008: 13), “the number of policemen per million inhabitants has to exceed 25 to ensure that the police system operates effectively. In 1995, the percentage

community is a challenge; as the salary and social status of community police are lower than that of other police units, it seems that no one is eager to work in the community. Nonetheless, modernization requires more police officers working in grassroots units. That is why the central government launched the community policing reform.

In 2001, the Ministry of Public Security (MPS) proposed setting up a social crime control system. In 2002, the MPS required that “all public security departments implement community policing: PCSs in urban areas and townships should set up community police offices and staff them with more than one responsibility-district police officer according to the size of community, population, and public security situation; PCSs in rural areas should implement responsibility district system 包片责任制” or be staffed with resident policemen (Ministry of Public Security, 2002). In 2003, the central government issued a Decision Regarding the Strengthening and Improving of Public Security Work, which set the strategic goal of community policing and required “establishing a community police system compatible with a new community management system in order to bring about a major strategic shift in the development of public security.” The principle of “big grassroots, small organs,” which was put forward later on, required that “85 percent of police resources be devoted to grassroots units.”¹⁰ These measures were launched at local levels in 2004. The MPS further called for local governments “to adjust service time according to local conditions; improve patrolling; strengthen control over society and enhance the efficiency of responding to police calls in order to increase the public’s sense of security” (Ministry of Public Security, 2004). In 2006, dubbed “the year of basic-level construction,” the MPS stressed the need to “streamline grassroots organs and, in order to maintain law and order in society, place police resources when and where they are most needed” (Center for Case Studies, 2006: 20–21). In that year, the MPS issued a Decision on a Strategy to Implement Community and Rural Policing, requiring “public security organs to set up new police offices in communities and rural areas according to the size of

of policemen in the total population was: in Beijing, 3.5 percent; in Shanghai, 2.69 percent; in Tianjin, 2.36 percent. The percentage in prefectural-level cities averaged 1.7 percent, and at the county 0.5 percent.” Data for the year 2005 show that, on average, China had eleven policemen per ten thousand people, which “still lagged far behind the world average level, even behind some developing countries.”

¹⁰ According to the relevant rules of the General Office of the State Council and the Ministry of Public Security, comprehensive, supervisory, and administrative decision-making functions should in general be housed in departments and offices in charge of routine work, command, disciplining, supervising, auditing, inspection, technology, communications, equipment, and logistics as well as party committees in provincial, city, and county-level public security bureaus; units responsible for maintaining stability, security administration and criminal enforcement are first-line units, which mainly include departments involving domestic security, economic crime investigation, public security (PCSs, patrolmen, SWAT teams), criminal investigation, exit-entry administration, online censorship, mobile technology, detention, traffic, law, drug control, accusation and appeal, anti-cult, and others.

population; to accelerate shifting police resources to grassroots units by streamlining organs, integrating agencies, and adding a variety of ways to deepen the reach of the police,” and to redraw police districts and set up police offices based on the principle of “one district, one policeman” or “one district, multi-policemen.” “This is the first time that the public security system reforms involved police agencies below the township level and extended police resources to grassroots units below the PCS” (Fan, Wang, and Wang, 2008: 13). According to statistics, 174,000 community and rural police offices 警务室 have been set up, staffed with 210,000 community and resident police officers. Apart from further focusing on the construction of community policing, the 2007 Regulations on Standardizing Public Security PCSs required that “police officers in PCSs should constitute more than 40 percent of the total police force in the corresponding county . . . public security bureaus and urban public security sub-bureaus.”

Advocating going back to the grassroots is directly aimed at the bureaucratic shortcomings of public security organs in recent years. Although police resources are limited in general, more and more policemen work in the office rather than on the first-line (thus creating a structure that resembles an inverted triangle), which desperately needs manpower. The MPS warned about this problem many years ago. In 1988, the MPS stated that “because of the heavy work of PCSs, an excessive division of labor and bureaucratization should be avoided”; “both policemen specializing in household registration work and policemen specializing in public security work should be multitaskers, handling various affairs in their responsibility district” (Ministry of Public Security, 1988). The party Central Committee and the State Council issued instructions on transforming work styles and taking precautions against formalization and bureaucratization in the late 1990s. Also, the MPS pointed out that “formalization and bureaucratization still exist at all levels of public security organs; an inattentive work style, superficially implementing policy, falsification, concealing information and dereliction of duty are very common in some public security agencies.” Therefore, the MPS issued a Notice Regarding Preventing and Overcoming Formalization and Bureaucratization in 2001, which called on “all public security departments to fight bureaucratization.” A Party Central Committee Decision on Further Strengthening and Improving Public Security Work in 2003 stated that “public security organs should streamline organization, reduce management levels, and rationally allocate police resources.” The twentieth National Public Security Working Conference decided to give priority to work at the grassroots, “reform the way service is provided and correct the tendency of bureaucratization, urging policemen to head for the street, the community and the masses.” Also, it stated that “pilot programs could be conducted in medium-sized cities to reduce levels within agencies.” This statement became a guideline for police reform around the country. For example, the Henan Provincial Public Security Department issued Opinions on Promoting the Allocation of Police Resources to the Grassroots and Strengthening the Building of Infrastructure, which advocated the “principle of simplified administration, unified action, and

higher efficiency in the process of merging internal organs.” Four years later, the Henan Public Security Department took an even bolder step: all sub-bureaus in urban areas were abolished. This became the most dramatic move in China’s police reform.

A vertically bloated organizational structure and horizontally excessive division of police types causes inefficiency in policing. “One policeman, multifunction” might solve the latter problem in most areas. Breaking the boundaries that divide policemen into different types can strengthen grassroots’ police forces without increasing the number of staff. Division of police types seemingly promotes specialization. What really happens, however, is that having “various and overlapping types of policemen causes a waste of police resources” (Wang Yong, 2003: 31).¹¹ Apart from the “one policeman, multifunction” model adopted by Cangzhou, Yingkou, Chongqing, etc., in 2005 the Fuzhou Municipal PSB required that all the policemen in PCSs “fulfill multiple tasks”: thus the three functions of traffic patrol, community policing, and security are combined in a single policeman. In this case, what is involved is “abandoning the division of policemen into types and building a composite form of policing; reducing the distinction between the street and the community and building grid-style patrol areas; breaking the division of labor among different types of policemen and building new policing mechanisms” (Center for Case Studies, 2006: 20–21). In the meantime, cooperation between different types of policemen prevails in Henan’s PCSs: traffic police and patrol police have come to take care of traffic patrol, and security police can patrol as well. This new division of labor makes it easier to dispose of cases on the spot (Lin Huihuang, 2014).

It should be noted that efforts to fight bureaucratization and move police back to the grassroots in these police reforms cannot be equated with a mass-line strategy, even though they do bring the police and the masses spatially closer. In a strict sense, returning the police to the grassroots fundamentally enhances the state’s coercive capacity in penetrating society. In other words, it is a process of strengthening “penetrative power,” which releases policemen from the cage of bureaucracy and increases the number of policemen among the masses and in the community.¹² However, the mass line emphasizes the participation of the masses in the social control process and a positive attitude among the masses toward formal state power. Insofar as public security is concerned, the masses are the main force, while the only role of the police is as organizer, such as was the case during the era of public security committees 治保会

¹¹ Wang Yong (2003: 32) found that in one southern city “there are one PCS (24 police officers), two and a half patrol squadrons (120 police officers) and five traffic boxes (35 police officers) within 1.2 square kilometers. The sum of 0.15 billion RMB was invested in that 1.2 square kilometer area, but bureaucratization and an excessive division of functions caused inefficiency.”

¹² From the perspective of social control, “compared with the old post-reform policing model, the new model is characterized by state apparatuses’ much deeper penetration of society, and a move from the old ‘state-unit-individual’ [chain of relationships] to the current ‘state-individual,’ reinforcing the state’s and government’s control over the public” (Feng Zhiye, 2011: 9).

(Lin Huihuang, n.d.). This kind of policing could be called the “socialization of policing” or “socialized policing.” The going back to the grassroots police reform in recent years is normally called “community policing,” and involves the police as the subject and the masses as the object to be protected. Although they are easy to confound, “socialized policing” and “community policing” are fundamentally different (Kang Damin, 2001).

Another kind of confusion arises from some scholars wishfully viewing China’s community police reform as a part of the Western “new public management movement” which started in the late 1970s and early 1980s. To be sure, this movement, especially its criticism of bureaucracy, has been influential in developing countries and has sparked wide-ranging debates. But the essence of this movement lies in weakening the interference of the state and building a “flexible and market-based” (Hughes, 2001: 1) public administration system which emphasizes the application of “business management theories, methods, techniques and methods of operation in the field of public administration” (Yu and Wu, 2003: 15). Under the influence of this movement, Western countries launched a so-called fourth police reform, which emphasizes community policing. It has focused on the “socialization of policing,” which has been regarded as “an institutional arrangement for improving the provision of public security services” (Kang and Yang, 2011: 62). However, the “socialization of policing” under the new public management movement has advocated “improvement without a numerical increase,” meaning that the modernization of the police should deviate from the American model which has stressed improving both the police-to-population ratio and equipment and facilities and should aim to make the thousands of eyes and ears of the public into the equivalent of the eyes and ears of the police (Wang Dawei, 2000: 1).¹³ The West’s “improvement without a numerical increase” bears many similarities to the traditional mass line, while community policing goes against it.¹⁴

Thus, the core contribution of police reform in China in recent years lies not in the implementation of “community policing,” but rather in the strengthening of the “penetrative power” of the police.

¹³ Wang Dawei (2000: 6) has pointed out that “in 1966 there were 86,000 policemen in Britain, in 1981 there were 110,000, and in 1991 there were 140,000. In many shires the number of police more than doubled and nationally increased by an average of 61 percent within twenty-five years. . . . While there was a continual growing of police forces, the crime rate was also increasing: there were 1,200,000 cases in 1967 and 2,400,000 in 1977, a doubling within eleven years. Since the population remained steady, the incidence of crime nearly doubled as well. During the six years from 1981 to 1986, the incidence increased from 55.6 cases per thousand people to 70 per thousand, a huge jump.” The growth of police forces in Britain did not lead to a reduction of crime, but instead there was a simultaneous increase in the police forces and in crime. This policing model of increasing only manpower requires rethinking.

¹⁴ Police reform practitioners often believe that their reform activities have been influenced by the Western “new public management movement.” See Yang Jianping (director of the Xinxiang Public Security Bureau, Genghuang PCS) (n.d.).

“Inhibitory Power” and the Centralization of Policing

Empowering PCS, which increases their autonomy, is a common theme in police reforms in China. As early as 1988, the MPS declared that “public security organs at all levels should establish the idea of serving the grassroots” and “delegate part of their functions and power to the PCSs.” “Making the PCSs bigger and stronger” became a guideline of police reform after 2000 and “merging three types of policemen to one” seemed to strengthen the PCSs (Ni Yifu, 2011). But was this really the case? In the lead author’s field work in Henan’s PCSs, it was found that it was responsibility that was being strengthened rather than the power of the PCSs. Instead of enhancing the autonomy of policemen in PCSs and grassroots units, the reform strengthened their discipline, which actually reinforced the state’s “inhibitory power.” So-called “inhibitory power” refers to the state’s capacity for self-discipline, especially the power of higher units to constrain the activities of subordinate units. The strengthening of “inhibitory power” thus essentially means the further centralization of the police system.

Police centralization is actually a response to the recent growing arbitrary use of grassroots police powers. In order to overcome this tendency, the central government can proceed in two directions. First, it can weaken the dependence of local policemen on local government and strengthen “vertical management.” Second, it can strengthen the power to discipline the police, and move toward the goal of standardizing the power of the police. Strictly speaking, disciplining the police can be said to be an important part of “vertical management,” since it is only possible once local government’s control over the police has been eliminated.

For a long time after China’s reform and opening up, under the move toward “devolution” of the whole idea of public security work in the area of personnel and funding, public security departments had to rely on the support of local governments. This in turn led to the localization of police work. Local governments often interfered in police work, using the police for non-police activities, such as dealing with land acquisition and demolition, handling disputes over small hydropower projects, levying fines for unplanned births, and demolishing illegal buildings. Some township governments have attempted to deal with resistance in these kinds of situations by calling on the local police to resolve what are in fact intractable conflicts, potentially tying up a large number of police. It has been said that “at the minimum, the percentage of non-policing activities in the work of PCSs is 30 percent, and even higher for some PCSs” (Zhu Guowei, 2007). Because of this, local governments have been reluctant to support police reform, especially when it involves abolishing some relevant agencies. The head of the Huangshi Municipal PSB implied that the greatest opposition to reform was from local governments; governments of all districts worried that support from public security departments would weaken after the reform, since the police reform “transfers personnel management and fiscal expenditures which had belonged to local governments to the Municipal PSB and removes ‘district’ from the name of sub-bureaus to high-light vertical management” (Nie Chunlin, 2011).

Although local governments have been reluctant to relinquish power to grassroots-focused police, the central government is determined to centralize policing because decentralization entails huge drawbacks. For one thing, the decentralization of public security weakened the central government's control of local public security work and encouraged the selective implementation of central policy by local policemen. Since local public security organs mostly relied on local funding, local governments had a greater grip on the police than did the central government. Hence, the center's macro-control ability was greatly diminished. On the other hand, however, support from local governments was not so total that local policemen resorted to the abuse of power (literally, "power overdrafts" 权力的透支), leading to police corruption. Take public security expenditures as an example. "Local governments do not increase public security expenditures in proportion to increases of disposable funds and the willingness of local governments to fund public security will decrease after reaching an average upper limit—5 percent of local fiscal revenue—a turning point that was reached in 1998. The main source of the turning point is that the increased work involving outside jurisdictions (due to social mobility, the fleeing of criminals, and cross-district crimes) has offset the incentives arising from decentralization" (Fan, Wang, and Wang, 2008: 13).

In the late 1990s, the central government began to recentralize the state's coercive capacity. A National Conference of Financial Directors of Public Security Facilities was held in 2003 to discuss and advocate setting up a safeguard mechanism for the funding of grassroots public security units. The CCP Central Committee Decision on Further Strengthening and Improving Public Security Work in the same year also noted that this safeguard mechanism was an important part of state coercive capacity building. The Decision required that equipment and expenditure arrangements should be made according to the principle of "separating revenue and expenditures, providing blanket guarantees, and defining priorities followed by step-by-step implement"; expenditures were to be incorporated respectively into central and local financial budgets according to the principle of the division of powers. At the same time, there was to be an "increase in central financial aid to county public security organs in central and western regions to guarantee funds for routine work and handling cases" as well as "increased investment in public security infrastructure and the launching of construction projects involving public security monitoring sites and PCSs in the west." The Ministry of Finance published a Notice Regarding Further Guaranteeing the Expenditures of Public Security PCSs and required that all PCSs' "expenditures should be listed in the county (or municipal or district) fiscal budget" and "expenditures covered by township governments should be listed in county (or municipal or district) fiscal budgets beginning with the 2006 fiscal year." This was the first time that PCS expenditures were separated from village and township finance. A Public Security Organ Organization Regulation required that public security organs remit all income from fines and administrative fees to the financial departments and that

their expenditures “be listed in the financial budget and fully guaranteed, and in addition, public security work in poor districts should be appropriately funded.” In addition to guaranteeing funding, the central government also implemented uniform planning for building grassroots’ public security workplaces. From 2004 to 2008, “the Center invested 7.4 billion RMB in building or renovating public security PCSs in western regions, and village and township judicial offices and people’s courts in central and western regions.” As of 2006, “funded by the central government, fifteen thousand new PCSs in central and western regions are to be built, and at the same time, the appearance of these PCSs is to be unified” (Renmin gong-an bao, 2006). A Regulation on the Exterior Design of Public Security Police Station Buildings was published in April 2005 and according to the principle of “uniform planning, gradual implementation,” within three years the design of forty thousand PCSs (including two thousand new PCSs in western regions funded by the central government) was to be changed (Yu Nayang, 2006).

Apart from the centralization of expenditures, there has also been a centralization of personnel management and the allocation of police posts 警察编制. The 2003 Decision on Further Strengthening and Improving Public Security Work listed several requirements: “sub-bureaus in urban areas and PCSs should be directly managed by superior public security organs”; “leading cadres of public security internal organs should be appointed by public security organs at the corresponding level”; “the relationship between superior and subordinate public security organs should be straightened out so that the former lead and guide the latter; steps must be taken to ensure that laws and regulations are enforced effectively and police orders carried out without fail.”

In 2003 the MPS issued a *2004–2008 Outline on Building Standardized National Public Security Forces*, which stipulated that “the system whereby sub-bureaus in urban areas and police stations will be managed directly by superior public security organs should be in effect by 2005.” As for police posts, those established by local governments were investigated in 2004 and it was estimated that there were about 418,000 such posts around the country (Law Yearbook of China, 2005: 208). After the investigation, “the central government granted a one-time increase of thirty thousand posts to local public security departments in 2005 and transformed most verified local posts into national posts, most of which have been allocated to PCSs and other first-line organizations” (Guo Gaozhong, 2012). What is more, the central government attempted to influence the allocation of police forces to grassroots units. In “national television and telephone conferences regarding the circular on building and exchanging experience with public security police stations” held on June 10, 2005, the vice minister of the MPS, Liu Jinguo, mentioned that public security organs should “strengthen the police by increasing [the number of] posts and streamlining organs”; the goal was to make sure that “each PCS in urban areas has more than twenty policemen, each PCS in designated towns has more than ten policemen, and each PCS in designated villages has more

than five." To fulfill this goal, "70,000 more policemen should be assigned to grassroots PCSs in the next several years" (Fazhi ribao, 2005).

While strengthening "vertical management," the central government launched a "Planned Building of Public Security Forces" project to discipline police power. Traditional police decentralization makes it easy for the central government to lose control over local public security organs, which results in various abuses of police power. Although there are disciplinary inspection agencies at all levels,¹⁵ because they belonged to the public security system and were tasked with inspecting organs at the same level, their inspection was subject to power and interest networks in local governments. In addition, superior disciplinary inspection agencies had no right to investigate and punish subordinate public security organs. Hence, the authority of disciplinary inspection agencies was undermined. To deal with this problem, the Central Committee and the State Council made a new rule governing the leadership system of discipline and supervision agencies. In June 2000, they issued a notice, "The CCP Central Commission for Discipline Inspection and the Ministry of Supervision Program for the Configuration of Functions, Structural Adjustments, and Quota Arrangement Project for Discipline Inspection Agencies." This document stipulated that "branches are under dual leadership: one is the CCP Central Commission for Discipline Inspection and Ministry of Supervision as the leader, and the other consists of party committees and discipline inspection agencies." The Ministry of Supervision allocated twenty posts to supervision bureaus and stipulated that their directors and deputy directors would be appointed by the ministry. The core of this reform is that "the public security system will begin to build complete discipline and supervision agencies and equip them with cadres in a top-down fashion" (Fan, Wang, and Wang, 2008: 13).

Since 2000, the disciplining of police power has been further strengthened through the "petition and visitation" system. The emergency police service "110" call line added a new function: "accepting complaints" and responding to calls from "the masses [who] can dial '110' to complain about illegal, undisciplined behavior and misconduct of public security organs and policemen" (Ministry of Public Security, 2000). Superior public security organs conduct annual investigations using the tracing accountability 倒查, secret investigations 暗访, and other systems (Ministry of Public Security, 2000). For many policemen, the year 2003

¹⁵ In 1982, the central government stipulated that the Central Discipline Inspection Commission could assign inspection teams or inspectors to state organs and thus discipline inspection institutions were restored. In 1983, the Central Commission for Discipline Inspection for the first time assigned discipline inspection teams to the MPS. In 1987, the State Council set up the Ministry of Supervision, which accredited a Supervision Bureau to the MPS led by both the Ministry of Supervision and the MPS. In May 1992, the MPS set up a Discipline Inspection Commission which led discipline inspection commissions in institutions directly under ministries and cooperated with local discipline inspection commissions. In June 1992, the MPS and Supervision Bureau of the Ministry of Supervision set up a joint inspection agency. Today discipline and inspection institutions exist in public security departments above the county level.

was a turning point when the “five prohibitions” declared that the age of the “regularization of power” was coming. Police reforms in various areas responded positively. For example, in the police reform in Henan, policemen felt that “it’s hard to make mistakes even if you want to” because of the oversight by discipline inspection units, which closely monitored policemen.

Conclusion

In the process of social transformation, various complicated conflicts have emerged, law and order at the grassroots has deteriorated, and abuses of police power have often been reported in the press. Since 2003, the implementation of a variety of new policing models has provided a way to extend the formal power of the state to the grassroots, which coincides with the changes in China’s entire administrative structure (Fan, Wang, and Wang, 2008: 13). The central government intends to strengthen its “inhibitory power” by centralizing local policing and imposing macro-control over public security. This intention is being borne out in the process of police reforms. In this sense, local police reforms are more than “local” and actually reveal a self-adjustment of the whole public security system in the new social situation. These reforms are unified in their goals: on the one hand, they all promote “returning to the grassroots” and strengthening “penetrative power” to overcome “bureaucratization”; on the other hand, they promote “centralizing policing” and strengthening “inhibitory power” to overcome the abuse of police power. These two goals are fully consistent with the intentions of the central government. In looking closer, we will find that the two goals are fundamentally the same, that is, both reflect a strong desire for the “standardization of policing.” With the standardization of policing, complex social control can be transformed into an ideal scenario of “government by rules,” that is to say “government by law.”

Local police reforms strengthen both “penetrative power” and “inhibitory power” in the sense that “penetrative power” involves tightening the control of the police over society and “inhibitory power” focuses on disciplining police officers. To put these two in the framework of state coercive capacity building may seem contradictory. However, this embodies the dual tasks facing administrative reforms in China today: society needs the intervention of the state due to the weakening of traditional social control; at the same time, with the development of legislation and democratization, society needs to constrain the power of the state. Therefore, the state has to strengthen both capabilities to ensure that its intervention in society is judicious.

It should be noted there is a dialectical interdependence between “penetrative power” and “inhibitory power.” First, “penetrative power” forms the premise of “inhibitory power” in the sense that the state’s power to control society has to exist before it can be limited. This has been ignored by many scholars. “It is authority that is in scarce supply in those modernizing countries where government is at the mercy of alienated intellectuals, rambunctious colonels, and rioting students”

(Huntington, 1989: 7). Second, “inhibitory power” is a guarantee of “penetrative power.” A police force with unfettered power to control society will violate the public’s expectations. People are actually asking for more “protective power” than “penetrative power,” which will ensure that in exchange for a small cost (such as a small sacrifice of freedom) the public will enjoy a stable and safe social order. This requires that the state exercise self-restraint, rather than indulge in an unbridled expansion of state power. If not, “penetrative power” will not be achieved because of distrust.

It is difficult to deal with the dialectical relationship of the two kinds of power. “Inhibitory power” may so strong that the state is overcautious and impedes the effort to police society. For instance, excessively pursuing enforcement procedures tends to discourage policemen, leading them “to avoid trouble whenever possible.” Alternatively, increasing “penetrative power” may harm people’s rights and interests. If there is no mechanism for the supervision of power, the police may, for instance, tend to extort confessions by torture.¹⁶ Therefore, dealing with the dialectical relation of the two powers is a key to smoothly building the state’s coercive capacity.

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¹⁶ The institutional practice of police reform is discussed by Lin Huihuang in a draft paper, “警权集中与警力悬浮” (Centralization of police power and the bureaucratization of police officers).

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