

## Handling Contention in China: A Theoretical Framework on the Role of the State

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### 抗争治理：一个剖析抗争中国家作用的理论框架

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#### Abstract

While the study of contention in China has become a “rapid-growth industry,” existing explanations cannot convincingly account for the positive outcome of numerous Chinese protests, many of which lack the social strength required to succeed. Based on a systematic review of these studies, this article finds that an important reason for the weakness of these studies is that they focus on the protesters advocating change rather than the officials handling them. Accordingly, they pay too much attention to the factors increasing social strength, and ignore far more interesting clues about how the state can also influence contention. The article redirects our attention away from protesters and toward officials, and provides a framework for analyzing the handling of Chinese protests based on six analytical dimensions: changes in state capacity, tensions between different dimensions of state legitimacy, contradictions in the *xinfang* system, divisions among elites, state-society links, and state strategies in response to protests. This more meticulous examination of the state’s position thus supplements the previously informative but incomplete understanding of the Chinese state and sheds further light on the dynamics and outcomes of Chinese protests.

#### Keywords

contention, handling protests, state, society

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**摘要**

基于对海内外近20年来有关中国社会抗争研究的述评, 本文指出了现有文献中的一个不足, 即“国家”视角的缺失, 并据此提出了一个“抗争治理”的理论框架。这一框架包括“多元合法性的张力”、“国家能力的变化”、“信访体系的矛盾”、“官僚机构间的分歧”、“官民权力利益关系的强弱”和“抗争治理的策略”六个方面, 从“政府官员”的视角更细腻地剖析了国家与社会在抗争中的互动, 对我国加强和创新社会管理能力具有积极的价值。

**关键词**

抗争、治理、国家、社会

Over the past few years many protesters in China have successfully forced local authorities to buy them off in order to bring an end to their contention. This phenomenon has been observed by several scholars (see Chen Baifeng, 2011; Sun, Shen, and Guo, 2010; Tian, 2010; Tian, 2012). At first glance, that the authoritarian Chinese state would buy off protesters seems puzzling. First, Chinese protests are usually small scale, weakly organized, nondisruptive, and limited in terms of leverage (Xi Chen, 2009; O'Brien, 2002; O'Brien, 2009: 27; Ying, 2007). Such contention, it has been assumed, is too weak to seriously challenge the state since it usually lacks key factors (e.g., scale, an organizational base, leaders, disruptive ability, and resources) that make for success (McAdam, 1999: 43–48; McAdam and Su, 2002).

Second, as one of the most successful and experienced authoritarian regimes still in existence, it is highly unlikely that the Chinese government does not clearly understand the risk of buying off protesters. Modest concessions, as Goldstone and Tilly suggest, can be fatal to a regime. One reason for this is that while minor changes made by a regime advertise its illegitimacy, they do not fully correct that illegitimacy, and thus can lead to greater demands for elimination or transformation of the regime. Another is that such concessions highlight the weakness of the regime and encourage others to believe that they too can extract more from the regime (Goldstone and Tilly, 2001: 188–89).

Third, while the state often tolerates and even compromises on contention, this does not imply that the state cannot maintain formidable coercive power. Actually, the Chinese state remains determined, and has the power, to crush any serious challenge to its rule (Tong, 2002; Wright, 1999).

Finally, and most importantly, the state rarely views social unrest as an insignificant challenge that can be easily dismissed. Indeed, the state always considers social stability its top priority and has since the 1990s made great efforts to pressure its agents to handle protests promptly and effectively (Xi Chen, 2012: chap. 4; Tian, 2012: chaps. 4, 6).

Thus, how and why can small-scale protests, which lack social strength, persist and even succeed in the face of China's authoritarian regime? What implications

does their success carry? These two closely related questions constitute the central theme of this article.

Briefly, current studies of contention in China generally follow one or the other of two theoretical approaches. The first, a society-centered approach, explains the dynamics and outcome of contention from the perspective of the challengers. Yet, as previously stated, many Chinese protests lack sufficient social strength to make them persistent and successful. The other, a state-centered approach, emphasizes the significance of the state in shaping contention. While both of these approaches have provided many illuminating insights, neither is nuanced enough to explain the fate of small-scale protests.

An important reason why these two lines of research are insufficient for solving the puzzle I have mentioned is that both focus on protesters rather than on the officials handling them.

This article redirects our attention away from protesters and toward officials, and develops a framework for analyzing the handling of Chinese protests based on six analytical dimensions: state capacity, state legitimacy, state institutions, state structure, state-society links, and state strategies. Based on this framework, the article analyzes and seeks to account for the fate of Chinese protests.

It is worth stressing that this article distinguishes between society-centered and state-centered explanations of contention only for analytical convenience. Theoretically, the outcome of most protests involves ongoing give-and-take between societal and state actors. This thus requires “an interactive understanding of outcomes”—asking either-or questions about the impetus behind change does little to enhance our understanding of outcomes (O’Brien and Li, 2006: 98).

The remainder of this article discusses in greater detail the arguments set out above. First, it reviews the literature of the society-centered and the state-centered explanations of Chinese protests. Second, it clarifies the theoretical significance of how protests are handled. And, third, it presents a theoretical framework of protest handling in order to delve more deeply into the state’s role in shaping Chinese protests.

### **Society-Centered Explanations**

Over the last twenty years, almost all major theories on contentious politics have been applied in some way to explain contention in China. Society-centered explanations, which emphasize the significance of societal factors in explaining the dynamics and outcome of contention, have received the greatest attention. The following subsections review the key areas within these studies relating to social grievance, contention tactics, and key factors increasing social strength.

#### ***Social Grievances***

The grievances of protesters are a necessary factor leading to contention in the first place. Grievance-based explanations are frequently used to illustrate contention in transforming societies, since large-scale socioeconomic change, such as

industrialization, marketization, and urbanization, often results in widespread social grievances. If nationwide grievances cannot be handled properly, they may lead to social disorder and political instability. This is in line with the thinking of both Durkheim and Huntington (Durkheim, 1951; Huntington, 1968).

Since contemporary China is undergoing a deep socioeconomic transformation, society is replete with conflicts and contention. Over the last three decades, tax riots (Bernstein and Lü, 2003; O'Brien and Li, 2006), strikes by laid-off workers (Cai, 2002; Cai, 2006; Feng Chen, 2003; Lee, 2007), NIMBY protests (Jing, 2010; Stern, 2013; Sun and Zhao, 2008b; Ying, 2001), and anti-demolition or land-seizure resistance (Cai, 2003; Geng, 2013; Yu, 2005) have all been closely related to grievances of contesting groups. Some Chinese specialists thus emphasize the significance of social grievances in explaining the dynamics of Chinese protests (Chen and Wu, 2014; Hurst and O'Brien, 2002; Ying, 2011).

While social grievances are a necessary condition for the emergence of contention (Zhao, 2006), they alone cannot explain the development and the consequences of Chinese protests. First, grievance-based explanations cannot explain why different protesters with diverse grievances usually adopt similar strategies. For example, when petitioning Beijing, protesters with different demands often have taken the same actions, such as wearing shirts emblazoned with the oversized character "WRONGED," intercepting cars transporting national leaders to deliver petitions, and even setting themselves on fire (Li, Liu, and O'Brien, 2012: 322). As the literature has shown, a key factor shaping these kinds of actions is the central-local division rather than protesters' diverse grievances themselves (Cai, 2010; Xi Chen, 2012; O'Brien and Li, 2006; Ying, 2001).

Second, grievance-based explanations cannot explain why some protesters succeed while others fail. It may be true that the gravity of a grievance can influence how determined protesters are. For example, residents who suffer serious economic loss through land seizure may be more unyielding than those who suffer less. Even so, such explanations are incapable of answering the key question as to why some protesters succeed while others do not, when the seriousness of their grievances are similar.

In order to unravel this puzzle, it is necessary to examine other key factors that impact Chinese protests.

### *Contention Tactics*

Tactics are very important in revealing the development of contention (McAdam, 1983). Accordingly, the scholarship in China studies has identified three representative contention tactics.

The first is a "policy-based" and "boundary-spanning" strategy. "Policy-based resistance" (Li and O'Brien, 1996) or "rightful resistance" (O'Brien, 1996) is "a form of popular contention that operates near the boundary of authorized channels, employs the rhetoric and commitments of the powerful to curb the exercise of power, hinges on locating and exploiting divisions within the state, and relies on mobilizing support from the wider public" (O'Brien and Li, 2006: 2). It "entails the

innovative use of laws, policies, and other officially promoted values to defy disloyal political and economic elites" (O'Brien and Li, 2006: 2). "Rightful resistance" is also a kind of "boundary-spanning contention," which is neither transgressive nor contained, but is "partly-sanctioned, partly institutionalized contention" (O'Brien, 2002: 53; also see Ying, 2007: 17). By sophisticatedly exploiting "rightful" and "boundary-spanning" contention, protesters can protect themselves from state repression by citing the state's own laws, policies, commitments, and ideologies to protest against it, and at the same time exert pressure on the state through troublemaking rather than obviously law-breaking acts.

The second tactic is troublemaking contention, which is a nuanced version of "boundary-spanning contention." While many studies mention this tactic, Xi Chen gives a systematic and in-depth discussion of it by summarizing four kinds of troublemaking acts. The first is "publicity tactics," including primarily banners/slogans, sit-ins, marches, and handbills. The second is "performing persuasive tactics," such as kneeling in supplication, self-inflicted suffering, carrying of victims, begging, wearing of costumes, and singing of revolutionary songs. The third is "disruption of social order," mainly involving blocking traffic and strikes. The fourth is "disruption of government operations," such as creating a commotion and blocking entrances/cars (Xi Chen, 2009). Protesters usually use these troublemaking tactics in an opportunistic way. That is to say, they employ troublemaking acts rather than obviously law-breaking ones to increase their strength, but they also tend to balance defiant activities with actions and statements that show their obedience. In other words, troublemaking tactics strengthen protesters' bargaining power, and obedience makes their contention less risky and more persistent (Xi Chen, 2012: chaps. 5, 6).

The third tactic is "issue-linkage," which involves protesters exerting multiple pressures on local officials by relating their grievances to other issues which may be of even greater concern to the government (Cai, 2010: 70; see also Ying and Jin, 2000). For example, petitioners often connect their individual problems with more serious issues (e.g., social stability and state legitimacy), and in this way seek to push local officials to respond to their demands promptly and adequately (Ying, 2001: 317-20; Ying and Jin, 2000). They may also threaten to reveal to higher-level authorities any misdeeds of local officials, in order to pressure these local officials into making concessions (Cai, 2010: 70). In these ways, the tactic of "issue-linkage" strengthens protesters' bargaining power and increases their chances of success.

Over the last few years, Chinese scholars have also identified some other contention tactics, such as wielding "tenacious weapons of the weak" (She, 2008), "using the identity of the weak to protest" (Dong, 2008), "using bodies to protest" (Wang, 2010), and "using poems to protest" (Huang, 2012). However, these tactics are mainly offshoots of the three representative contention tactics. Thus this study will not go into their details.

The aforementioned tactics reveal how the weak can protest against the powerful by employing low-risk and easily implemented strategies. However, this insight creates a further enigma. Since these tactics can be exploited by almost all challengers, why is it that only some of them succeed?

### ***Key Factors Increasing Social Strength***

Compared to the routine contention repertoires that almost all protesters can employ, some key factors, such as group solidarity, communications networks, leadership, and resources are relatively difficult for protesters to access. This can help explain why protesters in possession of these key factors can sustain and even succeed in their contention while others cannot.

The role of key factors increasing social strength has received a great deal of attention in the research of the politics of contention (Gamson, 1990: chaps. 4, 5; McAdam, 1999: 43–48; Tarrow, 2011: chap. 6). Inspired by these studies, scholars of China have also found that extra leverage from officials or journalists (Shi and Cai, 2006), strong social ties (Deng and O'Brien, 2014; Kuang and Goebel, 2013), adaptive leadership (Kuang and Goebel, 2013; Li and O'Brien, 2008), unifying frames (Kuang and Goebel, 2013), and ample finances and time (Deng and O'Brien, 2014) are important factors making protests persistent and successful.

However, while these factors can help explain why some protesters succeed while others do not, whether these findings are replicable or not is still questionable, since many Chinese protests, as stated above, tend to be small scale, weakly organized, nondisruptive, and limited in terms of leverage.

First, group solidarity is a key factor that increases the bargaining power of protesters. However, as some recent studies reveal, strong social ties which work as the glue holding a diverse contesting group together are more likely to be found in South China. By contrast, such ties in North and Central China are much looser (Gui and He, 2013; He, 2012).

Furthermore, in the current political environment, other key factors, such as good leadership and ample financial support, may be rare rather than common assets that only some challenging groups can exploit. For example, contention in poor rural areas in China may be less likely to have ample financial backing. Additionally, protest leaders who keep contention on track by using their prestige and knowledge may also be rare due to the high risk of “being a bird that pokes its head out.” While Yu Jianrong claims that current China protesters tend to be political and organized (Yu, 2004), his findings are also seriously challenged by some other studies which argue that protesters still face a crisis of legitimacy when organizing contention (Ying, 2007), and their contention is at the same time also constrained by the local state's power to distribute valuable resources, since this power still holds considerable sway over their daily lives (Wu, 2007a).

In addition, the conditions for successful contention may be less favorable in grassroots China. For example, compared to big cities or developed areas in China, governance in grassroots China is less formalized and more arbitrary (He, 2013; Wu, 2007b; Yu, 2010; Zhao Shukai, 2010). Moreover, local authorities, especially in poor areas, are more predatory because of heavy financial burdens coupled with limited economic resources (Cai, 2003; Hsing, 2010; So, 2007). These factors may largely influence the consequences of contention.

Thus the key factors increasing social strength may exist randomly in some cases, but in any event they cannot convincingly explain the fate of a large number of Chinese protests, which normally lack such factors.

### State-Centered Explanations

Actually, even if the aforementioned key factors have been replicated elsewhere in China, they may still not be enough to explain the persistence and the success of contention, because the state plays a more crucial role in shaping contention under authoritarian regimes than in democracies (Dingxin Zhao, 2010), and the response of the government normally outweighs the strength of challengers in determining the outcome of protests in China (Cai, 2010: 2–8).

O'Brien and Li thus propose an “interactive approach to outcomes.” This approach emphasizes that “most consequences of contention are the result of an ongoing give-and-take between forces in society and forces in the state” (O'Brien and Li, 2006: 98). Thus “it is unwise to fix on isolating the independent effects of contention or disentangling the role of societal and state actors” (O'Brien and Li, 2006: 113). To this end, the theoretical significance of this interactive approach is to set aside overly society-focused predilections and redirect our attention away from those contesting social power to their relationships with the state (O'Brien and Li, 2006: 99). In response, current studies have widely examined the roles of bureaucratic divisions and state strategies in shaping Chinese protests.

### *Bureaucratic Divisions within the State*

Divisions among elites are an important political opportunity structure in the theories of the politics of contention. It has been argued that they exert a significant influence on the fate of contention (McAdam, 1999: chap. 3; Tarrow, 2011: chap. 8; Tilly, 1978: chaps. 3, 4, 6; Tilly and Tarrow, 2007: 57).

Elite divisions have also received a great deal of attention in China studies. Scholars have stressed the significance of the central-local divide in the development and outcome of Chinese protests (Bernstein and Lü, 2003; Cai, 2006; Cai, 2008b; O'Brien and Li, 2006; Ying, 2001). However, when delving further into the state's position, it is important to disaggregate it vertically and horizontally (O'Brien, 2014: 1054). Some recent research has identified the horizontal bureaucratic divisions that influence contention (Xi Chen, 2012: 144–62; Mertha, 2008; Shi and Cai, 2006; Sun and Zhao, 2008).

Studies of bureaucratic divisions in both vertical and horizontal dimensions, however, are still insufficiently nuanced to account for the success of Chinese protests. No matter how meticulously scholars disaggregate such divisions, they still cannot convincingly explain why only some protesters are able to create and exploit these divisions while others fail to do so. As stated above, protesters normally use similar contention tactics and at the same time lack key social factors

that would increase their strength; logically speaking, they should not have distinct bargaining power to exploit such divisions within the state.

An important reason for this failure is that the explanations of bureaucratic divisions mainly portray the state as a multilayered, divided power structure. However, the state is actually more complicated than this simplified picture. First, the theories of bureaucratic divisions note the strength of elite power, but ignore the limits of such power. Specifically, elite power theory assumes that “wealth and power are concentrated in the hands of a few groups, thus depriving most people of any real influence over the major decisions that affect their lives.” Given the huge advantage of elites, the key for challengers to succeed in contention lies in “mobilizing sufficient political leverage” to create and exploit the divisions among elites (McAdam, 1999: 36–37). Based on this assumption, when scholars try to explain why some protests succeed but others fail, they often fall back on the factors increasing the social strength of challenging groups, and thus meet the same representative problem mentioned above (see Cai, 2010: chaps. 5, 6). Actually, in addition to the strength of elite power, the limits on such power can also influence protests. For example, many recent studies have noted that the decline in the Chinese state’s capacity to penetrate society undercuts its ability to handle grassroots protests (Xi Chen, 2012: 60–62; Lü, 2009; Shen, 2009; Tian, 2012: 82–106; Wu, 2007b). This line of research, however, has not been adequately explored.

Furthermore, bureaucratic divisions mainly exploit political openings within the state, but neglect the openings that may also exist at the interface between state and society. As Neil Diamant has emphasized, it is necessary to explore the state from the bottom up, “in places where state and society actually faced one another (in the physical, not abstract sense)” (Diamant, 2001: 473). This approach may provide a nuanced perspective which will help clarify local specifics that are crucial in revealing the fate of contention. For example, current studies focus on the divisions among different authorities, with few noting the differentiation among local officials and their allies. How such openings influence Chinese protests warrants more attention in the future.

In addition, the contradictions and ambiguities within state ideology and institutions also constitute political openings that protesters can exploit (Xi Chen, 2012: 196). A good example of such openings is the *xinfang* system,<sup>1</sup> which is designed to simultaneously control and facilitate contention. However, this line of research too has not yet been adequately pursued.

Digging deeper, a crucial reason for perceiving political openings simply as bureaucratic divisions is that most current studies explore state-society interactions from the perspective of protesters rather than officials. The focus of

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<sup>1</sup> Petitioning, also known as “letters and visits” (*xinfang* 信访), refers to people bypassing local authorities to reach higher-level authorities in order to report problems and request their solution (Minzner, 2006: 110). Petitioning is the primary form of claim-making in China, and most contention takes place in this form (Chen Baifeng, 2012; Xi Chen, 2005: 5). Thus the *xinfang* system is the most important state institution to be considered in analyzing the role of the state in shaping contention in China.

these studies is on how protesters can create and exploit bureaucratic divisions by strengthening their bargaining power. Accordingly, the state is often simplistically portrayed as a multilayered, divided power structure. Therefore, I take the state rather than challengers as the focus, and examine the state's position more meticulously from the perspective of how its agents handle protests.

### ***State Responses to Protests***

State responses to protest are another important factor determining the consequences of contention. When a protest occurs, government leaders usually have three obvious options: "they may ignore it; they may employ punitive measures against disruptors; or they may attempt to conciliate them" (Piven and Cloward, 1977: 27). Accordingly, state response to protest can be briefly categorized into three basic modes: tolerance, repression, and concessions.

Previously, China scholars tended to emphasize the hard form of repression as the Chinese state's typical response to protest (Bernstein and Lü, 2003; Cai, 2008a; Tong, 2002; Wright, 1999). Recently, soft forms of state response have received more attention. These include tolerance (Cai, 2010: 45), procrastination (Chen Baifeng, 2004: 234–35; Xi Chen, 2012: 83–85), persuasion (Xi Chen, 2012: 83–85; Lü, 2012), and concessions (Cai, 2010: 6–7; Xi Chen, 2012: 74–76; Xi Chen, 2009; Su and He, 2010; Tong and Lei, 2010).

However, many of these studies still focus on identifying factors that make certain state responses possible rather than on the details of how such responses are implemented. For example, Yongshun Cai simply defines concessions as citizens' demands being met, while some or all participants are punished or tolerated (Cai, 2010: 5). By contrast, Cai makes great efforts to explain how protesters can secure concessions through sophisticated tactics (e.g., issue linkage) and skillful use of resources (e.g., social networks) (Cai, 2010). However, in reality concession-making may be much more complicated than depicted by Cai. As stated above, local authorities often buy off protesters who use only routine contention tactics and lack social strength. In this case, how local officials handle these protests may be the key to whether they succeed or fail. Such a simple understanding of concessions also characterizes Xi Chen's study, which roughly defines concessions as mentioned above and then turns to the details of how protesters exploit their "troublemaking" tactics to make concessions possible (Xi Chen, 2009).

By contrast, some recent studies have paid more attention to the details of state strategies in dealing with contention. For example, Ching Kwan Lee and Yonghong Zhang identify three mechanisms for managing conflict in an authoritarian environment: "protest bargaining," "legal-bureaucratic absorption," and "patron-clientelism" (Lee and Zhang, 2013). "Protest bargaining" is the key mechanism that in turn embraces five component processes. When a protest breaks out, local authorities first evaluate its seriousness and dispatch officials to pacify protesters. Then local officials ask protesters to select representatives with whom they can negotiate individually. If possible, local officials fragment these representatives and seek their cooperation by exploiting their conflicts of interest. After that, local

officials make efforts to transform protesters' imagined legal rights into ones that are realistic and feasible in the circumstances. During the process of rights construction, local officials may resort to the use or the threat of police force, which is the fourth strategy. Based on these moves, local officials at the end try to negotiate what Lee and Zhang term a "non-zero-sum bargain" with protesters (see Lee and Zhang, 2013: 1485–95).

In another piece of research, Yanhua Deng and Kevin O'Brien find that local officials frequently employ "relational repression" to demobilize protesters (Deng and O'Brien, 2013). When a protest occurs, local officials investigate protesters' social ties, recruit individuals who are closely attached to the protesters, form them into a work team, and then dispatch these individuals to conduct "thought work." These teams are expected to use their personal influence to persuade protesters with whom they have strong ties. Those who fail are subject to punishment (Deng and O'Brien, 2013: 536–41). The effectiveness of "relational repression" depends largely on how much sway local authorities hold over thought workers and the strength of the ties between thought workers and protesters (Deng and O'Brien, 2013: 541–46).

Both of the aforementioned studies make significant contributions to our knowledge of protest handling. Lee and Zhang's work convincingly illustrates how the state depoliticizes social unrest and maintains its authoritarian domination. Deng and O'Brien's study broadens our knowledge about the soft techniques the state utilizes to control contention. This is highly important, especially when pressures are growing to preserve social order without resorting to force. However, while these two works reveal many important details of how the state responds to contention, they do not explain why the state uses these strategies rather than others when confronting contention.

Some other studies provide useful insights on this issue. They not only reveal the details of state responses to protests, but also try to uncover the rationale behind these responses. Ying Xing identifies three component processes of protest handling. The first, "pulling out nails" 拔钉子, refers to stopping unyielding activists with overt (e.g., reeducation through labor or a court sentence) or covert (e.g., the use or the threat of violence) measures. The second, "opening the box" 开口子, involves cautiously making limited concessions to protesters in order to avoid a ripple effect. The third, "removing the cover" 揭盖子, refers to selectively disciplining officials in order to warn others, which is vividly captured in the popular Chinese saying "Killing a chicken to scare the monkeys" (see Ying, 2001: 91–265, 324–27, 391).

In addition, Ying also goes into the factors that explain why the state uses these strategies rather than others when handling protests. Specifically, the practice of these strategies is shaped partly by the strength of protesters (e.g., effective contention tactics and good leadership), partly by the operation of the state's control system, the cadre management system, and the xinfang system, and partly by the decline of the state's capacity to penetrate society and the transfer of its central

task from revolution to economic development in the reform era (Ying, 2001: 317–20, 332–35).<sup>2</sup>

Ying's analysis, which embraces state-society interactions at the micro-level, institutional practice at the intermediate level, and changes in state capacity and state legitimacy at the macro-level, provides important clues to the fate of Chinese protests. However, his work is still not sufficiently nuanced and can be improved on in a number of respects.

First, Ying's discussion of the transfer of the state's central task from revolution to economic development implies that the state has based its legitimacy primarily on performance rather than ideology. However, his analysis of the changes in state legitimacy is superficial. It fails to distinguish the different dimensions of state legitimacy (e.g., ideology, procedures, and performance), and thus ignores the contradictions within state legitimacy and the impact of these contradictions on state responses to protests.

Second, the state's capacity to penetrate society has become weaker today due to a series of reforms, such as the dismantling of state-owned enterprises in urban areas and the cancellation of taxes in conjunction with the maintenance of long-term stability of existing land contract relations in rural areas. At the same time, the cadre management system and the xinfang system have also been reformed to a certain degree. How these changes shape state-society interactions in China today deserves an in-depth analysis.

Third, Ying's analysis of state-society interactions at the micro-level is also insufficient. For example, he argues that state suppression inhibits the development of protests. However, as Wu Yi illustrates, the sociopolitical ties between local authorities and protesters is a preexisting factor that largely influences the outcome of contention (Wu, 2007a: 22).

In recent years, scholars from the Research Center of Rural Governance of China have further examined state strategies in response to contention and the factors shaping these strategies. They have found that, with the decline of Maoist ideology and shrinking governing resources, local government has lost much of its power to manage conflicts. Concomitantly, the central government keeps pushing its local agents to respond to contention without resorting to force through a series of incentives. Consequently, in many instances local officials feel they have to buy off protesters. Sometimes, in order to avoid punishment, local officials even make concessions to protesters' unreasonable demands. This encourages even more protesters to pressure local authorities and thus makes handling protests even more difficult (Chen Baifeng, 2011; Chen Baifeng, 2012; Lü, 2012; Ouyang, 2011; Shen, 2010; Tian, 2010; Tian, 2012).

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<sup>2</sup> Actually, Xi Chen also takes a similar approach when analyzing the dynamics of contention in China (Xi Chen 2012). However, as this article will show, both Chen's and Ying's analyses can be enhanced in some aspects.

An important contribution of these studies is to clarify the dilemma of local authorities in handling protests. This is a necessary precondition for us to understand their response to protests. However, this line of research can also be enhanced in various ways. These studies suggest there is a need for increasing the authority of local officials to control protests, but they ignore the fact that such authority is exactly the reason behind many such officials' misdeeds. How to deal with this contradiction is an important question that warrants more attention (Li Qiang, 1998). Moreover, this line of research also suggests that state ideology should be reconstructed in order to guide unreasonable protesters, but it overlooks the fact that socialist rule of law has become an important source of state legitimacy. On this point, how one should understand the tension between the new ideology and the Maoist heritage remains an unanswered question.

### **Local Officials' Handling of Protests**

Moving on from the literature on the handling of protests in China, we suggest that it is time to redirect our attention away from protesters and toward officials, and to develop a theoretical framework for analyzing the handling of protests, a framework that delves more deeply into the state's role in shaping contention.

#### ***Handling Protests: The Content***

In the 1970s, in his work on state-society interactions from the perspective of state agents' handling of protests, Charles Tilly identified two theoretical approaches to explain the dynamics of contention: the opportunity/threat to challengers, and facilitation/repression by authorities (Tilly, 1978: chaps. 3, 4, 6). Beyond that, large sections of literature began to analyze the repression, control, and policing of protests implemented primarily by the police (Davenport, 2000; Davenport, Johnston, and Mueller, 2005; Della Porta, 1999; Della Porta, 2006; Della Porta and Fillieule, 2004; Della Porta and Reiter, 1998; Earl, 2003; Earl, 2006; Earl, 2011).

In China, "handling" is a better description than "repression" of how the state actually responds to contention. The Chinese authoritarian regime has been quite adaptive and resilient (Cai, 2008b; Heilmann and Perry, 2011; Nathan, 2003). This allows for more diversity in state response to protests. As mentioned above, such responses embrace much more than simple repression. "Controlling" is also not an accurate description of the state response. As an ambitious authoritarian regime aspiring to provide good governance, the Chinese government not only controls but also facilitates contention. For example, since the 2000s the state has implemented a series of policies to facilitate petitions. These policies not only pressure local officials to respond to complaints promptly and conscientiously, but also restrict their authority to use force (Xi Chen, 2012; Tian, 2012).

Moreover, in China local cadres rather than the police bear the main responsibility for pacifying protesters and maintaining social stability. One reason for this is that they are the ones most frequently targeted by protesters. In addition, they are told to handle protests according to the principle of "territorial jurisdiction"

属地管理 (Cai, 2006: chap. 6; Cai, 2008b: 416; Cai, 2010: 4; He, 2011). Although in recent years, police have started to play a more important role in the handling of protests (Tanner, 2004), even when the police get involved, the ultimate decision on how to handle contention, with few exceptions, is made by the government rather than by the police (Cai, 2010: 8). Additionally, while local officials' superiors sometimes get involved in handling protests, their intervention is selective. Small-scale contention lacking social strength is not likely to prompt them to act (Cai, 2010: 7). Thus they too do not constitute the authorities that regularly handle protests.

Studies of protest handling in China should examine not only collective protests but also individual or household contention. As stated above, Chinese protests are in some ways unique and different from social movements in democracies. The literature thus uses the term "collective action" rather than "social movements." However, collective action is also insufficient to describe Chinese protests. One reason is that collective action normally assumes a deductive, overly rational understanding of protesters, and thus suffers from a lack of "peasantness" (Brandtstädter, 2006), but Chinese protesters usually have particular targets in mind and follow a logic based on concrete local specifics (Wu, 2007a; Ying, 2007; Ying, 2011). Moreover, collective action cannot embrace individual or household contention, but the latter are also an important part of Chinese protests which often persist and even succeed in challenging the state (see Li, Liu, and O'Brien, 2012; Lü, 2009; Lü, 2012; Tian, 2010).

### *A Strategy for Research on the Handling of Protests*

Exploring the state's role in shaping contention of course requires an appropriate research strategy. To this end, this article proposes what Dingxin Zhao terms "macro-structurally informed mechanism-process research," corresponding to mechanism-process analysis of contentious politics (Dingxin Zhao, 2010: 470).

Mechanism-process analysis, widely used in current studies, is well suited to uncovering the play of far more interesting and contingent mechanisms masked by a structural analysis. This analysis can be further enhanced by the inclusion of indicators that can serve to prepare the researcher for what is to be revealed later. Doug McAdam calls these types of indicators intermediate-level "structural propensities," holding that the real action in protests takes place at some intermediate level between the macro and the micro (McAdam, 2003).

However, mechanism-process analysis also has its limits. In the first place, in addition to intermediate-level "structural propensities" (e.g., bureaucratic differentiation), some macro-level structural factors can influence contention. As mentioned above, state legitimacy and state capacity are both important factors shaping Chinese protests. Thus it is not enough to focus only on intermediate-level "structural propensities" when explaining Chinese protests: "The more we know about mechanisms and their various ramifications, the more we see trees instead of the forest" (Dingxin Zhao, 2010: 468). Furthermore, and more importantly, intermediate-level structural factors are not the crucial variants that distinguish

the features of one state from others. For example, bureaucratic divisions exist in every state, but such divisions may be particular to each state based on its capacity to institutionalize contention. Bureaucratic divisions in states based on legal-electoral legitimacy may also differ from those based on performance legitimacy.

Therefore, Zhao suggests linking mechanism-process analysis with the macro-structural factors of authoritarian states. This he calls “macro-structurally informed mechanism-process research” (Dingxin Zhao, 2010: 470). Zhao explains that state legitimacy and state capacity are two decisive mechanism-shaping macro-structural factors that not only trigger the working of various kinds of mechanisms and shape the relationship of the mechanisms involved, but also determine the relative importance of the mechanisms involved in explanations of the dynamics of contentious politics in authoritarian states (468–71). Since there exist “countless opportunities to discover new mechanisms and explore the working of the known mechanisms under various conditions,” linking mechanism-process analysis with macro-structural factors of authoritarian states is thus very important (468). However, Zhao does not provide an example of the application of this analytic strategy in the study of contentious politics (470). Herein lies the task undertaken by this article.

### **A Theoretical Framework for the Handling of Protests**

Inspired by Zhao’s approach, the article develops a theoretical framework of protest handling that aims to better capture the dynamics of the Chinese authoritarian regime and its significance in shaping protests.

This framework contains six dimensions: 1) two macro-structural factors: changes in state capacity and tensions among different dimensions of state legitimacy; 2) two intermediate-structural factors: the contradictions in the xinfang system and the divisions among elites; and 3) two micro-structural factors: state-society links and the state’s response to protests (see Table 1).

Among these factors, changes in state capacity and tensions among different dimensions of state legitimacy play the most crucial role. They not only influence the contradictions in the xinfang system and the divisions among elites, but also impact state-society links and the state’s strategies in response to protests. Below, we sequentially discuss how these factors can be applied in order to explore the dynamics and consequences of Chinese protests.

#### ***Changes in State Capacity***

The influence of changes in the state’s capacity to deal with contention has been discussed by some researchers. As they point out, China’s socioeconomic transformation since the 1990s has weakened the state’s capacity to penetrate society. Ordinary people thus have more channels than before to access resources. They are less dependent on local authorities, and thus less fearful of protesting against them (Xi Chen, 2012: 60–65; O’Brien, 1996: 42; Ying, 2001: 324).

Table 1. A Theoretical Framework of Protest Handling in China.

Key factors	Components
Changes in state capacity	“Despotic power” of the state “Infrastructural power” of the state
Tensions between different dimensions of state legitimacy	Ideology legitimacy Structural legitimacy Performance legitimacy
Contradictions in the xinfang system	Facilitating or controlling petitions Supervising or relying on local officials
Divisions among elites	Vertical bureaucratic divisions Horizontal bureaucratic divisions Differentiation among individuals involved
State-society linkages	Protesters with strong ties to local authorities Protesters with weak ties to local authorities
State response to protests	Profile of protagonists: by state or private agents Degree of force: soft or hard strategies With or without legal basis: covert or overt strategies

However, their analysis of state capacity is not sufficiently nuanced. Michael Mann divides state capacity into two categories: “despotic power,” referring to the “distributive power of state elites over civil society,” and “infrastructural power,” meaning “the institutional capacity of a central state, despotic or not, to penetrate its territories and logistically implement decisions” (Mann, 1993: 59). According to Mann’s framework, the contemporary Chinese authoritarian regime has a relatively low degree of “infrastructural power,” but this does not mean its “despotic power” is also lower than in Maoist times. Actually, many studies have found that the state still has a high degree of “despotic power” to distribute valuable resources in local settings (Chen Baifeng, 2016; Wu, 2007a).

On this point, the current state may simultaneously have low “infrastructural power” and high “despotic power.” This is different from Mann’s assumption that an authoritarian regime usually has a high degree of both “infrastructural power” and “despotic power” (Mann, 1993: 60). How the limitations and strengths of the current state influence Chinese protests is therefore a significant question.

### *Tensions among Different Dimensions of State Legitimacy*

The impact of state legitimacy on contention in China has also been widely discussed in the literature. A common argument is that the benevolent center cares

more about legitimacy than do local authorities. It has thus invested a great deal of effort in fighting against local officials' misdeeds, and thereby has created political opportunities for protesters (see Cai, 2008b: 417; O'Brien, 2009: 27; Perry, 2008: 46–47; Perry, 2009: 17–20; Ying, 2001: 336–37). However, most of these studies primarily view state legitimacy as a whole. Few explore the tensions among different dimensions of state legitimacy and the impact of such tensions on protests.

Actually, a state almost never bases its rule on a single source of legitimacy. The Chinese state relies on three dimensions of legitimacy: ideological legitimacy, structural legitimacy, and performance legitimacy, respectively justified by a particular value system, state laws, regulations, and policies, as well as the sort of good governance that the state aspires to provide (see Schubert, 2008: 194–99; Zhao, 2000: 1607; Zhao, 2009: 418).

The legitimacy of the Chinese state today is different from its legitimacy in the Maoist era when an articulated, utopian ideology was the first priority (Zhao, 2009: 422), or from that in democracies, which base themselves mainly on the rule of law and competitive elections (Dingxin Zhao, 2010: 471). While the state has invested a great deal of effort in improving socialist rule of law (Schubert, 2008), it still keeps its centralized power structure and refuses to countenance free elections. Thus the state is unable to benefit from the “procedure-based legitimacy” enjoyed by democracies, and hence has to legitimize itself by its performance and its ideology. That explains why the “mass line” 群众路线 ideology still plays a significant role in managing conflicts in China today (Xi Chen, 2005: 97; Ying, 2004: 60). The mass line aims to pursue a special version of socialist democracy through “a vanguard system with meaningful participation of the masses” (Frakt, 1979: 690). This ideology not only stresses that the party must meet the people's demands through facilitating their participation, but also emphasizes that the party must educate some laggards among the masses in order to lead them along the right path (Feng, 2012: 30–31). However, the current mass line ideology is “de-politicized” when compared to that in the Maoist era. It still facilitates public participation, but it has lost much of its power to reeducate some protesters by labeling them as laggards, because all individuals must be treated equally before the law.

Since there are many tensions among different dimensions of state legitimacy, clarifying how those tensions influence the operations of state institutions, the divisions with the state's structure, and the practice of state strategies may provide important clues as to the fate of Chinese protests.

### *Contradictions in the Xinfang System*

As previously stated, most contention in China takes place as petitioning. This makes the xinfang system the most important state institution through which the state manages social unrest. The xinfang system is broader than xinfang bureaus alone. The latter, established at or above the county level of government, are responsible for work regarding complaints. The entire xinfang system, however, includes not only xinfang bureaus, but also other state agencies and state agents routinely involved in the handling of petitions (Xi Chen, 2005: 6).

The xinfang system is an important part of the mass line politics of the Chinese Communist Party (Xi Chen, 2005: 97; Feng, 2012: 30; Ying, 2004: 60). As mentioned earlier, the mass line ideology represents a special version of socialist democracy combining a vanguard (the party) with meaningful public participation. Accordingly, the xinfang system serves as an important channel through which the party and the state promote democracy, accept supervision, learn about people's concerns, and keep in contact with the masses. However, this ideology also results in two structural contradictions in the xinfang system: it simultaneously facilitates and controls petitions, and it simultaneously supervises local officials through the information flowing from petitions, while relying on the same officials to handle those petitions.

Although these two structural contradictions have existed in the xinfang system since it was established in the 1950s, their impact on handling petitions may be different today due to the changes in state capacity and state legitimacy. As illustrated above, marketization and decollectivization have significantly weakened the state's capacity to penetrate society. Thus, ordinary people are less dependent on local authorities and less fearful of protesting against them. At the same time, the development of socialist rule of law has significantly challenged the mass line principle. Consequently, local officials have lost much of their power to "reeducate" individuals by labeling them laggards and mobilizing mass criticism against them. Furthermore, some state apparatuses (e.g., the system of reeducation through labor) which served as a formidable tool for social control were abolished, since they were in contradiction with rights discourse. Additionally, the state has also implemented a series of policies to facilitate petitions in order to protect citizens' lawful rights and interests.

All the aforementioned changes may significantly influence the operation of the current xinfang system. For example, while the system still serves to facilitate complaints, its role in controlling them has been weakened because of the decline of the state's "infrastructural power" and the growth of socialist rule of law. At the same time, while local officials cannot manage conflicts as effectively as they once did, their superiors continue to prod them to act through a series of incentives. Consequently, unbearable pressure both from contention and higher-level authorities may force local officials to employ any means possible to stop protesters, or to deceive or bribe their superiors in order to avoid punishment. Both of these options can have a significant impact on the fate of contention. To this end, it is necessary to examine the structural contradictions of the xinfang system and its impact on handling protests in China today.

### *Divisions among Elites*

As mentioned above, divisions among elites provide important opportunities which protesters can exploit to sustain and succeed in their contention. Many studies have considered such divisions as reflecting China's central-local divide. Actually, horizontal bureaucratic divisions can also influence contention, since territorial levels of government are not unified either: "they have as many divisions and

conflicts within them as they have with superiors above and subordinates below” (O’Brien, 2014: 1054). Besides, differentiation among individuals involved in conflict management is another important factor that can shape social protests. However, the last two kinds of elite divisions have not yet been adequately explored in current research.

First, the horizontal divisions among local authorities, the judiciary, the police, the media, and some other state organizations deserve more attention. It is true that the state still effectively controls most of the aforementioned agencies. However, the boundary between the state and these agencies is more resilient than before, since the “mixed signals” sent by the state often make its bottom line unclear (Stern and O’Brien, 2012: 174). How to understand such ambiguities is thus a key to understanding the divisions between the government and the agencies.

On this issue, the changes in state legitimacy provide a useful perspective. First, the state has made its performance the top priority. This means that the state has to simultaneously maintain social stability, respond to complaints, and manage the malpractice of its local agents. The media are thus more of an independent voice than before. Actually, the state allows and even encourages many criticisms of government, and uses them as a way to supervise its wayward agents (King, Pan, and Roberts, 2013). Moreover, in order to provide good governance, the state has initiated a massive legal reform to improve its structural legitimacy. This gives more distinctive identities to the judiciary and the police. Many legal forms and procedures set further restrictions on government intervention. In addition, it is more difficult for local authorities to order local police to arbitrarily use administrative punishment to put an end to contention. Moreover, to maintain its rule, the state still retains some socialist values. For example, it promises to serve the people wholeheartedly and considers their welfare its responsibility. This official ideology gives some agencies the power to refuse to cooperate with others when they believe the others’ acts are not politically correct.

The differentiation among individual elites rather than state agencies also provides a more nuanced perspective on the role of elite divisions in protests. In an analysis of the “anthropology of the state,” Migdal identifies four levels of state organizations. “At the bottom of the state hierarchy, in the political trenches, stand the officials who must do daily battle with other social forces” (Migdal, 2001: 117–18). These local elites provide a close-up view of state-society interactions in places where both sides actually face one another (Diamant, 2001: 473). In the handling of protests in China, such local elites primarily include local party leaders, ordinary officials, grassroots cadres (e.g., street/village cadres), and the allies of these local elites (e.g., informants, thugs, and black guards 黑保安).

In order to explore their roles in handling protests, it is necessary to know the rewards and punishments local elites must be cognizant of when managing conflicts. To clarify this, one also needs to understand the state’s priorities when responding to protests. Specifically, due to the emphasis on maintaining social stability, the state’s criteria for promoting or disciplining its agents are more practical

today. Accordingly, an official's competence in solving difficult conflicts rather than his political reliability is the key to determining his career prospects. At the same time, an official cannot arbitrarily resort to any means to handle a protest, since his or her effectiveness is also restricted by the state's efforts to pursue performance and structural legitimacy. This means that when settling a conflict a wise option for local officials is to make protesters feel satisfied, or to stop their contention without resorting to obviously law-breaking measures, or if both fail, to avoid trouble as far as they possibly can.

Such practical criteria may significantly influence local elites' acts when handling protests. Party leaders may tend to make concessions to petitioners if such efforts can temporarily mollify the latter within their period of tenure. Ordinary officials with unpromising career prospects may choose to avoid trouble as far as possible when handling protests. Grassroots cadres may also approach contention with a negative attitude, partly because they lack career incentives and partly because they face ethical pressure from protesters with whom they are familiar. The allies of local elites may choose to ignore or even encourage protests, since the latter can be an opportunity to do business. All these divisions should be investigated since they may provide important openings for protesters to sustain their contention and even succeed.

### *State-Society Links*

State-society links are another important factor that influences the dynamics and outcomes of Chinese protests. On this subject there are two representative viewpoints. Some studies claim that China's socioeconomic transformation since the 1990s has significantly shifted the balance of power and resources between the state and society. Thus the state cannot penetrate as deeply as it once did, and ordinary people are less dependent on local authorities and less fearful of protesting against them (Xi Chen, 2012: 60–65; O'Brien, 1996: 42; Ying, 2001: 324). Another view argues that local authorities still control the distribution of most of society's valuable resources and thus can have a significant impact on people's daily lives. Accordingly, individuals in grassroots China today still live in a patron-client network, as was previously the case.<sup>3</sup> Such a network largely restricts their contention (Wu, 2007a).

However, in view of the distinction between "despotic power" and "infrastructural power," both analyses are partial and incomplete. The first ignores the strength of "despotic power" and the constraints it imposes on the protests of people with whom officials interact. The second argument overlooks the state's weak "infrastructural power" and the incapacity of local authorities to control the protests of people with whom they have little interaction.

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<sup>3</sup> For a discussion of the patron-client relationship between local authorities and local people in the Maoist era in urban and rural China, see Oi, 1985, 1991; and Walder, 1986.

On this point, when exploring the role of state-society links in contention in China today, it is necessary to distinguish between two kinds of protesters according to the strength of their social ties with local authorities. Doing so can help us to clarify the fate of different protesters.

### *State Strategies in Response to Protests*

State strategies in response to protests are also an important factor shaping Chinese contestation. As previously mentioned, scholars have paid a great deal of attention to the issue. However, many studies explore the factors that make certain state strategies possible, rather than the details behind the implementation of these strategies. As for research that does investigate the details of state strategies, most only focus on one or at most a few strategies. Few of them systematically analyze all the possible strategies in the whole process of protest handling, nor do they demonstrate how these strategies are implemented or what factors cause them to succeed or fail. Additionally, most research concentrates on the role of state agents in shaping contention, even though our knowledge of the impact of private agents (e.g., informants, thugs, and black guards) on the process is still limited.

In order to better understand the state's strategies in response to protests, this article presents a typology based on three key dimensions: whether tactics are, based on the degree of force, *soft* or *hard*; whether or not tactics are banned by state law, regulations, or policy, and hence are *covert* or *overt*; and, based on the profile of the protagonists, whether tactics are implemented by *state agents* or *private agents*. By combining these dimensions, this typology basically embraces all the possible state strategies in response to protests.<sup>4</sup>

As shown in Table 2, this typology provides eight kinds of state strategies in four categories: 1) soft, overt strategies; 2) soft, covert strategies; 3) hard, overt strategies and 4) hard, covert strategies, respectively implemented by state agents or private agents. For example, persuasion is an overt tactic which does not contravene state laws. Tailing a protester, on the other hand, is a covert tactic that does. Both are soft tactics lacking the force to stop contention and can be used by state or private agents. By contrast, sentencing a protester is a hard, overt tactic that can halt contention but can only be used by state agents. The use or the threat of violence, such as beating or blackmailing a protester, are both hard tactics implemented by state or private agents, but they are covert and against state laws. The typology can thus identify all the possible strategies in the process of handling protests.

Yet, in order to better understand the fate of Chinese protests, we also need to know the effectiveness of these strategies and the risks involved in using them. To this end, it is also necessary to combine the analysis of the typology with the changes in the state's capacity and legitimacy. For example, persuasion might have halted most protesters in Mao's time when the state's "infrastructural power" and

<sup>4</sup> This typology has been inspired by Jennifer Earl's typology of repression. See Earl, 2003: 48–49.

Table 2. Local Strategies for Handling Protests in China.

	Soft		Hard	
	Overt	Covert	Overt	Covert
State agents	Procrastination Persuasion Petition relief	Surveillance Secret concessions	Detention Sentence	Blackmail by using petitioners' weaknesses "Stabilizing" petitioners somewhere
Private agents	Persuasion	Surveillance	Negotiations according to law	Use or the threat of violence

"despotic power" were both high. By contrast, this tactic may now only work for protesters with strong ties to local authorities, since the state today has high "despotic power" but low "infrastructural power." It might also have been easier to use a criminal sentence to stop contention in Mao's time, but using this tactic is becoming more difficult today due to massive legal reforms. Additionally, local officials might have frequently beaten protesters in order to deter their contention in the Maoist era, but this tactic is becoming riskier now, partly because of the government's effort to forbid such law-breaking acts, and partly because of increased freedom of the press. Based on this in-depth analysis of the strategies outlined, we can better understand the factors that affect the fate of protests in China.

### Conclusion

The huge socioeconomic changes entailed in China's simultaneous market reforms and urbanization (Cai, 2008b: 429) have unavoidably resulted in social grievances and popular contention. The study of Chinese protests thus has become a "rapid-growth industry" (Perry, 2008: 37).

However, as discussed above, few studies can convincingly explain the fate of most Chinese protests, which are usually small scale, weakly organized, nondisruptive, and limited in terms of leverage. In order to unravel this puzzle, this article redirects attention away from protesters and toward officials, and develops a framework for analyzing the handling of Chinese protests based on six analytical dimensions: state capacity, state legitimacy, state institutions, state structure, state-society links, and state strategies.

There is a need to delve more deeply into the state's role in shaping contention based on mechanism-process research from a macro-structural standpoint.

This means that when exploring the role of the state in shaping contention, it is necessary to scrutinize the state at its macro, intermediate, and micro levels. State legitimacy and state capacity are two decisive mechanism-shaping structural factors that determine the nature of state structure and state institutions, as well as the practice of state strategies and the dynamics of interaction between state and society.

The work of examining the state's position more meticulously can take us "beyond informative but incomplete understandings of the Chinese state" (O'Brien, 2014: 1054) and shed further light on the dynamics of protests in China.

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