

Unrest in China and the Chinese State's Institutional Responses

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I would like to begin by thanking the Commission and its staff for their kind invitation to testify before today's panel. I should note that my remarks today represent my own personal views, and do not necessarily reflect the views of CNA, any of its corporate officers, or its sponsors.

I have been asked today to testify about recent unrest trends in China, the institutional roots of these protests, and the response of China's law enforcement authorities. In doing so, I want to make five major points:

- Despite the historic success of Beijing's 30-year economic growth strategy, the available data from Chinese law enforcement sources indicates that unrest in China has continued rising for nearly two decades with little or no break.
- The list of government and managerial abuses that spark the great majority of these protests has changed little over the past decade, notwithstanding innumerable directives and laws from Beijing to stanch them.
- Beijing continues to struggle to find institutional responses that will check these abuses and predations by local officials. But over the past decade it has been far more ambivalent in promoting some of the legal and political institutional reforms first inaugurated in the late 1980s and 1990s that once promised to strengthen citizen access, oversight, and influence. Western analysts would be justified in asking themselves to what extent the promotion of political or legal structural reform can still be described as major priority of the Chinese Communist Party.

- Shortly after the onset of the 2008 economic crisis, China's public security forces issued new regulations aimed at forging a more sophisticated response to unrest.
- As with previous efforts to develop more effective police containment and management of unrest, the question remains whether China's law enforcement forces can develop the discipline and professionalism to carry out the new strategy—and whether or not local Party authorities will let them.

Recent trends in unrest in China

China's leaders have expressed growing concern over social unrest over the past two-to-three years since the late 2008 onset of the global financial crisis and economic downturn. According to Chinese law enforcement estimates on so-called "mass incidents"—their official term for a wide variety of group social protests—China has seen an increase in social protests every year—or nearly every year—from 1993 to the late 2000s. Numerous police analysts report that official mass incident figures rose from 74,000 in 2004, to 87,000 in 2005, and to "more than 90,000" in 2006. Official figures for the year 2007, and at least one analyst asserts that incidents declined slightly that year, though the number of persons participating "increased dramatically."

Despite Chinese government efforts to keep protests down in the run-up to the 2008 Olympics, the spring and summer witnessed several high profile or violent incidents. While most Americans focused on the March 14 riot in Lhasa, Tibet, Chinese police were also fixated on major incidents such as those in Weng'an, Guizhou, and Menglian, Yunnan. Protest numbers apparently spiked with the onset of the financial crisis soon after the Summer Games, and by the end of 2008, total mass incidents had reportedly risen to 120,000 despite the pre- and post-Olympic security. Nationwide figures for 2009 and 2010 are not yet available, although local data and reports by some prominent Chinese academics indicate protests climbed greatly in 2009 in the wake of economic difficulties.

The Institutional Factor

Many Chinese analysts place the primary blame for increasing protests on economic factors—most notably unemployment and China's increasingly

unequal income distribution. But while it is certainly true that unrest statistics have spiked more quickly during major economic crises such as 1997 and 2008, China has witnessed increases in unrest during years in which China's economy was growing and producing jobs at historically high rates well above ten per cent per year.

My contention is that this persistent increase in unrest over the past 18 years is rooted much more in the failure of the system to provide citizens with accessible, effective, and reasonably autonomous legal and political institutions that can allow citizens to seek redress of the grievances that most commonly spark incidents of protest. Data from police analysts indicates that list of grievances that spark protest incidents has changed little over the past decade, and includes illegal land seizures, forced evictions and demolitions, withheld wages and pensions (often accompanied by unannounced factory closures), illegal pollution of air, water and farmland, and the refusal of local authorities to accept or honor citizen petitions.

This does not mean that the Chinese leadership has not tried to defuse unrest by promoting policy responses to protestor demands. To the contrary—over the past decade Party and state leaders have issued numerous speeches, directives, regulations and laws, repeatedly demanding an end to illegal land seizures, evictions and demolitions, pollution, withheld wages and other labor contract violations, and abuses of China's petition system. But the Party's preference has been to apply various forms of top-down pressure, monitoring, and promotion incentive systems to prod local Party and government officials to obey these regulations, end their predations, and be more responsive to popular complaints. The fact that Party leaders have repeatedly had to re-issue orders calling for an end to these abuses, while these abuses remain leading causes of unrest, demonstrates the inadequacy of these implementation and enforcement institutions. At the same time, I think that Beijing has been far more ambivalent over the past decade in promoting many of the legal and political institutional reforms that were first inaugurated in the late 1980s and 1990s, and which once promised to strengthen citizen access, oversight, and influence. Prominent among these were elections for village committees, significantly more autonomous courts and procurators, and a more assertive and critical National People's Congress.

Police Response Strategies

Faced with this gap between citizen demands and the ineffectiveness of the Party and government's institutional responses, the Party and government have felt they have little choice but to rely upon public security forces to contain, manage, and if need be to suppress social protest.

In December 2008—three months into the economic crisis—the Ministry of Public Security issued new regulations on how police should handle unrest, simultaneously revoking similar regulations it issued in 2000. These new regulations largely continue in the same direction as the 2000 regulations they replaced, and represent a further effort by security officials to develop an increasingly clear and sophisticated strategy for preventing, containing, and managing popular unrest. Among the most important objectives and procedures of this strategy endorsed by Public Security officials are the following:

- Avoid causing protests to spin out of control as the result of police mishandling.
- Emphasize forecasting and prevention. Strengthen police intelligence and social monitoring to foresee sources of social tension and potential unrest, and alert Party officials to head them off. This involves close monitoring, surveillance, and control of political activists and illegal groups.
- Insist on police obedience to local Communist Party leadership, and affirm the authority of local Party political officials to direct police in handling unrest.
- Secure Party, government, and military offices, broadcast facilities, and public squares against occupation.
- Encourage police to act as go-betweens and to “clear channels” (*shudao*; 疏导) between protestors and relevant managers or government officials.
- Deploy police forces quickly when faced with certain especially sensitive types of protest, including those led by illegal organizations, and especially what China calls “evil cults.” In general, however, avoid arresting organizational protest leaders until a safe time, or after protests are dispersed.

- Exercise restraint in dispatching police forces to confront protestors. Show particular caution in using police weapons, or in plunging into crowds to arrest protest leaders.
- Notwithstanding these efforts to contain and defuse protests with minimum force, if protests degenerate into violence or constitute a major political threat, police should not hesitate to “decisively put down the incident according to law.”

This counter-protest strategy demonstrates a good deal of political sophistication by emphasizing, whenever possible, the prevention of protests, the restrained use of force, and efforts to avoid enflaming onlookers who might choose to join the protestors, and by trying to drive subtle wedges between protest activists and larger groups of apolitical citizens.

Moreover, the 2008 regulations appear to contain some important changes from the 2000 regulations—the Ministry of Public Security seems to be trying to define a growing sphere of small-scale, low-confrontation, and less-broadly political protest incidents that small groups of police forces would monitor, but which large groups of police forces would not necessarily have to deploy to, contain and suppress. These incidents, for example, would include “rallies, marches, and demonstrations contained within a campus or work unit, in which there have not yet been any people injured, illegally detained, or any destruction of property, arson, or looting,” that local police should not, in principle, be called upon to put down, but instead to monitor.

But effectively carrying out this strategy has always required that China greatly enhance the professionalism, personnel, and budgets of its security forces. Since police are under the leadership of local Party and government officials, it also requires that local authorities also be willing to take a more restrained, sophisticated, and responsive approach to unrest.

On whether and how much China’s security forces are capable of carrying out this strategy, the evidence of the past several years is highly mixed. A particularly striking case was the fall 2008 Longnan, Gansu protest. Pictures of the protests made available on the internet depicted some police lines holding their positions and sealing-off streets despite evidence of being heavily stoned by protestors. But these photos also revealed numerous instances of police engaged in brutality against protestors—groups of

officers kicking civilians on the ground, beating them with clubs, and hurling large chunks of broken concrete at persons apparently just out of camera view. So within the same incident, there appeared to be evidence both for and against the idea that China's police possessed the discipline needed to carry out a more sophisticated, restrained policing strategy.

The writings of Chinese police analysts have also long demonstrated a keen desire to avoid getting caught in the middle between an angry populace and government officials or enterprise managers who were committing unpopular, improper, or illegal actions. In January 2011, for example, police officials in Hunan province, the city of Wuhan, and some other localities announced a ban on police taking part in evictions, land seizures and "other activities that are not for police."¹ This is not, however, the first effort to prevent local Party and government misuse of police coercive powers in "non-police activities." Previous efforts have failed because local Party authorities have been able to invoke control over police budgets, personnel, and the need for loyalty to Party leadership to overcome police hesitancy to carry out these coercive actions.

Thank you for your attention

¹ Xinhua, "Hunan Forbids Public Security Organs from Participating in Forced Evictions. Instead, They Should Actively Try to Reconcile Disputes," (*Hunan yanjin gongan jiguan canyu zhengdi chaiqian. Yao jiji huajie jiufen*; "湖南严禁公安机关参与征地拆迁 要积极化解纠纷") 2011 年 01 月 11 日, http://news.xinhuanet.com/legal/2011-01/11/c_12966922.htm.