You've Got to Rely on Yourself . . . and the State!"

A Structural Chasm in the Chinese Political Moral Order

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China today is characterized by the coexistence of a relatively high level of stability at a national level and deep instabilities at the local level. On one hand, the ruling position of the Communist Party remains unchallenged in every formal way, and polls consistently report surprisingly high levels of public acceptance of the regime.[1] On the other hand, social tensions run deep in everyday life, especially among laid-off workers, landless peasants, and badly exploited migrants. People's frustration and anger are clear, but a sense of hope is also palpable. How should we make sense of this contradiction? And what does this mean for China's political future?

Academic literature and public opinion have commonly attributed the Chinese regime stability to certain unified and unifying hegemonies, particularly developmentalism and nationalism. Developmentalism justifies the Party's rule by its performance in delivering economic growth. But as Vivienne Shue (2004) has observed, a regime basing its legitimacy on performance alone is intrinsically unstable. Furthermore, the Chinese Communist Party (CCP) has itself vowed to move away from the developmentalism paradigm since the 2003 leadership transition (from Jiang Zemin to Hu Jintao). Nationalism, which is supposed to replace communism as the ideological basis of the regime, is a double-edged sword that can turn against the regime at any time. Nationalism has been appropriated by political forces of very different stances throughout modern Chinese history, and the 2012 outbreak of the anti-Japan movements over the Diaoyu/Senkaku Island disputes once again revealed some of its complexities.

In this chapter, I propose to move away from a focus on unified hegemony to an attention to contradictions and fragmentations in explaining regime stability. I argue that social conflicts in China are defused not only through coercion, nationalism, and developmentalism, but also through a structural chasm between the logic of how tensions emerge and the logic of how they are dealt with. Social tensions in contemporary China are typically conflicts over economic interests arising from the marketization of social life that is driven and complicated by local government. The solution, meanwhile, is often political, especially when the tensions become antagonistic. The tensions are typically addressed by the central state in a top-down, case-specific manner, through party disciplinary measures including personnel reshuffling. Such solutions are based on concerns about relatively long-term stability instead of short-term growth, and they are almost always presented in highly moral and ideological terms. I call it a "structural chasm" because the political solution hardly addresses the root causes of the economic conflicts. The structural chasm provides quick fixes precisely because the logic of problem solving is different from that of problem generating and because the solution lies outside of the domain where problems emerge (the political versus the economic).

Such a structural condition gives rise to a sentiment that is captured by a refrain frequently voiced by my informants in Northeast China: "You've got to rely on yourself . . . and on *guojia*." That is to say, one has to rely on oneself because it is believed that only entrepreneurial and calculative individuals can survive the market-driven development, but one has to rely on *guojia* because the state is regarded as the ultimate solution to problems. It is important to note, however, that *guojia* is a much broader concept than the state, and it also encompasses the government, the country, and the nation. *Guojia* represents a totalizing order and an all-embracing framework for making sense of public life. It carries strong normative and moral

meanings. People commonly describe corrupt local officials as "worms" (*zhuchong*) or even traitors of *guojia*. They sometimes voluntarily criticize themselves and fellow citizens for not following *guojia* policies fully or for not having contributed enough to *guojia*. This political conception had a long history in imperial China but is decidedly reinforced through the repeated revolutionary mobilizations since the late nineteenth century, especially by life under state socialism after 1949. Seen from this angle, the public acceptance of the party-state is less an agreement on the nature of the regime than it is a reflection of a political epistemology.

Is this structural chasm simply a manifestation of the well-documented local-central relations in Chinese politics? As has been repeatedly pointed out, protests in China are often against predation of the local government and look up to the supposedly benevolent central state for protection (Chen 2004; Shue 2004: 29; So 2007). "Rightful resistance"—resistance against local government over specific issues by drawing on general principles promulgated by the center (O'Brien and Li 2007)—is the paradigmatic characteristic of those protests. Ching Kwan Lee in her analysis of labor protest points to a situation in which "decentralization makes local government responsible for developing a probusiness local political economy, while the same local government agents are called on to implement labor laws promulgated by the central government eager to resolve labor conflicts and to maintain social stability" (2007: 11), which she aptly summarizes as "decentralized legal authoritarianism."

The structural chasm corresponds to the local-central divide in some ways, but it also goes beyond it. This chasm refers primarily to the gap between two opposing rationalities, namely everyday instrumentalism and abstract moralism. Ordinary people are not passive victims who are exploited by the local government and wait to be rescued by the center. Instead, they can be highly opportunistic in dealing with the local government. They are fully aware of local

government's developmentalist agendas and rent-seeking intentions, and they are not reluctant to exploit them whenever possible. A well-known example is peasants' rush to plant trees, "plant houses," and "plant toilets" on their land before it is zoned for redevelopment, in order to demand more compensation. It also became common in the late 2000s for people to "blackmail" local governments by threatening to petition the higher authorities, to the point that the leading Chinese sociologist on popular contestation, Yu Jianrong (2010), called for fundamental reform and even abandoning of the petition system. Yu correctly pointed out that using the petition as a way to tighten the center's disciplining over the local level could well exacerbate tensions, because this would encourage people to use moral principles of the central state to pressure the local government for instrumental purposes. Such tensions between the two logics are what the structural chasm is about.

Can this moralism and instrumentalism be merely reflections of people's different positioning in different contexts that follows the same interest-maximizing strategy? "Speaking human languages to humans, speaking devil languages to devils," is, after all, supposedly common wisdom in the Chinese society. I argue that the current situation is more complex than that. First of all, the central and the local governments are regarded as qualitatively different, and the distinction is more than that between good and bad, or even between human and devil. The central government is supposed to be an embodiment of moral principles, while the local governments are self-interested bureaucratic organs. How, then, can we know whether people sincerely believe in the central state's policies and rhetoric when projecting the central state as a moral agent? Or are they simply acting opportunistically? In most cases, people are perhaps both sincere and opportunistic (O'Brien and Li 2007: 23–24). Few believe themselves to be lying when they pronounce these sorts of glorious slogans, though they may have agendas that have

little to do with these slogans themselves. Empirically, we may never know for sure, though I *choose* not to reduce actors into pure instrumentalists. I interpret their seemingly contradictory engagements with the state as an expression of their political subjectivity—a subjectivity that embraces instead of escapes contradictions and that seeks solutions by making direct moral demands rather than by following legal procedures or through market negotiations. The people may or may not believe in the state, but they nevertheless try to see hope in it and engage with it.

The concept of a structural chasm aims not only to describe how reality looks, but more importantly to discern internal possibilities for change. Instead of attempting to predict whether the regime will collapse tomorrow, I am more concerned with what possibilities we have in our hands now. I hope the concept of a structural chasm will help shed light on how the Chinese people engage with an ever-changing, uncertain, and deeply problematic but always hopeful reality, as well as serve as a tool for researchers to engage with such engagements.

<A>Ethnography of Incidents

<P1>In probing this structural chasm, I propose a methodology centered around an "ethnography of incidents." An incident is not simply a case or an example, what Marshall Sahlins (1985) calls an "empirical form of system" (153), or what Victor Turner (1974) describes as a revelation of existing antistructure momentum. Rather, incidents and events are first of all "evidence of the ongoing dismantling of structures or of attempts to create new ones," and thus they bring to light what Sally Moore (1987) calls "a multiplicity of social contestations and the voicing of competing cultural claims" (729). In other words, an incident is much more than a dramatization of existing social relations or an instantiation of general conditions, and instead it opens spaces where new meanings and possibilities are produced.

This sort of ethnography of incidents can be particularly productive in probing China's contemporary conditions. Mass incidents (*quntixing shijian*) have been a critical part of Chinese public life since the 1990s. Ranging from peaceful demonstrations to violent riots, mostly apolitical and focused on economic interest, the vast majority of these incidents target local governments but are solved through interventions from a higher level of government authorities. The occurrence of these incidents is unpredictable, but their unfolding is logical. Although triggered by accidents, the incidents are constructed by conscious actions and can be highly consequential. China currently finds itself in "times full of incidents and events" (*duoshi zhiqiu*), wherein incidents are probably *the* most effective and common means through which societal forces push for policy changes.

Incidents do not yield changes in and of themselves, but rather they are consequential by becoming public topics. The term "mass incident" appeared 13.83 times per month in 2010 in *The People's Daily*, the flagship newspaper of the CCP, compared to 3.25 in 2001 (Steinhardt 2012: 8). Cyberspace incidents are closely followed, analyzed, and debated. As scholars such as Stephen Ellingson, Regina Lawrence, and William Sewell have pointed out, in a wide range of contexts incidents may significantly "affect the power of a particular discourse or frame" (Ellingson 1995: 136) and enable "critics, activists, and other advocates of change . . . to actively shape public discourse" (Lawrence 2001: 95) in ways that may even lead to revolutions (Sewell 2005: 236–244). Incidents in China today constitute important topics that enable people to express views and develop new consciousness (Steinhardt 2012). An ethnography of incidents aims to bring together the logic of how changes are made, the logic of how the changes are presented and reflected on by the public, as well as the logic of how they are analyzed by researchers.

The incident that this chapter focuses on is a relatively minor one. Seventy-one workers in Liaoning Province, in Northeast China, were swindled after they each paid a private recruitment firm nearly RMB 40,000 (USD 5,700) in order to migrate to South Korea to work in 2004. Most of the victims were between twenty and thirty-five years old, came from small cities and countryside towns, and had junior high–school educations. They were enterprising, risk taking, legally savvy, and financially shrewd. Instead of taking the firm to court, the victims took on the local government as their primary target. They argued that the local government was responsible because its corruption caused the intermediary's wrongdoing, thereby effectively translating a commercial dispute into welfare concerns of a disadvantaged group resulting from government corruption. The victims negotiated with the local government for financial compensation, and at the same time they appealed to the central state on moral grounds for support. The would-be migrants decided to forego legal options and instead to engage with the local and central governments directly, and furthermore to deal with the central and local governments differently, because, of course, they believed that these measures would serve their interest. However, the questions are as follows: What made them believe that it was feasible to negotiate with the local government? Why did they think it was productive to regard the central state as a moral agent? Like the protracted legal cases of the Fijian farmers who fought for their land rights as described by Hirokazu Miyazaki (2004), my informants' prolonged engagements with the state serve as their methods of hope. I discern their political subjectivity from their hopefulness about their political actions. Before delving into the incident itself, it is necessary to sketch out the "marketization" of labor out-migration, which is how the Chinese official language called the reform of the regulation.

<A>The Marketization of Out-migration

<P1>My informants' motto, "You've got to rely on yourself," is particularly true in the case of labor out-migration from Northeast China. Dubbed "the eldest son of the Republic," the northeast had been dominated by heavy and military industries. In the 1990s, and particularly after 1994, however, a large number of large state-owned enterprises went bankrupt, which led to massive layoffs. Once labor aristocracies entitled to cradle-to-grave welfare, the workers now stood in the market as naked individuals with minimal institutional protection. Out-migration was identified by the government as an important means of reemployment. FS, an industrial prefecture where the incident that this chapter focuses on took place, was hit hard by layoffs and has become a major source of migrants.

Labor out-migration is also encouraged by the liberalization in exit control. By 2005 most Chinese citizens were able to obtain passports in as little as five working days, and the Passport Law of 2007 defines the possession of a passport as a basic entitlement. Regulations over labor out-migration were also reformed. Originally defined as state-managed projects of "international labor cooperation," labor out-migration was redefined in 2002 as individuals' "overseas employment." Labor out-migration increased significantly, and by the end of 2011 there were aproximately 800,000 Chinese working overseas on contracts of more than a year, compared to only 58,000 in 1990 (Center for International Exchanges 2005; China's International Contractors' Association 2004; Ministry of Commerce 2012). South Korea, Japan, and Singapore are the three top destinations worldwide.

New policies established in 2002 allow and even encourage private companies to engage in international labor recruitment. As a result, the number of licensed international labor recruitment intermediaries grew from four in the early 1980s to more than three thousand in

2005 (though the figure dropped to just over one thousand in 2012 due to changes in government policies). These companies are expected to solicit overseas employment opportunities, at the same time to help control migration by selecting the right candidates, filling out the right forms, and following the procedures as stipulated by both China and the migrant-receiving states. Only companies with direct international connections, large assets, and sizable professional teams are qualified for the licenses. Most of the companies are in major cities and have little connection with local communities where manual workers are from. They therefore rely on subagents for recruitment, who may in turn outsource the task to smaller entities or individuals at the grass roots. Local governments, and specifically the bureaus of international economy, are keen to promote out-migration and sometimes issue special permits to companies in their localities as recognized recruitment subagents in order to give them more credibility. The complex relations between the multiple intermediaries are, however, often hidden from would-be migrants.

These reforms created an environment in which a would-be migrant feels that one has to rely on the self, as well as that one *can* rely on the self. As long as you pay high-enough fees, multiple intermediaries would work together to find overseas opportunities for you. The involvement of multiple intermediaries, though creating more chances for out-migration, also increases costs and risks, which further reinforces the notion that one must take risks in order to have a chance of success. Agent fees are perceived as a form of investment. The reform is officially referred to as "marketization" also because government is supposed to withdraw from direct management of out-migration. There is hardly any need for would-be migrants to interact with government agencies, as most of the paperwork is dealt with by the intermediaries. For the would-be migrants, government regulations become much easier to navigate, but they have to

pay intermediaries at every step along the way. This process is part of the general marketization of social life in China today.

<A>Forty Thousand Yuan for a Fake Visa

<P1>Ma Na, a twenty-nine-year-old woman, was one of the many who were exploring this sort of marketized out-migration. Ma was renting a stall in a marketplace in FS to sell medicines when she heard that a local company, Green Metro Business Development Consulting Center, was recruiting workers for jobs in South Korea. Ma checked all the company's available documents and asked around about the manager, Wang Luli, and was reassured by what she found. Green Metro had a special permit issued by the FS Bureau of International Economy for recruiting workers in FS as subagents for fully licensed companies. More important, Wang Luli's brother, Wang Zuli, was the chief secretary of the FS municipal government. (This position is of the same rank as a deputy mayor or half a rank lower, who is in charge of coordinating government functionaries. A chief secretary should not be confused with a party secretary.) Given that a government official cannot vanish overnight, Ma thought, she could always track Wang down through his brother if things were to go wrong.

There were a series of irregularities in how Green Metro dealt with the would-be migrants. When Ma and seventy other applicants paid Green Metro the compulsory initial deposit of RMB 2,000 each, for instance, they paid the money to Wang Zuli's two sons (Wang Luli's nephews), who were officially unrelated to the company. One of them worked at FS Investment Bureau, and the other was an officer for a local prosecution bureau. Furthermore, the applicants were not given receipts from Green Metro, but rather ones stamped by FS Coal Metro Travel Agency. They were told that Coal Metro, a fully state-owned firm, was "the same thing" as Green Metro.

It turned out that Coal Metro Travel Agency was owned by FS Tourism Bureau, and Wang Zuli used to be the head of the bureau. The applicants, however, were hardly troubled by these irregularities. The Coal Metro stamp was seen as being a step closer to the government and thus carrying more weight. Wang Luli also brought up his brother at critical moments. When the applicants asked why nothing happened at the end of 2003, despite the fact that the contract had promised to send the workers out by August of that year, Wang pounded the table and shouted, "My brother is the chief secretary! You don't trust me?"

Good news finally arrived just before the 2004 Chinese New Year. The applicants were told that their visas had been issued and they must pay the final installment of RMB 33,000 (USD 4,700) immediately. Ma Na urged Wang to check with the Korean consulate about the visas. Wang shot back that he had checked everything: "Do you think I know nothing about the stuff of government?" The applicants insisted on seeing at least one visa before making a payment. Only then did Wang Luli tell the migrants that he was actually recruiting on behalf of Shenyang Labor Center, a public institute but at the same time a registered company owned by Shenyang Municipal Labor Bureau. Shenyang Labor Center was holding all the passports and visas and would not release them until after receiving the money in full. Finally, Ma proposed to pay her fee of RMB 33,000 to check her visa on behalf of the team. When Ma arrived in Shenyang, Wang Luli suddenly called her and asked her not to go to the labor center, but rather to a district civil affairs bureau to see a Mr. Huang Jie. Ma was perplexed but did not ask much. "They are all government [departments]," she thought. In the civil affairs bureau Ma went through all the rituals of entering a government compound—waiting, filling forms, being checked by the security guard—before finally being escorted in. Ma saw her passport and visa. She sent a message to her fellow applicants, and all the money was paid instantly.

One month later, while the would-be migrants were busy bidding farewell to relatives and buying clothes and medicine,[2] Wang Luli called them to an urgent meeting and told them that all the visas were fake. It turned out that Huang Jie, a former cadre in the Shenyang Labor Bureau, ran his middlemen recruitment business as a representative of a vocational school affiliated to the bureau. He met a parliament member of the Republic of Korea who had promised four hundred jobs in South Korea and had demanded advance pay. Huang Jie paid him RMB 3 million (USD 430,000) to secure the deal. In order to make the deal appear more credible to would-be migrants, Huang approached Shenyang Labor Center as a partner of the project. At the same time Huang Jie brought in Wang Luli—who used to be on the same college basketball team—as a subagent for recruitment in the FS Prefecture, while Huang also recruited from other areas. Wang signed the contract with the labor center. But suddenly the Korean dropped out of sight. Desperate to recoup his money, Huang Jie flew to Hong Kong and bought more than one hundred fake visas in order to collect money from the would-be migrants. Huang persuaded Wang to transfer the migrants' money to him instead of the labor center (as the contract required) by offering a commission of RMB 8,000 (more than USD 1,100) per head— RMB 3,000 more than the center had agreed on in the formal contract. Huang disappeared immediately afterward.

The would-be migrants were particularly enraged by the fact that they had been cheated even though they had been so careful throughout. Ma had kept all the payment receipts, photocopied documents, and recorded important conversations in her diary, from which I was able to reconstruct the facts of the incident. The would-be migrants were constantly vigilant for others' activities that may be "against the law" (Lee 2007). In recounting the incident to me, the victims repeatedly stressed the importance of law. Lin Feng, one of the victims, had sold his grocery shop to pay for the agent fee, and he was now penniless and jobless. He was particularly

emotional, and on more than one occasion he broke down in tears when talking to me. He asked again and again: "Which is greater, [political] power or the law?" ("*Quan da haishi fa da*?"), and "Why is the law so pale (*cangbai*) in the face of power?" It appeared to be a strong consensus among all the victims that the underdevelopment of the rule of law was the cause of all their problems. However, despite their legalistic approach and documentary evidence, the victims made every effort to *avoid* legal actions against the commercial recruiters.

<A>No Lawsuit

<P1>The victims' first reaction in the wake of the sham was to stage dramatic public demonstrations. Twenty victims climbed to the top of an eight-story building, opposite from the FS Public Security Bureau, and threatened to jump, shouting, "We don't want to live anymore!" and "Refund our money!" Firefighters surrounded the building, laid out air beds on the road, and local media rushed over. Finally, a deputy chief secretary of the municipal government arrived at the scene and promised to conduct an investigation. Two weeks later, when the victims heard no news from the government, another twenty victims gathered in front of the municipal government compound to demand to meet the mayor. Finding themselves blocked at the gate, they knelt down in freezing wind for three hours and shouted repeatedly: "We want to see the mayor!"

A number of meetings between government officials and the victims were arranged after that. From the very beginning, the message from the government was quite clear: The victims must take legal action, including suing the Bureau of International Economy by invoking the Administrative Litigation Law. The Office for Letters and Visits, the focal department dealing with complaints, proposed to pay the victims' legal expenses and even assigned a lawyer at a

government-run legal assistance center to work with the victims. Legal actions must be swift, they urged. At that time, Huang Jie had just been arrested and would be tried in the provincial court in Shenyang, and the government lawyer warned that if the victims did not file a lawsuit immediately they might not be able to get their share of compensation because Huang Jie's assets may be divided up by victims from other places. The victims were worried about exactly the opposite—they reckoned that if they *did* file a case in the FS court, the compensation from Huang's assets might be transferred collectively to FS instead of being handed out to individuals in Shenyang directly. As Ma Na put it, "If we receive money *in* FS, the [FS] government will say that we have been compensated already and they have done their job!" They feared that a legal case would leave the FS government off the hook. Furthermore they were worried that the government might maneuver the legal process and push them into an endless legal maze.

The victims' concerns turned out to be not without merit. Under the government officials' encouragement and with the assistance of government lawyers, eight victims proceeded to sue the Shenyang Labor Center. The court judged the labor center guilty. According to Lin Feng and others who refused to join the legal action but followed the case closely, FS government and the FS court made Shenyang Labor Center the scapegoat in order to throw the problem out of their jurisdiction. The indictment proved unenforceable. Shenyang Labor Center refused to compensate the claimants on the grounds that they had never received the money. When the victims urged FS Bureau of Public Security to enforce the verdict, the official in charge replied, "The head of the district court [in FS] is equivalent to a branch director of the provincial [labor] bureau [in administrative rank]. I am one level lower, so how can I possibly enforce [the verdict]?"

Lin Feng and others who refused the legal option insisted that the scam was a result of government corruption. “I would have let it go had we been cheated by private agents. There are plenty of people out there cheated by private agents,” Ma Na said. “But we paid money to *you* [Wang] because you are connected to the government! Your brother is the chief secretary of the government!” The victims concluded, “We were cheated because we trusted the government.” They argued that the State Compensation Law should be invoked, which stipulates a right to compensation for the damage caused by the unlawful exercise of authority of state organs and their staff. When I asked what corruption was involved, exactly, Ma stared at me: “His brother is the chief secretary of the government! There is *of course* corruption.”

The victims soon collected the information they wanted. They found out that it took Wang Luli a letter of less than two hundred characters and two days to get approvals from three government bodies to set up Green Metro. Based on their investigation, the victims identified eight persons and institutions who should be responsible for the Green Metro scam, including Wang Luli’s brother Wang Zuli, Wang Zuli’s two sons (who had helped collect the money), the legal representative of Coal Metro Travel Agency (for “illegally endorsing Green Metro’s business activities”), the Bureau of International Economy for issuing the permit and for its internal decision to reward Green Metro as a model enterprise in FS for its economic performance just before the scam was exposed, the management committee of the economic development zone where Green Metro was located, and the tax bureau for “illegally issuing Tax Registration Certificates with two-month validity.” Also on the list was the chairman of FS Federation of Trade Unions. The chairman took a five-day tour, arranged by Coal Metro Travel Agency, to South Korea in April 2002 and Wang Luli had acted as the financial guarantor for his visa application. Thus, according to victims, “there must be something” between him and Wang.

Shenyang Labor Center was conspicuously absent from the list. The victims wanted to move all responsibilities to the FS municipal government.

The victims also came up with specific instructions as for what exactly the local government should do. The government should, they proposed, first of all force Wang Luli to compensate the victims and also refund the expenses that they had incurred during the campaign. If Wang's assets were insufficient, the FS Bureau of International Economy, the special economic zone, and Coal Metro should fill the gap. The government rejected this proposal. After Huang Jie's trial in Shenyang, each victim was compensated RMB 14,000 (USD 2,000). The victims developed a new proposal for how their remaining loss should be covered: Wang Luli should pay RMB 200,000 by selling his property; the municipal government, RMB 200,000; and the Bureau of International Economy, RMB 100,000 (respectively, figures of USD 32,000 and 16,000). The government turned this proposal down as well.

Wang Luli was not only exempted from the main targets, but was also turned into a campaign partner of the victims. The victims believed that inside information and close connections with government were crucial for their campaign, and Wang had both. "He knows people [in the government], he can run around, find ways to get more money back," said Ma Na. Before Huang Jie was arrested, Wang visited Beijing three times and went to Shenyang weekly to urge relevant departments to hunt Huang down. After Huang was arrested, the victims pressured Wang to monitor the trial in order to make sure that the FS victims would get their fair share from Huang's assets, as compared to the victims from other areas. Furthermore, they asked, what was the point of sending Wang to jail if the victims couldn't recoup their losses? Indeed, the victims pressured the local government for administrative solutions, rather than pursuing lawsuits, precisely because they believed that the local government had the capacity to

pay the money, and administrative interventions could materialize it swiftly. Formal justice and procedural integrity were of only secondary concern.

<A>Rolling-Pork Bargaining

<P1>While the victims tried to corner local officials, the officials hid themselves behind bureaucratic procedures and legal technicalities. Ma Na called the officers at the Office for Letters and Visits "rolling pork," a northeastern expression for a kind of pork that always rolls to a side of the knife when one tries to cut it. Here is one exchange with a deputy director from the office, recorded in Ma's diary, when the victims had demanded a clear decision from the government:

> <DIA>*Official*: We have to handle things according to procedures. We cannot make you any promises right now. This is not children playing games or selling goods in the marketplace.
>
> *Victims*: When will the procedure go through?
>
> *Official*: We will let you know.</DIA>

<P1>Sometimes the officials' explanations were so technical that the victims could hardly understand them. The victims made at least fourteen visits to various government departments over nearly two years, and nearly every time they were received by different officers. They therefore had to tell the story again from the beginning each time, only to get similar vague answers in the end. A government official in FS (not involved in this case) agreed with me that it could be a deliberate strategy for government departments to ask different officers to receive the same petitioners every time in order to slow things down. Individual officers were also reluctant to see the same visitors again and again. "What can he/she say [if the visitor asks] why nothing

has happened since last time?" Colleagues in the same office sometimes took it as a duty to meet the same visitors in turn.

As frustrating as they were, the officials never appeared antagonistic. All the officials agreed that the victims deserved compensation, though everyone stressed that it was up to the court to decide who should offer the compensations, and how. The victims had no problem walking into a government department, presenting the case, and demanding to check documents. The Office for Letters and Visits emphasized its "neutrality," rhetorically positioning itself as an intermediary between the government and the victims. Ma Na noted in her diary that officials would say things such as "I hope that we will maintain a good relationship"; "[We should] keep in close touch, exchange information and views all the time"; and "[We] inform each other . . . to avoid the deterioration of the situation, to ensure no death or injury."

As a counterstrategy against the rolling pork, the victims suggested that a top official, the mayor or deputy mayor, "stand up" to "*bao an*"—literally embracing the case in its entirety—and take the full responsibility for settling the case. If the mayor was willing to do so, the victims would promise not to visit the government offices and would leave the officials in peace, but this was ruled out by the Office for Letters and Visits.

<A>Go to *Guojia*!

<P1>Five representatives of the seventy-one victims went to Beijing when the *bao an* proposal was rejected. The victims had already phoned the Ministry of Public Security in Beijing to report the case and seek advice in the wake of the scam. During the visit they called on the Ministry of Commerce (which is in charge of local bureaus of international economy), the Ministry of Public Security, and the State Council Office for Letters and Visits. The victims presented petition

letters along with detailed written accounts of the dispute and especially of the wrongdoings of the local government agencies. As most petitioners in China do, they wrote the letters in a highly moralistic and ideological tone. CCP slogans at the time were enthusiastically adopted, including "three represents," "harmonious society," "outlook of scientific development," and "disadvantaged groups." The letter accused the local governments for failing to implement the central state's policies and to uphold the "central spirit" (*zhongyang jingshen*). The scam itself became the background instead of the central subject.

The central government is not just a level in the bureaucracy; it is the central locus of moral authority. Beijing is not only a place; going to Beijing means facing *guojia* directly. In Zhao Liang's prize-winning documentary *Shangfang* (Petition), a veteran petitioner explained why she had not given up: "I didn't know there were so many petitioners when I was home. Once I came to *guojia*, I saw so many petitioners. Now I know there are so many petitioners." What she meant by *guojia* was what we call Beijing or, more precisely, the area where the petitioners lived in makeshift shelters on the southern edge of the city (the so-called petitioners' village).[3] By calling this place *guojia*, she was not trivializing the state. She was giving a physical location, a concrete contour, to the state in order to interact with it meaningfully. In counterdistinction to the Foucauldian notion that power manifests itself as widespread webs and penetrating capillaries, the ordinary people in China construct a notion of *guojia* as the central source and possessor of power. By doing so, they are not reifying or mystifying power. On the contrary, this is a strategy of making sense of, and, more importantly, countering, power.

The ministry officers were sympathetic and supportive. They confirmed that some activities of the FS government were indeed irregular: for instance, the Bureau of International Economy did not have the authority to issue the special permit to Green Metro. The victims were

particularly pleased that the central state made it clear that the local government failed to follow existing rules, which they took as proof that the problem could and should be resolved *within* the administrative system, without any need to resort to legal channels. The victims raised questions and requests in a moralistic, right-or-wrong manner, and the central state similarly gave black-and-white answers. The victims felt that the central state was on the same page as they were.

Returning from these heartening visits to Beijing, the victims urged the government departments at the provincial and municipal levels for action again. The State Council Office for Letters and Visits also forwarded the victims' letter to the Liaoning provincial government, with a note that "relevant departments must take swift action," which was further handed down to the FS municipal government. The FS municipal government responded in writing that they would work out a "systematic method leading to a comprehensive solution."[4] In these sorts of interactions, the central state secures its moral authority by blaming the local government. The local government, for its part, readily subjugates itself to the central authority when it is blamed, not only because the central state remains powerful (for instance, controlling personnel appointments), but also because the local government, whose own credibility is seriously undermined in daily interactions, derives its authority from being part of *guojia*. Local instrumentalization relies on the moralization of the center.

Eventually, the deputy mayor in charge of economic affairs assembled a meeting attended by members of the Office for Letters and Visits, Bureau of International Economy, Bureau of Public Security, and Bureau of Civil Affairs. The mayor first of all expressed deep sympathy for the victims and mentioned that the top leaders of the municipality had asked about the case at least nine times. He then announced:

<EXT>The government had a meeting with nine departments. Each department expressed their attitude and determination (*biaotai, biaojuexin*) [to seek a solution]! But . . . it was decided that a lawsuit should be the main method for the next step. We do not rule out using multiple methods and approaches simultaneously. Finance-wise, we should focus on compensation; administratively, we can pursue with the administrative court; legally, we can pursue the case as a criminal offense associated with civic dispute (*minshi dai xinshi*). We should trust law, trust fact.</EXT>

<P1>When Lin Feng uttered that they trusted the government more—he still preferred administrative interventions, the mayor stopped him immediately: "Government should also obey laws!" The victims were once again urged to sue Wang Luli for the criminal offense of deception and, if rejected, for contract violation (this was what the deputy mayor meant by "criminal offense associated with civic dispute"); they were also encouraged to sue the economic development zone at the administrative court.

By this point, the victims' campaign was beginning to lose momentum. As a last resort, they sued Wang Luli for breach of contract (they still avoided the criminal court because it would not help with compensation). At the same time, they sued the Bureau of International Economy, rather than the development zone, for negligence. This is because the bureau was higher up in the government hierarchy and was financially more resourceful. The court found Wang guilty but spared the bureau. As Wang proved himself to be incapable of compensating the victims, he was ordered to issue a Recognition of Debt, which obliged him to return the money whenever he was able to.

The victims were not particularly upset by the result. This was surprising to me, given that the victims had spent more than RMB 40,000 (USD 6,000) to hire their own lawyer for the case after turning down the free legal service from the government. Ma had no regrets:

> <EXT>We feel the money was well spent! Our lawyer is very professional. And she really spoke for us! In the court she said everything clearly: one, two, three. She really said what we want to say from our heart! Wang Luli's lawyer couldn't answer her questions. He was just repeating the same sentences. . . . This lawsuit was the lodging of our spirit (*xinling de jituo*).</EXT>

<P1>When there is a lodging of sprit, there is hope. Ma Na and I had the last meeting in a small KFC restaurant in her neighborhood. She was calm: "At the end of the day, that's [because] the system of law in our country is still not well developed. I just hope things will be better for the next generation." Ma had just had a baby daughter eight months earlier. I was particularly concerned about Lin Feng. When I visited him during my last trip in 2008, he was still deeply worried about the future—his whole family had moved to his parents' home in order to save on utility bills. But Lin appeared calm as well, and he drew an almost identical conclusion as Ma Na: "There is little you can do when the rule of law is so weak." Surprisingly, he expressed an even stronger sense of hope:

> <EXT>This is after all a new problem that emerged in the course of social development.[5] Our *guojia* will certainly become better. Don't you think so? Just look what big strides *guojia* has made over the last years. Premier Wen first got rid of the rural levies, and now is providing free education. [Improvement in] medical care will also follow.</EXT>

<A>Hopeful Engagement and Political Subjectivity

<P1>A regime's capacity for generating a sense of hope is probably one of the most critical components of its actual existing legitimacy. It was also the sense of hope that enabled the victims to have come so far in pursuing their cause. As Lin Feng's hope demonstrates, people genuinely desire to establish a positive relation with the state. The people are not merely appropriating the words of the state for immediate benefits when they repeat the official lines. They are engaging in dialogue with the state. This desire for engagement and the sense of hopefulness differ from the structural chasm in the traditional Chinese political imaginary that the center embodied the heavenly mandate (*tianming*) while the local officials were corrupt. Although traditional idioms such as the Blue Sky Bao play a role in the contemporary political expression, and petition has a long tradition, the experiential basis of the current political morality is very different. The world where "heaven is high, and the emperor is far away," which had helped sustain an idealist image of the center and reconcile it with corrupt local officials, no longer exists; the three decades of state socialism after 1949 fostered intimate relations, both sweet and bitter, with both attachment and fear, between the people and the state. The ordinary people feel that they not only "owe" the state, but that they also "own" it. They feel they owe *guojia* as much as *guojia* owes them. Thus, the moralization is not a continuation of the political cosmology that prevailed in imperial China, but is rather part of what I call the "folk theory of the state" that is specific to contemporary China (Biao Xiang 2010). By "folk theory of the state," I mean people's relatively systematic reasoning as well as normative expectations about the state's role. The crossing between the instrumentalization of local life and the moralization of *guojia* is not tactical maneuvering between public transcript and hidden transcript as a weapon of the weak (Scott 1990). It is a weapon of the confident, the demanding, and the loud.

This political morality is also different from the mainstream ideology in liberal democracies. For instance, the Chinese people commonly present themselves as subjects (*laobaixing*) with entitlements instead of as citizens with rights, and they judge the state according to its substantive deliverables rather than the formal procedures to which it adheres. This may appear transitional or even pathological if we take liberal democracy as the standard, but this can also be understood as the people's strategy of retaining their political subjectivity and refusal of becoming liberal legal-economic subjects. Without such refusal it would be impossible to translate commercial disputes into incidents over which people can make political claims and moral demands.

As one of the most important legacies of socialism, such political subjectivity is deeply rooted though not necessarily well articulated. This is perhaps one of the most important political resources that we have for now. People see themselves as agents who are capable of taking political actions, while legal procedures are relativized, and market principles are subject to negotiation, even though legalism and developmentalism appear to be unquestionable hegemony. Such a political subjectivity may well be a central driving force for China's sociopolitical transformation. If the leadership is responsive enough to the people's political subjectivity, China could achieve fundamental yet relatively peaceful transformation toward a more democratic and accountable regime. But if the political subjectivity is suppressed or antagonized, for instance when the relationship between the people and the central state becomes instrumentalized or there is no longer a sense of hope, China may embrace revolution. This is a time when despairs and hopes entangle, and the burning desire for change and chilling fears about disorder intertwine. Most people feel that deep changes may be imminent, yet almost no one can envisage a road map for those changes. History may proceed in different directions, and we must therefore be able to

envision possible futures. In order to do so, it is an urgent task to articulate, reflect on, and engage with the people's political subjectivity.

Notes

[1] According to a survey conducted by a Taiwan-based project conducted in Mainland China in 2008, nearly 80 percent of those surveyed strongly agreed or somewhat agreed with the statements "Whatever its faults may be, our political system is still the best for the country's current condition," and "Even if we don't agree with the government's specific policy, once the decision is made we should still support the government" (Chu 2011: 37–38).

[2] Clothes and medicine are the two most important items that would-be migrants prepare before working overseas. Migrants typically bring a large amount of medicine because they often fall ill due to harsh working conditions yet they cannot visit doctors on account of their tight working schedules.

[3] The "petition village" was a spontaneously formed concentration of petitioners in south Beijing close to the Supreme Court and the petition offices of the Office of the State Council and the Office of the Central Committee of the CCP. Petitioners lived in shelters or simply under bridges—some did so for many years—until the village was demolished in 2008. This petition village was also where most parts of the documentary film *Shangfang* (Petition) was shot.

[4] Intragovernmental communication like this is supposed to be highly confidential, but the victims somehow obtained a copy. Ma Na was reluctant to reveal how exactly that happened, but it is clear that the boundary between the local state and the society is constantly transgressed.

[5] This is a familiar official line, the typical expression of which is "[this] is a problem that emerged during the reform and should be dealt with through deeper reforms."