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EAI Bulletin

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Protests in China: Causes and Solutions

If the regime continues to deliver economic development, 'pocket unrests' by disadvantaged groups may decrease, but protests for environmentalist, human rights and civil rights causes will, ironically, increase

WANG ZHENGXU

China's official figures put the number of "collective incidents" at 87,000 for the year 2005. This is up from 74,000 in 2004 and almost nine times that of 1993. And this does not include either peaceful (such as petitions through letters and office visits) or individual protests.

Protests in China largely fall into two categories. The first includes protests against government acts that immediately violate citizen interests. The most notable is the government's appropriation of land. Others involve illicit uses of public funds or properties. Last year in Shanwei of Guangdong, a peasant protest escalated into a confrontation with the armed police. According to Western media, up to 20 peasants were killed.

The protesters of this first category are from the "disadvantaged groups", such as land-deprived peasants, unpaid migrant workers, and resettled city residents. They protest because their livelihood or properties have been directly threatened. Sometimes well-organised, the protests could be violent and radical. In many cases, more than a thousand protesters stormed the town hall. In other cases, they set fire to government vehicles. In November 2004, protesters in Ya'an of Sichuan, stormed the city government, keeping the provincial party secretary Zhang Xuezhong besieged in the building for more than a day. Scattered protests have seen individuals setting themselves ablaze, jumping from building top or taking hostage of innocent people (mostly children) to demand for government concessions.

Localised and largely containable by the government, these protests are "pocket unrests", comprising the majority of the "collective incidents" in China. As many have rightly pointed out, correct solutions lie in correcting government policies and taking the interests of the disadvantaged seriously. The central government seems to be serious about this under its "harmonious society" banner. Research shows that protesters still trust the central government's commitment to the welfare of the common folks, and that their grievances are mostly directed at local abusers. But research also shows that once protests fail to extract remedies from the government, trust in the central government decreases. It follows that the legitimacy of the central government may be challenged as such disillusion accumulates.

The second kind of protests transcends age, gender, social group, and locality, signaling the increasing readiness of Chinese citizens to publicly express their demands which may not be directly caused by government abuse. One example is the anti-Japanese demonstrations in several major cities in spring 2005. A related incident is the petition (mostly online) endorsed by more than one million citizens in protest against the Ministry of Railway's decision to contract the Beijing-Shanghai high-speed rail project to Japanese companies. In other cases, petitioners protested against the government's discriminatory policies, such as the discrimination against hepatitis-B virus carriers or migrant workers. Petitions by environmentalists also resulted in the central government re-examining a planned hydropower station in Yunnan Province.

Unlike "pocket unrests", this second kind of protests is social movement in

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Another Experience of Development

With a more dynamic economy, China has become a more differentiated society. The Chinese society today is much more heterogeneous and divided with as many as ten social strata. Social differentiation always means some degree of inequality in the access to growth opportunities and benefits. The issue for China is whether the degree of inequality is socially acceptable.

The rising social protest is a clear sign that China's economic growth has produced undesired social consequences. The widening income inequality, the inadequate protection of the vulnerable, the rampant corruption and the deteriorating environment are a few examples of such consequences. People used to look back when judging the market reform; they now evaluate the reform based on their own experience. With this change, the issue is no longer "reform versus no-reform", but rather "which kind of reform". For the majority of the population, they desire for reforms that produce broad-based growth and dislike those that make them pay more but benefit less.

The last two years have seen a great deal of controversy about reform. The controversy is cast in ideological terms as usual, but never before have the negative consequences of the reform been so much highlighted. Even the liberals disagree about the reform's viability. Some defend it as the best alternative while some propose to move the reform from the economic realm to the legal and political one. Diverging views aside, the debate casts doubt on the ability of the Chinese government to form consensus on reform. Meanwhile the rising social protest raises concern about

China's social and political stability.

This issue of EAI Bulletin offers insights into several aspects of the issue. First, the nature of social protests, for the time being, has been non-regime threatening. Largely localised and short-lived, they mobilise the disadvantaged instead of the elite, targeting specific issues instead of broadly defined rights. Second, in terms of causes, China's social protests vary across localities and shift over time, lowering the risk of spreading, escalating and lasting into sustained social movements. Third, in terms of the government's response, the government is aware of the need for more balanced development on one hand, and of enhancing its crisis management skill on the other.

Fourth, a new type of social protests is likely to emerge. It will be framed around rights rather than social grievances, and involves the well educated instead of the disadvantaged. To some extent this is already happening. The Internet has played a role. So have the lawyers who are beginning to frame social grievances on the ground of citizenship rights.

Last but not least, social costs would be high if China fails to generate broad-based growth. Too many disputes tend to weaken the mainstream force capable of holding the society together. It will also affect China's prospect of sustainable growth. Thus from a long term perspective, effectively addressing social grievances today paves the way for prosperity and stability tomorrow. ■



Prof Wang Gungwu
EAI Director

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Limits of Law in the Protection of Citizens' Rights in China

Lawyers have been involved in rights protection movements. Their involvement can help make such movements more rational and less violent

ZOU KEYUAN

In recent years, social protests have taken place in various localities in China. Most of the 87,000 social protests in 2005 were triggered by misgovernment and even corruption of government officials and departments especially in connection with land seizure and house demolition.

In some of these cases, lawyers were involved. The Taishi Village case, for instance, involved more than a dozen lawyers. The involvement of lawyers in rights-protection movements indicates that the role of lawyers in society has expanded from the traditional functions of handling cases for their clients to social and even political participation.

Since 1999, when the concept of rule of law was incorporated into the Chinese Constitution, the Chinese Communist Party (CCP) and the Chinese Government have exerted much effort in building up the Chinese legal system and heightening the legal awareness of the Chinese people. Based on the rule of law concept, the CCP put forward the slogan of “*yifa zhiguo*” (rule the country in accordance with law). As pledged, China will have established a comprehensive legal system by 2010 and built a rule-of-law government around 2015.

The introduction of the Administrative Litigation Law is a milestone for the Chinese legal reform concerning the rights

of the citizens because this Law grants them the right of litigation against government departments and officials when the citizens' rights are encroached upon. Moreover, the “*puta jiaoyu yundong*” (Law Propagation and Education Movement), officially launched by the Government in the early 1980s and continued up to now, is designed to educate the ordinary people to learn and use law.

The dilemma for the CCP lies in the fact that while the Chinese people were encouraged to learn to use the law, they use this knowledge to defend their own rights and interests, in particular, when they have been infringed by the government. In this sense, the people use the law to fight against the government and then the CCP. In fact the CCP is worried that the rights protection movements could be used by some “evil forces” to launch a “colour revolution” in China.

To curb the increasing expansion of such movements and the deepening involvement of the lawyers, the Chinese Government has taken several measures, the latest of which is the Guiding Opinion issued by the China All Lawyers' Association in April 2006 on the Handling of Collective Cases by Lawyers. The Opinion acknowledges that collective cases occur in situations such as land acquisition, housing

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Dealing with China's Social Unrests

What measures did the CCP and the government adopt in the face of increasing social protests?

ZHU XUFENG

The Chinese government is well aware that China's sustainable growth requires political and social stability. Yet because rapid economic growth may lead to an upsurge in social conflicts and unrest, the government has been very careful in pushing for economic reforms and political changes. It has also worked hard to improve its crisis management skills. The Chinese Communist Party (CCP) and its government are now more experienced and sophisticated in handling a variety of social protests.

The Chinese government deliberately adopted an ambiguous concept, the “*quntixing shijian*” or mass group incidents, to define social protests. This broad term covers many kinds of collective action, such as sit-ins, strikes, group petitions, rallies, demonstrations, marches, and inter-ethnic strife. Although some of these protests involve violence, the CCP sees them as “contradictions within the people”, that is, protestors are not an alien force to the CCP rule.

Facing an upsurge in social protests in recent years, the CCP has begun to pay more attention to the negative side of a single-minded pursuit of economic growth. It has proposed to “build a harmonious society” to curb social unrest. Some

of the measures include policies that promise to help the disadvantaged such as laid off workers, farmers in the countryside and peasant workers in the cities, programmes that facilitate the rise of the Central region, anti-corruption campaigns, and reforms on social security, income distribution and environment protection.

Meanwhile, the CCP has been working hard to improve its system that handles social grievances. “Letters and calls”, a system of bringing complaints and problems to higher levels of government through mails or visits, has been employed for decades in China. But with growing number of social protests, the original system did not function well enough. It was amended in 2005. The new Regulation on Letters and Calls institutes new measures such as the “Reception Day”. Moreover, it emphasises that people who write and pay visits are protected from any retaliation. However, they are forbidden to disturb public security and social order.

The Chinese government has also learned a lesson from the 1989 incident. It has placed more emphasis on developing and employing sophisticated strategies and

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More Economic Development, More Social Protests?

Although social protests are a natural offshoot of economic development, in China's context, the increase in social protests is happening at too fast a pace and at too short a time

YANG MU & TENG SIOW SONG

China's two over decades of unbridled growth (at an average of 9.6% for the 1979-2005 period) has inevitably created and accumulated a great deal of socio-economic side-effects, which are crying out for attention. 2006 will be an important year for Chinese policy-makers to start re-balancing and re-orientating their development policies.

Problems created by China's past growth, such as income inequality and rural-urban disparity, are familiar to development economists, and it might be helpful to take a leaf from a standard economic development textbook to put these problems in proper perspective.

To begin with, as pointed out by Nobel Prize economist W. Arthur Lewis (1979), all development processes are inherently inequalitarian as developments cannot take place in all parts of a country and embrace all people and all classes at the same time. Hence, regional disparities and income inequalities are inevitable. Such is also the underlying wisdom of Deng Xiaoping when he embarked on China's economic reform with the pragmatic policy of allowing some people to "get rich first."

Furthermore, most developing countries have experienced, in varying degrees, urban-biased patterns of development, simply because industrialisation itself is a process of transferring rural surplus to the urban areas for industrial development. In most cases, even in the success stories of Japan, Korea and Chinese Taiwan, peasants used to bear the brunt of the initial phase of industrialisation, for example the extremely regressive land tax at the time of the Meiji Restoration.

China's regional disparities are serious but inevitable, given the historical circumstances of China's economic reform and development. The government has implemented several "regional development policies" (e.g. the "Western Development") to address the problem; unfortunately, these policies will take years to produce concrete results.

It would be wrong, however, to see China's surging protests as entirely natural and inevitable. The problem to many is that the number of social protests has increased too fast and in too short a time – at an annual growth rate of 21% from 8,700 in 1993 to 58,000 in 2003 and to 87,000 in 2005. Such a rapid increase parallels the growing income inequality. The problem with China's income distribution is not that the income inequality is on the rise, but that it has increased too much and too fast, changing China from one of the most egalitarian countries in the world to a highly unequal one in one generation's time. Roughly speaking at present in China, one percent of the population in China owns 60% of the household savings (in the United States five percent of the population owns 60% of the savings).

Many see a need to treat the issue of social protests

more seriously. China's growing social grievance is deeply rooted in the governmental failure to balance the interest of the privileged and the vulnerable. In some segments of the economy, the marriage between unchecked power and illicit wealth has given rise to some kind of crony capitalism, in which businesspeople work with corrupt officials at the cost of public interest. The recent corruption scandal in Shanghai, the illegal loans received by many tycoons, the graft rife among China's judges, and other news, have exposed widespread corruption in China today.

If China can reduce and eradicate the kind of crony capitalism and corruption that have affected so many other developing countries, then the problems of economic inequality and social injustice would be less severe. With a newfound emphasis on social harmony, the Chinese government has begun to treat social grievances more seriously. Building a harmonious society is seen as the solution. "A harmonious society should feature democracy, rule of law, equity, justice, sincerity, amity and vitality," Chinese President Hu Jintao said. It is still too early to predict what will happen, but if the effort to build a harmonious society leads to more balanced and sustainable growth and a reduction of social injustice, the future for China looks bright. China will follow Japan and other newly industrialised East Asian economies to become rich and stable, instead of becoming another Latin America featuring inequality and instability.■

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Limits of Law in the Protection of Citizens' Rights in China

demolition, resettlement, enterprise downsizing, environmental pollution and safeguarding of the rights and interests of rural migrant workers. Norms and guidance are needed for lawyers handling such cases.

The role of lawyers in the rights protection movements is a double-edged sword for the government: on the one hand, with the involvement of the lawyers, such movements are more persistent than before while on the other hand, such movements have become more rational and less violent, and in most cases, acting within the realm of the law. The main responsibility of lawyers is to protect the rights and interests of their clients and through it, play a corresponding role in building a rule-of-law society in China.■

Dr Zou Keyuan is Senior Research Fellow at EAI

Web Protest and Civic Rights

The Internet has provided a new space for expression and mobilisation. The race is now on between China's Internet users and Internet police

BI JIANHAI

China's Internet revolution is exercising a significant influence over the world's most populous nation in terms of its society as well as its economy. To some extent it empowers the Chinese people vis-à-vis the authoritarian government and facilitates the mobilisation and organisation of social protests.

The Internet has added new dimensions to social life in China. The connective nature of the Internet makes it potentially the strongest tool ever for gathering opinions and mobilising the masses. The Internet has greater impact on China than on Western societies because the Chinese are largely denied the right of assembly, even up till today. Through the Internet, social cyber surfers find a whole new way of expressing and evading the tight control of the Communist regime. Easier access to information allows the Chinese to become more aware of alternative ways of life.

Free expression on the Internet has another profound impact on the Chinese society. China's doors were opened to the West and economic reform was conducted two decades ago. The people have gained more economic freedom but limited political freedom. There has been little change in the tight control of expression and assembly. Print media and the television remain controlled by the state to prevent public opinions, and public gatherings. However, the Internet provides an alternative. With the help of information technology, Internet users can hold a rally at a chat room or form a spontaneous group through email.

The Internet as a technology is politically neutral. But when it is used to do things prohibited by the political regime, it has a political implication. In China the Internet is used not only for making friends, but also for various kinds of social activities. A notable development is the staging of protests by web surfers over a variety of issues on the Internet. The growing number of Internet users within China makes their protests more significant. In some cases protests on the Internet have forced the government to acknowledge mistakes and failures which it loath even to admit.

In March 2003, Sun Zhigang, a young graphic designer from Hubei Province, was arrested on the streets of Guangzhou for not carrying a required registration permit. Police brought him to a "custody and repatriation" centre, one of the hundreds of detention facilities run by local

governments to control the migrant population. Three days later, Sun was dead. After authorities refused to investigate the circumstances of his death, Sun's parents posted information of his case and a petition letter on the Internet. The case was being discussed throughout Chinese cyberspace, from official sites to personal Web logs and e-mail groups. In an unprecedented appeal to the National People's Congress, four professors called on the state prosecutor to investigate Sun's death. Three months thereafter, in response to the appeal and the explosive reaction from Internet users, the government abolished the "custody and repatriation" system, and officials responsible for Sun Zhigang's death were convicted in court.

In March 2005, students at Tsinghua University protested

a move by the Chinese authorities to stop critics from posting "subversive messages" in chat rooms and message boards. Non-students and outsiders were no longer able to use Shuimu.com, a large university forum used by students, alumni and the general public. Users posted complaints and pleas for action on other sites, saying the freedom of speech in China was being increasingly restricted.

In August 2005, Chinese journalists at *China Youth Daily* made a rare protest. A frank 19-page letter by Li Datong, a senior editor, detailed a struggle between the news staff and senior party officials over the appraisal

policy that the journalists say serves propaganda purposes but restrains editorial freedom. The lengthy letter by Li was posted on the popular chat room Yannan BBS and picked up by other chat rooms. Li's protest made an impact. Days after his letter appeared on an overseas Chinese website, the editorial board of *China Youth Daily* said it planned to abandon the appraisal policy.

Web protest has become an important part of social protest. It demonstrates that the Chinese people, in particular, young people and intellectuals, have learned to take advantage of techniques provided by the Information Age to protect their civic rights. They have made full use of information technology to make their claims for legitimate rights and interests. This will play a role in moving the Chinese society towards a more civic one. ■

Dr Bi Jianhai is Visiting Research Fellow at EAI

The growing number of Internet users within China makes their protests more significant. In some cases protests on the Internet have forced the government to acknowledge mistakes and failures which it loath even to admit.

Recent Staff Publications

Books



Essays on Migrants and China's Rise

Author: Wang Gungwu

Publisher: Global Publishing

Year of Publication: 2005

600 years ago, Ming Dynasty's Yongle Emperor, Zhu Di, assigned eunuch admiral Zheng He to lead the seven great western maritime expeditions. The voyages

demonstrated not only the power and wealth of the Ming Dynasty, but also established networks of trade and cultural exchanges with many kingdoms in Asia. With the rise of China, Zheng He's voyages had garnered immense interests from scholars worldwide. This collection of 14 essays study three important "transhistorical" questions. First, it highlights the historical circumstances that transited overseas Chinese from illegal seafarers to one of the largest diaspora communities in the world. Second, it shows how China and the world perceive the "Chineseness" of ethnic Chinese overseas. Third, it examines how Chinese overseas view the rise of China today.



China's Legal Reform Towards the Rule of Law

Author: Zou Keyuan

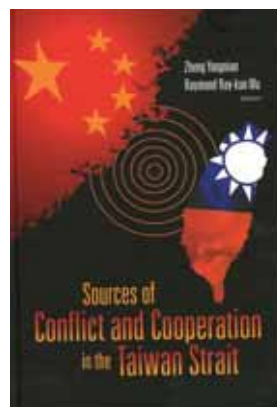
Publisher: Brill Academic/Martinus Nijhoff Publishers

Year of Publication: 2006

China's legal system has drawn ever more attention from the international community. It has been developing at a very significant pace since China

carried out economic reform and instituted an open-door policy in 1978. China's entry into the World Trade Organisation has had a tremendous impact on the development and reform of China's legal system. This book focuses on the recent developments of China's legal system as well as its reform in the context of globalisation. It covers various hot and timely topics, including constitutional changes, the relationship between the Chinese Communist Party and the law, legislation, law-based administration, laws for anti-corruption campaigns, judicial reform, legal education and China's compliance with international law. The book is suitable for lawyers, whether practising or

academic, officials in national governments and international organisations and students and scholars in academia, who are interested in China, Chinese law, comparative and international law.



Sources of Conflict and Cooperation in the Taiwan Strait

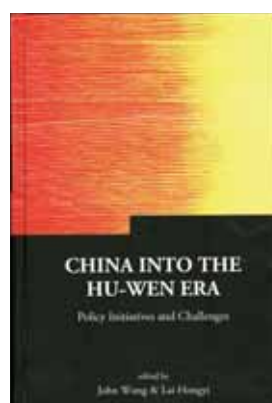
Editors: Zheng Yongnian & Raymond Ray-kuo Wu

Publisher: World Scientific

Year of Publication: 2006

This volume is the first attempt to systematically analyse issues and challenges confronting the Taiwan Strait after the March

2004 election. The volume focuses on internal politics on both sides of the Taiwan Strait and their impact on cross-Strait ties, and international responses. It also reflects different perspectives, namely, China, the United States, Singapore and Taiwan. Consolidating these perspectives, the volume suggests directions for continued research on a potentially volatile area where many view as the world's next "hot spot".



China into the Hu-Wen Era Policy Initiatives and Challenges

Author: John Wong & Lai Hongyi

Publisher: World Scientific

Year of Publication: 2006

This volume is an updated survey and assessment of the recent policy initiatives of Hu

Jintao and Wen Jiabao, known now as the Hu-Wen's New Deal. Individual chapters are written by scholars from different academic disciplines and backgrounds. These scholars come from Singapore, the United States, Australia, Korea, Hong Kong, Taiwan and Mainland China.

Topics cover the patterns and process of leadership succession, emerging political factions, social unrest, sources of economic growth, income disparities, social security reform, land use policy, banking system, corporate governance, labour and population policies, rule of law, and changes in the Party and ideology. On external aspects, the discussion includes China's changing relations with the US, Japan and ASEAN. In many ways, the Hu-Wen leadership today is still coming to grips with the same issues and problems as discussed in this book.

As Book Chapters, Book Reviews and In Journals

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By Wang Gungwu

"Two Perspectives of Southeast Asian Studies: Singapore and China", in Paul H. Kratoska, Remco Rabin and Henk Schulte Nordholt (eds.), *Locating Southeast Asia: Genealogies of Knowledge and Politics of Space*. Singapore and Athens, OH: Singapore University Press and Ohio University Press, 2005, pp. 60-81.

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By Wang Zhengxu (co-authored with Russell Dalton and Shin Doh)

"Self-Expression, 'Asian Values' and Democracy: East Asia in Global Perspective", in Russell Dalton & Shin Doh (Eds.), *Market, Citizens, and Democracy in East Asia*. Oxford University Press (2006)

By Wang Zhengxu (co-authored with Ern Ser Tan)

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By Lai Hongyi

"Within and Without: Chinese Writers Overseas", *Journal of Chinese Overseas*, vol. 1, no. 1 (May 2005), pp. 1-15.

By Zou Keyuan

"Contrasts in China and Soviet Reform: Sub-national and National Causes," *Asian Journal of Political Science*, vol.

13, No. 1 (June 2005), pp. 1-21.

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By Sarah Tong

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By Sarah Tong (co-authored with Youxin Hu)

"Joint Development in the South China Sea: A New Approach", *International Journal of Marine and Coastal Law*, vol.21, 2006: 83-109.

By Zou Keyuan

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By Zou Keyuan

"North Korea's Path to Reform and Peace," *Far Eastern Economic Review*, April 2006, vol. 169, No. 3, pp. 47-49.

By Lai Hongyi

"Mounting Challenges to Governance in China: Surveying Collective Protestors, Religious Sects, and Criminal Organizations," *China Journal*, July 2006, No. 56: 1-30.

By Lai Hongyi (co-authored with Jae Ho Chung and Ming Xia)

"Explaining Regime Strength in China", *China: An International Journal*, 4(2) (September 2006)

By Wang Zhengxu

"China: Is Rapid Growth Sustainable?" Edited by Ross Garnaut and Ligang Song, Canberra: Asia Pacific Press at the Australian National University 2004, *ASEAN Economic Bulletin* 23 (s): 271-273, August 2006.

Review by Sarah Tong

FORTHCOMING

"Public Support for Democracy in China,"

Journal of Contemporary China

By Wang Zhengxu

Solving China's Rising Social Protest: Attaining a "Harmonious Society"

China's robust economic growth has also produced negative consequences. The government has to improve its protection of the environment and the vulnerable

LIM TIN SENG

According to China's Ministry of Public Security, there were 87,000 "public order disturbances" involving more than 15 people in 2005, representing an increase of nearly 50% from 2003 and a 10-fold increase from 1993. It is unclear what the exact figure is, but it can be easily higher than official sources.

It is conventional to argue that the official number of social protests is relatively insignificant as compared to the sheer size of China's population. But the growing trend of social protest and issues raised by the protesters highlight a concern too important for the Chinese government to ignore. Indeed, it was reported that there were social protests which erupted into violence, destructions and even deaths.

For instance, in December 2005, more than 1,000 farmers from Dongzhou, Guangdong Province clashed with authorities while protesting over inadequate compensation for the seizure of their farmland by local government for the construction of a power plant. It was reported that up to 20 protesters were killed during the clashes. In another incident, nearly 3,000 workers rioted against a garment factory near Guangzhou and rampaged through its facilities for unpaid wages in September 2005. In April 2005, more than 50,000 villagers from Huaxi, Zhejiang Province, held massive protests against 13 chemical plants in the area for polluting the water and ground around the village.

These protests revealed a lack of social and environment protection in China to shield people from the negative effects of the country's robust economic growth. The protests also show that the Chinese Communist Party (CCP) has to address problems instead of searching for and redefining its ideological legitimacy as a socialist party after it embarked on a programme of market-based reform in the late 1970s. Economic development must also come with measures to address the difficulties these developments have brought on the people. The CCP needs to exemplify itself as a socialist representative for not only its political image but its people as well. Taking up this responsibility, however, should not be seen as a radical proposal for the CCP.

When Deng Xiaoping launched China's economic reforms in the late 1970s, he promised that it will "let some people and some regions to get rich first" before realising the ultimate goal of "common prosperity". Jiang Zemin's administration has done well to achieve the first half of Deng's slogan through its *quanmian xiaokang shehui* ("full-scaled comfortable society") ideology. But now, especially with the increasing incidents of social unrest in the country, it is necessary to attain the second-half of Deng's slogan.

Indeed, the CCP under the Hu-Wen administration has already made its first step in trying to achieve this "common prosperity" by unveiling people-oriented growth measures under the *hexie shehui* ("harmonious society") banner,

particularly in its 11th Five-Year Plan. Measures such as building a "socialist countryside", developing Western and Central China, and calls for improvement in employment, social security, poverty reduction, education, medical care, and environmental protection are signs of things to come.

But because these plans are implemented top down, the worries and privileges of the people are not directly addressed or represented. It is also unclear whether these plans would be effectively implemented as the local government and legal institutions are still marred by ineffectiveness and corruption.

Social protests are not calls for political reform nor are they protests as seen during the Tiananmen Incident. Rather, they are desperate pleas for a better response from the state to tackle the social and environment problems caused by the country's economic development. For the Hu-Wen administration, tackling such protests is a big task ahead if it is to attain the aim of a "harmonious society". ■

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Protests in China: Causes and Solutions

nature. Today's social movements around the globe generally mobilise around "post-modern" issues, such as environmentalism, gay rights, women's rights, and minority rights (also anti-war and anti-globalisation). While peasant unrests can be extremely radical and violent, social movement protests are mostly peaceful and rational. They also involve more educated population and people from all walks of life. The protesters also have better knowledge and resources, such as internet bulletin boards and cell phone messages, making it more difficult for the regime to manage.

If the solution to "pocket unrests" is "harmonious society", then there is probably no solution to the social movement protests. Citizens in a modernising society are bound to become more assertive in voicing their demands. As China gets richer, the disadvantaged groups may fare better, but protests of environmentalist, human rights, and civil rights causes are due to rise. In the long run, therefore, if the regime continues to deliver economic development, "pocket unrests" may decrease, but social movement protests will, ironically, increase.

The solution, then, is not suppression, but to recognise people's right to expression. The government must legalise protests while at the same time find the right ways to manage them. That is probably the ultimate way to harmony: to take public expression as a legitimate part of democratic life. ■

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Social Protests and Regime Stability in China

China's authoritarian political system is a source of rising social protests. Ironically, it is also the reason for regime stability in the foreseeable future

LAI HONGYI

The number of officially-documented collective protests increased from 11,000 in 1995 to 87,000 in 2005, a nearly seven-fold increase within a decade. In contrast, in this period China's GDP grew by merely 228 percent, and its population grew by a sluggish eight percent. Neither population growth nor economic take-off thus can account for the sharp rise in social protests. There is no denying that rapid economic growth and concomitant social transformation can be socially destabilising. Urban workers protest because of economic hardship associated with unemployment or bankruptcy and overdue wage payments, and over disputes in land partitioning and irrigation rights.

Peasants stage public protests largely over land acquisition and excessive taxation. All these were due to the failure of state firms or local officials to adopt sound governance, leading to economic and fiscal irregularities and their inability to handle interests of their employees or constituents. The majority of protestors were forced to take disruptive actions because the local authority has long ignored or mishandled their complaints and grievances. Therefore, corrupt, incompetent, as well as non-responsive officials and state managers are often the targets of local protests.

Can China's political regime survive such massive protests? It can for a considerable period. First, the regime has learned lessons from 1989. No mass protest is allowed to develop into a nationwide scale like that in 1989. After the Tiananmen movement, the regime has built up an impressive paramilitary and security force and armed them with state-of-the-art equipment to constantly track down and detain potential organisers of large protests. They also closely monitor Internet discussions and pre-empt any political plot while security forces can be quickly mobilised to contain protestors. If a protest does take place on a large scale, the regime will not refrain from using deadly means to put it down.

Second, it is unlikely that current protests will evolve into a scale that parallels the 1989 Tiananmen Movement. Now, despite a significant increase in public protests, most of them are localised and restricted to no more than a few townships and city districts. Lacking inter-locality coordination and organisation, they rarely spill over to nearby cities, let alone neighbouring provinces and regions. Perhaps protesters have learned a lesson from the 1989 movement.

Lastly, from a historical perspective, the Chinese communist regime was "blessed" with only a temporal division of the country prior to its coming to power. In the past, almost all the regimes that unified mainland China but were short-lived were those that were established after a long division and weakening of the nation. The best examples were the Qin, the Western Jin, and the Sui Dynasties. The Republic of China was crippled by decades of warlord rule, century-old western humiliation and intrusion, as well as

Japanese invasion and communist rebellions. Division of the nation over half a century and even centuries left behind entrenched internal separatist forces or mighty invaders who could put a quick end to the regime that unified the nation. Communists came to power on the heel of the Nationalist temporal unification of the nation. With a penetrative and centralised Leninist apparatus, the Party was able to subdue all separatist forces. It was also in firm control of the military, the ultimate arbitrator of political disputes. There was also no visible external enemy that was both capable and had the intent to invade and occupy China.

Perhaps China's past history of protests and regime survival may repeat itself. Over the years poor governance has given rise to rising protests and social grievances. However, what enables the survival of the regime is the absence of deep-seated disintegrating forces, such as warlords and deadly invaders, the regime's firm control of the military, as well as the leaders' conscientious efforts at easing grievances and improving governance. ■

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Dealing with China's Social Unrest

techniques to deal with social protests. The Chinese public security sectors have been trying to professionalise police techniques to contain protests. They focus more on social protests by politically conscious civil society organisations, and "keypoint" security areas that may have spillover effects. Beijing also pressures local governments to monitor and resolve citizen grievances before they escalate into protests.

Despite their emphasis on political and social stability and their recent efforts to redress social grievances, the CCP and its government are still faced with two major challenges. One is policy implementation. Will the policies be really effective in curbing social unrest? Some analysts are less optimistic because measures to overhaul unbalanced economic development have yet to produce concrete measures. Another challenge lies in the relationship between the central and local governments. Local governments have their own interests and preferences that may diverge from that of the central government. As local governments are still preoccupied with economic growth, the central government's call for more balanced development is not likely to be well received, at least in the short run. The rise of social protests is likely to continue in the near future. ■

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Social Protest and Long-term Sustainable Growth

In the short term, economic growth leads to social unrest. In the long run, however, economic growth has to be built on political and social stability

HENG SIAM-HENG

China's rising social protests have become a concern to many. Besides being more frequent, recent protests have been broader in scope, more sophisticated in tactics, and larger in size. The figures reflect growing anger at corruption, retrenchment at state-owned enterprises, heavy burden on the peasantry, unfair compensation of land, and industrial pollution. The range of problems and their persistence can be traced to both market failures and government failures. Solving them lays a solid foundation for long-term sustainable development.

If the trend of social protest suggests growing instability in China, then it would represent the greatest threat to the Chinese political leadership. A combination of wide-ranging grievances and rising expectation in the background of ideological and moral crisis is a very dangerous cocktail. The broader socio-political implications of the rising tide of dissatisfaction just cannot be ignored.

It is a common historical phenomenon for countries undergoing rapid economic development to experience social tension. In this sense, China is not unique. One may say that the phenomenon is like a kind of infantile disorder or growth pangs. Some governments believe in using economic development as a means to blunt the sharp edge of social protest. They hope that long running growth will eventually spread the benefits to even the very down-trodden, thereby eradicating the economic roots of discontent. However, unlike infantile disorder, such social discontent is unlikely to vanish naturally with growth.

Looking at the trend and form of social protest in the past years in the midst of booming economic progress, one is tempted to question such a position. The reverse is perhaps more valid, i.e. long running growth has not enabled the problem to disappear, but has given rise to more of it. In fact, the discontent and the forces which give birth to it are likely to derail sustainable growth. For at least four reasons, solving them well will lay the basis for sustainable growth and social advancement.

First, widespread social protests tarnish China's image abroad and complicate relationships with the West, especially the USA. They also adversely affect the business climate for foreign investment, especially direct foreign investment (FDI). China still needs FDI in the foreseeable future for reasons of transfer of technology and management know-how, access to global market and employment. Moreover, dealing with unrest increases the cost of maintaining social order.

Second, corruption has been likened to cancer in the society. It is more than a matter of fairness and morality. It entails heavy social costs and political risks. Rampant corruption undermines the legitimacy of those in power. The Chinese leadership is certainly aware of how Guomindang's corruption made it easier for the Chinese Communist Party to

topple it. Corruption increases the costs of economic activity, diverts resources to the wrong goals and renders coherent action by the state less effective. A corrupt bureaucracy breeds inefficiency. It imposes extra cost in the form of bribes needed to secure the normal approval of permits, creates arbitrariness in interpretation of rules and regulations, and causes delays.

Third, the environment has degraded as a result of economic growth without concern for the physical ecology. As the experience of some countries show, growth does not have to come at the expense of the environment. It appears that so far China is following the approach of "grow first, clean up later". There is clear evidence from all over the world that the rapid growth rates of the 1990s led to unprecedented deforestation and environmental degradation and were not sustainable. Losses in biodiversity and in human health are irreversible. The health cost of delayed pollution control can exceed the costs of prevention. For example, the costs of cleanup and compensation to the victims of industrial mercury poisoning in Minamata, Japan since the 1950s have ranged from 1.4 to 102 times the cost of upfront prevention. Incidentally, part of the huge foreign reserves of China could well be used to import energy efficient technologies and green technologies.

Fourth, inadequate spending on and poor management of healthcare and education is a double edged sword. On one hand, it fuels social discontent. Education has been a highly valued part of a person's upbringing in the Chinese culture, and families are known to spend whatever they have to educate their children. On the other hand, unequal distribution of educational resources and poor health affect people's ability to contribute to the economy.

In the language of dialectics, something positive can emerge out of something negative. The protests have given the government leaders a list of tasks to do: get rid of corruption, promote the use of environmentally friendly technology, institute rule of law, provide healthcare for all, reduce urban-rural gap and uneven regional development. Fulfilling these tasks will not only take the wind out of the sail of the social discontent and enhance social stability, it will also provide a firmer basis for the next stage of progress.

The good news for the government is that a change of political system is not demanded by the protesters anyway. So far, the protesters have by and large used legal actions or claims based on their constitutional rights. In the process of resolving social unrest, an unintended consequence is legal reform and the strengthening of the rule of law. To other developing countries, China may provide insights on how to reduce the dehumanising side effects of modernisation. ■

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处理和预防群体性事件的法治化之路

谢青霞

近年来,中国群体性事件频频发生,处理和预防群体性事件要纳入法治化轨道已成共识。纵观历史横看东西,群体性事件并非现时中国独有现象,若能本着依法治国的精神,妥善处理,则坏事未必不是好事,或能因此而促进中国的法治建设。

当前中国政府处理群体性事件的模式大致是以抓信访工作为基础,要求各级人民政府、县级以上人民政府工作部门应认真做好信访工作。在应急处理上,根据国务院颁布的《国家突发公共事件应急预案》,各地制定地方应急预案,有的地方如深圳市,还制定了《群体性事件实施办法》,建立了以应急指挥中心为主,各政府部门都参与的处理和预防群体性事件的综合治理模式。此种模式具有较强的行政色彩,司法机关的作用并未得到充分重视,法治的意义仅限于制定法律为行政机关采取行动和措施提供依据。在具体工作中仍有重领导批示、搞一阵风运动式短期行为等人治化现象。

最根本的法治化处理和预防群体性事件途径乃针对群体性事件发生的深层原因,完善诸如物权法土地法等立法,明确产权、利益关系,因为只有理顺各种关系才能从源头上减少各种矛盾的发生。当然,这牵涉到多方面体制改革,非一朝一夕所能。其次,则需要有一个独立、公正、值得公众信任并能有效解决纠纷的司法系统。经过二十多年的改革和发展,中国的经济面貌发生了深刻的历史性变化。与此相联系,中国的社会阶级和阶层多样化,不同群体的利益诉求、矛盾也急剧增多。而国内司法体制改革虽已开展多年,但目前司法部门仍

不能摆脱地方政府的影响,法院的案件受理范围仍有较多限制,对抽象行政行为和规范性文件仍缺乏审查机制。司法手段作为解决纠纷的专门途径,其对纠纷的处理是最专业也是最经济的,但是,综观所有的群体性事件,几乎看不到司法机关的作用,就是在群体性事件发生后政府所采取的措施中,司法机关的作用也没有得到充分的发挥。因此,群体性事件的处理和预防法治化仍需司法体制改革的深化。

在立法和司法体制改革尚未到位的今天,处理和预防群体性事件法治化之路怎么走?笔者认为律师的介入是当前可行也是有益的选择。独立的有学识的律师群体处于国家机构与市民社会的衔接部位,起着法治秩序安全阀的作用。当一个社会处于转型期,各种不同的利益处在变动不定的状态之时,如果法治能够承担对于各种利益进行合理再分配的功能,对不当行为所造成的损害通过律师提供及时的法律救济,便会有效地缓解社会矛盾,从而有助于社会平稳地转型。经过二十多年来的锻炼,中国已经有一批熟悉中国法律经验丰富的律师,由律师参与处理群体性事件,既可避免群情激动、矛盾激化,又可减少诸多行政机关参与而致行政资源的浪费。正如2006年3月《中华全国律师协会关于律师办理群体性案件指导意见》中所说“律师介入群体性案件有助于推动司法、立法活动和依法行政”。希望政府能给律师介入群体性事件多一些鼓励而不是限制,惟此,处理和预防群体性事件才能真正步入法治化轨道,中国的法治化之路才能越走越宽。

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Some Highlights at EAI



Panelists and participants at the EAI international conference on China's Surging Economy



Public lectures by Prof Stanley Crossick (left) and Prof Andrew Walder (right)



Omani Ministry of Foreign Affairs delegates at EAI



Participants of NEAT Workshop (inset) held at EAI conference room and NEAT conference held at Sentosa

EAI International Symposium

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Co-organiser:

Konrad Adenauer Stiftung

9 & 10 February 2007

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