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THE RISE OF THE SECURITY STATE

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Abstract

Over the past two decades, the Chinese domestic security apparatus has expanded dramatically. “Stability maintenance” operations have become a priority for local Chinese authorities. We argue that the birth of these trends dates to the early 1990s, when central Party authorities adopted new governance models that differed dramatically from those that of the 1980s. They increased the bureaucratic rank of public security chiefs within the Party apparatus, expanded the reach of the Party political-legal apparatus into a broader range of governance issues, and altered cadre evaluation standards to increase the sensitivity of local authorities to social protest. We show that the origin of these changes lies in a policy response to the developments of 1989-1991, namely the Tiananmen democracy movement and the collapse of Communist political systems in Eastern Europe. Over the past twenty years, these practices have flowered into an extensive stability maintenance apparatus, where local governance is increasingly oriented around the need to respond to social protest, whether through concession or repression. Chinese authorities now appear to be rethinking these developments, but the direction of reform remains unclear.

Keywords: security state, stability maintenance, political legal committee, public security

¹ The authors are in reversed alphabetical order. Both authors contributed equally to the research and writing of this article.

Introduction

Over the past two decades, the Chinese domestic security apparatus has expanded dramatically. “Stability maintenance” (*weiwen*, 维稳) operations have become a priority for local Chinese authorities. Public security chiefs have risen in bureaucratic influence. Funding and personnel for state operations aimed at controlling citizen petitioners and social protest have surged. And control of the institutions responsible for addressing these issues has been vested in progressively more senior Party political-legal authorities.

But China remains far from a simple police state. To be sure, state authorities harass, detain, and arrest individuals they deem a threat to their rule. And vast numbers of state agents and informally recruited personnel have been employed to keep watch over selected political dissidents, citizen activists, and public interest lawyers. But heightened official sensitivity to social unrest has also led to state concessions to mobilized groups of aggrieved citizens, facilitated strategies of “rightful resistance” among petitioners, and prompted state authorities to revive Maoist-era populist judging practices and mediation institutions at the expense of late-20th century legal reforms.

This article argues that the birth of these trends dates to the early 1990s, when central Party authorities adopted new governance models that differed dramatically from those that of the 1980s. They increased the bureaucratic rank of public security chiefs within the Party apparatus, expanded the reach of the Party political-legal apparatus into a broader range of governance issues, and altered cadre evaluation standards to increase the sensitivity of local authorities to social protest. We argue that the origin of these changes lies in a policy response to the developments of 1989-1991, namely the Tiananmen democracy movement and the collapse of Communist political systems in Eastern Europe. Over the past twenty years, these practices have flowered into an extensive *weiwen* apparatus, where local governance is increasingly oriented around the need to respond to social protest, whether through concession or repression. Chinese authorities now appear to be rethinking these developments, but the direction of reform remains unclear.

The past two decades have witnessed increased levels of domestic protest in China, despite a growing economy and rising living standards. While the literature on resistance has flourished,² there remains limited scholarship on how China’s coercive institutions have responded to this challenge. We join a rising scholarly interest in coercive institutions in China,³ but our approach is distinctive in focusing on Party-state leaders and the internal organization of the Chinese bureaucracy.

Beyond China, we also speak to the broader literature on authoritarian regimes. There has been a long tradition in the social sciences that views coercion as the pillar of model nation states.⁴ The recent uprisings in the Arab world have again called attention to the dependence of authoritarian regimes on coercive organizations. The loyalty of such organizations is said to explain the survival of the Bahraini monarchy, while the defection of the military contributed to the breakdown of autocratic rule in Tunisia and Egypt.⁵

² O’Brien and Li 2006; Chen 2012.

³ Shambaugh 2004; Scott Tanner and Green 2007; Guo 2012; Deng and O’Brien 2013.

⁴ Tilly 1978. Skocpol 1979; North 1990.

⁵ Bellin 2012.

However, our study argues that the response of the authoritarian Chinese regime to the “survival dilemma” goes beyond simply ratcheting up the use of coercion.⁶ Chinese authorities have remodeled the internal bureaucratic organization of the Party-state apparatus, incentivized local authorities to aggressively respond to citizen protests (whether through repression or concession), and reworked the political-legal apparatus to address citizen grievances in a more flexible and coordinated manner.

Our research is based on both quantitative and qualitative analysis. Quantitatively, we manually constructed a Chinese Political-Legal Leaders Database, covering all national and provincial political-legal committee chairpersons, public security heads, procuratorate presidents, and court presidents from 1978 to 2013.⁷ The database includes variables measuring the Party bureaucratic positions concurrently held by these leaders. Qualitatively, we conduct a close reading of government and Party documents (including analyzing the public speeches of Qiao Shi, Party political-legal head during the late 1980s and early 1990s) to explain relevant changes in these bureaucratic practices.

The next section details our quantitative data collection methods. The third section offers a descriptive analysis of the rank of political-legal leaders at the national and local levels. The fourth section identifies the early 1990s as a turning point of development in the political-legal apparatus and provides a historical analysis of relevant shifts. The fifth section examines recent developments. The sixth section discusses possible implications of our findings.. The last section then concludes with a summary of our findings and broader implications of the study.

The Data

We constructed our Chinese Legal Leaders Database (CLLD) in three steps. First, we used the China Law Yearbooks (*Zhongguo falu nianjian*, 中国法律年鉴) to identify Chinese national and provincial political-legal leaders, such as Party political-legal committee chairs, public security heads, court presidents, and procuratorate presidents. This produced a list of names for the period 1986-2010. We supplemented this list with web searches extending coverage to 1978-2013. Second, we conducted Internet searches for the biographies of these leaders. Baidu Encyclopedia (*baidu baike*, 百度百科) contains information for most of them including their age, gender, education, and most importantly, working history. Where insufficient information was available, additional Internet searches of newspapers and other websites were employed to find the missing information. Third, we coded the leaders’ bureaucratic ranks according to their concurrent positions. This coding scheme produced nine variables that will be subsequently presented. Examples include: whether a provincial political-legal committee chairperson or high court president is on the provincial CCP standing committee, and whether a provincial public security chief chairs the provincial political-legal committee.

⁶ The “survival dilemma” refers to authoritarian rulers’ difficulty to simultaneously minimize threats from the elites and from the masses. Please see Magaloni and Kricheli 2010; Svobik 2012.

⁷ Our data reflects the most recent developments after CCP’s 18th Party Congress.

National and Local Trends

According to some media reports, the expansion of China's domestic security apparatus in recent years is largely the work of one man: Zhou Yongkang, Politburo Standing Committee member and head of the central Party political-legal committee (PLC) from 2007 to 2012. According to this analysis, Zhou capitalized on central fears of domestic unrest and employed his dual positions to build his own personal fiefdom in the political-legal arena.⁸

There is an element of truth in this. The bureaucratic influence of Party political-legal authorities has indeed risen in recent years, as illustrated by Figure 1 below (depicting the Party rank held by the chairman of the central Party PLC).

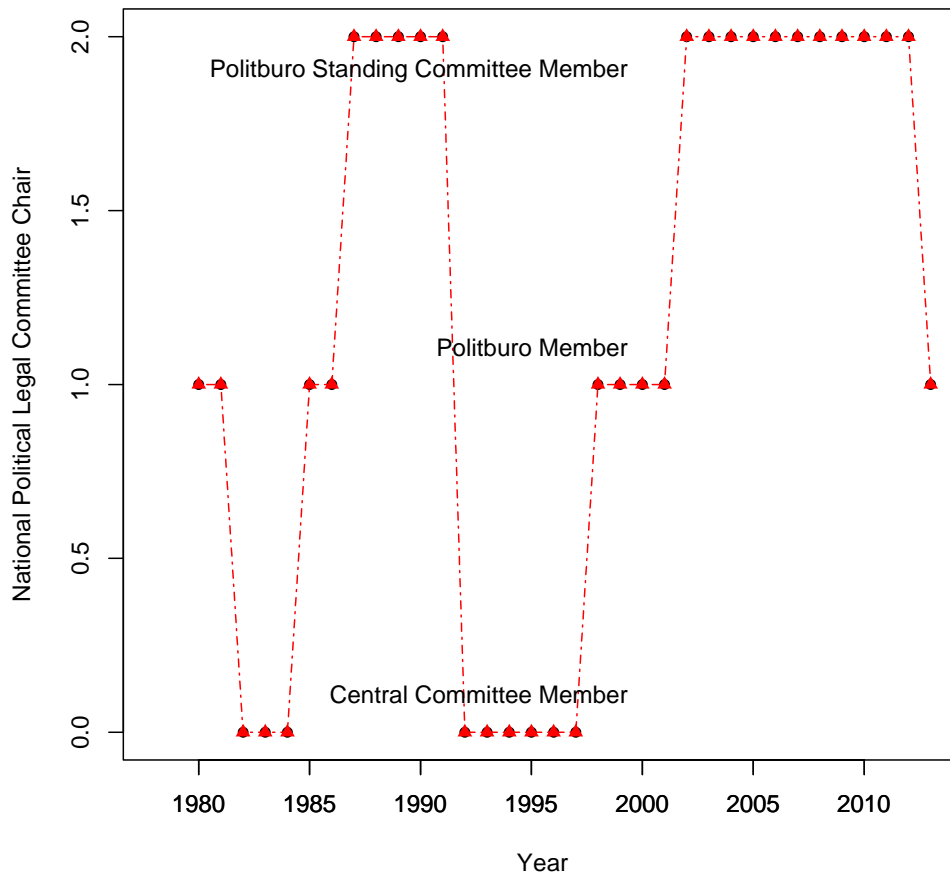


FIGURE 1: PARTY RANK OF NATIONAL POLITICAL LEGAL COMMITTEE CHAIR (1978-2013)

Source: CLLD

⁸ Reuters.com 2012.

In the mid-1990s, the central Party PLC was chaired by a mere member of the 350-person Party central committee, a sharp contrast with Zhou Yongkang's stature as one of nine members of the Politburo standing committee.

However, explaining the rise of the political-legal apparatus as an artifact of Zhou's twin roles as a Politburo standing committee member and head of the central Party PLC is problematic.

First, Zhou is not the first Politburo standing committee member to chair the central Party PLC. Luo Gan held the same positions from 2002 to 2007 (after serving on the 25-person Politburo from 1998 to 2002). During the 1980s, Qiao Shi also served as Politburo Standing Committee member and Party political-legal head. Furthermore, Qiao presided over the relatively more liberal period from 1988 to 1990, when reformist Party leaders actually dissolved (at least in name) the national Party PLC in a partial effort at decoupling Party and state government institutions. The growth of the security state administered by the political-legal apparatus is thus not simply an outgrowth of the Party rank of the person heading the organization.

Second, it is unclear that the bureaucratic influence of the political-legal apparatus has actually changed that much over the past three decades. Figure 2 depicts the Party post held by the chairmen of provincial Party PLCs from the beginning of the reform period to the present.

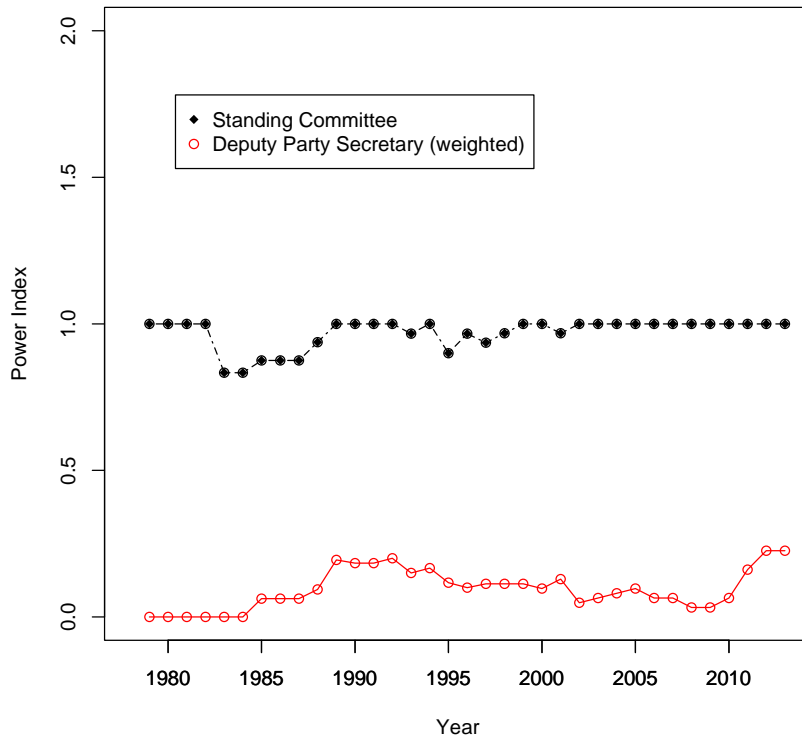


FIGURE 2: PROPORTION OF PROVINCIAL POLITICAL LEGAL ECOMMITTEE CHAIRS SEATING ON PROVINCIAL CCP STANDING COMMITTEE AND APPOINTED AS DEPUTY CCP SECRETARY (1978-2013)

Notes: A value of 1.0 indicates that every provincial Party political-legal head is simultaneously a member of the provincial standing committee. The variable measuring deputy Party secretary is weighted by taking into account the total number of deputy Party secretaries in a province as follows: before 2006 the “power” of a deputy Party secretary was discounted by half because the average number of provincial deputy Party secretaries were four while after 2006 it was two.⁹

Source: CLLD

We find that, with a few exceptions in the 1980s, the head of provincial Party PLCs have always been on the provincial standing committee. Regardless of shifts in national politics, PLCs have always been at the core of governance at the provincial level.

A second possible narrative explanation for the rise in the domestic security apparatus focuses on slightly longer-term trends. Minzner has argued that central Party attitudes underwent a shift around 2003. Social stability emerged as a top Party priority, leading national authorities to backtrack on a range of legal reforms that they had launched in the 1980s and 1990s – reforms that had emphasized law, litigation, courts, and a professional judiciary.¹⁰ Similarly, Wang has identified the extent to which changed official bureaucratic practices resulted in a significant increase in the percentage of police chiefs represented in Party provincial leadership teams after 2005.¹¹

Both of the above analyses rely less on individuals (i.e. Zhou Yongkang) to explain changes in Party political-legal and domestic security practices. Instead, they focus on broader structural explanations. The failure of Chinese leaders to undertake meaningful institutional reform has led to the growth of social unrest (citizen petitions and riots) as a regularized form of political expression. Over the past decade, this has spurred Party leaders to both expand the domestic security apparatus and raise its bureaucratic profile as a means to handle building tensions.

We generally agree with the above narrative. But three decades of data on the chairmen of provincial Party PLCs (charged with managing the courts, procuratorates, and police) and provincial standing committees (the top Party institution in each province) now permit us to analyze the internal bureaucratic dynamics within Chinese provincial Party institutions to a degree unknown in the prior literature.

Two figures illustrate our key findings.

Figure 3 depicts the percentages of provincial Party PLC chairmen who simultaneously hold the position of court president, procuratorate president, or public security bureau (PSB) head.

⁹ Infzm.com 2011.

¹⁰ Minzner 2011.

¹¹ Wang Forthcoming.

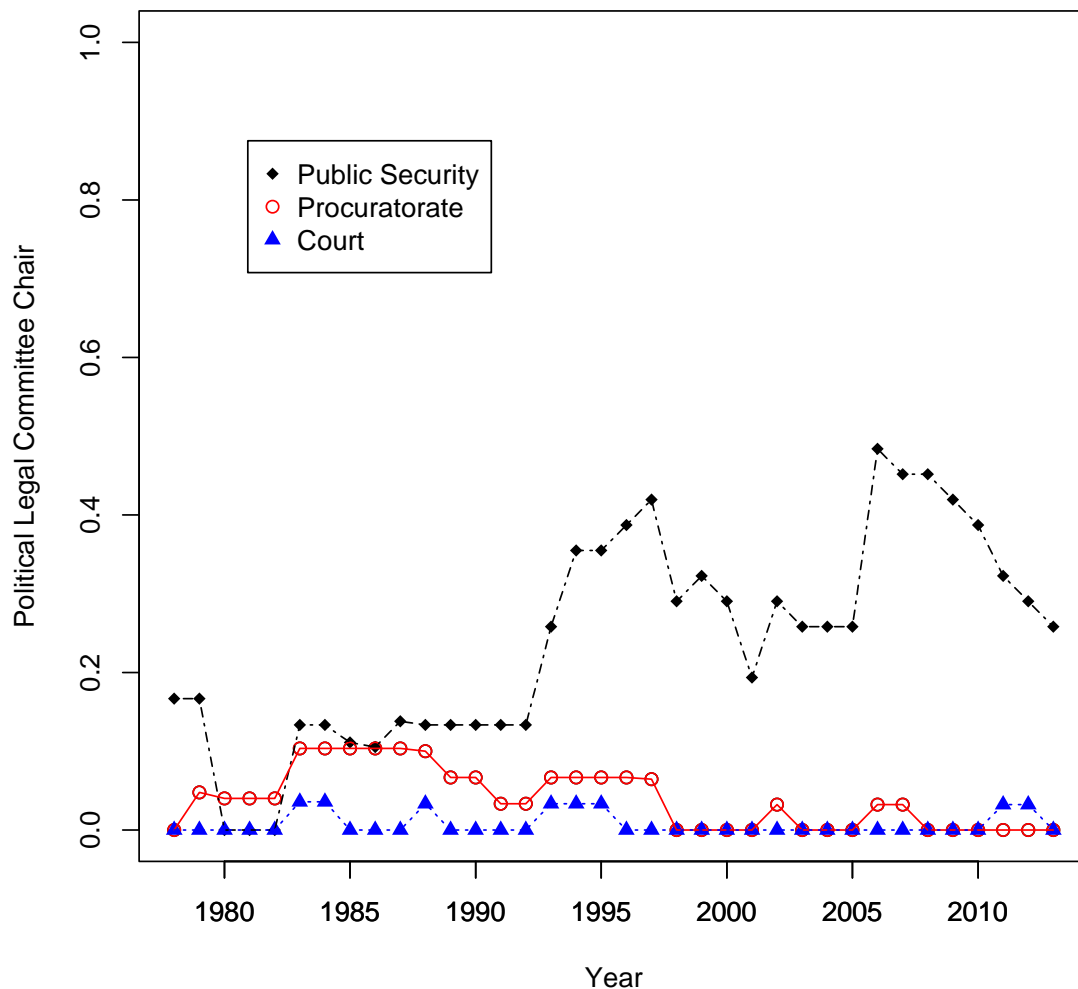


FIGURE 3: PERCENTAGE OF PROVINCIAL PUBLIC SECURITY HEADS, PROCURATORATE PRESIDENTS, AND COURT PRESIDENTS HEADING THE PROVINCIAL POLITICAL LEGAL COMMITTEE (1978-2013)

Notes: These numbers do not total 100%, since it is also possible a political-legal committee chairperson chairing neither the court, procuratorate, or PSB might head the PLC.

Source: CLLD

Since the early 1990s, there has been a clear shift in the bureaucratic weight of the different entities within the political-legal apparatus. In the 1980s, provincial Party PLCs were just as likely to be chaired by court or procuratorate presidents as by the head of the provincial public security bureau. That trend ended in the early 1990s. PSB heads began

to dominate provincial PLCs, while the numbers of court and procuratorate heads chairing provincial PLCs dropped to almost zero.

Such trends suggest an increase in the relative influence and power of public security chiefs, and a parallel decline in that of court and procuratorate heads.

Figure 4 examines this trend through a different lens – the percentage of provinces that had the heads of the courts, procuratorate, or PSB represented in the highest institution of Party governance in the province – the provincial standing committee.

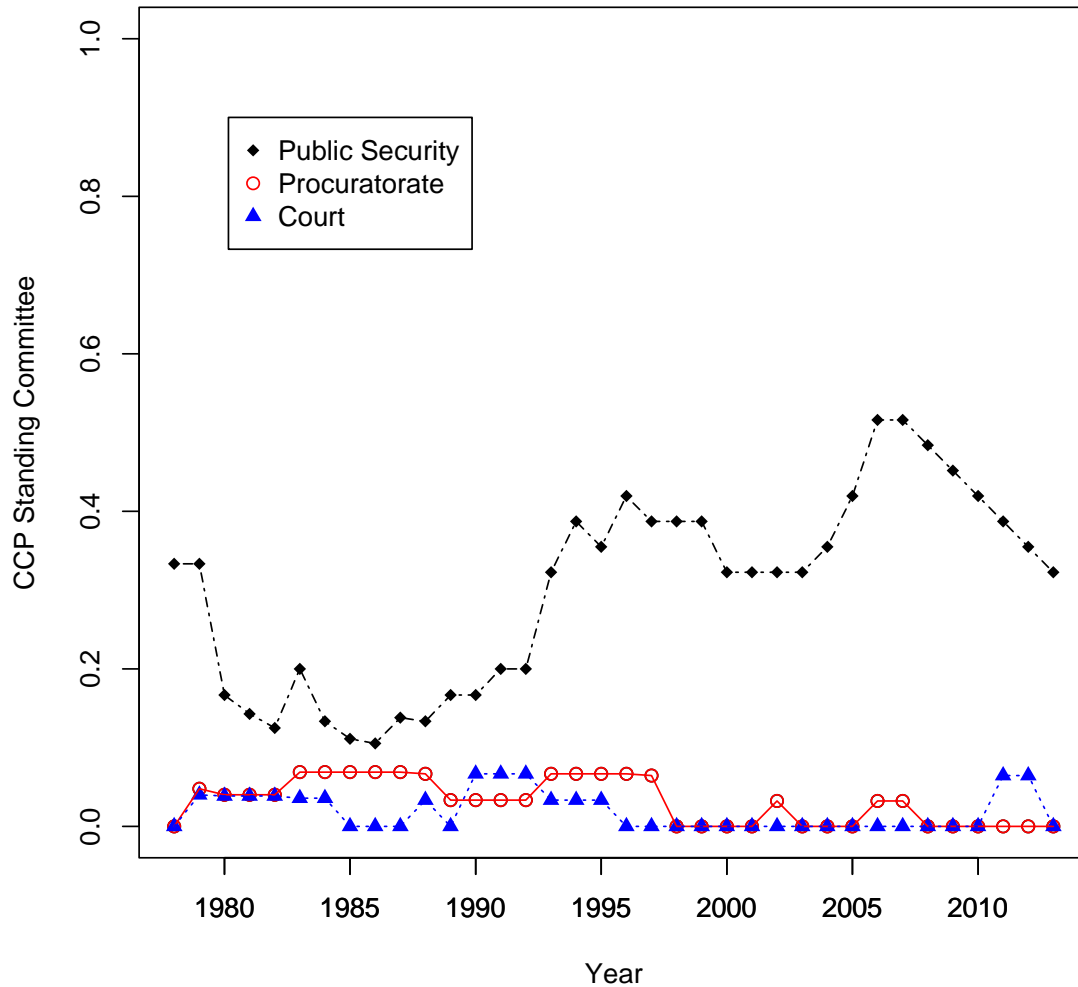


FIGURE 4: PERCENTAGE OF PROVINCIAL PUBLIC SECURITY HEADS, PROCURATORATE PRESIDENTS, AND COURT PRESIDENTS SEATING ON THE PROVINCIAL CCP STANDING COMMITTEE (1978-2013)

Source: CLLD

In the 1980s, provincial PSB heads were only somewhat more likely to be on the provincial standing committee as their court or procuratorate counterparts. Again, that

trend decisively ended in the early 1990s. Court and procuratorate heads dropped off of provincial standing committees, while more and more PSB heads came in.

Since the heads of Party PLCs are almost always represented on provincial standing committees, the two graphs largely parallel each other. However, Figure 4 does help explain one intriguing facet of Figure 3 – the decline in numbers of PSB heads chairing Party PLCs in the late 1990s and early 2000s. Rather than indicating a significant decline in the bureaucratic stature of the PSB, it reflects the fact that central authorities allowed some PSB heads to serve on the standing committee entirely apart from their chairmanship of the Party PLCs. Thus, although numbers of PSB chiefs chairing Party PLCs declined, there was a much more modest decline in their representation on provincial standing committees.¹²

The Turning Point

The above data suggests that the key shift in state policies with regard to domestic security took place not in the past five years, nor even in the past ten years. Instead, the turning point appears to have taken place in the early 1990s. Central authorities seem to have adopted a qualitatively different strategy for managing political-legal institutions around that point. Marrying a bureaucratic and descriptive analysis of state security strategies both before and after this date with the above data helps flesh this shift out in greater detail.

At the beginning of the reform period in the late 1970s and early 1980s, central authorities re-established Party PLCs, which had collapsed along with other formal institutions of governance during the internal chaos and political radicalism of the prior two decades. Their roles included supervising the courts, procuratorate, and police, coordinating policy in the legal arena, and overseeing anti-crime efforts.¹³

During the 1980s, two different strategies contended for influence regarding how Party political-legal leaders should conduct these efforts. The first – “comprehensive management of public security” (*shehui zhi'an zonghe zhili*, 社会治安综合治理) (CMPS) emerged in the late 1970s as an alternative to Maoist-era campaign-style practices as a strategy for maintaining social order. CMPS emphasized the coordinated response to crime and social unrest by a wide range of government and social organs. This went beyond the simple mobilization of the police, procuratorate, and courts to arrest, prosecute, and jail offenders. It included enlisting individual workplaces or schools, assigning them responsibility for controlling and preventing their students or workers from engaging in criminal activity, and tailoring responses to the circumstances of each individual involved.¹⁴

Such efforts employed responsibility systems (*gangwei mubiao guanli zeren zhi*, 岗位目标管理责任制) to accomplish their goals.¹⁵ For officials, such systems set

¹² The post-2006 decline in numbers of PSB heads chairing provincial PLCs, and its implications, are addressed in the concluding section of this article.

¹³ Zhou 2012.

¹⁴ Qiao 2012, 55-76; Harold Tanner 1999, 66-72.

¹⁵ Harold Tanner 1994, 290-291.

concrete target goals linked to official salaries and career advancement.¹⁶ Annual bonuses received by the police, for example, were tied to their rates of success in resolving cases within their jurisdictions.¹⁷ But such systems were not limited to cadres. They were also used to reinvigorate rural policing strategies that relied on the participation of civilians. Villagers – either individually or in groups – would sign responsibility contracts with their village committee and township public security organs for maintaining security in a given target area. Such contracts specified designated financial rewards and inducements for success or failure in accomplishing the given tasks.¹⁸ Naturally, such efforts posed a strong contrast to earlier Maoist-era policing strategies that had strongly relied on ideology and political incentives.¹⁹

During the 1980s, however, CMPS remained relatively embryonic and undefined. As Harold Tanner notes, economic reform meant that many private entrepreneurs, migrant workers, and the urban unemployed were increasingly living outside of the formal work-unit structure, undermining the thrust of CMPS efforts.²⁰ Responsibility systems themselves generated perverse incentives as well. Surveys conducted in the late 1980s revealed that large numbers of local police, faced with high quotas for resolving criminal cases, simply failed to report crime in an effort to skew their statistics, and thus their evaluations.²¹

A second, alternative method of social management consisted of “strike hard” (*yanda*, 严打) – highly mediatized anti-crime crackdowns of specified duration, pursued with techniques drawn from Maoist political campaigns. In 1983, after a series of brutal and high profile crimes, Deng Xiaoping personally pushed central authorities to prioritize such campaign-style strategies.²² The 1983-86 Strike Hard campaign resulted, characterized by mass arrests, rapid sentencing procedures, and high execution rates – with perhaps as many as 10,000 persons executed in a three-year period.²³

As a social control strategy, “strike hard” policies required tight Party political-legal control over the procuratorate, courts, and police to coordinate processing of large numbers of cases and deliver results. State authorities brought together court, procuratorate, and police officials to staff “command posts” and carry out the “joint handling” of cases.²⁴ This facilitated extremely rapid handling of cases. In one example, only fifteen days elapsed between the arrest of a suspect and his execution.²⁵ Naturally, the combination of campaign political pressure and the erosion of bureaucratic boundaries between state organs resulted in sweeping procedural abuses.²⁶ State authorities themselves voiced concerns regarding such abuses (particularly during the 1983-86 campaign) and the tendency for campaigns to devolve into routinized bursts of

¹⁶ Minzner 2009.

¹⁷ Dutton 2005, 277-282.

¹⁸ Harold Tanner 1994, 292.

¹⁹ Dutton 2005, 258.

²⁰ Harold Tanner 1999, 70-71.

²¹ Dutton 2005, 282.

²² Scott Tanner 2000, 98-108; Xinhuanet.com 2005.

²³ Harold Tanner 1999, 99.

²⁴ Harold Tanner 1999, 87; Trevaskes 2007, 124.

²⁵ Dutton 2005.

²⁶ Scott Tanner 2000.

enforcement, invariably followed by a resurgence of criminal activity.²⁷

The dramatic events of 1989 prompted a reset in state management of crime and social unrest in China, leading to the emergence of CMPS as the primary social control strategy and the decline (albeit gradual) in reliance on “strike hard” policies. This shift is reflected both in relevant central party directives and speeches of Qiao Shi, the Politburo Standing Committee member heading the political-legal affairs committee at the time.

In 1990, Party authorities re-established the Central Party PLC, which had been abolished (at least in name) during Zhao Ziyang’s abortive two-year experiment with political reform during the late 1980s. But central leaders did not immediately promulgate a new strategy for the re-established PLC. Instead, they carried out short-lived “strike hard” campaigns, such as the “six evils,” in late 1989 and 1990.²⁸

This changed in January 1991. At a central Party conference assembling all provincial political-legal heads and representatives of thirty other organizations, Qiao Shi spelled out a new direction for Party political-legal work, in a series of speeches highlighting the need to respond to the political events of the prior two years, including the unraveling of Communist political systems in Eastern Europe and the USSR, the 1989 student democracy protest movement, and tensions in ethnic autonomous regions.²⁹

Despite rhetorical support for continuing “strike hard” policies, Qiao’s speeches marked a clear shift in favor of CMPS. “As to the relationship between ‘strike hard’ and comprehensive management of social stability . . . while adhering to “strike hard,” more prominence needs to be given to comprehensive management of social stability.”³⁰ Qiao emphasized that “strike hard” needed to be increasingly localized – with campaigns directed by individual local authorities in response to specific problems they faced. In contrast, CMPS was to be adopted as long-term, nation-wide strategy, pursued under the leadership of a central body, and demanding the support of all Party authorities. Such proposals were not entirely new. As early as 1986, in an indirect criticism of the just-concluded nationwide “strike hard” campaign, Qiao had called for greater emphasis on CMPS strategies, heightened use of responsibility systems tied to the salaries and promotions of local officials, and the creation of a more coordinated Party-led CMPS apparatus.³¹

Now, however, Qiao’s words translated into immediate shifts in policy. Less than a month after the conclusion of the January 1991 conference, the Central Party Committee and State Council issued a joint directive on strengthening the comprehensive management of public security.³² The directive set CMPS as a national priority. It established a central Committee for the Comprehensive Management of Public Security to manage these efforts and coordinate state responses to social unrest and crime. And it ordered the creation of CMPS branches at the county level and higher, and the establishment of CMPS “leadership organs” at the township and village levels.

These policies reshaped Party governance in two critical ways. First, they

²⁷ Trevaskes 2007, 159-164.

²⁸ Biddulph 2007, 137; Qiao 2012, 218-220.

²⁹ Qiao 2012, 221-252.

³⁰ Qiao 2012, 246-252.

³¹ Qiao 2012, 50-54.

³² Alt.gov.cn 2011.

expanded the portfolio of Party political-legal heads. The 1991 directive clearly placed CMPS work under the auspices of Party PLCs, explicitly co-locating CMPS committees in the same offices with Party PLCs. Unsurprisingly, in the past two decades, every national chair of the Party PLC has also chaired the national CMPS committee. Where 1980s-era Party political-legal authorities were tasked with managing the courts, procuratorates, and police, their successors have found themselves additionally charged with coordinating (through the CMPS committees) a much wider web of governmental activity surrounding crime and social unrest. Comparing the membership of the two institutions illustrates this point. In 2007, the central Party PLC consisted of five entities – the Supreme People’s Court, the Supreme People’s Procuratorate, the Ministry of Public Security, the Ministry of State Security, and the Ministry of Justice. In the same year, the membership of the national CMPS committee consisted of over 40 organizations, including the five above, but also the National Tourism Agency, the People’s Bank of China, the State Ministry of Work Safety, the Ministry of Personnel, and the People’s Liberation Army.

The 1991 decision had a second effect as well. It explicitly raised social stability to a core place within internal Party cadre evaluation policies. It instructed Party leaders at all levels to construct CMPS target responsibility systems tied to the salary and career promotion prospects for local leaders. These were to be “fused with responsibility systems for economic development” that had developed in the 1980s. Further, CMPS social order targets were also to be granted status as “priority targets with veto power” (*yipiao foujue*), meaning that failure to attain them could cancel out official’s positive work performance in other fields.³³ Subsequent implementing opinions required relevant organization bureau officials to solicit the input of CMPS leaders in personnel advancement decisions.³⁴

Of course, policy changes at the top of the bureaucratic hierarchy did not generate sweeping changes in internal practices overnight. 1996, 2001, and 2010 witnessed renewed national “strike hard” campaigns.³⁵ Implementation difficulties hampered central efforts to build a CMPS institutional framework. In 1996, for example, one finds central CMPS authorities issuing directives complaining of the laxity of local Party authorities, demanding that they devote more attention to constructing the required CMPS institutions – particularly at the township and village levels.³⁶

But the early 1990s did mark a “critical juncture,” unleashing a gradual evolution in official strategies of social control.³⁷ The three subsequent national “strike hard” campaigns were marked by declining duration and intensity, compared with that of 1983-1986. The seven-month long 2010 campaign, for example, remained limited to the public security apparatus, with limited participation from judicial organs.³⁸

Bureaucratic institutions gradually expanded in the wake of shifts in central policies. Authorities began to work social stability considerations into relevant

³³ Alt.gov.cn 2011.

³⁴ Chinalawedu.com 1993.

³⁵ Biddulph 2007, 134-135; Trevaskes 2007, 187-189.

³⁶ Chinalawedu.com 1996.

³⁷ In the critical juncture, antecedent conditions allow contingent choices that set a specific trajectory of institutional development and consolidation that is difficult to reverse. Please see Collier and Collier 1991.

³⁸ Xie 2013, 53; Xie 2012, 7.

evaluations of local officials. Numbers of CMPS personnel grew. Their responsibilities ballooned. For example, central Party directives issued in 2001 specified that private enterprises should be brought into the CMPS web, assuming responsibility for incidents of crime and social unrest within their ranks.³⁹ By the late 1990s, when Party authorities established specialized offices to deal with emerging concerns (such as social stability (*weiwēn*) offices to respond to outbreaks of unrest, or anti-cult (610) departments to deal with organizations deemed heretical), these were invariably grouped with the CMPS offices under the purview of Party political-legal authorities. As these institutions evolved, their personnel, leadership, and daily responsibilities remained highly intertwined with the fused CMPS/political-legal committee framework established in the early 1990s.⁴⁰

The increased emphasis on social stability was intertwined with the rise in bureaucratic rank of police chiefs. Local police chiefs – rather than their court or procuratorate counterparts – managed the daily operations of the newly established *weiwēn* offices.⁴¹ And in 2003, central Party authorities explicitly instructed that provincial, municipal, and county-level public security organs should be headed by Party standing committee members or deputy government heads, thereby outranking their local government and court counterparts (and generating the peak shown in Figure 4).⁴²

Such developments have led to the widespread “securitization” of local governance in China. This is not without precedent. The American pursuit of the war on terror has led an ever-expanding array of foreign policy concerns – AIDS, economic development, information collection and monitoring – to be regarded as challenges to be comprehensively managed through a national security lens.⁴³ Similarly, the Chinese state focus on domestic stability, coupled with the post-1991 bureaucratic shifts discussed above, have meant that an increasing number of seemingly unconnected fields of governance – food safety, environmental accidents, ordinary civil disputes – are being sucked into the *weiwēn* vortex. This has generated intense pressure on local officials. In 2013, one deputy Sichuan township head pointed to precisely such pressures as the reason for his resignation, asserting that they effectively required him to spend four months per year carrying out *weiwēn* work, leaving only four months to spend on “real” government work.⁴⁴

These developments have also led to increasing levels of conflict with legal norms promoted by Chinese authorities themselves. At the central level, heavy state use of top-down responsibility systems tying officials’ career and financial incentives to success or failure in attaining given targets (in particular, social stability targets) as a governance tool has fueled the expansion of a “rule by mandates” at odds with rule-of-law norms.⁴⁵ At the local level, the stability imperative has promoted the emergence of an expansive, well-funded, extra-legal *weiwēn* apparatus. Facing increasingly tough career sanctions

³⁹ Xie 2013, 148

⁴⁰ Liebman 2013; Cook and Lemish 2011.

⁴¹ Xie 2013, 145.

⁴² People.com.cn. 2003.

⁴³ Higgott 2004.

⁴⁴ Xinhuanet.com 2013.

⁴⁵ Birney 2013; Minzner 2009; Dutton 2005. Naturally, many of these policies are themselves modern incarnations of prior practices found in the early PRC or imperial periods.

for outbreaks of citizen petitioning, local Chinese authorities have resorted to both the widespread use of hired thugs to intercept petitioners seeking to reach higher authorities, and the calculated application of pressure on their family and friends (“relational repression”) to convince them to give up their petitioning efforts.⁴⁶

Increasing securitization of local governance has contributed to the decision of Chinese authorities to turn against their own late 20th century legal reforms. State efforts to promote courts, litigation, and rule-of-law rhetoric gave rise (by 2003) to a cadre of Chinese public interest lawyers and advocates (such as Chen Guangcheng and Xu Zhiyong), capable of organizing aggrieved citizens, invoking central rule-of-law language, and launching savvy litigation and media challenges to state policies. By 2005, Party political-legal authorities concluded that such efforts were inconsistent with the expanded domestic stability apparatus and its aims. As a result, they have since progressively moved to close down “rhetoric (constitutionalism), channels (court trials), and social forces (lawyers) that activists had used to mobilize for greater change”.⁴⁷

Ironically, few appear to have initially appreciated the extent to which the new bureaucratic structures and social control policies advanced in the early 1990s would ultimately generate the levels of conflict with legal norms seen in the last decade. At the time, some foreign criminal law experts depicted the emergence of CMPS strategies as a rationalized, professionalized, and desirable alternative to the excesses of campaign-style policing.⁴⁸ And in the 1990s, at least some Chinese officials clearly envisaged that the domestic security shifts discussed above were consistent with legal reforms emphasizing judicial professionalism and greater access to the courts for aggrieved Chinese citizens. Indeed, less than a year after Tiananmen, one finds Qiao Shi himself simultaneously advocating the adoption of the CMPS policies described above and also saying:

“Historically, it was the case that officials brought suit against citizens. [Now,] the newly implemented Administrative Procedure Law authorizes citizens to bring suit against officials – this must be regarded as an advance for democracy and the rule of law. Implementation of some laws will increase “trouble” (*mafan*, 麻烦). But this trouble is extremely necessary, and is beneficial to better protect citizen rights.”⁴⁹

Recent Developments

Developments in 2012 – the dramatic fall of Politburo member Bo Xilai, the retirement (and subsequent corruption investigation) of his ally Zhou Yongkang, and Xi Jinping’s ascension to power – have prompted some observers to parse the tea leaves for signs of reform in the political-legal system.

Changes have indeed occurred. At the top of the system, the bureaucratic rank of the chairman of the Central Party PLC has been reduced. Unlike the past ten years, the current chairman (Meng Jianzhu) no longer holds a spot on the Politburo standing committee. There has also been a reallocation of influence within provincial PLCs. In

⁴⁶ Deng and O’Brien 2013; Lam 2012.

⁴⁷ Minzner 2013, 69.

⁴⁸ Biddulph 2007, 150.

⁴⁹ Qiao 2012, 92.

2005, over 40% of provincial Party PLCs were chaired by provincial PSB heads. That figure has now fallen by roughly half (Figure 3). Instead, the emerging trend appears to be vesting the chairmanship of the provincial PLC with a designated deputy Party secretary who heads neither the court, procuratorate, nor the PSB. Percentages of PLCs chaired by deputy Party secretaries have now risen to over 20% (Figure 2).

How to interpret such developments? Naturally, one possibility would be to view them as an effort to curtail the power of the Party political-legal apparatus and weaken the security state.⁵⁰ Such an interpretation would arguably be further reinforced by Figure 4, which shows a post-2005 decline in the percentage of PSB chiefs seated on provincial Party standing committees, from over 50% to under 40%.

But our data suggests that such changes remains limited in nature. On the provincial level, there has been absolutely no change in the practice of having the Party political-legal head represented on the provincial standing committee (Figure 2). That trend has continued in every single province (including after the 2012 leadership handover). Further, as Wang has demonstrated, the decline in PSB chiefs heading Party PLCs does not mean that their influence has been diminished. Rather, it has been accompanied by a parallel trend - an increasing number of PSB chiefs being transferred to the Party group (*dangzu*, 党组) in the provincial government, and holding positions such as assistant to the governor (*shengzhang zhuli*, 省长助理) or deputy governor (*fu shengzhang*, 副省长). Consequently, public security heads have not suffered a demotion in rank, because members on the government Party group has the same bureaucratic rank as a member on the provincial CCP standing committee—vice ministerial level (*fu buji*, 副部级).⁵¹

Instead, the key trend appears to be a steady diversification of the number of leaders bearing responsibility for domestic stability work. Take, for example, the relationship between the CMPS committees and Party PLCs. Central authorities are in the process of separating the leadership of the two institutions. As mentioned earlier, until recently, their leadership was intertwined. The Party PLC head would bear direct responsibility for leading the work of the courts, procuratorate, and public security bureau, and simultaneously (in his role as head of the CMPS committee) be charged with mobilizing, coordinating, and enlisting a wide range of other government bureaus in social stability work. In the last two years, Party leaders have been dividing the leadership of these two institutions – charging either the provincial Party secretary or a designated deputy Party secretary chair the CMPS committee, and having a separate individual head the provincial Party PLC. About fifteen of China's provincial-level governments have now adopted such a bureaucratic division of responsibilities.⁵² Party leaders may be responding to (and rethinking) the expanded role that the PLCs have enjoyed in recent years – not by reducing the bureaucratic rank of the committees, but by dividing up the responsibilities for domestic security work among a range of different subordinates.

⁵⁰ BBC.co.uk 2012.

⁵¹ Wang Forthcoming.

⁵² Takunpao.com 2012.

The implications of such developments are unclear. On one hand, such developments might lead to the emergence of partial checks on state power. For example, the increasing division of power within the security apparatus might result in Party political-legal authorities losing the voice that they have enjoyed in recent years over a range of other enforcement organs.

As one possible example, take the urban management enforcement (*chengguan*, 城管) personnel charged with enforcing urban health, environment, and commercial regulations. Suppose the same deputy Party secretary that is chairing the PLC (and supervising the courts, procuratorate, and the police) is also responsible (through the CMPS committees) for coordinating the enforcement activities of the *chengguan* and other administrative organs. That is a more concentrated position of power. It is relatively more difficult in that situation for public interest lawyers or legal activists to mobilize institutional support within, say, the courts, to address abuses of the *chengguan*. Now imagine that the chairmanship of the Party PLC falls to deputy party secretary X, but responsibility for the CMPS committees falls to a different deputy party secretary Y. Now power is split. And it is possible to imagine that activist lawyers might find a more receptive ear within some legal institutions (say the courts) for complaints that might tend to expose abuses or problems occurring on the turf of a political rival.

On the other hand, these shifts might suggest a more negative trend. Social stability appears to be migrating ever higher within the bureaucratic hierarchy as a Party concern. Consider the general shifts over recent decades. In the 1980s, the domestic security portfolio on provincial Party standing committees was held by a Party political-legal head, who himself was not a MPS head. In the 1990s, it was increasingly held by an MPS head serving simultaneously as Party standing committee member, head of the provincial PLC, and chair of the CCMPS. That represented an intensification of security responsibilities in a single individual. Since 2006, however, the security portfolio at the provincial Party level has increasingly taken the form of multiple individuals – first, a Party political-legal head represented on the Party standing committee, second, a CCMPS head also represented on the standing committee, and third, a provincial police chief – also represented on the standing committee or on the Party group within the government. This represents an intensification of security responsibilities among a greater number of people at the provincial level.

Rather than representing a weakening of the political-legal apparatus, such developments may be another step in the escalating “securitization” of the Chinese state. As domestic security challenges has risen in importance over the past two decades, and the *weiwen* apparatus ballooned in size, the Chinese bureaucratic state may have found it necessary to task ever-increasing numbers of senior officials with responsibility for domestic security work. Such an interpretation might be bolstered by developments since the 2012 leadership transition. Party General Secretary (Xi Jinping) has emerged as the PBSC member clearly responsible for the political-legal portfolio (i.e., directly managing Meng Jianzhu) – a distinct contrast with prior practice (Zhou Yongkang, rather than Hu Jintao, running the PLC), and the creation of State Security Committee. Further, at the November 2013 Party plenum, Chinese authorities announced the creation of a new State Security Committee – charged with supervising both foreign and domestic security

matters – and chaired by Xi Jinping himself.⁵³

Implications

First, the rise of the Chinese security state in recent years is not merely the result of political decisions taken by individual Party leaders. Nor is it simply the result of social and economic dislocations caused by the process of economic reform. Instead, the expansion of the Chinese state *weiwen* apparatus is the result of the gradual accretion of power by a political-legal bureaucratic apparatus that was significantly restructured in the wake of the dramatic events of 1989-1991 to address central Party concerns regarding social stability and domestic unrest. Specific events over the past two decades – such as the Falun Gong protests of 1999, increased citizen petitions regarding land takings in the early 2000s, and the ascension of Luo Gan and Zhou Yongkang to the Politburo Standing Committee – have contributed to state decisions to ratchet up the power and influence of this apparatus. But the fundamental framework – the rise in the bureaucratic stature of the police, the emergence of social stability as a core element of cadre evaluation mechanisms, the expanded responsibility for political-legal authorities for coordinating state responses to social unrest across all fields of governance - is the product of state policies taken in the early 1990s. The recent announcement of the creation of a national State Security committee may simply be the latest step in a two-decade long evolutionary rise of the Chinese security state.

Second, these policies may themselves be partially responsible for the rise of social unrest in China today. As others have documented, the rise in collective petitions and citizen protests since the 1990s and the emergence of “rightful resistance” as a strategy for popular contention has been facilitated by state sensitivity to the threat of social unrest.⁵⁴ Precisely because central officials apply pressure on local authorities (through cadre responsibility systems) to avoid all instances of mass petitions, citizens can – and increasingly are – “gaming the system” by tactically using the threat of organized petitioning as a tool to try to wring concessions from local authorities in conflicts ranging from land grievances to commercial disputes to environmental protests, often regardless of whether their claims have underlying legal merit. These developments may be a direct outgrowth of the early 1990s bureaucratic changes discussed above. The decision of Chinese authorities to both expand the responsibility of political-legal leaders for coordinating state responses to social unrest across different areas of governance and increase the career sanctions on local authorities for outbreaks of social discontent may have enabled the growth of social protest by altering key bureaucratic incentives for both citizens and officials alike.

Ironically, both the rise in the Chinese state repressive apparatus and the increase in social instability may have their roots in exactly the same government policies.

⁵³ As of submission of this article, details of the committee and its responsibilities have not yet been released. Presumably, these will be released by the National People’s Congress meeting in the spring of 2014.

⁵⁴ O’Brien and Li 2006; Minzner 2006; Cai 2006; Chen 2011; Lorentzen 2013.

Concluding Remarks

An analysis of more than three decades of data on Chinese political-legal leaders shows that the Chinese state has become increasingly “securitized.” The rank of public security chiefs vis-a-vis court and procuratorate leaders has been raised within the Party apparatus, the reach of the Party political-legal apparatus has been expanded into a broader range of governance issues, and the incentive structure of local officials have been altered to increase the sensitivity of local authorities to social protest. We show that the rise of the security state can be traced back to the early 1990s when the Party-state systematically restructured the security apparatus as a response to the events of 1989.

We also observe a pluralization of security work in recent years. Domestic security work in the mid-1980s largely consisted of coordinated campaigns of court, procuratorate, and police personnel led by Party PLC officials. Recent years have seen the emergence of a more pluralized organizational structure involving a wider net of Party, government, and social institutions. In part, this reflects the fact that an increasingly complex Chinese society is generating a more complicated set of disputes. Individual government bureaus cannot handle these on their own. Before 1978, labor disputes might be successfully managed within the confines of a single state-owned enterprise. Now, handling a mass protest by the employees of a construction company might require the coordination of local police, court, labor bureau, labor union, and private enterprise – not to mention the state media and propaganda authorities (to control the dissemination of information via social media).

But the pluralization of security work also reflects the fact that, rather than facilitating the emergence of independent institutions (such as courts) endowed with the autonomy and legitimacy to handle such disputes, Chinese authorities are reverting to practices from the 1940s and 50s that blurred the distinction between security and non-security Party work. Housing management bureaus (*fangwu guanliju*, 房屋管理局), which might not have been considered part of the domestic security apparatus in the 1980s, are now expected to be directly involved in settling protests arising from land seizures. As one Chinese state cadre fumed after learning of directives instructing him to prevent family and relatives from engaging in protest activity surrounding a local construction project, at the cost of his own job, “Now, as long as you are part of the state bureaucracy, you are part of the *weiwēn* apparatus.”

We want to distance ourselves from arguments that link China’s regime stability in the last 30 years solely to simple coercion. It is far more. The China field has provided a wide spectrum of theories explaining the macro-level stability of the regime including the CCP’s revolutionary tradition and cultural resources,⁵⁵ institutionalization of elite politics,⁵⁶ the cadre evaluation system,⁵⁷ the media,⁵⁸ nationalism,⁵⁹ the Party’s cooptation strategy,⁶⁰ and foreign direct investment.⁶¹ To this list, we would add the

⁵⁵ Perry 2012.

⁵⁶ Nathan 2003.

⁵⁷ Whiting 2004; Landry 2008.

⁵⁸ Stockmann 2012.

⁵⁹ Zhao 1998; Weiss 2013.

⁶⁰ Dickson 2003; Tsai 2006.

bureaucratic shifts within the Chinese political-legal system that the state has adopted to respond to escalating levels of social conflict. The ultimate success or failure of these efforts, of course, will be left for history to answer.

⁶¹ Gallagher 2002.

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