



# China Since Tiananmen: A New Rights Consciousness?

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# China Since Tiananmen

## A NEW RIGHTS CONSCIOUSNESS?

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Despite the brutal suppression of the Tiananmen Uprising of 1989, the frequency of popular protest in China has by all accounts escalated steadily over the ensuing two decades. These protests—increasingly articulated in a language of “legal rights”—have spread to virtually every sector of Chinese society, prompting more than a few observers to proclaim the emergence of a “rising rights consciousness” that poses a protodemocratic challenge to the authority and durability of the communist state.

The authors of the four short essays that follow assess whether protests among various sectors of Chinese society—aggrieved workers and farmers, online activists, and the new “middle class”—do in fact present a serious threat to the communist state. In the immediate aftermath of the Tiananmen Uprising, many scholars pinned their hopes for a democratic breakthrough on an alliance between workers and students. In China, as in Poland, labor activism alongside intellectual dissent seemed capable of undermining the communist system. Twenty years later, however, the prospect of a Solidarity scenario, in which workers spearhead a multiclass coalition that topples an unpopular communist regime, appears slim at best. In their essay, Ching Kwan Lee and Eli Friedman detect “hardly any sign of mobilization that transcends class or regional lines” in the rampant labor unrest that besets contemporary China. Despite an alleged “rise of rights consciousness” among workers, Lee and Friedman argue that “[t]he political and economic conditions that once enabled workers to join students in rebellion have disappeared.” In the countryside as well, Kevin O’Brien finds “cooperation across class lines” to be

“rare.” Rural protest helps to check the tyrannical behavior of grassroots cadres, but it is hardly a harbinger of impending regime transition. On the contrary, O’Brien interprets the Chinese authorities’ willingness to tolerate such a remarkable level of protest as an indication of the confidence and resilience of the communist state.

If Beijing has managed to tame the “old” social classes that in 1989 toppled communist regimes across Central and Eastern Europe, will it prove equally adept at weathering challenges from social forces that barely existed in China twenty years ago, such as online activists and a new middle class? Guobin Yang suggests that online contention is contributing to a less intimidated and less gullible citizenry, a transformation that he sees as an “essential” part of any process of democratization. Yet the evidence that Yang presents to demonstrate online activism’s growing political influence (including the government’s cancellation of an anachronistic regulation concerning urban vagrants) indicates that the authoritarian state, by responding sympathetically and intelligently to chatroom complaints, may have found in the Internet a powerful medium for prolonging its lifespan. The state’s careful monitoring of electronic communications provides crucial intelligence on citizens’ activities and attitudes, information that is used not only to anticipate and defuse potential challenges, but also to improve governance and enhance legitimacy by crafting policies that directly address popular grievances. Jeffrey Wasserstrom’s essay also spotlights the importance of advanced communications technology (especially text messaging) for a new species of NIMBY (“not in my backyard”) protests by China’s emergent middle class. Yet Wasserstrom warns against the fallacy of assuming that such confrontations bespeak China’s imminent democratization. They point instead, he proposes, toward a more prosaic development: a growing middle-class interest in preserving and promoting the quality of neighborhood life.

This symposium suggests that the rights discourse of protesters in contemporary China may be better understood as an expression of “politics as usual” than as a novel demand for democracy on the part of a nascent civil society claiming autonomy from the state. The rhetoric of rights that infuses contemporary protest perpetuates a longstanding penchant of Chinese protesters to use the authorized language of the state in presenting their grievances—precisely in order to signal that their protest does not challenge state legitimacy. Even when protest rhetoric (among Yang’s online activists, for instance) is replete with an ironic wit that underscores the gap between the state’s policies and actual practices, this deployment of officially sanctioned language makes it clear that protesters are operating within the legitimate boundaries of discourse as designated by the state, rather than on the basis of some alternative theory of political authority. Similarly, when the demonstrators against the extension of the MagLev high-speed train in Shanghai (described by Wasserstrom) dubbed their protest march a “harmonious

stroll” (*hexie sanbu*), they on the one hand poked fun at the government slogan of a “harmonious society” while on the other hand signaling their adherence to state-approved discourse.

Rather than characterizing these protests as reflecting a newfound “rights consciousness,” I would see them as the latest expression of a much older *rules consciousness* that has been the bedrock of routine popular protest in China for centuries. Just as protesters in the imperial era invoked the Mandate of Heaven, in the Republican period referred to Sun Yat-sen’s Three Principles of the People, and in the era of Mao Zedong cited the mass line and the “right to rebel,” so today they frame their demands in terms of the “legal rights” that are promulgated and publicized by the contemporary Chinese state.

However visible and vocal (and sometimes violent) these protests may be, those who take part in them usually go to great lengths to profess their loyalty to the ruling ideology. Although a discourse of “rights” proclaimed by “citizens” has replaced a Mao-era language of “revolution” proclaimed by “comrades,” it is not readily apparent that protesters today differ fundamentally from previous generations in either their mentality or their relationship to the authoritarian state.

## A Legacy of Protest

China lays claim to one of the oldest and most robust traditions of protest of any country in the world. Passed down through folk stories, legends, and local operas, familiar repertoires of resistance were for centuries a major means of alerting an authoritarian political system to the grievances of ordinary people. Under certain unusual conditions, endemic protest could escalate into the large-scale rebellions for which Chinese history is famous. But it took the catalytic combination of heterodox ideology, charismatic rebel leadership, widespread economic crisis, foreign danger, and an unresponsive and incompetent central state to generate a serious challenge to dynastic rule. And such a combination was rare.

Although it would obviously be foolhardy to predict anything close to the longevity of the imperial Chinese system for the communist Chinese system, it may be worth reflecting on some of the historical parallels. Today scholars often portray post-Tiananmen China as distinguished by the advent of a “legal consciousness” unknown in earlier eras, but it is remarkable how many instances of collective protest during the imperial and Republican periods were connected with the filing of lawsuits. Local gazetteers from the nineteenth and early twentieth centuries confirm that, even in some of the poorest regions of the country, court cases were routinely initiated by all sectors of rural society. Legal channels were a recognized means for villagers to advance collective interests; when such efforts failed to bring about the desired outcome, protest often ensued. Imperial-era protests, like many of the recent rural protests that

O'Brien describes, frequently began with the presentation of petitions, usually written in boilerplate language that referred to the authority and benevolence of the central state (citing imperial edicts and the Qing legal code) in order to condemn the illegal and venal behavior of local officials.

I am by no means suggesting that China has remained unchanged since imperial days. It has of course been transformed in amazing and almost unimaginable ways over the last two decades, let alone the last two centuries. My point is simply that widespread popular protest targeting lower levels of the government and framed in the language of the central state (even as that language has changed over time to reflect important differences in official ideology and policy) is more likely an indication of routine politics than a harbinger of some tectonic shift in state-society relations. Under an authoritarian system such as China's, in which the ballot box has never been an effective means of conveying popular concerns to the political leadership, protest has often served that purpose instead. So long as the central state responds sympathetically yet shrewdly to the grievances expressed in widespread protest, as it did in the historic abolition of the agricultural tax in 2006, for example, it emerges strengthened rather than weakened.

It is of course extremely difficult, if not impossible, to gauge the genuine political sentiments of a populace living under an authoritarian system in which expressions of defiance toward the state carry significant risk. Whether or not Chinese protesters, in their heart of hearts, accept the legitimacy of the communist state, they generally act as if they do. Even in the absence of a deeply rooted belief in that state's legitimacy, popular compliance may work to promote the stability of authoritarian regimes. Moreover, in the case of China, where cultural norms have long valued "orthopraxy" (proper behavior) over "orthodoxy" (proper belief), overt expressions of deference to political authority would seem to play an especially powerful role in sustaining the system.

To propose, as some have, that in the post-Tiananmen era Chinese protesters are articulating a new understanding of state-society relations, in which democratic conceptions of citizenship and legal rights are infusing and thereby altering popular consciousness so as to undermine state legitimacy, is to point toward the likelihood of bottom-up political transformation. An escalation in the number of protests is sometimes equated with a rising civil society believed to be approaching some tipping point, after which democratization becomes unavoidable. By contrast, I have tried to suggest in this brief introduction that what we are seeing in China today reflects a much older *rules consciousness*, in which savvy protesters frame their grievances in officially approved terms in order to negotiate a better bargain with the authoritarian state. This analysis leads to an expectation that is surely less dramatic, but perhaps also more realistic.