

Social Network and Legal Mobilization in China: A Case Study of The Network of Homeowners
in City C

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Abstract

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Legal mobilization in China is a crucial issue for the study of civil society under authoritarian regimes. Scholars have argued that formal institutions like the state's promoting law projects, media and NGOs contribute to mobilizing Chinese citizens to use the law. Based on ethnographic work in China, I provide a new piece of evidence to the argument that social networks as an informal institution prompt legal mobilization by diffusing information and providing support to citizens. The research also challenges the dichotomy of urban/weak ties and rural/strong ties, suggesting that two groups coalesce in the case of homeowners' networks. Legal consciousness rises and citizens' understanding of the relations between the state and individuals change positively through the process of learning and using the law. But the

experience of using the law does not improve citizens' evaluation of the legal system as the system is manipulated by the state.

Introduction

Legal mobilization, “the act of invoking legal norms to regulate behavior,” is a form of political participation.¹ In authoritarian countries where opportunities for citizens to participate in politics are limited, legal mobilization is one of the crucial ways for citizens make their claims and resist authorities. China, as an authoritarian state, has attracted scholarly attention on its legal reform since 1978, when Chinese leadership decided to reconstruct legal institutions to pave the way for economic reforms.² How Chinese citizens use the law is among the most critical issues to be examined. Political scientists and law scholars have suggested that the state’s legal construction and formal institutions (legal aid and NGOs, etc.) contribute to the proliferating legal mobilization in China.³ While I do not deny the contribution made by the state and institutions in raising citizens’ legal awareness and offering help, but we have to admit that those formal institutions in China are weak. How do citizens access to legal information and support when formal institutions are insufficient? For example, in administrative litigations where the government has no incentives to promote law and institutional legal support is repressed? In this paper, I argue that social networks prompt legal mobilization when formal institutions are insufficient.

Social network is the structure of relationships that link social actors, no matter individuals, groups, or organizations, and enable the exchange of information through these links. Social networks provide support and social certainty to actors who are connected with the

¹ Zemans, 1983: 692

² Lubman, 1999

³ O’Brien & Li, 2004; Gallagher, 2006; Whiting, 2017; CK Lee, 2008

networks; in turn, social networks affect their belief, attitudes, and behaviors.⁴ It is a scholarly consensus that social networks contribute to political mobilization by absorbing new members and diffusing information.⁵ In China, social networks play the same role in circulating information and providing supports to members and facilitate the process of legal mobilization. The existing literature on social networks in China, however, tend to construct a dichotomy of urban-weak ties and rural-strong ties that the rural network, which is built on lineage and families, contribute more to material supports and collective actions; while the urban network enrolls members from various groups and hence heterogenous information.⁶ Considering the mass immigration and the rapid population mobilization in China, it is possible that the binary of urban and rural ties is collapsing.

Based on my two-month-field study of a group of homeowners who have administrative litigations with the local government for land disputes in City C, I have several novel findings:

First, while providing a new piece of evidence to consolidate the argument that the social networks serve as the vehicle for political mobilization, this research displays the tendency of integration of rural and urban ties which are traditionally viewed as dichotomous. The formation of network, that is neither based on kinship, lineage, residency nor on religion and occupation; rather, it is the coalescence of urban and rural ties. Land projects and disputes with the local government concerning land properties creates aggrievances shared by urban and rural residents. Courts and new technologies make the coalescence possible by providing physical and virtual spaces for two groups to interact.

⁴ Pescosolido, 2006

⁵ Gibson, 2001; Opp& Gern, 1993; Denoeux, 1993

⁶ Becker, 2012; Herulin, 2016:11; Yang, 1994: 1; Winn, 1997: 206; Yan, 2003: 40

Second, social networks and legal mobilization reshape members' understanding of the relationships between the state and individuals. Individuals are empowered to seek more equal position with the state and feel more positive about individual efficacy. But citizens expressed more negative evaluation of the legal system and the authority who manipulate the system as the legal mobilization does not substantially change their situation.

By doing so, therefore, the research will shed light on the study of civil society in authoritarian China, where formal institutions advocating political participation and resistance have long been repressed, and provide answer to the question that whether legal mobilization can lead to the emergence of stronger civil society in China.⁷

The paper proceeds as follows. The next section provides the background information of law and legal mobilization in China. The third section presents the methodology I used and the basic information of 24 interviewees. The fourth section answers the question that what pushes homeowners to join the social network to pursue solutions for land disputes. Detailed description about how the network emerges, develops and functions is in the fifth section. The sixth and seventh section talk about citizens positive feeling about themselves and negative for the legal system after they were mobilized to use the law. The last section discusses some exceptional conditions that social networks fail to function in legal mobilization.

Legal mobilization in China

⁷ O'Brien & Li, 2006: 116- 123

The law plays an essential role in Chinese governance. Students of political science and China studies have long debates on issues like the role of the law, the function of the law, the implementation of the rule of law, and the effectiveness of Chinese legal reform.

While there is a scholarly consent that the law in the socialist period is the subordinate of politics, reflecting the ruling party's wills and ideologies; scholars have different comments about the post-socialist law. Some scholars are optimistic about Chinese legal reform, arguing that the legal institutions, though far from perfect, make contributions to Chinese economic growth and political development by regulating behaviors and protect social order.⁹ Others question the effectiveness of law and the implementation of the rule of law, suggesting that Chinese law, as the subordinate of the political system, fails to empower citizens.¹⁰

Existing scholarly works have attributed the state and NGOs to encourage citizens to engage the law. The right consciousness is employed to measure the outcome of legal mobilization. Whiting's empirical research shows that China's legal construction projects facilitate the emergence of the right consciousness.¹¹ Gallagher stresses that campaigns like media coverage and official encouragement of using law have prominent influences on cultivating right consciousness. Besides, she demonstrates that legal aid, based on her in-depth interviews, also brings changes to the plaintiff's legal consciousness.¹²

But it is not the complete picture. Most scholarly works about lawsuits in China are in domains of environmental protection and labor disputes, where the government supports citizens to solve problems in legal channels and NGOs are to some extent tolerated by the state.¹³

⁸ Lubman, 1999

⁹ Pei, 1997

¹⁰ O'Brien & Li, 2004

¹¹ Whiting, 2017

¹² Gallagher, 2006

¹³ Wang, 2007; Carpenter-Gold, 2015; Gallagher, 2005

Absorbing the unrest into the institutional framework would help the regime to eliminate potential threats and maintain social stability.

The land disputes, however, is a different case. Due to the rapid urbanization and the growing local hunger for revenues generated from selling lands, the land property has been one of the leading sources of disputes between governments and citizens. According to annual reports from China's Supreme Court, the number of administrative litigations concerning land disputes has increased three times from 2013 to 2015 and remained more than 30,000 afterwards.¹⁴ Law scholars pay great attention on the property issue. Urban and rural land properties are different: the state owns urban land while in villages, lands are communal.¹⁵ The complex, ambiguous, and porous property system makes it hard for urban dwellers and peasants to claim and defend their interests.¹⁶

But land issue in China is not only about the property. Unsatisfactory about compensation and the government's losing credits by not keeping promise can also instigate outrage. As a result of the complex property system, policies and laws for estimating and gauging property values are also different. Urban homeowners would be remunerated with new houses or compensation according to market price nearby. Compensation categories for villagers are more complicated. The local government not only compensate their houses and lands taken but also fishponds, vegetable plots, trees, and the loss caused by losing lands, their sources of income. If villagers change their *hukou* from rural to urban, the local government should be responsible for

¹⁴ Annual report from the Supreme court of 2013, 2014 and 2015(全国法院司法统计报告)

¹⁵ According to Article 8 of China's law on land administration, land in urban areas is owned by the state; land in rural and suburban areas is owned by peasant collectives, except for those portions of land which belong to the state. The ownership and property are not clearly defined in China's context.

¹⁶ Ho, 2001

paying for the increase in social welfare caused by the transition between two systems. ¹⁷

According to the dichotomy of networks, one may expect little information exchange between urban residents and villagers. My observation, on the contrary, confirms the information exchange between two groups.

As O'Brien and Li describe, local governments who rely on land for revenues may deliberately conceal the law and policies that benefit villagers.¹⁸ Having conflicts of interest with citizens, local governments have no incentives to advocate citizens' administrative litigations against the authority. Instead, they intervene in local judicial systems, pressuring on courts' acceptance of the litigation cases and judges' verdict.¹⁹ But they do not provide any explanation or description of villagers' obtaining legal information. The question remains: How do citizens, who are short of resources from formal institutions, learn and engage the law?

Methodology and Basic Information of Interviewees

To tackle with this question, I undertook a two-month- field study about a group of homeowners in City C, a capital city of an inland province in China. At least before 2013, the municipal government of City C relied heavily on selling lands for revenues. According to news reports, the rate of reliance on lands for revenues was over 100%.²⁰ The situation in City C

¹⁷ Urban residents enjoy urban resident insurance, of which the pay cost standard is higher than the rural insurance. Villagers change their hukou because of the land projects, it is the local government should pay the difference.

¹⁸ O'Brien & Li, 2006

¹⁹ O'Brien & Li, 2004

²⁰ The rate of reliance on land finance = revenue of selling lands/ basic fiscal revenue of the municipal government * 100%

Hongwei Zhang, "the report on the rate of reliance on lands for revenues of 45 cities," Sina.com, <http://finance.sina.com.cn/zl/china/20140516/214119136880.shtml> (accessed February 17, 2020)

makes it perfect place to analyze the unrest instigated by land disputes and popular resistance through lawsuits.

The network of homeowners is loose compared with organizations, which makes it difficult to conduct a large-scale questionnaire investigation. Besides, the potential political risk of being identified by the authority as “organizers” prevents members of the network from open to a stranger so easily. To tackle this problem, I employed the “snowball sampling” method to identify and recruit respondents. By combining participant observation and semi-structural interviews, I collected 24 cases of homeowners who taught themselves law and have pursued administrative litigation with the local government.

I conducted 25 interviews with homeowners in two months. Among them, only one graduated from law school, and the rest has never touched upon law nor got legal training before the land disputes. To gain a better understanding of how citizens who have no prior legal experience use the law, I exclude the one who possessed law diploma from my analysis.

The following is the basic information of 24 respondents.

Table 1. Education level of Informants (N= 24)

Education level	Number of Informants
Illiterate*	1
Primary School	2
Junior High School	8
Senior High School	2
Technical Secondary School	6
Junior College	1
College	4

Note: The informant reported that she “has not read any books” (没读过什么书), and I categorize her into the illiterate group.

Table 2. Hukou of Informants (N= 24)

Hukou	Number of Informants
Rural	18
Urban*	6

Note: Some residents have their *hukou* switched from rural to urban after their lands and house were taken. When the local government takes rural lands, it would transform the land property from collective- ownership to state- ownership. And residents of the land voluntarily or are forced to change their *hukou*.

According to information provided by 24 informants, none of them have had prior legal experience before lawsuits with the local government, no matter civil, criminal or administrative litigations. Though most of them have received the nine-year-education required by the state, only four have college degree, and one got his Junior College degree through continuing education, indicating that the group is not in an advantaged position in the social ladder and, therefore, less likely to have connections with those in power. In other words, they have scarce sources when facing challenges from the state.

As I adopted “snowball sampling” when identifying and recruiting informants in City C. I was introduced by one member of this network and then expanded the reach to other members. In other words, 24 informants can be seen as in the same network even though 16 of them have rural *hukou* and the rest is from urban areas.²¹

²¹ *Hukou* refers to the *hukou* that residents held at the time when they were interviewed. There are cases that villagers’ *hukou* switch to urban *hukou* alongside the land property transforms from collective- ownership to state- ownership. But in some cases, residents can choose whether to change their *hukou*.

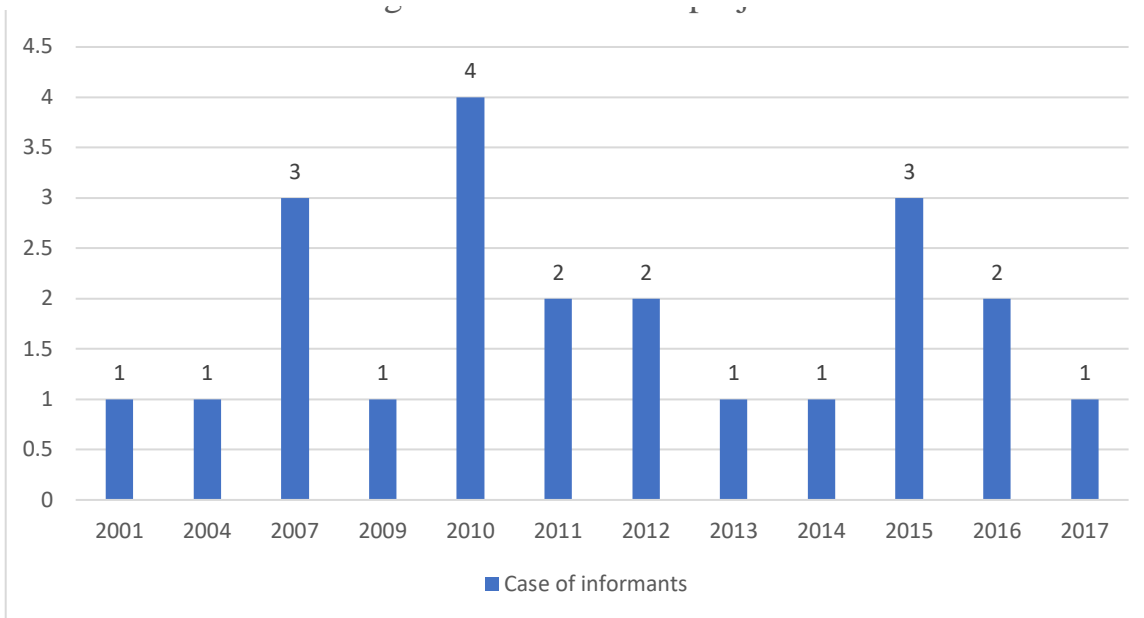
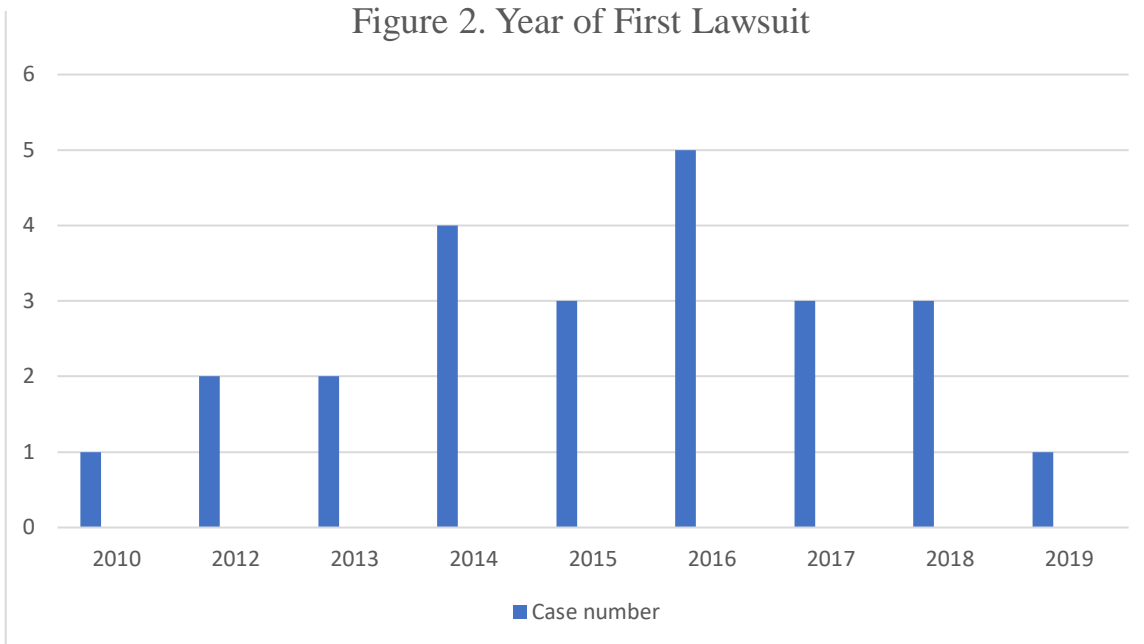
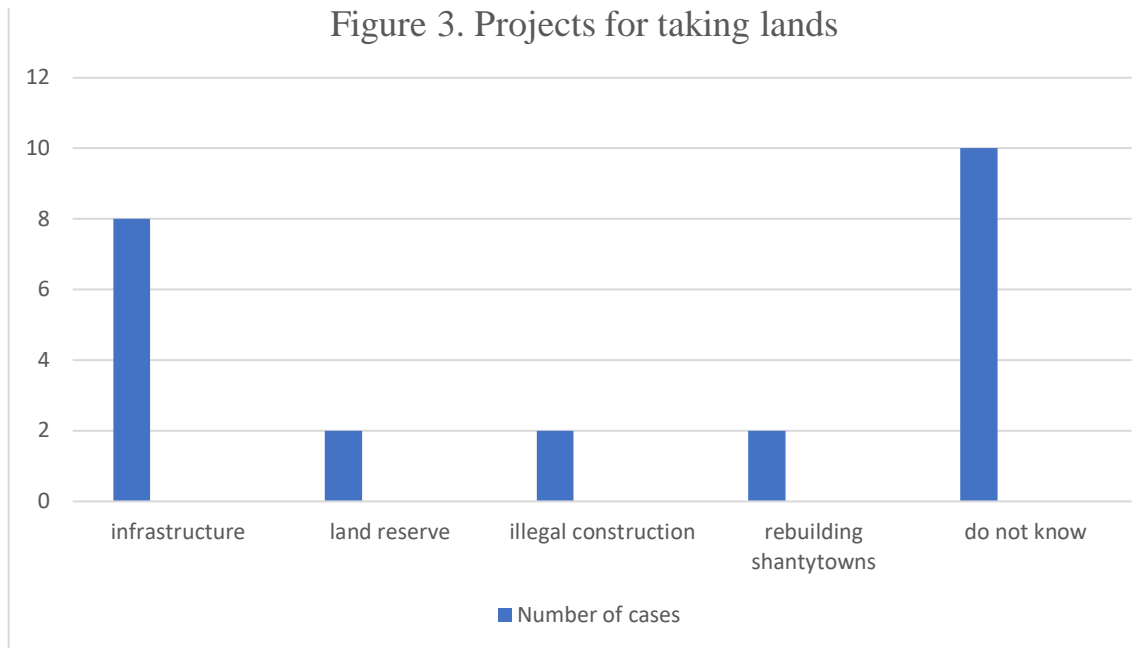


Figure 2. Year of First Lawsuit



The earliest case of land projects is in 2001, the latest one is in 2017. The earliest case for lawsuits, however, is in 2010. Most lawsuits occurred after 2015, which correspond the

informants' description that "a large group of homeowners were mobilized to use the law after 2015."²²



Note: The category "do not know" includes the case of not being informed, vague description of projects from the local government, and not mentioned by informants.

Figure 3 shows projects that the government of City C conducts to take lands. "Infrastructure construction," including building schools, railways and roads, is the mostly used excuse for taking lands. "Land reserve" refers to that the local government obtains and arrange lands through expropriation, land transfer, repossession, purchase and swap for fulfill the supply.²³ "Illegal construction" indicates cases that the local government conduct demolition in

²² In the interviews of J1, J2, S1

²³ "Measures of Shenzhen Municipality on Land Reserve," Pkulaw.com, <http://en.pkulaw.cn/display.aspx?cgid=4fa4b55284c72e1c08d0155507015ba3bdfb&lib=law> (accessed February 17, 2020)

the name of destructing illegal constructions.²⁴ “Rebuilding shantytowns” is supposed to target areas where construction are dense and ill-organized, but it can also serve as an excuse for urban planners to swallow suburb lands.

Disfunction of formal institutions for legal mobilization

Disfunction of formal institutions in resolving land disputes and offering help in administrative litigations pushes homeowners to join the social network. The necessity to know legal rights for better right defense and the inefficiency of *xinfang* system (信访系统), which is the official channel for petitions and appeals²⁵, create the high demand for legal information. Formal institutions, including the government and legal professions, however, fail to meet the demand of homeowners, unlike what they do in labor and environmental disputes. The failure, as a result, drive citizens to join the social network for facilitation.

Demand for legal mobilization

In the discussion of contentious politics and popular resistance, it is an assumption without any explanations that participants understand that their rights are damaged by the authority whenever a policy or governments’ conduct initiates. For example, Tarrow and Tilly define contentious politics as “episodic, public, collective interaction among makers of claims and their objects,” and the word “contentious” emphasizes that participants involving the collective actions understand that their claims struggle with other subjects’.²⁶ The prerequisite

²⁴ <https://new.qq.com/rain/a/20181218B1A4EE>

²⁵ Xi Chen, 2012: 5

²⁶ McAdam, Tarrow and Tilly, 2001: 5

for contentious politics, therefore, is that the claim makers have learned that their interests could be potentially harmed by powerholders.

Table 3. Time Gap Between Land Projects and Aggrievance

Years	Number of Cases
0	13
1 - 3	4
4 - 6	4
7 - 10	2
>10	1

But aggrievances do not spontaneously germinate when the interests damage occurs.

Table 3 shows the years that homeowners took to recognize that land projects violate their self-interests. While most of them were aware of potential damages immediately when the authority announced land projects, there are eleven cases that homeowners understood the interest violation after years. The longest record is 13 years. It is the case of J8.

J8's house and land were taken in 2001 and it was not until 2014 that the family took the first step to resist. The family received the announcement of the project and then the officials came to measure their house on the same day. Within days, their house was torn down.

According to Chinese law, residents should be arranged and accommodated into new houses before the demolition, if their houses and lands are taken for the sake of the public interest. The family has waited for the new house for 13 years. It was not until 2014, when the family cannot tolerate for any longer and J8's father started to petition, that the family realized that the local government's conduct was illegal.

J8: We knew nothing about the law (at that time). They (the local government) asked us to live in temporary housing and wait for their accommodation. We ran a little factory and so we rented other's house to continue our business.²⁷

J8's mother: The house we rented was dismantled in 2004 as "illegal construction," but the government did not accommodate us until 2005. Again, it's temporary housing. We haven't got our new house yet.

Q: Did you go to the local government to make the claim?

J8: No. We know it's useless, and so we waited.²⁸

Without knowing the information of the policy, J8 was not aware that her legal interest had been violated by the local authority's not taking responsibilities. Knowing one's legal right and interest is the prerequisite and foundation for future actions.²⁹ From the case of J8, we can see the necessity for citizens to know one's legal rights for the emergence of grievances.

Another force driving homeowners to the legal system is the inefficacy of *xinfang* system. The lawsuit is not the prior option for homeowners once land disputes occur. The long process, high expenses on lawyers, and large amounts of time invested in learning new information make the lawsuit is extremely costly, especially for citizens with scarce material and social resources. *Xinfang* system is a more popular approach for its relatively lower cost. But the inefficiency of *xinfang* system in solving land disputes and the rising political risk discourage homeowners and push them into legal channels, which is considered as safer and less repressed.

²⁷ When one's land is taken for the public interest, the government is supposed to offer a certain amount of compensation to cover their temporary housing and living(过渡费), but homeowners need to find and rent temporary housing by themselves.

²⁸ In the interviews of A1, A4, J12, J16

²⁹ Gallagher, 2017

My definition of *xinfang* here is slightly different from the conventional usage, that not limits to appealing to the letter and petition bureaus(信访部门) but extends to broader criteria as long as claim makers seek administrative channels for help, including report (举报), complaint (投诉), and meeting officials in person (找干部).

Table 4. Time Gap Between Land Projects and First Lawsuit

Years	Number of Cases
0	4
1 - 3	8
4 - 6	6
7 - 10	4
>10	2

As shown in Table 4, the time gap between the announcement of projects and homeowners' first lawsuits is even longer. Only 5 informants sued the local government right after the land projects were announced. The rest of them chose *xinfang* system first for resolution. But the result is not satisfying: Only one informant solved her problem through *xinfang* system; others, however, reported negative experience. Respondents complained that *xinfang* cannot bring dignity nor solutions to their problems.

The first reason for the failure is the lack of the subject of responsibility. In other words, no specific departments take full responsibility for all aspects of land projects, which is caused by the complex, uneven and chaotic duty allocation among different administrative departments and levels. When the local government starts a land-taking project, it usually solicits officials and employers from various related departments and establishes a temporary bureau to take charge of the project. Once the lands are taken, the temporary bureau would be dismissed, leaving no one or department take the full responsibility for problems created by the project.

For example, J9 first supported the land project for building a new school in 2015, and he was promised a new house and another remuneration if the house is not ready after two years. In 2017, he did not get the new house nor the new remuneration.³⁰ The administrative offices did not offer a satisfying answer but passed the buck:

J9: I first asked the village committee and they told me to ask the “Office of Resettlement” (安置办). The office told me it’s not their business and kicked me out like a soccer ball(踢皮球) to other offices. I followed their advice and went to the “Demolition and Land Acquisition Headquarters”(拆迁征地指挥部) in charge of the territory where I lived. The head of the headquarter, Mr Zhou, said the demolition is now done and why are you coming to us? I replied: “it’s your promise with your official seal on it, and we should get what you promised us. Is your promise wastepaper?” He disagreed and we had a big quarrel. He asked me to go to his supervisor, but he wasn’t there. I was so angry. How could we protect our interests then?

In J9’s case, no government department took the responsibility for dismantling his house and the delay of compensation. But even if the authority responds to homeowners’ claims, they might face the similar challenge caused by the system.

J2 described a similar scenario in which the local government solicited officials from five bureaus and formed a temporary investigation team to deal with villagers’ complaints. After two

³⁰ In China, the property of rural lands is collective ownership. If the local government wants to take rural lands, it needs to transform the property of the land from collective ownership to state ownership with the approval from the central government. Residents’ *hukou* switch from rural to urban along with the property transformation. The local government is supposed to build new houses for them.

months of investigation, the team came up with a report, which villagers found disappointed. The villagers sought help from superior bureaus and the local letter and petition bureau, but their applications were refused by all bureaus because neither of them has the right to reinvestigate and question a report produced by a joint team.

The second and the leading reason for people to abandon *xinfang* is its inefficacy. The number of petitioning cases is linked to the performance evaluations for local cadres, and the petition may bring negative influence on the evaluation, and thus the pressure brought by the petitions sometimes can lead to local officials' concessions.³¹

But even those lucky enough to have their cases heard by senior officials are not guaranteed a happy ending. J7 said her family wrote a letter to Wen Jiabao, the Premier of China from 2002 to 2012, and he replied to ask the local cadres to “compensate the family properly.” The local officials paid great attention at first, and, as a result, her house avoided the destiny of forced demolition for years. But in November 2013, her house was torn down anyway, and the letter was buried under the ruins with their other properties.

Some informants deployed more radical approaches before turning to the legal system: collective actions and “going to Beijing” (上北京)³². The two methods might bring escalating threats to the local authority and thus force them to make potentially bigger concession. However, the local authority might intensify the repression in response. The rising political risks might alter petitioners' actions. As J2 recalled:

³¹ Xi Chen, 2012; Lee and Zhang, 2013

³² *Shang Beijing* means that petitioners go to Beijing to petition. The practice would embarrass the local government and possibly influence their careers. For petitioners, Shang Beijing is an effective way to force the local government to make concession.

We knew nothing at first, so we beat drums and demonstrated in the village, holding up banners. We knew nothing about policies or law. We protested every day, from the village to the district, to the municipal government and the provincial government. The government was under huge pressure, and they arrested some petitioners and put them under custody for more than 24 hours. Some people were scared and then quit the action.

But she did not stop. In 2015, with several villagers, she evaded the local government's monitoring and successfully arrived in Beijing. They planned to sing *The Internationale* in Tiananmen Square to attract attention. The plan was a failure and they were sent back in the end. What welcomed them home was the illegal detention and torture.

J2: Everyone was frightened. They interrogated us day and night. They didn't allow me to sleep. Every time I fall asleep, they would wake me up with loud music. They didn't beat nor physically harmed me, but they forced me to sit on the same chair for entire four days and turned on the air conditioning. It was too cold. They wanted you to surrender and make a confession.

She forever forswore radical methods and moved to the legal system.

In sum, we can observe several driving forces to move citizens from other options to the legal system. Knowing one's legal rights is the basis for the resistance, and the insufficiency of *xinfang* system presses homeowners to the legal channels. The two aspects engender a high demand for legal information. Scholars have argued that the state's projects, media and NGOs

contribute to diffusing legal information.³³ In my study, however, informants reported that they have never received providence of information like legal interests and the legal system from the governments, media or NGOs.

Disfunction of government

As O'Brien and Li describe, local governments may deliberately conceal relevant information about laws and policies that benefit villagers.³⁴ Having interest conflicts with citizens, local governments have no incentives to advocate citizens' legal resistance against the authority and are reluctant to provide legal information and training to citizens. Additionally, homeowners' trust on the authority prevent them from active acquirement of information. As J2 recalled:

As villagers, we knew little about policies, compensations and resettlements and so on (at that time). No local cadres propagated relevant policies. We signed the contracts with the local government, had your houses demolished and then waited for their arrangement.

In J2's case, the village committee did not inform her of her legal rights and proper approaches to appeal if she is not satisfied with the project and compensation. They even concealed crucial information concerning villagers' sources of income. According to the No.60 Municipal Policy of City C, the village collective should be allocated with a piece of land to build factories or warehouses to make profits, partly compensating villagers whose lands are taken. And members of the village collective should benefit from it. But the cadres of J2's

³³ Whiting, 2017; Gallgher, 2006

³⁴ O'Brien & Li, 2006

village concealed the information and sold the land secretly. In 2014, J2 found out that neighbor villages were allocated with lands and then she realized that her and other villagers' interests were damaged.

Informants said that the local officials are reluctant to provide information. Like what A5 said: "How could they promote the law? They would be happy if you know nothing about the law. They can take advantage of that! How could they wish you to learn the law and use the law as a weapon to against them?"

Chinese citizens have high trust in the authority, especially the central government, although less in the local.³⁵ My interviews show that the local authority takes advantage of the trust and persuades citizens to give up resistance by addressing citizens' "moral duties." Local officials told homeowners that projects are conducted for a better good and it was their "duty" to make sacrifice.³⁶ For example, J16 has her land taken in 2010 and she had her first lawsuit after 4 years. She was told by the local village committee members that "the state needs the land" and their sacrifices were necessary:

In 2014, when surfing the internet, I inadvertently came across policies information and then realized that their conduct was illegal.... We didn't know anything like approvals(审批), announcements(通知)and contracts(拆迁合同)at that time.³⁷ And

³⁵ Li, 2004

³⁶ One thing should be noticed is that they sometimes distinguish between "the state" and "the government" but conflate the two when narrating their experience of "being betrayed." In their narrative, "the state" refers to the Center and "the government" is more associated with the local level.

³⁷ Approval: when the local government decides to take lands, especially rural lands, it needs to submit administrative requests to the upper level. It can only take lands with the approval from the upper government. Approval includes transferring arable lands to construction lands and taking lands.

Announcement: the local government is required to inform citizens of land-taking and compensation standards during the land-taking process.

Contract: it is the contract of resettlement and compensation signed between homeowners and land takers. Some informants said that they did not sign contracts, but their lands were taken by the local government.

if you're not happy with the compensation, you can say no. We just didn't know. Whatever they give you, just shut up and take it. They (the village committee and officials) claimed that it was the government's behavior and the state needed the land, so we people must make sacrifices for it. They promised that we would move into new houses after nine months. At first, we trusted them. Only nine months, no big deal. We people must cooperate with the government, right? At the end of nine months, you realized that they are all liars.³⁸

But she waited for four years until her accidental search in 2014. When explaining the reason that she kept silent for years, she attributed it to the “trust”:

Trust, 100 percent of trust. How could the government break its promise? It is impossible that the government would disobey the rules and law. For we common people, the government can never lie.

Disfunction of legal profession

Legal profession frustrates citizens while they are expected use the law to protect clients' interests. As a result, citizens start to learn the law by themselves. An intriguing fact is that homeowners do not hire local lawyers who are supposed to have more connections with local officials and more political resources. Instead, they hire lawyers outside the province. The most crucial reason is that the connections with local officials is a double-edged sword but would be turned against them. Lawyers need to pass the annual qualification examination, which is

³⁸ Also in the interviews of A5, A6, J9

controlled by the local judicial bureau, the exact office representing the local government on the court in administrative litigations. Having their own interests involved, most local lawyers choose not to accept homeowners' cases in the first place.

A2 has some local lawyer friends and consulted them when she confronted the local government with the land conflict, they hesitated and told her “the truth:”

A2: I do have some local lawyer friends, and they said: “You sue the government and we're stuck. You're my friend but I can't help you.” These are what they told me. And because they're true friends that they tell you this. We're never dare to hire a local lawyer.

Lacking trust in local lawyers, some homeowners hired lawyers from Beijing and Shanghai. The cost is a lot higher as homeowners have to pay for lawyers' flights and hotels. But those lawyers did not satisfy them either, not only because of the high expenses, but also unsatisfied results. A2 continued:

Even if you hire a Beijing lawyer, they upset and fool you anyway. It's not to say that they deliberately do so but they're in an awkward situation too. They can't be fully involved to help people confront the government.

Some homeowners who hired Beijing lawyers said that they were suspicious of their lawyers were bought off by the local officials from devoting to their cases. Homeowners complained that lawyers only “do some paperwork and pretending defense” (走过场) but they insist that lawyers should not be blamed but it is a systematic problem, that lawyers and the legal

system are manipulated by the administrative power. Like what A2 said, “It’s the reality. We don’t have independence of justice after all.”

The dismay with formal institutions pushes homeowners to learn law by themselves. Social networks, the informal institution, function as the source to provide information and support to citizens.

Social network as an informal institution for legal mobilization

Social networks are essential for political participation and mobilization in every society, especially authoritarian societies where opportunities are limited, and formal institutions are weak. Citizens in authoritarian societies cannot mobilize like those in Western democracies by participating public protests or establish organizations to resist the authority. Social networks, therefore, is the substitute for citizens to spread information and to mobilize.³⁹ In socialist East Germany, when the formal political participation was oppressed by the authority, personal networks function to recruit new members and provide incentives for citizens to participate.⁴⁰ Even in new democracies like Russia, which still suffers from the totalitarian past, social networks serve as the critical vehicle for the diffusion of democratic ideas and information.⁴¹

As shown above, the failure of formal institutions to meet citizens’ demand for legal information fosters the development of social networks. In the case of homeowners, social networks serve to provide information and support.

Information diffusion

³⁹ Gibson, 2001; Opp & Gern, 1993; Denoeux, 1993; Yang, 1994

⁴⁰ Opp & Gern, 1993

⁴¹ Gibson, 2001

The information spread through networks is not limited to the legal vocabulary or the letter of the law, but strategies, experience of interacting with certain judges and lawyers hired by the government, and even handbook-style instructions to tell newcomers how to operate step by step like the “Handbook for Happy Right Defense” made by J2.⁴²

When a newcomer join the network, the experienced ones usually teach them to start with “information disclosure” (信息公开), that citizens obtain governments information through legal channels.⁴³ For those who have no basic knowledge about law and no time to have a long-term training, “information disclosure” is the easiest administrative litigation to start. And it is the important step in collecting hidden evidence.⁴⁴ Experienced homeowners not only tell newcomers the procedure, legal vocabularies and format to obtain the information, but also what information is crucial for future lawsuits.⁴⁵

One thing should be noticed is that new information brought by members from different groups gradually change the network and increase the multiplicity of information circulated through the networks. Some informants who are seen as predecessors in the network told me that six or seven years ago, they could only gain information about strategies of petition and going to Beijing from the network, when the network members were mostly petitioners. The situation is different now, that most members encourage newcomers to seek help from legal institutions rather than collective actions or petitions. Though informants could not identify the certain time node for the change, most of them agreed that more homeowners turned to lawsuits around 2015

⁴² Also in the interviews of A1,2,4, J1- J17

⁴³ Regulations on Open Government Information of the People’s Republic of China, <https://www.cecc.gov/resources/legal-provisions/regulations-of-the-peoples-republic-of-china-on-open-government>

⁴⁴ Also in the interviews of J1, J2, J6, J8

⁴⁵ Also in the interviews of J2, S1

to 2016 when some prominent leaders had serial lawsuits with the local government, which have influenced larger population (although they never won).

Support

By saying “support,” I do not only refer to material support nor mental help when members are depressed with the failure of lawsuits, but also the one more related to law – collecting evidence. Whenever a forced demolition happens, members would gather around the site. The gathering, on the one hand is a comfort for those be sieged and physically isolated by the local government; on the other hand, it helps homeowners collect evidence about the ongoing demolition. They take videos and photos, call the police⁴⁶, and potentially put pressure on the authorities to avoid misusing violence.

For example, J13 and her family were sieged by the local government for two months in the winter of 2016 as she did not agree to handover the land. Members gathered around her house and stayed day and night. J13 said that most of them are strangers, people she never met, while people she knows for long time, neighbors and villagers, mocked her that “it is impossible to win the government over lawsuits.”

The coalescence of urban and rural ties

Let us explore deeper on which type of social network that prompt the legal mobilization.

Scholars have different ways of categorizing networks. When examining urban migrants’ mobilization and protests in the Middle East, Denoeux categorizes social networks into four categories: patron-client, occupational, religious, and residential. He notes that social networks

⁴⁶ When the police take the case and show up, there would be recorded in paper, which would be used as evidence in the following lawsuits.

help migrant workers in cities “cut across class,” “shelter the poor against the anomie,” and “are valuable sources of aid and assistance.”⁴⁷ Scholars focusing on China suggest *guanxi*, which is a social relationship that is “based implicitly on mutual interest and benefits,”⁴⁸ facilitates information exchange. For Chinese, dealing with strangers outside the family, as Winn argues, is highly risky and unstable. Connecting with promising outsiders and maintenance of family connections constitute a typical Chinese network.⁴⁹ Yan argues that *guanxi* is instrumentalized by the Chinese and extended to people outside the community after the reform due to the decline of villages and traditional social norms.⁵⁰ In terms of legal mobilization, Whiting and Ma suggest that connections with the government contribute to citizens’ legal actions.⁵¹

While I do not deny that *guanxi* serves as an alternative for information and protection when the formal system is inadequate, I found evidence that undermines *guanxi*’s function in land taking cases. *Guanxi*, or connections with governments, may create obstacles for homeowners to take actions.

The local government attempts to quiet homeowners by putting pressure on members’ relatives who work in the “system,” including the government, public schools, banks and hospitals. Homeowner call it “the collective punishment” (连坐制度). Informants told me that they had observed how the local government took advantage of connections to force homeowners to sign the contracts. Wrestling with making claims and protecting family members, homeowners usually find it hard to continue the appropriate defense. Some informants admitted that they gave up seeking help from relatives and friends working in the government for this

⁴⁷ Denoeux, 1993:17

⁴⁸ Yang, 1994: 1

⁴⁹ Winn, 1997: 206

⁵⁰ Yan, 2003: 40

⁵¹ Whiting and Ma, unpublished

reason. For example, S1 skipped this option even if she lived in a community whose residents mostly are civil servants, doctors and teachers. (There is a former member of the municipal political consultative conference in her community. His house was also taken brutally in the name of “rebuilding shantytowns.”)

I know we people and the government are not in equal positions when negotiating. The machinery of the state could target anybody. If I come to someone for help, they would know and push her/him to work on me. There were so many cases in demolitions that civil servants and teachers were forced to leave their jobs temporarily and work on their parents. If their parents insist their claims, they cannot resume their jobs.

A4 is another homeowner who enjoys better political connections compared with other informants. Her husband works in a local branch of a state-owned bank, and she has a relative who worked as a judge in a local court for many years. Her family pursued help from those connections to solve the land dispute but ultimately failed. The connections were even counterproductive as the government employed the connections to against them. As she recalled:

A4: It is not I used guanxi to make them compromise; rather, it is them to use guanxi to make me compromise. They came to my husband, wanting him to solve the problem, which is me...But I never sign the contract.

Q: They used your husband to...?

A4: Yes. He worked in the bank and knows a lot of people (in the system).

Nor the judge relative provided legal assistance. The relative read her case documents, expressed his sympathy and left, without offering any words of suggestions.

Another classification is weak and strong ties. Weak ties refer to link between members from different groups; on the contrary, strong ties are “concentrated within particular groups.”⁵² Weak ties, therefore, diffuse heterogenous information coming from different groups; while information shared within strong ties is homogenous as members are from the same group.

Becker, who also investigates migrant workers, concludes that “rural ties,” defined as traditional kinship ties, provide material support for Chinese migrant workers, while “urban ties,” defined as connections built between workers after they migrate to cities, offer information including legal knowledge and protest strategies.⁵³ Both Becker and Herulin combine weak/strong ties with urban/rural ties, arguing that rural ties rely on dense networks, which are derived from kinships and communities, can launch more massive and more disruptive protests; while residents in urban areas, possess weaker networks but enjoying more resources, mobilize smaller but more frequent demonstrations.⁵⁴

My observation of the network of homeowners, however, challenges this dichotomy, that urban and rural groups work collaboratively in solving land disputes by using the law. Two aspects undermine the dichotomy of urban/weak ties and rural/ strong ties. The rapid urbanization and migration have been eroding and cracking down communities based on kinship and blood. Besides, the younger generation may not enjoy the dense social networks as their

⁵² Grannovetter, 1973: 1376

⁵³ Becker, 2012

⁵⁴ Becker, 2012; Herulin, 2016:11

parents do because of the one-child policy, which limits Chinese families' reproduction. Then what the social network of homeowners in City C looks like?

From my observation, urban and rural ties integrate as residents share the same problem and experience: confronting the powerful authority and protect their land interests. Let me give an example of how the coalescence works.

One day I attended a small group discussion that two informants taught a newcomer and his family how to appeal for public information disclosure. One informant is raised in urban areas, and the other had been a rural resident but moved to the city after her lands were taken by the local government. Policies and laws for urban and rural land property are different, as they told me and the newcomer, the strategies and experience to use the law, however, are pretty much the same. They asked the new member to search the government websites and solicit useful information like legal procedure for land-taking, and then monitor the government's conduct step by step accordingly. "When you find their flaws, sue them, and the court will ask them to offer evidence to deny your prosecution and legalize their conduct. In administrative lawsuits, it's the defendant who should provide evidence, not you. Then you can exploit their evidence, in return, to prove that they were wrong," one said.

"And (if you want to submit evidence,) don't offer too much evidence to the court. Keep them simple and clear." The other added.

The information exchange is more frequent and can reach broader in and after court hearings, comparing with private discussion. Homeowners who had no access to legal information did not know the difference between urban and rural land property system at the first place. To enlarge information sources, they attend all courts sessions related to land disputes, which, as a result, enable two groups interact, exchange information and congregate. For

example, J12 claimed that he went to any court hearing related to land conflicts, no matter urban or rural land lawsuits:

Q: Did urban homeowners come to your courts?

J12: Yes.

Q: And you went to hear their cases?

J12: Yes, I went to all the court hearings at first. I didn't know anything about law, so I listened to what judges said, how lawyers debated, and then wrote them down.

Q: Then you know there are two systems?

J12: Yes.⁵⁵

In sum, the network in my research connects city dwellers with villagers. The network is not limited within particular groups but expand from one to the other. It is also different from *guanxi* which relies on political connections with the authority. The network is built by citizens with scarce resources and on a shared claim that they confront with the local government for land properties and compensations. In the next section, I will provide details explanation on how the coalescence emerges.

Process for the coalescence

Let us move to the establishment and development of the network. This section will demonstrate how citizens from urban and rural groups interact and build the network. Physical

⁵⁵ Also in the interviews of J1, J7

spaces like courts, extension of networks and the internet play crucial roles in the development of the network, as well as the promotion of legal mobilization.

Attending court hearing

The court hearing is one of the essential ways for homeowners to acquire legal information and a chance for people with similar experience to congregate.

The repression from the government to quiet potential collective actions and the inefficiency of formal institutions to offer help pushes homeowners to other options.

Homeowners would go to court hearings to learn what others do, that creates an opportunity for citizens from different groups to meet and interact with others. One informant, J1 (he has urban *hukou*), told me that he met J2 (she is a rural resident) and A4 (she has rural *hukou* but lived in urban areas) through attending court hearings. After meeting twice in the court, he said, A4 invited him to join the online chatting group founded by J2. When explaining the reasons that they built trust so quickly, he said:

This group of people has empathy. We are bitter gourds on the same vine.

Everyone's life is tough. So, every time, after the court hearings, we are open to others and exchange true information.⁵⁶

Furthermore, court hearings function as a place for the network to identify and recruit new members. For experienced homeowners, attending court hearings means one at least has the intention to use the law as a weapon to defend one's rights. They agree that the awareness of the law and interests matters. No more investment in raising awareness is needed. J1 continued:

⁵⁶ Also in the interviews of J2, J4, J8, J10, J16, J17, S1

We usually meet (newcomers) in courts. You can tell that those who actively attend the court hearings have the awareness to learn law. In our words, it's teaching (帶). Experienced ones teach new ones. Teach them the experience and strategies from others and myself.

What's more, courts provide safe physical spaces for members to congregate and exchange information. In China, the state has placed tight control on organizations, making any form of gathering risky for dissidents.⁵⁷ J2 founded a small study group in 2016 and members of the group met routinely and discussed the law, policies and strategies. They even had an insider in the system to share the strategies of how to deal with the police. The group was dismissed by the government after six months. But the gathering in courthouses for hearing is more tolerated by the authority.

Introduced by others

The proliferation of the networks of homeowners is also attributed to the expansion of members' social networks built before the land disputes. In some cases, homeowners were introduced by their friends or relatives into the network.

In July, when I was meeting with J1, J2 and their friends, a network member brought a farmer from another city to J2's home. The farmer said the village committers has a project to build a market and all villagers could benefit from the revenue generated from the market. He was unhappy with the revenue allocation. After asking him some questions about property certificates, they realized that the farmer did not know anything about the law. His claim was

⁵⁷ Fu, 2016

based on his assumption rather than grounded in evidence. The farmer assured J2 that he does not have the certificates to claim his ownership of the housing land. J2 asked him to “take your ID and pull documents and records from local archive bureaus.”

Unlike those joining the network by attending court hearings, newcomers who are introduced to the network by other members sometimes do not meet the requirement of “potentials”(有潜质). In other words, the experienced ones think the newcomers have no initiatives. As J6 recalled:

J6: A lot of people came to me and sometimes six or seven a day. But only five out of ten would ultimately go into the court and file the case. I may be a little harsh, but peasants sometimes are cowards.

Q: They only act when forced?

J6: So sometimes I just refuse to help because it doesn't work even if I offer help. They even can make troubles for you.

J2 has a similar argument that some newcomers introduced by others are not “relying on themselves.” She talked about the relationship between experienced ones and newcomers:

I asked them (newcomers who came to her for help) to attend court hearings. I said to them yesterday, if you want to solve your problem through legal institutions, you must go to court hearings. I told them what they should pay attention during the proceedings. They won't know unless you tell them as they don't have the awareness... Many people kept asking you questions but it's another thing when they take real actions.

Some people never do anything but wait. And then I would shut the door if they come to me again. It's a waste of time.

New technologies

Joining into online social media groups, like Wechat groups, is another way of getting into and enlarging the network. Being invited into the online group always associates with the first method—attending court hearings. The internet dismisses limits of geographic spaces and connects individuals from distance. Homeowners take advantage of the internet to enrich approaches of interactions. Members within the group have the chance to communicate with members from the whole country, that forms a larger network. For example, A5 was informed of the existence of online groups after her attending court trials several times and one member of the group invited her in:

A5: We usually visited court trials, and people know us well. As long as we follow the rules of the group, do not send fake news or misdirecting information, learn law from others, the manager of the group won't kick you out. We've joined in various online groups and we can learn different things from them.

The connection built online could reproduces more connections. J2 and her mentor met online when she went to Beijing for petition. After talking to him about her problem and legal issues, she decided to invite him to City C. He stayed in City C for couple of days and tutored some other homeowners including J7. Her mentor took her outside to other places like Shanghai and Qingdao, meeting members from other networks.

Improving individual efficacy

Citizens utilize social networks promote legal mobilization, and in turn, citizens' understanding of the law, the state and themselves are reshaped by social networks and legal mobilization. In my research, I observe positive changes in homeowners' evaluation of the individual efficacy. The improving individual efficacy can be captured by two aspects: the rise of legal awareness and more equal individual position in citizens' understanding of their relations with the state.

Rising consciousness

As a consequence of legal mobilization, citizens' understanding of the law, rights, and relations between themselves and others are reshaped by the law, that is the right consciousness.⁵⁸ Scholars have long debates over how to understand citizens' legal resistance.⁵⁹ O'Brien and Li are optimistic about Chinese villagers' "rightful resistance" as the law transforms their perception of the government, political identity, power, and responsibilities. They argue that the rightful resistance may bring political changes because "they(villagers) are acting like citizens before they are citizens."⁶⁰ While Perry questions the rising notion of "the right consciousness," pointing out that Chinese resistant merely construct their appeal with "officially approved terms" for a better deal.⁶¹ My research provides evidence for both two analysis of Chinese citizens' legal resistance and consciousness.

Some informants see lawsuits as a strategy to make the local government to make concession. For example, J5 described the lawsuits as one of approaches to solve the problem:

⁵⁸ McCann, 1994

⁵⁹ Li, 2010

⁶⁰ O'Brien & Li, 2006:119

⁶¹ Perry, 2009

You have a lot of methods to defend your interests. Writing articles online, petitioning, and lawsuits. Those are all methods to put pressure on the government. Methods to solve my problem.

While others point out that the lawsuit is more than a merely strategy. They believe that law could limit the administrative power to some extent. J10 told me that she once heard a court trial of a homeowner suing the local government for “intercepting petitioners”(截访). The judge asked the plaintiff not to appeal:

I saw the judge tell him not to appeal and promised that they would take him to travel and have some fun⁶². Then I realized that appealing must mean something to them (the local government), otherwise they would not beg him not to appeal.

If the law could influence and regulate the government, as informants indicated, then learning and using the law is meaningful and valuable, as well as promoting the rule of law and improving the legal environment. The lawsuits on the one hand facilitate the consolidation of evidence and disclosing the government’s abuse of power; on the other hand, it would restrain the local government’s power as it does not want to be embarrassed by publicizing its corruption and misconducts. Like J16 stated:

⁶² That was the local officials attempting to bribe the plaintiff to give up appeal.

*I made my contribution to the rule of law... The government is corrupt, and the legal system is not independent. But if every Chinese knows the law and uses the law, I'm sure that the government would not abuse power. It is because we people know nothing about the law that they can do whatever they want.*⁶³

Some even consider it is their duty to document evidence for history and to create a better world for the next generation. If their children live in the country with the same or worse legal system, as informant J13 claimed, the miserable future is the product of today's silence.

Reconstruction of relations between individuals and the state

The generation of the awareness leads the reconstruction of homeowners' understanding of their relations with the state. The legacy of the socialist period, when every individual was the subject to the collective, continues to work and shape citizens' understanding of rights and duties of individuals and the state. Homeowners, especially the old generation born before 1980s, internalized the idea that one should make some sacrifice for the state's need.⁶⁴

The state, according to Tilly, is centralized organizations dominate chief means of violence within a population in a particular territory.⁶⁵ But who can represent the state? In most cases, the one representing the state to negotiate with homeowners is the village committee (rural)⁶⁶ or the demolition headquarter (urban)⁶⁷. For example, when J9's land and house were

⁶³ Also in interviews of J1,2,6,12,13,14,16, S1

⁶⁴ Also in interviews of A6, J2, J9, J14, J16

⁶⁵ Tilly, 1985:170

⁶⁶ According to Chinese law, the village committee is the political body for village autonomous management. But in real practice, the committee is treated as the lowest level of the administrative system.

⁶⁷ The demolition office is a temporary office in charge of demolitions of a certain territory. The officers are usually solicited from other departments, and the office would be dismissed after the demolitions.

included in the land-taking project in 2015, he was told by the village committee members to cooperate:

(We didn't know why they took the land.) Someone said that the land was for building a school. The village committee members came to my house and asked me to cooperate and told me some big words like "the land-taking is a good thing," "it will benefit your life," or "people should cooperate with the state's construction," something like that. I used to support the state's need and the government, but (now I don't).

As addressed in the former sections, the local authority deploys the moral duty of making sacrifice for the state to push homeowners to sign contracts. Through legal mobilization, homeowners start to reweigh the position of the state and individuals, that it is not citizens' responsibility to sacrifice their interests for the state's needs, nor the state can do anything without restrictions. Homeowners see themselves in a more equal position with the state than before, and it is citizens' responsibility to limit the state power rather than merely to make concessions. Like A4 said, "it's our own fault to indulge the government." One example to illustrate this change is the transformation of means that citizens practice to solve disputes. In the words of J17:

I used to think the government and the court were beyond me. If someone go into the court, the situation must be way worse than they're sent to hospitals. Many of my relatives still do like this. I told them that if they are in trouble, call 110 (the emergency number, like 911 in the US). But it's too hard for them to call the number. But recently things are getting better and more people have legal awareness. (I heard of) some

government officials laughed at us that Chinese ordinary people (老百姓) are accustomed to being repressed and never know how to make claim about their own rights.

The reconstruction, to some extent, facilitates the disillusion with the state, that, in return, bolsters the proliferation of political participation. Lawsuits bring more dignity compared with methods like *xinfang*, where the authority is more powerful and can arbitrarily decide whether to take petitioners' case. J1 compared petitions metaphorically to the "floating bottle"(漂流瓶) that one has to rely on her lucks for the government's responses. Lawsuits, on the contrary, empower citizens by forcing the two sides into relatively equal positions, at least in form that the plaintiff and the defendant sit equally and are given the same amount of time for expression and debate on the court. And citizens could utilize the chance to vent their anger. In other words, lawsuits offer them "a place for debating the truth"(一个讲真理的地方) and "a chance for equal talk"(一个公平对话的机会).⁶⁸ Seeing themselves as more equal with the state, homeowners overcome the fear of confronting the authority, that encourages more legal actions. The administrative litigation is the approach not only to solve disputes, but also to empower citizens confronting the state.

J5 sued the State Bureau of Letter and Petition in 2017 but her case was refused by the Beijing Intermediate People's Court. She appealed the case to Beijing High People's Court:

⁶⁸ In the interviews of A4 and A5

*Beijing Intermediate Court did not accept my case, but the law demands that all people's courts should accept cases. That's my reason. I will definitely win. The Beijing High Court will let them lose the case. Isn't funny? I can see the vice premier on the court.*⁶⁹

The transition from cooperating with the government to suing the government reflects not only that citizens desire to change the unbalanced power allocation but also that they are fighting for more space, opportunities and powers to regulate the authority.

Adversity about legal system

Nonetheless, the rising individual position in citizens' understanding of the relations of the state and individuals does not necessarily mean more equality in real world. Citizens are still in disadvantage in Chinese legal system. Social networks encourage more legal actions but do not improve the chances for homeowners to win. The authority's manipulation of the legal system leads to homeowners' increasing negative feeling about the legal system.⁷⁰

The local authority sometimes encourages local courts to accept homeowners' cases and speed up the process, which is not to regulate the governments but to legitimate the demolition. In 2011, Chinese government issued new policy and the power to conduct forced demolition was given to the courts. The local government can appeal to the courts and require the courts to conduct the demolition. In other words, if homeowners lose the cases, the courts have the right to

⁶⁹ Chinese law requests the chief of the administrative department, representing the defendant, to attend the trial. But in real practice, chief's attending the trial is rare. J5 made a mistake in her description. The director of the State Bureau of Letter and Call, Shu Xiaoqin, is the secretary general of the State Council, not the vice premier.

⁷⁰ In the interview of J2, J12.

demolish their houses. In reality, however, local governments still play the leading role in the forced demolition, and the lawsuit merely serves to legitimate the demolition.⁷¹ One informant offered me a copy of an internal meeting minute of a local demolition headquarter, which reveals how the local government maneuvers the legal system.

二、下周工作计划

1、继续加大思想工作力度，全面上户，密集安排司法强制拆除计划（计划4月14日安排廖明放），争取每周有强拆对象，每周有形象进度，通过强拆，力促签约，稳步推进扫尾工作。

2、综合施策，加大催搬催拆综合整治的力度，力争新签协议的对象都在一周时间内倒房。

3、继续加快限期腾地程序的力度，及时与国土局拆迁科的对接，确保按时点推进限期腾地程序，同时加大与法院的对接，特别是13户有可能上诉中院，及时与区法院、市中院沟通对接，及时立案、及时开庭审理，及时判决，主动协助法院及时送达判决书。

The internal meeting minute, 2016

In the minute, it wrote:

⁷¹ Zhan Shu, "Local governments should stop their illegal demolitions," People.com, <http://opinion.people.com.cn/n1/2016/0621/c1003-28465672.html> (accessed February 17, 2020)

1. Do more ideological work. Arrange intensive legal demolitions. Make sure that there will be houses to be demolished every week, and there will be visible progress every week...

....

3... Cooperate closely with courts. Pay attention to 13 households who likely appeal cases to the intermediate court. Contact the district court and the intermediate court. Make sure the courts accept cases, hold trials and make decisions as soon as possible. Facilitate the work of sending decisions to those families.

Although the headquarter did not intervene the judges' decisions directly, it was confident that courts would make decisions favoring the government. The manipulation frustrates homeowners with the legal system. For example, J13 said her lawsuits did not stop the forced demolition but legitimated the demolition:

I feel that the lawsuit is their trap. I feel like that I cooperate with them to conduct legal forced demolition. You just cannot win the case! Evidence shows that our lands were taken to do business development. But according to the law, you cannot demolish our houses if the project is not for the public interest. But we lost the case anyway.

Exceptions: Conditions that social networks cannot prompt legal mobilization

This is not to say that the network is perfect in deceiving the authority and providing support, on the contrary, the network suffers from a host of internal problems, weakening its

contribution to the legal mobilization. The regime never stops the effort to crack down any form of civil society, including formal organizations and social networks. The authority employs the internal conflicts to quiet opinion leaders in the network and weaken the influence of the network. In this section, I will discuss three conditions that would undermine contributions of social networks to legal mobilization.

Factions and Internal Conflicts

The network I studied is not a united and orderly one but full of internal conflicts and various factions. The factions, partly initiated by interest conflicts, are mainly the product of disagreements on ideas. J1 described the conflict between one group led by J2 and another that the core issue is the attitude towards petitions. J2 dampens petitions and insists on institutional methods like lawsuits. Another group, however, sees petitions as merely one approach that can be employed to put more pressure on the government. J1 complained that the conflict heavily hinders the information diffusion:

Some people just don't exchange information with you (because of factions). For example, people in the group I mentioned before never share their case documents with others and are isolated from different opinions.... The result is not good. The less you interact with others, the less you can get from others. You're trapped in a limited space. So, you have to keep suing and appealing but never get your problem resolved.

The local government sometimes takes advantage of internal disputes to crack down or at least undermine the network. J2 envies the way that homeowners in Zhengzhou practice learning the law, as they have a place for routine aggregation and discussions. She continued with the

complaints that City C lacks the ground for the organizational promotion of the law as “people are capricious, cheating and back- stabbing each other”(勾心斗角). She was upset by and tired of rumors created by others from different factions. Her mentor was worried and warned her of potential sabotage and harsh measures from the government.⁷²

Betray & Mistrust

As shown in the former sections, the network merge urban and rural groups that permits the spread of information to a larger scale. Yet it can bring problems too. The lower barrier for membership determines that the network cannot filter candidates in the first place and expel those betraying the network. A4 once had a small group of learning law in 2016 and the group was dismissed soon as someone inside cooperated with the local government. During the interview, she complained how hard it is to trust others again:

They (the government officials) told me that I would be arrested if I'm not with high quality(高素质). I know that I would be put into jail if I do anything wrong, even trivial things. I know someone was sentenced for two years. He identified others as “leaders” even though he doesn't know them!! How dark the humanity is!!

To avoid being sabotaged and cheated, network members hold prudent attitude when meeting newcomers. They do not diffuse information actively; on the contrary, they only tell when asked, passively circulating the information, that significantly increase the cost for newcomers to build connections and gain support from the network.

⁷² Her mentor was from Zhengzhou and was one of the prominent leaders of the local expressed of homeowners and law- learners. He passed away on June 4th of this year. According to J2, the last thing he concerned about was her safety. Even several days before his death, he had kept asking her questions to make sure that she was safe.

Shangan(上岸)

Shangan means going ashore, indicating that homeowners solve their problems, sign deals with the local government, and leave the network. According to informants, those who are experienced, talented and prominent leaders can have the chance to *shangan*. The local government, to avoid more trouble and quiet possible collective actions, would identify experienced ones and reach a deal with them. The deal, however, does not come without any preconditions: Those homeowners are required to keep silent about related issues and cut the connections with the network. Informants called this confidentiality agreements. If they ignore the precondition and continue their work of promoting the law or providing advice to network members, the government would have a legitimate excuse to arrest them.⁷³

The network, on the other hand, closes to those members when they have the deal with the local government, suspecting them to do espionage job for the authority. It is an accepted rule in the local network that members should leave once their problems are solved, otherwise, they must have some dirty secret jobs.⁷⁴

For two reasons listed above, those *shangan* members tend to avoid getting involved in the network and related issues and stop accepting newcomers who come to them for information. The continuity of information diffusion is challenged by the dilemma that the most experienced ones possess the most knowledge, strategies and experience, but they are forbidden to publicize the information.

⁷³ In the interviews of J1, J2, J7, S1

⁷⁴ In the interviews of J1 and J6

Nonetheless, the channel is not entirely closed. S1 *shangan* in 2017 and she signed the contract after seven years of resistance. She stated that she keeps in touch with some good friends:

I don't really disappear from the network. I'm still concerned about the network and the law. But do things in the way what I used to do, well, I don't dare. Another reason, you won't pay much attention as you are out of all problems. I don't want to be arrested. But if someone call me and ask questions, I will answer anyway.

But people calling her are mainly her friends that she met during the seven years. Most *shangan* members only circulate information in small groups connected by strong ties, halting the network to function and limiting its influence.

Conclusion

In authoritarian countries like China, where civil societies are under tight control by the regime. Citizens are deprived of ample opportunities for political participation. Legal mobilization is the critical chance for citizens to claim legal rights and resist authorities. Social networks elicit legal mobilization by diffusing information and providing supports to members.

My research challenges the conventional scholarly works on social networks in Chinese society that urban/ weak ties lead to more legal actions while rural/ strong ties lead to collective actions. The network of homeowners in City C is built on shared experience of land disputes and between urban and rural groups. The network connecting two groups expands via various ways.

Citizens attend court hearings for more legal information, and court hearings creates chances for connections emerging and developing among people who never meet before land disputes.

Citizens can also be introduced to the network by their friends and relatives. New technologies contribute to the expansion of the network as well.

In real world lawsuits, the information diffusion and supports from the network do not increase citizens' winning rate in administrative litigations concerning land disputes.

Nonetheless, social networks which mobilize citizens to use the law bring positive changes to citizens in the society where formal institutions are weak. Legal mobilization empowers citizens to protect legal rights and pursue more equal position in the relations with the state.

The authority manipulates the legal system and takes advantage of internal conflicts to restrain the development of networks. It is less risky for activists and ordinary citizens to launch resistance through social networks, but it does not mean that the state has high tolerance on that. In the last week of my field study, one key informant was arrested by the local police for the crime of "disrupting public order." She is one of the prominent leaders in the network of homeowners and has helped a lot of newcomers with learning the law. The arrest made members nervous and they abandoned some planned discussion and meetings. But the arrest does not entirely crack down the network of homeowners in City C, as the network is not controlled by a group of people. In other words, the network and the information and resources circulated are not centralized to limited holders.⁷⁵ The network continues to work even if its prominent members are quieted by the authority.

⁷⁵ For more about centralized networks, could see Padgett and Ansell's analysis of elite networks in Florence during 1400 to 1434.

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