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**Petitioning Beijing:**  
**The High Tide of 2003-2006**

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**Petitioning Beijing:**  
**The High Tide of 2003-2006**

**Abstract**

What precipitated the 2003-2006 “high tide” of petitioning Beijing and why did the tide wane? Interviews and archival sources suggest that the wave of petitioning was a response to encouraging signals that emerged when Hu Jintao and Wen Jiabao adopted a more populist leadership style. Because the presence of tens of thousands of petitioners helped expose policy failures of the previous leadership team, the Hu-Wen leadership was reasonably accommodating when petitioners arrived *en masse* in Beijing. Soon, however, the authorities shifted toward control and suppression, partly because frustrated petitioners employed disruptive tactics to draw attention from the Center. In response to pressure from higher-ups, local authorities, especially county leaders, turned to coercion to contain assertive petitioners and used bribery to coax officials in the State Bureau of Letters and Visits to delete petition registrations. The high tide receded in late 2006 and was largely over by 2008. This article suggests that a high tide is more likely after a central leadership change, especially if a populist program strikes a chord with the population and elite turnover augments confidence in the Center and heightens expectations that it will be responsive to popular demands.

**Petitioning Beijing:  
The High Tide of 2003-2006**

A “high tide” of petitioning Beijing commenced in the summer 2003 and lasted three years. At its peak, thousands of petitioners arrived from all over the country every day, and many stayed in the capital for weeks or even months. It was estimated by police officials that for much of these three years about a quarter million petitioners were actively seeking audiences at “letters and visits” bureaus and other offices. To cope with the deluge, central authorities issued a new regulation on petitioning and stepped up pressure on local authorities, who in turn ratcheted up the level of repression against many petitioners. Owing to concerted efforts by central and local authorities, the high tide began to recede in late 2006 and was largely over by late 2008.

Western journalists stationed in Beijing observed the growing number of petitioners coming to the capital.<sup>1</sup> Human rights watchers highlighted personal stories and the despair of many petitioners.<sup>2</sup> Chinese analysts attributed the upsurge to factors such as social injustice, corruption and an ineffective legal system.<sup>3</sup> Policy researchers debated whether the petition system should be restructured or merged into the people’s congress *xitong*.<sup>4</sup> Many questions

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<sup>1</sup> Jim Yardley, “Chinese appeal to Beijing to resolve local complaints,” *New York Times*, 8 March 2004, p. A3; Edward Cody, “China’s land grabs raise specter of popular unrest,” *Washington Post Foreign Service*, 5 October 2004, p. A1.

<sup>2</sup> Sara Davis, Christine C. Goettig and Mike Goettig, “We could disappear at any time: retaliation and abuses against Chinese petitioners,” *Human Rights Watch*, Vol. 17, No. 11 (New York: Human Rights Watch, 2005).

<sup>3</sup> Xu Zhiyong, Yao Yao, and Li Yingqiang, “Xianzheng shiye zhong de xinfang zhili” (Petition management from the perspective of constitutionalism), *Gansu Lilun Xuekan* (Gansu Journal of Theory), No. 3 (May 2005), p. 16.

<sup>4</sup> Yu Jianrong, “Xinfang zhidu gaige yu xianzheng jianshe” (The reform of the petition system and the construction of constitutionalism), *Ershiyi shiji* (The Twenty-first Century), No. 89 (June 2005), pp. 72-78.

about the “high tide,” however, remain to be addressed. In addition to deeply-rooted sources of popular dissatisfaction, most of which were scarcely new, what precipitated a sudden increase in petitioning? How did petitioners pursue their claims? How did central and local authorities deal with and ultimately contain the high tide?

Drawing on interviews and archival sources we consider these issues. We start with a brief history of capital appeals. We then explore how leadership turnover in 2002-2003 triggered the high tide. Next, we describe why and how petitioners moved from normal to “non-normal” (非常) tactics. Finally, we examine how central and local authorities worked together to contain the influx of aggrieved individuals, and how a continuing power struggle offered an opening and altered the usual rules of the game, however briefly. The analysis suggests that increased petitioning may be more likely after a central leadership change, especially if a populist program strikes a chord with the population and elite turnover augments confidence in the Center and heightens expectations that it will be responsive to popular demands.

## **Petitioning Beijing**

“Petitioning Beijing” (上访) is an activity in which ordinary individuals, on their own or as the representative of others, come to the Capital to seek redress of grievances derived from their dealings with local authorities. The practice has a long history in China, with some historians tracing it back as far as the Zhou Dynasty (771-246 BC).<sup>5</sup> Popularized in folk tales, operas and novels, “petitioning the emperor” (上访) is a deep-seated tradition. Legends and historical accounts of successful petitioners typically include three elements: innocent

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<sup>5</sup> Qiang Fang, “Hot potatoes: Chinese complaint systems from early times to the Late Qing (1898),” *Journal of Asian Studies*, Vol. 68, No. 4 (November 2009), p. 1106; also see Jonathan K. Ocko, “I’ll take it all the way to Beijing: capital appeals in the Qing,” *Journal of Asian Studies*, Vol. 47, No. 2 (May 1988), pp. 291-315.

individuals suffer an injustice and cannot obtain redress from local authorities; they endure numerous ordeals and the indignities of the capital appeal process, oftentimes braving torture or death; they end up winning favorable intervention from a wise emperor or his loyal and upright underlings.<sup>6</sup>

The Chinese Communist Party (CCP) has inherited and built on this tradition of appealing to those at the top to clear up problems left unresolved by local authorities. The issuing of the “Resolution on Handling People’s Letters and Receiving Visitors” on 7 June 1951 was an early sign of the CCP’s adoption and transformation of the practice of allowing ordinary people to bypass local officials and contest decisions they found unjust.<sup>7</sup> Through what Kathleen Thelen calls “institutional conversion,” the practice of making capital appeals evolved into the institution of petitioning the Center.<sup>8</sup> The focus of complaints shifted from a distracted, distant ruler to a broadly defined “Center” (中心), as petition offices (usually known as “letters and visits offices”) were set up by nearly all national-level authorities, including the Party Central Committee, the State Council, the National People’s Congress, the People’s Political Consultative Conference, the Supreme People’s Court, and the Supreme People’s Procuratorate. At the same time, the system was extended downwards, as parallel offices were established at the provincial, prefectural and county levels. Institutional conversion was largely completed in the 1990s. The promulgation of the State Council’s “Regulation on Letters and Visits” in 1995 turned the practice into a quasi-institutionalized channel of dispute resolution. The regularization of petitioning reached a new level in February 2000, when the Letters and Visits Office of the

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<sup>6</sup> *Yang San Jie Gao Zhuang* (杨善杰高庄) is probably the most well-known drama on petitioning the imperial court.

<sup>7</sup> Diao Jiecheng, *Renmin xinfang shilue* (A brief history of people’s letters and visits) (Beijing: Beijing jingji xueyuan chubanshe, 1996), pp. 31-36. For the text of the Resolution, see pp. 349-50.

<sup>8</sup> Kathleen Thelen, “Timing and temporality in the analysis of institutional evolution and change,” *Studies in American Political Development*, Vol. 14 (Spring 2000), pp. 102-109.

General Office of the Central Committee and its counterpart in the State Council were merged into the State Bureau of Letters and Visits (SBLV) (信访局).<sup>9</sup>

In the course of building an infrastructure to handle complaints, the CCP also adjusted the meaning of capital appeals. Above all, now that petitioners are citizens of the People's Republic rather than subjects of an emperor, petitioning the Center has been recognized as a constitutional right (1975 Constitution, Art. 27; 1978 Constitution Art. 55; 1982 Constitution, Art. 41). Second, petitioning Beijing is arguably an expression of loyalty to the regime and an act undertaken by a good citizen, insofar as the current petition system was designed to help central leaders monitor local authorities as well as prevent and clean up forms of misconduct that could damage regime legitimacy. Lastly, petitioning the Center has gradually come to be seen by some as a fast-track to justice rather than a desperate last resort.<sup>10</sup> This has occurred in part because the party's propaganda apparatus has regularly highlighted how much attention top leaders pay to letters and visits from the people.

This long history and political remaking of the petition system help explain why individuals have continued to lodge complaints at the Center since 1949. The massive outpouring of petitions in a short stretch of time (2003-2006), however, appears to have had a more direct cause: power struggle at the top.

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<sup>9</sup> On the origins and evolution of the post-1949 petition system, see Xi Chen, "Collective petitioning and institutional conversion," in Kevin J. O'Brien (ed.), *Popular Protest in China* (Cambridge, MA: Harvard University Press, 2008), pp. 54-70; Laura M. Luehrmann, "Facing citizen complaints in China, 1951-1996," *Asian Survey*, Vol. 43, No. 5 (September-October 2003), pp. 845-66; Carl Minzner, "*Xinfang*: an alternative to the formal Chinese judicial system," *Stanford Journal of International Law*, Vol. 42, No. 1 (Winter 2006), pp. 103-79; Yongshun Cai, "Managed participation in China," *Political Science Quarterly*, Vol. 119, No. 3 (2004), pp. 425-51.

<sup>10</sup> There are good reasons for this belief. In one study of 644 cases, "high-level petitioning" was 13.8 times more likely than petitioning without this tactic to obtain a "procedurally effective response." Xi Chen, "The power of 'troublemaking': protest tactics and their efficacy," *Comparative Politics*, Vol. 41, No. 4 (July 2009), p. 466.

## The High Tide and Central Leadership Turnover

Petition offices in Beijing, after experiencing four earlier “high tides” from 1955-57, 1962-66, 1972-75 and 1978-80, enjoyed relatively quiet years from 1985 to 1992. Although long-time petitioners continued to pursue their claims, the number of first-time visitors did not increase markedly. The only striking development at this time was a noticeable jump in collective, group petitions after 1984. In the first eight months of 1985, the SBLV received 58 groups of petitioners (including 782 participants). The number of groups then almost tripled in the same period of 1986, reaching 143 groups (including 2,617 participants).<sup>11</sup>

A more alarming trend appeared in 1993, when new visitors began to increase. At first, aggrieved villagers came to lodge appeals about excessive taxes and fees, cadre corruption, rigged village elections and land expropriation.<sup>12</sup> Soon afterwards, groups of city-dwellers arrived to complain about losing jobs and welfare benefits, forced demolition of homes, and corruption and asset-stripping during the reform of state-owned enterprises.<sup>13</sup> About the same time, demobilized officers and soldiers joined workers and farmers in Beijing, arriving *en masse* to demand better resettlement packages and compensation for health problems caused by exposure to hazardous materials. The number of petitioners in Beijing expanded rapidly. In 2000,

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<sup>11</sup> Diao Jiecheng, *A Brief History*, pp. 300-301. Four groups that visited the State Council in 1986 each included over 100 participants.

<sup>12</sup> See Kevin J. O’Brien and Lianjiang Li, “The politics of lodging complaints in Chinese villages,” *China Quarterly*, No. 143 (September 1995), pp. 756-83; Thomas P. Bernstein and Xiaobo Lü, *Taxation without Representation in Contemporary Rural China* (New York: Cambridge University Press, 2003). For more on collective petitioning by villagers, see William Hurst, Mingxing Liu, Yongdong Liu, and Ran Tao, “Reassessing collective petitioning in rural China: civic engagement, extra-state violence, and regional variation,” unpublished paper.

<sup>13</sup> See Feng Chen, “Subsistence crises, managerial corruption and labour protests in China,” *China Journal*, No. 44 (July 2000), pp. 41-63; Yongshun Cai, “The resistance of laid-off workers in the reform period,” *China Quarterly*, No. 170 (June 2002), pp. 327-44.



for example, the SBLV received 586,400 letters and visits, a 46 percent increase over the previous year.<sup>14</sup>

Most petitioners left Beijing from March to June 2003 during the SARS epidemic. As soon as the public health crisis passed, however, a significantly larger contingent of petitioners made their way to the Capital. The first signs of a surge appeared from late June until the end of September 2003, when the number of petitions registered at the SBLV increased by nearly 60 percent compared to the same period the previous year. The high tide maintained its momentum into 2004, as the number of petitions registered at the SBLV increased by another 58 percent. In 2005 the growth of petitioning finally slowed, but the number of petitions registered at the SBLV did not decline until the last quarter of 2006.<sup>15</sup>

The high tide caught many observers by surprise. But authorities in charge of receiving petitions seem to have anticipated it. As early as 1999, Zhou Zhanshun, the director of the petition office at the State Council and the SBLV head from 2000-2005, warned that more and more petitioners would likely come to Beijing. According to Zhou, two decades of rapid, wide-

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<sup>14</sup> Zhou Zhanshun, “Renzhen guan che ‘sange daibiao’ zhongyao sixiang nuli kaichuang xinshiji xinfang gongzuo xinjunian” (Seriously implement the important thought of the ‘three represents’ and open a new situation in letters and visits work), *Renmin xinfang* (People’s Petitions), No. 10 (July 2001). Impressive though these numbers are, Dimitrov notes that the ratio of central-level complaints to sub-national complaints (1:17) remains quite low in China, at least compared to the Soviet Union (1:5) and communist-era Bulgaria (1:3). Martin Dimitrov, “Popular accountability and regime resilience in contemporary China: evidence from citizen complaints.” Paper presented at the Center for Chinese Studies, University of California, Berkeley, 26 February 2010.

<sup>15</sup> The actual number of letters and visits received by the SBLV are not available. For reports on the high tide, see Hu Kui and Jiang Shu, “Xinfang hongliu” (A torrent of petitioners), *Liaowang dongfang zhouban* (Oriental Outlook Weekly), No. 4 (11 December 2003), pp. 30-35. Sun Zhan, “‘Jiefang zhanyi’ nengfou huajie xinfang hongfeng” (Can the “reception campaign” mitigate the torrent of petitions), *Zhongguo xinwen zhouban* (China Newsweek), No. 19 (30 May 2005), pp. 30-31. On the retreating high tide, see Zhang Xijie, “Dang de qunzhong luxian yu xinxingshi xia de xinfang gongzuo” (The Party’s mass line and letters and visits work in new circumstances), *Lilun qianyan* (Theory Frontiers), No. 6 (15 March 2007), p. 11. For data on the number of petitions to the central government in selected years from 1961-2005, see Yongshun Cai, *Collective Resistance in China* (Stanford: Stanford University Press, 2010), p. 23,

ranging reform had generated a host of economic, social, legal and administrative “injustices” (□ □). Since local authorities were responsible for many of these problems, or were unwilling to address them, more and more aggrieved individuals had little choice but to bring their complaints to Beijing.<sup>16</sup>

As the number of petitioners grew, some policy analysts echoed Zhou’s thinking about inequity and unfairness and the failure of the judicial system to clear it up.<sup>17</sup> Important as these factors are, however, they are not enough. Social, economic, and political injustice did not deepen materially before the upsurge began, nor is there reason to think that a critical “tipping point” was reached in 2003. Interviews with petitioners suggest that another factor played a larger role in triggering the flood of petitions: leadership turnover in 2002 and 2003. More precisely, it was the campaign to win the hearts and minds of those left behind by reform, initiated by Hu Jintao and Wen Jiabao when they assumed office, that set the high tide off.

Less than two months after he succeeded Jiang Zemin as Party general secretary in November 2002, Hu Jintao sought to distinguish himself from his predecessor by advocating that the CCP “serve the public and rule the country for the people.” Although he was careful not to disparage Jiang, Hu Jintao’s “new people’s principles” sounded considerably more populist than Jiang Zemin’s elitist “three represents.”

Hu Jintao was joined at the top of the leadership hierarchy in March 2003 by Wen Jiabao, who succeeded Zhu Rongji as premier. Working together, Hu and Wen turned the campaign to combat the SARS epidemic into an impressive public relations display. For several weeks, Hu

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<sup>16</sup> Zhou Zhanshun, “Qunzhong xinfang xin dongxiang” (New trends in mass petitioning), *Banyuetan* (neibuban) (Fortnightly Chats) (internal edition), No. 2 (February 1999), pp. 54-55. For a later statement by Zhou, see “Guanyu dangqian xinfang gongzuo qingkuang de tongbao” (A briefing on current letters and visits work), *Renmin xinfang* (People’s Petitions), No. 7 (July 2001), p.15.

<sup>17</sup> Xu Zhiyong et al, “Petition management”; Yu Jianrong, “The reform of the petition system.”

and Wen appeared daily on CCTV, holding meetings, dashing off for inspection tours and visiting doctors and nurses. In sharp contrast, Jiang and his protégés fell silent and became virtually invisible. Although Jiang's followers sought to catch up later on, their initial vanishing act helped Hu and Wen establish a reputation for a “pro-people” (亲民) leadership style.

As the SARS epidemic wound down, Hu and Wen turned the “Sun Zhigang Incident” into an opportunity. Sun was a college graduate and migrant worker who was seeking a job in Guangzhou. But as a result of failing to carry his ID card, he was picked up, detained in a custody and repatriation center, and subsequently beaten to death by his guards. After the circumstances of his death were reported nationwide, the State Council quickly repealed the Custody and Repatriation Regulation. The decision, undoubtedly approved by Hu and Wen, even surprised liberal intellectuals who had long called for the system's abolition.<sup>18</sup>

Whether they intended it or not, Hu and Wen's effort to outshine Jiang Zemin sent encouraging signals to those who had suffered from local abuses and had not been able to gain redress while Jiang was in power. Traditionally in China, the aggrieved have had high expectations of new leaders, partly because newly-enthroned emperors often granted amnesties or general pardons. Hu and Wen's campaign to burnish their populist credentials reinforced and perhaps even heightened such expectations. More specifically, by suggesting that they were concerned with the forgotten, the displaced, and those who had gained little from reform, the Hu-Wen leadership boosted popular confidence and expectations about the Center's commitment to “serve the people” and right wrongs. Encouraged by this turn of events, veteran petitioners returned to Beijing in great numbers and many new petitioners began to arrive. With the

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<sup>18</sup> For analysis of the Sun Zhigang incident and its aftermath, see Keith J. Hand, “Using law for a righteous purpose: The Sun Zhigang incident and evolving forms of citizen action in the People's Republic of China,” *Columbia Journal of Transnational Law*, Vol. 45, No. 1 (2006), pp. 114-195.

repressive custody and repatriation system abolished, petitioners could stay in the Capital more safely, without fear of summary detention or of being sent home. A high tide was in the making. As one veteran petitioner observed: “There are always many people who want to come to Beijing to petition. The number of people actually coming depends on the attitude of the central government. That’s why many people who had been watching and waiting came to Beijing [in 2003] and generated the high tide.”<sup>19</sup>

### **Accommodating, Controlling and Suppressing Petitioners**

The Hu-Wen leadership was reasonably accommodating when the high tide first appeared, probably because the presence of a mass of petitioners in the Capital placed the previous administration in an unflattering light. Beijing police authorities were ordered to refrain from using excessive force against petitioners. In early 2004, the central government even asked Beijing city authorities to subsidize transport companies, so that buses departing from the South Railway Station (which is near the “petitioners’ village”) could offer free rides when petitioners went to various ministries. The leadership also sought to streamline the resolution of cases. At Hu Jintao’s urging, the “Central Joint Committee on Handling Prominent Issues Regarding Petitioning and Mass Incidents” (中央联合处理信访突出问题及群体性事件工作组, hereafter the Central Joint Committee) was established in 2004 to improve inter-ministry coordination of complicated cases. Headed by a deputy secretary of the Central Political-Legal Committee, the Central Joint Committee was empowered to place petition cases under the “supervision” (督办) of a ministry or a party department (for example, the Public Security Ministry or the Central Political-Legal

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<sup>19</sup> Interviewee 6. Several other long-time petitioners made similar comments, including interviewees 1, 8 and 16.

Committee). It could also dispatch “supervisory groups” (监督组) to oversee how local authorities dealt with especially knotty cases.

The honeymoon between petitioners and the Hu-Wen administration did not last long. As more and more frustrated petitioners turned to disruptive activities that the authorities labeled “non-normal petitioning” or “abnormal petitioning” (非正常上访), the new leadership quickly moved from accommodation to control and suppression.

According to prevailing rules, petitioning Beijing entailed registering at a petition office in the Capital, starting with the SBLV. The entries on the one-page registration form used by the SBLV included name, sex, age, vocation, household registration location or current address, number of co-petitioners, identification card number, petition starting date, case jurisdiction, original unit petitioned, name of person petitioned, identity of government authority petitioned and primary grievance and claims. After a form was filled out, staff members of the SBLV were to conduct a brief interview with the petitioner and then issue a “referral” (转交).<sup>20</sup> The referral usually directed the petitioner to a local government office. If the reception staff concluded that a case should be brought to the attention of national-level authorities (for example, a ministry, a Party department or the Supreme People’s Court), the petitioner would be referred to another petition office in the capital. That was why some petitioners called SBLV referrals “travel permits” (通行证).<sup>21</sup>

The prescribed method of petitioning, however, was costly, ineffective and oftentimes counterproductive. Petitioners typically had to wait several days to obtain a registration form, because only a limited number of forms were distributed daily. More frustrating, referrals issued by the SBLV often led nowhere. Some petitioners were bounced from one ministry to the next

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<sup>20</sup> In the past, receptionists issued a receipt, but the SBLV stopped doing so after a computerized registration system was introduced in 2004.

<sup>21</sup> Interviewees 3, 9.

without receiving serious attention or anything approaching a meaningful response. Even more to the point, referrals issued by the SBLV were sometimes dismissed by local authorities as “waste paper, less useful than toilet paper.”<sup>22</sup> Worst of all, referrals were often transmitted by petition offices to the targets of the original appeal, which often resulted in retaliation against petitioners.

As they always have, many disappointed petitioners simply gave up.<sup>23</sup> But some persistent “petitioners’ representatives” (上访代表) went home and turned to direct action. Instead of seeking favorable intervention from the Center, they challenged local authorities face-to-face.<sup>24</sup> In September 2004, for instance, four petitioners from Hanyuan county, Sichuan spent nearly two weeks in Beijing pressing a complaint about compensation for relocation expenses incurred as a consequence of dam construction. They visited 23 ministries but received only one formal response from the Ministry of Water Resources, which declared that their grievance fell outside its jurisdiction. Disillusioned and angry, the four men returned to Hanyuan and launched a large, sustained and ultimately violent protest that shook Sichuan for weeks.<sup>25</sup>

Unwilling to quit or to go as far as direct action, some persistent petitioners turned to, in Xi Chen’s words, “making trouble” to gain the attention of an unresponsive Center.<sup>26</sup> Most commonly, they employed disturbing symbols and mounted dramatic displays to shame the central government into acknowledging their appeals. To protest unresponsiveness, they, for

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<sup>22</sup> Interviewee 10; also interviewees 3, 5, 8 and 9.

<sup>23</sup> See Lianjiang Li, “Political trust in rural China,” *Modern China*, Vol. 30, No. 2 (April 2004), pp. 228-258.

<sup>24</sup> On tactical escalation, see Kevin J. O’Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press 2006), chapter 4.

<sup>25</sup> Personal communication with a researcher at the Chinese Academy of Social Sciences, 11 July 2009. On the Hanyuan protest, see Jae Ho Chung, Hongyi Lai and Ming Xia, “Mounting challenges to governance in China: surveying collective protestors, religious sects and criminal organizations,” *China Journal*, No. 56 (July 2006), pp. 1-31.

<sup>26</sup> Chen, “Collective petitioning and institutional conversion.”

example, wore shirts emblazoned with the over-sized character “wronged” (错), spread leaflets in front of Mao’s portrait at the north end of Tiananmen Square, climbed lamp posts in the Square, wrote graffiti on walls surrounding government compounds, intercepted cars transporting national leaders to deliver petitions, and even set themselves on fire. The authorities commonly decried such activities as “non-normal;” petitioners, on the other hand, often referred to these measures as “forceful” (硬) and necessary.<sup>27</sup>

To maximize their impact, petitioners often combined appeals with collective action. Some appeared suddenly in Tiananmen Square and knelt down at the Monument to the People’s Heroes, Mao’s Mausoleum, or the Great Hall of the People. Others flocked to the Central Party School when top leaders gave speeches in hope of making their voices heard. Perhaps the most innovative form of collective action was symbolic “gate-crashing” (闯), in which petitioners showed up at a government site and acted as if they wanted to make a forced entry. To attract more attention, gate-crashers often wore shirts with the character “wronged” or other provocative labels such as “anti-corruption beggar” (反腐败乞丐), shouted slogans about lack of justice, or waved banners demanding redress for their grievances.<sup>28</sup> Popular sites for mock gate-crashing included the Xinhua Gate at the Zhongnanhai leadership compound, the Supreme People’s Court and the Supreme People’s Procuratorate. Favorite times for rushing locked gates included the annual meetings of the People’s Political Consultative Conference and the National Peoples’ Congress in March, as well as other important anniversaries, including National Day (October 1). The Central Television Station complex was also a popular place to threaten entry, especially on December 4, National Legal Education Day.<sup>29</sup>

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<sup>27</sup> Interviewees 3, 8, 11 and 12.

<sup>28</sup> For more on “troublemaking tactics,” including placing the character “wronged” on white cloth and creating a commotion or blocking gates at government offices, see Xi Chen, “The power of ‘troublemaking,’” pp. 456-62.

<sup>29</sup> Interviewees 3, 4, 12.

Particularly assertive petitioners also sought international attention. They, for example, gave interviews to foreign journalists and staged mock gate-crashings at foreign embassies and UN agencies. Petitioners even mounted blitz assaults on government buildings specifically for the Western press. Just before these events, organizers would tip off foreign news outlets, such as the Associated Press, the *New York Times* or the *Washington Post*. At the appointed time, a group of petitioners would appear at the designated location, hold up banners and disseminate leaflets, all for the benefit of the assembled international press corps.<sup>30</sup> The authorities typically denounced such activities as “petitioning foreigners” (请外), Petitioners, however, often made comments like “human rights have no national boundary” and vehemently denied they were humiliating China in foreign eyes.<sup>31</sup>

As “non-normal” activities spread and became more disruptive, central authorities quickly shifted from accommodation to control. A two-pronged approach was adopted. On the one hand, the Beijing police force was ordered to tighten monitoring in the capital. Additional surveillance cameras were installed in “sensitive areas” (敏感区) such as Tiananmen Square and Xinhua Gate, and plain-clothes police were dispatched to patrol them 24 hours a day. To ensure that no “non-normal” petitioning occurred in Tiananmen Square, at least one plain-clothes officer was stationed on every bus that passed along the Square. The police demanded that landlords and hostel owners in the main “petitioners’ village” report all suspicious activities. During “sensitive times” (敏感期), including the “two meetings” (两会) in March, petitioners deemed “gravely

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<sup>30</sup> Petitioners have even attempted to appeal directly to visiting dignitaries. On 25 May 2009, hundreds of petitioners gathered at the gate of the Press Bureau of the State Council, displaying a banner that read: “Welcome Pelosi to visit China and to take care of human rights in China SOS.” See Shan Guangnai, “2009 nian shang ban nian quntixing shijian de taishi he tedian” (Situation and characteristics of mass incidents in the first half of 2009), *Lingdao canyue* (Leadership Reference), No. 28 (5 October 2009), p. 12.

<sup>31</sup> Interviewees 5, 9. Some petitioners disapproved of “petitioning foreigners,” arguing that petitioning was strictly a domestic affair or a “family dispute.” Interviewees 12, 20.



discontented elements” (□□□□□□) were put under round-the-clock surveillance and their cell phones were monitored.<sup>32</sup>

In response to this pressure, the Beijing police and the security arm of the SBLV made special efforts to end disruptive protests, such as gate-crashings and mass demonstrations in sensitive locations. Starting in 2004, the police significantly hiked their investment in recruiting informants to spy on activists who might undertake popular action. Cooperative individuals were offered inducements for helpful tips, such as a free cell phone, a monthly stipend and a bonus. This worked well. Many collective incidents were headed off when plans were revealed and organizers exposed. Moreover, awareness that spies (called “□□” or “□□” by petitioners) were in their midst, bred distrust and fear, making it exceedingly difficult to mount large-scale, collective action.<sup>33</sup>

Beyond ordering the Beijing police to step up monitoring, the Center also placed growing pressure on local authorities to put a halt to all “non-normal” petitioning. First, they demanded that localities retrieve disruptive petitioners from their jurisdiction. Toward that end, the “Majialou Distribution Center” (□□□□□□□□, hereafter Majialou) was set up in September 2004, replacing a custody and repatriation facility in Changping county. Located in suburban Fengtai District, Majialou consists of three huge, walled courtyards and a number of low-rise buildings, which house offices, cafeterias, and spartan living quarters. Petitioners who were caught taking part in “non-normal” activities were bused to the center, where they had their photo taken and were required to fill out a special registration form acknowledging they had engaged in “non-normal petitioning.” Local authorities were then notified to come and pick up petitioners who hailed from their area. The local cadres who came to “retrieve” (□□) petitioners were then also

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<sup>32</sup> Interviewees 31, 32 and 33.

<sup>33</sup> Interviewees 31, 32 and 33; also interviewees 3, 5, 6, 7, 9, 14, 16 and 18.

required to sign a responsibility contract with Majialou and representatives from relevant ministries that promised they would make the retrieved person stop petitioning.<sup>34</sup>

When it first opened, some local cadres did not regard Majialou as a power to be reckoned with. They ignored instructions to pick up petitioners, released petitioners immediately after leaving Majialou, or even dismissively handed the contracts they had signed to the petitioners they were responsible for. Very quickly, however, local authorities found that they could ill-afford to ignore Majialou, insofar as the Central Joint Committee began to issue monthly circulars in late 2004 that ranked all provinces according to the number of non-normal petition cases registered at Majialou. This “petition ranking system” (petition ranking system) proved effective in inducing local authorities to retrieve petitioners. For provincial leaders, although a petition ranking had little immediate impact on performance evaluation for their current position, a poor ranking could become a liability when they sought promotion. To minimize career hazards, provincial joint committees in nearly every province, headed by a deputy secretary of the provincial political-legal committee, followed the lead of the Central Joint Committee and ranked prefectures according to the number of registered petitions in Beijing, paying special attention to “non-normal” petitions. Through this mechanism, pressure was transmitted from Beijing all the way down to county leaders.<sup>35</sup>

In addition to spurring local authorities into action, the Center also used its lawmaking authority to contain petitioning and other “non-normal” activities. The revised “State Council Regulation on Letters and Visits” (2005) reiterated that petitioners should proceed level by level and must not send more than five representatives to visit a government office (Arts. 16, 18).

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<sup>34</sup> Interviewees 31, 32 and 33; also interviewees 3, 5, 6, 9, 14, 16, 18, 19 and 23. Local authorities also had to pay for meals and sometimes lodging for petitioners, reportedly at a high rate. One petitioner was told that local authorities paid 50 yuan for one steamed bun.

<sup>35</sup> For more on petition ranking, see Cai, “Managed participation,” p. 438.

Even more disheartening for petitioners in Beijing, the Regulation established a principle of “territorial jurisdiction” (属地管辖) (Arts. 4, 21), which in effect constituted a disavowal of the Center’s responsibility to handle petition cases that targeted local authorities. Under the new regulation, petitioners were required to secure solutions in their home province, even though many cases involved provincial authorities. One immediate consequence of the new regulation was a *de facto* authorization for a police crackdown on petitioning. In May 2005, the month when the revised regulation took effect, Zhou Yongkang, the minister of Public Security, launched a three-month long campaign, in which local police chiefs were ordered to talk with petitioners who had visited Beijing about issues related to law enforcement and litigation.<sup>36</sup> This initiative seemed to signal a commitment to handle petitions better, but in fact led local public security bureaus to round up petitioners on charges of engaging in “unreasonable petitioning” (无理上访) or “pestering petitioning” (缠访).<sup>37</sup>

The central leadership further intensified pressure on local authorities in 2006. A series of directives threatened local leaders with a wide range of sanctions. These documents made controlling “non-normal petitioning” in Beijing a “hard target” (硬指标) in the effort to maintain political stability and warned local authorities that they would face disciplinary action if they failed to contain petitioning. Penalties ranged from bonus and salary reductions to criticism by name in government circulars, to mandatory self-criticism, to expulsion from the Party, to dismissal from office, to criminal prosecution.<sup>38</sup>

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<sup>36</sup> See Sun Zhan, “Can the ‘reception campaign’ mitigate the tidal wave of petitions?” Before the 2008 Beijing Olympics, another nation-wide campaign was launched in which all county secretaries were instructed to personally deal with petitioners who had visited Beijing.

<sup>37</sup> Interviewees 31, 32 and 33.

<sup>38</sup> See Yu Jianrong, “The reform of the petition system;” The Central Political-Legal Committee, “Shefa shesu xinfang zeren zhuijiu guiding” (Regulation on responsibilities regarding petition cases relating to law and litigation), No. 10 (2006); “Yanjiu bushu tuoshan chuli feizhengchang shangfang wenti de yihui jiyao (Minutes of the meeting on studying and arranging proper handling of non-normal petitioning), typescript, 2 May 2006.

As they were transmitted down the bureaucratic hierarchy, demands to deal harshly with petitioners often intensified. The pressure on county leaders, for instance, was especially high when immediate superiors sought promotion. In Henan, a prefectural party secretary hoped to become a member of the provincial party standing committee. Said to be worried that the prefecture's poor petition ranking might be exploited by his rivals, the secretary applied enormous pressure on county leaders to reduce the number of petitioners registered in Beijing. As one county official later explained: "In consideration of the complicated causes of the petition problem and hard work by responsible units, we have previously adopted the 'loud thunder with few rain drops' approach to assigning responsibility to leading cadres who failed to honor petition responsibility contracts. Even when higher levels demanded we be vigorous, we only issued circulars of criticism and demanded written self-criticisms from responsible persons. From now on, such perfunctory measures definitely will not work. For one, the level of attention and the rigor of demands from higher level party committees and governments and especially from the municipal party secretary have become unprecedented."<sup>39</sup>

Faced with such high-powered incentives, local leaders in many places "contracted" (□□) trouble-making petitioners to individual cadres. Bound by a signed contract, the designated official was responsible for retrieving petitioners from Beijing, educating them, keeping them from returning to Beijing, ending their petitioning by solving their problems according to law, and helping them overcome "practical difficulties." In some places, preventing petitioners from reaching Beijing was made a hard target that carried "veto power" (□□□□) in performance

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<sup>39</sup> Chang Wenguang, "Zai chongfu shangfang zhuanxiang zhili gongzuo huiyi shang de jianghua" (Speech at the meeting on special handing of repeat petitioning), typescript, 17 October 2006, p. 6. On the effects of responsibility contracts on petition work, see Minzner, "Xinfang," pp. 151-58.

appraisals of county leaders.<sup>40</sup> Although we have no evidence that local officials failed performance appraisals for allowing a single petitioner to go to Beijing, some county leaders were sanctioned for not fulfilling contracted responsibilities. In one work report, for instance, the Hebei Provincial Joint Committee reprimanded six county officials by name for failing to travel to the provincial capital to report on the petitioners whom they were contracted to handle.<sup>41</sup> In neighboring Henan province, the Pingdingshan City Joint Committee also criticized county officials who did not appear to explain why their contracted petitioners made it to Beijing.<sup>42</sup> Even some petitioners noticed that local authorities were subject to unrelenting pressure to prevent them from reaching Beijing. A Jiangsu petitioner, for instance, recalled that local officials who came to retrieve her from Majialou “hated me so much that they looked like they wanted to eat me alive.”<sup>43</sup>

### **Containing the High Tide: Local Strategies**

Top-down pressure does not always generate the desired effect. Bureaucrats subject to tight controls may work harder; but they may also avoid difficult tasks or even sabotage a

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<sup>40</sup> On the cadre responsibility system, see Maria Edin, “State capacity and local agent control in China: CCP cadre management from a township perspective,” *China Quarterly*, No. 173 (March 2003), pp. 35-52; Susan H. Whiting, “The cadre evaluation system at the grass roots: the paradox of party rule,” in Barry J. Naughton and Dali L. Yang (eds.), *Holding China Together: Diversity and National Integration in the Post-Deng Era* (New York: Cambridge University Press, 2004), pp. 101-119; Carl F. Minzner, “Riots and coverups: Counterproductive control of local agents in China,” *University of Pennsylvania Journal of International Law*, Vol. 31, No. 1 (2009), pp. 53-124; Kevin J. O’Brien and Lianjiang Li, “Selective policy implementation in rural China,” *Comparative Politics*, Vol. 31, No. 2 (January 1999), pp. 167-86.

<sup>41</sup> Hebei Provincial Joint Committee, “Gongzuo tongbao” (Work briefing), typescript, No. 7 (6 November 2006).

<sup>42</sup> “Pingdingshan shi chuli xinfang tuchu wenti ji quntixing shijian lianxi huiyi wenjian” (Document of the Pingdingshan City Joint Committee on handling prominent issues in petitioning and mass incidents), No. 6 (9 October 2006) and No. 12 (18 October 2006).

<sup>43</sup> Interviewee 24. Similar observations were also made by interviewees 3, 6 and 25.

program.<sup>44</sup> All three strategies were evident in the effort to contain petitioners. In response to demands from higher-ups, some local authorities worked diligently to bring cases to an acceptable conclusion. To resolve grievances in which petitioners demanded monetary compensation, many local officials used both sticks and carrots. More often than not, they first employed or threatened coercion, and then later offered a modicum of compensation in the name of poverty relief, on the condition that petitioners halt petitioning for good.<sup>45</sup> Local authorities also scapegoated subordinates to appease petitioners. In Hebei, for instance, a county party secretary called a meeting with a group of farmers who had travelled to Beijing. To address concerns about embezzlement of public funds by village and higher level cadres, he ordered the village party secretary to read his resignation letter at the beginning of the meeting. He also ordered the secretary to remain silent while petitioners lashed out at him.<sup>46</sup>

Quite often, however, local authorities put matters off or did not take petitions seriously.<sup>47</sup> They offered many reasons for this. Buying off petitioners was impractical if unreasonable financial demands were made. A Henan woman, for example, started petitioning because her neighbor's towering new home blocked her sunlight. She ended up in Beijing because she claimed that local authorities refused to cross her neighbor because he was a local police chief. After local authorities tried to convince her to stop petitioning by agreeing that her neighbor should pay compensation, she demanded that the government buy her a new house.<sup>48</sup> Another Henan petitioner submitted a long list of demands, saying that he would cease petitioning "only if three conditions are met. First, all my economic losses are adequately compensated. Second,

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<sup>44</sup> See John Brehm and Scott Gates, *Working, Shirking, and Sabotage* (Ann Arbor: University of Michigan Press, 1997).

<sup>45</sup> Interviewees 31, 32, 33 and 34.

<sup>46</sup> Interviewee 35.

<sup>47</sup> On local officials, as early as the 1950s, resisting "the time consuming and tedious tasks associated with complaint work," see Luehrmann, "Facing citizen complaints in China," p. 850.

<sup>48</sup> Interviewee 18.

all government officials, police officers and judges who have denied me justice are brought to justice. Lastly, local officials are no longer able to harm innocent people like me.”<sup>49</sup> Clearly, even if local authorities could satisfy his first demand, they were in no position to address his other two conditions.

Local authorities also argued that more than a few petitioners could never be appeased, whatever they did. Some long-time petitioners were clearly mentally impaired or delusional.<sup>50</sup> One Heilongjiang petitioner, for instance, insisted that Liu Zhihua, a former Beijing deputy mayor, could get away with taking her husband’s job away because Liu was Deng Xiaoping’s illegitimate son.<sup>51</sup> Some of these petitioners probably had psychological issues before petitioning, while others undoubtedly developed them during the agonizing complaint process. For local authorities, however, it did not matter: many petitioners were nearly impossible to satisfy. Equally vexing were individuals, who, in the wrong themselves, used petitioning to issue demand after demand. A PLA soldier, for instance, fell off a roof and permanently injured his legs while spying on female soldiers through the skylight of a shower room. He was dismissed by the army without disciplinary action. Claiming that he was injured on duty, the veteran set off on a career as a perennial petitioner, threatening to depart for Beijing whenever he needed money.<sup>52</sup> Commenting on such petitioners, one county party secretary said: “I can agree with the SBLV’s estimate that 80 percent of petitioners are reasonable. But my problem is what to do with the other 20 percent. The Center has given me neither a policy nor any clear directives, only a

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<sup>49</sup> Interviewee 26.

<sup>50</sup> A prominent Beijing University psychiatrist notoriously made (and later insisted that his remark was taken out of context) a statement that “99 per cent of professional petitioners are mentally ill.” See Ivan Zhai, “Petitioners decry ‘99pc mentally ill’ remark,” *scmp.com*, 2 April 2009, accessed 3 April 2009. Hundreds of petitioners staged a week-long protest about this at the gate of Beijing University, during which one petitioner stabbed himself in a rage.

<sup>51</sup> Interviewee 28.

<sup>52</sup> Interviewee 36.

hard target with veto power in my responsibility contract.”<sup>53</sup> When faced with capricious or insatiable demands, dragging matters out was often seen to be the only strategy short of coercion.

Local authorities also often found themselves handcuffed by entirely reasonable demands. Geographically, some cases involved more than one province, which meant that, in practice, a petitioner fell in no one’s jurisdiction. One Hunan petitioner, for instance, was petitioning against authorities in Henan who allegedly perpetrated a business fraud that bankrupted him. But under the principle of territorial jurisdiction he had to register as a Hunan resident at the SBLV, even though Hunan authorities were in no position to address his complaint.<sup>54</sup> Indeed, an important reason why many petitioners came to Beijing in the first place was that their case involved authorities in a second province and officials in their home province were unable to redress a grievance even if they were willing to help.<sup>55</sup> In these circumstances, there was little local authorities could do to end a petition for good.

The protracted history of many disputes was yet another factor that encouraged local authorities to delay and hope a case would just go away. It was difficult to collect and verify evidence about long-ago incidents, some of which occurred decades in the past. Limited investigation of the original incident, inadequate evidence collection, analysis and preservation, poor archiving and attrition of witnesses all contributed to the difficulty of resolving cases properly. A Hainan petitioner, for instance, accused township officials of beating her younger

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<sup>53</sup> Interviewee 35. On why local officials encounter difficulties dealing with petitions, see Chi Jian, “Shangfang zuixin tedian, nandian, zhongdian” (Newest characteristics, difficulties, and emphases of petitioning), *Shixian lingdao canyue* (Reference for city and county leaders), No. 4 (25 February 2007), pp. 15-20.

<sup>54</sup> Interviewee 22.

<sup>55</sup> Interviewees 8 and 17.



brother to death. The alleged homicide occurred in 1995, and she had been petitioning for thirteen years by the time she was interviewed for this article.<sup>56</sup>

Working diligently to resolve a grievance also posed problems if satisfying the demands of one person encouraged others who had suffered the same mistreatment to begin petitioning. A Jilin man, for instance, demanded that a city government refund 20,000 yuan in retirement insurance his mother was misled to pay. The city government admitted that his demand was not unreasonable and that 20,000 yuan was a comparatively small sum. Nevertheless, they adamantly refused to give in out of fear that tens of thousands of retired workers who were also compelled to buy the insurance would make the same request.<sup>57</sup>

Negotiating with petitioners also often proved to be maddeningly difficult. Indeed, when petitioners and local authorities sat down to bargain, mutual distrust typically made it difficult to reach an agreement. Feeling certain they had been wronged, many petitioners took local authorities' willingness to compromise as a tacit admission of guilt and kept asking for more. Sometimes petitioners simply refused to issue clear demands out of fear this would undercut their position and expose them to counter-charges. "Some officials," one Hebei petitioner said, "asked what my demands were. That's a trap. If only one of my demands is found to be unreasonable, I will be labeled an unreasonable petitioner."<sup>58</sup> For their part, local officials were often unwilling to make concessions because "one bite of meat will turn a person into a carnivore." They argued that many petitioners were "too greedy and untrustworthy."<sup>59</sup> Since both parties were extremely suspicious, negotiations often broke down at the last minute.

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<sup>56</sup> Interviewee 15.

<sup>57</sup> Interviewee 4.

<sup>58</sup> Interviewee 21. There are many stories about entrapment of petitioners. One Hunan petitioner, for instance, was charged with "blackmailing (□□) the government" and was later found guilty for signing a petition termination agreement prepared by local officials.

<sup>59</sup> Interviewee 36.

Petitioners would increase their demands or raise new ones after local authorities agreed to what was on the table, suspecting that any compensation the government was willing to pay had to be inadequate. On the other side, local authorities often retracted offers petitioners were ready to accept, suspecting that petitioners had asked for too much and could be bought off more cheaply. Even when the two sides managed to reach an agreement, mutual distrust often derailed enforcement. Many petitioners were reluctant to sign a petition termination agreement out of concern that once they surrendered their “magic weapon” local authorities would break their promises and retaliate. Local authorities, for their part, often withheld, partly or wholly, promised compensation, owing to a belief that petitioners might take the money and start petitioning on another matter.<sup>60</sup>

Lastly, and most importantly, local authorities had every reason to avoid putting too much effort into petition work because of bureaucratic politics. Local leaders often had little interest in cleaning up messes made by their predecessors because they would get little credit and might alienate their predecessors by exposing failures or mistakes. Resolving a seemingly innocuous petition could implicate local authorities who were still in power (or successors they had played a part in choosing). As a Guizhou county police chief told a farmer whose son had died from a beating while in police custody: “You can’t possibly win. If you do, a full train car of [i.e., over 100] officials must be dismissed.”<sup>61</sup> The risk of paying close attention to a petition was even higher when local authorities used cases to expose the vulnerabilities of rivals, especially when vengeful petitioners were eager to serve as “cannon fodder” (炮灰) in order to bring down local officials who had mistreated them.<sup>62</sup>

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<sup>60</sup> Interviewees 31, 32, 33, 35 and 36. Some petitioners indeed took money and continued to petition. A Henan man, for instance, accepted compensation and signed an agreement, but then started petitioning about mistreatment during his previous petition effort. Interviewee 2.

<sup>61</sup> Interviewee 27; also interviewee 21.

<sup>62</sup> Interviewee 3; also interviewees 2, 18, 22 and 27.

For all these reasons, local authorities typically chose to avoid petition work (or do it half-heartedly) when they could get away with it. When pressure from above became unbearable in 2006, however, most local authorities adopted a new tack: “stabilizing” (维稳) petitioners. They turned unrelenting demands from their superiors into a pretext to do whatever they felt was necessary. As had occurred when birth control was made a “hard target,” the Center had essentially signaled it would turn a blind eye toward local government violence against petitioners whose “non-normal” petitioning threatened stability. Local authorities now knew that they had implicit permission to engage in a range of countermeasures, including beatings, arbitrary detention and illegal imprisonment.<sup>63</sup> When asked whether it was against the law to deprive a petitioner of his freedom and force him to return home, for instance, a retriever from Henan replied: “This is just like birth control. Who cares anything about the law?”<sup>64</sup>

From this point on, local authorities spared no effort in “retrieving” (维稳) petitioners. County leaders dispatched police and government staff to intercept them before they reached the Capital or ambushed them before they entered the SBLV building. Retrievers sometimes disguised themselves as petitioners, identified local petitioners by their accent, and then detained them. Those rounded up were often held in makeshift “black jails” (黑监狱), many of which were basements of local provincial or county liaison offices in Beijing. To deter the most determined petitioners, retrievers often displayed no hesitation about using violence. Retrievers from different provinces even paid each other to beat up petitioners from their own province to avoid being recognized and possibly sued.<sup>65</sup>

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<sup>63</sup> The official media did not acknowledge “dark jails” and the practice of petitioner retrieval until late 2009.

<sup>64</sup> Personal communication with a researcher at the Chinese Academy of Social Sciences, March 2007.

<sup>65</sup> Interviewees 14, 26. On “retrievers” and local detention facilities in the late 1990s, see Cai, “Managed participation,” pp. 446-47. For accounts of petition interception, retrievers, Majjalou and “black jails” since the 2003-06 high tide subsided, see Andrew Jacobs, “Seeking

At home, local authorities generally displayed even greater willingness to use heavy-handed tactics. In order to deter “trouble-makers” from continuing their “non-normal” activities, many local authorities simply banned petitioning Beijing. During “sensitive times,” some local governments set up three lines of defense to prevent petitioners from reaching the Capital. The first was petitioners’ homes. Local police and security officials were ordered to set up 24-hour surveillance and were threatened with dismissal if a petitioner eluded it. If a person managed to break through the first line of defense, police and security officials were to immediately alert the second line of defense, which included railway and long-distance bus stations. Police in these locations then checked all passengers who fit the description of the petitioner. The third line was Beijing, where local liaison offices were responsible for tracking down anyone who made it that far. To “stabilize” particularly persistent petitioners, local authorities often deemed their cases “unreasonable petitions” or “pestering petitions” and locked them up in “legal education schools” on charges of “blackmailing the government.” For longer-term “stabilization,” local authorities sent some petitioners to mental hospitals, drug rehabilitation centers, reeducation through labor camps, and even regular jails.<sup>66</sup> Some local officials acknowledged that repression would inevitably produce serious problems, but they felt they could not risk relying on softer

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justice, Chinese land in secret jails,” *New York Times*, 9 March 2009; Jamil Anderlini, “Punished supplicants,” *Financial Times*, 5 March 2009, [www.ft.com/cms/s/0/7d13197e-09bc-11de-add9-0000](http://www.ft.com/cms/s/0/7d13197e-09bc-11de-add9-0000), accessed, 17 July 2009; Clifford Coonan, “They come in search of justice—but end up thrown in jail,” *The Independent* (UK), 12 November 2009.

<sup>66</sup> Interviewees 5, 8, 28 and 29; personal correspondence with rural researchers in Beijing, Sichuan and Hunan. On “stabilizing” petitioners, see Wang Lihong, Wang Aiping and Wang Yingjia, “Nongcun xinfang huodong feizhixuhua zhi xiaoji yingxiang yu duice” (Non-normal petitioning activity in the countryside, its negative impact and countermeasures), *Hebei keji shifan xueyuan xuebao* (shehui kexue ban) (Journal of Hebei Normal University of Science and Technology) (social sciences edition), Vol. 7, No. 2 (June 2009), p. 51; also “Document of the Pingdingshan City Joint Committee.” For 100 cases in which petitioners were sentenced to education through labor, see Yu Jianrong, *Zhongguo laodong jiaoyang zhidu pipan* (A Critique of China’s Reeducation Through Labor System) (Hong Kong: Zhongguo wenhua chubanshe, 2009).

measures. Furthermore, many were not greatly concerned with long-term consequences because by the time these emerged they would have been transferred to another locality.<sup>67</sup>

When “stabilizing” efforts failed, local authorities oftentimes turned to their “last resort” (□□□□) — “registration cancellation” (□□, □□). They bribed staff members at the SBLV and Majialou to delete registered petitions from their computers before the registrations generated permanent records. Local authorities from wealthier locales even rented offices inside the SBLV and paid receptionists to send petitioners to see them in “stabilization rooms.”<sup>68</sup> Local officials also bribed Beijing police to send detained petitioners directly to a local liaison office rather than Majialou to reduce the number of registered cases of “non-normal” petitioning. Per capita “honorarium” (□□□), according to police officers in Beijing, ranged from 2000 to 40,000 yuan. Local officials admitted that these measures were legally questionable, but they insisted that they had no choice if they wanted to protect their own careers and those of their superiors. As two county officials from Henan put it: “‘Registration cancellation’ is a forced choice, a last resort. It is purchasing stability in the most direct sense of the word. From now on, you [township officials] must cancel registrations if petitioning happens. Cancelling registrations causes a financial loss, but not cancelling them produces a political loss.”<sup>69</sup> By this point, the central leadership and the persistence of many petitioners had in effect driven local authorities to undermine the petition system itself.

Repression and sabotage of the system by and large worked. The high tide began to recede by the end of 2006, when the SBLV recorded the first decline of registered petitions since

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<sup>67</sup> Interviewees 34, 35 and 36.

<sup>68</sup> Interviewees 3, 27 and 30.

<sup>69</sup> Chang Wenguang, “Speech at the work conference”; Zhao Handong, “Zai quanxian xinfang wending gongzuo huiyi shang de jianghua” (Speech at the county conference on letters, visits and stability), 13 April 2007.

its founding in 2000.<sup>70</sup> The number of petitioners continued to dwindle in the following two years. According to estimates by long-time petitioners and the Beijing police, by the end of 2008 the number of petitioners residing in Beijing had shrunk by about two-thirds compared to 2004. Those who remained were also no longer as active as they had been. After the demolition of the main “petitioners’ village” in 2007, most petitioners moved to various suburban locations, thus making it more difficult to organize collective action. “Non-normal” petitioning continued to occur sporadically, but it was no longer perceived as a major threat to stability in the Capital.<sup>71</sup>

## **Conclusion**

Although the 2003-06 high tide of petitioning Beijing had deep roots in a corruption-ridden economic system, growing inequality and an ineffective judiciary, it was triggered by Hu Jintao’s and Wen Jiabao’s adoption of a populist leadership style. Heightened popular confidence in the Center, and expectations about its commitment to the well-being of those who had been left behind by reform, activated potential petitioners, reinvigorated dormant ones and hardened the resolve of those who were already active. Meanwhile, the abolition of the custody and repatriation system made it easier for petitioners to reside in Beijing, which lifted the peak of the high tide. The Center was at first reasonably accommodating to petitioners, probably because the upsurge helped the new leaders consolidate power by placing their predecessors in an unflattering light. Soon afterwards, however, the new leadership shifted to control and then suppression, as the presence of thousands of petitioners and their increasingly disruptive activities came to be regarded as a threat to stability. Local authorities at first tried to avoid taking petition work seriously, but eventually gave in to pressure from their superiors and

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<sup>70</sup> Zhang Xijie, “The party’s mass line,” p. 11.

<sup>71</sup> Interviewees 6, 16; also interviewees 31, 32 and 33.

stepped up repression. By effectively forcing local authorities to crack down on petitioning (rather than to focus on resolving cases), the Center drove local officials and their retrievers to sabotage the petition system. Central and local authorities worked together to contain the high tide, but at the price of widespread use of force against petitioners and corruption of SBLV staff and the Beijing police.

The politics of petitioning Beijing suggests a dilemma that can arise when *ad hoc* inclusion is substituted for more institutionalized forms of political participation. By granting the aggrieved an opportunity to seek an audience with representatives of the Center, the regime sought to create an opening that did not provide regularized accountability. This strategy had a drawback, however. Efforts to appear responsive and clean up local misconduct let loose a flood of grievances that threatened social order in the Capital. Faced with a deluge of discontent, the leadership had to choose between maintaining a populist initiative and retightening control. As was seen in the wake of the Hundred Flowers Movement, and frequently since, this was an easy choice: ad hoc inclusion was tamped down and central and local authorities swiftly suppressed those who had dared to bring their grievances forth. The ability of under-institutionalized forms of participation to handle discontent was, once again, tested and found wanting. The effects of this crackdown, and others like it, on popular trust in the Center's good intentions and its ability to create a tolerably just, fair and equitable society could well be far-reaching.

#### List of Interviewed Petitioners and Officials

1. female petitioner, Heilongjiang
2. male petitioner, Henan
3. female petitioner, Hubei
4. male petitioner, Liaoning
5. female petitioner, Jilin
6. male petitioner, Xinjiang

7. male petitioner, Jilin
8. female petitioner, Hebei
9. female petitioner, Chongqing
10. male petitioner, Hunan
11. female petitioner, Hubei
12. female petitioner, Hubei
13. female petitioner, Heilongjiang
14. male petitioner, Liaoning
15. female petitioner, Hainan
16. male petitioner, Hebei
17. female petitioner, Henan
18. female petitioner, Henan
19. female petitioner, Hebei
20. male petitioner, Xinjiang
21. male petitioner, Hebei
22. male petitioner, Hunan
23. female petitioner, Tianjin
24. female petitioner, Jiangsu
25. female petitioner, Jilin
26. male petitioner, Henan
27. female petitioner, Hunan
28. female petitioner, Jilin
29. female petitioner, Heilongjiang
30. female petitioner, Jiangsu
31. police officer in Beijing.
32. police officer in Beijing.
33. police officer in Beijing.
34. township official in Guizhou.
35. urban district party secretary in Hebei.
36. former county party secretary in Hebei.