

# Selective Policy Implementation in Rural China

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A pattern of selective policy implementation has emerged in the Chinese countryside, as some cadres conscientiously enforce unpopular policies while refusing to carry out other measures that villagers welcome. Such officials often go to extraordinary lengths to urge community members to pay their taxes and fees, to accept cremation instead of burial, and to comply with birth control edicts, yet ignore or distort policies that ban unauthorized appropriation and require respect for villagers' rights and interests. These rural leaders often violate prohibitions on the use of force, side-step limits on peasant burdens, and derail electoral reforms that are intended to improve accountability. They sometimes even turn a well-liked central policy, such as economic growth, into a harmful "local policy" that justifies wasteful investment and more extraction. Why do cadres act in this way? How do Chinese "street-level bureaucrats" define their tasks and distinguish between policies that must be implemented and those they can safely ignore?<sup>1</sup>

## **Street-Level Discretion and Policy Delivery**

That grass-roots officials carry out some policies but not others is hardly news. But how much discretion street-level bureaucrats enjoy has been a matter of debate. Some analysts argue that implementors usually have limited room for maneuver because their superiors have ways to shape their preferences and constrain their behavior. Adopting a top-down approach, these researchers maintain that front-line bureaucrats mainly affect strategies for achieving goals rather than the goals themselves. They note that skilful high-level administrators can structure implementation, reduce the number of veto points, and permit outsiders (including ordinary citizens) to oversee policy delivery. They remind us that performance evaluation remains largely in the hands of top decision makers and that, even when conditions for successful implementation are absent at first, fine-tuning may be an alternative to accommodation.<sup>2</sup>

Other students of bureaucracy see more opportunities for street-level discretion: they argue, in fact, that it is virtually inevitable. These researchers focus on motives that emerge from within organizations and underscore unintended consequences and perverse incentives.<sup>3</sup> Their analysis begins by identifying networks of microlevel actors involved in policy delivery, including implementors, other officials, and pri-

vate citizens. Then, they inquire about goals, activities, problems, and contacts. They typically find that local conditions trump central plans and that superiors have limited leverage over program administrators.<sup>4</sup> Analysis from the bottom up has shown that implementors have many “resources for resistance” and can frequently turn central mandates toward local ends. They have highlighted the circumscribed but real latitude that street-level bureaucrats possess and have argued that front-line officials often change policy as they execute it.<sup>5</sup>

Both approaches have much to say about bureaucratic “working, shirking, and sabotage.”<sup>6</sup> But neither approach alone is well-suited to explain why an implementor who is responsible for a range of policies executes some well and others poorly. To understand why, it is necessary to combine the top-down emphasis on central control with the bottom-up emphasis on street-level discretion.<sup>7</sup> This mixed strategy encourages us to consider all the incentives a grass-roots official faces, both those that emerge from the day-to-day environment and those structured into the situation from on high. Drawing on both approaches, we can see why street-level bureaucrats are sometimes “principled agents” and sometimes wily defiers of the wishes of their superiors.<sup>8</sup>

Rural China is a prime location to examine selective implementation because Chinese grass-roots cadres have a particularly wide range of responsibilities. They are generalists. Unlike street-level bureaucrats in many countries, Chinese rural cadres are not employees of a single agency assigned a limited number of tasks, but rather bureaucrats-cum-politicians answerable for a region’s all-around governance and development.<sup>9</sup> They provide technical assistance to farmers and enforce the birth control policy. They work to develop the economy and collect taxes. They are responsible for popular as well as unpopular policies. Policy implementation in rural China thus furnishes a nice case to see why certain directives receive scrupulous attention while others fall by the wayside.

### **Policy Implementation in China**

To be sure, aggressive execution of unpopular policies and misimplementation of popular policies do not occur in every Chinese village.<sup>10</sup> But by the early 1990s clashes between cadres and farmers had become so common that some Chinese observers warned of an imminent rural crisis.<sup>11</sup> Nearly half a century after Mao Zedong claimed that people’s democracy would enable the party to break the “historical cycle of quick rise followed by rapid decline,”<sup>12</sup> even national leaders were worried that local powerholders were “driving the peasantry toward rebellion.”<sup>13</sup>

When analyzing the policy process in Maoist China, Harry Harding attributed generally successful implementation to factors that top-down analysts stress: an “overlapping and reinforcing set of mechanisms” that “maintain[ed] organizational

discipline.” He also noted that execution tended to be poor “when policy directives were vague,” “when there was serious division over policy among the central elite,” and “when the program in question ran counter to bureaucratic interests.”<sup>14</sup> These observations, apt though they were, do not fully explain the dynamics of selective implementation in post-Mao China. Indeed, slogans such as “serve the people” and “practice the mass line” continue to be ignored by many local leaders. But so are clear and specific measures. The state council’s Regulation Concerning Peasants’ Fees and Labor (1991), for instance, states that fees and apportionments must not exceed 5 percent of a villager’s net income for the previous year. Yet several years after this limit came into force unlawful levies continue to be widely imposed.<sup>15</sup>

Nor does lukewarm central support wholly explain misimplementation of popular policies. It is true that the center’s half-hearted promotion contributed to sluggish realization of electoral rights conferred by the Organic Law of Villagers’ Committees (1987).<sup>16</sup> However, it can not be said that the center was half-hearted about eliminating the *san luan*—arbitrary fees, fines, and apportionments. Since 1985 the central committee and state council have jointly issued over a dozen regulations and circulars forbidding these impositions, and China’s top leaders (including Jiang Zemin, Li Peng, Qiao Shi, Tian Jiyun, and Zhu Rongji) have urged restraint.<sup>17</sup> Even so, efforts to curb excessive appropriation have frequently been stymied by cadres at lower levels. Grass-roots leaders often make unlawful levies vanish by inflating villagers’ incomes;<sup>18</sup> or they revoke an illicit fee when pressure is high only to reimpose it later;<sup>19</sup> or they simply ignore directives restricting appropriation and hope they are not found out.<sup>20</sup> According to two researchers in the ministry of agriculture, cadre resistance to lightening peasant burdens is almost universal.<sup>21</sup>

Even Harding’s third explanation—policies that run counter to local bureaucratic interests are poorly implemented unless the center displays extraordinary vigilance and a united will—only partly explains grudging implementation of some measures and conscientious execution of others. First, even when the center increases pressure, it often can not ensure that grass-roots officials will respect villagers’ rights. With the end of mass campaigns, higher authorities simply lack the capacity to curb predatory behavior that they had under Mao, and recent grass-roots political reforms, important though they are, generally remain an imperfect substitute for full-dress cadre rectification. Second, if bureaucratic reluctance was all that mattered, unpopular policies would provoke as many objections as popular policies. If grass-roots leaders have reasons to foil efforts to slash their revenues and increase their accountability to villagers, so too they have ample cause to resist family planning and central measures that require cremation, which also generate unpleasant and even dangerous confrontations with angry villagers.<sup>22</sup> Why does bureaucratic resistance determine the fate of some policies but not others? Instead of currying favor with the people they rule, why do some cadres antagonize them by enforcing unpopular policies and undermining protections the center wishes to extend?

Some scholars have examined policy implementation in the post-Mao era. With respect to spiralling burdens, Bernstein and Solinger have highlighted chronically underfunded governments, the cumulative effect of small impositions, pressure to foster development, carryovers from premodern and republican-era practices, increasing costs of bureaucracy, and cadre rent seeking to explain why central limits are often ignored.<sup>23</sup> In other case studies it has been argued that implementation is problematic when a policy is largely symbolic,<sup>24</sup> when it harms the interests of its targets,<sup>25</sup> or when it has multiple, conflicting aims.<sup>26</sup> Sinologists have identified numerous reasons why an initiative meets with difficulty, and they have begun to draw attention to mixed outcomes and local variation. Like most top-down and bottom-up researchers, however, they have usually concentrated on a single policy or policy problem.<sup>27</sup> To this point, few efforts have been made to group policies or to generalize about patterns of implementation.

Using archival sources and interviews with local officials and villagers, mainly in Hebei, Shandong, and Shanxi, we account for selective implementation by explaining how a set of rules governing cadre management interacts with local conditions and incentive structures. We show how the center has structured the implementation environment deftly in some respects by establishing inducements and sanctions that spur grass-roots cadres to go to the wall for certain policies, but how in other respects an inability to foresee the local reaction to central plans has left street-level bureaucrats with considerable discretion.

We start by exploring the role "one-level-down management" (*xiaguan yiji*) plays in enhancing the authority of a cadre's immediate superiors. Then we show how other reforms, including the end of mass campaigns and the spread of responsibility systems, have increased cadre insulation from social pressure and have encouraged the execution of unpopular but not of popular policies. Finally, we discuss attempts to overcome systematic neglect of popular policies, including tentative efforts by the center to give ordinary villagers the right to sound "fire alarms" when egregious violations occur.<sup>28</sup> We conclude that liberalized rules of political standing are needed to prevent ground-level bureaucrats from thwarting measures designed to limit their power and enhance their accountability.<sup>29</sup>

The definition of policies as popular and unpopular places villagers' attitudes in two neat categories. Yet even without survey data to support us we think this division is reasonable. Unpopular policies include birth control, revenue collection, and funeral reform, largely because officials say that they are the "three toughest jobs grass-roots cadres face."<sup>30</sup> Popular policies include fee limits, the Organic Law of Villagers' Committees (which establishes village-level elections), the Administration Litigation Law (which allows villagers to sue officials who break the law), circulars forbidding corruption, and central efforts to promote rule by law. Each of these popular policies aims to adjust cadre-mass relations and to protect villagers from unauthorized extraction and other predatory behavior.

### **The Roots of Selective Policy Implementation**

Selective policy implementation is scarcely new. Even in Maoist China, unless an anticorruption campaign such as the Four Cleanups (1963–66) was underway, rural leaders enjoyed considerable autonomy from social pressure and often carried out orders from their superiors “too zealously, regardless of objective limitations and popular reaction.”<sup>31</sup> Long before the reform era, officials at higher levels used their control over personnel to motivate underlings to undertake the Great Leap Forward, emulate the model Dazhai brigade, and take grain as the key link but were hard pressed to ensure that rural cadres carried out the mass line, “served the people,” and adapted nationwide initiatives to local conditions.

Selective implementation has intensified recently, however, largely due to three reforms that, probably unintentionally, have strengthened the authority of immediate superiors and have increased cadre insulation from ordinary villagers. These reforms do not determine how rural leaders act but predispose them to be more coercive and self-serving. They create pressures to antagonize villagers and weaken incentives that discouraged such conduct. In a situation where ground-level bureaucrats are responsible for many policies, these initiatives determine what becomes a high priority task and what is cast aside. They supply an institutional explanation of selective implementation that goes beyond official complaints that rural cadres are of “low quality.”

One such reform was Deng’s directive “to control better by controlling less.” After 1984 personnel appointment was decentralized, with “two-level-down management” replaced by “one-level-down management.” Under this new arrangement, officials at each level gained full authority to appoint their subordinates. County leaders, for instance, are now empowered to decide, without approval from a prefectural organization department, who will serve as a township party secretary or head of government. In theory, this reform should increase responsiveness and allow more leeway to accommodate local circumstances. In practice, however, one-level-down management has encouraged cadres to be hyperresponsive to their immediate superiors at the expense of other interests, and it has increased the ability of superiors to get their underlings to carry out unpopular policies. Rural cadres may obey a directive from their bosses one rung up, even if they know it conflicts with a measure promoted by higher levels.<sup>32</sup> For instance, when confronting a villager who cited a central policy on rejecting illegal fees, a village cadre asked if he listened to his grandfather (the central leadership) or his father (local officials). When the man replied that he paid attention to both, the cadre insisted on collecting the fee. “Very good! Now grandfather has given his orders [that is, the center has banned the fee], but father has not made his position known [that is, local officials have not revoked it]. We depend on father for a living, so we must carry out his order [and collect the fee].”<sup>33</sup>

The second reform that contributes to selective implementation involves one of the more important but understudied consequences of the reformers' rise to power. Under Mao, in order to control local leaders the center launched periodic rectification campaigns. Aghast at the chaos and terror that accompanied political mobilization, the post-Mao leadership has repudiated large-scale, mass campaigns as a way to combat bureaucratism and corruption.<sup>34</sup> Instead, it has sought to check cadre malfeasance by promoting limited, village-level political reform and rule by law. Its efforts in this regard, however, have not been entirely successful; in the eyes of some villagers, rural leaders, and intellectuals, the end of campaigns has weakened party discipline and has led cadres to believe that there is little danger in trampling villagers' rights.<sup>35</sup> Especially where elections have yet to democratize village governance meaningfully, many rural residents believe that grasping and high-handed behavior is unlikely to be detected, and, when it is detected, higher levels will not step in to halt it. Some villagers even argue that grass-roots leaders have nothing to fear provided they stop short of murder. Others say that Mao was hard on cadres and Deng was soft and that Mao had faith in the masses and Deng did not. Some speak fondly of the anticorruption campaigns of old; in the words of one Hebei farmer, they were like "setting up a pole and immediately seeing the shadow."<sup>36</sup> More than a few villagers have concluded that another Four Cleanups campaign is precisely what is needed.<sup>37</sup>

If the end of campaigns has enhanced cadre autonomy from social pressure and the debut of one-level-down management has increased the authority of immediate superiors, the cadre responsibility system (*ganbu gangwei mubiao guanli zerenzhi*) has shored up both these trends. Introduced from the provincial level down in the mid 1980s, this system is a set of rules governing job assignment, performance appraisal, and remuneration, whose main purpose is to improve implementation.<sup>38</sup> In places where the cadre responsibility system operates as designed, a local government assigns a variety of targets to its subordinates when they assume office. Typically, a responsibility commission (*zeren zhuang*) detailing objectives, evaluation procedures, and remuneration is prepared, which the party secretary and government head at the lower level then must sign.<sup>39</sup>

Each and every target comes with a numerical value. One township, for instance, was assigned a target of collecting 2,227,700 yuan in taxes and another of keeping population growth below 12.5 per thousand and having 824 men and women sterilized.<sup>40</sup> In addition, each target is allotted a weight in a cadre's performance appraisal. For example, tax collection may count for twenty points in an evaluation in which one hundred points is satisfactory. Particularly important tasks such as birth control may also be granted "veto power." Fulfilling these targets does not guarantee a satisfactory appraisal, but failing to do so means failure, no matter how well the other targets have been met.<sup>41</sup>

Performance evaluation is normally conducted annually and when a leadership

team finishes its term in office. Evaluation is usually done in three steps. First, higher officials determine how well (usually in percentage terms) each target has been met. Then, they calculate a cadre's score for each target by multiplying the degree of success by the value assigned that target. Finally, they sum the scores to come up with a cadre's overall appraisal.<sup>42</sup>

Responsibility commissions not only quantify targets and spell out evaluation procedures; they also specify the rewards or penalties that will accompany levels of performance. To increase the likelihood that assigned tasks are carried out, a higher government level typically withholds a substantial portion (as much as 15 percent) of its subordinates' compensation. Allocating these funds is based solely on one's performance evaluation. Thus, local leaders who do poorly may lose out to their more successful peers. Moreover, officials at higher levels sometimes award generous bonuses for top performance in attaining unusually tough targets. In one Hebei county the 1994 bonus pool for the township that best enforced birth control was 120,000 yuan (about US\$14,000). The winning party secretary and township head, both of whom signed the original commission, each ended up with seven thousand yuan, which was more than their ordinary salary for the full year.<sup>43</sup> Sometimes simply meeting a target can bring a substantial payoff. To collect fines and fees, local leaders often farm out their assignments to subordinates. Counties may permit township officials, for instance, to retain five percent of a year's birth control fines to divvy up among themselves.<sup>44</sup> Finally, to deter half-hearted implementation, penalties for poor performance are also specified in most commissions. Local leaders who can not persuade officials at higher levels that they have fulfilled a quota may suffer a permanent salary reduction or be fined.<sup>45</sup>

On top of these inducements, control over career prospects gives higher levels even more leverage to ensure that a responsibility commission is taken seriously. Local cadres who perform well have a better chance of being promoted, whereas those who do poorly may be transferred to a less attractive position or (if they miss the mark by far) be subject to disciplinary action, including warning, demotion, forced early retirement, and even dismissal.<sup>46</sup>

In and of itself, the cadre responsibility system probably helps secure reliable implementation. By meticulously quantifying responsibility targets, it makes it possible to assign work loads equitably and conduct impartial evaluations. It is also performance-enhancing in that it creates incentives to do one's job better by establishing a clear link between performance and rewards. In many places, the introduction of this top-down means of control has reportedly led to better execution of some state policies.<sup>47</sup>

But the cadre responsibility system also encourages selective policy implementation and, when combined with the other reforms discussed above, can actually increase street-level discretion. In particular, it entices local cadres to ignore popular policies that higher levels can not readily turn into binding targets. First of all, unlike unpopular policies such as collecting taxes and enforcing birth control, many popu-

lar policies, such as employing a democratic work style and respecting villagers' rights, tend to be nonquantifiable. For an injunction as ambiguous as "practice the mass line" or "respect villagers' autonomy," simply assigning a numerical worth is not enough; all local cadres can claim to be in compliance, even when some have in fact gravely violated villagers' rights.<sup>48</sup> Consequently, although each target is assigned a weight in a responsibility commission, scores for popular policies tend to cluster near the top, while those attached to unpopular policy targets vary more and usually supply the crucial points that separate success from failure.

James Q. Wilson has observed similar practices elsewhere and has put it well: "work that produces measurable outcomes drives out work that produces unmeasurable outcomes." IRS auditors are supposed to collect money and to be courteous. But if they are judged mainly by how much they take in, they tend to become so zealous they irritate taxpayers. Likewise with street cops: strict law enforcement, which produces many statistics, often pushes out maintenance of order, which produces few statistics.<sup>49</sup> In China, these examples of Gresham's Law bring to mind how an easily measurable goal (increasing the number of students who passed the college entrance exam) displaced providing assistance to ordinary schools and became the key indicator of successful education reform in the early 1980s. School leaders knew what mattered and directed their efforts accordingly; they conformed their behavior to what was being measured.<sup>50</sup>

Crucial for the selective implementation discussed here, higher levels can not easily turn many popular policies into binding targets because compliance can not be accurately assessed unless villagers are drawn into the evaluation process. Yet under the cadre responsibility system ordinary villagers do not generally take part in such assessments. And even when they are included, in what is called "democratic evaluation," their opinions are typically regarded as "reference" and have little practical effect on a cadre's career prospects.<sup>51</sup> For this reason, even when a popular target is quantifiable, and even when it is assigned veto power, local officials may still safely ignore it because doing so will seldom affect their careers.<sup>52</sup> The policy of limiting peasant burdens to 5 percent of net income is a good example. One might think this amount could be measured easily enough. But at a time when no reliable, independent estimates of village income are available, lightening peasant burdens can be made mandatory only if the local populace takes part in determining whether rural cadres have juggled the numbers. As long as grass-roots leaders are required to restrict fees, fines, and apportionments but are also granted the authority to estimate village per capita income, they can easily square their collections with any target. Without mass oversight, without giving those who have the strongest incentive and the most information the right to report abuses, ruses such as artificially pushing up village income to claim to be under the five percent ceiling can rarely be detected by higher levels.<sup>53</sup>

Insofar as they know that only some targets really matter, many grass-roots cadres distinguish between so-called "hard" and "soft" targets and invariably place popular



policies in the soft, nonbinding category and regard birth control and revenue collection as hard targets that must be met. Furthermore, when it comes to a target that has veto power, grass-roots cadres often are able to distinguish between hard and soft dimensions. Family planning measures, for example, specify how many children each couple can have and oblige inspectors to persuade villagers to abide by the limit. In practice, however, because its execution literally determines an official's career and persuasion is time-consuming and uncertain, "patient persuasion" is commonly considered a soft dimension of a hard target and is disregarded.<sup>54</sup>

Thus, although local officials are required to fulfill all targets, they frequently have the discretion to implement policies in a selective manner, usually shunting popular policies aside. Many local cadres feel free to enforce hard targets only. When collecting taxes and enforcing birth control, for instance, officials often mobilize all the local muscle available to ensure implementation. "All five teams—the party committee, government, people's congress, people's political consultative committee, and party disciplinary inspection committee—join forces, and behind them follow the police, procurator, and court."<sup>55</sup> In contrast, the effort devoted to carrying out popular policies, or popular aspects of unpopular policies, is often minimal. Some cadres we met said that they had little interest in villagers' opinions because, insofar as they were able to fulfill the hard dimensions of hard targets, they had complete job security. Reinterpreting Deng's justification for economic reform—"black cat, white cat, so long as it can catch mice it's a good cat"—these cadres say: "Whether by persuasion or coercion, cats who can meet their quotas [that is, hard targets] are good cats."<sup>56</sup> It is no wonder that in the eyes of many villagers they have become "three-want cadres": officials who want grain, money, and (aborted) children but who provide little in return.<sup>57</sup>

And it does not stop here. Besides allowing neglect of popular policies, the cadre responsibility system also tempts local leaders to twist potentially beneficial central policies into exploitative "local policies." Mindful of the link between performance and rewards, rural officials are strongly motivated to seek "noteworthy achievements." Now that economic development has been made the focus of all work, ambitious cadres often champion development projects and "displays of progress that add to the status and prestige of local leaders, such as impressive party and government compounds or fancy hotels and guest houses."<sup>58</sup> To finance these projects, they have little choice but to order their subordinates to ratchet up appropriation. As the pursuit of economic growth spreads, levies and mandatory fundraising also grow, leading to mounting burdens on villagers. As one Chinese analyst observed: "Some local leaders and heads of departments crave greatness and success. In order to showcase their achievements, they want to finish many visible projects during their tenure. But since they lack the resources, they must stretch out their hands and collect from farmers."<sup>59</sup>

The cadre exchange system (*ganbu jiaoliu zhidu*), when coupled with the cadre responsibility system, can cause even more devastating consequences. In order to control regionalism, virtually all party first secretaries and government heads are

periodically rotated.<sup>60</sup> They thus have a short and fixed term of office in one locality. But while frequent transfer may help reduce localism, it can also interfere with accountability. In practice, cadres can be held responsible for their actions only so long as they occupy an office. Once they leave, their superiors are often willing to write off any losses because the higher officials themselves endorsed an ill-fated expenditure or because they reported a fake success story up the hierarchy and benefited from their underling's "great achievements."<sup>61</sup>

Such conspiracies of silence can become appallingly damaging when local leaders are enticed to pursue unrealistic objectives within a short period. In these circumstances, truly perverse incentives may come into play: overzealous and opportunistic officials may be willing to do virtually anything to please their immediate superiors, whatever the cost to the local population.<sup>62</sup> Sometimes, such leaders initiate development programs that actually harm the local economy.<sup>63</sup> One county leader in Henan province, for example, ordered township officials to set up at least one collective enterprise in every village in the county within a year. At the county leader's bidding, over a hundred paper mills were built, all of which went bankrupt in short order, causing a huge loss and serious environmental damage. In the midst of this calamity, while villagers suffered financially and township officials were vilified, the county leader responsible for the scheme won a promotion for eliminating "empty shell villages," meaning villages without collective enterprises. By the time the consequences of his deception had surfaced, he had left the county for another position.<sup>64</sup>

Once this kind of misimplementation occurs, it may easily continue and even escalate as targets are disaggregated to lower levels. Since officials immediately above them control their careers, leaders at lower levels are weakly motivated to remedy deviations from central policies initiated by their superiors. Even if some cadres want only to keep their position and therefore refrain from cooking up harmful "local policies," they may still feel obliged to enforce exploitative schemes concocted by their bosses. They, for instance, often have no choice but to accept unrealistic development targets. In one Hebei county officials at first agreed only to a moderate goal for economic growth. But when the city government rejected their proposal and hinted at disciplinary action, they finally consented to a fancifully high increase.<sup>65</sup> Or in the Henan case of eliminating empty shell villages, township officials realized that they were "drying the lake to catch fish" but agreed to go along because they knew their superiors in the county government could take away their "black gauze caps" (that is, their positions).<sup>66</sup> In both these cases, the realities of cadre life frustrated central plans; local imperatives completely overwhelmed top-down controls.

### **Efforts to Curb Cadre Discretion and Overcome Misimplementation**

In the past decade, particularly since the early 1990s, both the center and ordinary

villagers have taken a stand against misimplementation of popular policies. Largely out of concern with social unrest, the center has stepped up its insistence that officials enforce measures that limit extraction and enhance accountability. In order to ease villagers' financial burdens, for instance, the central committee and state council jointly issued a circular in 1993 that denounced grasping local leaders and demanded that dozens of illegal levies be revoked. To placate restive villagers, the party's propaganda machinery also publicized reports of burden-related suicides and the unease these suicides caused in the party leadership compound in Beijing.<sup>67</sup> Leadership attention to poor implementation of other popular policies has also grown. Party general secretary Jiang Zemin, among others, has personally urged cracking down on several notorious "local emperors."

This top-down strategy, however, has had only limited success, mainly because it fails to restructure the everyday work environment in which cadres find themselves. Central intervention may help clean up misconduct here and there, but in a country as vast as China personal intercession is not a solution to widespread, systematic misimplementation. Although some provincial governors, for example, have sought to make reducing burdens a binding target, they have often failed to persuade officials at lower levels (or even their own deputy governors) to take them seriously.<sup>68</sup>

As some Chinese analysts see it, villagers' weak political voice and low level of organization embolden local leaders. Unless the rural populace is granted a larger role in selecting and assessing local cadres, they argue, it is unlikely that misbehavior can be uncovered and stopped.<sup>69</sup> Much like the owners of trucking companies, who print 800 numbers on their rigs to encourage motorists to report reckless driving, distant policymakers can benefit from relying on affected third parties to be their watchdogs. Top-down monitoring alone is not enough to shape up street-level bureaucrats whose every move can not be observed.<sup>70</sup>

To curb cadre discretion, albeit only at the lowest level, the center has experimented with new forms of rural political participation. Since 1988 the ministry of civil affairs has rolled out an ambitious program of village self-government whose centerpiece is grass-roots elections.<sup>71</sup> Where elections are free and fair, village cadres live in a different world than unelected township and higher officials. They depend on the "ground line" (that is, popular votes) rather than the "antenna" (that is, appointment by higher levels). Accordingly, they are more willing to defy, for instance, township granary officials who offer below-market prices when insisting that taxes be paid in cash rather than in beans. They are also more inclined to resist township interference in the operation of a village orchard, on grounds that "this is the masses' business and it falls within the scope of self-government."<sup>72</sup> Where village elections are carried out extraordinarily well, there is evidence that the behavior of township leaders is less predatory because village leaders feel less pressure to be hyperresponsive to immediate superiors and in fact hear offsetting demands to contest directives that contravene central policies. In such villages cadres can no longer

act as they wish because they are less insulated from social pressure; institutionalized participation has begun, however tentatively, to play the role that mass campaigns did in the past.

In addition to electoral reforms the center has also allowed villagers to take less institutionalized action against cadres. The 1991 state council regulation on peasant burdens, for example, extended to villagers the right to reject illegal fees. Prominent newspapers and other media also periodically report on villagers' using the "treasured sword of legality" to defend their rights.<sup>73</sup> When reporting on the execution of four village cadres who murdered a complainant, a recent *People's Daily* commentary reaffirmed a citizen's right to communicate official wrongdoings to higher levels.<sup>74</sup>

Some villagers have developed a keen interest in the center's efforts to limit the maneuvering room of imperious and grasping cadres. In order to expose misimplementation they write letters to newspapers, magazines, television stations, and ranking officials and make their way to "letters and visits offices" of people's congresses, public security bureaus, and party committees.<sup>75</sup> More recently, resourceful villagers have also begun to use the Administrative Litigation Law to back up their complaints. In just one of many similar cases, over two hundred villagers in a Sichuan county filed a lawsuit against township officials who had imposed enormous service fees and other illegal charges.<sup>76</sup>

Partly because they remain at a disadvantage in their institutionalized attempts to check cadre malfeasance, some enterprising villagers have turned to what might be called "rightful resistance."<sup>77</sup> They directly cite popular policies when confronting local officials, saying, for example, "if you don't listen to the center, then we won't listen to you."<sup>78</sup> Sometimes they not only invoke central measures but also press for improved implementation by delaying tax payments or staging demonstrations.<sup>79</sup> To improve their prospects, rightful resisters often engage in disruptive but not quite unlawful collective action. When lodging collective complaints, for example, they may bypass levels and employ provocative political symbols, such as carrying lit candles in broad daylight to protest the "dark rule" of local officials.<sup>80</sup> In the hands of rightful resisters, rights promised but not enforced can provide effective ammunition to tame street-level discretion.

Sometimes this pressure helps curb misimplementation of popular policies. Illicit impositions have been rescinded, rigged village elections have been annulled, and corrupt or avaricious cadres have been removed. In fact, in one Hebei county lodging collective complaints—a primary form of rightful resistance—has been so effective that the county organization department censured township officials for caving in too readily. In the words of a frustrated county official: "some township leaders have developed a 'collective complaints syndrome'; they scratch their head whenever they see the masses come, . . . and appease them by recalling a village party secretary as soon as a complaint is lodged."<sup>81</sup>

Of course, villagers who try to check cadre misbehavior through such polite

means seldom achieve their ends so easily. Local officials commonly try to undermine farmers who use legal channels to challenge them. Letters of complaint may be ignored or placed in the hands of a targeted cadre. Government investigators may spend years taking testimony or auditing village finances. Exploiting the control party committees have over courts and procurators, accused cadres may interfere with legal proceedings or intimidate a plaintiff into dropping a lawsuit.<sup>82</sup>

Cadres charged with misconduct also plead their case to higher levels. Regarding complaints over excessive levies, for instance, some rural leaders have charged that the center was "making a fuss over a trifling matter" or was "deliberately making grass-roots cadres' life difficult." Some cadres have even criticized newspapers that publicize illegal levies for "inciting farmers to rebel against grass-roots cadres."<sup>83</sup> Because they can usually deceive higher levels so long as criticism fails to become public, local cadres often try their best to keep villagers in the dark about new popular policies. In one Hunan county, out of ten thousand copies of the 1991 state council regulation limiting fees, "over three thousand 'went missing' in township offices."<sup>84</sup>

Some cadres even go so far as to rough up or detain villagers who publicize popular policies. In Anhui a spunky villager read into a tape recorder resolutions limiting fees issued by the state council, provincial people's congress, county party committee, and county government, as well as a *People's Daily* report of a successful fee-related lawsuit filed in Sichuan. Then, just before a film was to be shown in his village, he hooked up his cassette player to the sound equipment, played the tape, and urged his fellow villagers to use all lawful means to defend their rights. Within days he was beaten up by several cadres and subpoenaed by the township government. Within a year he fled the region under threat of arrest and found his way to Beijing and the offices of the popular magazine *Democracy and Legal System*.<sup>85</sup>

Although publicity can assist complainants in their efforts to rein in predatory cadres, it is seldom decisive. In a Guangdong village over three thousand residents filed nearly two thousand letters of complaint from 1989 to 1993 regarding cadre corruption. They succeeded in getting a letter published in *Southern Daily* and even staged a large demonstration opposite the city government compound. Yet, when this case was exposed in 1993, the accused cadres still clung to power. Several complainants had been tortured by township and village cadres; one had been arrested by the township police; and another had felt it wise to flee the area. The journalist who reported the story was himself detained twice by the township government, for a total of eleven hours.<sup>86</sup>

Despite these frustrations and defeats, there is little evidence that villagers are giving up their efforts to limit the discretion of grass-roots cadres and halt the misimplementation of popular policies. In the words of one participant in the marathon complaint in Guangdong: "No matter what happens, so long as the problem remains unresolved, and so long as the party policy of 'opposing corruption and advocating honesty' remains unchanged, we will keep lodging complaints and making visits."<sup>87</sup>

Finally, in desperation some villagers spurn rightful resistance and resort to violence or other clearly illegal acts. Several riots have occurred in the last few years, often because grass-roots leaders turned a deaf ear to popular demands to revoke unlawful fees. Though highly risky, these actions can sometimes prompt officials at higher levels to pay attention to cadre malfeasance and to redouble their efforts to ensure that popular policies are carried out.

### **The Reach of the Chinese State**

Thus, a host of forces shapes cadre behavior and affects the capacity of the Chinese state. The Chinese state is not a strong, muscular state that gets whatever it wants or a weak, hollowed-out state that achieves little, but rather elements of both, and not in the mixture one might expect.<sup>88</sup> The prevailing cadre management system, which is distinguished by tight control over immediate subordinates and substantial cadre autonomy from social pressure, leads to selective policy implementation. Officials are able to use their authority over personnel to induce lower level cadres to enforce unpopular policies but are unable to make sure they enforce popular policies. Without increased popular involvement in cadre assessment or free and fair grass-roots elections nationwide, higher levels can not determine if measures designed to protect villagers have been carried out.

In the past decade both officials at the top and ordinary citizens at the bottom have tried to curb street-level discretion and stop selective implementation. Out of fears that rogue cadres may alienate the rural populace, the regime has sought to rein in cadre latitude by introducing village elections and reconfirming the right of villagers to defend themselves. For their part, villagers have begun to insist that local officials carry out beneficial measures, all the time making much of the fact that these policies originate at the center. In so doing, these villagers have helped the leadership execute its policies, and they, together with the center, have turned rural leaders into the targets of official and public ire. Instead of simply being policy recipients, who either obey or resist government decrees, these villagers are now playing a more active role, assisting in policy implementation. The result is what Jonathan Fox calls a "sandwich strategy," a structurally induced conflict between the center and local leaders and the villagers and these same local leaders.<sup>89</sup>

Under these circumstances the implementation of popular policies has come to hinge on an impromptu alliance between aggrieved citizens and allies they locate within officialdom. Prior to 1976 this joining of forces existed fitfully and was realized mainly through mass mobilization and anticorruption campaigns like the Four Cleanups. In post-Mao China villagers put pressure on officials at higher levels to discipline cadres who refuse to execute popular policies.

But do sandwich strategies work? Can the two slices hold the middle? This dis-

cussion suggests that cadre-mass relations are becoming more open-ended than they were under Mao. While grass-roots leaders find that they can get away with more and thus push harder, villagers are also in a better position to defy them and to push back. The result is predictable tension as opposing parties, both empowered by reform, square off and pursue their own interests. Their actions are sequential. Rural cadres, influenced by imperfect personnel management institutions and unafraid of campaigns, engage in behavior that angers villagers; when this conduct springs from misimplementation of central policies, it produces openings for villagers, who are no longer simply dependent, to find elite champions and strike back. In such situations, grass-roots cadres and villagers are less constrained than they were during the commune era, and, where they are evenly matched, outcomes are very much up in the air.

As officials at higher levels try to enforce popular measures and as villagers become increasingly assertive, will the center offer villagers increased access to the implementation arena? Will it set up more reliable rules, procedures, and practices that enable villagers to speak up when their rights are violated?

On the one hand, officials at higher levels seem to realize that they alone can not elicit across-the-board compliance with popular policies. They have thus found it necessary to draw in villagers, who have the most information about cadre misbehavior and the most to lose from selective implementation. But, on the other hand, the center trusts the masses only so far. Top leaders remain profoundly ambivalent about allowing ordinary citizens to participate in cadre selection and assessment. They are hesitant to grant villagers the institutionalized political and legal standing needed to increase the likelihood that popular policies are carried out.

### **Understanding Street-Level Discretion**

Top-down analysts of policy implementation tend to think it is possible (even desirable) to contain street-level discretion. Bottom-up theorists counter that some latitude is inevitable and often beneficial. Our study suggests that street-level discretion can vary greatly by policy type. Many Chinese grass-roots officials, in other words, both “work” very hard and “shirk” very ably. On readily measurable policies the center has established effective controls that lead implementors to define their tasks as policymakers wish. Enough feedback reaches higher levels, and well-designed inducements and sanctions encourage most ground-level officials to execute even remarkably unpopular measures. On other policies, for which success or failure can not be assessed without increased popular input, top-down controls have been largely ineffective, and grass-roots officials have easily frustrated efforts to monitor them. In these cases, the center has not been able to prevent implementors from ignoring or even sabotaging central plans.

Some bottom-up theorists find much virtue in street-level discretion.<sup>90</sup> There is

no doubt that fine-tuning by those closest to a problem can promote flexibility and innovation. There is also no doubt that front-line officials often have the knowledge and skills to adapt broad guidelines to local situations. The evidence presented here, however, has highlighted how street-level discretion can lead to self-serving and coercive behavior—or at least how it produces unexpected outcomes when circumstances cadres encounter on the job are mixed with imperfect administrative controls. More research is needed to clarify under what conditions street-level discretion serves policy implementation and under what conditions it allows local officials to displace central goals with other interests.

### NOTES

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3. Wilson, pp. 13, 34, 49, 170. Also, Richard Elmore, “Forward and Backward Mapping,” in Kenneth Hanf and Theo A. Toonen, eds., *Policy Implementation in Federal and Unitary Systems* (Dordrecht: Martinus Nijhoff, 1985), pp. 52–53.

4. Matland, pp. 148–49; Paul Berman, “The Study of Macro- and Micro-Implementation,” *Public Policy*, 26 (Spring 1978), 178–79; Elmore, p. 69; Christopher J. Hull and Benny Hjern, *Helping Small Firms Grow* (London: Croom Helm, 1987), chs. 2, 9.

5. Matland, p. 148; Lipsky, pp. 23–25.

6. For a principal-agent perspective, see John Brehm and Scott Gates, *Working, Shirking, and Sabotage* (Ann Arbor: University of Michigan Press, 1997).

7. For example, see Matland; Sabatier; Elmore; Hull and Hjern. Our goals here are more modest: we merely draw on strands in both literatures. On the difficulties of synthesis, see Laurence J. O'Toole Jr., “Goal Multiplicity in the Implementation Setting,” *Policy Studies Journal*, 18 (Fall 1989), 2–3.

8. See Brehm and Gates, p. 202.

9. From bottom to top, Chinese units of administration are village, town or township, county, prefecture, province, center.

10. In some villages both popular and unpopular policies are executed tolerably well. One of our research sites in Shandong, a prosperous village with a collectively owned gold mine, fits this pattern. In other villages, particularly where party branches are “paralyzed,” few policies of any kind are carried out. Lastly, there are undoubtedly locations where cadres implement popular policies religiously and ignore unwelcome targets, especially birth control.

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12. Huang Yanpei, *Bashi nianlai* [Upon returning from Yan'an] (Beijing: Wenshi ziliao chubanshe, 1982), p. 149; also, Bo Yibo, *Ruogan zhongda juece yu shijian de huigu* [Reviewing certain important decisions and practices] (Beijing: Zhonggong zhongyang dangxiao chubanshe, 1991), p. 157.

13. Peng Zhen, "Oppose Coercion and Commandism, Uphold Mass Autonomy" [in Chinese], speech to the Law Committee of the Sixth NPC, April 6, 1987. For comments by Wan Li and Tian Jiyun, see Thomas P. Bernstein and Dorothy J. Solinger, "The Peasant Question for the Future," paper prepared for the conference, "China and World Affairs in 2010," Stanford University, April 25–26, 1996, pp. 17–19.

14. Harry Harding, *Organizing China* (Stanford: Stanford University Press, 1981), pp. 350–51.

15. *Renmin Ribao* (Haiwaiban) [People's Daily, Overseas Edition], May 7, 1996, p. 1; Bernstein and Solinger, pp. 20–21.

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50. See Rosen; Lipsky, pp. 48–51.
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