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Politics at the Boundary: Mixed Signals and the Chinese State

Rachel E. Stern[1] and Kevin J. O'Brien[2]

Abstract

In this conceptual essay, the authors argue that one way to understand the Chinese state is to view it from below, from the perspective of people advocating change. The authors' "state reflected in society" approach is illustrated with accounts of Chinese lawyers, journalists, and NGO leaders who operate at the boundary of the acceptable and are attentive to signals about what the authorities will tolerate. Their experiences suggest that mixed signals about the limits of the permissible is a key feature of the Chinese state. Beyond a number of well-patrolled "forbidden zones," the Chinese state speaks with many voices and its bottom line is often unclear. At the border of the uncontroversial and the unacceptable, the Chinese state is both a high-capacity juggernaut capable of demarcating no-go zones and a hodgepodge of disparate actors ambivalent about what types of activism it can live with. Whether mixed signals are deliberate or accidental is hard to determine, but they do offer the authorities certain advantages by providing a low-cost way to contain dissent, gather information, and keep options open.

Keywords

state, state–society relations, signals, uncertainty, ambivalence, lawyers, journalists, NGOs

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It is hard to talk about politics without touching on the state. But that does not mean it is easy to write about the state itself. Decades after calls to "bring the state back in" first appeared, social scientists have yet to settle on the meaning of a "ghostly" (Nettl, 1968: 559) or even "spectacularly unclear" (Abrams, 1988: 59) concept. This "elusiveness" (Mitchell, 1991: 77) has led to various work-arounds. Instead of grappling with a hard-to-define abstraction, one strategy has been to avoid the term whenever possible. This approach is apparent in the growing literature on political activism in China, which tends to sidestep the issue of the state and to stick with more concrete references to officials, the party, and levels of government. Although allusions to state power are inevitable when discussing popular politics in a one-party regime, a sidelong, drive-by view of the Chinese state leaves us with less sense of its organizing principles than would be ideal (for exceptions, see Perry, 2002; Lee, 2007). For all we know about the state's presence nearly everywhere, we lack a sense of what Richard Baum and Alexei Shevchenko (1999) once called "the state of the state."

In this conceptual essay, we use popular experiences with state power to highlight an important feature of the Chinese state. Methodologically, our *state reflected in society* approach is somewhat different from the way others have written about the state. We bypass debates about whether the state is best viewed as an idea (Abrams, 1998), a discourse (Mitchell, 1991), or a fetish (Taussig, 1997) in favor of a more grounded focus on how the politically active receive and interpret signals about the limits of the permissible. We do not investigate bureaucratic or elite politics to illuminate different elements of the state, but rather conjure its reflected image through statements, policies, and crackdowns that offer attentive onlookers hints of where state preferences lie. Our goal is not a single theory of the Chinese state (an impossible task), but rather a sketch of one face it shows when tests of its tolerance arise.

Like others interested in everyday politics in authoritarian regimes (Singerman, 1995; Wedeen, 1999, 2008; Ismail, 2006; Kerkvliet, 2010), we believe there is much to be learned by viewing the state from below, from the perspective of people who make choices based on their reading of what power-holders will put up with. Zeroing in on how observable indications of official preferences, or signals (Spence, 1973: 357), shape the topography of political life is one way to make real Joel Migdal's (2001: 11) call to explain how societies and states create and maintain "the rules for daily behavior." Ours is thus a new iteration of the "state in society" approach that we hope will help others map how political boundaries are patrolled, negotiated,

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and transformed. It takes boundaries seriously as locations where charged interactions define and test understandings of the permissible and states reveal (and reconsider) their core commitments.

What follows is not an account of interpreting state signals among China's apolitical majority, or even most middle-class professionals, but an examination of the ever-shifting frontier inhabited by those politicized enough to probe the limits of the acceptable. Drawing on our own past research as well as that of others, we explore the experiences of non-governmental organization (NGO) leaders, journalists, and lawyers who, at least occasionally, use their position to question who gets what, when, and how. Reviewing what we know about all three groups, we find that even astute boundary-pushers often struggle to interpret mixed signals about which types of acts will be deemed trangressive and which will be tolerated.[1] Clear forbidden zones of course exist in China, as shown by the repression that meets any discussion of Taiwanese or Tibetan independence or the right to practice Falun Gong, but conflicting signals are equally (if not more) common. Those who mount a "critique within the hegemony" (Scott, 1990: 106) without veering into outright dissent, encounter a state that appears ambivalent about what it will countenance. This means that advocates of change must tally confusing and sometimes contradictory signs of state preferences into a guide to where the greatest risks and biggest openings lie. Signals that are difficult to interpret, or which point in different directions, translate into ground-level uncertainty, such that even the most alert are sometimes surprised by who lands in trouble.

For some time now, observers of Chinese politics have been turning to words like uncertainty (Link, 2002; O'Brien and Li, 2006: 31; Hassid, 2008; Yang, 2009: 188; Dillon, 2011; Stern and Hassid, 2012), ambiguity (O'Brien and Li, 2006: 63; Yang, 2009: 188; McNally, 2011), and ambivalence (deLisle, 2004; Shue, 2004: 41; Levy, 2007: 47, Yang, 2008: 131; Lee, 2010: 51; Xu and Pu, 2010: 166) to describe the "dual, almost schizophrenic nature" (Litzinger, 2007: 298) of the Chinese state. Drawing attention to the *leit motif* of mixed signals running through these terms takes us beyond the well-recognized fact that the Chinese state is fragmented (Lieberthal and Oksenberg, 1988; Mertha, 2008, 2009) toward a more dynamic view of state–society communication. Information passes constantly between signal senders (different parts of the state) and signal receivers (individuals in society) and is distilled into common knowledge. The blurry boundary of the permissible marks a critical location where temporary settlements are forged and futures are glimpsed as a state expresses (and recalibrates) its own identity.

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Mixed Signals and Boundary-Pushing

In several disciplines, signals have long been central to studies of communication. Nearly four decades ago, Nobel Prize–winning economist Michael Spence's (1973) research on sorting job applicants launched a new subfield detailing how information travels through markets and incentives affect signals. Evolutionary biologists have also found it useful to distinguish between accurate signals (e.g., warning calls) and dishonest signals (e.g., fake warning calls) when examining animal interaction (Dall et al., 2005). Although much work on signaling concerns settings far removed from politics, feedback cycles elsewhere shed light on the call-and-response between officials and citizens, too. Boundary-pushers in places such as China typically make choices based on their best guess of likely consequences and these hunches are continually updated to reflect new information. This information arrives through two main channels: direct experiences with state agents and indirect communication of official preferences, including speeches, regulations, and stories about repression. When testing the limits of the permissible, comparing different types of information is a common way to track how closely policies and pronouncements match state behavior. Especially when signals are mixed, avoiding trouble depends on picking out the most trustworthy data points.

Although no one would deny that advocates of change are attentive to signals from the Chinese state (Perry, 2002: xi; O'Brien and Li, 2006: chap. 2; Wright, 2008; Chen, 2008; Hassid, 2008; Cai, 2010), discussions of signaling in Chinese politics have mostly been glancing rather than sustained (for exceptions, see Lorentzen, 2008; Weiss, 2008). But in a country where even the well-connected find it difficult to discern state intentions, signals are particularly important for assessing opportunities and threats. Judgments about whether the leadership is tacking toward openness (*fang*) or tightening (*shou*) (Baum, 1994), and about which issues are safer than others, rest on skillful interpretation of incomplete information. Owing to media restrictions and social separation, people may not know about suppression or openings elsewhere, and may struggle to figure out what is risky (Spires, 2011). Of course, some observers collect more frequent or reliable signals than others. But for our purposes here—considering what signals tell us about the state that is sending them—differences in quality or quantity of information pale before a larger truth: beyond some well-patrolled forbidden zones, the state speaks with many, contradictory voices. On different days and on different issues, the politically engaged encounter a multifaceted state that may endorse,

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tolerate, or suppress their activities. Ambiguous and cross-cutting signals have, by and large, not produced a "stable equilibrium of expectations" (Spence, 1973) and the state's bottom line often remains unclear rather than a "socially shared rule" (Helmke and Levitsky, 2006: 4).

Non-Governmental Organizations

News headlines like "NGOs fight uphill battle as Beijing tightens the screws" (Yu, 2010) and "Grassroots NGOs in a 'sustenance' crisis" (Tan, 2010) hardly sound like the product of a state that has difficulty speaking with one voice. Particularly in the human rights community, some observers have interpreted the well-publicized troubles of various groups as evidence that the authorities at "the very top" see NGOs "as a destabilizing force that has to be suppressed" (Yu, 2010). Inside China, some NGO leaders themselves view surveillance, occasional closures, and invitations to tea (*bei he cha*) with public security officials as proof that attitudes toward them are hardening. For instance, after a 2009 raid of the anti-discrimination and legal aid organization Yirenping, the group's co-founder told reporters that harassment was a way for the government "to find excuses for suppressing China's NGOs" (Schiller, 2009). Two years later, distrust of NGOs only seemed to be growing, when a central directive reportedly told reporters not to hype "civil society" (*gongmin shehui*) and banned the term in media reports (China Digital Times, 2011).

But beyond unmistakable pressure on some NGOs, signals regarding their activities are more mixed, and sometimes quite positive. Building on President Jiang Zemin's 1997 call to "cultivate and develop social intermediary organizations" (Saich, 2000: 128), speeches and policy pronouncements by central leaders at times recognize that NGOs facilitate governance by channeling complaints and providing services (State Council Information Office, 2005). The Ministry of Environmental Protection has called environmental NGOs "a brilliant boost to the enforcement of environmental laws" (Xiong, 2007) and health officials in Beijing and the provinces have acknowledged the contribution of HIV/AIDS groups in treating patients and reaching out to high-risk groups (Ministry of Health, 2010; Kaufman, 2010: 80; Hildebrandt, 2009: 41–42; Xiong, 2007). Under the slogan "small state, big society" (*xiao zhengfu, da shehui*), local governments are also experimenting with loosening restrictions on registration of NGOs. Prominent examples of this include a 2009 decision in Shenzhen, followed by a similar measure in Beijing in 2011, that allowed local NGOs to register without a government sponsor (Congressional-Executive Commission on China, 2010; Zou, 2011).

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Supportive statements and small-scale experiments have been accompanied by signs of interest in regularizing and legalizing NGO activities. Although national laws that simplify registration and standardize tax treatment of NGOs have been delayed for years (Lan, 2009), Yunnan enacted a provincial regulation in 2009 that for the first time offered international NGOs legal status (Yunnan Provincial Government, 2009). A 2004 measure that set up a legal framework for private foundations also suggests support for NGOs and their efforts to address social problems (State Council, 2004). By 2009, there were 846 private foundations nationwide,[2] a number of which were committed to assisting existing NGOs and incubating new ones (Narada Foundation, 2007).

The third sector is expanding rapidly (compare the 431,860 organizations registered with the Ministry of Civil Affairs in 2009 to the 8,982 registered in 1988) and many social organizations enjoy cooperative relationships with the government agencies they work alongside (Ministry of Civil Affairs, 2010; Teets, 2009: 333).[3] As long as grassroots NGOs stay small, make no calls for democratic reform, and allow officials to claim credit for their good works, their relationship with the authorities can be symbiotic and relatively smooth (if unequal) (Spires, 2011). Yet even NGO leaders who cultivate ties with officials struggle to divine the dividing line between safe and risky. "There is no clear boundary between a political and non-political organization," HIV/AIDS NGO leader Wan Yanhai noted, "and there is no clear boundary between action-oriented and advocacy" (Richburg, 2010). From the state's perspective, a large domestic or international constituency can give even the most innocuous service provider a threatening cast.

Many NGOs wish the authorities would clarify which actions are acceptable and which are not. As a representative from an HIV/AIDS group told Yunnan provincial officials, "We want to know what we can do! Tell us what we are allowed to do and this will help us decide our activities" (Hildebrandt, 2009: 124). But in a political system where censorship and warnings typically occur after-the-fact, as people discover the presence of a line only by crossing it, the leadership has relied mainly on self-restraint (*zilü*) to keep NGOs out of sensitive areas. As the head of one well-known NGO admitted privately, "we are wearing a sword, but we never pull it out" (Interview, Beijing, May 2010).

For NGO leaders, a by-product of working near a hazy, shifting boundary is occasional miscalculation. For example, city officials closed the Guangzhou branch of Greenpeace in 2009 after Greenpeace staff misjudged the sensitivity of a report they published concerning dangerous levels of pesticide residue on local vegetables. Given that a hard-hitting 2005 exposé of toxic e-waste elsewhere in Guangdong (Greenpeace, 2005) won public praise from

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a vice minister of environmental protection (Ministry of Environmental Protection, 2010), it is easy to see how Greenpeace strategists underestimated the risks of undertaking a second, similar investigation.[4]

Miscalculations can occur when signals point in different directions or when individual signals are cryptic. A good example of a signal ambiguous enough to be interpreted in various ways was the March 2010 regulation that required a notarized agreement detailing how foreign donations will be used (State Administration on Foreign Exchange, 2009). Some NGOs read the measure to be an attempt by mid-level bureaucrats in the State Administration on Foreign Exchange to monitor cross-border capital flows, an explanation echoed by officials in the Ministry of Civil Affairs (Tan, 2010). As one long-time labor campaigner said, "what possible benefit could [the government] get from using this [regulation] to nail the NGO movement?" (Interview, NGO staff member, Hong Kong, May 2010). Many others, however, saw the regulation as an attack on overly independent NGOs. In particular, it could cut thousands of unregistered groups off from foreign funding and channel donations to a short list of government-backed organizations exempt from the cumbersome notarization process (Ford, 2010). In the view of a leader of an unregistered NGO, "this [regulation] is how the government works. They can't directly close down all NGOs because they are too afraid of the international reaction. Rather, they just let you die on your own. It's a way of killing people without seeing the blood" (*sha ren bu jian xue*) (Interview, Beijing, June 2010).

Journalists

In 2009, China ranked 168th of 175 countries in the World Press Freedom Index, barely ahead of Burma, Iran, and North Korea. This addition to a string of low scores reflects continuing censorship, periodic punishment for aggressive reporting, and routine reminders that media exist to serve the party. A major speech by President Hu Jintao in 2008 summed up journalists' duties this way: "[they should] correctly guide public opinion . . . to the benefit of the party, the country and the people" (Hu, 2008). Even more to the point, on the 60th anniversary of *Jiangxi Daily*'s founding in 2009, a provincial party leader informed the assembled reporters and staff that it was their responsibility to uphold "the Marxist view of journalism" and reminded them of Mao Zedong's remark that "to do news work well, politicians must run the newspapers" (Congressional-Executive Commission on China, 2009: 51).

But signals about journalists' role in today's China are far more varied than the traditional view that the media are the party's throat and tongue

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(*houshe*). After cutting or withdrawing subsidies for most news providers in the 1980s, top leaders began urging journalists to pay attention to their readership as well as political priorities. As President Jiang Zemin told the staff of *People's Daily* in 1996, reporters must "make their propaganda reports closer to the [public's] lifestyle, closer to their readers and more delightful to the majority" (Esarey, 2005: 55). Gossip, scoops, and opinion sell papers in a way that bland political announcements do not. Pleasing readers, at least at more daring papers, has meant reducing space devoted to propaganda in favor of a more critical brand of journalism. "Of course I have deliberately challenged the government," one reporter at the independent-minded *Southern Weekend* (*Nanfang zhoumo*) explained, "if you don't, you don't have any readers!" (Hassid, 2010: 66).

Cues from above encourage journalists to pay attention to market forces as well as the party line, even as speeches by top leaders also promote media scrutiny of government actions. After two decades of trumpeting supervision by public opinion (*yulun jiandu*), it is unremarkable for a leading press official to say that the government must "consciously accept media and society supervision" (Yang, 2010) or for Premier Wen Jiabao (2010) to urge the press to "fully play its oversight role" and help combat corruption. So long as reporters limit their criticism to lower-level targets and tread carefully during sensitive times, investigative journalism can uncover and halt misconduct. Even the General Administration of Press and Publication, a bureau hardly known for its commitment to press freedom, issued this statement after a manufacturer finagled an arrest warrant for a reporter who had written an exposé of insider trading: "Media organizations have the right to know, interview, publish, criticize and supervise issues related to national and public interests" (Wang, 2010). The message from the top is that journalists can serve the party and be watchdogs, too.

Yet, as with NGOs, there is no clear line separating actions that draw official praise from those that lead to censure (Hassid, 2008). Rather than prepublication censorship, the norm is unpleasant consequences after a sensitive story angers political or economic elites. The Central Publicity Department,[5] in particular, changes its criteria for off-limit topics so often that a story tolerated last month might meet with disapproval the next time the topic is broached. "It's something we are all aware of, we sense it, but we can't really express it," one long-time reporter said about which topics are allowable when (Pan, 2000: 82). Often, journalists are left to glean what they can from earlier media coverage, general instructions, and leadership speeches and must learn from their own mistakes (Stockmann and Gallagher, 2011: 445).

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Shifting forbidden zones and the absence of detailed rules mean that even experienced journalists or editors can get in trouble over stories they thought were unexceptional. After losing his position as deputy editor at *Southern Metropolis Weekly* in 2008, veteran reporter Chang Ping confessed on his blog: "I did write some critical articles and edit some pieces that exposed the truth. For those reasons, I was threatened and lost my job. But to be honest, each case was unexpected, they were all my miscalculations" (Chang, 2009).[6] Even Hu Shuli, an outspoken former editor of the magazine *Caijing* who is famous for her "near-perfect pitch for how much candor and provocation the regime will tolerate" (Osnos, 2009), makes mistakes. In January 2007, a cover story about the sale of a large conglomerate led to an order to remove *Caijing* from newsstands. Staff in the magazine's Shanghai office reportedly tore up copies of the issue by hand and Hu later called the incident the magazine's "largest disaster" (Osnos, 2009). Among reporters, an oft-heard phrase—playing edge ball (*da cabianqiu*)—captures the ease of misjudging limits and the difficulty of placing an article, like a ping-pong ball, just in bounds.

Journalists who play edge ball often find that a good way to locate a boundary is to watch someone else cross it. A story that prompts a negative reaction generates valuable information about which topics remain too sensitive. From the state's vantage point, sanctions are a costly signal that requires officials not only to issue pronouncements but also to make decisions and take responsibility for their actions. Heavy-handed coercion, like fines, arrests, and detention, entail even higher costs by upping the need for cross-departmental coordination and undercutting efforts to minimize too-obvious reliance on repression. Still, periodically, the authorities pay these costs willingly and turn to the harshest forms of control. The 2004 detention of top editors at *Southern Weekend*, following the paper's reporting on SARS (severe acute respiratory syndrome) and on a migrant worker who was killed in police custody, for example, had a chilling effect on investigative journalism nationwide. A former editor at another popular Guangzhou newspaper called the arrests "the most serious blow to the Chinese media in the last decade" (Beach, 2005).

Scanning a wide range of incidents (and non-incidents) suggests, however, that the first reaction to a story that goes too far is usually limited. Publications typically receive three warnings before they are shut down and even reports that make officials furious, like *Caijing* magazine's 12-page spread on the neglect of construction standards before the 2008 Sichuan earthquake, can go unpunished (Osnos, 2009). Lack of reaction can boost

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a journalist's confidence to the point where some overly confident boundary-pushers claim that "there is no risk" in their job (Interview, Guangzhou, May 2010). Even reporters who are fired can usually find work at another paper, especially if they switch to a pen name, and getting into trouble can be a badge of honor in some circles. One environmental reporter not only thought that enforced vacations were fun (*hao wan*) but also discovered that they made his reputation even stronger (*geng qiang*) (Interview, Beijing, January 2007). Although most journalists are risk-averse and engage in considerable self-censorship (Hassid, 2010; Stern and Hassid, 2012), a significant minority interpret risks as manageable and see boundaries that are inconsistently policed.

Lawyers

Chinese lawyers who push for government accountability, civil rights, and social justice have had a difficult time lately. Overseas news organizations regularly report signs of a "crackdown on troublesome lawyers" (Ford, 2009) and surveillance, harassment, and detention of outspoken attorneys typically intensify at moments of heightened anxiety, such as during the 2011 Arab Spring. On the ground, lawyers tend to interpret public pressure as a marker designed to deter others from taking similar action. Tang Jitian, for example, saw the loss of his license (ostensibly for disrupting court order during his defense of a Falun Gong practitioner) as "revenge . . . to scare our friends who are doing the same thing" (Wong and Yang, 2010). Or, as Li Jinsong commented after his law firm was closed for six months: "they are killing the chicken to warn the monkeys [and] trying to close us down to suppress other lawyers" (Ford, 2009).

Yet despite evidence that the authorities have increased their vigilance and a sense that space for legal advocacy is shrinking, the boundary between acceptable and unacceptable behavior remains blurry. Spasms of repression, like the round-up of dozens of China's boldest lawyers in early 2011, frighten more moderate voices into quiescence, without fixing the dividing line between tolerable and not. In the absence of clearly demarcated limits, it is hard for boundary-pushing lawyers to determine the extent of tightening and just how far a newly restrictive "forbidden zone" extends.

Gauging how taking a case or defending a client will be received still relies on guesswork, and even sharp-eyed lawyers can miscalculate. Defense attorneys who volunteered to represent Tibetans involved in the March 2008 riot, for instance, were surprised by the extent of government interference they encountered (Fu and Cullen, 2011: 53). In Tibet, some lawyers were

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barred from meeting would-be clients (Radio Free Asia, 2009), and in Beijing others found their annual license renewal applications were denied (Buckley, 2008). The head of the Beijing University Women's Law Studies and Legal Aid Center was similarly shocked (*zhenjing*) in March 2010 when school administrators (almost certainly under orders from party bosses) cut off discussions about the correct balance between litigation and research, and suddenly withdrew their sponsorship (Wu, 2010). Only five years earlier, the university's party secretary and president had congratulated the center on its tenth anniversary for "following the Beijing University tradition of patriotism, progress, democracy and science" and for "bringing honor" to the school (Beijing University Women's Law Studies and Legal Aid Center, 2010). Other politically engaged lawyers were taken off guard too, as women's rights had long been considered one of the less risky causes to promote.

Even for lawyers who refrain from criticizing the government,[7] anticipating a reaction is challenging not only because rules are unclear but also because the central leadership sends mixed signals about its position on different types of legal advocacy. On one hand, national leaders are obsessed with instability, particularly unrest among those who have been left behind in China's economic boom. When they assist members of weak and disadvantaged groups (*ruoshi qunti*), lawyers can clear up disputes, address common grievances, and help prevent protest. The 19-fold expansion in the legal aid budget between 1999 and 2007 underscores the Center's commitment to channel disputes into the legal system (Zhu, 2007: 404; *Zhongguo falü nianjian*, 2008: 1124; on legal aid, see Gallagher, 2007: 196–99). Beginning in 2010, the State Council also allowed private legal aid groups to apply for 50 million RMB (US$7.5 million) of new funding, an experiment in privatizing what had been a public responsibility ("Zhongguo falü yuanzhu," 2010). Even high-profile litigation is sometimes welcomed if it draws attention to solvable problems without reflecting badly on top leaders. Year-end media round-ups of notable cases are now standard fare and some public interest lawyers have won government awards for rights-related work (Fu and Cullen, 2011: 43–44).

But on the other hand, continuing repression suggests a readiness to police ever-shifting boundaries. Jailings, beatings, and disappearances are a reminder that pushing against limits does not always expand them and, in fact, can lead to more diligent patrolling. In recent years, the boundary-pushing lawyers who have had the best relations with officials are known for working within the system (*tizhi nei*), listening to warnings, and steering away from high-visibility litigation in favor of run-of-the-mill cases. One such lawyer explained his patience this way: "you can sail a boat for 10,000 years without

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failing if you are cautious enough. . . . Social progress does not come overnight" (Jiang, 2009). A June 2009 headline in *Southern Weekend* nicely summed up official ambivalence about legal advocacy— "Public Interest Lawyers: Heroes (*Yingxiong*) or Troublemakers (*Diaomin*)?" (Meng, 2009).

Much of the day-to-day work of separating heroes from troublemakers falls to local authorities, and lawyers can usually avoid problems by heeding warnings. Two of the clearest signals to back off are a court's refusal to take a case and phone calls or meetings with concerned officials who (as one lawyer described it) lecture "like a teacher in school" (Interview, Ningbo, November 2007). Many of the fearless attorneys in the headlines or on human rights watch lists, in fact, have ignored signs of official displeasure and have resolutely refused to back down. Blind, rights lawyer Chen Guangcheng, for example, declined to drop the issue of family planning abuses even after courts rejected a class action lawsuit he organized. He posted his findings on the Internet, spoke with the foreign press, and was sentenced to four years in prison for damaging property and disrupting traffic. Human rights lawyer Gao Zhisheng, for his part, continued to defend Falun Gong believers even after court officials warned him that further "risky" behavior would lead to a report recommending disciplinary action (Gao, 2007: 47). Like Gao and Chen, the most intrepid boundary-pushers plunge in despite clear risks and are "prepared in their hearts" (*xinli zhunbei*) to meet the consequences.

But for many boundary-pushing lawyers, threats, warnings and reminders help them assess risk and avoid straying too close to the high-voltage line (*gao yaxian*). Lawyers whose work regularly triggers chats with public security officials talk about the art of giving in a little (*rang yi bu*) or occasionally taking a time out (*xiuxi yi hui*) (Interview, Beijing, January 2007). After running into trouble, they may lay low for a time, avoid public statements, and wait for the political climate to improve (Interview, Beijing, March 2011).

As with journalists who test the limits of the possible, there can also be payoffs for risk-taking. Lawyers rely mainly on word of mouth to find clients and media coverage can cement a reputation or build a new one. Increased social respect is a possibility, too. All but the most self-effacing attorneys enjoy being introduced at a conference as "our rights-upholding hero" (First author's observation, March 2007) or, like academic and lawyer Wang Canfa, being selected as an international "hero of the environment" by *Time* magazine (Ramzy, 2007). At least for some, working the territory between the permissible and impermissible has an upside as well as risks.

In the end, boundary-pushing NGO leaders, journalists, and lawyers take advantage of two basic facts: uncertainty about the limits of the acceptable often applies to street-level officials charged with maintaining stability,[8] and

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the consequences of neglecting or misjudging limits are usually manageable. Although the authorities are quite willing to track, punish, and even imprison the most determined advocates of change, a stream of warnings usually precedes serious sanctions. For all the wariness the state displays toward activists, there is room to maneuver in the no man's land between the uncontroversial and the forbidden. Mixed signals, in short, make for vibrant boundary politics.

Understanding Mixed Signals: A First Cut

Some reasons for mixed signals are universal. Whenever multiple bureaucracies or levels of government take part in policy making, mixed signals are likely. Including more officials from more agencies inevitably introduces different interests, agendas, and voices. Hierarchy, especially many layers of hierarchy, also decreases the likelihood of a single, clear message as policies make their way from higher to lower levels with opportunities for distortion (both deliberate and inadvertent) each step of the way (Wedeman, 2001).

But even if mixed signals are difficult to avoid in all but the most tightly controlled regimes, they seem especially common in China. One reason for this is the country's size and degree of decentralization. Even re-centralizing revenues in the mid-1990s failed to reduce local budgets much below 70 percent of government spending, a level of fiscal decentralization surpassing that of nearly every other authoritarian state (Landry, 2008: 3–6).[9] For some time now, decision making has been fragmented (Lieberthal and Oksenberg, 1988), with a range of bureaucracies and officials enjoying latitude to adjust and make policies. Bargaining, increasingly with pressure groups as well as bureaucrats (Kennedy 2005; Mertha, 2008), is an enduring presence in Chinese policy making and behind-the-scenes jockeying can produce conflicting cues, some of which are latched onto as signs that advocacy is possible (O'Brien and Li, 2006; Sun and Zhao, 2008).

Mixed signals are also the result of a "guerrilla policy style" that dates back to the revolutionary mobilization of the 1930s and 1940s. Guerrilla policy making, as Heilmann and Perry (2011: 12, 22) explain, is a process of "continual improvisation and adjustment" that prioritizes flexibility and accepts "pervasive uncertainty." Local officials are given leeway to try new approaches and good ideas are sometimes later rolled out nationwide (Heilmann, 2008). Mixed signals are a feature of today's political landscape, in part, owing to this tradition of experimentation and comfort with variation. Demonstration areas for economic and political innovation dot the nation and, at times, a "disparity of attention," while leaders are occupied with "more

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vital *other* interests," can serve as a green light for activists (Hirschman, 1978: 47, emphasis in the original).

Any attempt to uncover the origins of mixed signals raises the question of intent. Are mixed signals an outgrowth of a decentralized, divided state or a canny strategy to contain dissent, gather information, and keep options open? Without a heart-to-heart with top officials, or access to internal documents, it is hard to know for certain. At a minimum, however, China's leaders seem uninterested in clarifying the limits of the permissible and are only too pleased to profit from a situation that would be difficult to end.

Planned or unplanned, mixed signals lend the regime certain advantages. To start with, blurry boundaries and unpredictable crackdowns reduce the costs of policing. Uncertainty gives rise to self-censorship and inducing people to control themselves is cheaper and easier than stepping up surveillance or throwing boundary-pushers in jail (Hassid, 2008; Stern and Hassid, 2012). Mixed signals encourage "preference falsification" (Kuran, 1991) and the leadership benefits when the disenchanted hide their true beliefs behind a façade of conformity. It is difficult for "troublemakers" (Chen, 2009) to search out the like-minded, let alone mobilize support, when many people feel compelled to disguise what they think.

At the same time, mixed signals can also help desk-bound administrators collect intelligence about grievances and how they might spread. Observing how grassroots activists respond to mixed signals can be a rich source of information about growing tensions and threats to "stability" (*wending*). It is even conceivable that signs of tolerance may occasionally be engineered to smoke out opponents, as some believed Mao did during the Hundred Flowers Campaign (Meisner, 1999: 183). Up and down the chain of command, responses to mixed signals provide clues about what the disaffected are thinking and what the biggest risk takers are willing to do. In this way, watching mixed signals ripple through society can help the leadership get in front of emerging challenges and defuse flashpoints of discontent.

Finally, emitting (and failing to clarify) mixed signals can enhance adaptability, a necessity for any regime that expects to survive. In contrast to the expectations and vested interests that form around a clear, public commitment, allowing mixed signals to emerge and persist can help leaders evolve with the times. Warnings and praise can be doled out in response to the pressures of the moment and in reaction to what boundary-pushers have done recently. As perceptions of who is dangerous evolve, the leadership can treat different groups differently without raising awkward questions about its commitment, unity, and competence. Being hard to pin down makes it easier

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to move a step this way or that and to update the regime's approach to different kinds of advocacy.

Mixed Signals and the Chinese State

So what do the experiences of boundary-pushing NGO leaders, journalists, and lawyers tell us about the Chinese state? Seen from below, one key feature of the state is mixed signals about the limits of participation. Beyond some well-marked no-go zones, acts of advocacy are treated unpredictably, with suppression, tolerance, and endorsement all possibilities. Rather than enforcing consistent standards, the norm is granting local officials discretion to judge if a boundary has been crossed. And what local officials decide may vary, with labor issues tightly monitored in Guangdong, environmental advocacy sensitive near the Three Gorges Dam, and HIV/AIDS a sore point in Henan (Spires, 2011: 18). Even at a time when boundary-policing is a top concern and spending on maintaining stability (*weiwen*) rivals the defense budget (Qinghua University Sociology Department Social Development Research Group, 2010), the Chinese state speaks with many voices.

Placing signaling near the center of our understanding of the state has several implications. First, highlighting signals suggests a way to move beyond the notion that the state is "a ghost in the machine, knowable only through its various manifestations" (Easton, 1981: 316) to spell out the manifestations that matter most. Instead of focusing on the state or on society, discussions of signaling bring both into view simultaneously. Tracking signals sent and received clarifies the imprint of the state and places people's lived experiences at the heart of generalizations about the "state of the state." In the beliefs and acts of ordinary people an abstraction becomes real and a central manifestation of all authoritarian states—the limits of tolerance—comes into view.

For those interested in monitoring political change, a focus on signals also allows us to examine how the decline of mass mobilization and the de-politicization of everyday life have altered state–society communication. Although factional struggles and policy reversals were hardly unknown during Mao's time, the leadership had well-established means to reach the general population, including political campaigns, mandatory political meetings, village broadcast systems, and grassroots cadres. Today, signals still arrive in many ways, but the reliability of any single signal is less certain. Media liberalization and efforts to enhance transparency by, for example, putting government documents online have expanded the number of listening posts, but distinguishing trustworthy information from tentative feelers and "noise" is as much (and maybe more) of an art than ever.

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In China, mixed signals are of course only one aspect of the state. To round out the portrait, we will need to construct a mosaic, piece by piece, composed of various manifestations. Considering different state projections, and discovering how far they extend, could help us appreciate which traits are central (or peripheral), which are enduring (or fleeting), and how different manifestations relate to each other.

To understand the back-and-forth of state–society communication, especially in regimes where information is limited and opportunities for advocacy are circumscribed, working close-to-the-ground is a good place to start. Spending time with those proposing change can offer insight into the habits and values that shape how signals are received. A fully interactive account of signaling will also require special attention to moments at which bottom-up initiative induces the state to respond. The state is not always the first mover, and advocates are not simply passive recipients and processors of information.

At the same time, speaking with officials and reading guidelines and policy documents can illuminate how boundary-policing works and how leaders understand and adjust the signals they send. To complement "experience near" (Geertz, 1983: 57–58) approaches, a dose of game theory could also clarify the incentives and interactions that generate different combinations of signals and structure consequences. The advantages of mixed signals discussed above, for example, could be extended and linked to discussions about cost-effective deterrence, the strategic value of ambiguity, and the option value of uncertainty.[10]

Navigating uncertainty requires close attention to what the authorities say and do. Beyond advocates from the three groups profiled here, other boundary-pushers in China also face mixed signals about the limits of the permissible. Documentary filmmakers, for example, have held periodic festivals in Beijing and Yunnan despite last-minute warnings that they might be shut down (Nornes, 2009). Religious believers experience conflicting cues, too. In three short years, the unregistered Protestant church Shouwang was raided in the run-up to the Olympics, was pushed outside to worship, secured permission to hold indoor services, and then was forced back outdoors (Vala, forthcoming). Protesters also encounter mixed messages that shape their frames and tactics. People as different as laid-off workers (Hurst, 2008) and homeowners engaged in NIMBY disputes (Stern, forthcoming; Wasserstrom, 2009) receive a variety of signals when probing for openings and learning what they can get away with. Even private entrepreneurs, a group not known for pushing boundaries (Tsai, 2007), must cope with ambiguous signals about whether unlawful behavior (such as bribing officials or violating

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environmental standards) will be waved aside or called to account (Tilt, 2010: 159; McNally, 2011). For anyone whose success depends on figuring out state preferences, homing in on signals and their reception promises to bring the micropolitics of choice and the macropolitics of the state into one conversation.

In the final analysis, the presence of mixed signals is an important reminder that the Chinese state, even at its most repressive, is not as single-minded as it is sometimes portrayed. The same state that responds decisively to any hint of "separatism" in Tibet or Xinjiang (Hastings, 2005), or is unrepentant about jailing a Nobel prizewinner or a renowned avant-garde artist, displays much less certainty about how to treat others who propose change. There are at least two Chinas: the stable, high-capacity juggernaut familiar from the headlines and a "hodgepodge of disparate actors" (O'Brien and Li, 2006: 66) that appears ambivalent about what types of activism it can live with. For those interested in bringing China into debates about varieties of authoritarianism or the origins of regime resilience, both images of the state tell us much about how illiberal leaders handle demands, manage challenges, and elicit compliance.

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Notes

1. On the distinction between "transgressive" and "contained" contention, see McAdam, Tarrow, and Tilly, 2001: 7. On the boundary between these in China, see O'Brien, 2003.

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2. By 2009 the sector was increasing at a rate of 200 foundations per year (Interview with the head of a private foundation, Beijing, June 2010).
3. Based on data it collects, the Ministry of Civil Affairs publishes an annual tally of the number of Chinese NGOs. Many observers believe the official figures are overstated and reflect large numbers of government-organized NGOs.
4. The e-waste investigation was focused on Guiyu Town, some 250 miles from Guangzhou. The lesson that one staff member drew from reaction to the pesticide report was that public criticism is safer for targets a considerable distance from home (Interview, Hong Kong, May 2010).
5. This department (previously translated as the Central Propaganda Department) is the party office responsible for controlling and guiding (*zhidao*) Chinese media.
6. Chang later lost his research position at Southern Daily Group as a result, he believed, of tighter censorship following Liu Xiaobo's Nobel Peace Prize (Barboza, 2011).
7. For a typology of moderate, critical, and radical rights-protection lawyers, see Fu and Cullen, 2008.
8. A township legal aid office in rural Hebei in the late 1990s was established not for protesting villagers, but for local cadres who were unsure if popular claims were legal (and had to be addressed) or illegal (and could be ignored or suppressed) (Second author's observation, July 1998).
9. According to Landry (2008: 6), China's current level of fiscal decentralization has been exceeded only by that of Yugoslavia in the years immediately preceding its break-up.
10. Many thanks to David Roland-Holst for this list.

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