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From Resistance to Advocacy: Political Representation for Disabled People in China

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ABSTRACT Although many state agencies in China are designated with a function of "representing" ordinary people's interests, they are poorly structured for that purpose. It is therefore puzzling why some of them have at times actively and effectively advocated the interests of ordinary people, even when such interests may conflict with state policies. To solve this puzzle, this article examines a recent campaign by the Chinese Disabled Persons Federation to resist a national trend to ban the use of three-wheelers for passenger transport by many local governments. Our analysis recognizes the importance of personal motivations and favourable political structure, but it emphasizes that forceful popular collective action can create both pressure and opportunity for active state advocacy. Such a pattern of mutual-reinforcement between mass organizations and their constituency has sometimes contributed to the dynamics of political change in the reform era.

With the rapid development of capitalism and a diversified society in China, some Chinese political institutions may appear somewhat anachronistic. However, this political system has so far worked surprisingly well in accommodating a changing and often contentious society. Part of the secret lies in institutional conversion: some institutions may work in a way that is dramatically different from their design. In particular, many political institutions designed for preventing or containing popular collective action have actually facilitated it.[1]

Mass organizations (MOs) are one vintage example. As a typical institution of Leninist regimes, they were designed as transmission belts between ordinary people and the party-state. In addition to helping the Party centre carry out its policies, they are also responsible for "representing" the interests of their designated constituency. If they fulfil their functions well, it is assumed, ordinary

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1 Xi Chen, "Institutional conversion and collective petitioning in China," in Kevin O'Brien (ed.), *Popular Protest in China* (Cambridge, MA: Harvard University Press, 2008), pp. 54–70.

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people will not need to resort to collective action. Despite their important designated functions, however, such organizations have seldom been taken seriously because they usually lack not only power but also motivation or courage to stand up for their members.

However, this is not always so. Some MOs have at times aggressively advocated for their constituents. They have negotiated with or even confronted other public agencies in order to press for favourable laws and policies on behalf of their members. For example, as Tanner's study shows, National People's Congress deputies who were attached to the ACFTU, the official labour union, tended "to confront, criticize, and amend draft laws that they feel harm the interest of state workers and their unions, even when these reforms enjoyed the open endorsement of the party center."[2] Why and when do MOs diligently act out their representative role? This is the central question this article seeks to answer. The analysis acknowledges the importance of a favourable political environment and the personal motivations of the key leaders of the MOs, but it also highlights the impact of collective action mounted by the MOs' constituents.

This study is focused on a recent campaign by the Chinese Disabled Persons Federation (CDPF) to resist a trend by many local governments to ban the use of three-wheelers for passenger transport.[3] Since the 1990s, with the encouragement of some central governmental agencies, an increasing number of cities have decided to phase out a variety of vehicles that are perceived as damaging to the urban environment and traffic, including the three-wheelers driven by some disabled people to make a living. The CDPF, under the leadership of its chairman, Deng Pufang, has fought an uphill battle to resist this trend. Deng and his associates have worked very hard to lobby the central government and pressure local governments for a favourable policy. The CDPF's local cadres have also routinely protected disabled people from punishment by the police after they violated local regulations.

The very active and relatively effective advocacy of the Federation seems to have benefited significantly from Deng's remarkable motivation. Since his father is Deng Xiaoping, his family background also provided him with unusual political leverage. However, despite the tremendously important role of Deng, much of the momentum and power of the campaign came from vigorous collective action mounted by ordinary disabled people. Their persistent resistance has lent salience to the issue, and created both pressure and opportunity for Deng and the CDPF to act out their representative roles. In turn, strong advocacy from the Federation has greatly facilitated the resistance by disabled people.

2 Murray Scot Tanner, "The National People's Congress," in Merle Goldman and Roderick MacFarquhar (eds.), *The Paradox of China's Post-Mao Reforms* (Cambridge, MA: Harvard University Press, 1999), p. 124.

3 Such vehicles are called "motorized vehicles designed for disabled people" (*canjiren jidongche*) in China. Most of them are tricycles. For convenience, I refer to them three-wheelers or tricycles.

By identifying such a pattern of mutual reinforcement between MOs and their constituency, this study calls attention to the oft-overlooked bottom-up dynamics of state advocacy. Most previous explanations are focused on the supply side of state advocacy: the relationship between the party-state and MOs, as well as the personal efforts of a few key leaders of such organizations. The demand for advocacy by their designated constituency may sometimes provide remarkable momentum for MOs' activism, especially when the demand is expressed through collective action. In such cases, the combination of popular contention and state advocacy may provide important means for some disadvantaged social groups to articulate their interests in policy making processes.

Explaining State Advocacy

Designed as a two-way transmission belt, mass organizations are an important part of mass line politics in China. They are supposed to channel the demands of the masses to the leadership, and also help the state to carry out its policies. In practice, however, they are often unequivocally biased towards the state, so two-way transmission is usually reduced to a one-way movement. As Unger and Chan remark, "directives came down through the structure, but constituent opinion and demands were not allowed to percolate up."[4] Similarly, Dreyer notes that "these organizations are very tightly controlled by the government specifically so that they support the agenda developed by the Chinese Communist Party (CCP) rather than articulating demands that would benefit their own memberships. … Hence these organizations have not functioned very well as interest groups."[5]

This is not to suggest that mass organizations do not take care of their constituencies at all. In fact, they have routinely provided a number of services. For example, the official labour unions provide workers with a variety of help, from legal assistance in labour disputes to welfare services. They sometimes also participate in policy making processes to help the state and management identify and meet some of workers' demands. However, there are two significant limitations to their role as workers' advocates. First, to quote Feng Chen, they "have functioned more as agencies of legal assistance or social work." Their representation is limited to "service responsiveness" rather than "policy or allocation responsiveness."[6] Second, unions tend to avoid advocating for workers' interests on contentious issues, especially when the demands conflict with state policies. Harper therefore comments that "when workers' demands deviated significantly from what the party committee or administration desired, the trade unions were at a loss."[7]

4 Jonathan Unger and Anita Chan, "China, corporatism, and the East Asian model," *The Australian Journal of Chinese Affairs*, No. 33 (1995), p. 37.

5 June Teufel Dreyer, *China's Political System: Modernization and Tradition* (New York: Pearson Longman, 2008), p. 8.

6 Feng Chen, "Between the state and labour: the conflict of Chinese trade unions' double identity in market reform," *The China Quarterly*, No. 176 (2003), p. 1026.

7 Paul F. Harper, "The Party and unions in Communist China," *The China Quarterly*, No. 37 (1969), p. 108.

The failure of most mass organizations to provide effective representation is hardly surprising. After all, the political system provides very little incentive or power for them to fulfil such a task. At best, the officials have superficial connections to their constituency. In some cases, the CCP has deliberately appointed people from the "represented" group to key positions in the organizations in order to symbolize the representation. For example, top officials in the Women's Federation have always been women. Yet more often an opposite strategy is adopted: generalist outsiders are appointed to the leadership to ensure strict loyalty to the Party, rather than to sectoral interests.[8] Many local officials in the ACFTU, for instance, have been transferred from other governmental agencies, without any experience as workers or labour advocates. Similarly, even though it is required by law that a certain percentage of officials in the CDPF should be appointed from disabled people, the policy has seldom if ever been strictly implemented.[9]

More importantly, there is no procedure through which the constituency can hold officials of such organizations accountable. Cadres' political future is entirely controlled by the Party. Consequently, even when officials are picked from the "represented" group, most of them quickly develop the mindset of bureaucrats. Moreover, as peripheral agencies in the party-state apparatus, the MOs' lack of power further inhibits their incentive for active advocacy.

If mass organizations are poorly motivated for representation by design, it is puzzling that they have sometimes ventured to claim a relatively autonomous identity and fight aggressively on behalf of their constituents. A few studies underscore such a tendency. For example, Tanner shows that some National People's Congress deputies who are attached to the ACFTU developed a "bottom-up" view of their role as deputies, seeing their union members and not the Party centre as their true "constituency."[10] In the history of the PRC, the labour unions have demonstrated impressive assertiveness during at least three periods: the early 1950s (under the leadership of Li Lishan), 1956–57 (under the leadership of Lai Ruoyu), and the Reform Era.[11]

X. L. Ding also offers some important insights. He finds that "an institution can be used for purposes contrary to those it is supposed to fulfill, and the same institution can simultaneously serve conflicting purposes." He conceptualizes this as "institutional amphibiousness." In particular, he notes that "this pattern developed dramatically in the spring of 1989. Important party-state organs became the mouthpiece of anti-government movements. Some of the state's

8 See e.g. *ibid.*

9 Two cadres from City Y and Guangzhou chapter explained that the quota could not be met mainly because there were not enough disabled people qualified for the positions. Interviews, May and June 2008.

10 Tanner, "The National People's Congress," p. 124.

11 Unger and Chan, "China, corporatism, and the East Asian model"; and Jeanne L. Wilson, "'The Polish lesson': China and Poland 1980–1990," *Studies in Comparative Communism*, Vol. 23, No. 3/4 (1990), pp. 259–80.

conventional instruments for political control, such as trade unions and youth organizations, were taken over by critical elements and turned out to be organizational vehicles for mass protest."[12]

Not surprisingly, such a potential has caused deep concerns to the leadership and prompted them to discipline the MOs every so often. For example, shortly after the student movements in 1989, the CCP carried out a campaign to re-discipline mass organizations. The Central Committee issued a circular in December 1989 on how to strengthen Party control over three main MOs: the ACFTU, the Youth League and the Women's Federation. The circular particularly admonished: "We shall be alert to any attempt to weaken the Party's leadership."[13]

Indeed, the potential of institutional conversion has become such a concern that Party leaders have been wary of setting up some new MOs. This is why they rejected the idea of an association for farmers. In fact, it is a striking feature of the Chinese system that despite the huge population of Chinese farmers they are not allowed to have their own association. From the Chinese leadership's viewpoint, the potential of such an association to impose too much pressure on the state was worrying. As Bernstein and Lü have pointed out, "the very prospect that strong pressure might be exerted is undoubtedly the fundamental reason why the creation of [a farmers' association] was not allowed."[14]

So how are we to understand the situations in which normally docile and aloof organizations begin to stand up for their constituents? Although systematic explanations are not available, scholars have identified some factors that may contribute to active advocacy. First, the constituents must have clearly identifiable interests. This is how Feng Chen explains why the transition to a market economy has created pressure on labour unions. Because the Chinese state maintained a paternalist labour regime to guarantee workers' fundamental interests before the economic reforms, labour unions seemed to lose their class constituency and hence representative role. With the economic reforms, however, the state began to withdraw most of these services, and the interests of labour and management also became differentiated. Consequently, "the voice within the ACFTU that calls for representation is growing."[15]

However, this factor is far from sufficient for explaining the activism of mass organizations. Although many social groups have clear interests, many of their designated advocates still lack the motivation or courage to fight for them, even though this could be beneficial to advocates' prestige among their

12 X. L. Ding, "Institutional amphibiousness and the transition from communism: the case of China," *British Journal of Political Science*, No. 24 (1994), p. 306.

13 Zhonggong Zhongyang, *Zhonggong Zhongyang guanyu jiaqiang he gaishan dang dui gonghui, gongqingtuan, hulian gongzuo lingdao de tongzhi* (*The Central Committee of the CCP on How to Improve the Party Leadership on the ACFTU, CYL, and ACWF*) (Beijing, 1989).

14 Thomas Bernstein and Lü Xiaobo, *Taxation without Representation in Contemporary Rural China* (New York: Cambridge University Press, 2003), p. 238.

15 Feng Chen, "Between the state and labour," p. 1011.

constituents and in some cases power. Considering the risk and costs that advocacy can incur, simply having clearly defined sectoral interests is not adequate for explaining active advocacy. It is often highly risky to stand up to Party policies on behalf of constituents. As Unger and Chan observe: "During periods of comparative liberalization under Mao during the 1950s, when corporatist organizations such as the peak union federation attempted to carry out their ostensible functions by transmitting upward their members' grievances, Mao and the Party leadership promptly slapped them down and dismissed their leaderships."[16]

Some scholars have therefore underscored the importance of political environment. The decline of state control of mass organizations in some periods does appear particularly facilitative. With the possibility of sanction by the Party reduced, MOs' leaders are more tempted to fulfil their function of advocacy. For example, according to Unger and Chan, all three periods of ACFTU activism can be attributed to "the loose political climate." The Federation chairman Li Lishan strove for ACFTU autonomy in the early 1950s when the People's Republic had not consolidated its power. The activism of Li's successor, Lai Ruoyu, in 1956–57 would be unimaginable had there been no Hundred Flowers campaign. Finally, the ACFTU became more active when the state's control of MOs declined to some extent in the 1980s and 1990s.[17] Similarly, when X. L. Ding discusses the conditions for the institutional conversion of MOs and research institutes in the 1980s, he highlights the CCP's loss of legitimacy, the weakening of the political centre's control of state machinery and a new recruitment policy in the post-Mao era.[18]

Such structural changes can certainly provide opportunity for strong advocacy. However, their impact should not be overestimated. After all, the CCP's control over the state machinery has seldom been substantially weakened. Even during special periods such as 1956–57 and 1989, the Party has still maintained fairly solid control over MOs. Also, to explain state advocacy by weakened state control is prone to tautology. When no better measure of state control is available, it is tempting to use the activism of mass organizations as indicators of its decline.

Considering the limited impact of structural factors, some scholars emphasize the importance of the personal motivations of MO leaders. For instance, O'Brien focuses on individual characters and preferences because "individuals can modify structures in which they are located."[19] He also points out that none of the structural factors compels cadres to become active advocates: at most they offer the option. Cadres must select this role.

Similarly, even though X. L. Ding recognizes structural conditions, he stresses the importance of the decision of officials to manipulate state agencies. As he

16 Unger and Chan, "China, corporatism, and the East Asian model," p. 37.
17 *Ibid*. p. 40.
18 Ding, "Institutional amphibiousness," pp. 303–04.
19 Kevin O'Brien, "Agents and remonstrators: role accumulation by Chinese People's Congress deputies," *The China Quarterly*, No. 138 (1994), p. 378.

explains, "the importance of a member of the counter-elite as a unit head lies, first, in that, under his leadership, the unit could be partially converted from the party-state's instrument for political control into an agent for the struggle by social forces against the ruling elite's interests."[20] But why would some cadres chose to become counter-elite? Ding seems to believe it is a result of their "political orientation." Indeed, if the structural explanations can only offer very limited clues as to the tendency of aggressive advocacy, an emphasis on personal orientations and decisions is warranted. However, personal orientations are often fluid and can easily change with the political environment or the person's position.

The experience of Lai Ruoyu, chairman of the ACFTU in the 1950s, is a case in point. Lai was appointed to replace Li Lishan who allegedly committed the mistake of "economism." Lai had no experience in the labour movement and was therefore regarded as a trustworthy generalist to correct Li's mistake. Harper remarks, "Lai's appointment as ACFTU Secretary-General in 1952 and election as Chairman in 1953 is a classic example of the Chinese Communists carrying on a traditional Chinese bureaucratic technique: that of setting the generalist outsider, with no personal ties to those already in the apparatus, to clean house and return the organization to the path desired by the leadership." However, under Lai's leadership, the ACFTU demonstrated a strong tendency towards relative autonomy. Therefore Harper also notes that "Lai became an equally classic example of the generalist eventually seduced by the special interest organization, the Party man who becomes the professional advocate for his own non-Party group."[21] Clearly, the special political environment in 1956–57 had dramatically transformed Lai's personal orientation. Therefore, since they themselves need to be explained, personal orientations are far from adequate for accounting for the activism of MOs.

Although the above explanations differ from each other in their basic perspective, they share a weakness: they have largely ignored the demands for advocacy by the relevant constituency, which may have a significant impact on its supply. By focusing on the relationship between MOs and the party-state or on the personal orientations of organization leaders, they are confined to a top-down perspective. In many cases, a bottom-up view can provide important insights on the dynamics of state advocacy. This is because popular collective action can create both pressure and opportunity for active state advocacy.

Mass organizations are usually content with their dual identities. Since most of them routinely provide various services for their constituents, their advocacy identity is often taken for granted. Only when conflicts emerge between their constituents and the state does their function of representation come into question. When forced to choose, many MOs will side with the state. But a few go the other way. When the organizations fail to provide effective advocacy, the constituents may resort to self-organization, which will further exacerbate the

20 Ding, "Institutional amphibiousness," pp. 303–04.
21 Harper, "The Party and unions in Communist China," p. 97.

MOs' identity crisis. In addition to pressure, strong popular collective action also provides much-needed leverage for MOs. As peripheral agencies in the party-state, they seldom enjoy an equal status in their bargaining with other state agencies. However, if their constituents have generated enough concern among the Party leadership about social stability, the MOs can press for favourable policies more effectively.

This bottom-up view can effectively remedy the weaknesses of the top-down perspectives. The motivations of key leaders of MOs can certainly play an important role. However, in the absence of fixed personal orientations, we still need to examine external factors in order to explain when and on what issues leaders are motivated to fight for their constituencies. While variations in levels of state openness does change the bounds in which MO leaders can act, collective action on the part of constituents can profoundly shift key actors' incentives even in cases where state control remains very tight.

Fighting for the Constituency

When motorized tricycles became available in the late 1980s, many disabled people embraced them enthusiastically. Such vehicles not only liberated them from their largely isolated life but also provided many of them with a tool to make a living. By taking passengers in their three-wheelers, disabled people could earn a decent income. Not surprisingly, the number of three-wheelers surged in many cities. By 1995, Shanghai had at least 12,000 of them and Beijing more than 30,000.[22]

However, their happy days did not last long. Because of their noise and emissions, these tricycles were regarded as harmful to the urban environment. Moreover, they were believed to be disruptive to urban traffic: if used in the lanes for motorized vehicles they were too slow and lacked protection for those inside; if used in bicycle lanes or pavements they were disruptive and often became a source of complaint. An increasing number of cities therefore began to ban them for commercial use in the 1990s. In some cities, even personal use of such vehicles was not allowed.

Usually regulations on vehicles were not targeted at disabled people alone. In fact, a variety of vehicles, including motorcycles and electric bicycles, were forbidden in urban areas. Complaints and protests often ensued, but they were seldom sustained or made a difference. This was mainly because local leaders tended to have very strong motivations to implement such regulations. As the image of municipal areas was consistently used as a primary indicator of political performance, local leaders could enhance their political careers by removing "backward" vehicles from streets. Moreover, such policies were usually endorsed by the central government. The Ministry of Public Safety (MPS) and several

22 From Matthew Kohrman, *Bodies of Difference: Experiences of Disability and Institutional Advocacy in the Making of Modern China* (Berkeley: University of California Press, 2005), p. 131.

other relevant central agencies initiated campaigns to improve the regulation of urban traffic, such as the "smooth traffic project" (*changtong gongcheng* 畅通工程) in 2000. In the face of motivated local leaders and their enthusiastic supporters in Beijing, ordinary people's resistance has usually been futile.

Unlike other ordinary urban residents, however, disabled people have found an aggressive advocate in Beijing – the CDPF. The Federation, under the leadership of Deng Pufang, began to get involved in 1994. In response to petitioners from Shenyang city, Liaoning province, Deng invited the provincial governor and the mayor of Shenyang to Beijing for a meeting. But before their negotiation yielded any results, Deng and his associates noticed that similar policies were beginning to spread to other cities. Deng realized that rather than negotiating with local governments one by one, it would be more efficient to work on the central government. He therefore started to negotiate with several relevant central governmental agencies, especially the MPS.

Negotiations were very difficult, as officials in the MPS and other ministries were strongly convinced that three-wheelers had a negative impact on the urban environment and social order. While most other officials in the Federation thought they had to give up, Deng persisted, although he lowered his expectations. He was ready to accept some restrictions on disabled drivers, but he believed that a thorough ban was not acceptable. His point was clear: since China is still a developing country and most local governments do not have the capacity to provide adequate subsidies or opportunities for employment for disabled people, the use of three-wheelers to make a living by disabled people should be permitted.

Deng's hard work paid off. After about two years of bargaining, the Federation reached an agreement with the MPS and several other ministries, and they jointly issued a document in 1995. According to this (State Council Document No. 66), in principle three-wheelers designed for disabled people's personal use should not be used for passenger transport. However, local governments can decide to tolerate commercial use as a "transitional measure." Although the document does not require local governments to lift their ban, it partially recognizes the legitimacy of using three-wheelers for passenger transport. This is a remarkable success for the CDPF. Deng remarked in 1999: "I am especially grateful to the MPS. It was really hard for it to make such a decision."[23]

Of course, local governments still had the discretion to extend their ban. Since local leaders generally had strong incentives, the bans continued to spread across the country. Most worrying, even some county-level cities, especially those in coastal areas, began to follow suit. In 2005, Deng and his associates set a goal to stop the trend at the prefecture-level. They continued to lobby central agencies for more explicit support of the disabled drivers. In 2007, these agencies and the

23 Deng's speech in 1999, collected in the Xinfang Bureau in City Y in 2002.

CDPF reached another agreement and issued Circular 22. Deng's understanding was that the spirit of the new document was to "cut an opening" (*kaikouzi* 开口子). Circular 22 accepts one of Deng's arguments that the main problem for traffic is not caused by disabled people but by ordinary people driving three-wheelers designed for disabled people. Local police should therefore concentrate on cracking down on non-disabled drivers. However, to Deng's disappointment, this document was not substantially different from Document No. 66 from 1995. It still did not completely legitimize the commercial use of three-wheelers by disabled people, and continued to claim that toleration was only a "transitional measure." Evidently unsatisfied, the CDPF instructed its local chapters to work on local Party and government leaders to push for a favourable interpretation, so that, for example, "transitional measures" should not be interpreted as temporary but understood as a long-term policy that should be implemented as long as China is a developing country.

Aware that the central government could not provide a complete solution, Deng also worked on local governments directly. He occasionally invited local leaders to discussions at his headquarters and more frequently went to local governments on inspection tours. He visited many local governments as an alternate member of the powerful Central Committee of the CCP (between 1997 and 2007) or as the vice-chairman of the Chinese People's Political Consultative Conference (since 2008). In spite of his status, it was still clearly difficult for him to persuade local leaders to change their mind. In his internal speeches delivered to local Federation officials, he often used militant language when talking about his experiences. He described his confrontation with local officials as "combat." In 2005, he even exclaimed, "in the past dozen years, I have been fighting on this issue every day."

Apart from exerting pressure directly on central and local governmental agencies, the Federation's fight helped to sustain disabled people's resistance. Popular resistance in Reform Era China draws legitimacy primarily by basing claims in laws or governmental policies, which O'Brien and Li aptly term "rightful resistance."[24] Although the agreements between the Federation and the ministries only recognized qualified legitimacy for disabled drivers, they provided a basis around which petitioners could frame their claims. Disabled petitioners sometimes also used Deng Pufang's internal speech from 1999 to justify claims. Although the speech was supposed to circulate only within the Federation and relevant governmental agencies, it was widely available for purchase on the black market.

In addition to providing petitioners with the legitimacy to resist, the Federation and its chapters also acted as protectors and mediators when petitioners clashed with local governments. The headquarters of the Federation in Beijing has been a particularly attractive destination for petitioners. Since local governments have been put under very strong pressure to prevent petitions, especially collective

24 Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006).

petitions to Beijing, petitioners can exert enormous pressure on local government by trying to visit the Federation headquarters. When disabled petitioners managed to reach the headquarters, the Federation cadres would intervene. Even though it was not easy to push local officials to reverse the general policy, the CDPF officials usually managed to press them to meet petitioners' specific demands.

For example, when five three-wheelers in City Y in Hunan province were confiscated in May 2002 and repeated petitions and protests could not compel the local government to release the vehicles, a group of 26 drivers travelled by train to petition the Federation headquarters. Informed about their plan, local government officials went to the station to stop them going. The petitioners then pretended to give up their plan, but as soon as the local officials left, they took another train. When they arrived at the headquarters of the Federation, the City Y government was required to send officials to Beijing to pick them up. When the local officials arrived, the Federation cadres mediated a negotiation, and the local government agreed to return the three-wheelers.

When the Federation's advocacy and disabled drivers' protests joined together they could sometimes press for some substantial concessions. Since very few local governments were willing to give up their bans, most of them preferred to offer compensation to pacify petitioners. They therefore worked hard to provide employment opportunities and/or monetary compensation for disabled drivers. For example, in City Y, Hunan province, shortly after the ban was implemented in 2000, the municipal government provided a fund of 400,000 yuan to compensate disabled drivers for a year, while non-disabled drivers did not receive anything. At the same time, they also tried very diligently to find employment for disabled drivers. However, some persistent petitioners were not easily satisfied. When the compensation expired they demanded more. Also, as not many jobs had salaries to match the income from three-wheelers, protests continued. In 2008, about eight years after the ban was first enforced, local governments still had not completely pacified disabled drivers, although only a very small number remained in the struggle. In that year, one of the three districts of City Y built some vender booths for those petitioners to use free of charge. Most of them rented the booths to other people, and could obtain an income of about 500 yuan a month. Although these particular petitioners might have been temporarily pacified, those in two other districts began to demand the same benefits. Struggles in City Y were thus expected to continue.

In addition to facilitating open resistance, the Federation also protected hidden resistance. It was almost impossible for a city to implement a ban thoroughly, and there were always a few disabled people who continued their business secretly. While they were often tolerated, the police would occasionally crack down on them, especially during politically important periods. In such cases, officials from the local chapter would usually become involved at the request of the drivers or the police. As a cadre from the Guangzhou chapter described, before the crackdown the police would usually inform Federation cadres about their

plan, and these cadres would then admonish their constituents. Therefore it was usually only drivers from other localities who were caught by the police. If some disabled drivers among their constituents still somehow got caught, the Federation cadres would mediate between them and the police. Violators and their vehicles were usually released, but the violators would be forced to attend a study session for a week. Over time, the process has been standardized.[25] Despite the bans, with the mediation of the Federation, disabled drivers in most cities still continue their business, albeit in limited times and locations, and without legality.

The Leader and His Organization

What can account for the unusually active and effective advocacy by the CDPF? Deng's remarkable determination clearly provided indispensable momentum. In comparison to this tireless crusader, a lot of the Federation's local cadres were much more aloof.

Deng's extraordinary motivation can partly be explained by his personal experience. He has lived in a wheelchair for about 40 years. In 1968, when his father Deng Xiaoping was under attack in the Cultural Revolution, Deng Pufang was detained and tortured by Red Guards in Beijing University and jumped from a third-floor window, which paralysed him. He was first refused medical treatment, and then sent to Qinghe shelter in a suburb of Beijing, where he lived and worked with other disabled people in very miserable conditions. When his father came back to power, Deng Pufang was provided with privileged medical facilities. But he continued to keep in touch with his friends in Qinghe and promised them, "I will never forget all of us disability brothers."[26]

His ability to bargain with central and local agencies clearly benefited from his special status as Deng Xiaoping's son. At the very least, most central and local officials were willing to talk to him. He remarked: "One of the most important ways has been that, whenever I've asked to meet with high-ranking officials, they've met with me. … I've met with many leaders and explained to them about disability issues."[27] He acknowledged that such accessibility is largely because of the importance of his father. Shortly after his father's death, some leaders in the central government still assured him of their continuing support for him and the Federation. However, Deng's importance to the organization is not confined to this. He was its founding chairman. As an official in the organization commented: "Without Pufang being active, without him getting out and meeting central government and provincial leaders, without him showing up in newspaper photos sitting in his wheelchair, we would have a hard time keeping our momentum going."[28]

25 Interview, May 2008.
26 Cited from Kohrman, *Bodies of Difference*, p. 51.
27 *Ibid*. p. 202.
28 *Ibid*. p. 205.

However, the Federation is poorly structured for active advocacy. Although Deng and his associates required their subordinates to stand up for disabled people on the issue of three-wheelers, few local federations have lived up to their expectations. In 2005, in order to prevent any new bans from being adopted by prefecture-level cities, the CDPF instructed local chapters to "try every means" to resist any new ban. If they were not capable of holding on, they should report to the Headquarters in Beijing immediately so that the Headquarters could intervene. However, very few chapters followed this instruction. Among the six chapters we visited in Guangdong, Zhejiang, Hunan and Hubei, officials in only one county-level city (City Z, in Hubei) wrote to local leaders and requested that the ban be lifted, but their report was never read by the local leaders. Considering the low status of CDPF chapter leaders in the local Party and government apparatus, there was indeed little chance for them to engage in serious bargaining with local-level Party leaders.

Moreover, many local cadres did not seem to share Deng's opinions and compassion towards disabled petitioners. Although in the early 1990s Deng acknowledged the safety problems of using three-wheelers for passenger transport, he brushed them aside in the 2000s, arguing in 2005 that safety was nothing but an excuse used by local governments to implement the bans. He also claimed that the bans might drive disabled drivers into abysmal poverty or family crisis. Yet many local cadres seemed to disagree. Instead, they agreed with local Party and government leaders that the use of three-wheelers for passenger transport was not good for society. Many of them also believed that some petitioners did not face poverty and did not deserve so much sympathy. A local cadre in Hunan said: "Among disabled people, those petitioners were not the poorest. With the government's arrangement, they could live a good life. They were very picky because they just wanted to make easy money."[29]

In the face of disagreements between the local government and the CDPF, most local officials naturally chose to follow local government. After all, it is the local Party and government who control their careers. The sharp contrast between passionate Deng and his often at best lukewarm subordinates testifies to Deng's important role. However, even though Deng's personal orientation and background go a long way in explaining his passionate leadership in the CDPF, it cannot fully account for why he specifically paid attention to the three-wheeler issue, why he continued to fight for it for many years despite setbacks, and why some central and local agencies were willing to make substantial concessions.

How Social Protests Facilitated State Advocacy?

The oft-overlooked actor – the designated constituents – can actually provide an important part of the answer. In the Reform Era, especially since the 1990s, many disabled people, like a variety of other social groups, are no longer willing to behave like "silent masses." Their voices, often uttered via collective action,

29 Interview, June 2008.

have increasingly been heard. Such popular contention can sometimes directly secure governmental concessions. In other times, it makes a difference via advocates within the state apparatus. Even considering Deng's strong sympathy for his constituency and his privileged family connections, ordinary disabled drivers' persistent resistance to government policy has provided an indispensable dynamic for the Federation's activism.

The issue of three-wheelers is a far from obvious choice for the Federation to fight over. As local government bans looked too legitimate and motivated to resist, it would not be wise for a new MO to choose such a battle. After all, there were many important things that a mass organization could do to enhance the welfare of disabled people, while a fight on the issue of three-wheelers could only benefit a very small percentage of its constituents. When three-wheelers were first banned in 1999 in City Y in Hunan province, a medium-sized prefecture-level city, no more than 200 drivers were affected. This number gradually dwindled to a few dozen in 2008, while the number of disabled people in such a city would be tens of thousands. Even in one of the largest cities in China, Guangzhou, there were only about 400 disabled drivers who continued to do that business in 2008.[30] Considering the enormous costs of the campaign, it is puzzling why Deng chose to focus on this issue.

Matthew Kohrman suggests that a major reason lies in the economic interests of the Federation.[31] In the 1990s, the Federation was the only purveyor of three-wheelers designed for disabled people. The supply of and services for three-wheelers were the Federation's most important revenue resource at that time, giving it an economic incentive to fight. However, the Federation's revenue substantially increased in the 2000s so that three-wheeler services generated only a very small part of it, but its activism did not dwindle. Furthermore, so long as the personal use of three-wheelers was allowed, the Federation's income would hardly be affected by a ban targeting commercial use.

It is the persistent protests waged by disabled people that increased the salience of the issue and provided Deng and his associates with strong motivations. Since the 1990s, the policy on three-wheelers has consistently been by far the most important issue on which disabled people staged their protests. Not surprisingly, protests have lent considerable weight to the issue. As mentioned earlier, Deng did not pay attention to it until a few groups of disabled people began to petition his Headquarters in 1994. More than a dozen years later, this is still the most contentious issue for disabled people, and therefore continues to exert strong pressure on the Federation. In 2003, of 37,396 disabled people who participated in collective petitioning activities for a variety of reasons in the whole country, 25,334 were struggling on the issue of three-wheelers; and in 2006, of 33,581 participants of collective petitioning activities, 22,446 were focused on three-wheelers.[32]

30 Interview, May 2008.
31 Kohrman, *Bodies of Difference*.
32 The CDPF, *Zhongguo canjiren shiye tongji nianjian* (*Chinese Disability Affairs Yearbook*), 2003, 2006.

Protests have not only caused social disruption in general, on occasion they even directly targeted the Federation. In cities where the local chapters did not respond promptly to protesters' demand, the protesters sometimes vented their anger on officials. In one interview in 2008, a cadre in City Y chapter pointed to damage to the furniture in his office: "Can't you see the damage? It was left by petitioners."

However, Federation officials were even more concerned about the challenges posed by such contentious activities to their institutional identity. Although the CDPF is the only legitimate organization that can represent the interests of disabled people, constituents' recognition of it is not guaranteed. Ever since its establishment in the late 1980s, it has been very conscious of its advocacy identity. Although, like many other MOs, its role in providing a variety of services creates an illusion of representation, the intensified conflicts cast doubt on its identity as an advocate. In particular, officials in the Federation were concerned about dissatisfied constituents forming their own organizations. Disabled people have traditionally shown a stronger tendency for self-organization than other groups because of a stronger need for mutual help and protection. This is still true in the PRC, even though such organizations are prohibited. In many cities, such as City Y in Hunan and City Z in Hubei, disabled people, especially the blind, have created underground organizations. Local governments have been quite wary of such organizations, and so have the leaders of the CDPF.

As Deng reminded his cadres, if such autonomous organizations grew, the status of the Federation would be in danger. In his talk in 1999, he stressed that the issue of three-wheelers would have very important implications for the relationship between the Federation and disabled people. He admonished his subordinates: "we first need to think about whether we have adequately acted as the representative." He then used the chapter in Datong city, Shanxi province, as a bad example. Disabled people in Datong in the late 1990s did not trust the local chapter and had chosen a long-term opponent of the chapter to lead their struggle. From this example, he emphasized his concern: "What I am really concerned about is how to establish the intimate relationship between the Federation and ordinary people. We need to represent their interest, unite them and educate them, so that the Federation can be a bridge between disabled people and the government. This is the political function of the Federation."

His concerns were not baseless. Our interviews with many disabled petitioners reveal their mistrust of the CDPF. Although there is no doubt about their legal status, local chapters were often regarded by disabled people just as another indifferent or even hostile government agency. In City Y, disabled petitioners expressed their doubt about cadres from the local chapter: "When we visited the local Federation, they did not care about us. They treated us like terrorists, like Bin Laden."[33] Of course, relations varied. In City Z, where the cadres

33 Interview, 2002.

were more active, petitioners showed more trust. A petitioner recounted his experience after a number of three-wheelers were confiscated by local police: "We had to ask the Federation to solve the problem on our behalf. The Federation is still an agency that can speak for us in a sense."[34] However, in order to be identified by disabled people as their own organization, the CDPF still has a long way to go.

Popular contention did not just provide pressure but also valuable leverage. Despite Deng's special background, his personal influence was limited. As he recognized, his biggest advantage was that leaders in other governmental agencies were willing to talk to him, but such connections were not powerful enough for an agency to bend the rules or change an important policy. His influence on local officials was even more limited, especially those in lower-level governments whose careers were unlikely to be affected by his family background. The limit of his influence can be revealed by the disrespectful attitude of local government officials in City Z in Hubei province. When a police officer was shown a copy of Deng Pufang's internal speech, he jeered, "who on earth is he?"[35]

Deng therefore needed to rely on disruption caused by disabled people in his bargaining with central and local leaders. When he visited Guangxi in 2005, he told the cadres in local chapters that he preferred not to fight with local leaders at that time even though the three largest cities in Guangxi had banned the use of three-wheelers for passenger transport. The main reason was, in Deng's words, that "no clear instability had yet appeared in such cities." In other words, instability caused by disabled protesters was an important condition for his intervention.

Deng was adept at framing social protests' negative impact. In his 1999 speech he emphasized the damage that a protest in Guizhou caused to China's international image: "This problem is not just an issue of regulating urban traffic; it is also an issue of our reputation for human rights. The incident in March 28 in Guiyang City was reported by foreign media the next day and was also available on the internet. We have to be cautious!" In 2005, he brought up other violent events, especially four fatal incidents that were triggered by the enforcement of bans. In one of them, in Hengyang, Hunan province, in 2004, a disabled protester killed the deputy district head responsible for the decision to confiscate his tricycle. Such tragic incidents provided Deng with powerful ammunition in his struggle against local policies. Indeed, the title of Circular 22, "Opinions on how to manage the use of three-wheelers for passenger transport in order to maintain social stability" (*guanyu guifan canjiren jidong lunyiche yunying wenti weihu shehui wending de yijian* 关于规范残疾人机动轮椅车运营问题维护社会稳定的意见), also suggests that stability was the primary reason for the central agencies to adjust their policies.

34 Interview, January 2008.
35 Interview, January 2008.

Conclusions

Bottom-up pressures are not only important in this particular case of the CDPF, but may well be crucial factors at play in other mass organizations. Of course, Deng's personal experience and family background make this case somewhat special; however, even though leaders in other MOs are unlikely to rely on similar family-based connections, they may have other, and in some cases even more powerful, political resources. For example, the chairman of the ACFTU in the Reform Era has usually been an important Politburo member, and can therefore advocate very forcefully for his constituency. More importantly, the extent to which Deng's resources and motivations are stronger than many other mass organization leaders' means that the case can be regarded as "extreme" with much leverage for generalization.[36] It is hard to find another case in which a single person plays such an important role and, even here, the process of advocacy still heavily relies on popular collective action for its momentum. For other MO's activism, therefore, popular collective action is likely to have a similar if not more important role.

For example, it should be seen as no coincidence that the ACFTU's activism almost always corresponded to heightened contentious activities by its constituency over the course of the PRC's history. As Harper's study indicates, when workers become assertive, union cadres are forced to make a decision on whether to side with the state or the workers.[37] Feng Chen's analysis also shows how the "unrepresentativeness" and "unresponsiveness" of labour unions can cause a backlash among workers. For instance, angry workers in an enterprise in Shanghai beat up a union cadre who came to the protest site to scold them and tell them to leave.[38] Similarly, in recent years, workers, particularly those in the coastal areas, have shown a strong tendency to organize their own labour unions, sometimes with help or encouragement from overseas. The official labour unions in these areas have consequently felt intense pressure to step up their work of organization and advocacy.[39]

Of course, state advocacy of this style has its limits. It works best on issues that have well-defined policy implications and is less effective on diffuse issues such as gender equality. However, even gender equality can occasionally become the focus of popular contention and trigger active advocacy by relevant MOs such as the All China Women's Federation. One such example is related to a group of women called "marrying out women" (*chujianü* 出嫁女). According to village policies in many provinces, when a woman villager marries a man from outside the village she is deprived of her right to lease land and gain other collective benefits in the village even though she remains a legal resident. Such local policies

36 For a discussion of extreme cases, see John Gerring, *Social Science Methodology: A Criterial Framework* (New York: Cambridge University Press, 2001).
37 Harper, "The Party and unions in Communist China," p. 109.
38 Feng Chen, "Between the state and labour," p. 1026.
39 Interview, June 2008, in Panyu, Guangdong province.

have provoked frequent collective petitioning, and the Women's Federation and its local chapters have attempted to lobby the local government and legislature for favourable laws to protect these women's rights.[40]

It is not only mass organizations that have been motivated by popular contention to provide advocacy for ordinary people; a variety of other state agencies have also been pressured into assuming such a role. For instance, although Chinese peasants do not have their own mass organization, their widespread protests since the early 1990s have motivated a few state agencies and powerful individuals to take on the role of their advocate. As Bernstein points out, such advocates include rural deputies to the National People's Congress, members of the agrarian research community of governmental and academic institutions, officials in ministries such as agriculture, and editors and journalists in the specialized and general media.[41]

Will the current high level of popular contention in China transform some MOs into societal corporatist organizations? Anita Chan has speculated on the prospect of what she calls "the dynamic of communist corporatism" – mass organizations choosing to act out their ostensible mission of becoming an advocate on behalf of their members. She suggests that it is possible that communist corporatism will evolve into societal corporatism, although the process will not be linear but spiral.[42] According to her, if the ACFTU can succeed in reaching down to the grassroots level, it can function in a way similar to societal corporatism.[43] Other scholars are more sceptical. Bruce Dickson, for example, contends that "the desire for increased autonomy for organized interests undoubtedly continues to exist in China, but those wishes are not compatible with the CCP's desire to preserve its power."[44]

This study also suggests that societal corporatism is highly unlikely to emerge from MOs. This is not just because the Party will continue to hold the leash. The study of the CDPF has revealed two serious barriers. First, the current system tends to fragment mass organizations and prevent them from forming coherent sectoral interests. Local chapters are under the dual leadership of both the Federation and local Party and government leaders. However, since the local leadership controls critical resources, the loyalty of local chapter cadres will primarily go to local leaders. Second, although the MOs can benefit from the mobilization of their designated constituents, they cannot explicitly mobilize them for more resources. Unlike institutionalized participation, which is severely

40 Interviews, June and July, 2008, in Yiyang, Hunan province, Xiangshan, Zhejiang province, and Jingzhou, Hubei province.

41 Thomas P. Bernstein, "Farmer discontent and regime responses," in Merle Goldman and Roderick Macfarquhar (eds.), *The Paradox of China's Post-Mao Reforms* (Cambridge, MA: Harvard University Press, 1999), p. 198.

42 Anita Chan, "Revolution or corporatism? Workers and trade unions in post-Mao China," *The Australian Journal of Chinese Affairs*, No. 29 (1993), p. 37.

43 *Ibid*. p. 59.

44 Bruce Dickson, "Cooptation and corporatism in China: the logic of Party adaptation," *Political Science Quarterly*, Vol. 115, No. 4 (2000–01), p. 535.

lacking in most MOs, popular collective action does not have *de jure* legality. The organizations therefore cannot encourage activism. On the contrary, their bargaining power is supposed to lie in their capacity to prevent or contain such mobilization. The mutually reinforcing relationship between the MOs and their members is therefore difficult to sustain beyond a few specific issues.