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Introduction

Rising Protests and Regime Stability

The Tunisian "Jasmine Revolution," the mass uprising that overthrew President Zine El-Abidine Ben Ali in January 2011, not only set off the "Arab Spring" in the Middle East and North Africa but also inspired anonymous calls for a Jasmine Revolution in China through the Internet. When the proposed revolution day (Sunday, February 20, 2011) arrived, it turned out that the online calls attracted far more police and journalists than would-be protesters. In Beijing, hundreds of uniformed and plain-clothed police along with a host of foreign journalists, some carrying television cameras, flooded the planned protest site - Wangfujing pedestrian mall, one of Beijing's busiest shopping centers. A crowd of curious shoppers then milled around the site, wondering whether there was a celebrity in the area. The US Ambassador to China, Jon Huntsman, also appeared in the crowd.2 At the scene, while everyone was waiting for something to happen, the only possible sign of protest came from a young man who attempted to lay down some jasmine flowers, although he claimed that he had come with friends to shop and was "just a normal citizen." Foot traffic on weekends is always heavy at Wangfujing; therefore, it was difficult to discern protesters from onlookers. Likewise, in Shanghai, identifiable protesters were few, and it was reported that more journalists

www.ft.com/content/b8495a56-3d1a-11eo-bbff-00144feabdco.

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¹ Wangfujing is located in the city center, 1.6 miles from Tiananmen Square. "'Jasmine' Protests in China Fall Flat." Jaime FlorCruz. CNN. February 21, 2011. www.cnn.com/2011/WORLD/asiapcf/02/20/china.protests/.

² But he quickly left after being identified by a crowd member. "Call for Protests Unnerves Beijing." Jeremy Page. *The Wall Street Journal*. February 21, 2011.

www.wsj.com/articles/SB10001424052748703498804576156203874160350.

³ "Chinese Steer Clear of 'Jasmine Revolution.'" Geoff Dyer, Kathrin Hille, and Patti Waldmeir. *Financial Times*. February 20, 2011.



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showed up at the designated protest spot than police.⁴ There were no reports of demonstrations in other cities where people were also urged to protest.⁵ This falling short of visible protest, thus, even led an anti-Chinese Communist Party (CCP) newspaper to suspect that the online appeals to action were a hoax staged by the CCP itself.⁶

Although nothing much came from the calls for China's Jasmine Revolution, authorities were on high alert. Security forces poured into the designated gathering locations, several suspected protesters were taken away, the websites and Internet searches relevant to the event were blocked, and more than 100 political activists across China were confined to their homes or went missing *ahead of* the planned demonstrations. What's more, authorities even waged a war on jasmine, censoring the word "jasmine," issuing a jasmine ban at flower markets, and forcing the cancellation of events like the China International Jasmine Cultural Festival.

Indeed, Chinese leaders had good reasons to be nervous. Popular protests typically pose a potential threat to the stability of authoritarian states. Contemporary history has witnessed breakdowns of authoritarianism in the face of mass protest: from the Iranian Revolution to the dissolution of the Soviet Union to the democratization in Africa and East Asia to the post-Communist color revolutions. A most recent lesson was the ousting of President Hosni Mubarak, who ruled Egypt for nearly thirty years but was toppled within just eighteen days after millions took to the streets in 2011. Within China, the traumatic ending of the 1989 Tiananmen movement is still not a distant memory. In the past few decades, the country has witnessed a remarkable rise in popular mobilization. The number of "mass incidents" – an official term for social protests – climbed from 8,700 in 1993 to 87,000 in 2005 to 172,000 in

- ⁴ "Those Responding to the Jasmine Revolution Protest Call in Beijing and Shanghai Were Dispersed by the Police." *BBC News*. February 20, 2011.
 - $www.bbc.com/zhongwen/simp/china/2011/02/110220_china_jasmine_revolution.shtml.$
- ⁵ "China Tries to Stamp out 'Jasmine Revolution." Eugene Hoshiko. *AP*. February 20, 2011. http://usatoday30.usatoday.com/news/world/2011-02-20-china-jasmine-revolution_N.htm.
- 6 "Jasmine Revolution in China a Trap, Say Analysts." Quincy Yu. Epoch Times. February 22, 2011. www.theepochtimes.com/n3/1501671-aborted-chinese-jasmine-revolution-a-trap-say-analysts/.
- 7 "Call for Protests Unnerves Beijing." Jeremy Page. The Wall Street Journal. February 21, 2011. www.wsj.com/articles/SB10001424052748703498804576156203874160350.
- ⁸ "Catching Scent of Revolution, China Moves to Snip Jasmine." Andrew Jacobs and Jonathan Ansfield. *The New York Times*. May 10, 2011.
 - www.nytimes.com/2011/05/11/world/asia/11jasmine.html?mcubz=3.
- 9 The state sent troops and tanks to put an end to the Tiananmen movement. See Chapter 5 for more details of the movement.
- ¹⁰ It is a broad term that encompasses the full spectrum of group protests, including sit-ins, marches, rallies, strikes, demonstrations, building seizures, armed fighting, and riots (Tanner 2004).



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2014 – an average of 471 protests per day in 2014. The Protesters, coming from various social classes and groups, have taken a wide range of collective actions to express their grievances. Examples include labor strikes for higher pay, peasant road blockages against land acquisitions, middle-class demonstrations opposing environment-threatening projects, resistance by pro-democracy dissidents, and armed insurgency by ethnic minorities. Hypersensitive to social protests, authorities, instead of crushing all of them, show leniency to many. Against this backdrop, one might wonder whether the Chinese regime is in danger of collapse.

Social scientists have tended to see growing unrest in authoritarian states as signals of regime decline. Unlike liberal democracies, authoritarian regimes lack effective institutions – such as a robust legal system – for peacefully containing conflicts, and they typically rely on repression to deal with protests. When authoritarian regimes face greater protests, as Charles Tilly (2008) claims, we expect that either the government is moving toward democracy or its capacity to use repression has been weakened, or both.

Nevertheless, a broad array of research suggests that this is not the case in China. Not only has the regime retained its fundamentally authoritarian character, without going through a democratization process (e.g., Human Rights Watch 2015; C. Li 2012; Perry 2007 and 2012), but also the state enjoys popular acceptance or support according to surveys (Chen 2004; Dickson 2016; Kennedy 2009a; Saich 2007 and 2011; Shi 2001 and 2015; Tang 2005 and 2016; Z. Wang 2006; Whyte 2010; Wright 2010; Yang 2007). This result is consistent with the general consensus among China scholars that the one-party state remains resilient and stable (e.g., Dickson 2008; Gallagher and Hanson 2013; Heilmann and Perry 2011; Naughton and Yang 2004; Perry 2014; Teets 2014; K. Tsai 2007; Walder 2009a; Zheng 2015; cf. Pei 2006 and 2016).

Then why does the Chinese regime remain resilient *despite mounting protests*? To explain this puzzle, some scholars stress that the improvement of *formal institutions* (such as the legal system) has created regime legitimacy and resilience by accommodating conflict and increasing the responsiveness of the Chinese state. However, despite this progress, the formal channels still have major limitations that impede effective management of conflict and satisfactory redress of citizen grievances.

A big part of the solution to the puzzle, I argue, lies in understanding the role of *informal norms* in managing contention. The Chinese regime has in place

The number of mass incidents was sporadically reported. The figures for 2006, 2007, 2011, and 2013 were 90,000, 100,000, 139,000, and 165,000, respectively (see several volumes of the *Blue Book of Chinese Society* (e.g., Lu, Li, and Chen 2012) – edited by the Chinese Academy of Social Sciences, a large state-run think tank – and multiple volumes of *China Social and Public Security Research Reports* (Zhang and Peng 2012, 2014, and 2015) – edited by East China University of Politics and Law). For figures before 2006, see Tanner (2004) and Chung, Lai, and Xia (2006).



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layers of institutional arrangements that prohibit social protests; in strict terms of law, most protests are illegal or extralegal. In reality, however, authorities routinely relax law enforcement and allow a greater space for protest than that stipulated by law. Protesters – while pushing the envelope – also enforce self-censorship. During the process, some unwritten rules, or what I call "accommodating informal norms of contention," play a vital part in shaping and constraining the actions of both the state and protesters. While China does not have the kind of robust institutions that exist in liberal democracies for handling conflict, I contend that accommodating informal norms work in this capacity by promoting conflict resolution through dialogue and building regime resilience. Focusing exclusively on formal institutions captures only a partial picture of politics and resistance in China.

Being informal, these unwritten rules are, by definition, not as visible or clear-cut as formal, written laws; neither are government officials bound to show leniency to dissenters, nor do aggrieved citizens always exercise selfdiscipline. Further, the application of informal norms can vary across social groups, places, and time. Yet investigating informal norms – the less detectable form of interactions between authorities and dissidents – is essential in unraveling the subtle, multifaceted character of Chinese contentious politics and casting light on its varied political implications. Drawing on extensive event data and in-depth ethnographic research, this book explores and analyzes what informal norms are in place, why they come into being, when and how they work, under what conditions they fail to work, and their political impacts. Since the 1989 Tiananmen uprising, the collapse or resilience of the Chinese regime has become a burning topic in academia, in the political sphere, and in public discourse; more recently, research on resistance and activism in China has flourished. Yet the puzzling coexistence of popular protests and authoritarian stability has remained largely unexplored. A systematic analysis of this issue not only can contribute to a better understanding of governance and society in China but has broader implications for the study of political mobilization and authoritarian politics in general.

FORMAL INSTITUTIONS AND REGIME RESILIENCE

The Arab Spring also inspired the upsurge of mass demonstrations in Western democracies. In fall 2011, the "Occupy movement" sprang up in the United States and then swiftly spread to other countries including France, Germany, and the United Kingdom. The movement even received support from the Egyptian activists who had helped overthrow the Mubarak government.¹² Nonetheless, rarely did observers associate the Occupy movement with

¹² "Tahrir Square Protesters Send Message of Solidarity to Occupy Wall Street." Jack Shenker and Adam Gabbatt. *The Guardian*. October 25, 2011. www.theguardian.com/world/2011/oct/25/egyptian-protesters-occupy-wall-street.



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indications of regime decline or instability in the *democratic* world. This stands in stark contrast to considerable speculations about whether China or Jordan or Syria would be the next domino to fall on the heels of the Arab upheaval.

This contrast speaks to a common understanding of the drastic distinction between democracy and authoritarianism in the manner of contention management and in the configuration of contention. Democratic regimes offer many institutionalized forms of conflict resolution and mediation, such as electorates, parliaments, courts, and labor unions, all of which help prevent the escalation of contention (Koopmans 2004: 39; Tarrow and Tilly 2007: 449). Most contention in strong democratic regimes is channeled by these institutions created precisely to structure conflicts, and thus it is common to see relatively contained forms of contention in such regimes (Tilly 2006 and 2008; Tilly and Tarrow 2007: 60-61). 13 One example is the enormous concentration of social movements in the United States and Western Europe, which depend on regimebacked rights, notably rights of association, assembly, and speech (Tarrow 2011: 179; Tilly 2006: 188). Indeed, social movements have been regarded as an essential element of normal politics in Western democracies (Goldstone 2003 and 2004; Koopmans 1995; Tilly 1984), and a concept of "movement society" (Meyer and Tarrow 1998) has been coined to describe the institutionalization of movements in these countries (McAdam et al. 2005; McCarthy and McPhail 1998; Meyer 2015; Oliver and Myers 1999). When mature democratic states are able to channel contention into highly institutionalized expressions and to incorporate social movements and their organizations within the existing institutional arrangements, this can improve the flexibility and adaptability of regime responses to the complexity of society (Giugni and Passy 1998), preclude revolutions (Zhao 2010), and enhance regime resilience.

By contrast, authoritarian states lack effective institutional means to contain and channel protest, have a much weaker capacity for institutionalizing social conflicts, and they tilt towards the coercion of contention (Koopmans 2004; Tarrow 2011: 179). Contentious politics in these states tends to be in the form of clandestine opposition (or underground resistance) and *transgressive* contention (such as armed attacks) (Tilly 2006 and 2008; Tilly and Tarrow 2007). Since these contentious activities contest the regime's monopoly of power, repression is likely to be the main response; yet, if the repressive capacity of authoritarian regimes declines, such regimes are vulnerable to a massive eruption of protest (Goldstone and Tilly 2001: 193).

The coexistence of growing protests and authoritarian durability in China then makes the country a puzzling case. Seeking to make sense of this, a series of studies, in line with the institutionalist approach previously mentioned, have

¹³ In Tilly's (1978: 106) earlier work, he does highlight that the repressiveness of a government is always selective: "Governments respond selectively to different sorts of groups, and to different sorts of actions." Yet, in his more recent works, Tilly is more concerned with analyzing distinctions *between* regimes than *within* a single government.



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underscored the significant role of the institutionalization of conflict in strengthening regime resilience in China. Institutional adaptations and political reform - the improvement of channels for political participation including village elections, the legal system, the petition system (composed of a set of governmental agencies handling citizen requests, complaints, and suggestions), and the media - help bolster regime legitimacy and stability by directing discontent and contention into officially sanctioned channels, providing information about policy implementation, and increasing the responsiveness of leaders (Dimitrov 2013 and 2015; He and Thøgersen 2010; Kennedy 2009b; Landry, Davis, and Wang 2010; Y. Li 2013; Liebman 2011; Luehrmann 2003; Minzner 2006; Nathan 2003;¹⁴ Schubert 2008). For instance, the legislation and judiciary system play a role in channeling grievances toward the institutionalized, bureaucratic system of labor arbitration and litigation, atomizing the working class and foreclosing labor movements in China (Chen and Xu 2012; Gallagher 2005; Lee 2007). Similarly, some peasants see the Administrative Litigation Law (ALL) as a useful if imperfect tool to combat official malfeasance (O'Brien and Li 2004). In this sense, the law leads to the final destination in a dispute's trajectory (Diamant, Lubman, and O'Brien 2005).

To be sure, since the reform era that began in 1978, the Chinese government has made considerable progress in restructuring and improving institutions for managing contention, and citizens are increasingly likely to use these institutions to press for demands (Cai 2008; Diamant, Lubman and O'Brien 2005; Hu et al. 2009).

Nevertheless, despite progress in institutionalization, China still does not have a highly effective institutional apparatus for managing grievances and conflicts (Gilley 2003; C. Li 2012; Liebman 2013; Michelson 2008; Pei 2006; Tang 2016; Van Rooij 2010). Due to complex local politics, village elections – even when they are free and fair, which is often not the case – can ensure neither democratic nor effective governance (O'Brien and Han 2009; Yao 2013). The legal institutions (the law and the courts), still lacking independence from government, are expected to be secondary to Party policies and deeply embedded in politics (Biddulph 2015; Liebman 2007; Lubman 1999; Minzner 2011; O'Brien and Li 2004; Potter 1999; Stern 2014; Su and He 2010); the failure of law to deliver on its promise can direct legal actions to more extreme activities and undermine the legitimacy and stability of authoritarian rule (Blecher 2010; Gallagher 2017). Likewise, the petition system is considered "deeply flawed and severely inefficient in channeling interest articulation" (X. Chen 2012: 205), is unable to meet aggrieved population's demands, instead inducing local officials to use coercion (Wong and Peng 2015), and tends to intensify the resentment of petitioners (O'Brien and Li 2006). Finally, the media still falls far

¹⁴ Andrew Nathan has changed his position more recently. In a 2013 piece, he expressed his expectation of dramatic political change to come in China.



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short of being an effective means for citizens – especially disenfranchised social groups – to express discontent, since the conventional media remains under the control of the CCP and the Internet is heavily censored by the government (Zhao and Sun 2007). Because of these deficiencies, the formal institutions as such still play limited roles in maintaining disputes within the authorized channels and may lead to an escalation of social conflicts, which can compromise the authority of institutions and sometimes even the central government (Cai 2008; L. Li 2008; Thaxton 2016; Yu 2004 and 2005).

Hence, while not discounting the role of formal institutions, I argue that focusing exclusively on the institutionalization of contention cannot fully explain regime resilience in China. We should instead devote more attention to *informal* norms.

INFORMAL NORMS AND REGIME RESILIENCE

Scholars such as Douglass C. North (1990: 3) have stressed that informal institutions or socially sanctioned norms of behavior are often as important as their formal counterparts in structuring the "rules of the game." Even in Western democratic countries, where formal political institutions are well established, informal rules are not unusual. Take policing as an example. In the 1980s and 1990s, police in established democracies often adopted informal procedures and strategies to cope with challenges, resulting in underenforcement of the law or a growing tendency to tolerate certain violations of the law (Della Porta and Reiter 1998; Waddington 1998). According to the French law, protesters are obligated to notify police of their intentions to march three days in advance, yet prior notification is the exception rather than the rule in many places in France (Fillieule and Jobard 1998). Instead of using the whole set of legal means available to maintain order, the basis of police actions is essentially informal negotiation. In this way, authorities treat illegal protest activities in a relatively soft manner, leaving a gap between written laws and actual rules. On the flip side, law enforcement officers may overstep the law and use excessive force in policing. For instance, patterns of police misconduct – such as beatings and unjustified shootings - are found in many places in the United States; in particular, racial and ethnic minorities are consistently profiled, harassed, and subjected to verbal and physical abuse, disproportionately falling victim to police mistreatment (Amnesty International 1999; Bierma 1994; Legewie 2016; United Nations 2014). The pattern of overenforcing the law then suggests a second condition of the existence of inconsistency between operative rules and formal rules.

Likewise, informal institutions that deal with contention are important in contemporary China as well: indeed, they are the focus of this book. I define the concept of "informal norms of contention" as the unwritten rules that shape and constrain the actions of the state *and* protesters, in which actors ignore, bypass, or violate formal rules and procedures. In other words, these informal



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norms serve to guide, control, and regulate actions *outside legally sanctioned channels*.¹⁵ Different from the common definitions, informal norms, as used herein, exclude conventions, cultural practices, and codes of behavior that exist *before* the formation of written rules; here, I only consider informal norms that emerge *in reaction to* constraints and opportunities within the formal institutional environment (K. Tsai 2007 and 2013). Additionally, the book emphasizes that these informal norms influence the decisions and behaviors of both authorities *and* challengers.

Patterns of interactions between the state and protesters in China reveal two sides of informal norms of contention: *accommodating* – featured by informal tolerance and self-censored resistance¹⁶ – and *antagonistic* – characterized by unlawful repression and unruly protest. In the former, while authorities at times use force to cope with protests, they frequently tolerate illegal or extralegal protest activities. For instance, when disgruntled citizens skip the application for a "demonstration permit," which is required by law, authorities usually do not press charges. Instead, they often do "mass work" geared towards resisters, which includes law and policy education, persuasion, and sometimes negotiation. At the same time, while pushing the limits of tolerance, protesters are also aware of "red lines" drawn by the government and typically practice self-censorship, e.g., steering clear of questioning state authority.

When it comes to antagonistic informal norms of contention, the government can resort to whatever means it has at its disposal and can go beyond the law to stifle resistance. Examples include making unlawful arrests, using torture, and holding dissidents in extrajudicial detention. In the meanwhile, protesters hardly discipline themselves and routinely turn toward transgression. They may raise radical political agendas such as fighting for democracy or may resort to armed attacks.

How Informal Norms Affect Regime Resilience

This book will demonstrate that accommodating informal norms rather than antagonistic ones are at the fore of Chinese contentious politics. This perspective assists in explaining the paradoxical coexistence of mounting protests and regime durability in China. I argue that accommodating informal norms help

¹⁵ For similar definitions, see North (1990) and Helmke and Levitsky (2004 and 2006a).

[&]quot;Accommodating informal norms of contention" as defined in this book differs from "accommodating informal institutions" as used by Helmke and Levitsky (2004 and 2006a). According to their definition, these informal institutions create incentives to behave in ways that "alter the substantive effects of formal rules but without directly violating them" (Helmke and Levitsky 2004: 729); these informal institutions are "accommodating" in that they often aid in *reconciling* actors' interests with the existing formal institutions and may enhance the stability of the formal institutions by reducing demands for change. By contrast, "accommodating" by my definition refers to the dynamic interactions between dissenters and authorities that assist in *conflict attenuation*.



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create a larger space for protest than that permitted by formal rules. Confined within this space, citizens are able to articulate their interests and lodge complaints while, at the same time, the state is able to manage and contain conflicts. Within this political space, neither officials nor protesters regard the contention as a zero-sum game; instead, they make efforts towards reconciliation. In this sense, accommodating informal norms aid in containing and controlling protest. Studying accommodating informal norms is crucial to understanding politics and contention in China. In democratic states, the institutionalization of contention helps produce *contained contention*, which contributes to regime resilience. In China where the formal institutionalization of contention is less developed than in democracies, I argue that accommodating informal norms of contention play an essential part in preventing resistance from turning transgressive and thus help shore up regime stability.

To be specific, the stabilizing effect of accommodating informal norms is achieved through functioning as a social safety valve, facilitating institutionalization, and promoting self-censorship among resisters. First of all, the moment when aggrieved citizens begin to take to the streets is often the moment that marks the height of their discontent. At moments like this, a harsh response can easily intensify conflict. To the contrary, adopting accommodating informal norms that allow dissenters to air grievances, voice interests, and vent frustration can act as a safety valve, permitting the letting off of steam and facilitating the mitigation of conflict before everything turns unmanageable and spirals out of control.

Additionally, accommodating informal norms assist in steering claim-making into institutional channels. When disgruntled citizens are shouting on the streets, officials, following the informal norms, often channel street protests into conversation in government offices and then require protesters to resolve their conflicts through legal or bureaucratic institutions. Put differently, these informal norms are vital to the functioning of formal institutions (such as the petition system and the court system). Adopting institutionalized forms to structure conflicts, in turn, can gain the advantage of institutionalization of contention as seen in liberal democracies, including containing contention and reducing uncertainty and unexpected activities by dissenters.

Last but not least, a protest space afforded by accommodating informal norms gives protesters hope of winning their claims through cooperation with officials rather than radical action. On the other hand, since these norms are unwritten and equivocal, it is difficult to predict for sure whether state officials will always tolerate the protest. In fact, the authorities always have the last word in deciding whether or not to impose punishment. Except for some well-marked no-go zones, the central government allows local governments leeway in determining whether a boundary has been transgressed, instead of implementing consistent standards (Stern and O'Brien 2011). Hence, the unpredictability of official response entailed in these informal norms makes repression a veritable Sword of Damocles and compels resisters to discipline themselves to avoid penalties.



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By contrast, when accommodating informal norms are absent and antagonistic informal norms come to the fore, the contentious interactions of authorities and protesters typically fall into a vicious cycle of suppression and transgression – with both parties contributing to the exacerbation of conflict – and thereby affect social and political stability.

Informal practices like accommodating informal norms of contention are seen in many aspects of Chinese governance, including the expansion of non-governmental organizations (NGOs) (Fu 2017; Saich 2000; Spires 2011; Teets 2013; Weller 2012), rural public goods provision (L. Tsai 2007), the development of private sectors (K. Tsai 2007), media reporting and criticism (D. Chen 2017; Hassid 2008; Lei 2016; Repnikova 2017; Stern and Hassid 2012), the survival of underground churches (Reny 2018), and, more generally, the process of policy experimentation (Heilmann 2008 and 2011; Heilmann and Perry 2011). These informal politics and procedures are considered as reflections of the flexibility and adaptability of governance and are given credit for assisting in building regime resilience.

With regard to contentious politics, it is found that informal practices such as bargaining between government officials and aggrieved citizens, which allows flexible improvisation, have become patterned and routinized in China (X. Chen 2012; Lee and Zhang 2013; Tomba 2014). Informal politics is also seen in inconsistent attitudes toward protesters between the central and local governments (Cai 2008; Tong and Lei 2013; Zhao 2012); this inconsistency prevents both excessive repression and unconditional concessions and is instrumental in protecting the legitimacy of the central government. This strand of literature has yielded deep insights into how conflict is depoliticized and absorbed. Nonetheless, as these works center on the conditions under which informal politics functions to maintain authoritarian resilience, we know little about the other side of the coin-the circumstances under which such a role is absent. What is also unclear is whether such informal procedures are equally applicable to all social groups or regions across the nation. Yet comparing situations in which informal practices work with situations in which they do not and examining the application of informal politics across social groups and regions is essential for a deeper and more comprehensive understanding of contentious politics. As Dingxin Zhao (2010: 461) remarks, "Without formulating analytical puzzles based on comparative perspectives, we cannot possibly have a sense of the importance of a conceptualized phenomenon...in a larger

Taking a comparative perspective, this book provides a theoretical framework to examine circumstances where accommodating informal norms perform well *and* situations in which they fail to work and instead antagonistic informal norms are at play. I explore the contrasting mechanisms and dynamics of contentious interactions between authorities and protesters in these different circumstances. Furthermore, through analysis of nationwide event data, I show to what extent accommodating informal norms play out in Chinese contentious