



Institutional bindingness, power structure, and land expropriation in China

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ARTICLE INFO

Article history:
Accepted 25 April 2018

Keywords:
Quasi-democratic institutions
Institutional bindingness
Village elections
Power structure
Land expropriation
China

ABSTRACT

The prevailing argument that quasi-democratic institutions in authoritarian regimes improve governance outcomes hinges on the presumption that institutions empower non-state actors and constrain the discretionary power of ruling elites—a concept we call “institutional bindingness.” However, institutions are not always binding, and the degree of institutional bindingness varies across contexts. This article examines the bindingness of village elections in China. Through the lens of land expropriation in peri-urban villages and using survey data, we find that institutional bindingness—operationalized in terms of the power structure within village leadership—strongly shapes the processes and outcomes of land expropriations and therefore the quality of village governance. Moreover, village power structure depends on political bargaining between ordinary villagers and local states. Our findings contribute to the understanding of quasi-democratic institutions in authoritarian regimes by explicitly examining how institutional bindingness affects governance outcomes and how bindingness is endogenously determined.

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1. Introduction

Many contemporary authoritarian regimes hold seemingly democratic institutions (“quasi-democratic institutions” henceforth), including political parties, legislatures, and competitive elections (Levitsky & Way, 2010; Gandhi, 2008). Some scholars find that quasi-democratic institutions—besides preserving authoritarian rule—generate positive governance outcomes, such as more secure property rights and better public goods and social welfare provision (e.g., Gandhi, 2008; Gehlbach & Keefer, 2011). This line of research typically treats quasi-democratic institutions as exogenously determined and presumes that such institutions, once established, are “binding” in the sense that they empower non-state actors and constrain the discretionary behavior of authoritarian ruling elites. However, recent studies suggest that quasi-democratic institutions are not necessarily binding and their bindingness varies across different contexts (Jensen, Malesky, & Weymouth, 2014; Wright, 2008). How does institutional bindingness affect governance outcomes in authoritarian regimes? Moreover, if institutional bindingness indeed has governance

implications, why does the bindingness of the same institution vary across contexts?

These questions are particularly relevant in China, where some quasi-democratic institutions and practices have been implemented at the local level while the regime remains under solid authoritarian rule by the Chinese Communist Party (CCP). Chinese villages have adopted competitive direct elections for over three decades, but the exercise of power by Villagers’ Committees (VCs)—the elected village leadership—is still constrained by the presence of the village Party branch, the CCP’s grassroots organization. This leads to a “dual power structure” whereby village governing power is divided between VCs and Party branches (Guo & Bernstein, 2004; Oi & Rozelle, 2000). In the absence of clearly-demarcated domains of authority between them, these two types of village leaders often engage in power struggles against each other. The uncertainty over the locus of power casts doubt on the ability of elections to empower villagers and constrain intervention by local states, particularly by governments at the county and township levels, into village affairs. As a result, depending on the post-election balance of power between VCs and village Party branches, even free and fair elections are not necessarily binding.

This article examines the institutional bindingness of village elections—operationalized in terms of the post-election balance of power between VCs and Party branches—in the context of land expropriation. For the majority of rural residents, land is the most

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important asset because it functions both as a source of income and as a mechanism of social insurance (Cai, 2016). Since the 1990s, China has been experiencing rapid urbanization, causing over 40 million farmers to be deprived of land and forced to relocate (Han, 2005). Land expropriation, central to the government's strategies of development and capital accumulation, has generated widespread discontent and has become the most important source of social conflict in rural and peri-urban areas (Cui, Tao, Warner, & Yang, 2015; Sargeson, 2013). Bargaining and conflicts over compensation for expropriation between land-losing villagers and the local government provide an ideal analytical perspective to examine how the balance of power between the two types of village leadership affects governance outcomes.³

Following the work of Sun, Warner, Yang, and Liu (2013), we adopt a principal-agent framework to treat leaders of VCs and Party branches as agents of villagers and the local state, respectively. Against the backdrop of contestation between VCs and Party branches, we argue that VC leaders are more likely to take the side of villagers against local officials in the process of land expropriation. Land-losing villagers are thus better off when elected VCs hold substantial authority in village politics. We further contend that the balance of power between VCs and Party branches is not exogenously determined; rather, it is shaped by political bargaining between local governments and ordinary villagers. The outcomes of these political agreements depend on the relative bargaining power of the two sides.

Using survey data, our empirical analysis finds that in villages where VCs are the dominant leader or share power equally with Party branches, villagers' interests are better represented, negotiations with the local government on land-taking compensation are more likely to take place, and villagers are more satisfied with the compensation they received for land expropriation. We also show that the balance of power between VCs and Party branches is partly determined by the fiscal and political capacity of the local government vis-à-vis the villagers. When a village is fiscally more dependent on the local government, the Party branch is more likely to hold stronger authority. In contrast, when villagers can impose credible threats on local states through collective action, especially in the presence of large-scale land expropriations, VCs are more likely to obtain an advantage over Party branches.

These findings suggest that when investigating quasi-democratic institutions in authoritarian regimes, it is insufficient to focus only on the presence or procedures of institutions. Institutional bindingness deserves careful research attention. Moreover, institutional bindingness is not exogenously determined—it depends on the political context and particularly the political bargaining between regime elites and social actors. When acting collectively, ordinary citizens who typically do not enjoy strong *de jure* political power could affect the outcomes of such bargaining and push quasi-democratic institutions to benefit their interests.

This research makes an important contribution to the literature on how local democratic institutions affect governance performance in developing countries. Empirical evidence based on democratic countries has shown positive associations between local democratic institutions and governance outcomes (e.g., Besley & Burgess, 2002; Olken, 2010). Studies on village elections in China have similarly argued that these elections promote better public goods provision and reduce corruption and inequality (Brandt &

Turner, 2007; Luo, Zhang, Huang, & Rozelle, 2007; Martinez-Bravo, i Miquel, Qian, & Yao, 2011; Shen & Yao, 2008; Wang & Yao, 2007; Zhang, Fan, Zhang, & Huang, 2004). This research suggests that the governance effects of local democratic institutions in authoritarian contexts are contingent on institutional bindingness, which is subject to political bargaining between regime elites and social actors. Uncertainty in terms of institutional bindingness may significantly shape how local democratic institutions function in authoritarian regimes and potentially undermine their benefits.

Our research also contributes to the burgeoning literature on the politics of land and urbanization in China. The dominant research paradigm in this literature theorizes land disputes as politicized bargains between local governments and land-losing citizens (Hsing, 2010; Rithmire, 2015; Whiting, 2011). While scholars have long noted the important intermediary roles village leaders play in such bargains, few studies have explicitly tested how village politics affects the process and outcome of land expropriation.⁴ By showing that the balance of power between VCs and village Party branches significantly shapes land bargaining outcomes, this study advances our understanding of the politics of land-related disputes and conflict in China.

The rest of the article proceeds as follows. Section 2 reviews the literature on quasi-democratic institutions under authoritarianism with a focus on institutional bindingness. Section 3 contextualizes the concept of institutional bindingness by introducing the “dual power structure” in rural China. Section 4 theorizes how the balance of power between VCs and village Party branches affects the process and outcome of land expropriation and how such balance is endogenously determined by political bargaining between local state and villagers. Section 5 provides empirical evidence using survey data. Section 6 concludes.

2. Institutional bindingness under authoritarianism

It is common for contemporary authoritarian regimes to hold some forms of quasi-democratic institutions, such as political parties, legislatures, and elections. Existing research argues that, rather than promoting transitions to democracy, quasi-democratic institutions serve important functions for autocrats to stay in power. These functions include co-opting political elites or opposition groups in the society (Blaydes, 2010; Boix & Svolik, 2013; Gandhi, 2008; Magaloni, 2006; Wright, 2008), signaling regime strength and popularity (Magaloni, 2006; Simpser, 2013), attracting private investment (Gehlbach & Keefer, 2011; Wright, 2008), and conveying information about potential governance issues (Malesky & Schuler, 2010; Manion, 2016). Scholars introduced new concepts such as “pseudo-democracy” (Diamond, Linz, & Lipset, 1995, p. 8), “disguised dictatorship” (Brooker, 2014, p. 228), “hegemonic electoral authoritarianism” and “competitive authoritarianism” (Diamond, 2002, pp. 29–32; Levitsky & Way, 2002, p. 53) to capture these new forms of authoritarian rule.

Besides serving the interests of authoritarian rulers, quasi-democratic institutions could also improve governance outcomes and citizens' well-being. Scholars have identified two mechanisms for such effects. First, by incorporating more actors into political and policymaking processes, quasi-democratic institutions are able to constrain state predation, enhance the responsiveness and accountability of office-holders, and produce policies that benefit a broader population (Boix, 2003; Gandhi, 2008; Harding, 2015; Malesky & Schuler, 2010; Manion, 2014; Rosenzweig, 2015). Second, quasi-democratic institutions also act as the platforms on

³ Unless otherwise specified, the terms, “local state” and “local government”, refer to the party-state apparatus at county(*xian*)/district(*qu*) and township (*xiangzhen*)/street (*jiedao*) levels, which are responsible for the implementation of land expropriation in the majority of cases. It should also be noted that land expropriation is decided and implemented above the village level where competitive direct elections are held. For readers unfamiliar with the administrative structure of China, see Lieberthal (1995), Chapter 6.

⁴ One exception is Mattingly (2016), who finds that land taking is more likely to occur when village leadership overlaps with strong informal institutions (i.e., lineage groups).

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