

Playing the edge ball

The politics of transgression in land development in southern China

Lan Wei and Minh T.N. Nguyen

Abstract: This article analyzes a particular form of everyday politics through the case of land development in a Chinese village. Commonly referred to as edge ball politics (*cabianqiu*), it implies the act of transgressing certain rules or laws and testing the limits of what is socially and legally possible. We found that the state, the village leadership, private developers, and villagers all vie to influence the outcomes of land development in the village by engaging in this practice. We suggest that edge ball politics plays into the Chinese state's governing strategies, which allow for a manageable space of negotiation to ward off a collective sense of injustice in the face of rampant dispossession of the weak and accumulation by the powerful.

Keywords: cultural intimacy, edge ball politics, everyday politics, land acquisition

In recent years, rapid urbanization and land development have turned land requisition into the most contentious social issue in China. Thousands of social conflicts arise from the unequal distribution of the benefits from land development, these have been extensively analyzed (Chia 2006; Ho and van Aartsen 2005; Li et al. 2011; Shukui 2008; Van Rooij 2007). While many authors have addressed the everyday politics surrounding such conflicts, the most well-known analysis of which concerns the notion of “rightful resistance”—namely, the act of defying state power on its very terms (O'Brien and Li 2006). In this article, we shall use the Chinese notion of *cabianqiu*, namely “playing the edge ball,” to underscore a different, yet closely related kind of everyday politics, one that involves

social actors with varied power standings and agendas in land development. The term “edge ball” originates from ping-pong terminology, referring to a shot of the ball at the edge of the table, a risky move that plays with the limit of what is possible. Chinese people of all walks frequently use the term to describe the actions of social actors involved in policy implementation, or more generally, any kinds of negotiations with state rules and laws. Edge ball politics is neither that which is practiced by those in weaker power position as a sort of “weapons of the weak” (Kerkvliet 2005; Scott 1985) nor “rightful resistance” (O'Brien and Li 2006). It is a field of tacitly understood behavior codes partaken in by a variety of social actors of varying power positions, each seeking to maneuver



around the implementation of state policies to gain an advantage or to redress the perceived injustice of the policies for oneself.

Our in-depth study of a village in Southern China called Baikou¹ and additional insights from a number of other Chinese villages suggest that edge ball politics is central to the everyday politics of land acquisition for rural renewal. Different actors, including the state, the local government, the village community, private developers, and the villagers, partake in these politics with diverse strategies to influence the outcomes of land acquisition in their interests. Edge ball politics is a politic of transgression shaped by a particular form of cultural intimacy (Herzfeld 1993, 2014), namely, a shared knowledge of the discrepancy between official representations of state policies and local realities of their implementation. The widespread violation of rules and laws around land development are tolerated by all involved to the extent that commonly accepted ideas of justice and decency are not too obviously violated, although the limit of the violation is defined by the power position of the penetrator.

This politic, we argue, plays into the Chinese state's governing strategies, which allow for manageable spaces of negotiation to ward off the more fundamental critique or a collective sense of injustice that could have been invoked by the highly unequal outcomes of land development. Along with other forms of social practice, such as *guanxi*, the cultural intimacy generated through edge ball politics helps to sustain the legitimacy of the state. The mutual implication of the state and the people in the fashioning of a popular notion that there are ways to take things into one's own hands indeed disguises the authoritarianism of state governance. Our focus on everyday politics thus offers a practice-based explanation of how the power of the party state remains largely unquestioned by the citizenry, despite rampant dispossession and inequality in China today (Vukowich 2019).

The article is based on 12 months of ethnographic fieldwork in Baikou in 2015, and further fieldwork in two other villages in 2015 and 2018

that the first author conducted. It also draws on fieldwork in a Zhejiang village that both authors carried out together in 2018 and 2019. Following standard ethnographic procedures, the main methods that we used include participant observation, semi-structured interviews, and document analysis.

Politics of transgression

The politics of transgression captured by edge ball politics represents a field of boundary transgressions in which actors with differing power positions take part to realize their agendas, with different resources and outcomes. The transgression is tacitly tolerated by others to a certain extent; its limits, however, are defined by the power position of the penetrator and local ideas of justice. Social actors thereby often realize their intentions without obviously violating rules, laws or social conventions (Zhai 2013: 265), but more importantly, it gives even the less powerful the sense that they could do something to make things work in their favor. In contrast to the politics of "rightful resistance," which "rest on ethical claims legitimated by official ideologies" (O'Brien 1996: 32), claims people make when engaging in edge ball politics are often premised on the two following common sense logics:

- (1) Everyone else, especially those with more power than me, is transgressing the rules, and unless I do the same, I shall lose out.
- (2) The rules and policies are made to be unjust or illogical (from my perspective) because it does not take into account my actual situation, and I am forced to do something within my power to circumvent them in order to protect or advance my interests.

As such, edge ball politics is underscored by what Michael Herzfeld terms "cultural intimacy" between local and state actors (1993, 2014), a notion that Hans Steinmüller brings to his con-

ception of a “community of complicity” in rural China (2013). In their analyses, there often exists a shared understanding of the disjuncture between official representations and local realities that connect people with each other and with the state, at times through the very cynicism or irony they express of it (see also Wilcox forthcoming). In this case, however, people do not just invoke the mentioned discrepancy but actively take part in transgressing what is prescribed by the state by trying to take things into their own hand. Like the better known practice of *guanxi* (the field of practice that revolves around cultivating relationships or connections, especially with those in power), which helps to both cultivate trust in social relations and facilitates bribery and corruption (Smart and Hsu 2007), *cabianqiu* provides people with an approach to navigate the ever shifting contours of state power in the market economy. Like *guanxi*, it gives common people a sense of being to do something to influence the outcomes of certain policies for them while allowing the powerful to get away with amassing disproportionate gains. The ensuing “cultural intimacy” binds the two together in the shared knowledge of its workings. Examining the dynamics of land development through the lens of edge ball politics thus helps to understand the local dynamics of policy implementation from an analytical angle that has no less explanatory power than “rightful resistance.” Whereas the latter operates within the bounds of official codes of conduct and representations, here is another logic of legitimation that dwells on the tacitly approved deviation from them. The emergence of such a “community of complicity” can be located in what Jiwei Ci terms broadly a “crisis of justice and order,” which according to him stems from the widespread violations of basic norms of living together (Ci 2014: 206). This crisis, according to Ci, comes about as a result of some people getting away with gaining unfair advantages from such violations, leading others to follow in their footsteps. In contrast to Ci, who attributes this moral crisis to the disintegration in the political authority of the party-state, we shall sug-

gest that edge ball politics, in fact, works in its favor, as much as “rightful resistance” does.

Since the 1990s, there have been hundreds of academic articles published in China on this dynamic in various fields, from journalism to nongovernmental organization activism and social relations (Wang 2020; Yang and Cheng 1994; Yang and Gao 2007; Zhang and Bai 2010). In the context of rural land development, the term *cabianqiu* is widely used by villagers, local government, and developers alike to refer to a situation in which they and the others turn the ambivalence of a policy or a rule regarding land acquisition for local development projects to their advantage.

As we shall see, those in positions of power tend to be able to push the boundaries of what is legally or socially acceptable for more strategic outcomes at lower social and economic costs than those who are not. As well, the powerful tend to be able to practice edge ball politics in a way that progressively accumulates their advantages over longer term, whereas the weak’s maneuvers often generate benefits of a short-term and ad hoc nature. The former are able to concede short-term gains for the sake of their long-term agenda, be it land accumulation or the ability to pull off large-scale land acquisition for rural development projects with minimum collective resistance. The latter are less able to do so, often having to resort to compromises and accept higher costs for their actions. Yet, rather than the latter resisting the former, it is a case of different actors playing off formal rules or accessing common resources for individual or institutional gains without seeking to undermine the social order of which they are a part. The politics of transgression can be traced back to the recent history of land development in China—rather than an anomaly, it has been central to the creation of local spaces of negotiation that facilitate the consolidation of state power rather than undermining it. Before going into specific cases of edge ball politics, we briefly review the local and historical contexts of rural land development to contextualize the kinds of boundary transgression that it entails.

Land development and rural regeneration

Baikou village is located in Chengnan Resident's Community,² Yingde city at the north of Guangdong province, a leader in economic development and policy implementation in China. It is a multi-surname village with 373 people, 76 households, and 11 lineages in 2015. The village was selected by the county government as a "model village" in 1996 as a pilot of the New Village Construction project. In China, policy experimentation (*zhengce shidian*) in a selected number of localities commonly takes place before a national policy is introduced. Baikou was one of those experimental points (*shidian*) for the New Village program. It was the first Chinese New Village in Yingde city and one of the earliest in China. As a model village, it was to become an example for the other villages in the region to follow in planning their own redevelopment.

There are several reasons why Baikou was selected for the program. First, the village is one of the nearest to the city with the largest land area in the region—approximately three thousand *mu*,³ making it a good candidate as land provider for the future expansion of the city center. Second, Baikou was economically better off than neighboring villages. From the mid-1980s, its villagers had reclaimed a large area of wasteland and forestland for peanut cultivation; from the mid-1990s, they started growing giant Taiwanese bamboos, both of which greatly improved their income. Third, a Baikou villager was the former secretary of the Chengnan Resident's Community Committee. As elsewhere in China, the personal relationship (*guanxi*) between village leaders and the higher-ups plays influential significant role. The main activities of the pilot scheme include building new houses and public works. Contribution for the New Village construction is based on a principle called the "tripartite payment," which involves equal contribution by the local government, the village (as a unit), and the individual family for the construction of houses. The local government supports selected public infrastructural

items, for example, the water pipe system, the sewage system, the roads, and waste collection system—the funding for these comes from the relevant government departments. The costs of building the foundation of new houses were paid out of the village's collective income, which derives from the compensation of the land expropriation in the 2000s. In other villages where land acquisition does not take place, the village committee could dispense with little fund for such purposes; the compensation for land expropriation is the only collective income for the majority of villages in Chengnan. In 1997, the total cost of a 2.5-story house was approximately 60,000 yuan.⁴ The county government promised to meet half of the cost, and the villagers who wished to build a new house were expected to pay the other half. Although they hardly had the fund themselves, 42 households joined the project and paid their share within a short time, with money borrowed from their relatives. The local government had initiated the project before the funding was confirmed and later was not able to pay the promised 30,000 yuan per house. In addition, the total cost per house amounted to 80,000 yuan, and both sides were unable to pay the additional amounts of about 1.6 million yuan for all the houses. According to a newspaper article (Zhou 2003), the local government eventually expropriated farmland from villagers and sold it for 1.8 million yuan to pay back the debt. Much of the land acquisition taking place in rural areas, such as in this region, is due to similar instances of the local government expropriating and selling off farm land in order to generate revenues or to pay off debts incurred through local development projects that are part of the wider national program of rural regeneration (Zhou and Wang 2015).

Land acquisition in historical context

As elsewhere in China, it was not the first time that the land restructuring takes place in the village. There had been three major land re-

forms since the People's Republic of China was established in 1949. In the first land reform at the turn of the 1950s, land was taken from landlords and rich peasants to be redistributed to the poor and middle peasantry on egalitarian principles. The second reform occurred in 1958 when the People's Commune system was adopted throughout China, wherein all the means of production were collectivized; rural land was then put under collective ownership of the people's commune. The third reform occurred by the end of 1978 when the Reform and Opening Up started. Land then was again redistributed to households based on the Household Contract Responsibility System. Nevertheless, farmland tenure is still collectively organized. Under this system, the individual peasant or household only has the "right of use" and the "right of transfer" for 30 years, and the transferred land could not be used for non-agricultural projects. According to Article 63 of the Law on Land Administration⁵: "No right to the use of land owned by peasant collectives may be assigned, transferred or leased for non-agricultural construction, with the exception of enterprises that have lawfully obtained land for construction in conformity with the overall plan for land utilization but have to transfer, according to law, their land-use right because of bankruptcy or merging or for other reasons" (Law of Land Administration, Article 63).

During the first land reform, there were none of the violent conflicts commonly found in other rural places of China then in Baikou, since villagers were equally poor. The shared poverty likewise explains why Baikou's collectivization took place smoothly during the second land reform (1955–1956), again without the common bloody struggles of the period. With the introduction of the Household Contract Responsibility System in 1979, land and other collective properties were distributed to members of the production teams. Approximately four *mu* per capita of farmland was allocated to each villager in 1981 in the village. Until then, the per capita ownership of land in Baikou was relatively equal. However, disparity started to increase in

the following years as villagers began reclaiming wasteland and forestland for cultivation. In 1979, the total farmland area for a population of 188 persons was about 752 *mu*. By the time a road construction project was implemented in 2001, requiring land acquisition, the total farmland area stood at more than three thousand *mu*.⁶ Much of the reclamation took place between 1984 to 1990, during which time the amount of farmland rose by more than two thousand *mu*.⁷ In 1982, since the village owed the local food bureau a large amount of grain, the local government harvested many trees from the village's forest to repay the debt. The clearing of the forest made it possible for people to reclaim land, mostly manually, with the exception of that reclaimed by four particular families with the use of a tractor.

These four families together reclaimed more than 100 *mu* and became the first "rich group" in the village following the reform; three of them are still considered the richest in the village today. The reclaimed land was then often used for peanut cultivation, which works well even on dry land and, in turn, improved their economic position. In short, the spontaneous land reclamation by villagers in the early 1980s started to generate economic differentiation within the village and beyond. The use of a tractor for reclaiming land indicates an active use of edge ball politics by the four families, who gained advantage over other villagers with the tractors, an option that was made possible by their connections to the local leadership. Later on, this proved to be of strategic significance for the accumulation of wealth by these families and for their advantage in the more recent land development process.

In 1995, Baikou redistributed land again with minor adjustments for newborn children. Regardless of the changes in the number of household members, the amount of land owned by each family did not change much from then until the wave of land acquisition in the 2000s. Unlike the previous times of land restructuring, this time it entails *de facto* conversion of collective-owned rural land to state-owned urban

land, along with the rapid urbanization that requires massive land for infrastructure and property developments. This turn of land restructuring again transforms the distribution of land along with the distribution of compensation in the village.

There are three schemes of compensation distribution⁸ that are particular to Chengnan Resident's Community. In the first, the collective or the village committee keeps the compensation fee and the resettlement fee as collective incomes. The compensation fee for the attachments and crops were directly distributed to the households. The second scheme for compensation involves directly distributing all types of compensation fees to the household according to the expropriated area; only households whose land was expropriated gets the compensation. The third scheme, practiced in Baikou and Liuqiao, villages with the highest area of land per capita in the region, features equal distribution of the compensation fees to villagers. In Baikou, every villager is entitled to the compensation fee for the fixed amount of five *mu*, including those whose land is expropriated and those whose land has not been expropriated; the rest of the compensation fee will be paid into the collective account. Baikou only distributes the compensation fee among villagers whose *hukou* is registered as Baikounese; in contrast to the arrangement of neighboring Liuqiao village, which distributes the fee also among villagers whose *hukou* had been transferred away from the village. Unlike multi-lineage Baikou, Liuqiao is a single-lineage village, whose members all descend from the same ancestor. Thus, whereas Liuqiao adopts the kinship principle, Baikou relies on the legal premise of the household registration in the distribution. As such, the choice of a particular scheme of distribution was made according to each village's idea of fairness. Whereas the second scheme grants greater rights to the individual households, the first and third schemes share a similar rationale that the village collective has greater rights in the redistribution of compensation fees. Such local variation in the notion of fairness in the distribution

methods has implications for the particular politics of transgressions in land acquisition.

The politics of transgression in land acquisition

Ambiguous rules and vested interests

By law, the village collective has the right to use (*jingying*) and supervise (*guanli*) the use of land, but it has no right to transfer land for compensatory use. There are two issues in the Land Administration Law (2004) that often lead to conflicts in rural society over the issue of land transfer (Lin and Ho 2005: 411–436; Zhou 2004: 193–210). First, the subject of ownership is ambiguous. The repurposing of rural land (or the right of contracting) can only be achieved through “requisition” by the state. The administrative village is the legal owner of the land, which enables the village committee to assume the collective ownership of rural land. The local government acts as the agent of the use transfer, and the profit motive is high on its agenda. Second, the state rules for compensation are ambiguous. According to Article 2 of the Land Administration Law (2004), “The state may make requisition or requisition on land according to law for public interests, but shall give compensations accordingly.” However, “public interest” is open to interpretation, and according to Qin, “can be subjectively defined” (Qin 2009: 24–29). The ambiguity has resulted in social conflict around and resistance to land requisition as it becomes clear that powerful actors with vested interests are the ones with the most to gain from land development (Huang and Wang 2002: 66–71; Li 2007; Liu and Yang 2003; Zhang 2003; Zhao 2009: 93–129; Zhu 2002: 41–57).

Meanwhile, the taxation reform in the mid-1980s devolved responsibilities for local expenditure to local governments (Zhou 2007: 49–82), which are assigned with property rights at the same time with having to generate incomes and pursue local development (Oi 1992: 99–126). In 1994, the Chinese government in-

roduced a fiscal system called the “tax-sharing system” (*fenshui zhi*) according to which tax is categorized into three types—central, local, and shared taxes. Value-added tax, which yields the highest revenue, is categorized as shared tax, with 75 percent going to the central government and 25 percent to the local government. The “tax-sharing system” results in a shortfall in the local budget and the demand for making extra-budgetary profit, for example, through informal fees and levies (Cheung 2012: 293–328). As a consequence, revenues from land acquisition became the main source of municipal and county finance (Chen 2015). It is in this institutional context that the power and interest of the different actors come into play: the local government has the strongest position as the one invested with the power to take the land and repurpose it, be it in the public interest of the village or for the sake of private developers. In most cases, leaders of the local government and private developers have common rent-seeking interests in the repurposing of land use.

Edge ball politics as politics of transgression

The distribution scheme adopted by Baikou was determined by the village committee and village representatives, which pushed for the “equality” principle in distributing the benefits. According to a wealthy villager called Dingliang Liu, the justification for this principle during the first wave of acquisition was to maintain equality between families in terms of their share in the compensation benefits: “It would not be good if the difference between families were too large. So we thought it was reasonable that every person got the compensation for five *mu* and the rest of the compensation became collective property.” In practice, however, those with the largest land area turned out to be the greatest benefactor of the “equality” principle. Below, the eldest brother of the Ye family, Siren Ye, the biggest land owner in Baikou and whose wife has been in the village committee for many years, sought to cast his support for this principle in an altruistic light:

In the villages in the nearby townships, people collect all the compensation fees for their own land. As we (the Ye brothers) have the most land in the village, we would definitely be the richest if we directly received all the land compensation fee for our land. But we do not have selfish motives. We want the village to be good. So we applied the principle of five *mu* per person. At the beginning, some people who have more land disagreed. I did not agree, either. However, the majority won. We are not that selfish. I have more than 200 *mu* land. We devoted our land (to the village).

Despite his emphasis on the equality mandate and the self-sacrifice of the large landowners for the sake of village solidarity, his and a number of other families continue to own large areas of land despite the appropriation, whereas many others have lost most of their land. Their insistence on the principle of equality in distributing compensation disguises an ingenious maneuver of pushing for a compensation mechanism that does not take into account their disproportionate property ownership, thus glossing over the insignificance of their loss of land compared to those with little land. A young man called Jiale Tong, an army veteran who returned to the village in 2013, was not the only villager who realized it: “The Ye brothers’ land in fact has hardly been touched at all. So for them, of course, five *mu* per person is the best deal. Because anyway most of their land is not expropriated.” Indeed, the Ye brothers still hold nearly three hundred *mu* out of the village’s eight hundred *mu* that has not been expropriated. Meanwhile, they are trying to avoid having their land to be further expropriated via other edge ball tactics (see further in this article). By arguing for an equal distribution of compensation fees, which at first sight seems just, the powerful villagers in fact pushed through their advantage. In what follows, we show that the peasant, the village, the government, and the land developer participate in the process with their own practices of edge

ball politics—they all push the boundaries of what is legally and socially acceptable in order to gain individual or institutional advantages, often making use of the ambiguity of the rules or social conventions.

Case 1: High-value objects and crops as deterrents of expropriation

The compensation for expropriated land includes land compensation fees, resettlement fees, and compensation for attachments (buildings, sheds, and so forth) or crops grown on the land. The land compensation and resettlement fees are largely fixed by regulation, while the compensation for physical attachments or crops is subject to interpretation. This legal provision was taken advantage of by people like Dingliang Liu. Anticipating the upcoming land acquisition, he had leased out 50 *mu* to a factory with a 50-year contract; the factory had built a huge workshop occupying an area of 30 *mu*. His calculation was that if the government wants to expropriate his land, the compensation fees for the attachments to the land will be a significant amount. In the more likely event that government would not be willing to pay such compensation sum, he could still keep the land. There is nothing explicitly illegal in what he does, but it is a challenge to the intention of the local government, which is aware of the challenge to its authority yet would not be able to pin it down as such.

Green crops can be even more flexibly interpreted for compensation than buildings. The level of compensation for green crops in land requisition is determined by the local municipal government. For cash crops, the government should pay the market price in compensation. Consequently, many villagers planted highly priced trees such as Chinese or Japanese yews in order to avoid requisition, knowing that the government would not be willing to compensate for the expensive crops. In particular, Siren Ye, Side Ye, and Simin Ye, the three brothers who are the biggest landowners in Baikou, planted such trees on their three hundred *mu* of land and thereby protected their land from being

expropriated, a strategy also widely practiced elsewhere in China. In Jinchu village, for example, villagers planted large areas of expensive trees in their fields where there had been bamboos and vegetables. So did people in Langxi village in Zhejiang province. In these examples, people overturn the logics of value used by the government as a criterion for acquisition: what had been deemed low value (land used for agricultural crops) and perhaps as the grounds for the repurposing become the very factors that prevent it. These boundary transgressions are indeed effective—the land that remain under high-value trees can stay with them over a relatively long term while accruing further value through revenues on the trees and increasing property prices. It is clear, however, that such strategies are more viable among those with greater resources and power, such as the Ye brothers.

Case 2: “Faking” divorce for higher compensation

Around 2010, the divorce rates of Lianhe village and Langxi villages, where the first author did short-term fieldwork suddenly increased, with around 10 cases in Lianhe and 30 Langxi. However, the divorced couples still lived together and shared their property—their divorce was just on paper. The reason for these “fake divorces” was that every individual could count as a household according to the *hukou* system (household registration) that officially identifies a person as a legal resident of area locality. Further, according to the local land management regulation, every household is entitled a plot of land for house construction from the village when the land restructuring takes place. The additional plot of land acquired through the on-paper divorce would help to enlarge the size of the family house or can be given to a daughter who is married out of the village. Therefore, many couples filed divorce in order to gain an additional plot.

In Baikou, some daughters of villagers who had been married out obtained a divorce and converted their *hukou* back to the village when the village received a large land requisition fee

in 2012. According to the rule of compensation distribution in the village, the fee should be equally distributed to each villager whose *hukou* is in the village, rather than to the one who has the use right of the expropriated land. Consequently, these married-out women obtained a divorce in order to be able to move their *hukou* back to the village. On the contrary, the actual divorce of men in Baikou was often hidden, so that their “former wife” could still retain their *hukou* in Baikou, which guaranteed their rights to share the land compensation fee. According to the registration of the Chengnan Resident’s Community Committee, eight couples divorced between 2013 and 2015. However, only two of them were genuine divorces; the other couples still lived together and only very close relatives and friends knew of their legal separation. Compared to the strategy of the more powerful villagers discussed before, who are able to deploy long-term land rental or tree plantations for the double goal of long-term investment and prevention of acquisition, the “faking” of divorce is an edge ball maneuver that underscores a weaker position. It involves giving up on the judicial status of marriage with its associated rights, and the gain of getting a share in the compensation benefits occurs at the cost of legal protection one has as partners in a legally recognized marriage. As Caren Freeman (2011) shows in her study of “counterfeit kinship” among Chinese cross-border migrants to South Korea, there is a thin line to cross before the “false papers” become genuine and de facto family relations rendered broken by the “fake divorces” initially with the mere intention to circumvent the rules of immigration. Indeed, media reports suggest that it is not uncommon for the “fake divorces” to become real in the end (Sun 2020; Tao 2017).

Case 3: Covert use of violence by local government

Baikou villagers often said to Lan Wei that they could not resist the land acquisition because of threats of violence—these threats, however, are neither evident nor easy for them to pin down, and thus produce much anxiety for those who do not conform to the acquisition. At the peak

of land acquisition around 2010, a drug dealer was known to be “secretly employed” by the village committee to threaten villagers in order to compel the families who refused the land requisition to change their position. According to Guihua Bo, a female villager,

I really do not want my land expropriated. I do not know what I can do without land. We are already too old to find a job. Nobody wants to employ us. When the village held a vote, in fact, many people (who agreed with the land requisition) are the relatives of the village leaders, so more than half people agreed. We did not agree at all. But we had no other choice. They forcibly dismantled my hencoop and cut down my bamboo. Many people disagreed with it (the land requisition), but we had no choice, the upper people (government) forced us.

The petty and yet persistent harassments and psychological pressures are similarly experienced by Jiale Tong’s family, whose house, which they had built three years before the start of the New Village project, is marked down to be demolished for infrastructural development. Jiale said,

at the beginning, they (the village leaders) said they will compensate us with several tens of thousands, but we disagreed. Then they kept coming to our home to persuade us and promised to compensate several hundreds of thousands. You see how big the difference can be! The village leaders would not come to my home, so they asked someone who had a bad relationship with us to threaten us.

The use of violence, be it physical or psychological, to enforce local development plans is common in rural China. Recent studies show that the villain or the local tyrant at times become the village head or the member of the village committee (He 2011; Xu and Yeh 2009). The use of thugs for enforcing conformity and

allegiance is not uncommon in the historical records of the Chinese Communist Party, which recruited bandits into the revolutionary army before the New China (Yang 1959; Zhang 2010: 66–83). There exists a local term, *heibai tongchi* (literally, “eats both the black and the white”), which refers to a person who has a good relationship with both the government and the gang world, a powerful person in a position to actualize his (or her) intentions easily. Clearly, the use of criminals for enforcing government plans or rules is out of the question as a legitimate method for any local government, whether on legal or social grounds. The previous examples, however, suggest that threats of violence are often made in such a way that they are not an obvious assertion by those in power, which would be unlawful or incite resistance. Difficult to be pinpointed to a specific penetrator, the violence works more at the psychological level of creating threat points and negotiable give-and-takes, slowly increasing the threshold of the violence to test out the limits of what the “disagreeing” villagers could tolerate until they give in. In other words, the local government is playing the edge ball through the covert use of violence in dealing with those who do not conform in order to push ahead their plans for land clearance.

Case 4: Private developers and local governments, hand in hand

Repurposing land use after the expropriation of land from the peasantry is a frequent strategy by local governments and developers. In Langxi village, for example, the local government encourages rural tourism, and some developers obtain long-term rental of land from the village (often for 50 years) on the pretense of developing tourism and then built villas for sale. Such repurposing of land use after expropriation would not have been possible without the local government’s collusion, since they have the power to determine if the implementation of a policy is according to the rule. Another example further demonstrates how local leaders and private developers work together in the game of edge ball politics around land acquisition. Baikou built a

Cultural Centre, a three-story building with an area of approximately 2,500 square meters in 2013, equipped with air conditioners and multimedia facilities. The total cost of more than seven million yuan⁹ was disproportional to the needs of a village with 338 villagers. The funding for this project had been generated by transferring 40 *mu* of land to a real estate company for 175,000 yuan per *mu*. The average local land would fetch 492,200 yuan per *mu* on the market then. The village leaders kept emphasizing that the “boss” (the director of the real estate company) helped the village to build this Cultural Centre without the latter having to pay anything for it. The villagers, in contrast, thought that the Cultural Centre is a showcase project intended as a source of corruption for the rich and powerful, the kind often called *mianzi gongcheng* (face project) in China. Indeed, the huge building is rarely put to use; only twice during Lan Wei’s one year of fieldwork did she see a large meeting held there. The building was otherwise closed for most of the time—its facilities and the equipment are covered with thick dust. In addition to their critique of the uselessness of the face project, villagers submit a collective petition to the municipal bureau for complaints against what they saw as the “fake accounting” of the significant costs of building the Cultural Center. Yet, apart from the fact that this accusation is difficult to prove, the local leaders have a strategic advantage of being in a position to carry out the will of the state in developing the countryside with these “face projects,” which are an important part of the nationwide rural regeneration program (Steinmüller 2013; Tan 2016). From the perspective of the central government, the village’s ability to build such a visible infrastructure item would count as a success of the local government. Therefore, the villagers’ complaints did not result in significant sanctions for the local officials, especially because the latter’s boundary transgressions are never obvious violations of the law or formal rules.

Nevertheless, there are limits on these transgressions and resentment to overly aggressive transgressions could easily spill over into “right-

ful resistance.” In 2011, approximately one hundred *mu* of land in a neighboring village to Baikou was expropriated by the Yingde Supply and Marketing Cooperative, a member of the All China Federation Supply and Marketing Cooperative. The expropriated land was supposed to be used for building an agricultural product exchange market, which would legally classify as being “in public interest.” The land was expropriated with a compensation fee of about 30,000 yuan per *mu* plus the compensation fee for the associated crops. The land requisition went smoothly. However, villagers later found out that this project did not involve agricultural production but the development of real estates, which they were unified in protesting, leading to the suspension of the project. In this instance, the developers and local government not only went too far in distorting what “public interest” was but also infringed upon a fundamental moral economic agreement with the villagers. The latter had been ready to give up on their land for the sake of a public project intended to serve the betterment of livelihoods for the village as a whole. That it ended up being another real estate project crossed the acceptable limits that otherwise are more carefully attended to by those practicing edge ball tactics. The case indicates that edge ball politics and “rightful resistance” are closely related as forms of everyday politics.

Despite their resentment and indignation, which they are not hesitant to voice in daily interactions, however, local people are well aware that edge ball behaviors are part of life in China. This comes through visibly when a female villager, while telling us of her grievances with the local authorities over these matters, suddenly became worried about whether she should be saying these things in presence of Minh Nguyen, a foreigner, less it causes embarrassment for the Chinese government. This internalized sense of embarrassment of a citizen with regard to the gap between the representation of the state and what happens on the ground is a clear indication of the cultural intimacy that Herzfeld talks about (2014).

Conclusion

Edge ball politics is indeed a common field of transgression for social actors of all spectra who actively calculate and pursue their interests with varying degrees of success, often transgressing the limits of what is legally permissible or socially accepted based on their power position. As the local officials push the limits of what is “respectable” or “decent,” they do it with the knowledge that the central government has to rely on them for the implementation of policies or that their transgressions are difficult to pin down to a particular legal interpretation. Similarly, the private developers are able to turn around the rules of land development for public interest not only thanks to the local government’s mandate to generate revenue or their *guanxi* to local officials but also on account of the fluidity in the definition of what public interest is. The average villagers, meanwhile, are aware that their acts of transgression, be it faking divorces or planting expensive cash crops on land soon to be expropriated, are protected to a certain extent by the ambiguity of the rules. Their transgressions, however, tend to incur greater costs for less strategic benefits than those in positions of power. While these actors operate from highly different power positions and achieve highly varying outcomes, they are bound together by the intimate knowledge of how edge ball politics operates. In such “community of complicity” (Steinmüller 2013), there is mutual understanding of how things often work not exactly according to the rules and of the need to keep one’s own transgressions as difficult to pinpoint as possible.

In the politics of transgression, the Chinese party state has the most to gain. In keeping rules and laws of land acquisition relatively open to interpretation and subject to local negotiations, the state has the double benefit of getting its policies implemented and preempting the social upheaval caused by the consequences of these policies’ broader dispossessing effects. Likewise, it does not have to tackle the frustration of those who lose out as a result of the

policy because the politics makes it possible to associate the source of their dispossession with the implementers' actions rather than the policy. As a Baikou villager puts it, "Neither are the communists nor the policy bad. It is the implementers who are. They collude with the businessman." Although its intent and operative logics may not be too visible in the local politics of transgression, therefore, the Chinese party state is a central player of the politics of transgression. To the extent that the local games of *cabianqiu* do not spill over into high-profile conflicts and by giving people a space to act and a sense of being able to take actions, it facilitates the consolidation of party state rule rather than undermining it. As such, edge ball politics is a mechanism with which the Chinese social and political order is reproduced, arguably on the same par with the other kinds of everyday politics such as "rightful resistance" (O'Brien and Li 2006), while these different politics are closely related. The politics of transgression is not particular to rural China; it is common in many other authoritarian contexts, even in the most rigid systems, such as North Korea (Kim 2000). It helps to explain how an authoritarian state can sustain itself by facilitating localized spaces of negotiations with elastic boundaries, so that everybody feels they are able to transgress the boundaries without actually breaking them.

Lan Wei is a postdoctoral fellow in sociology in Fudan Development Institute at Fudan University, China. She received her doctoral degree in social cultural anthropology at Durham University in 2018. Dr Wei's research focuses on material culture and rural development of contemporary China.

Email: weilananthropology@126.com

Minh T.N. Nguyen is professor of social anthropology at Sociology Faculty, Bielefeld University, Germany, and visiting professor at the University of Social Science and Humanities, Vietnam National University in Hanoi. She is the author of *Vietnam's socialist servants: Do-*

mesticity, class, gender and identity (Routledge, 2015) and *Waste and wealth: An ethnography of labour, value and morality in a Vietnamese recycling economy* (Oxford University Press, 2018). Professor Nguyen works on labor, care, welfare, and migration, and is co-editing two special issues on the good life and on the politics of development.

Email: minh.nguyen@uni-bielefeld.de

Notes

1. All locations and personal names are pseudonyms.
2. A Resident's Community is a self-governing mass organization that is similar to the administrative village but in city.
3. 1 *mu* = 666.67 square meters.
4. The per capita annual net income was approximately 5,000 yuan, and a nuclear family would have at least a 10,000-yuan annual net income, which allows it to build a new house in around six years (without calculating the price inflation and the unstable market price of the agricultural products).
5. The amended Law of Land Administration of People's Republic of China, adopted at the 11th Meeting of the Standing Committee of the Tenth National People's Congress on August 28, 2004.
6. There are no official land statistics for Baikou, but villagers agreed that its area is about three thousand *mu*.
7. According to Article 9 of the Constitution of the People's Republic of China (1982), the wasteland should belong to the state. However, the reclaimed wasteland can be possessed by the household.
8. According to Article 47 of the Land Administration Law (2004), the compensation for requisitioned agricultural land includes a land compensation fee, resettlement fee, and compensation for attachments to (buildings, sheds, and so forth) and crops on land. Compensation for attachments to and crops grown on land, as private property, always belong to the household that has the use right of the land. Nevertheless, the land compensation fee and the resettlement fee are managed in different ways by villages. In many cases, there is no resettlement fee if the expropriated land is farmland.

9. The construction of a house in Baikou cost approximately 300,000 yuan in 2015 compared with 60,000 yuan in 1997.

References

- The 5th National People's Congress. 1982. *Constitution of the People's Republic of China*.
- Chen, An. 2015. *The transformation of governance in rural China: Market, finance, and political authority*. Cambridge: Cambridge University Press.
- Cheung, Chi-Pui. 2012. "The paradox of China's urban-rural integration: The hukou system, rural policy, and rural land development." *Urban Anthropology and Studies of Cultural Systems and World Economic Development* 41 (2/3/4): 293–328.
- Chia, Evelyn. 2006. "Institutions in transition: Land ownership, property rights and social conflict in China." *The China Journal* 55: 157–158.
- Ci, Jiwei. 2014. *Moral China in the age of reform*. Cambridge: Cambridge University Press.
- Freeman, Caren. 2011. *Making and faking kinship: Marriage and labor migration between China and South Korea*. Ithaca, NY: Cornell University Press.
- He, Xuefeng. 2011. "Furen zhicun: yi Zhejiang fenghua wei taolun jichu" ["On village managed by the rich: Discussion on the investigation of Fenghua in Zhejiang"]. *Shehui kexue yanjiu [Social Science Research]* 2: 111–119.
- Herzfeld, Michael. 1993. *The social production of indifference: Exploring the symbolic roots of Western bureaucracy*. Chicago: University of Chicago Press.
- Herzfeld, Michael. 2014. *Cultural intimacy: Social poetics in the nation-state*. New York: Routledge.
- Ho, Peter, and Jozi van Aartsen. 2005. *Institutions in transition: Land ownership, property rights, and social conflict in China*. Oxford: Oxford University Press.
- Huang, Zuhui, and Hui Wang. 2002. "Land expropriation for a non-public purpose and compensation for its development right." *Economic Research Journal* 5: 66–71.
- Kerkvliet, Benedict J. Tria. 2005. *The power of everyday politics: How Vietnamese peasants transformed national policy*. Ithaca, NY: Cornell University Press.
- Kim, Samuel S. 2000. "North Korean informal politics." In *Informal Politics in East Asia*, ed. Lowell Dittmer, Haruhiro Fukui, and Peter N. S. Lee, 237–268. Cambridge: Cambridge University Press.
- Li, Hongbo. 2007. *Zhengdi chongtu yanjiu [Studies of land requisition conflicts]*. Wuhan: Huazhong University of Science and Technology.
- Li, Jing, Yat-Hung Chiang, and Lennon Choy. 2011. "Central-local conflict and property cycle: A Chinese style." *Habitat international* 35 (1):126–132.
- Lin, George, and Samuel P. S. Ho. 2005. "The state, land system, and land development processes in contemporary China." *Annals of the Association of American Geographers* 95 (2): 411–436.
- Liu, Yongxiang, and Minghong Yang. 2003. "Zhongguo nongmin jiti suoyou tudi fazhanquan de yayi yu kangzheng" ["The constraints and conflicting rights over collectively owned land in rural China"]. *Chinese Rural Economy* 6 (16):16–24.
- O'Brien, Kevin J. 1996. "Rightful resistance." *World Politics* 49 (1), 31–55.
- O'Brien, Kevin J, and Lianjiang Li. 2006. *Rightful resistance in rural China*. Cambridge: Cambridge University Press.
- Oi, Jean C. 1992. "Fiscal reform and the economic foundations of local state corporatism in China." *World Politics* 45 (1): 99–126.
- Qin, Hui. 2009. "Zhongguo tudi zhidu de weilai xuanze" ["The future of the Chinese land system"]. *China real estate magazine* 10: 24–29.
- Scott, James C. 1985. *Weapons of the weak: Everyday forms of peasant resistance*. New Haven, CT: Yale University Press.
- Shukui, Tan. 2008. "Discussion on classification scheme of land conflict in China." *Chinese Journal of Agricultural Resources and Regional Planning* 29 (4): 27–30.
- Smart, Alan, and Carolyn L. Hsu. 2007. Corruption or social capital? Tact and the performance of *guanxi* in market socialist China. In *Corruption and the secret of law: A legal anthropological perspective*, ed. Monique Nuijten and Gerhard Anders, 167–190. Hampshire: Ashgate.
- Standing Committee of the National People's Congress. 2004. *Land Administration Law of the People's Republic of China (2004 Amendment)*.
- Steinmüller, Hans. 2013. "Face projects in rural construction." In *Communities of complicity: Everyday ethics in rural China*. New York: Berghahn Books.

- Sun, Tingting. 2020. "Jia lihun maifang bian zhen lihun, nanzi qisu qianqi suoyao fangwu baixu" ["Fake divorce for buying a house turned real; man sued ex-wife over the house"]. *ChuTian dushi bao*, 27 August. <https://baijiahao.baidu.com/s?id=1676245383948799849&wfr=spider&for=pc>.
- Tan, Tongxue. 2016. "The ironies of 'political agriculture': Bureaucratic rationality and moral networks in rural China." In *Irony, cynicism and the Chinese State*, ed. Hans Steinmuller and Susanne Brandtstadter, 84–100. London: Routledge.
- Tao, Pan. 2017. "Fuqi wei maifang jia lihun, zhangfu yu fuhun shi qizi yi yiqing bielian" ["Fake divorce for buying a house turned real"]. *Wuhan Evening News*, 22 January. <https://news.qq.com/a/20170122/016522.htm>.
- Van Rooij, Benjamin. 2009. Land loss and conflict in China: Illustrated by cases from Yunnan province. In *The Conference of the NEO-SARO Research Project on Land Legalization*. Leiden, The Netherlands.
- Vukovich, Daniel F. 2019. *Illiberal China: The ideological challenge of the People's Republic of China*. Singapore: Palgrave Macmillan.
- Wang, Shaohua. 2020. "Qiyue jingshen qirong da cabianqiu" ["Eliminating edge ball practices through the spirit of contracting"]. *Changzhou ribao*, 2020-4-13.
- Wilcox, Phill. forthcoming. *Living in and around the state: Ambivalence and the politics of everyday life in contemporary Laos*. Amsterdam: Amsterdam University Press.
- Xu, Jiang, and Anthony Yeh. 2009. "Decoding urban land governance: State reconstruction in contemporary Chinese cities." *Urban Studies* 46 (3): 559–581.
- Yang, Chung Kun. 1959. *A Chinese village in early communist transition*. Cambridge: Harvard University Press.
- Yang, Yuli, and Baojun Cheng. 1994. "Lun jingji zhengce shishi zhong de 'cabianqiu' xianxiang" ["Edge ball politics in policy implementation"]. *Guangdong shehui kexue* [Social Science in Guangdong] 4: 54–58.
- Yang, Jun, and Shan Gao. 2007. "Jujue 'cabian-qiu'—dui chengshi guihua zhong chuxian lvyue yongdi de yixie sikao" ["Refusing 'edge ball'—a case study of land-use in urban planning"]. Paper presented at Annual national planning conference.
- Zhai, Xuewei. 2013. *Face, favor and reproduction of power*. Beijing: Peking University Press.
- Zhang, Jing. 2003. "Uncertainty of land-use rules: an explanatory framework." *Social Sciences in China* 1: 113–124.
- Zhang, Yong. 2010. Studies on the bandit problem in the early stages of building the red army and the central soviet areas. *Modern Chinese History Studies* 178 (4):66–83.
- Zhang, Chen, and Xue Bai. 2010. "Difang zhengfu zhengce zhixing zhong 'cabianqiu' xingwei de zhidu fenxi" ["An institutional analysis of 'edge ball' behaviour in local policy implementation"]. *Chengdu xingzheng xueyuan xuebao* [Journal of Chengdu Institute of Public Administration] 2: 9–12.
- Zhao, Yude. 2009. "The interactive relationship between farmers, local governments and the state during the course of land acquisition." *Sociological Studies* 2: 93–129.
- Zhou, Feizhou. 2007. "The role of government and farmers in land development and transfer." *Sociological Studies* 22 (1): 49–82.
- Zhou, He. 2003. "The peasants build villas with heavy debt—such a 'well-to-do life' (beng xiaokang) in Yingde city, Guangdong province." *Beijing Morning*, 29 July. <http://www.people.com.cn/GB/shizheng/1026/1988924.html>.
- Zhou, Qiren. 2004. "Property rights and land requisition system: A critical choice for China's urbanization." *China Economic Quarterly* 4 (1): 193–210.
- Zhou, Feizhou, and Shaochen Wang. 2015. "Farmer moving upstairs and capital going down to the countryside: A sociological study of urbanization." *Social Sciences in China* 1: 66–83.
- Zhu, Keliang. 2002. "Urban development under ambiguous property rights: A case of China's transition economy." *International Journal of Urban and Regional Research* 26 (1): 41–57.