Rule of Law and Dispute Resolution in China: Evidence from Survey Data

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Abstract

China has come a long way in political reform since the Mao era, yet the Communist Party remains in firm control of political power and the tension between the state and society is high. Economic reform in the past 30 years has led to drastic redistribution of social interests and a further increase in social conflict. This study examines dispute resolution in post-Mao China. Using a 2004 national survey, I demonstrate the nature and intensity of social and political conflict in Chinese society by analysing the occurrence of disputes, the channels and outcome of dispute resolution. In addition to the impact of the single party political system, I also consider the roles of cultural values and market transition in conflict resolution. The findings show that while the political system and cultural values discourage dispute initiation, China’s legal system is improving in facilitating dispute resolution and in promoting regime legitimacy.

One difference in governance in China from the Mao era is the current practice of dealing with political issues by increasing the rule of law and reducing the role of ideology. Examples include the improved status of the National People’s Congress in law making, and the passage of the numerous new laws and regulations concerning many aspects of political life, such as individual rights, media, elections, corruption and

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