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RESEARCH ARTICLE

Policing Terrorism in the Chinese Community: A Critical Analysis

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Abstract

After the 9/11 incidents, global counter-terrorism efforts have focused increasingly on community policing as a proactive and preventive approach to thwarting terrorism. This article explores the developments, tensions, and prospects of counter-terrorism community policing ("CTCP") in China. By applying the concepts of police legitimacy and social capital to the normative and operational framework of CTCP, I argue that this vital counter-terrorism endeavour is fraught with problems, for both Chinese police to procure effective civic co-operation and the local community to develop its capacity as a self-reliant player in preventing terrorism. More specifically, community co-operation in China's CTCP is largely an obligatory process in the form of forced mobilization by local bureaucracies that does not necessarily entail trust and support from citizens based on their legitimacy judgement. My analysis on social capital building in Chinese communities further suggests that both police and citizens are unable to form deep and meaningful partnerships for counter-terrorism. While an authoritarian regime like China is reluctant to cede substantial power and authority to people in most of all aspects of policing, the public has become apathetic towards and alienated from voluntary collaboration with police in formal community affairs—a dichotomy lies between reality and ideal in China's CTCP.

Keywords: China; terrorism; community policing; procedural justice; social capital

1. Introduction

Given the 9/11 attacks and string of catastrophic terror strikes around the globe, terrorism has become a primary concern for the international community.[1] However, the invariably changing nature of terrorism has engendered ubiquitous discussion over the form, manifestation, and attributes of this anti-humanity crime in the present climate.[2] The classic debate about "old terrorism" versus "new terrorism" evinces that terrorism is prone to be characterized and construed in many different ways subject to local conditions. Notably, supporters of the "new terrorism" theory point to a radical transformation in the character of terrorism, which has purportedly taken hold in the post-9/11 period.[3] It is argued that compared to the "traditional/old" terrorism, there has been an emerging shift in doctrine, strategy, motivation, and aim of terrorism attuned to the information age.[4] Among a

[1] Some of the large-scale terrorist attacks against the West include the Madrid Train Bombings (2004), the London Bombings (2005), the Sydney Martin Place Siege (2014), the Paris Gun-shooting Attacks (2015), the Orlando Night Club Shooting (2016), the Manchester Arena Bombing (2017), and the Christchurch Mosque Shooting (2019).

[2] Mahan & Griset (2008).

[3] Hoffman (1998), p. 200; Carter, Deutch, & Zelikow (1998), pp. 80–94; Laqueur (2000), p. 4.

[4] Laqueur, *supra* note 3, pp. 8–11.

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number of new features identified in the period of "new terrorism,"[5] one remarkable development is that terrorist attacks have been increasingly carried out in the form of indiscriminate violence aimed at causing the destruction of society at large.[6] While criticism on "new terrorism" is acute and opponents query whether there is indeed a clear distinction between the purported old and new paradigms of terrorism,[7] the recent wave of violent atrocities across the world (e.g. the London Bombings, the Boston Marathon Bombing, and the Sydney Café Siege) seems to signify the emergence of new tactics by terrorists with a defined goal to inflict deadly harm on innocent civilians rather than striking out at political and symbolic targets.

More ominously, the change of targets in attacks have also coincided with a shift from sophisticated attacks that require extensive training, planning, or co-ordination to small-scale attacks that can be executed by individuals or small groups with casual planning and cursory preparation.[8] Often undertaken by so-called "lone wolves,"[9] low-profile violent attacks are trickier to identify but are no less lethal.[10] Over the past decades, random and ad hoc individual attacks have been waged in a diverse range of international communities, and perpetrators have often been citizens or residents of the countries they wish to harm.[11] This distinct pattern has not only changed the contours of terrorism in the post-9/11 era, but also exacerbated the already existing concern over the effectiveness of traditional responses to terrorism, which has simply been a reactive response to new security threats.[12]

In times of uncertainty, there is an increasing popularity of the state's endorsement of prevention strategies. Aside from the continuing deference to conventional security measures for counter-terrorism (e.g. military tactics and law enforcement), proactive and problem-solving policing has become the leading response towards the increasing risk of radicalization and violent extremism.[13] Subsequently, the overarching policy focuses on the prevention of terrorism before harm occurs. To this end, community policing, which was developed in the 1960s to concentrate on crime-prevention initiatives and relevant community issues, is now being employed as a primary means to pre-emptively deal with terrorism under the auspices of neighbourhood participation, co-operation, and support.[14]

Akin to its Western counterparts, China is not immune to terrorist violence; the Xinjiang Uyghur Autonomous Region has witnessed "ethnic and religious extremism" for more than 40 years.[15] Although the notion of terrorism in the Chinese legal and

[5] Some common characteristics of "new terrorism" include: (1) new terrorism is more religiously driven with mystical motivation; (2) new terrorism is associated with terrorist organizations with horizontal networks and lacks state backers; (3) new terrorism is linked to the inclined use of mass-destruction weapons. See e.g. Hoffman, *supra* note 3.

[6] Laqueur, *supra* note 3, p. 9; Kurtulus (2011), p. 478.

[7] E.g. Spencer contends that the "the distinction between religiously and politically motivated terrorism is predominantly artificial ... avoiding the creation of artificial distinctions, which ignore the evolutionary development of terrorism throughout history, as well as accepting that there are a variety of different forms of terrorism in the world at any one time." See Spencer (2006), pp. 24–5. Field claims that "the historical evidence demonstrates that there is significant continuity in terrorist group behaviour, suggesting that as opposed to a wholesale revolution we have simply seen the evolution of well-established terrorist practices and behaviours ... the shift in the nature of terrorism has been exaggerated, providing a misleading and distorted picture of radical change." Field (2009), p. 195.

[8] Spaaij (2010), pp. 854–70.

[9] Simon (2016).

[10] Ellis (2014), pp. 211–25.

[11] Friedmann & Cannon (2007), p. 4.

[12] Staniforth (2014), p. 167.

[13] Aziz (2014), p. 148.

[14] *Ibid.*, pp. 155–6.

[15] Shan & Ping (2015), pp. 113–26.

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political context differs largely from most liberal democracies,[16] violent attacks by ethnic minorities in the form of inflicting civilian casualties have become increasingly visible and wide-ranging on Chinese soil.[17] Like the prevalence of "lone actor" attacks in the West, most incidents in Xinjiang and some large cities (e.g. Beijing, Kunming, and Guangzhou) were planned and initiated by individuals or a small group of people.[18] As such, the state's response to ethno-religious violence has grown in a preventive dimension, instituting a hybrid mechanism in which community policing, alongside a hard power approach such as paramilitarism,[19] has featured as a salient plank in the state's counter-terrorism strategy.[20]

This article aims to provide a critical analysis of counter-terrorism community policing ("CTCP") in urban China.[21] It seeks to explore the policy orientation, legislative framework, normative discourse, and practical dimension of this CTCP strategy by addressing three probing questions: (1) How has China shifted, on legal and policy grounds, its counter-terrorism preventive tactic towards a CTCP approach? (2) What are the pivotal elements underlying the trajectory and contour of CTCP in the Chinese distinctive social and cultural context? (3) Has CTCP faced inherent tensions and pitfalls, if any, that impede its implementation at the grassroots level and what might be the contributing factors? To answer these questions, I examine not only the law and policy of CTCP, but also the concepts associated with *police legitimacy* and *social capital* to understand how socio-legal factors have affected the formation of CTCP in this culturally idiosyncratic regime. In doing so, the article intends to fulfil a lacuna in the extant literature that almost exclusively focuses on CTCP in Western nations that are most prone to terrorism.

This article is divided into four parts. In Section 1, I begin with a review of CTCP in the Chinese legal and cultural milieu. In recognizing that China's terrorism is conceptually peculiar, I first map out the landscape of the state's counter-terrorism legal policies and expound on the evolution of policing tactics in the Chinese social control system that underpin CTCP. In Sections 2 and 3, I focus on police legitimacy and social capital to unravel the problems in connection with the normative value and procedural mechanisms of Chinese CTCP. I contend that this vital counter-terrorism component is fraught with problems, for both police to procure civic co-operation and the community to develop its capacity as a self-reliant player in the programme of community policing against terrorism. Specifically, in Section 2, I argue that CTCP in China is principally a process of obligation fulfilment by the mobilization of local bureaucracies that does not necessarily entail the legitimacy judgement of citizens. Though being enlisted by neighbourhood-based monoliths, community residents participate passively in policing with minimal power and authority to generate genuine inputs in CTCP.[22] In Section 3, my analysis on social capital building in Chinese urban neighbourhoods suggests that this is likely to be an inevitable corollary of Chinese community governed as a highly authoritarian society wherein powers of social control are concentrated in the hands of legal authorities to carry out the primary duty of "stability preservation (*Weiwen*)"—a long-existing political concern that has gained paramount prominence since the 2000s. While the Chinese government remains reluctant to give away its social control powers, the public will become more apathetic towards and alienated from voluntary partnerships with police in

[16] China's official definition of terrorism will be discussed in Section 2 of this article.

[17] Clarke (2010), pp. 543–6.

[18] Hu (2015).

[19] Wayne (2009), pp. 255–6.

[20] Zhou (2018), pp. 75–97.

[21] Given the significant heterogeneity between urban and rural society in China, this article focuses predominantly on community counter-terrorism policing in urban areas. The practices in rural areas are left in the background.

[22] Xu, Perkins, & Chow (2010), p. 260.

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community matters—a dichotomy lies between reality and ideal in Chinese CTCP. Lastly, Section 4 concludes with preliminary thoughts on whether China is able to look inwards for possible solutions to some of the practical issues concerning this bourgeoning strategy.

2. CTCP in China: a genealogical review

2.1 Terrorism and counter-terrorism legal policy

China's experience with terrorism has waned and waxed over the last half-century.[23] The first large wave of terrorist violence occurred in the Xinjiang Uyghur Autonomous Region (where most Uyghur Muslims reside) during the 1990s. In the wake of 9/11, the Chinese government retrospectively characterized approximately 200 violent incidents in this far-western region as terrorist attacks engineered and launched by ethnic extremist groups (e.g. the Eastern Turkestan Islamic Movement (ETIM)).[24] After a relatively calm period from 2001 to 2007, the recurrence of violent incidents began to hit Xinjiang as well as coastal regions of the country.[25] Similar to what the West has experienced by the emergence of "new terrorism," the new trend of violent attacks targeted civilians and national infrastructures as a conduit for inciting fear among the public.[26] One high-profile incident, perhaps, is the Tiananmen Square attack among many others in Kunming, Guangzhou, and Xinjiang.[27] On 28 October 2013, a group of Uyghurs drove a car loaded with explosives and crashed into a crowd in front of Tiananmen Square's gate tower in Beijing and it burst into flames.[28] This attack killed five people, including the attackers, and injured 38 people.[29] While international critics have cast doubt on the nature of this incident being terrorism-related,[30] the Chinese authorities categorically characterized it as a terrorist suicide attack, depicting attackers as ethnic extremists linked to the group of ETIM.[31]

It is variously claimed that Chinese contemporary terrorism is the by-product of the grievances of ethnic minority groups (mostly Uyghur Muslims) towards the state's long-existing oppressive ethnic and religious policies.[32] Until very recently, measures centred on degrading Uyghurs by forced assimilation into Han culture and restraining religious freedom by ideological education have yet to vanish in Xinjiang.[33] In response, violence has been rendered as a moral justification for Uyghurs to voice dissenting opinions given the lack of political avenues for peaceful petitions.[34] The Chinese government, however, has taken a different stance. The official perspective on terrorist threats has been attributed to the so-called "Three Evil Forces," which are referred to as "(violent)

[23] For a detailed discussion of China's encounter with terrorist violence, see Pantucci (2017).

[24] In 2002, the State Council published the official document, "East Turkestan Terrorists Exposed," in which more than 200 incidents were defined as "terrorist attacks," involving 162 casualties and 144 injuries. Questions however have remained as to the lack of a legal definition of "terrorism" in the 1990s to characterize these incidents and the extent to which the recorded deaths and injuries are related to the named incidents. Clarke (2008), p. 282; Roberts (2018), p. 233.

[25] Gohel (2014), p. 16.

[26] *Ibid.*

[27] Some of the major attacks include the Hotan Attacks (2011), the Kashgar Attacks (2011), the Kunming Railway Station Incident (2014), and the Guangzhou Railway Station Incident (2014).

[28] BBC (2013). However, concerns have been raised by the international community over the lack of state transparency on the details and evidence of the attack regarding the identity of the attackers and the nature of the event. Mooney (2013).

[29] *Ibid.*

[30] Some argue that they are only violent crimes in response to the state's oppression on ethnic and religious policies in Xinjiang. *Ibid.*

[31] Wen (2013).

[32] Bovingdon (2004); Kanat (2014); Mumford (2018), pp. 18–26.

[33] Kung (2006), pp. 375–91; Greitens, Lee, & Yazici (2020), pp. 24–5.

[34] Pokalova (2013), p. 292.

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terrorism, (ethnic) separatism and (religious) extremism."[35] To Beijing, terrorism is closely interwoven with ethno-nationalist mobilization and separatism.[36] Such parlance seems to be supported by the fact that the ETIM, known as the "most militant of the ethnic Uyghur separatist groups" by the US State Department,[37] has claimed responsibility for the majority of violent incidents occurring in the Chinese territory over the past decade.[38] To corroborate, Chinese sources have found that together with ISIS, the ETIM has recruited Uyghur Muslims as radicalized jihadist fighters through religious propaganda and expansion.[39] As of 2014, it has been reported that about 300 Uyghur Muslims were either fighting alongside ETIM/ISIS or returning to Xinjiang to plot terrorist attacks.[40] Wang Zuoan, the head of the Bureau of Religious Affairs, articulated that "the foreign use of religion to infiltrate (China) intensifies by the day and religious extremist thought is spreading in some areas (Xinjiang)."[41] The emergence of an active home-grown terrorist insurgency represented by returning ISIS soldiers, according to Zhang Xinfeng—then director of the Regional Anti-Terrorism Agency in the Shanghai Cooperation Group—"constitutes a major threat to (national) and regional security."[42]

Hence, China's policies and laws in response to terrorism have grown rapidly, though in a piecemeal fashion. Following the 9/11 attacks, the Chinese government has joined the US-spearheaded war on terror by endorsing repressive force and a paramilitary crackdown against the indigenous insurgency.[43] Several amendments have been made to some fundamental statutes such as the Criminal Law (CL), Criminal Procedure Law (CPL), and National Security Law (NSL) whereby expanded powers to interrogate, detain, and control individuals associated with terrorist acts are conferred on legal and intelligence apparatus.[44] According to Michael Clarke, the introduction of hardened counter-terrorism legislation reflects the country's declaration of a "war on terror," as these laws permit Chinese authorities to "deploy significant repressive force, in political, legal, and police/military terms, to confront the perceived threat to Xinjiang's security posed by Uyghur terrorism."[45]

However, it was not until 2016 that the first-ever Counter-Terrorism Law (CTL) was promulgated to systemize the rationale, scheme, and bureaucracy of the state's counter-terrorism architecture. In this timely legislation, a number of key issues are explicitly addressed, albeit in rather equivocal and sweeping wording, including the legal definition of terrorism, the boundaries of counter-terrorism law enforcement by state

[35] Zhou (2017), pp. 2–3.
[36] Potter (2013), p. 72.
[37] Cloud & Johnson (2004).
[38] Guo (2015), p. 37.
[39] Campbell (2016).
[40] *Ibid.*
[41] Shepard (2017).
[42] Sands (2014).
[43] Clarke, *supra* note 17, p. 543.
[44] For example, the 2001 Amendment of the Criminal Law (CL) first incorporated the offence of financing terrorism by holding both individuals and units criminally liable for making funds, financial assets, and economic resources available to those who attempt to commit or participate in terrorist acts (Art. 120). The Eighth Amendment to the CL was passed in February 2011, which specifies terrorism-related crime as an offence that activates special recidivism (Art. 66). In 2014, the Ninth Amendment to the CL enacted several "preparatory" terrorist offences with the aim of preventing the occurrence of extreme terrorist activities. These offences, which are related to a person's general "thoughts or talk" about religious extremism, and "engagement" with the planning or preparation of any terrorist activities are prosecuted at a much earlier stage than the offences of criminal attempt (Art. 120(2)–(3)). In the 2012 Amendment to the Criminal Procedure Law (CPL), police were granted the abilities to carry out "technical investigation" and "secret detention" prior to trial, which were not applicable to ordinary criminal offences (Arts 83, 148). The revised Counter-Terrorism Law (CTL) empowers Chinese police to use a cluster of control orders over the course of investigating suspected terrorist acts upon the approval of the chief of public security bodies above the county level (Art. 53).
[45] Clarke, *supra* note 17, p. 543.

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institutions, and the procedure of inter-agency collaboration against terrorism.[46] A particular distinguishing feature of the CTL is the inauguration of a *preventive* strategy in the face of increasingly frequent events involving lone attackers from minority religious enclaves. As articulated in Article 5 of the CTL, counter-terrorism should "prioritize prevention, integrating punishment and prevention and abide by the principle of proactiveness and activeness."[47] To this end, a "mass line" principle, first asserted by President Xi Jinping during his speech at the 14th Group Study of the Politburo of the Chinese Communist Party ("the Party") Central Committee in 2014, acquired its legal ground and then became the underlying method to forestall terrorist menaces. Reflecting on Xi's affirmation that legal authorities ought to "rely upon the masses to carry out all kinds of activities of preventing and regulating terrorism,"[48] the CTL recommends that the law enforcement establish a joint co-ordination mechanism to mobilize local residential committees and private organizations as part of the counter-terrorism force,[49] that intelligence authorities increase efforts to gather information with the assistance of the public,[50] and that governments at the county and village level set up voluntary teams to work with local counter-terrorism agencies in units, villages, and communities.[51]

2.2 *From mass line to community policing against terrorism*

Patently, China's call for a "people's war on terror" is premised on the country's far-reaching political doctrine—the mass line. Thus, it is an imperative to first contextualize the ambience and connotation of this concept and how it has been integrated into the state's counter-terrorism policies and initiatives. Coined and developed by Mao Zedong throughout his lifetime of revolutionary struggle,[52] the mass line is a political, organizational, and leadership method that enables the Party to combine leadership with the masses.[53] As encapsulated in many of Mao's writings, the mass line rests on the need for Party cadres to have close ties to the masses and be dependent on them in all matters, whilst maintaining the relationship between "leaders and [the] led."[54] There is little wonder then that the mass-line doctrine has guided the way in which Chinese society has been regulated by the police since 1949.[55] At the crux of this people-oriented philosophy, a harmonious relationship between the public, social organizations, and government agencies is underlined to advocate joint combat against crime and preservation of public order—an agenda of "mass prevention and mass management."[56] Police, like any other organ of the government, should carry out their practical work in the way that is necessarily "for the masses, from the masses and to the masses."[57]

During the Maoist era (1949–77) in which informal justice prevailed,[58] the masses were encouraged and empowered to partake in street-level policing in tandem with the general social control activities by police. Residential committees (*Juweihui*), work units (*Gongzuo*

[46] Zhou (2016).
[47] The Counter-Terrorism Law of the People's Republic of China (CTL) 2016, Art. 5.
[48] Wei (2014).
[49] The Counter-Terrorism Law of the People's Republic of China (CTL) 2016, Art. 8.
[50] *Ibid.*, Art. 44.
[51] *Ibid.*, Art. 74.
[52] Leng (1977), p. 357.
[53] Young (1980), p. 227.
[54] *Ibid.*, p. 228.
[55] Zhong (2009), p. 157.
[56] *Ibid.*, p. 158.
[57] Wong (2001), p. 201.
[58] According to Leng, informal justice focuses on socialist norms, values, and political socialization as opposed to formal justice, which stresses regulation, application of law, and punishment enforced by a centralized and institutionalized bureaucracy. See Leng, *supra* note 52, pp. 357–8.

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Danwei), and social order joint protection teams (*Shehui Zhian Lianfangdui*) were agents of the civic partner, carrying out duties of resolving domestic disputes, monitoring neighbourhood safety, supervising troubled residents, and disciplining minor misconduct.[59] As Michael Dutton points out, these practices reflected the tradition of China being a relational society. In its early decades, China inherited the feudal "remnants" of conceiving an individual as part of the hierarchical family and local society, with relations between his/her members regulated by the collective norms and codes.[60] To police such a collective society, family was the basic unit of administration and subject to village pacts and mutual supervision that served as the important means of social control.[61] The household, the workplace, and the neighbourhood organ that expanded the familial boundary conducted actions of discipline and sanction in the local settings, and bore the duties of management and surveillance to prevent residents from engaging in wrongdoings.[62]

The economic modernization in the 1980s brought this populist policing more in unison with a Western-like ideal of community policing. This is illustrated by the advent of a wave of new crime-control measures resembling practices utilized broadly in the democratic policing system. Specifically, the police patrol system and a 110 emergency line (equivalent to 911 in the US) were formally instituted nationwide to cast an all-encompassing net of reactive policing in parallel with an upsurge in crime stemming from the marketization.[63] From the 1980s onwards, a policy of "Comprehensive Management of Social Order" was adopted by the Party to underscore crime prevention in the furtherance of grassroots policing strategies.[64] Pursuant to the Decision on Strengthening Comprehensive Management of Social Order issued in 1991 by the Standing Committee of the Chinese Communist Party and the State Council, governments at all levels were required to establish a self-help, self-directing, and self-reliant social order organization that was made up of local urban residents (rural villagers), work units, state-owned employees, and students.[65] One particular aim of this mandate was to mobilize wider segments of the society to be the assistants of front-line police officers on the street. Subsequently, this became a viable solution to alleviate the pressure mounted on police due to manpower limitations in the situation of a crime epidemic.[66]

As an officially sanctioned concept, community policing was becoming semantically important at the turn of the Millennium. Irrespective of the term employed, community policing does not connote a theoretical and substantive rupture from mass-line policing.[67] In 2002, the Ministry of Public Security and the Ministry of Civil Affairs passed the *Notice on Strengthening the Construction of Community Policing*, which denotes the legitimization of community policing whilst advocating its implementation across the large and medium-sized cities as an essential part of the country's larger agenda to develop urban communities.[68] Viewed as a prerequisite to preserving neighbourhood safety, community policing "is supposed to subsume the mass-line principle by urging the police to be deeply rooted in communities and focus on tasks of regulating public order, preventing crime and serving the masses."[69] The *Decision* meted out that each police officer should be assigned to a designated beat in which his/her workplace needs to be positioned adjacent to the

[59] Zhong, *supra* note 55, p. 159.
[60] Dutton (1992), Part I.
[61] *Ibid.*
[62] Zhong, *supra* note 55, p. 159.
[63] Wong (2002), p. 306.
[64] Zhong, *supra* note 55, p. 160.
[65] Decision on Strengthening Comprehensive Management of Social Order 1991, s. 5.
[66] Scoggins & O'Brien (2016), p. 231.
[67] Wong, *supra* note 57, p. 202; Zhong, *supra* note 55, p. 166.
[68] Notice on Strengthening the Construction of Community Policing 2002, s. 1.
[69] *Ibid.*

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residential committee office.[70] Additionally, within each local police station, a community officer should be chosen and then elected by local residents to sit on the residential committee, serving as the organizer and co-ordinator of neighbourhood matters related to public security.[71] To blend into the public is to "intervene at the first sign of possible trouble" under the aegis of mass participation.[72] This preventive policing is shored up by the 2015 *Opinion on Strengthening the Construction of Social Order Prevention System*, which was enacted by the General Office of the Chinese Communist Party Committee and the State Council. In many respects, the *Opinion* expanded the compass of community engagement and outreach, and pinpointed the pressing social order issues that need citizenry co-operation and assistance.[73]

Despite the uneven progress of community policing across China,[74] the past 20 years have witnessed this outwardly novel though long-lived approach morphing into a social control paradigm ingrained in the country's crime-prevention landscapes. Markedly, the growth of community policing has tallied with the party-state's political programmes since the early twenty-first century. From Hu Jintao's "Socialist Harmonious Society" to Xi Jinping's "Stability Maintenance" and reinvigorated "Mass Line,"[75] China has advanced various schemes to address what the Chinese polity and society lacked at various points of history.[76] Yet, preserving social order and political stability has steadfastly remained as the highest ideal and the masses are not deemed as onlookers but accorded responsibility for the fulfilment of these goals.[77] Following Xi Jinping's transition to power in late 2012, terrorism has been enunciated as one of the thorniest problems that causes social unrest, public anxiety, and political volatility.[78] From the government's perspective, the state and its people are both victims of the "Three Evils" and should fight shoulder to shoulder as comrades in arms against their mutual enemies.[79] In particular, the 2015 revision of the NSL articulates that "all citizens of China, state authorities, armed forces, political parties, people's groups, enterprises, public institutions, and other social organizations shall have the responsibility and obligation to maintain national security."[80]

Against this backdrop, Beijing's directions on engaging the populace for counter-terrorism are neither irrational nor groundless. Rather, it is perhaps the most sensible move for the government to embrace community (mass-line) policing and extend its reach in the production of counter-terrorism when facing increasingly localized terrorist threats. Just like community policing does not have a unified and co-ordinated pattern of practice, CTCP in China operates in many forms in concert with the distinct circumstances of different

[70] Decision on Strengthening Comprehensive Management of Social Order 1991, s. 5.

[71] *Ibid.*

[72] Chen (2002), p. 10.

[73] For example, ss. 21 and 22 of the Opinion encouraged the local government to seek co-operation with private security organizations and increase the number of volunteers to work with police.

[74] In some developed areas, policing measures with high technology have been adopted recently. One example is the 7 × 24 policing system in Beijing. It includes the televised conference system that allows residents to speak to police officers on duty, an artificial-intelligence-powered dispatch system that allows the police station to keep track of patrol information and respond to emergencies, and auto-operation surveillance cameras on main spots in the community that allow police to observe suspicious activities. However, in developing areas, community policing has been ill-considered with poor-quality facilities, old vehicles, and outdated equipment. See Scoggins (2018), p. 81; Renmin (2017), p. 81.

[75] It is argued that Xi's mass-line theory differs fundamentally from Mao's mass-line doctrine in the sense that the former aims to curb corruption and boost Xi's own legitimacy without actually appealing to the public interests and priorities. Tiezzi (2013).

[76] Sapio et al. (2017), p. 10.

[77] Chen, *supra* note 72, pp. 10–2.

[78] Reeves (2016), pp. 827–8.

[79] Tiezzi, *supra* note 75.

[80] The National Security Law 2015, Art. 11.

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localities. To date, intelligence sharing and volunteer patrols appear to be the most frequently and dependable approaches to preventing terrorism in urban society. More specifically, intelligence sharing has taken place following a number of violent incidents in 2014, when Chinese authorities embarked on spurring the public to assist police by passing on tips about terrorist threats.[81] In almost every major city and province, the *Notice on Rewarding the Public for Tipping off Authorities to Violent Terrorist Crimes* was decreed to put forth the way citizens report suspicious individuals and activities and the reward process for "whistleblowers." While a variety of means of tip-off are made available to the public (e.g. 110 hotline, texts, e-mails, and social media), different levels of monetary rewards are established to encourage local residents to come forward with useful information.[82] In Urumqi—the capital of Xinjiang, for example, 200,000–1,000,000 RMB is rewarded to anyone who stops, subdues, or arrests "criminals who are committing terrorist violence, which plays an important role in preventing the significant loss of lives and property."[83] In the next level, 100,000–500,000 RMB is awarded to anyone who provides intelligence "directly assisting police with identifying and preventing significant terrorist violence."[84] The lowest rank of reward among Urumqi's multilayered bounty system is 1,000–50,000 RMB being rewarded to those who provide information on "illegal religious activities, illegal materials of religious propaganda, illegal online incitement and illegal manufacturing or sale of masks and robes with signs of religious extremism and violent terrorism."[85]

In effect, intelligence sharing was legally validated by the CTL, which sets out that citizens are obligated to report any terrorism-related intelligence to police and relevant authorities.[86] Acting as the additional "ears" and "eyes" of police, local residential committees further adhere to the mass-line doctrine through organizing delegates of communities consisting of local cadres, neighbourhood volunteers, and retired elders to routinely join police for street patrols. During these patrols, volunteers distribute counter-terrorism materials, such as the *Citizen's Counter-terrorism Handbook* produced by the Ministry of Public Security, in an attempt to raise public awareness of indicators of a possible terrorist attack. In striving for these purposes, Beijing, for example, has reportedly recruited a team of 100,000 people to provide a presence in every major urban neighbourhood of the capital city.[87] At the same time, public members of the street-based occupation, such as cobblers, vendors, news-agency owners, and parking administrators, are enlisted as volunteers and asked to be vigilant about "suspicious people and things" during their daily business activities.[88]

It is noteworthy that while these measures are operational across major parts of urban China, the extent and reach of CTCP in Xinjiang have remained largely unknown. Considered as the centrality of counter-terrorism operations, Xinjiang is tightly controlled by the local and Beijing government in its social, cultural, and political life, making it nearly impossible to assess the extent of counter-terrorism techniques adopted in the region. This is understandable as one can barely obtain reliable evidence on how communities are policed in a Uyghur-dominated society.[89] While scattered research identifies some specific mass-line measures in use, such as the "Three Contingents,"[90] there has been

[81] Tanner & Bellacqua (2016), p. 45.
[82] Jing (2014).
[83] The Urumqi Notice on Rewarding the Public for Tipping off Authorities to Violent Terrorist Crimes, s. 4.
[84] *Ibid.*
[85] *Ibid.*
[86] The Counter-Terrorism Law of People's Republic of China 2016, Art. 9.
[87] China News (2014).
[88] BBC (2014b).
[89] However, in the 2010 census of Xinjiang, Uyghurs account for 46% and Han Chinese 40% due to decades of migration of the Han population into Xinjiang since the 1950s; see Toops (2016).
[90] The "Three Contingents" approach refers to the government's reliance upon Party cadres, teachers, and religious figures in Xinjiang to maintain regional stability and security. See Zhou, *supra* note 46, p. 6.

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a steady stream of fragmentary evidence that surveillance measures are rolled out by legal authorities as a prime tool to monitor Uyghur communities. It is reported that many cities in Xinjiang have widely employed high-tech cameras and machines as part of social governance aimed to "achieve 'complete coverage without any chinks' (*Quanfugai, Wufenxi*) so there are 'no blind spots and no blank spaces' (*Wumangqu, Wukongbai*)."[91] In Urumqi and other regions (e.g. Kashgar), a "grid-style social management" system has been established by local governments to divide the city into hundreds of grids monitored by a considerable number of digital surveillance cameras in every corner.[92] Across Xinjiang, smart technologies such as face-recognition entrance gates have been installed in university campuses, train stations, work units, residential compounds, and the like.[93] At the gates, scanned facial images and fingerprints are employed to corroborate an individual's identity with nearly perfect accuracy and reliability.[94] In addition to the frequently used identification-verification systems, the legal requirement of installing a GPS in every vehicle and many other supervisory tools such police checkpoints and cybersecurity watchdogs have made Xinjiang the "world's most heavily guarded place," indicating that the region exists under a stringent community–police security network.[95]

Despite community policing beginning to take hold in China's counter-terrorism system, I call into question its prospects of success. While it is impossible to measure exclusively and given that empirical research is presently unfeasible, I tend to argue that the status quo of the partnership currently operating in the Chinese urban community does not suffice to produce the intended effect of mobilizing and engaging local residents to prevent terrorism. In China, the barriers that derail an active and perpetual collaboration between communities and police are not derived from concerns arising from law or police legitimacy that, in Western jurisdictions, lead to a general distrust and unwillingness to co-operate by residents. More likely than not, the normative predicament of community engagement in China can be downplayed by the compliant culture of the state turning every citizen into a dutiful member of the society and the regulatory structure of the Chinese community in being able to enforce such citizenry obligation. That being said, apart from passive participation by residents, a more salient issue is the incapability of police and communities to accumulate social capital in order to promote a free-willed and reciprocal partnership model that can more productively foil terrorism. On the one hand, it is highly unlikely that China, as an autocratic regime, is willing to cede power and authority to communities in exchange for greater co-operation. Hence, community residents will almost always be informants in lieu of co-producers. On the other hand, the economic deregulation since the 1980s has transformed Chinese urban society from a static neighbourhood with fixed boundaries to a transient neighbourhood with a high degree of fluidity.[96] In the absence of a common identity between the local residents, there is a lack of community cohesion and belonging, which gives rise to disincentives to voluntary participation in formal community affairs.[97] The consequence is that community residents are becoming visibly uninterested in engaging with police regarding social control and other community-based activities. With social capital building becoming difficult, what can be sought for CTCP is no more than a pseudo or information-sharing partnership. A partnership based on wider co-ordination and collaboration as desired by the CTL, therefore, lacks the soil to thrive in China's modern urban communities. In what follows, I aim

[91] Leibold (2020), p. 4.
[92] *Ibid*.; Chin (2017).
[93] Zenz & Leibold (2020), p. 10.
[94] *Ibid*.
[95] Free Radio Asia (2017); Finley (2019), p. 18.
[96] Solinger (1995), pp. 128–30.
[97] Liu et al. (2017), p. 283.

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to explicate these claims in the context of the concepts of police legitimacy and social capital through the lens of the sociocultural dimensions of the Chinese urban community.

3. Partnering the Chinese urban community for counter-terrorism: legitimacy or obligation?

3.1 Police legitimacy and community co-operation

Research shows that an effective and sustainable partnership between communities and police in community policing lies in the trust and confidence shared between the police and the community.[98] In the literature of counter-terrorism policing, it is consistently contended that community trust leading to voluntary co-operation amongst the target population (mostly Muslims) hinges deeply upon their perceptions of the legitimacy of the judgements of police.[99] While the concept of legitimacy is "multidimensional in character" and open to various interpretations,[100] higher levels of perceived legitimacy are thought to create a higher likelihood of community engagement.[101] In that, procedural justice, referred to as fair and transparent processes by which police interact with the public, is arguably a critical precursor to police legitimacy.[102] Tom Tyler, the founder of the procedural-justice theory, conceptualizes procedural justice through four pillars: voice—allowing people to raise concerns before the police make a decision; respect—treating people with politeness and dignity; neutrality—decision-making is unbiased, non-discriminatory, and non-racist; honesty: having best interests of communities at the heart of police enforcement.[103] Although critics have challenged the casual correlation between procedural fairness and legitimacy,[104] most concede that the procedural-justice hypothesis is at least a "plausible explanation" for citizens to improve their perception of the police and their participation in community policing.[105]

However, data-driven studies manifest that CTCP in some major Western states (e.g. the US, the UK, and Australia) is devoid of meaningful partnerships between police and Muslim communities largely due to the lack of legitimacy arising from counter-terrorism law enforcement short of procedural justice.[106] Despite variations of CTCP in practice across different jurisdictions, one of the ambient concerns of Muslim communities is that the outreach of police in the name of community policing is nothing but an extension of the state's punitive power that prioritizes the authorities' interests—a breach of neutrality and honesty.[107] For many Muslims, law enforcement may be perceived as "more a foe than a friend" because the outcome of engagement and co-operation essentially paves the way for the detention, prosecution, and conviction of suspect Muslims,[108] serving the recurring theme of retributive justice in harmony with the draconian counter-terrorism culture during the initial years after 9/11. In the US, the UK, and Australia, it is not uncommon for Muslim communities to have expressed a heightened sense of insecurity and vulnerability

[98] Spalek & McDonald (2010), pp. 123–32. It is also noted that there is literature opposing this argument by emphasizing the casual connection between the police and the community. See Hawdon (2008), p. 186; Tankebe (2013), pp. 103–35.

[99] Tyler, Schulhofer, & Huq (2010), pp. 365–402; Huq, Tyler, & Schulhofer (2011), pp. 728–61; Cherney & Murphy (2013), pp. 403–21; Murphy, Madon, & Cherney (2017), pp. 544–59.

[100] Beetham (1991), p. 5.

[101] Tyler (2003), p. 287; Murphy, Madon, & Cherney, *supra* note 99, p. 555.

[102] Tyler (2008), p. 238; Madon, Murphy, & Sargeant (2017), pp. 637–8; Cherney & Murphy, *supra* note 99, p. 404.

[103] Tyler, *supra* note 101, p. 239.

[104] Gibson (1991), pp. 631–6; Mondak (1993), pp. 599–608; Harkin (2015), pp. 594–612.

[105] Gibson, *supra* note 104, p. 633.

[106] *Ibid*.; Bullock & Johnson (2018), p. 883; Pickering et al. (2007), p. 110.

[107] Aziz, *supra* note 13, p. 153.

[108] *Ibid*., p. 151.

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to stringent measures that overly profile and flag them behind the façade of counter-terrorism policing.[109]

An unpredicted but not altogether surprising observation is that community policing in China has not embroiled itself in the deficiency of trust and support of local residents. It has been noted that since the 2000s, incidents involving malpractices, brutality, and the abuse of power within and beyond police duty have appeared in an endless stream, tarnishing the public image of police forces in ways that had never been observed in Maoist and reformed China.[110] It is particularly embodied in a large number of wrongfully convicted cases involving executions of "offenders" wherein the miscarriage of justice by police has been widely publicized by mass media, invoking public censure and outcry.[111] There has been an upwards trend in so-called "mass incidents"[112] in which protesters, demonstrators, and activists frequently become engaged in fierce, if not deadly, conflicts with police forces for persisting social injustices.[113]

Strikingly however, the linkage between declining police legitimacy and its supposedly resultant distrust in police is not obvious in the Chinese policing context. Research has established a highly consistent finding that Chinese citizens generally exhibit a supportive attitude towards police.[114] Regardless of questions of police integrity, fairness, and efficacy, many urbanites hold the view that police are trustworthy, which encourages their compliance with law enforcement.[115] Also, support for community policing vis-à-vis crime prevention has been observed among residents who are in either direct or indirect contact with police.[116] A national survey of 3,500 citizens in eight cities exemplifies that the vast majority of respondents viewed police as the guarantor of neighbourhood safety and security.[117] In some way congruent to the inference drawn in the Western literature, research finds that the public support of police is likely to be associated with the police adherence to procedural justice that shapes legitimacy.[118] Similarly, the process-based exercise of policing in adherence to procedural fairness seems to promote public willingness to co-operate with police in policing.[119] However, despite empirical findings in criminological studies, there has not been consideration of the cultural mutation of legitimacy and its relevance to public engagement under the rubric of China's indigenous socio-legal contexts. This prompts one to ask a more focal question—is perceived legitimacy is the only driving force for citizenry co-operation with police in China, and how likely is it related to other socio-legal factors entrenched in the Chinese community settings?

In the mainstream literature of police legitimacy, the postulation is that legitimacy based on procedural justice influences public compliance with law, authority, and existing societal arrangements by inducing a perceived obligation.[120] According to Tom Tyler, obligation is "the most direct extension of the concept of legitimacy."[121] However, as Justice Tankebe persuasively argues, obligation should be avoided as being regarded a constituent part of legitimacy because feelings of obligation to obey may result from other reasons

[109] Weine, Younis, & Polutnik (2017), pp. 21–3; Cherney & Hartley (2017), pp. 753–4.
[110] Sun & Wu (2010), p. 29.
[111] Huang (2012), p. 1219.
[112] The term "mass incidents" is a broad definition that covers a wide range of physical, verbal, or other forms of group confrontations with local authorities that revolve around civic grievances generated by socioeconomic injustice and the poor quality of local governance; see Tong & Lei (2011), p. 23–33.
[113] Hu (2016), p. 3.
[114] Wu & Sun (2009), pp. 170–91; Lai, Cao, & Zhao (2010), pp. 936–41; Sun, Hu, & Wu (2012), pp. 87–105.
[115] Sun et al. (2017), p. 463; Liu & Liu (2018), p. 3549.
[116] Wu, Jiang, & Lambert (2011), p. 297.
[117] Sun, Hu, & Wu, *supra* note 114, p. 101.
[118] Liu & Liu, *supra* note 114, pp. 3549–50.
[119] Sun et al., *supra* note 115, pp. 471–2.
[120] Tyler (2006), p. 390.
[121] Tyler, *supra* note 101, p. 287.

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beyond legitimacy.[122] Eamonn Carrabine was clear on this matter when he pointed to the "dull compulsion" in the context of prisons as an exceptional example.[123] "Dull compulsion" refers to the scenario wherein prisoners "fatalistically accept or pragmatically put up with prison regimes even when the distribution of institutional power is patently illegitimate."[124] This normative assumption has been usefully expanded to elucidate the conformity to law and police under conditions of dictatorial or authoritarian rule where people feel obligated to obey not just because of a perceived legitimacy, but also because of "fear, a sense of powerless, or pragmatic acquiescence."[125] Needless to say, the obligation to obey in illiberal regimes is philosophically distinct from that in democratic societies. If the former relates to a forced sense of obligation, then the latter centres mostly on the circumstances in which legitimacy generates the citizens' normative commitments to, and shared moral values with, the police service or order.[126]

How, then, might civic co-operation in China be driven by an obligation derived from perceived legitimacy or through a coercive power of the authority? While the difference is difficult to prove statistically,[127] it is reasonable to argue that Chinese citizens in urban communities are more likely to co-operate at the behest of the authorities as opposed to through voluntary choices. Diverging from many Western societies in which community engagement is principally mutually interactive and driven on legitimacy, China's public participation in community policing for counter-terrorism is generally sought to be mandatory and independent of judgements by citizens regarding legitimacy. In a country like China where a despotic government dominates,[128] police procedural justice and legitimacy may elevate co-operation, but the key determinant appears to lay behind an inherent obligation of ordinary citizens to state laws, superiors, authorities, and governments.[129]

3.2 An obligation-driven co-operation

In part, the commitment felt by citizens may be attributed to the fact that Confucianism still has a firm grip on Chinese social culture, in which citizens tend to be beholden to authority by being embedded in multiple hierarchical relationships.[130] A more compelling reason, perhaps, is that the obligation to obey has become incessantly impelled by the state's ongoing course of codification towards the regularization of ever-changing social relations and political considerations in modern China. In this process, citizens are being relentlessly charged with more affirmative legal responsibilities than ever to shoulder part of the burden to uphold social management and governance.[131]

In the wake of 9/11, the Chinese government, with unusual speed but nominal public debate, revised and passed a spate of laws on Counter-espionage, National Security, National Intelligence, Counter-terrorism, Cybersecurity and Foreign NGO Management,

[122] Tankebe, *supra* note 98, p. 124.

[123] Carrabine (2006), p. 46.

[124] *Ibid*., p. 180.

[125] Tankebe, *supra* note 98, p. 106.

[126] Tankebe (2009), p. 1279.

[127] In their study on police legitimacy and compliance among Chinese youth, Liu Siyu and Liu Jianhong stress that the obligation to obey is not empirically translated into law-abiding behaviours of respondents despite about 73% of the sample reporting a high level of feelings of obligation; see Liu & Liu, *supra* note 115, p. 3549.

[128] Tang (2016), pp. 6–8.

[129] In a study on citizens' obligation to obey law in Guangzhou, Shanhe Jiang and his colleagues discovered that the Chinese seem more obligated to obey a law that they do not believe in than do their American counterparts; 92% of the respondents agreed with the statements: "people should obey the law even if it goes against what they think is right" and that "I always try to follow the law even if I think that it is wrong;" see Jiang, Wu, & Wang (2011), p. 511.

[130] Zhai (2017), p. 121.

[131] Trevaskes et al. (2014), pp. 6–7.

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not to mention the two instrumental pieces of legislation—the CL and the CPL. Such an interconnected package of counter-terrorism, national security, and law-enforcement legislation repeatedly obligates citizens, organizations, and companies to provide co-operation and support for police activities that tackle terrorism.[132] For example, both the CTL and the Counter-espionage Law require that citizens honestly provide and disclose information concerning threats to national security upon request of the authorities.[133] The National Intelligence Law (NIL) goes further by granting intelligence agencies the discretion to demand "support, assistance and cooperation from concerned organs, organizations and citizens when carrying out intelligence work."[134] Furthermore, the Cybersecurity Law mandates that network operators provide authorities with "technical support" during national security and criminal investigations by public security or national security organs.[135] In addition, the NIL authorizes security officials to "make inquiries of any individuals as part of their intelligence-gathering, and to examine their reference materials and files."[136] However, individuals who are interviewed do not have the right to "remain silent," which has long been evidence of the lack of due process in China's criminal justice system since the debut of the CL in 1979.[137] In fact, the refusal to co-operate with law-enforcement agencies results in administrative penalties or criminal prosecution.[138]

Locally, the Xinjiang government enacted the Regulation on De-radicalization in 2017. The Regulation stresses that every segment of Xinjiang society should discharge an important responsibility of deradicalization and -extremism, while "developing a strong sense of identity tied to the Chinese ethnicity and culture, the Chinese Community Party and the socialism with Chinese characteristics."[139] In particular, all state-owned organizations and civil society groups, including *inter alia* the Communist Youth League, corporations, work units, commercial unions, study groups, universities, and media, are tasked with countering the infiltration of extremist behaviours and speeches through proper training and "religious, cultural and legal education."[140]

These legal obligations, barely linked to entitlement, are capable of being enforced in the community sceneries given the managerial pattern of Chinese urban neighbourhoods being hierarchical and undemocratic. In other words, when the efforts of Western police to boost community co-operation against terrorism meet resistance by the target community resulting from a deficit in legitimacy and trust, community engagement in China can take place in the form of forced participation via legal demand and collective community organization. For community residents, participation is not a natural activity of civil society.[141] More often than not, it serves as a means of performing legal duties in the name of the community's administrative missions for social order maintenance, which is chivvied by the residential committee located in each urban neighbourhood, acting largely as a proxy of the local government. This is not to deny that many Chinese communities are furnished with considerable volunteers mobilized from the local population.[142] In several violent incidents in Xinjiang (e.g. the Hotan attacks), it is evidenced that the masses voluntarily

[132] Tanner (2017).

[133] The Counter-Terrorism Law of People's Republic of China 2016, Art. 51; The Counter-espionage Law 2014, Art. 22.

[134] The National Intelligence Law of the People's Republic of China 2017, Art. 14.

[135] The Cyber Security Law of the People's Republic of China 2016, Art. 28.

[136] *Ibid*., Art. 16.

[137] Belkin (2000), p. 16.

[138] The National Intelligence Law of the People's Republic of China 2017, Art. 28.

[139] The Regulation on De-radicalization, Chapter 5.

[140] *Ibid*.

[141] Xu (2007), p. 628.

[142] Bray (2006), p. 546.

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provided law-enforcement agencies with information for investigation and actively assisted the police with the arrest of suspects who were at large.[143] However, to what degree such public inputs represent a general form of co-operation across the entire Chinese urban community and the willingness of residents to carry out the day-to-day work without express or implied compulsion are doubtful. To support this argument, a brief examination of how the urban community has evolved and is managed in 2000s China is pertinent.

China had long been a stagnant society.[144] However, with the deepening of marketization, increasing the mobility of citizens around the country, a large number of people have been divorced from family and work units (*Danwei*)—a system introduced in the 1950s in which every citizen was bound to his/her work unit for life.[145] Faced with a large influx of people into urban areas seeking better financial opportunities, former President Jiang Zemin stressed at the Eighth People's Congress Meeting in 1993 that "the state ought to promote urban community to take over the social duties and functions of the *Danwei* system."[146] Following Jiang's direction, China has incorporated the notion of "community (*Shequ*)" into its urban management agendas,[147] which involve "community service" in its legislative reforms, and established "community construction" as the primary goal of municipal infrastructural development.[148] Although *Danwei* still carries an impact upon the life and social identity of certain groups of people (e.g. state employees), on a larger scale, community has played a more predominant role in social assistance, safeguarding, and service for urban citizens over the last 20 years.

Despite "community" being a notoriously slippery concept in the Western lexicon,[149] it has been directly borrowed into the Chinese vocabulary of sociology. Nevertheless, the development of community over the course of domestication in China has shown a significant departure from their Western originator. The greatest difference between the two cultures is that the urban community in China is an administrative organ without the requisite autonomy rather than the self-reliant and self-directing institution that is generally present in democratic societies.[150] In 2000, the Ministry of Civil Affairs issued the Opinion on Promoting Urban Community Construction across the Country to set forth an official ideal of what constitutes "a community with Chinese characteristics." According to this directive, community is defined as "a social biocoenosis comprised of people who live within a specific territorial perimeter."[151] On the surface, the official definition seems to be geographically oriented, emphasizing physical propinquity as outlined in the traditional sociological account of community.[152] Yet it is more pointedly reflected in the organizational framework that the Chinese community has a political function and serves the interests of the authorities' agendas of social control and management.

Structurally, a community is regulated by the residential committee. This committee comprises (partially) state-sponsored individuals,[153] and it operates in a way that

[143] BBC (2014a).

[144] Wei (2006), p. 26.

[145] Derleth & Koldyk (2004), pp. 747–77.

[146] Chen (2013), p. 167.

[147] Tang & Sun (2017), p. 11.

[148] Yan & Gao (2007), pp. 222–36; Shieh & Friedman (2008), pp. 183–95.

[149] Weisberg (2003), p. 343.

[150] Nicholas Rose has observed that Western communities have become more entangled with the administrative and managerial practices of government agencies since the early 1990s; Rose (1999), pp. 175–6.

[151] Opinion on Promoting Urban Community Construction across the Country 2000, s. 2.

[152] The geographic conception of community was introduced by the Chicago School to define community over a geographic space. From the perspective of the Chicago School, a community is a place where residents share relationships in physical propinquity within the geographical region. See Park (1952).

[153] Xu, *supra* note 141, p. 627.

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represents the local government and acts upon orders of the latter. In a hierarchical system with the central government on the top, followed by the municipal and district governments, then the street,[154] the residential committee is considered as the lowest level of agency in the governmental bureaucracy and undertakes a substantial number of basic administrative duties.[155] Operationally, the power to run a community is granted from the top to the bottom. Given that the major role of the residential committee is confined to the delegate of the local government, actions about community management cannot be solely undertaken by the residential committee, but charted by the political leadership.[156] Apart from service and social welfare programmes,[157] the residential committee needs to obtain approval from superior administrative agencies to carry out important community affairs, as they are deemed to be part of the wider governmental administrative agenda.[158] Therefore, other than being understood as a self-regulating agency, the residential committee acts stereotypically as the implementer of government policies under a rigid institutionalized rule-based authority. In other words, community in urban China is an institution not formed by bonds between people, nor by geographic boundaries, but established by administrative partition within the jurisdictional parameters of the residential committee in any given district of the urban governments.[159] As sociologists accurately describe, Chinese urban communities resemble "an entire new level of local government,"[160] which is emblematic of "a model of authoritarian communitarianism."[161]

Bearing this in mind, with communities being vertically configured and administratively regulated, Chinese state authorities are less concerned with trust building and mutual gain to foster co-operation compared to their Western counterparts. More practically, as mandatory obligations serve as a normative foundation of civic participation, the local government and its delegate (the residential committee) are able to pay more heed to cultivating, reproducing, and enlisting communities as helpers of police to fulfil the needs of community policing against terrorism through a bureaucratic process of decision-making and a politicalized model of mobilization. This pattern is more manifest when police are integrated into communities, creating an inseparable tie between residents and police through daily dialogue and inquiry. Since 2012, for example, Xinjiang has adopted a policing model of "one village, one police officer."[162] Located in a village police station, a police officer is required to live in the village for 24 hours to foster productive communication with village residents and co-ordinate local public security.[163] As of 2016, there were approximately 8,000 police officers with more than 34,000 auxiliary police (*Fujin*) assigned to neighbourhoods to maintain public safety in the countryside of Xinjiang.[164] Such a practice of policing is hailed by the Chinese government as an effective approach to maintaining local safety, which has become popular in many urban regions across China (e.g. Henan, Zhejiang, and Jiangxi).[165] In promoting this integration strategy, communities are merging with the police force in crime-control endeavours. Evidence

[154] *Ibid*.
[155] Bray, *supra* note 142, pp. 540–1.
[156] Heberer (2009), p. 515.
[157] It is noted that the social welfare and community-development reforms initiated in the early 2000s have granted residential committees more discretion to organize service programmes for community residents. See Xu, Gao, & Yan (2005), pp. 73–90.
[158] Chen, Fung, & Hung (2017), pp. 41–2.
[159] Bray, *supra* note 142, p. 534.
[160] *Ibid*., p. 546.
[161] Heberer, *supra* note 156, p. 493.
[162] Zenz & Leibold, *supra* note 93, p. 9
[163] *Ibid*.
[164] *Ibid*.
[165] *Ibid*.

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shows not only that the village police officer and the residential committee officer in some communities may be the same person, but also that residents are required to conduct a range of surveillance duties in alliance with police to identify "suspicious people and activities."[166] As such, the ability of communities to choose voluntary co-operation is oppressed by the growing penetration of policing authorities in the community's security matters. When community and police have become inextricably intertwined, joint action of policing is most likely order-driven rather than trust-generated, as the primary power to manage community safety has shifted from residential committees to police—the law-enforcement apparatus that represents the coercive force of the government and state. Sociological studies on community participation in urban China have largely consolidated the position that participatory behaviours of local residents "do not reflect either an interest in or a willingness to participate in democracy."[167] While community members may become voluntary participants in community-service programmes insofar as their individual welfare and interests are affected,[168] the real driver behind civic co-operation with the legal authorities could be a response to government mandates such as strict laws and punitive sanctions. The lack of bottom-up advocacy in China's social and political ideals has long enabled the government, in one way or another, to control and manipulate civic action for the sake of the Party's priorities.[169]

This then begs the question—does co-operation rooted in obligation coincide with community policing and the producing of satisfactory outcomes in containing terrorist threats? As discussed earlier, a widely accepted adage is that effective counter-terrorism policing is intrinsically linked to working partnerships with local communities. However, there has been scarce evidence-based assessment of the extent to what this partnership should look like and its possibly deviant effects on pre-empting terrorism. Nonetheless, researchers tend to suggest that a genuine partnership in community policing is more effective than passive support and compulsory co-operation from citizens.[170] At a minimum, it should not be restricted to information and data-sharing partnerships in which police and other security agencies "work with" communities to obtain critical intelligence without actually "working together" to gather information through collective endeavours. It is certainly not wrong to regard community engagement as a vehicle for critical information because an indispensable component of any counter-terrorism tactics is intelligence-gathering.[171] At times, community members are more capable of identifying abnormalities and even subtle changes in their own neighbourhoods than police.[172] However, partnership models that exploit community resources for intelligence, as Basia Spalek contends, "are intelligence-gathering mechanism rather than true partnerships."[173] In other words, for community policing to perform its professed function, the partnership needs to be based on a give-and-take relationship in which community and legal authorities reciprocate each other's efforts in an attempt to exert a joint and greater impact on broader security issues.[174] As will be analyzed later, partnerships with communities in urban China have suffered a serious deficiency of the social capital that is needed to foster genuine police–community partnerships. The impeding factors arise from both ends of the partnership; both parties are seemingly reluctant to formulate strong

[166] Jiang (2019).
[167] Xu, *supra* note 141, p. 629.
[168] *Ibid.*
[169] Woodman (2016), pp. 342–62.
[170] Lyons (2002), pp. 532–3; Hanniman (2008), p. 278.
[171] Brown (2007), p. 246.
[172] Clarke & Newman (2007), p. 12; Lambert & Parsons (2017), p. 1054.
[173] Spalek (2010), p. 796.
[174] *Ibid.*, p. 803.

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networks or other forms of social capital to develop co-productive behaviour conducive to meaningful counter-terrorism collaboration.

4. Challenges facing police and community in CTCP: the dearth of social capital

In the current sociological parlance, social capital is characterized as interactions between different actors to create personal relations, networks, norms, and values that facilitate action and co-operation for mutual benefit.[175] It stresses the formation of a social structure within which social resources and assets are leveraged to solve various problems through civic engagement and collective action with a high degree of reciprocity and rapport.[176] When members of the community, the police, and other individuals in the private and public sectors work together to reduce crime and disorder, then social capital and community policing converge to enhance co-operation. As can be seen, social capital building is thus achieved through a process of improving social networks that facilitate the engagement of willing citizens with the police.[177] The development of social capital is more important in the realm of CTCP where efforts to encourage interactions between local residents and police are regarded as central to the prevention of home-grown extremism.

Nevertheless, evidence from most Western CTCP models shows that social capital building in Muslim communities has barely occurred among and within residents and police.[178] At the practical level, line officers, purposely or accidentally, have condensed community engagement to a unilateral procedure of intelligence-gathering in relation to prospective plots for terrorism.[179] In a one-sided information-sharing partnership, the police–citizen interface functions no more than a unilateral managerial and decision-making approach in which citizen input is limited to the role of informants to the authorities. The major reasons seemingly lie in the scarcity of allocated resources available to counter-terrorism policing and a lack of the understanding of Islamic religious and cultural features.[180] In countries like the US, the UK, and Australia, budgetary shortfalls are present in police departments.[181] Equally worrisome, the inability of police to fully understand the fractured nature of the Islamic society and its religious beliefs has hampered deeper connections with the Muslim community. These communities question the idea that the governments pre-select "spokesman/woman" to represent all Muslims in the public space.[182]

Notably, the major difficulties facing social capital building in Western Muslim communities tend to be less of a concern in Chinese communities. In the past two administrations in China, CTCP has been adequately funded. During Hu Jintao's second term as the Party's leader (2007–12), the total national expenditure on domestic security skyrocketed and has continued its upward trend during Xi Jinping's current term (2013–18).[183] Official budget figures, while sometimes opaque, indicate that US$175 billion of domestic security spending in 2016 and the number increased to US$197 billion in 2017.[184] Converting the figures to their Purchase Power Parity (PPP) counterparts, the 2017 figure is equivalent to approximately US$349 billion, which was distributed mostly to sensitive minority regions

[175] Coleman (1988), p. 98.
[176] Pino (2001), p. 201.
[177] *Ibid*., p. 202.
[178] German (2014).
[179] Cherney & Hartley, *supra* note 109, p. 754.
[180] Diamond & Weiss (2009), pp. 13–4; Spalek (2014), pp. 825–41.
[181] Schanzer et al. (2016), p. 3; Dodd (2017); Pickering et al., *supra* note 106, p. 64.
[182] Vidino (2010), pp. 6–9.
[183] Xie (2013), pp. 87–91.
[184] Zenz (2018), p. 6.

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followed by large capital cities, like Beijing and Shanghai.[185] More remarkably, in Xinjiang only, PPP-adjusted per capita spending on domestic security in 2017 exceeded that of the US by 32%.[186] While official sources have already excluded the budgets on developing security-related hardware in the community,[187] it is likely that they were dwarfed by the central government to obscure a more considerable amount of investment in grass-roots social control and stability maintenance programmes.[188]

Second, the West's CTCP may be problematic given its narrow focus on Muslim communities without sufficiently addressing other threats such as far-right extremism, which can cause inherent conflicts between the police and Muslim residents, yet China has taken a different approach. By taking a step further, China has sought to incorporate all ethnic groups and social classes in their CTCP system. It is undeniable that local Uyghur Muslims in Xinjiang are under more strict control and, as such, they are considered the most severely treated ethnic groups than anywhere elsewhere in the country.[189] But the emergence of extremist incidents in China's major cities outside Xinjiang has licenced the central government to act in an all-embracing approach to treating the entire urban society as a hotbed of terrorism, regardless of the geographic location, religious composition, and ethnic status of a given region. In Beijing, Shanghai, and other cities, communities of Han Chinese—the largest ethnic group in China—are also subject to stringent security checks and street-level counter-terrorism initiatives, though to a lesser degree than with Xinjiang's level of security.

So what are the different tensions in China's CTCP that impact active and willing public co-operation? The study of David Makin and Otwin Marenin posits six sets of variables for establishing potent and balanced partnerships between police and community in community policing.[190] Among them, the most significant influencers is the *nature of the state* and the *vitality of civic society*.[191] It is claimed that centralized systems of government are less prone to sharing power and authority than are democratically organized states, in which the allocation of powers and responsibilities among different political and legal institutions is commonplace.[192] One could further argue that under an authoritarian and domineering leadership, powers particularly with regard to social control are even less likely to be supplied to private sectors because their concentration, which is in the hands of the government, can presumably increase the stake in upholding social and political stability.[193] Additionally, the vitality of civic society and private groups is crucial for vibrant partnerships. In absence of the condition that citizens are keen to join police in creating and maintaining social order, partnerships can only emerge as state-centric entities, with residents being rowers and steered to act for authority-defined goals and in the interests of police.[194] Subsequently, the need to safeguard citizens from security risks could be compromised or at least deemed secondary.[195] China appears to be one of the exemplars.

[185] *Ibid*., pp. 6, 8–9.
[186] *Ibid*., p. 9.
[187] *Ibid*., p. 6.
[188] Potter, *supra* note 36, p. 73.
[189] Boehm (2009), pp. 61–124.
[190] Makin & Marenin (2017), p. 425.
[191] *Ibid*.
[192] *Ibid*.
[193] Svolik (2009), pp. 477–94.
[194] Makin & Marenin, *supra* note 190, p. 426.
[195] *Ibid*.

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4.1 China's hold over policing powers for "stability preservation"

Following the last nationwide "Strike Hard" campaign in 2010,[196] a shift in the policing model from "crackdown" to "stability maintenance" has taken place to tackle new challenges that plague the social order in China. During the almost two decades of Hu Jintao's and Xi Jinping's ruling, a rising tide of riots, mass incidents, and citizen–authority conflicts has propelled the government to codify national police laws, thus affording police additional powers to manage social unrest.[197] Although instituted by Deng Xiaoping as a political objective following the 1989 Tiananmen Square protests, stability has developed to be the Party's core priority on the heels of its formalization under the Hu Jintao administration. At the upper echelons of the Party, stability was a prerequisite to the construction of a "socialist harmonious society"[198]—a larger political banner introduced by the then Party leaders to chart a balanced course of state development.[199] Since Xi Jinping's transition to power in late 2012, the official efforts to preserve stability have not been lessened, but elevated to the point that they have become the Party's political mantra in almost every major aspect of social governance.[200] On many occasions, the Party elites have affirmed stability as a critical precursor of the country's sustainable economic growth and social advancement.[201]

A characteristic feature of this change is that police have been drawn from regular activities of excessive arrests, investigations, and mass sentencing rallies in "Strike Hard" campaigns to take on a more managerial role in dealing with specific categories of people deemed to be "dangerous" to social stability.[202] Other than autonomy-seeking minority groups (e.g. Uyghurs), police forces have been tasked with controlling, supervising, and monitoring the so-called "focal population"—such as groups who are seen as "threatening national security; suspected of criminal offences; inclined to criminal and violent conduct due to the escalation of conflicts; criminals convicted of intentional crimes that have been released and minor criminal offenders who have been freed within 5 years."[203] The scope of the focal population has been continuously expanded to include groups that represent new intimidations to public order and security, in accordance with the political climax of various eras. Consistently with the rationale for prevention in community policing, the new undertaking of policing somehow necessitates the flexible and unbridled exercise of powers by the legal apparatus to swiftly nip those threats in the bud. In China, administrative detention powers have been assigned to play such an important role.

At the outset, administrative detention was devised to deal particularly with minor wrongdoings as part of the revolutionary justice system that focused primarily on "class enemies" under the Mao's reign.[204] This mechanism served the purpose of what Mao termed "non-antagonistic justice"—that is, contradictions among "people" that could be resolved through education and low-level punishment.[205] Through decades of legalization and institutionalization, systemized administrative detention is seen as a routine

[196] Since the 1980s, China has initiated four nationwide Strike Hard campaigns in 1983, 1996, 2001, and 2010 with a number of local anti-crime movements. In these campaigns, swift criminal proceedings and stiffer punishments were the trademarks of the administration of criminal justice. Trevaskes (2006), pp. 23–41.

[197] See e.g. the People's Armed Police Law was passed in 2009 by the National People's Congress Standing Committee to allow the use of force on rebellions, riots, and terrorist acts (Art. 7(7)).

[198] The ideal of a socialist harmonious society is predicated on "democracy and the rule of law, equity and justice, honesty and comradeship, vitality, stability and order, as well as harmony between Man and nature."

[199] Feng (2013), p. 28.

[200] Qi (2014), pp. 55–62.

[201] Mai (2019).

[202] See Biddulph (2015).

[203] Biddulph (2007), p. 117.

[204] Leng, *supra* note 52, p. 357.

[205] Biddulph, *supra* note 203.

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penal power to handle minor perpetrations that are not serious enough to amount to a criminal sanction. Situated outside the formal criminal justice system, administrative detention operates separately from a judicial process on the *de facto* exclusive discretion of police to lock up individuals under the guise of correction and rehabilitation.[206] Over time, a multipronged system of administrative detention has been established, including Public Order Detention (*Zhian Juliu*) that targets a broad collection of public nuisances, Detention for Education (*Shourong Jiaoyang*) and Compulsory Detoxification Detention (*Qiangzhi Jiedu*) that handle prostitution and drug abuse, respectively, and Re-education through Labour (RTL) (*Laodong Jiaoyang*) that deals with public-order recidivists.

Perhaps the most disputed measure among all these detention powers is RTL, namely imprisonment with a maximum term of four years and without trial, which was extensively used by police.[207] First adopted in 1957, RTL was the most serious punishment in the administrative detention hierarchy, aiming at repeat offenders, ranging from habitual public-order offenders to recidivist prostitutes, who failed to comply with compulsory education or treatment in previous detention periods. Over a few decades, the targets of RTL had been multiplied to cover "minor offences" eligible for RTL penalties, turning it into a catch-all approach to most, if not all, offences on the street.[208] Prior to its repeal in 2013,[209] the Chinese authorities had frequently used RTL as a handy approach to detaining, among others, petitioners, political dissents, human rights lawyers, and adherents to banned religious organizations (e.g. Falun Gong) as a social control mechanism that circumvents procedural requirements set forth in the CPL.[210] Although RTL camps have allegedly been dismantled in the past, it is believed that some are merged with drug rehabilitation and education centres to continue imprisoning recidivist offenders,[211] whereas, in other locales, RTL camps can be substituted by admonishment centres, legal education bases, or even Black jails to intercept "abnormal activities" of the "undesirable" population.[212] In Xinjiang, recent reports indicated that similar camps termed "Transformation through Education" have been established to compel the indoctrination on Uyghur Muslims through compulsory legal, ideological, and patriotic education.[213] According to the Measure of Implementing the CTL in Xinjiang Uyghur Autonomous Region, the education camps target those who assessed as carrying the risk of terrorism prior to release from prison.[214] The Measure stipulates that within six months before the release of a convict, the prison ought to evaluate the person's level of terrorist threat and report the evaluation results to the local Intermediate Court.[215] For those who were believed to remain "radicalized," the Intermediate Court has the power to make the "education" order and undertake supervision in the "Transformation through Education" facilities.[216] According to a Xinhua interview with the chief of the Xinjiang government, the purpose of education is to "get rid of the environment and soil that breeds terrorism and religious extremism and stop violent terrorist activities from happening."[217]

[206] Peerenboom (2004), pp. 1012–25.

[207] The Supplementary Regulation on Re-education through Labour (repealed) 1979, s. 3.

[208] Fu (2005), p. 821.

[209] The Standing Committee of the National People's Congress announced to abolish re-education through labour and its legal documents in the end of 2013.

[210] Human Rights in China (2001); Yardley (2005); Chinese Human Rights Defenders (2003), p. 3.

[211] Macbean (2016), pp. 112–30.

[212] Lubman (2014).

[213] Clarke (2018).

[214] The Measure of Implementing Counter-Terrorism Law in Xinjiang Uyghur Autonomous Region, s. 41.

[215] *Ibid.*

[216] *Ibid.*

[217] Bo (2018).

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RTL is merely the tip of the iceberg of wide-ranging powers enjoyed by legal authorities to police Chinese society. While the remaining measures are exceedingly deployed for the repression of "risky people," Public Order Detention is utilized as the primary measure to regulate those who connected with terrorism-related activities if the offence does not constitute a crime. The CTL specifies that police are empowered to jail a person for 10–15 days if he/she (1) propagates terrorism or extremism or instigates terrorist and extremist acts or (2) makes, disperses, and illegally possesses things that propagate terrorism and extremism or (3) forces others to wear or adorn clothes or signs that propagate terrorism or extremism in public places or (4) provides information, capital, labour, techniques, and venues as a means of support, assistance, and convenience to propagate terrorism and extremism or carry out terrorist and extremist activities.[218] This same power is applicable to individuals engaged in activities that make use of extremism. Reflecting the government's depiction of extremism as one of the three sources of terrorism, the imprisonable offences are fairly extensive, ranging from "forcing others to take part in religious activities, or provid[ing] financial and labor resources to religious venues and personnel" and "obstructing law enforcement of state personnel" to "taking advantage of extremism to wreck the implementation of the state legal system."[219]

Notwithstanding the fact that China has a long historical pedigree of not recording administrative offences in its official legal database, the use of Public Order Detention against terrorism-connected transgressions has gained national prominence since the enactment of the CTL in early 2016. Starting from the first case of violating Article 80 of the CTL in Ji'nan, Shandong Province,[220] the Chinese police had reportedly handled hundreds of cases involving a substantial number of citizens regarding Article 80 offences as of December 2018.[221] A host of acts have triggered this police-led custodial measure, but most of the offences concern watching and distributing "extremist" videos on social media.[222] In the meantime, individuals conducting the same offences with higher culpability are processed in the criminal justice system under the CL,[223] although the legal threshold to separate them from equivalent administrative offences is blurry and left undefined in either the CTL or the CL.

Evidently, powers to administratively detain and control people associated with "dangerous behaviours" are and will be continually earmarked as police-dominated. To the government, administrative detention is not only a lower form of penalty, but operates as a managerial means to efficiently tackle the instigators of social turmoil. As exhibited in the expansive employment of Public Order Detention as well as others, including the recently abolished RTL, these past decades have witnessed an augmentation of targets handled under administrative detention. Specifically, the administrative detention powers have been geared towards the ideal of risk control and incapacitation through the restriction of

[218] The Counter-Terrorism Law of People's Republic of China 2016, Art. 80.

[219] *Ibid*., Art. 81.

[220] Dazhong (2016).

[221] Data collected from the review of media reports and the police's public WeChat platform. For example, in Kunming (the capital city of Yunnan province) between 2016 and 2018, the local authorities filed 224 administrative cases in relation to the CTL, in which 23 individuals were detained. Renmin (2018).

[222] China News (2016).

[223] Art. 120(2)–(6) of the CL states that offences related to preparatory acts of terrorism carry criminal liabilities and punishments, including (1) preparing weapons, dangerous items, and other tools to commit terrorist acts; organizing or actively participating in training connected with terrorist acts; liaising with overseas terrorist organizations or personnel to commit terrorist acts; and plotting or engaging in other preparations to commit terrorist acts; (2) propagating terrorism or extremism or instigating terrorist acts by way of distributing books, videos, audio, or other materials or lecturing or releasing information that promotes terrorism and extremism; (3) coercing the general public to harm the operation of legally established systems of marriage, justice, education, and social management; (4) forcing others to wear or adorn clothes or signs that propagate terrorism or extremism in public places through violence or coercion; and (5) illegally possessing books, videos, audio, or other items that propagate terrorism or extremism.

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personal freedom, in conjunction with punishment and education as officially prescribed in administrative punishment law and policy.[224] For the sake of maintaining stability, these powers are too important to relinquish to be replaced by alternative practices that are perhaps more procedurally just or to share with private sectors, being underplayed to reduce the level of coercion through a negotiated set of specialized institutionalized actions. It is because of the ambit and application of administrative detention, which is not scrutinized by a court review process nor is it open to procedural checks and balances, except for the right of the detained to apply to the same decision-maker for reconsideration.[225] From a preemptive perspective, the legal and procedural elasticity accords with the requirement of community policing to proactively avert potential dangers. If the Western jurisdictions, more or less, respect the core value of due process and legality in community policing, what seems to be foreseeable is that the intrusiveness and oppressiveness of police powers will resume as a defining feature of community policing and CTCP in post-2001 China, unless there are structural reforms to the political system that shift the fundamental cultural assumptions of a police service. Clinging to authoritarianism in policing may be inevitable despite a befitting strategy for social control agendas in a single-party regime. The chilling effect, however, is that it is at variance with a liberal atmosphere that benefits power sharing between police and citizens for better co-operative outcomes in counter-terrorism. Without the catalyst for change in the basic tenet of social control, citizens are likely to be subordinated by the state's suppressive forces and deprived of opportunities to co-produce community safety and security. Explicably, as community residents are both the targets and the recruits of police in CTCP, which role they ought to play in a given situation is truly subject to the discretionary consideration of police and authorities.

4.2 The collapsing social fabric of community participation

China's tight hold over social control is not entirely fortuitous. On the one hand, the Party is concerned with the potential challenge to its rudimentary authority if citizens are endowed with considerable power in the domain of policing. Therefore, the centralization of powers has begun to take root since the early 2000s in both obvious and subtle ways,[226] and this is mostly through the codification of laws and outsourcing of security services.[227] In stark contrast to the mass-line justice during Maoist China in which the general public were active partakers of the legal system, in Hu's and Xi's China, the initiative of citizens to engage in social control and other policing activities has been discouraged and slowly superseded by legal obligations to help police when needed. Popular inputs have found dwindling room to set foot in the decision-making process of an increasingly professionalized but highly bureaucratized police force.[228] On the other hand, the public interest in taking part in formal community matters and the administration of local justice have arguably hit the lowest point in the history of community policing. Driven by the *laissez-faire* economic policy, neighbourhoods in urban China have become so anomic that the pillars on which social relations were once built in the revolutionary period are collapsing.[229] Though "anomie" has yet to be provided with a clear-cut definition by either Robert

[224] Hickey et al. (2018).

[225] Art. 102 of the Public Security Administration Punishment Law (*Zhian Guanli Chufa Fa*) allows the detained person to apply for administrative reconsideration or to appeal to the court.

[226] For a detailed discussion on the process of centralizing powers in post-reform China, see Li (2016).

[227] E.g. an auxiliary police (*Xiejin*) system has been employed since 2004 to make up for manpower shortages in local police forces. As contract workers under the direction of local governments, auxiliary police work on relatively low salaries and are assigned with trivial assistant work to release official police from heavy workloads on social order control. See Scoggins, *supra* note 74, pp. 95–6.

[228] Wang & Wong (2012), pp. 42–3.

[229] Cao (2007), p. 41.

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Merton who coined it or sociologists who tested this theory,[230] it refers generally to a state of disorder in society resulting from a breakdown of social values and norms. As a consequence, this breakdown leads to dysfunction and such a society cannot restrain the thought and behaviour of its members. When monetary success is ranked as more valuable than virtue in China's post-reform society,[231] social responsibilities and cohesion have been in an escalating decline as a result of the state's heavy emphasis upon the rate of success than an approved means of achieving success. In what can be described as a "gargantuan" social transformation over the last 40 years, collectivism, which used to underpin and buttress the order of the Maoist society, has been displaced by individualism, which advocates independent actions and the spirit of individual freedom. This in turn has given birth to a group of mobile, heterogeneous, and economically directed urban population that transcends the frontiers of community and cannot be demarcated by *Danwei*, family, or residential localities.

This structural and cultural change in Chinese society has been empirically proven to be relevant to the voluntariness of local residents to participate in CTCP. The scholarship in urban and community studies repeatedly uncovers a close link between the local residents' involvement in community political and social business and the existence of community-shared norms, unity, and mutual trust—all essential elements of community social capital. It is held that vigorous civic participation is more viable when there are local social networks in which residents are mobilized to achieve common good on the basis of a collective sense of community belonging and attachment.[232] In both English- and Chinese-language literature, multiple studies have noted a social interaction in urbanized communities of big cities being "superficial" and "pragmatic," which affirms its negative impact on the willingness of local residents to engage in community activities.[233] Based on a city-wide household survey in Guangzhou in 2012, for example, researchers found that only 8.3% of the respondents ($n = 1{,}809$) attended group activities in the community once a week and 38% of the respondents have never participated in any activities in communal places.[234] While the findings did not specify what is attributable for this observation, it is inferred that the major contributing factor is the lack of neighbourhood cohesion.[235]

Similarly, according to the data-based surveys in Beijing, Shenzhen, Ji'nan, and Wuhan, Chinese scholars discovered that highly urbanized areas tend to produce low levels of participatory behaviours due to reduced social networks and interpersonal relationships, of which the cornerstone is grounded on reciprocity, collective identity, and social bonds.[236] For example, it is displayed in Boyang Xu's research conducted in Shenzhen—one of the largest migrant cities in China—that 72% of interviewed local residents agreed that they do not know how to participate in community management, whereas 40% of the respondents showed an indifferent attitude or no interest towards community-based residential meetings.[237] In addition to the fact that residents' non-action is partially due to the paternalistic and top-down nature of Chinese society,[238] the investigation shows that the deteriorating relational web that used to connect each other to help develop the common culture and interests in traditional society has slowly debilitated the impetus that fuels collective action.[239] It is increasingly clear that when economic liberalization removed

[230] Merton (1938), pp. 672–82; Messner (1988), pp. 33–53.
[231] Deng & Cordilia (1999), pp. 215–6.
[232] Zhu (2015), pp. 49–50.
[233] See *ibid.*; Xu (2009).
[234] Zhu, *supra* note 232, p. 50.
[235] *Ibid.*, p. 52.
[236] See Xu & Peng (2009); Shang (2011).
[237] Xu, *supra* note 233, p. 2.
[238] *Ibid.*, p. 3.
[239] *Ibid.*, pp. 5–6.

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strict restraints on population movement and subsequently brought diversity to the community in urban China, it also extracted the social substratum of popular inputs in developing the quality of community life. In terms of community policing, the public engagement is even less promising. A questionnaire-based study on the citizens' perception of Community Corrections in Hefei, Anhui Province,[240] shows that 55% of local residents ($n = 1{,}000$) had never heard of this neighbourhood-based justice programme despite its inception in 2003.[241] While 72% of the respondents stated that there are no Community Corrections volunteers in their residential areas, 46% expressly opposed the idea of being a volunteer themselves.[242]

By highlighting these problems of community alienation and civic inactiveness in urban China, I am not suggesting that they are the unique phenomena in Chinese society. In fact, Robert Putman and others have long identified the same issues in American society, where there has been a crisis of social capital decay in the form of weakening in-person social intercourse that leads to civic engagement.[243] Perhaps, what distinguishes China from the US is the lack of autonomous will by the Chinese neighbourhoods to rearrange and rejuvenate community forces in promoting social capital advantageous to commitment, attachment, and democratic participation in community affairs, including policing. It is an even more far-fetched mission when it comes to CTCP considering the community's role and function, which are decidedly obligation-defined and authority-monopolized. Therefore, two resultant hurdles seem to be difficult to overcome in China's intended model of community policing against terrorism. First, so long as citizens are distant from a real process of sharing powers, authorities, and responsibilities in most of all aspects of policing, the public will stay strongly reliant upon legal authorities to combat terrorism. Even if local residents are called upon, which is likely to happen more frequently due to their expected performance of obligations, their participation could be shallow and inattentive. Compared to the grassroots-oriented and horizontal bottom-up modes of engagement, the state-manoeuvred mobilization will only result in an indolent response from a loosely assembled population aimlessly following predetermined rules and orders from their superiors. Voluntary and self-driven participation may arise, but is most likely triggered by financial incentives or post-incident reaction to violence. Without institutional overhauls to a rules-based social control and policing approach, citizenry co-operation is not able to take a more innovative and creative form than patrolling and reporting as is existent in the present-day practice of the Chinese CTCP.

Second, a more traditional or authoritarian policing model would estrange police from the rest of the community. For the purpose of pre-empting terrorism, the distance in rank and status between "partners" may stifle the citizens' willingness to come forward with timely and valuable information.[244] Rather than notifying early warnings or signs, local residents are likely to report the incidents of actual lawbreaking. If democratic community–police rapport would inspire constructive dialogue and collaboration to improve the community's ability of defend against terrorist threats, the relationship between the public and legal authorities in China is likely to consolidate an "elite model" of counter-terrorism in which state authorities take control of law-enforcement powers and the way these powers are exercised. When the community faces danger, it is in the hands of the government. As a result, the public would view terrorism as an increasingly remote

[240] Community corrections is a penal measure that places criminals under control (*Guanzhi*), suspended sentence (*Huanxing*), temporary parole (*Zanyu Jianwai Zhixing*), and probation (*Jiashi*) in the neighbourhood for punishment, education, and rehabilitation.

[241] Meng (2016), p. 3.

[242] *Ibid.*

[243] See Putnam (2000); Bouffard & Muftić (2006), pp. 56–66.

[244] Murray (2005), p. 358.

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concept and, as such, quickly lose their sensitivity and vagility to potential risks looming under their nose.

5. Concluding thoughts

In this article, I have critically discussed the developments and issues of CTCP in China. Indeed, China's CTCP concurs philosophically with the traditional mass-line policing that advocates police co-operation with citizens in the prevention of crime. However, active mass participation that permeated social control in Maoist China has become diminished in the 2000s when powers to police are being retracted from the public to serve as an important vehicle for law-enforcement agencies to carry out the stability imperatives. As such, the channel for citizens to be part of community policing has been largely reduced to legal obligations that are discharged upon the orchestrated mobilization by local administrative authorities. The state-led activation in urban neighbourhoods also demonstrates that the political leadership has decided to pilot the course of civic participation. With the government being more preoccupied with power control in the face of growing social uprisings, community residents are more reluctant to make initiative contributions in authority-dominated areas without request, invitation, or order. Thus, CTCP as currently envisioned betrays its ideal to engage with the public to fight terrorism at all levels, particularly as citizens act merely as informants in lieu of partners to produce fecund counter-terrorism results.

To address some of the issues in the Western CTCP, Aziz Huq proposes a rhetorical and practical shift from *community-based* counter-terrorism policing to *community-led* counter-terrorism policing that is predicated on two possible causal mechanisms—ideological competition and ethnical anchoring.[245] Though it lacks theoretical and experimental justifications, Huq, based on certain elements of US and UK preventive measures, suggests that community-led counter-terrorism policing prioritizes private actors over state actors "in tak[ing] steps to reduce the expected success rate of recruiting tactics."[246] Precisely, ideological competition favours private action that provides alternative forms of social solidarity and "collective political action" to win over those targeted by terrorist groups.[247] It is believed that private groups, including "liberal" Muslim groups, which can offer the dissents and vulnerability to the venue through which their political appeal is sought without violent acts, are able to compete with terrorist groups in an ever-expanding ideological market-place.[248] The second assumption of ethnical anchoring tends to rely upon individuals who have immediate social networks with potential recruits to "impose a baseline set of ethical claims on them."[249] It lies in the anchoring effect of supportive role models from any of the potential recruits that are closely connected with terrorists in order to downplay the influence of extremist groups, hence lessening the cause for engagement with extremist forms of social actions.[250]

Though promising, embracing community-led counter-terrorism policing may come across a number of ethnical and normative obstacles in the liberal communities, such as a heightened burden on particular private actors and the discrepancy between what the government intends to achieve and what private groups can possibly accomplish in their capacity.[251] This leads to the question—can community-led counter-terrorism

[245] Huq (2017), p. 1039.
[246] *Ibid*., p. 1041.
[247] *Ibid*., p. 1044.
[248] *Ibid*., p. 1045.
[249] *Ibid*., pp. 1044–5.
[250] *Ibid*., p. 1045.
[251] *Ibid*., pp. 1048–9.

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policing work in China? Lamentably, there are a number of grounds based on which this innovative model is likely to be resisted by the Chinese government. First, the ideological competition that entails the prosperity of religious and social dogmas appears incongruous with China's policy of ideological education. Since its founding year of 1949, China has been devoted to execute ideological control and indoctrination as the major tool to maintain the Party's political clout.[252] In almost every aspect of social life, citizens are exposed to ideological teachings and propagandas of the Party-state, ranging from socialist theories like Marxism–Leninism–Maoism and Deng Xiaoping to patriotism that promotes Chinese nationalism.[253] All of these ideological education campaigns and activities seek to serve a sole purpose—that is, to unify people's mindsets and align them with the Party's ideological outlook. Therefore, not only does the government dictate the course and content of ideological education, but also non-state-authorized beliefs and practices are firmly controlled to avoid challenges to the Party's superior political position. This is particularly exemplified in the country's ongoing anti-religion movements and the eradication of Falun Gong under the administration of Jiang Zemin.[254] More recently, in Xinjiang, the education system has been politically and ideologically dominated by the state, which has been inaugurated to target Uyghur Muslims suspected of being influenced by terrorism and extremism.[255] Incarcerated in government-managed "Transformation through Education" camps,[256] up to 1 million ethnic Uyghurs are taught the country's common language, legal knowledge, and vocational skills, in which they are forced to maintain fidelity to the ruling Communist Party of China and "cleanse their thoughts of extremism."[257]

Likewise, the ethical anchoring of "potential terrorists" in China is unlikely to be any folk voices, but state-approved authority figures. In the West, religious or community leaders could become role models for the younger generation to develop "psychological disengagement" with terrorism.[258] But in a highly centralized country like China, social role models are propagandized by the government to represent the "spirit" of the Party and to advance the expansion of national patriotic education.[259] The untoward effect of this pattern is that the state-shaped role models are too symbolic to generate specific restraints on the infiltration of religious extremism, and also too remote to influence individual views and behaviours in an impactful way. In Xinjiang particularly, while Uyghur Muslims are placed under draconian counter-terrorism measures, the immediate social networks in which "dangerous Uyghurs" are imbedded have already been broken with by proactive state powers, which emphasizes surveillance, control, and regulation. Even though, in some localities, religious leaders and elites interact with ethnic minority locals, they are carefully chosen by the governments to disseminate the Party's agenda of ethnic unification and social stability, functioning as tools to support the state-centric strategy for anti-Uyghur extremism.[260] If, in the West, social workers, educators, and even family members can buffer terrorist recruitment efforts with their personal influences or charisma, in China, state authorities are in charge of cementing ethical norms on Uyghurs in a way that focuses on persuasive, compulsive, and punitive techniques.

Clearly, while communities are a long-term solution to terrorism, CTCP and its variant forms are yet to become a panacea against domestic terrorist threats. It is noteworthy that

[252] Guo (2013), pp. 65–72.
[253] Zeng (2016), pp. 115–52.
[254] Xie, Tong, & Yang (2017), p. 4.
[255] The Tribune (2018).
[256] "Transformation through Education" camps are officially named as "Professional Vocational Training Institutions" in Xinjiang.
[257] The Tribune, *supra* note 255.
[258] Horgan (2009), p. 149.
[259] Jeffreys (2012), pp. 9–15.
[260] Famularo (2018), p. 48.

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the discussion in this article cannot fully represent the complexity and spectrum of CTCP in different cultural and social dynamics across China. Also, the fact that this analysis is drawn mainly on the secondary sources because of the difficulty in accessing primary sources calls for further empirical investigation into some commonly problematic issues of policing against terrorism in China. More systemic data-driven inquiries are not only encouraged, but required. In any event, CTCP will not be able to wholly displace traditional counter-terrorism approaches. Without fundamental changes in the nature of terrorism and the normative culture of counter-terrorism law, community policing in China, as Jytte Klausen observes, "will play at best a supporting role as part of the current expansion of counter-terrorism efforts."[261]

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