

The Rise of Associations in China and the Question of Their Legitimacy¹

Gao Bingzhong

From the 1950s to 1970s, because of a high level of vertical integration of society by the state, the Chinese people generally participated in social processes through their units or commune/production-teams, which served as the grass-roots organizations of this “vertical society.” Social activities were generally conducted within or in the name of the unit (in the case of urban residents) or the commune/production-team (in the case of commune-members) to which they belonged. As the result of the reforms and opening-up over the past 20 years, city-dwellers are no longer completely attached to their units,² and the inhabitants of rural areas are no longer commune-members but villagers.³ Under these circumstances, individuals have the need and some opportunities to organize themselves horizontally into associations and participate in social processes in a new system. In just two decades, these associations have greatly developed and demonstrate complex relationships within a variety of forms (legal, political, administrative, and social). According to some analysts, from a legal perspective, the existing associations can be classified into 4 types: 1) legally registered associations; 2) secondary associations without corporation status, i. e., those nominally affiliated to legally registered associations but which are in fact independent associations; 3) those registered as a business corporation with the industrial-commercial administrative authorities; and, 4) “illegal” associations that are not registered, such as associations operating under the names of “salons,” “tribunes,” or “clubs” (Kang Xiaoguang, 1997, p. 630).

Based on these observations, we divided associations into three categories, registered, nominally affiliated (including those nominally affiliated to business enterprises) and “illegal” associations.⁴ The second category includes associations nominally affiliated with legally registered associations and those nominally affiliated to and operating within various kinds of enterprises and institutions. Prior to its registration, an association must be nominally affiliated to a certain unit, and it becomes a registered association after registration. Registered associations that fail to go through an annual check-up may again become nominally affiliated associations. In addition to those active in metropolitan areas and named by Kang Xiaoguang “illegal” associations include many conventional groups that are widespread in urban and rural areas e. g., folk-arts organizations in Beijing, and religious groups and temple fair organizations in the countryside.

It is fair to say that registered associations have a foot-fold within the law, and “illegal” associations stand completely outside the law. In general, nominally affiliated associations are those with one foot inside and another foot outside the law. We can describe their behavior outside the law as follows: Firstly, an independently operating association has a unit for nominal affiliation, but does not go through the registration procedure. Secondly, it operates under the name of an enterprise. This is the way in which, for example, most *qi-gong* organizations have been conducting their “gong-passing” and “gong-practicing” activities. Thirdly, many associations that are based within their units and hence are exempt from registration are operating openly in society. No matter what their status in relation to the law, associations in the above three categories each go their own way and are all faring well. This undoubtedly shows that their existence and operation corresponds to a certain kind of order, it is only that this order lies beyond the sphere of the law. Our discussion is therefore designed to show that, given the de facto status of associations, “legitimacy” is a better classification than “legality.”

I. Four Categories for the Legitimacy of Associations

“Legitimacy” is a concept with complex semantic extensions. According to dictionaries, its adjectival form “legitimate” can mean any of the following: 1) according to law, lawful; 2) in accordance with established rules, principles, or standards; 3) born of legally married parents; 4) in accordance with the laws of reasoning, valid, logical; 5) resting on or ruling by the principle of hereditary right; 6) justified, genuine; 7) of the normal or regular type or kind. The concept of “legitimacy” is used to denote possession of these properties. In summary, “legitimacy” denotes something that has a basis for being recognized, approved, or accepted. This particular basis (e.g., certain provisions of the law, rules, standards or logic), is determined by the actual circumstances.

The concept of “legitimacy” is used in the social sciences (sociology, political science, etc.) in both its broad and narrow senses. The concept in its broad sense is used in discussions of social order and norms (Weber, 1954, pp 5-10; Rhoads 1991, p. 167), or normative system (Habermas, 1979, p. 204). The concept in its narrow sense is used in describing the type of rule of the state (Weber, 1968, pp 212-16), or the political order (Habermas, 1979, 179).

The concept of legitimacy in its broad sense involves extensive areas of society, more extensive than the law or politics, and has great potential social adaptability. Weber's concept of a legitimate order incorporated morality, religion, custom, convention, and the law (Rheinstein, 1954, p. lix). As Rhoads put it, “in sum, a legitimate order in Weber's sense consists of empirically valid rules differentiated by their modes of enforcement into either conventions or laws” (Rhoads, 1991, p. 168). The rules enforced by special

individuals and institutions to ensure people's conformity are the laws, while the rules naturally observed by society are conventions. Legitimacy means consistency with certain rules, and of these laws constitute only a rather special group; there are also other rules such as regulations, standards, principles, norms, values and logic. The basis of legitimacy might therefore be the legal order, but might also be certain social values or practices inherited by the community.

In their discussions of the legitimacy of ruling, Weber and Habermas used the concept of legitimacy in its narrow sense. Legitimate rule is one of various forms of legitimate order, and it includes acceptance by the ruled. According to Habermas, legitimacy means recognized value and de facto recognition of a certain political order (Habermas, 1979, p. 179). A ruling can be admitted by the ruled, because the rules or the basis on which the ruling is made are acceptable to or approved of by the ruled. In theory, ruling is recognized because of its legitimacy. However, from a sociological perspective, ruling is legitimate because it is recognized. This sociological concept of recognition as an indicator provides a useful methodological reference for our understanding of the legitimacy of associations that currently exist in China.

The legitimacy of ruling as discussed by Weber and Habermas involves recognition of those "above" by those "below." However, discussions in recent years about cultural pluralism have extended recognition to relations between communities (horizontal recognition) and relations between those in authority and those ruled (recognition of those "below" by those "above"). This type of relationship represents the "politics of recognition" between different cultural groups within a community, and through this process particular cultures or groups with particular cultures acquire their legitimacy⁵ (Taylor, 1994). When we analyze the legitimacy of an association in terms of the recognition it receives, we could therefore define the subject giving recognition as the state, government departments or their representatives, such as various units or social associations, as well as individuals in society. Recognition by the state or government departments involves giving consent and authorization for the operation of the association. Recognition by units or other associations involves cooperation or the provision of resources. Recognition by individuals involves participation by the individual. The activities of an association are the public activities of a group or organization, and the legitimacy endowed by these three sorts of subjects is the basis for its public activities.⁶

Another concept associated with legitimacy is "legitimation," which according to the dictionary means: 1) to make or to declare lawful; 2) to admit (a child born out of wedlock) as genuine; 3) to display, prove or declare lawful, proper or justified, so as to win recognition or authorization. "Legitimacy" denotes the property of being consistent with a particular norm, which appears to be something objective, while "legitimation" denotes a process of actively establishing relations with a particular norm, which obviously has its emphasis on something subjective, an effort with definite intention. "Legitimation" can be understood as defending legitimacy at a time when legitimacy

might be denied (Habermas, 1979, pp 179, 181). In other words, legitimation denotes an effort to reach a certain consensus about legitimacy at a time when the objective basis of legitimacy is being questioned.

The concept of legitimation is a powerful tool for analysing relations between newly arisen things, norms or order in a constantly dividing society. Legitimation is necessary only when legitimacy is not automatically provided, and legitimation is given to show that behaviour is consistent with norms of behavior, even though it seems (or actually is) just the opposite. The mechanism of legitimation is based on the fact that because of differences in social values there are no longer uniform and generally accepted norms, and therefore all concerned can only seek common ground in their differences; secondly, the social process is at the same time a process of dialogue, the aim of which is to arrive at a certain consensus with regard to complex behavior between all those concerned; and, thirdly, any creative action can represent a breakthrough in the existing order and can be approved of by the existing order. Therefore, legitimation is a process of extending and restructuring order.

To summarize, legitimacy involves relations not only with the law, but also with the social order. Legitimacy is not a question of being sued under the law, but of being recognized by society. Legitimation is a process of actively demonstrating a positive relationship with the existing order, and not merely passively "not running in the other direction."

The theory regarding legitimate order analysed above can help in understanding how associations are faring and currently operating in China. From various perspectives it can be seen that current legitimate order in China is compound, diversified and pluralized.

In terms of time, new, long-lasting and past norms are all in effect. New norms are constantly being produced or enacted, e. g., newly promulgated laws and rules governing the activities of associations, while at the same time, of the norms that are being revised, some are rescinded and some continue to be effective. To make things more complex, some norms of the past that were completely negated and disappeared have been revived and are now effective in certain areas. Let us take staging a show at a religious festival as an example: This will be readily accepted if the organisers hold the ceremony in accordance with old conventions. This overlap in time is a significant characteristic of a society during a period of transition.

In terms of space, activities in rural areas follow a set of norms that differ from those in urban areas, and activities based on units have norms that differ from those based on a neighbourhood, even though both activities take place in an urban area.

From the social aspect, China has changed from being highly integrated politically, economically, legally, administratively and culturally into a scattered society. This has resulted in what Bourdieu calls numerous "fields" with their own independent logic and rules (Bourdieu and Wacquant, 1992, pp 94-98). Legitimacy in one area does not necessarily mean consistency with

the norms in another area. Temple fairs and religious groups recognized by villagers in accordance with traditional customs do not necessarily enjoy recognition by local governments. Even the folk religious groups recognized by a local government may not have gone through legal processes. It is precisely because the current legitimate order or legitimacy of order is dependent on such fields that the basis for the legitimate existence of these associations is so complex.

The sources of legitimacy for Chinese associations are chiefly political, administrative, social and cultural traditions, and the law. An association may have acquired legitimacy in one of those four domains, but may also have acquired legitimacy in all four domains. That is to say, some associations have acquired relatively complete legitimacy, while other associations may have acquired only local or partial legitimacy. The requirements for the legitimacy of associations in these domains have changed over the past 20 years, as has the degree of dependency of associations on legitimacy in these domains. Legal legitimacy became an explicit requirement for associations only after the promulgation of "Provisional Regulations for the Administration of Social Associations," and became a strict requirement after the revaluation of associations in 1997, and the promulgation of "Regulations for the Administration of Social Associations" in 1998. While legal legitimacy has gradually become compulsory, although there is a considerable amount of latitude, associations have been accepted within the social order by satisfying political, administrative, social and cultural requirements for legitimacy. We will discuss the wisdom of the organizers of associations in striving for existence, first through local legitimacy and then through full legitimacy, from three different aspects, namely, political legitimacy, administrative legitimacy, and social legitimacy (or social and cultural legitimacy manifested by conforming to popular norms formed by cultural traditions and social customs).

II. Social Legitimacy

Social legitimacy means the recognition or participation of certain people or a community as the result of a certain social justification. Social justification may be based on local heritage, local common benefits, or a consensus on rules or arguments. To have a foothold an association must be based on at least one of these elements. Tradition provides undeniable justification for folk groups. The organizer of a lion-dance association once expressed this in a most convincing way — "This is not my invention but inherited from my ancestors. Since it has been passed on from generation to generation, how can it be disrupted in our hands?" (Gao Bingzhong, 1998, p. 3)

Folk groups that exist today often find justification in all the three respects mentioned above. We conducted an investigation on a "Dragon Tablet Association" in rural north China which was organized by the villagers of Fan village. The association was said to have a relatively long history but was

banned when the People's Communes were instituted in the late 1950s. At first, people continued to burn joss sticks stealthily at night, but all such activities stopped when the "cultural revolution" began. Probably around 1979, the villagers again began enshrining the dragon tablet, and dragon tablet fairs were resumed in 1987. The "Dragon tablet" is engraved with the following inscription: "Tablet of the Dragon — True Dominator of heaven and earth, the three worlds, and all the ten directions." There are 19 leaders of the association, who take turns to keep the tablet for a year. On or around the second day of the second month of the lunar year, the tablet is moved to a temporary shelter for worship by more than 100,000 people from the neighbourhood, and a temple fair is held that normally lasts for four days. Donations to provide joss sticks and lanterns and to redeem vows to the god amounted to 80,000 yuan a year in the early 1990's and have reached more than 40,000 yuan in recent years. The leaders keep themselves clean and honest through their faith in the "dragon tablet." The council in charge of the temple fair declares that "everything taken from the people will be used for the people," and the money is used primarily for performing troupes, for entertaining guests, to assist families with financial difficulties, and to improve the conditions in local schools. It is clear that the "Dragon Tablet Association" is part of the tradition, and since it was reinstated it has enjoyed what Weber called "Traditional Legitimacy" (Weber, 1968, p. 36). The association also involves a fair which facilitates economic exchanges between the people of that area, and therefore has a basis in public welfare. The income and expenditure of the association also conform to the generally accepted rules of the neighbourhood and it operates in a reasonable way. The Dragon Tablet Association has therefore gained the recognition and participation of the local people and has proved its social legitimacy.

At their inception, most folk groups do not go through the legal process. The reason that they can exist in society without legal legitimacy is that they have acquired social legitimacy through traditional ceremonies. There are now nearly a hundred traditional folk-arts organizations in Beijing, each of which went through a traditional celebration ceremony at their inception. In order to revive an old organization, experienced organizers must first have various kinds of stage props, such as "lions" or stilts, and a team of performers who are adept at using these props. When everything is ready, rather than going to register at the civil administration department, the leaders select an auspicious day and invite several of the older leaders and leaders of friendly or related organizations to a celebration ceremony. Traditional folk-arts organizations do not found themselves, but require the presence of these leaders to show recognition by the people of a common cause. In the past, the celebration ceremony itself could endow a folk-arts organization with complete legitimacy, but it now only serves the function of giving social legitimacy.

The current status of social legitimacy in the modern nation-state has presented folk-arts organizations with new requirements. These organizations are active at the grass-roots level, and they are founded and kept active only

because they have obtained a certain social legitimacy. However, the monopoly of violence and symbols by the modern nation-state has left society with no more than relative autonomy. The current relationship between the state and society has reduced the social legitimacy of folk-arts organizations to only a limited legitimacy to operate in limited area in limited ways. Such organizations are now also under pressure to meet the requirements for legitimacy in other respects.

When a folk-arts organization, religious group or temple fair develops to a certain level, it eventually has to deal with legitimation problems in other areas. If it operates only in a village or in a neighborhood, social legitimacy may perhaps be sufficient to guarantee its smooth operation. However, if it is to operate in or influences a larger area, legitimacy has to be acquired in other respects or the association will be confronted with administrative, legal or political forces and be suppressed.

Social legitimacy is extremely important not only for those folk groups based on this form of legitimacy, but also for any other association. Project Hope under the China Youth Development Foundation has been very successful only because the views on education held by the CYDF have won extensive recognition in society. Now that the government is no longer funding any associations, if an association is unable to win a certain level of social recognition, it will not have the necessary resources to operate, nor even the basic funds for registration.

III. Administrative Legitimacy

Administrative legitimacy is a formal legitimacy based on bureaucratic procedures and practices. The administrative legitimacy of an association is based on recognition by the head of a certain unit.⁷ This recognition usually extends naturally into participation, which in turn signifies recognition. The way in which heads of units participate is relatively flexible, and can be either practical participation or symbolic participation, for example, as “honorary chairman.” If the organizers of an association duly ask for permission, report in accordance with administrative procedures, and provide all relevant information in order to have their activities approved by the head of the unit or department concerned, then they can operate within the space of the unit itself and within its effective sphere of influence, even though these associations do not enjoy legal legitimacy. If the organizers of the association are themselves administrative officials of a certain rank, the association will naturally enjoy administrative legitimacy.

Administrative legitimacy has exceptional significance for Chinese associations and their operations. In a certain sense, the administration of associations in China is an extension of the administrative system based on the unit. As mentioned above, from the legal aspect Chinese associations can be differentiated into three types: registered associations, nominally affiliated

associations and illegal associations. We can also differentiate existing associations in terms of the social structure into three types, namely, corporate associations (those that have acquired corporate status through registration), unit associations (those whose operation is limited to within a unit), and folk associations (those that are not registered or nominally affiliated to a unit). Administrative legitimacy is particularly vital for corporate and unit associations.

Administrative legitimacy is a prerequisite for corporate associations. According to the provisions of the "Regulations for Social Associations," no association may apply for corporate status until it finds a responsible unit, i.e., a responsible administrative or quasi-administrative unit is an important prerequisite for an association to gain a legal foothold. If an association cannot find a unit that will agree to grant it administrative legitimacy, it cannot apply for corporate status let alone acquire legal legitimacy.

Administrative legitimacy is even more vital for unit associations, since the unit is legally entrusted with full authority for the management of all associations within the unit. Such associations are exempt from registration, and for these associations, the unit is actually a legal and administrative system all in one. For example, there are usually numerous associations within a university, and, in order to improve administration, some universities have issued regulations governing the administration of associations within the university. These regulations demonstrate that the unit exerts administrative control over the activities of the association. For example, Provision 13 of the "Regulations for the Administration of Student Associations" at a well-known university (1944) stipulates that "any association, prior to conducting any activities, should apply to the university Youth League Committee, and, after consent has been given following a preliminary review, they should hand in a report on the budget for the activities. No activities should be conducted until the entire program of the activities is approved. Those responsible for the association should give the university Youth League Committee an oral or written report after completion of said activities." Provision 15 stipulates that "any association conducting joint activities with other units within or outside the university should seek the prior consent of the university Youth League and send in certification from cooperating units and the program of activities. No activities should be conducted until these are reported by the university Youth League Committee to the higher level authorities or relevant units and have been approved by them." The operation of these associations is entirely hemmed in by administrative procedures. Proposals and programs can only be implemented after legitimacy has been acquired through administrative mechanisms. In comparison to corporate associations, unit associations have less autonomy and are more dependent on administrative legitimacy.

Administrative legitimacy also has practical significance for folk associations that generally lack legal legitimacy. Folk associations enjoy only limited social legitimacy at the grass-roots level and can operate only within a very limited space. However, during their operations administrative

departments at all levels need the participation of these associations, and as a result these associations are helped to go beyond the limitations of grass-roots society. Dancing and singing troupes from folk-arts organizations, religious groups or temple fairs can usually only operate within the neighborhood or village, but some activities organized by administrative units allow them a broader arena. As we saw in Zhao County in Hebei Province, the Bureau of Cultural Affairs organized an annual competition between folk-arts organizations and awarded certificates of merit to the winners, who then proudly displayed these certificates during their participation in temple fair ceremonies. In Beijing during the Spring Festival the government of Chongwen district sponsors the Longtan Lake temple fair, the government of the eastern metropolitan district sponsors the Temple of Earth temple fair, and the government of Chaoyang district sponsors the temple fair held at the Temple of Dongyue. During the fourth month of the lunar calendar, the government of Mentougou district also sponsors the Miaofeng Hill Golden Top pilgrimage temple fair. Such fairs incorporate folk-arts organizations that usually remain scattered in various neighborhoods, and these organizations in turn extend their certificates of participation in these activities into a vague administrative legitimacy which they then use as a basis for justifying their public operation. Some organizers believe that their associations will acquire a certain legitimacy by participation in legitimate activities.

Distinguishing between the administrative legitimacy of an association and that of its activities may help us understand the importance of administrative legitimacy. The administrative legitimacy of an association may be obtained once and for all from a certain unit (e. g., gaining affiliation for a corporate association, or approval for the founding of a unit association), but administrative legitimacy for an association's activities may be obtained only for each individual activity, since the space for association activities may vary between different units and some activities may even go beyond a particular unit. Therefore, both corporate and unit associations have to make contact with various units and seek the approval or support of the authorities concerned if they are to get on with their activities.

Although associations are founded with the intention of going beyond the unit, in recent years the development of an association has mainly depended on its ability to make use of the unit's resources. An association's status usually depends on the "weight" of the participating unit leaders. For example, the status of the Beijing University alumnae associations in different provinces and cities varies greatly because of the different "weight" of the participating officials: some are registered while others cannot get the requisite qualifications; some hold grand annual gatherings, while others have only nominal presidents and secretaries.

The administrative system gives an association a certain degree of legitimacy based on its usefulness. Units and departments consider associations part of their activities or as part of their social resources. On a smaller scale, many local governments invite folk-arts organizations to perform and warm up

the atmosphere at ceremonies honoring the families of martyrs or soldiers held at Spring Festival or on Army Day. On a much grander scale, local governments may use temple fairs as markets to promote the economy. For example, the "Jingxi Tour Agency" (in Beijing) is a corporation controlled by the Mentougou district government in Beijing. One of its economic mainstays is the income from tours of Miaofeng Hill, the main attraction of which is the temple fair that forms around the pilgrimage to "Bixia Yuanjun" (Goddess with the Azure Glow). The Miaofeng Hill temple fair was revived in the 1990s with the participation of folk-arts organizations from various districts and counties under the sponsorship of the Mentougou district government.

IV. Political legitimacy

Political legitimacy is a form of real legitimacy which involves the intrinsic qualities of the association such as its purpose and the intention and meaning of its activities. Political legitimacy denotes that the association or its activities conform to certain political norms, that is, it is "politically correct" and hence acceptable. An association can choose its own purpose and demonstrate the meaning of its activities during the course of its operation. If these are accepted, especially by the Party system,⁸ the association has obtained a certain legitimacy.

Political legitimacy is vital for the existence and development of associations, and this problem must first be solved if the association is to have any existence in China's public space. In China the administration of associations emphasizes the administrative mode of control. Associations are seen as extension of the state unit system, and in administrative control of any unit political order is viewed as its primary obligation. Therefore, acquiring a unit for the affiliation of an association means first satisfying the requirement of political norms.⁹ In a passive sense it should not run contrary to the norms, and in an active sense it is in the association's best interests to contribute to the existing political order. Only under these conditions can the unit leaders allow the association to use its administrative resources and operate within its administrative space. Only after this does the association have any possibility of success in applying for corporate status. Even after an association has become a corporation, the leaders of the unit which controls the resources still continue to judge the political legitimacy of the association's activities and react accordingly. Associations without legal or administrative legitimacy may use social or cultural legitimacy in their appeal, while using political legitimacy to respond to pressure from the administrative and law enforcing departments, for example, by saying "Although we don't have your permission and we haven't registered, what we have done is right in nature." Usually they are exonerated.

Because of its importance, political legitimacy is vital for associations. Associations are autonomous mass organizations, but they are generally aware

of their double function as a type of state political unit, and assume certain political responsibilities as a basis for their political legitimacy. Being “politically correct” according to the state-promulgated regulations for the administration of associations is a passive requirement, i. e., it means “no violations.” However, most associations explicitly state their purpose to demonstrate a positive political attitude. For example, the alumni association of Beijing University founded in 1984 stipulated that its aim was “to strengthen relations between alumni, to carry forward the good tradition of Beijing University, and to contribute to the development of our alma mater, to the construction of socialist modernization, the reunification of our motherland, and the rejuvenation of China.” The charter adopted by the China Folklore Society states its aims as “to uphold the four cardinal principles, carry out the policy of ‘letting a hundred flowers blossom and a hundred schools of thought contend,’ to unite folklore workers in our country in investigating, collecting, processing and studying the folklore of different nationalities in China, to contribute to the establishment of Marxist-Leninist new folklore with Chinese characteristics, to transform social traditions, to enhance socialist material and moral civilization, to promoting overseas cultural exchanges, and to enrich the cultural treasures of the world.” Apparently the political behavior of these associations is much higher than the bottom-line set by the state. This demonstrates how much associations need political legitimacy in order to continue.

An association needs to maneuver skillfully to retain its political legitimacy in a dividing society. Being “politically correct” is a subjective judgment, and it can constitute the basis of legitimacy only when a consensus is reached on this judgment by all concerned; the easiest way to reach this consensus is to state that it is the aim of the association as in the above examples. However, making a judgment on the activities of an association is a much more complex problem. In a country in which social strata and cultural values are undergoing dramatic changes and divisions, it is the general rule rather than an exception that people have different interpretations of the political significance of the same action. As a matter of fact, the main or direct aspects of an association and its activities may be quite different from current political norms, and a consensus cannot be reached naturally (or spontaneously). Under such circumstances, the association has to produce (or form) this consensus through its own efforts. This is called legitimation, during the course of which some activities that are vague, contradictory or negative in terms of legitimacy may turn out to be positive.

Associations have always produced a consensus on what is “politically correct” by using numerous types of exploration, extension, and induction. For example, the China Youth Development Foundation initiated “Project Hope” in order to seek social donations to help poverty-stricken students complete their primary education. This project was intended to compensate for deficiencies in government education policy. It had to arouse sympathy and receive donations in order to be implemented, and so the association revealed

a great deal of information on children deprived of education and their misery, which implied political criticism of social injustice. However, its overwhelming success relies precisely on its political legitimacy to use administrative resources, since the organizers do not openly criticize mistakes made by the government, but instead make every effort to publicize the concern for this project expressed by leaders of the party and state,¹⁰ and the positive political value of Project Hope for the state.¹¹ As a result, people received a positive political message, and the association obtained political legitimacy from the Party and the government. "Project Hope" owes its great success to the political wisdom and skill of its organizers.

We can also use a folk group's efforts to seek political legitimacy as another example of this complex maneuvering. The dragon tablet enshrined by the "Dragon-Tablet Association" of Fan Village could be a tablet representing the God of the Land¹² or a group of gods.¹³ Around 1990, however, as the dragon-tablet fair expanded, intellectuals in the Dragon Tablet Association (native villagers or non-natives) gradually reached a consensus and declared that the dragon tablet represented the "Gou" Dragon or Successor to the Dragon. The organizers had the same term printed on pamphlets and incorporated it into the history of the "Dragon Tablet Association." Enormous horizontal scrolls were unfurled at meeting places saying "All descendents of Yan Di and Huang Di are successors of the Dragon." The results of a questionnaire issued to villagers and visitors in Fan Village in 1998 and 1999 respectively showed that 72% of the villagers from Fan Village and 50% of the visitors thought that the god of the dragon tablet was the ancestor of the Chinese people. The slogan "Successors to the Dragon" was designed to enhance the cohesion of the Chinese people, and has profound political significance in terms of its patriotism. Organizers of the "Dragon Tablet Association," by revising (reinterpretation and publicity) its meaning and identity, have changed their religious activities from something that might well be rejected by the outside world into something that people have to admit is politically correct.

Political legitimacy is a rigid requirement, but there is relative flexibility in terms of the political norm that is applied, and the degree to which this is compatible with the nature of an association. Political legitimacy is a form of restriction, however, it also provides the political rhetoric for new things through new interpretations. As a result, it provides some protection for social dynamics and vitality.

Investigations of the statements made by various associations about their political purposes and significance demonstrate that they try to show their consistency with the political order in three respects: 1) consistency with the ideology and values upheld by the state (e. g., socialist moral civilization); 2) consistency with the goals of the state, especially the central task (e. g., economic construction); and 3) consistency with state policies (e. g., a united front and maintaining stability). The key to political legitimacy is not what is done but what is said. Political legitimacy depends particularly on the process of interaction.

In general, "legitimacy" is an effective concept in understanding the real operations of associations, as well as in analyzing regulations governing the administration of associations. It helps to take "recognition" as a token of legitimacy, and divide legitimacy into legal, political, administrative, and social and cultural legitimacy. In a country experiencing a period of transformation and in which society and the system incorporate both the old and the new, the concept of legitimacy, with its intrinsic and comprehensive framework, has more explanatory power than that of the law.

Regulations issued by the state actually impose comprehensive requirements for legitimacy on associations, namely, they must be politically acceptable, administratively affiliated, comply with the legal procedures, and be supported by society. During its inception, an association that already exists among the people and with a certain social foundation, must pass the test of its political legitimacy before it can acquire administrative legitimacy, and then after the necessary legal procedures have been completed it becomes a corporate association. None of these stages can be omitted.

Currently an association has to conform to at least one type of legitimate order — political legitimacy (e. g., the Huangpu Alumni and the Association of Returned Students from the West, both founded a long time ago to carry out united front missions), or administrative legitimacy (e. g., professional associations arranged by departments and agencies), or social and cultural legitimacy (e. g., folk groups) — and thence must proceed to satisfy the requirements for legal legitimacy. Legal legitimacy is the last and the least important requirement, and has demonstrated over time that it can be disregarded. Who monitors whether or not unit associations or associations supported by powerful units and which enjoy political and administrative legitimacy have legal legitimacy? Conversely, if an association has only legal legitimacy, where do the resources necessary for its operation come from? Folk groups that do not register at all, if they operate only within the villages, are surely beyond the reach of the law. Since the four types of order discussed above exist separately, there is ample opportunity for associations to greatly increase in number.

However, the time when associations could exist under the protection of legitimacy from just one aspect will soon be over. In the last two years, the state has tightened control over associations and imposed the requirement of full legitimacy on each association. Legal legitimacy is considered the core, and the other three kinds of legitimacy are prerequisites for legal legitimacy, as well as channels through which the state and society can exert their influence. The state, through the Party and the administrative authorities, holds the power to grant political and administrative legitimacy, while the general public, based on their own interests, decide whether or not to grant associations with social and cultural legitimacy. This means that an association will either enjoy all four types of legitimacy, or will not exist at all. However, numerous folk groups and illegal associations will continue to exist for quite some time. In a society in which several contradictory orders coexist, there is

bound to be a mechanism for reaching a compromise (Weber, 1954, p. 9), which will leave some room for the operation of various types of associations.

NOTES

1. This research was funded by the China Youth Development Foundation and conducted with the help of Professor Zhu Suli, Professor Fang Xinlan, Dr. Liu Xin and Dr. Zhang Yanhua.
2. Some have been separated from the unit system. Those that remain within the system have seen considerable changes in their relations with the unit, i.e., the unit no longer holds all-round responsibility for the individual, and the individual owes only limited obligation to the unit.
3. Commune members are attached through the commune to the state, while villagers are autonomous and have to arrange their own productive labor and cultural life independently.
4. "Illegal" does not necessarily mean unreasonable or guilty of a crime, but simply that it has not gone through legal procedures.
5. For examples using the concept of legitimacy in these senses (i.e., horizontal recognition and recognition from above), see Gutmann 1994, p. 5.
6. Kang Xiaoguang has mentioned that associations in China have to acquire two kinds of legitimacy simultaneously: official legitimacy and social legitimacy, and also recognition and trust from these two directions (Kang Xiaoguang 1997: 636).
7. Business enterprises and institutions are not in themselves public administrative departments but their leaders are also public servants and perform administrative functions. They are therefore also sources of administrative legitimacy.
8. One of the characteristics of the Chinese system is the existence of a professional political system in addition to the administration system, which consists chiefly of the Party and the Youth League. They determine whether or not the political standards of an association are consistent with the political order and grant or deny the association political legitimacy accordingly.
9. All government regulations on associations list the most fundamental political norms that must not be violated, e.g., there must be no contradiction with the four cardinal principles, no harm must be caused to national reunification or the unity between Chinese nationalities. The regulations are thus formal as well as substantial.
10. For a comprehensive report on the participation of important leaders, see the section on "Waves of love from Zhongnanhai" in "For the Future of Our Motherland — A report on the seven years of operation of Project Hope," *Journal of the China Youth Development Foundation*, 1 November 1996.
11. For example, "Project Hope" is a new growth point in the construction of socialist moral civilization, *Journal of the China Youth Development Foundation*, 1 August 1996.
12. The God of the Land is also known as "Dragon Fude."
13. Perhaps they are called "Dragon Tablets" because they incorporate engravings of dragons. I have discussed this conclusion with Professors Ye Tao and Liu Tieliang discussed using the results of their investigations.

REFERENCES

- Bourdieu Pierre, and Wacquant, Loic J. D., *An Invitation to Reflexive Sociology*, The University of Chicago Press, 1992.
- Gao, Bingzhong, "The Revival of Folk Cultures; Stories of Individuals," a paper presented at The 4th Conference of The China Folklore Society, 23-26 September 1998, Beijing.
- Gutmann, Amy, "Introduction" to *Multiculturalism: Examining the Politics of Recognition*,

Princeton University Press, 1994, pp. 3-24.

Habermas, Jürgen, "Legitimation Problems in the Modern State," *Communication and the Evolution of Society*, translated by Thomas McCarthy, Heinemann; Heinemann Education Books, 1979, pp.178-205.

Kang Xiaoguang, *Chuangzao xiwang: Zhongguo Qingshaonian Fazhan Jijinhui yanjiu (Creating Hope: A Case Study of The China Youth Development Foundation)*, Lijiang Press and Guangxi Normal University Press, 1997.

Rheinstein, Max, "Introduction" to *Max Weber on Law in the Economy and Society*, A Clarion Book, Published by Simon and Schuster, New York, 1954, pp. xvii-lxiv.

Rhoads, John K., *Critical Issues in Social Theory*, The Pennsylvania State University Press, 1991.

Taylor, Charles, "The Politics of Recognition" in *Multiculturalism: Examining the Politics of Recognition*, Amy Gutmann, ed., Princeton University Press, 1994, pp. 25-73.

Weber, Max, *Max Weber on Law in the Economy and Society*, translated by Edward Shils and Max Rheinstein, A Clarion Book, Published by Simon and Schuster, New York, 1954.

Economy and Society, Guenther Roth and Claus Wittich, eds., New York: Bedminster Press Incorporated, 1968, vol. 1.

—*Translated by Xue Gao from Zhongguo shehui kexue*, 2000, no. 2
Revised by Su Xuetao