

WHY DO THEY NOT OBEY THE LAW?
A CASE STUDY OF A RURAL-URBAN MIGRANT ENCLAVE IN CHINA

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Abstract

To explain why there was widespread legal collusion in “*Zhejiang Village*”, a rural-urban internal migrant enclave in Beijing, China, this dissertation suggests that the state had an interest in controlling the migrants, but not eliminating them; and that the state benefited from the situation.

The state, when it promulgated the laws, did not expect collaboration between migrants and locals: the law was designed to prevent a massive rural-urban migration wave. When the law was actually enforced, various groups collaborated to frustrate the enforcement. The state nonetheless never chose to destroy illegal collaboration completely; it undertook sporadic campaigns to prevent the situation from getting worse. By so doing, it not only maintained social stability, but also maximized its revenue. The whole situation thus led to an equilibrium in which legal collusion flourished.

In the process of legal enforcement in which migrants, locals, officials, and law enforcement institutions were involved, different parties were negotiating with one another. The meaning of the law, both instrumental and symbolic, was changing in the interaction between the state and society. This case study provides a platform to reflect on the nature and function of law, people’s perception of law, and how law operates in a society where drastic social transition is still on its way.

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