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# *Adaptation to New Legal Procedures in Rural China: Integrating Survey and Ethnographic Data*

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## Introduction

This chapter portrays the implementation of a fully integrated mixed methods research design aimed to capture the ongoing process of social change in mainland China. We approach the study of social change by combining the investigation of existing social structures in China with an exploration of Chinese peoples' perceptions about the function and role of social relationships in the process of adapting to new social practices. Our specific focus for the study of social change is the recent establishment of the rule of law in China, which is perhaps one of the most sweeping social reforms in the history of the country. To capture the mutual impact of structure and cognition on the agency of a rural Chinese citizen, we used a research design that integrates not only our multitude of questions and influencing concepts, but also different types of data and a range of data collection and analysis techniques. As discussed in the introduction of this volume, we identify this fully integrated mixed methods research design in reference to a typology developed by Teddlie and Tashakkori (2006:15).

A focus on the implications of legal reforms for social change in rural China allows us to thoroughly explore network effects in local communities. The Chinese legal system was one of the social institutions that received a major overhaul by the Chinese government as part of its economic reform package initiated in the late 1970s. In 1992, the National People's Congress formally recognized that a sound market economy must be based on the rule of law and expected civil courts to

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provide legal services to all citizens alongside criminal courts (Potter 2001; Wang 2000). This decision has provided Chinese people with the option of settling civil disputes through formal adjudication by a judge at court in addition to the traditional practice of mediation based on the principles of reciprocity assisted by a local authority.

How do Chinese citizens navigate these new opportunities for social behavior? Since norms and laws are important components of culture, our research wants to understand the significance of offering conflict resolution at court as an agent for social change and economic development. We are interested to learn how Chinese people experience this social change. In particular, we want to know how changes in the procedures of the Chinese justice system influence individual choices to engage in this alternative mode for solving conflicts. Hence, the guiding question for our research went beyond the exploration of who uses adjudication at court and why. Taking the implications of the changed rules of conduct into account and linking them to existing cultural practices, we ask: What explains the likelihood of taking a case to court?

Experiences during previous research projects conducted in mainland China and extensive literature review familiarized us with the specific characteristics of the Chinese social order. As the next section of this chapter introduces in detail, the traditional Chinese social system, rooted in the teachings of Confucius, is not individual-based or society-based, but relationship-based (Fei [1939] 1992). Hence we want to pay special attention to the function of social relationships in the process of finding conflict resolutions. Studying the characteristics of both whole networks and personal networks will provide us with insights to evaluate how social relationships influence social behavior at the group level and individual level. Additional data on peoples' opinions about the role of relationships will allow us to understand the changes that the traditional Chinese social order has experienced in recent history. We also hypothesize that the structure of social relationships and the perceptions about social relationships and legal procedures influence each other and play a role in the adoption of new forms of conflict resolution.

This chapter features a description of the individual components of our mixed methods research design, including meta-inferences on the ongoing changes in rural China gained from the integration of methodological and analytical approaches. First, however, we review the background information that constitutes the context for our fully integrated mixed methods research design. This includes a theoretical reflection of the interrelation between the study of social network structures and social cognition, a cultural background that describes the specific

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cultural meaning of social relationships in China, a legal background depicting the current range of conflict resolutions, and the ethnographic background of this case study, Li Village in Hebei province. The chapter concludes with a discussion of benefits and challenges of this specific research design.

## Social Networks and Cognition: Studying Social Change in China

### Theoretical Background: Combining Social Network Analysis and Consensus Analysis

One of the major theoretical contributions of social network analysis is its ability to demonstrate the interrelatedness of a range of cultural practices or rather the embeddedness of human behavior and decision making processes within networks of social relationships (Granovetter 1985; Schweizer 1997). This theory of social embeddedness has assisted social scientists to overcome the constraints of rational choice theory in explaining decision-making processes and adapting to social change.[1] Rational choice theory has been criticized for its narrow focus on self-interest, and the neglect of altruism and origins of choices and preferences (March and Olsen 1984; Williamson 1985; North 1990; Ensminger 1992; Brinton and Nee 1998; Scott 2001). Analysis of network characteristics such as structural holes or bridging ties (Burt 1992) allows the understanding of how informal norms, including trust, are reinforced and how information travels and influences decisions (Passy and Giugni 2001; Barr et al. 2009).

However, the theory of social embeddedness does not explain which cultural values motivate actors to interact, trust, or make decisions to adopt new practices. The personal attitudes and perceptions of individual cultural actors influence their interaction with others (Emirbayer and Goodwin 1994). In turn, perceptions and decisions, for example, the decision to participate in social movements (Rosenthal et al. 1985; Passy and Giugni 2001), can at times be influenced by positions in the network structure. Hence, a combination of social embeddedness theory and social cognition is needed to understand why some people embrace new cultural practices such as taking a dispute to court and others refrain from such activities. As we describe in the following, our research design combines the tools of social network analysis and cultural consensus

[1] The social movement literature that represents social change and the literature on adaptations of innovations have not been included in this discussion due to their extensiveness and very little overlap with the topic at hand.

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analysis to accomplish this (Holland and Quinn 1987; Wasserman and Faust 1994; Weller 2007).

Social network structures reveal the dynamic processes that bring cultural actors together or drive them away. In this volume, the study of network dynamics is highlighted in the chapters by Wald, Gluesing et al., and Rogers and Menjivar. This chapter focuses predominately on network effects that are a result of internal dynamics. One area that reveals these effects is network homophily, the degree of similarity among members. Together with the notion of network density, homophily serves as an indicator of relationships that foster the development of trust, social coherence, and adherence to existing norms (Lin 2001). Cultural consensus analysis elicits the nature and distribution of cognition in terms of what cultural values and motivations exist within a cultural group (Romney et al. 1986). This type of analysis also reveals how values and motivations are structured in the minds of actors and how they are related to decisions initiating social interactions and adopting new cultural practices, for example, the pursuit of justice at a regional court in rural China.

## Cultural Background: The Traditional Chinese Social Order

Throughout Chinese history, the embeddedness in webs of kinship relations has been considered responsible for economic and political inequalities between families and their individual members. Those who belonged to particular powerful lineages had more influence than others (Ruf 1998). In the early 1950s, the Chinese Communist Party started a land reform and the collectivization of all forms of production. Party officials also abolished the existing social classes with a call for an ongoing "class struggle" against former landlords and other "bad elements," for example, business owners (Chan et al. 1984). However, in the late 1970s and early 1980s, the Chinese government reversed its previous policies and initiated economic reforms that enabled both private business initiatives and the return of economic responsibilities to the household level. These reforms have made it possible for household members to expand their social relationships beyond kinship obligations and to engage in various business activities in addition to agricultural production (McKinley 1996; Oi 1999).

In the context of rural Chinese society, relatives and neighbors continue to be important confidantes. Former classmates also fulfill important functions. However, many of these social roles overlap, for example, a neighbor is both a cousin and a former classmate. In addition, in the Chinese world view relationships are based on obligations and responsibilities (Jacobs 1982; Kipnis 1997). Fei Xiaotong (1939), the first widely

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known anthropologist in China, explains that a member of Chinese culture sees him- or herself as an individual embedded in concentric circles of society. In the core of all circles is the person, surrounded by his or her family members, followed by lineage members, the special interest groups or association he or she is a member of, and lastly the larger society. In reference to Confucian teachings, the traditional Chinese social system defines each member of society as a social and interactive being, not as an isolated, separate entity.[2] As a result, a Chinese person sees the world as a reflection of his or her relations to others and the particular circumstances that unite them. The indigenous Chinese term for such a particularistic tie is *guanxi*.[3] The notion of "having a *guanxi*" expresses the fact that two individuals are engaged in social exchange with each other (Jacobs 1982). The building of *guanxi* always entails the recognition of a hierarchical relationship, either in the very subtle sense of "older and younger brother" or the person "seeking" the *guanxi* relation and the person "granting" the *guanxi* relation. Following the principles of Confucius, *guanxi* arises from the obligation of subordinates to fulfill obligations to those of supposedly greater power and influence (Yang 1957; King 1994; Kipnis 1997).

To understand social and cultural change in China, we need to investigate the current practices and beliefs regarding particularistic relationships (Yan 1992; Yang 1994; Bian 1997; Wank 2002). For our specific interest in the adoption of new conflict resolution strategies among rural Chinese citizens, the study of their social relationships needs to include an assessment of their ability to reach people outside their primary groups of local kin group members. Social relationships to people in political and economic positions at the county or provincial level might serve as a social resource that in turn influences the diversity of the local social networks (Van der Gaag and Snijders 2005). In other words, the classic approach to the analysis of personal networks with the help of name generators (McCallister and Fischer 1983) should be extended to include the collection of data using Lin's (2001) position generator to understand social mobility. The people who can be reached by knowing somebody who knows someone in a particular position, that is, the equivalent of a guanxi, provide a person with influence and the means to obtain their goals. These kinds of connections might also widen rural people's horizons and expose them

[2] The social philosophy of relationships is founded on the Confucian principles of *lun*, which means "differentiated order," and *li*, the "rules of proper conduct." The concept of lun stresses differentiation between people, specifically fathers and sons, husbands and wives, seniors and juniors, superiors and subordinates, and so forth (King 1994). It is a system of complimentary social roles with distinct status differences.

[3] An etymological analysis of the Chinese term reveals that the word consists of the meaning for "gate, passage through a gate" and "thread."

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to a different set of values. Knowing the range of people a person has access to through the resources of his or her network ties informs us about their potential willingness to choose newly established methods of conflict resolution.

## Legal Background: Different Forms of Conflict Resolution Available in Rural China

In rural China disputes have traditionally been resolved through mediation by a third party rather than adjudication, as is common in most western legal systems. According to Chinese legal tradition, law was related to criminal law and mainly associated with the concept of punishment (Wang 2000; Gallagher 2006; Michelson 2007). Civil rights, supervision of government, or ideas of justice were not considered to be an extension of the law. Even though the Chinese government has made the rule of law and adjudication at court available to all citizens as part of its economic reforms program, it also made the recommendation that both informal and formal mediation at the village level and formal mediation at court at the county level should be exhausted before resorting to adjudication (Tanner 1999; Potter 2001). Dispute resolution by mediation is oriented fundamentally on the principles of reciprocity with the goal to reestablish harmony and peace in the social order (Zhao 2003). Any mediation at the village level is both the product of social relationships and the instrument that manages these relationships.

Informal mediation refers to the personal selection of a family member, friend, or neighbor by one or both disputing parties to serve as a moderator. Formal mediation takes place when two people in disagreement have reached no resolution with the help of a trusted individual and turn to the official village mediator installed by the village-level committee of the Communist Party. Procedures and outcomes are then documented. If no agreement can be reached, the official mediator recommends taking the dispute to the local court at the township level. If mediation at the local court fails to come to a resolution, the disputants may take the case and present it to a judge at the county level court, who then carries out adjudication. It follows that taking a dispute to court is only the last step in a series of reconciliation efforts in which mediation continues to play a prominent role.

Typical incidents that upset the balance in relationships between family members, neighbors, fellow villagers, or business partners include disagreements about family division after a son's marriage, distribution of inheritance, the repayment of borrowed money, or land use rights such as the inattention to borders between land plots for planting or

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housing construction, and the compensation for land that has been rented from a fellow villager and converted to industrial use.

## Ethnographic Background: The Case of Li Village

Geographically, Li village is located within the administrative boundaries of a township in Zhao County, part of Shijiazhuang prefecture in the northern Chinese province Hebei.[4] The distance from the center of the city of Shijiazhuang is approximately 120 kilometers. The village has about 4,830 inhabitants living in 900 separate households and is widely known for its pear production. Pear production was started in the seventeenth century and brought the village a modest level of wealth that was sustained during the era of collectivization between the early 1950s and late 1970s (Zhao 2003). After decollectivization in 1983 farmers converted all agricultural space to pear cultivation.

In addition, many farmers started sideline businesses. Among the farmers interviewed for this research, only 21 percent of all households were not involved in any sideline activity. The majority of households had some stakeholder interest or ownership in a freezer facility. Others engage in long-distance trade of pears, organizing the transportation of fruits and their direct marketing in cities throughout mainland China. Additional sideline businesses in the service sector include ownership of convenience stores or market stands, repair services, and restaurants. Several households own or are co-owners of factories that produce goods needed for pear production and distribution, such as paper mills, paper carton factories, fruit net factories, and soft drink factories. Finally, a few households have members who work in these factories as wage labors or earn a salary by teaching in the local school or working on construction sites.

Administratively, Li village is presently treated as a single entity that together with other neighboring villages belongs to a nearby township which in turn is part of a county and its administrative services. During collectivization the village used to be organized into eight separate production teams. At that time the village itself constituted a brigade that belonged to a commune (Guldin 2001). The latter was equivalent to the present-day township. Although the village is now considered a single administrative unit, the division into eight production teams continues to be recognized by villagers. For example, informants specified the addresses of friends and family members as located in a particular production unit rather than a particular alley or street. In addition, due to

[4] Li village is a pseudonym. Our collaborator, Dr. Zhao Xudong, gave the village this label when he wrote about the insights from his dissertation fieldwork, and we have continued the practice (Zhao 2003).

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the relatively consistent outcome of the pear harvest each year, which ensures high economic stability, the village has a considerably high rate of village endogamy. Two-thirds of all women between the ages of 25 and 40 have remained in the village after marriage rather than marrying into a neighboring village community. Out-migration has been rather low. However, this is gradually changing due to the increasing rate of young villagers who obtain a higher education and seek jobs in the county seat, provincial capital, or other cities throughout China.

## A Fully Integrated Mixed Methods Research Design to Understand Adaptation to New Legal Procedures in Rural China

The goal of this research was to investigate the direction and magnitude of interdependence between actual social structures, beliefs about the role of social structures, and perceptions about legal processes and establish what explains the likelihood of taking a dispute to a judge at court in rural China. We describe our approach based on Teddlie and Tashakkori's (2006) typology of mixed methods research designs as featured in the introduction of this volume. Hollstein (this volume) delineates four design stages: the conceptualizing stage, the methodological experiential stage, the analytical experiential stage, and the inferential stage. Our research design involved an integration of quantitative and qualitative approaches at all four stages, in respect to research questions, data collection methods, data analysis methods, and interpretation of the findings.

### Conceptualizing Stage

The objective to understand the interrelatedness of social structure and social cognition for the case of adaptations to new legal procedures in rural China is essentially based on the integration of two research concepts. Similarly, we developed the guiding question, What explains the likelihood of taking a case to court?, after the exploration of a combination of qualitatively and quantitatively oriented questions. The qualitative question, "Who is taking a dispute to the court at the county level?", informed the quantitative question, "How many villagers are taking a case to court?" This led to the qualitative question, "Why is a villager taking a case to court instead of local village mediation?", which triggered the quantitative questions, "What structural position in the village network facilitates taking a case to court?" and "What wealth level is facilitating taking a case to court?" Yet we also realized that we needed to add further qualitative questions, namely, "What do villagers perceive to

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be a fair procedure at court that makes it preferable to local mediation?" and "What do rural Chinese citizens perceive to be the best preparation, including economic and social characteristics, to win a case at court?"

It follows that we had to design data collection methods and analysis techniques capable of finding insights toward all of these questions. From the beginning we planned to collect data on several areas of information: on the structure of informants' social relationships at both the personal level and the whole village network level; on the preferences of informants for conflict resolution strategies; on their beliefs regarding the fairness and justice of the newly established rule of law at regional courts; on the perceived role of social relationships, *guanxi*, in dispute resolutions; and on the actual role of social relationships in influencing informants' preferences and beliefs regarding legal processes in China. We conceptualized that we needed several phases of data collection, each followed by data analysis that informed the design of the next data collection instrument. An exploratory phase of data collection and analysis should be followed by an explanatory phase testing the distribution and reliability of findings (Johnson 1998).

However, we did not decide on the design of all data collection instruments, sampling strategies, and sample sizes at the start of our inquiries in 2004. We anticipated two to three seasons of fieldwork and agreed to ground our data collection efforts in the ethnographic tradition of participant observation. We also wanted to start our first season of data collection with the establishment of a baseline of the social world of rural villagers, collecting extensive network data, similar to the idea of establishing a census at the beginning of a village study. The combined analysis of participant observation data and network data from a representative sample of villagers in the first year of data collection made it clear that we should indeed include data on social cognition. At that point we conceptualized another two seasons of data collection and analysis, designing and integrating qualitative and quantitative methods to deepen our understanding of adaptations to new legal procedures in rural China. The first-year analysis results also assisted our efforts to solicit outside funding from the U.S. National Science Foundation.

### Experiential Stage: Methodological and Analytical Tools

Since the data collection and data analysis periods of our research design were intertwined during each season in the field, we are unable to uncouple the methodological and analytical experiential stages from each other. Following Teddlie and Tashakkori's (2006) suggestion, we present the two phases folded into one section. As cultural anthropologists we conduct both data collection and data

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analysis firmly embedded in the framework of participant observation (Schensul et al. 1999; Johnson and Weller 2002; Bernard 2006). Participant observation constitutes the core of ethnographic fieldwork with the goal of finding explanations of human behavior from a holistic research perspective (Agar 1980). It represents an overall strategy for collecting data rather than a single method and requires the researcher to engage in a mixture of data collection and data analysis throughout his or her period of co-habitation with members of the culture they study. This was also the case during our research on adaptations to new legal procedures in rural China. During each data collection season the lead author, who is fluent in standard Chinese language, lived with local villagers and participated in informal discussions and village activities.

Within the framework of participating in the cultural practices of a different culture and observing daily activities, conversations, and interactions, the ethnographer engages in systematic data collection (Bernard 2006). Data collection is systematic in the sense that throughout the time period spent with members of another culture, ideally a whole calendar year, the researcher repeats her or his own activities, observes similar activities among different people, and asks similar questions from a range of more or less representative informants. In addition to a range of observations at different locations and different time points that call for the meticulous recording of field notes, anthropologists distinguish between four basic types of interview strategies: informal, unstructured, semi-structured, and structured (Bernard 2006). They differ in the level of comparability of the information they obtain from individual informants. Informal interviews resemble chats with a range of either conveniently recruited or purposefully approached informants. Unstructured interviews are devoted to a specific topic and allow informants to present as much of their insights as they are willing to reveal. Semi-structured interviews are carefully prepared lists of questions that stimulate each informant in a comparable way. Structured interviews, often called surveys or questionnaires, produce the highest level of comparable data across informants. They consist primarily of closed questions that allow informants to answer with yes or no or pick their answer from a range of prepared choices. In addition, anthropologists use a range of elicitation techniques to increase the reliability of recall among informants they interview with either unstructured or semi-structured interviews using props to jog the informant's memories or present them with completion tasks, and so on (de Munck and Soto 1998; Johnson and Weller 2002).

Table 7.1 depicts a list of all data collection instruments and sampling strategies ordered by data collection instrument, year of conduct, sampling strategy, number of observations or informants, type of data

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Table 7.1. *The five data collection instruments and their methods of analysis*

| Data collection instruments | Year | Sampling strategy | Number of observations | Type of data | Level of data comparability | Method of data analysis |
|---|---|---|---|---|---|---|
| Participant observation of local meetings and discussions | **1**<br>2<br>3 | Convenience Sample | **42**<br>64<br>55 | • Qualitative | Low | • Qualitative: Text analysis of field notes<br>• Quantification of reoccurring themes in field notes |
| Informal interviews about disputes with community leaders and mediators | **1**<br>2 | Convenience Sample | **30**<br>20 | • Qualitative | Low | • Qualitative: Text analysis of field notes<br>• Quantification of reoccurring themes |
| Semi-structured interviews on social networks and economic activities | **1** | Snowball sample based on random walks | **183** | • Qualitative<br>• Quantitative | Medium to high | • Quantitative: Statistical analysis of network data<br>• Quantification of observations and reoccurring text to compute wealth indicator<br>• Qualitative: Text analysis of responses<br>• Qualitative: Visualization of network structures |
| Unstructured interviews on perceptions of fairness in conflict resolutions | **2** | Purposive Sample | **46** | • Qualitative | Low | • Qualitative: Text analysis of responses<br>• Quantitative: Statistical analysis of demographic information<br>• Quantification of reoccurring themes in the interview transcript<br>• Qualitative compilation of suitable sentence for consensus analysis |
| Interviews with a structured and a semi-structured part on cultural consensus of perceptions, preferences for conflict resolutions, and network resources | **3** | Stratified Random Sample | **158** | • Qualitative<br>• Quantitative | High | • Quantitative: Consensus analysis<br>• Qualitative analysis: Identifying related themes in the text<br>• Quantitative analysis of position generator data in networks measuring numbers of lawyers and judges known in a network<br>• Quantitative: Logistic regressions of correlations between attitudes and the access to certain network positions |

produced with the instrument, level of comparability of data, and the method of data analysis. For the categories that depict the type of data and the method of data analysis we clearly specify its qualitative or quantitative nature.

This overview also reflects the fact that observations and informal interviews occurred during all three sessions of data collection and informed the design of the unstructured, semi-structured, and structured interview instruments that collected systematic data in years 1, 2, and 3. With the exception of the interview instrument for the final and third season of data collection, all data collection instruments were designed while in the field based on data analysis of field note texts, a common practice among ethnographers (Emerson et al. 1995). This approach to data collection and analysis increases the validity and reliability of data (Bernard 2006).

*Year 1*

Informed by both qualitative and quantitative analyses of the field notes from observations and informal interviews with villagers in general, village leaders, administrators, and lawyers in the township and at the county level, we developed an instrument for semi-structured interviews eliciting social network data and observations of visible wealth. We then assembled a team of six student researchers from the Sociology Department at China Agricultural University (CAU) that we trained for two weeks in data collection techniques and interview practices (Johnson and Weller 2002; Bernard 2006). Our sampling strategy called for two types of informants: a larger group of randomly selected villagers and a smaller group of purposively selected villagers as a control group. The second group consisted of 30 informants, who were selected because they all had been involved in a dispute in the last five years as identified by Zhao (2003) in his original fieldwork on conflict resolutions in Li village. For the first group, expected to capture a representative cross section of villagers, we used a snowball sampling strategy based on random seeds (Klovdahl 1989). The rationale for this approach was to acquire information about the properties of the whole village network without interviewing all households in the village (Klovdahl 1989).

This sampling strategy benefitted from the fact that Li village still recognizes the administrative division of eight production teams created during the era of collectivization between 1950 and 1983. Each household is registered in the household registration book by the number of its respective production team. We randomly selected five households in each production team as seeds for the interviews on network data, which amounted to a total of 40 informants in 8 teams serving as seeds. From the network contacts that each head of household mentioned we

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randomly selected the next informant. For each seed we completed a three-step four-node random walk, meaning each seed introduced us to three additional informants in the chain (Klovdahl 1989). Hence, the plan was to collect a total of 160 interviews from random walks and 30 purposively selected informants from the second groups. However, due to data collection errors and unfinished interviews we have only 183 completed interviews instead of 190.

In terms of interview content, we made a special effort to interview heads of households since network questions were designed to elicit data on a range of social and material resources obtained through the combined ties of all household members. These heads of households were asked about their social relationships with relatives; non-kin group members including neighbors, friends and fictive kin, and partners in business activities; and anyone else they are likely to talk to about important matters. In reference to Lin's (2001) position generator approach we then elicited information about the villagers' ability to reach people in certain positions such as government officials (i.e., cadres) outside the village, judges, lawyers, and so on. The informants were also interviewed about occurrences of past or ongoing disputes over land use or borrowed money. In addition, we recorded information about the size and age of their house, including the number of stories and the presence or absence of beds in the main living room,[5] and ownership of utility and consumer goods, including the size of TV sets, motor bikes, cars, refrigerators, and so on. This allowed us to compute an indicator of visible wealth.[6]

Using the software programs SPSS and UCInet (Borgatti et al. 1999) the analysis of this comparatively large data set provided us with quantitative information about the characteristics of social relationships in rural China. SPSS processed the number of ties in each of the 183 personal networks, the number of ties that reached outside the production team an informant belonged to, and the number of ties to alters outside the village, for example, individuals living in the county seat or provincial capital. In addition, we used SPSS to compute the wealth indicator for each informant as a rank in reference to the total number of 183. The software program UCInet aided the processing of quantitative data that provided information on the level of density of each personal network as evident from several network indicators calculated in reference to the

[5] Traditionally, the main room of any rural Chinese house prominently featured a large heated bed (*kang*) that served all household members (Yan 2003). The absence of a bed in the main room of the house indicates modernization efforts.

[6] This method is admittedly coarse and flawed. We have since engaged in an additional research project that investigated emic evaluations of affluence (Liu and Avenarius 2008, unpublished manuscript). Analysis of these data is ongoing and has not been incorporated into the present chapter.

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whole village network, namely, the informants' ranks of degree centrality, closeness centrality, betweenness centrality, and eigenvector centrality (Freeman 1978; Wasserman and Faust 1994).

A qualitative display of the quantitative data computed by UCInet was produced with the software program Pajek (Batagelj and Mrvar 2002). The network visualizations of both the whole village network and the embedded structures of personal networks emphasized qualitatively what the numeric parameters had revealed already. The picture of the whole village network showed that the community was densely connected, particularly within small geographic regions of the village, the former administrative unit of production teams. Network images of personal networks exemplified the limited geographic range of ties further once we color coded nodes based on the location of settlement that corresponded with each node. In addition, we analyzed the interview texts qualitatively, looking for co-occurring themes in stories about business developments and disagreements with others over money lending and borrowing. We recorded the topics and compared them to content that was mentioned in the same interview, looking for patterns across informants. This allowed us to develop hypotheses about preferences and beliefs regarding different conflict resolution strategies.

When the analysis of network properties including centrality scores in reference to the whole village network was completed, we compared these data to the informants' scores of visible wealth and the presence or absence of disputes they had taken to court. We realized that informants with either high or low ranks of either degree centrality, betweenness centrality, or closeness centrality scores within the village network had not reported any incident of taking a case to court.

*Year 2*

As anticipated, the data analysis of the first season of data collection efforts produced as many questions as insights. Hence, we designed a two-part strategy that would add information on the other much needed dimension of our project: the social cognition of villagers about the function of social relationships and the fairness of the different conflict resolution strategies. This concept included a first phase of collecting qualitative data in year 2 and a second phase of testing the distribution of the findings during a third season of data collection activities. This plan called for the accumulation of data that would allow a cultural consensus analysis as the conclusion to all three research seasons in the field (Weller 2007:339). As in the previous fieldwork periods, we continued to conduct participant observation in addition to informal interviews with community leaders, mediators, and lawyers and elicited data on personal network activities.

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We initiated data collection in year 2 by conducting unstructured interviews with a purposive sample of informants in Li village.[7] The decision for unstructured instead of semi-structured interview instruments was based on the need to collect a wide range of opinions and stories about fairness and justice and the role of relationships rather than responses to specific trigger questions. While each interview started with the same general question, respondents could take their answer in different directions in terms of content and length of elaboration (Spradley 1979; Agar 1980). These interviews covered a range of topics from the fairness of the education system to disputes that had occurred within people's circles of family and friends to evaluations of the dispute solution process and the current state of the legal system. Each unstructured interview lasted an average length of 90 minutes. All interviews were taped, transcribed, and translated.[8]

The sampling design for the unstructured interviews called for a six-cell purposive sampling strategy in an age-by-gender format based on three different age groups among both male and female informants, with approximately six informants per cell being interviewed. Our aim was to interview at least 36 informants. The three age groups were created in response to political events since the establishment of the People's Republic of China in 1949 that have shaped the life experiences of informants. Our assumption was that older informants who came of age before the Chinese Cultural Revolution, which took place between 1966 and 1976, would display different opinions than informants who grew up during the Cultural Revolution and younger informants who experienced decollectivization during their school years. The sample was further controlled for dispute experience, including at least one or two people with disputes in each sampling cell. Experience with disputes was determined on the basis of a snowball sampling technique in which informants were asked to help identify individuals who had been through one or more disputes (Johnson 1990). After five months of fieldwork we had collected complete sets of interviews with 46 rural informants that fulfilled the requirements of our purposive sampling strategy.

7 This NSF-funded portion of the project (over the course of two years) also had an urban component. Both the exploratory and explanatory phases of this project included a roughly equal number of informants in the provincial capital of Shijiazhuang, which accounts for the length of time spent in China by the lead author.

8 In 2006, Christine Avenarius conducted the unstructured interviews in the urban areas alone and in the rural areas with an assistant (He Lili), who helped out with the local dialect, the *fangyan,* that occasionally caused difficulties in mutual understanding. The tapes were transcribed by research assistants He Lili, Tian Fei, He Congzhi, and Han Fei at China Agricultural University and translated by Liu Lu and Yang Sijia, graduate students at East Carolina University.

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The transcribed and translated narratives of these interviews constitute a rich body of data that we analyzed both qualitatively and quantitatively. The qualitative analysis included the search for themes in the text and linguistic overlaps to related themes. The quantitative analysis produced a list of word frequencies and a quantification of reoccurring themes both within the text of a single interview transcript and across all interview transcripts. To this day, we continue to use the text material for new queries, for example, about attitudes regarding the fairness of the education system to allow advancement of rural people in Chinese society. However, in late 2006, our explicit goal for the analysis of these narrative texts was the preparation of an interview instrument to be administered in the summer of 2007 that produced data that both showed the distribution of attitudes and perceptions among Chinese people and tested a set of explanations emerging from the exploratory data. Specifically, the third-year interview instruments should serve to produce a cultural consensus model among rural Chinese citizens (Weller 2007; Romney et al. 1979, 1986).

To accomplish this, we analyzed the content of the interview narratives for common statements and created collections of quotations that were meaningful for the understanding of Chinese people's views of dispute solution processes and legal procedures and the role of social relationships (LeCompte and Schensul 1999:187). A team of four researchers, the two authors and two graduate students, independently reviewed the transcribed interviews and identified sentences that dealt with ideas about the Chinese justice system, the role of gift giving, corruption, the role of social relationships in conflict resolution procedures, and the perceived morality of these actions. We ranked statements by frequency and importance of content (Johnson and Weller 2002). Finally, we chose 64 statements to be featured in the data collection instrument of the second project phase, constituting the core of the data instrument for year 3. After editing some of the statements for clarity we worded half of the statements positive, for example, "The Chinese legal system is complete and mature," and half of them negative, for example, "China is not yet ruled by law since the legal system is incomplete." This was meant to balance the statements to avoid possible response set bias patterns in the following data collection period.

In addition, we checked the translated interview transcripts for reoccurring stories of disputes that had been experienced by either an informant him- or herself, or a relative, neighbor, or friend. A selection of five cases served as a tool for the elicitation of preferred conflict resolution on the interview instrument designed for the third year of data collection. Each case was presented with a choice of four different conflict resolution strategies, ranging from "neglecting the matter," to "local mediation," to "taking a case to court" and a combined strategy of mediation followed by a court attendance. A good example of the

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systematic understanding of preferences by asking informants to link contexts with their preferred strategy can be found in Romney et al. (1979) in their study of concepts of success and failure and Weller et al. (1987) in their study of beliefs about corporal punishment.

*Year 3*

The final data collection instrument for year 3 included a large section with structured interview questions as described earlier and a smaller section with semi-structured questions.[9] The latter part elicited information on relationships that could serve an informant with social, economic, and political resources, for example, links to people who held positions of army members, political leaders at various administrative levels, physicians, bank managers, lawyers, and judges. The semi-structured part also asked to list characteristics of a moral person, evaluations of the moral climate in present-day China, and the esteemed monetary level of morally acceptable bribes.

This interview instrument with multiple parts was administered to a stratified random sample of informants over the course of one month. We used the village map that displayed all households as our sampling frame from which we randomly selected 120 household locations, equally distributed over the eight production teams. From this list of households we then purposively selected individuals in each household that fit the age by gender distribution established in the previous year. We had trained a new group of six sociology students from CAU to conduct the interviews under the supervision of the lead author. Every morning during data collection we assigned each student an informant profile for the day, for example, "Find a young woman (born after 1972)" in the assigned household or "Find a man born before 1953" in another assigned household. The total number of completed structured interviews was 158 rural residents. The additional interviews were necessary to establish an equal distribution of interviews by age and gender that had not been accomplished after the initial 120 household were interviewed.

We analyzed the quantitative data produced by the structured part of the interviews with statistical tests available in SPSS and used Anthropac software to compute the cultural consensus model devised by Romney et al. (1986) to establish the level of agreement within the sample population.[10] The qualitative data of the semi-structured

[9] At the core of each structured interview was the elicitation of agreement or disagreement regarding the above-mentioned 64 statements. Informants were asked to state if they thought a sentence read to them was true or false, and to take a guess if they were uncertain about an item (Johnson and Weller 2002).

[10] The interpretation of data analysis results also benefitted a comparison of this rural consensus model with the consensus model derived from those in the urban sample who had been presented with the exact same interview instrument.

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sections of the interview instrument were treated to a comparison of themes. The free listed items regarding moral characteristics, however, were quantified using Anthropac software (Borgatti 1996). We also calculated their salience scores, capturing the order in which descriptors were mentioned. This set of interviews yielded a few important findings. While we can conclude that a coherent cultural model exists for the rural sample regarding their interpretation of the fairness of the current legal system, we also detected a few noteworthy outliers. We found a correlation between the number of social and economic resources in the informants' network and their preferred conflict resolution strategy.[11]

### Summary of Experiential Phase

The detailed description of our multi-step and multi-stage research design has two noteworthy aspects: It evolved over time, and it integrated qualitative and quantitative methods of data collection and analysis for all five data-collection instruments. As Table 7.1 has shown, we used five different instruments to collect data ranging from participant observation to structured interviews. Each step of data collection produced a range of data, some only qualitative, some both qualitative and quantitative. The level of comparability of data obtained from one informant to the other differed, as did the range of information obtained. The more structured a data collection instrument, the more comparable the information from one informant to the other, but with less range of new information. The data from each data collection effort were analyzed both qualitatively and quantitatively. The findings from each methodological procedure informed the design of the next data collection instrument. It follows that the combination of a variety of data collection instruments and data analysis methods is what allows us to make comprehensive inferences.

### Inferential Stage

Full integration of qualitative and quantitative data collection and data analysis methods resulted in crossover analysis in which the interpretation of results for each data set informed the design of the next data collection instrument. The combination of all inferences, an integration of findings, then allowed us to understand the context of an individual's decision to take a dispute to court.[12] We have been able to draw

[11] It is important to keep in mind that preferred conflict resolution strategy is not necessarily linked to any experiences with disputes that were settled in public.

[12] According to our data, only 10% of all known dispute cases in the village were brought to adjudication at court.

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several major conclusions. In this section we reflect on a few incidents that exemplify how the combination of different types of data leads to a more comprehensive understanding than the analysis of a single type of data.

From the participant observation of informal village meetings and discussions we learned how ideas about new legal procedures are formed and what degree of openness villagers reach in their thought exchanges, and we were able to identify the range of opinions about the usefulness of taking a dispute to court. Informal interviews with village leaders, mediators, and lawyers provided us with background information about the script of specific dispute occurrences. By the end of the first year of the project the analysis of the semi-structured interviews on social relationships had revealed that a surprising large number of ties elicited from informants linked to villagers of Li village (an average of 78 percent) and more than half of the number of ties were located within the same production team. Among informants who had one or two ties to non-relatives outside the village, we found a range of social, political, and economic resource positions, including lawyers, county-level party secretaries, and province-level government officials. We also had computed centrality measures and wealth indicators. However, neither network composition, network position, nor wealth indicators correlated with taking a case to court. For example, informants with high betweenness centrality scores did not express any interest in taking a case to court or support other people's decision of taking a case to court.

However, data from the first and second years of interviews on ideas about justice and fairness also introduced us to villagers who had taken a dispute to court or were willing to embark on such an endeavor. Although this group of people was a minority among villagers, we were interested to learn if they had anything in common that explained their propensity to take a case to court. The network analysis had identified them as being neither in very prominent network positions nor having extreme levels of poverty or affluence. Their networks did not feature a lack of ties or an abundance of ties. However, the qualitative analysis of opinions from interviews conducted in year 2 showed us that their opinions and ideas set them slightly apart from the majority of villagers. When comparing the statements from year 2 with statements incorporated into the consensus model data of year 3 we were able to confirm the divergence. This was further corroborated when we specifically reviewed data for the 20 informants who were part of all three data sets with larger amounts of comparable data (in years 1, 2, and 3).

To illustrate this approach, here is a quote by an informant from the unstructured interviews of year 2, about the nature and fairness of the

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current Chinese legal system. The quote is representative of statements shared by the majority of informants who believe that social relationships and the presentation of gifts to establish or emphasize the request to consider the influence of social relationships are more important than evidence to get a successful outcome at court. Rural residents continue to trust that relationships are the best tools to navigate the new legal system: “If you are just a common person who has no relationship, the judges at court will take more money from you, because common people have no relationships, no (in) doors and no (in) roads. Even if you take somebody in court, it’s not easy. Such kind of common people like us have no chance in court but to be bullied.”

None of the small number of informants who either had taken a case to court or were considering taking a case to court made statements with related content. This sentiment was incorporated in the data collection instrument of the third year as one of the 64 statements that informants were asked to agree or disagree about. “If both sides give presents to the judge, whoever gives the most will win the law suit.” The majority of rural informants agreed and affirmed the power of money in the case of conflict resolution at court. When we revisited the data and compared answers for the small minority of people who felt positive about taking a case to court, we noticed that most of them had rejected that statement. Learning about these different viewpoints regarding the impact of social relationships initiated another second look, this time at the data on social resources. We reviewed the data on knowing people outside the village, reaching a government official, lawyer, judge or high-level army member which we had collected in year 1 and year 3. Independent of taking a case to court or not, we found a correlation between informants who had rejected the saliency of social relationships, or *guanxi*, as the only operating mechanism at court and informants who listed a lawyer as a member of their social network. Many of these lawyers were former classmates or members of the extended family who live outside the village. Their presence in villagers’ personal networks represents access to information, but not necessarily the occurrence of a law suit in that household (Avenarius 2009).

After integrating our findings we have come to the following meta-inferences regarding the interrelatedness of social structure and cognition (Teddlie and Tashakkori 2006:24). Taking a dispute to court is not dependent on the availability of money to bribe officials or the most central influential position in a network. Rather, the few ties that villagers maintain to outsiders fulfill important functions. It is not the size of networks that matters but the content, the reach of particular ties to specific gatekeepers of information. In addition, within the village certain structural positions alleviate individuals of their obligation to settle their disputes exclusively within the framework of mediation. In this

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respect, the significance of the betweenness centrality score in explaining the likelihood of dispute occurrences provides insights into specific Chinese cultural practices. The effect of betweenness centrality in reference to dispute occurrences is negative, informing us that people with bridge positions in the village network are highly unlikely to get involved in publicly known disputes. Only the less connected and less influential rural residents will dare to start the process of mediation that might or might not lead to more formal mediation and eventually adjudication. In contrast, the most affluent villagers said they would refrain from going to court since they have other means to settle a dispute, such as influencing other people through intermediaries within their social network or paying large sums of money to appease others. Informants with the highest ranks of centrality scores expressed the opinions that their web of relationships is the best remedy for any problem or conflict in life.

While rural residents certainly benefit from what Granovetter (1973) called the "strength of weak ties" in the sense that those with outside ties are more knowledgeable about the legal system which eventually compels some of them to try different types of conflict resolutions at the expense of established relationships, a majority of villagers are not ready to forgo their beliefs in the power of relationships. Many informants suggested using money to compensate for their lack of access to "resource-generating" relationships, despite moral condemnation of gift giving and bribery. They see opportunities to achieve personal goals or change the economic situation of their household based on the cultural assumption that relationship building is the key to personal advancement. The persistence of beliefs about the usefulness of particularistic ties, *guanxi*, also shows that to date the rule of law has neither been fully practiced nor been fully accepted and understood in rural China. The rule of relationships continues to serve as an important mechanism of social control.

## Discussion: Benefits and Challenges of Our Fully Integrated Mixed Method Research Design

The fully integrated mixed methods research design allowed us to understand both the potential and the limitations of network positions in rural China and provided us with inferences about the agency of individuals in the process of responding to cultural change (Emirbayer and Goodwin 1994). The research design evolved over the course of three years of data collection and analysis. Each step of adjustment in the data collection instrument created a deeper understanding of the interrelatedness between social structure and cognition. In particular, the fully integrated design enabled us to evaluate both the quantitative and qualitative

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properties of rural Chinese social networks, including the viewpoints of rural citizens themselves. The resulting findings describe what specific social structures mean to the people who create and maintain them.

However, the evolving nature of our research design, while beneficial to capture the interrelatedness of structure and perception, also posed its own challenges. Our interest in collecting a diverse range of information, including relationships, opinions, and perceptions, made us treat each data collection instrument as its own knowledge generating entity. We designed sampling strategies that corresponded with the needs of a specific instrument and brought us in contact with a maximum range of different informants. However, in hindsight it would have also been advantageous to have the same information for the same set of households, using the same sample of informants for all data collection instruments. While we had purposively built some overlap into the samples from years 1, 2, and 3 due to our interest in disputes, the total number of intersecting informants for all three years was merely 20 heads of households.

Nevertheless, in all five data collection phases we obtained data on social relationship structures and ideas about social relationships and the legal system. The resulting knowledge of what exactly rural residents believe and assume has assisted our interpretation of the structural differences in a meaningful way. We were able to identify that rural residents continue to be firmly bound in their social circles of family members and relatives. The limited range of network diversity influences the likelihood of rural people's access to information about economic opportunities and legal procedures.

Combining the analysis of social structures with the analysis of social cognition enabled us to understand the meaning of social relationships in the context of rural Chinese culture. Variations in perceptions about the rule of law and the mechanism of adjudication are driven by structural differences. Beliefs regarding the opportunities and limitations of the new legal systems are influenced by "who you know" or the presence of ties to village outsiders (i.e., knowing a lawyer). The execution of such beliefs further depends on a specific level of connectivity within the whole village network. A social actor who actually takes a case to court is neither isolated nor in a position of high centrality between fellow villagers. We would not have been able to pinpoint these interrelations without the combination of analyzing both structure and cognition and without the use of both qualitative and quantitative approaches of data collection and analysis.

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