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China's Grassroots Movement Toward Greater Freedom

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Article at a glance

- Over the last few decades, unorganized and leaderless grassroots movements in China have led to the bottom-up expansion of civil rights.
- A grassroots social revolution is taking place in China through the rise of entrepreneurship, migration of millions from the countryside to cities, and an explosion of information available to ordinary people.
- This grassroots social revolution is moving China towards a more liberal society, regardless of whether the government remains in its current illiberal mode.

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Introduction

In 1987, Deng Xiaoping admitted that the great success of township and village enterprises (TVEs), which first injected market principles into the state-run economy, took him and his Communist Party colleagues by surprise. He said: “The diversity of production, commodity economy, and all sorts of small enterprises boomed in the countryside, as if a strange army had appeared suddenly from nowhere. This is not the achievement of our central government.”¹ This “strange army” was composed of millions of farmers whose ingenuity and desire to pursue their own ends freely made their individual entrepreneurial efforts add up to an unprecedented economic advancement of the country as a whole.²

The success of this unorganized, leaderless grassroots movement emphasized fatal flaws of the government's earlier top-down initiatives, such as the Great Leap Forward. The freedom-seeking spirit of the ordinary Chinese has been driving the country's economy toward greater openness and reliance on the market over the last three decades.

This spirit remains healthy today, and it has affected many elements of daily life. Whether resisting the old restrictions on freedom of movement or seizing individual liberties gradually conceded by the government, grassroots movements have fundamentally altered key elements of China's one-party regime and its society at large.

The Chinese Government reacts rather than leads in this transformative process. Whenever the regime is slow to adjust, public dissatisfaction is no longer restricted to low whispers in the back rooms of houses; it takes place on the streets, in online chat rooms, and in courts. A growing number of Chinese constitutional scholars and intellectuals advance the cause of civil rights and continued liberalization by giving various grassroots movements an increasingly louder voice.

The question now is how far this grassroots liberalization can go and what it means for the long-term future of China's current political and economic system.

Key Elements of China's Bottom-up Transformation

China's ongoing bottom-up transformation is about people seeking liberty on a daily basis. In the economic sphere, the result of this pursuit has been phenomenal growth despite single-party rule; but much talk on China's economic rise as a new state-led development model does not fit reality. The story is simple: when people have liberty, limited as it may be, development occurs. Milton Friedman was right to point out the failure of central planning around the world to achieve development objectives, which is attributable, at least in part, to central planning's political implications that trample individual freedom and rights.³ Another view useful in explaining China's economic success is that of Friedrich von Hayek and his theory of spontaneous order. When ordinary people, through a principle of self-organization, share and synchronize personal knowledge, they create local markets and reduce formal power structures of the communist state.

The Chinese grassroots transformation is also evident in the socio-political sphere. Although far from altering the entrenched structures of the state, various movements managed to expose many contradictions inherent in the authoritarian system, which claims to represent “the people.” One avenue for exposing these contradictions is highlighting discrepancies between the letter of the Chinese Constitution and the practice of the state's conduct. This strategy has become common among grassroots reformers. In May 2003, for instance, three young Chinese legal scholars wrote a petition asking the government “to enforce personal rights that are guaranteed in the Constitution.”⁴ Chinese people pursuing their rights create a new social milieu – the beginning of grassroots constitutionalism. Individuals bravely fighting for their rights are, in effect, writing a new Chinese Constitution.

Having awareness of constitutional civil rights and economic freedoms and making the government respect both will not be quick or easy; still the Chinese people have made substantial inroads. The tipping point came when millions violated the collectivization and registration laws in search of a better life. More

and more Chinese are taking the next step in asserting their rights. They want greater freedom of information and more personal choices and they take government officials to court seeking justice and equal treatment.

Grassroots De-collectivization Movement

(*Baochan Daohu*)

The Chinese grassroots movement toward liberty started with *baochan daohu*, the practice of contracting production to the household. Haunted by memories of disastrous collectivization policies, which led to 10-40 million people dying during the Great Leap Famine of 1959-1961, Chinese farmers were eager to gain greater individual control over food production. The tragic deaths of so many people played an important role in the onset of liberalization, formed the backdrop for the success of rural de-collectivization, and set the stage for like-minded individuals to pursue common objectives without the need for leadership or ideology.

Mao Zedong's death in 1976 brought about change in China's political climate and the government began experimenting with assigning land to small groups of households, allowing desperately poor farmers to break away from the inefficient communes. Even though the party leadership opposed assigning land to individual households, families determined to farm their own plot of land frequently bribed local officials, and the movement gained momentum, greatly increasing output and incomes. These gains were evident and the news traveled so rapidly that it was impossible to stop the proliferation of this new system to nearly all communes. Chinese people often say that *baochan daohu* spread like a chicken pest; when one family's chicken catches the disease, the whole village catches it. When one village caught it, the whole county caught it.

Baochan daohu was in essence an unorganized grassroots phenomenon. Those involved were not leaders, and most remain unknown because they did not engage in face-to-face confrontation with the state. Simply wishing to be left alone, they acted against the socialist planned economic system. The aggregate result was the mechanism for a slow social and economic transformation of rural China, away

from collectivism and toward free markets. By 1982, more than 90 percent of rural people were engaged in the household production system and by the end of 1983, most of the communes disappeared, which had major social, economic, and political significance for China.

Struggle for the Freedom of Movement

In recent decades, China has witnessed the migration of 150 to 200 million people from rural areas to urban industrial centers. Most of them live in cities illegally, performing jobs that affluent city dwellers are unwilling to do. These rural migrants have little access to public services such as education, healthcare, and housing, even if they have lived and worked in the cities for many years.

Under the *hukou* system of household registration, an individual has to be registered at their place of birth and must obtain formal approval for moving to another place. Set up in 1958, this system was mainly designed to prevent mass migration to the cities, but it effectively turned farmers into second-class citizens and divided Chinese society into two separate economic classes. Urban incomes are at least three times higher than rural incomes, and access to services such as education or medical care remains incomparably better for registered city dwellers.

With the disintegration of communes, the government's ability to enforce the *hukou* system – and to control the lives of Chinese peasants – sharply diminished. As China continues to struggle with managing the rural-urban divide, calls to reform or altogether eliminate *hukou* are getting louder. In fact, some of China's provinces along the industrialized Eastern coast are encouraging further migration in order to sustain rapid economic growth. So far, the government refuses to abolish *hukou*, but it began to grant temporary urban residence permits in response to the reports of dire working conditions and abuse among construction workers preparing Beijing for the Olympics.⁵

Although powerless and impoverished, poor rural migrants have nonetheless become a significant

social and political force in bringing more freedom to China. The country's internal migration that began as a grassroots movement of resistance against the unfair hukou system is one of the largest civil disobedience movements in the world today. Migrants are successful precisely because they have made the connection between self-interest and mistaken government policies. They defy discrimination and risk possible arrest, but they still vote with their feet and practice a variety of democratic values in the course of daily resistance to the regime and its rules.

Increasing Freedom of Enterprise and Respect for Property Rights

Freedom of entrepreneurship and protection of private property are at the core of markets. They are also universal aspirations of the poor, regardless of the political system they live under, as confirmed by the recent findings of the UN Commission on Legal Empowerment of the Poor, co-chaired by the famous champion of property rights, Hernando de Soto.⁶ Not surprisingly, entrepreneurs were some of the first who tested the waters of market-oriented reform in China, in a grassroots fashion. The markets they attempted to create were either for a product or service that did not exist, or the existence of which was previously restricted or exclusively managed by the government. As such, these individuals were not only working without the protection of the law, but often violated existing regulations.

The early Chinese entrepreneurs were not beneficiaries of economic liberalism, but they helped facilitate its development. Their businesses, along with those established by global firms, helped set the conditions for the freedom of mobility movement and other expressions of freedom. In the past, economic lives of Chinese people were dominated by *danwei*, or urban work unit, which was the smallest cell of the party's infrastructure of control. Today, the majority of Chinese do not work for the government – by 1993, 83 percent of “collective” enterprises run by townships and villages were in fact private enterprises. As a result, *danwei* have largely declined, mirroring the slow demise of Maoist methods of production and the failing social contract they represented. Had the

government still been the only employer, those who left their villages in violation of the hukou law would have had even less opportunity for success.

Chinese people are also increasingly challenging the government on the issue of their property rights. Ordinary Chinese began to be aware of their property rights when they started to own something and when the government tried to take it away. Eighty percent of Chinese people now own their homes and many of them do not hesitate to sue the state to protect their property. In 2003 alone, the Chinese people filed 1,730 petitions against the state and filed 350,000 legal cases against forced eviction. As a result, new wording was added to the Chinese Constitution in 2004, reinforcing the protection of individual property. The new image of China is that of “nail” houses (*dingzihu*), so called because they are difficult for developers to remove.

Ms. Wu Ping, an owner of one such nail house, confronted one powerful government-supported local developer. Despite having water and electricity turned off and a 30 foot deep pit dug around her home, she refused to vacate it to make way for an 800 million yuan real estate project. Widely circulated photos of the lonely structure immediately made hers the most famous nail house in China. In contrast, when students demanded changes and accountability in 1989, there was no Internet or cell phones, so resistance against the regime was invisible.

China has a long way to go before its people have the right to engage in any business, occupation, or enterprise they choose without the government's interference. Entrepreneurs in China still do not have the right to decide freely what to do with profits; still, private enterprises have created space for greater liberty, allowing not only economic freedom, but also other aspects of personal freedom to advance.

Information Revolution

Technology is an important factor enabling China's grassroots push for liberalization. With more than 250 million internet and 600 million cell phone users, China's cyberspace is rapidly becoming the true public space for civil society formation and dissent, despite

the state's attempts to control and censor it. Market-generated income has also helped to detach media from slavish adherence to the party line, advancing investigative reporting and increasingly encouraging writers and journalists to abandon self-censorship. The sheer number of outlets has also helped de-politicize the Chinese media: currently, the country has more than 2,000 newspapers, 8,000 magazines, and 374 television stations.

The internet age has enabled the interaction of people and groups that before were separated by geography or social constraints, crucially linking technology to civil society. This interaction has been beneficial in building social awareness around issues such as environment, democracy, and human rights. Technology not only stimulates free exchange of ideas, it also helps weak and dispersed activists to organize. The internet and cell phones bring people closer together by allowing for discussions and communications that are mostly outside of the state's control. One interesting example of civil society formation is the use of e-mail and text messages to focus the attention of large, yet not formally organized, groups on problems stemming from governmental policies that require public action.

In May 2007, Xiamen (Fujian province) residents sent more than 1 million text messages warning of possible pollution from paraxylene production, forcing the government to move construction of a \$1.4 billion facility to another site. Encouraged by the Xiamen success, in June 2007 Shanghai residents started a *sanbu* (group walk) the very day the government announced an unpopular maglev route connecting the city's Pudong and Hongqiao airports. Text messages coordinated several hundreds of walkers, forcing the government to extend time for public opinion on the matter. Since *sanbu* is normally an after-dinner walk and a common urban Chinese social practice, it was difficult for to shut it down without causing a major uproar among the public.

Greater Personal and Religious Freedoms

Market-oriented developments in the area of housing, non-state jobs, global trade, and information

flows provide a foundation for the emerging sense of cosmopolitanism in China. Growing appreciation of cultural diversity, tolerance, openness, and (limited) freedom of expression is the result of the Chinese people's greater exposure to the outside world and their natural desire for liberty, which they pursue despite the state's continuing authoritarianism.

Flourishing on the wave of increasingly cosmopolitan awareness are *xinmingquan yundong*, or civil rights movements. They are a new kind of social movement defending individual rights to free personal choices (including occupational, sexual, and other freedoms) and religious affiliations – and they are spreading all over China despite the government's attempts to crush them. The idea behind these movements is to make the government accountable for the laws it creates.

Every month, there are 20,000 legal cases in which ordinary citizens bring suits against public officials.⁷ Rights that end up in the center of such legal debates range from “freedom of speech, of the press, of assembly, of association, of procession and demonstration” – all of which are provided for in Chapter II, Article 35 of the Chinese Constitution under “The Fundamental Rights and Duties of Citizens,” while freedom of religious belief is guaranteed in Article 36.⁸

From 1989 to 2003, Chinese courts accepted 913,091 cases involving ordinary citizens challenging the actions of government officials. From 1985 to 1997, the number of law offices increased by over 177 percent, while the number of lawyers increased by 721 percent.⁹ Petitioners, lawyers, scholars, journalists, and rights activists have also jumped in more recently to ensure that the grassroots rights-based movement continues into the future. The strategy is effective because each case re-asks the question of whether or not the Chinese state is above the law. Even if many still believe that it is, denying constitutionally guaranteed liberties becomes more difficult for the government to defend daily. This defense becomes especially weak when the government touts the importance of the Constitution when using it to put forth new statutes in the interest of the state, and then ignores it on other issues.¹⁰

China's grassroots religious movements have been similarly notable in recent years. Various unofficial and quasi-religious organizations are proliferating, and they cover not only the most popular religions such as Buddhism, Taoism, Christianity, and Islam, but also other beliefs and groups such as Falun Gong, house churches, and worshippers of local gods. According to a recent survey by East China Normal University in Shanghai, 31.4 percent of Chinese 16 or older are religious. This figure puts the number of believers at roughly 400 million.

Main Features of the Chinese Grassroots Movements

Grassroots resistance is spontaneous, unorganized, leaderless, non-ideological, and apolitical. Most individual cases of grassroots resistance have no connections, but they have some commonality. In China, grassroots liberalization movements may have diverse specific objectives, but they all share a common origin in apprehension toward some aspect of the state repression, and they all share several key characteristics.

Self-interest. The pursuit of individual interest is undeniably driving Chinese people to follow their dreams, whether they are farmers, migrants, journalists, Internet users, or religious followers. In aggregate, these individual self-interested actions add up to a gradual yet major change in how Chinese society operates, often in defiance of the communist government's goals.

Grassroots networks. The non-elites are the main actors of China's ongoing grassroots liberalization. Non-conformity can be found in villages, churches, schools, online chat room discussions, cell phone messages, restaurants, unofficial (and gradually also in official) media, and on the streets. This unorganized yet ever-present daily resistance of ordinary people has damaged the web of state control and chips away at it daily.

The role of journalists and lawyers. These two professions play a key role in China's transformation. Journalists who courageously expose abuses of state

power increase public awareness and pressure the regime to take action. Similarly, many controversial court cases defend the common people's constitutional rights. This "constitutional liberalism from below" is helping to make the government accountable for the laws it creates.

"Living in the truth." Václav Havel pointed out in 1979 that a silent majority of Eastern Europeans were forced to live in "the system that has become so ossified politically that there is practically no way for ... non-conformity to be implemented within its official structures." Havel laid out the daily resistance model of ordinary citizens: 'living in the truth,' which means to disobey. In so doing, an individual steps out of the communist system and is no longer bound by it. In China, living in the truth means living according to one's own plan. This way of life has created so many proverbial "chickens" that the regime cannot use the traditional strategy of killing a few chickens to scare the monkeys. With so many chickens on the loose, monkeys have become emboldened and some are no longer afraid.

Implications for the Emergence of Civil Society in China

Adam Ferguson was a Scottish Enlightenment figure who defined civil society as a means to end corrupt feudalism and bring about individual freedom in its place. The process of building Chinese civil society is the means of reducing despotic communist feudalism and empowering individuals in place of the state. In this complex process, uncoordinated actions of many individuals, often driven by self-interest, allow certain forms of a public sphere to emerge.

An authoritarian state seeks to control all aspect of its citizens' lives. The reason why civil society is important for the ongoing grassroots transformation of China is that it provides a social sphere created by individuals, not the state. The process of building civil society in China is happening from the bottom up and entails a struggle between state and society. The successes of that struggle have taken the shape of multi-faceted grassroots liberalization and are clearly visible

in the seizure of enhanced rights and the pursuit of freer social space by the Chinese people.

When the regime focuses on organized political resistance, apolitical and other non-organized groups surge. China's movements discussed here fall in the latter category, which often makes them all the more effective. Precisely because of their dispersed and unorganized nature, they are largely beyond the state's ability to suppress, yet their impact on the advancement of civil rights is crucial. When a grassroots movement gradually gains support from top officials and media, institutions of civil liberty take root. To date, this has been the case with some movements: *baochan daohu*, the development of private housing, improved private property rights, and various legal reforms enhancing individual rights and freedoms.

The Chinese people's desire for greater liberty is the essential precondition for this revolutionary transformation. Meanwhile, global forces such as increasing flows of capital, trade, information, and technology provide enabling conditions for the rise of China's many grassroots movements. Not all of them have been successful so far. For instance, advocates of freedom of movement, religion, and association are still meeting with state resistance that will define civil rights struggles for quite some time, but millions of ordinary Chinese people pursuing greater individual freedom have undeniably propelled the emergence of a cosmopolitan culture, mounting a frontal assault on the regime's ideology.

Limits of the Grassroots Liberalization Movement

Although various Chinese civil rights movements have been leading the government to change its positions in favor of liberalization, there are also limits to what they can accomplish. Grassroots movements have been successful on the margins, but by themselves they are not likely going to alter the entrenched core and fundamental power structure of the Chinese communist regime. Full political freedoms and electoral democracy are nowhere near in sight. Rampant corruption demonstrates the lack

of transparency and accountability in the political and economic spheres alike. Despite China's impressive growth, its economic system remains fraught with institutionalized flaws that rig the country's emerging market against the common people. State-owned enterprises still play a privileged role in the economy; a strong military makes sure that state influence is preserved, and the government still confiscates massive amounts of capital to fund grandiose programs such as building the 2008 Olympic facilities in Beijing.

Another limit of grassroots liberalization has to do with it being predicated, to some degree, on weak rule of law. This conclusion may be somewhat perplexing, but valid nonetheless. Chinese people have been successful in reducing the control of the communist regime over their daily lives, largely by going around state rules and regulations. This habit of hearts has brought about some desirable outcomes, but it can create problems in the future for Chinese citizens to internalize the value of the rule of law. Widespread corruption in China limits further reform but also indicates the high price of freedom in an authoritarian state, signaling officials' unwitting compliance with the advance of personal freedoms and free enterprise. In general, the limits and opportunities of the various grassroots liberalization movements are tied to the overall direction the Chinese political and economic system is going to take over the coming decades.

Different Scenarios for China's Future

One scenario under which the current tide toward greater civil rights progress can be reversed is the rise of hyper-nationalism. A booming economy enhanced the Chinese people's expectations of their global importance. Resurgent nationalistic sentiments are increasingly reflected in popular culture. For instance, the most popular book in China today, *Wolf Totem* by Jiang Rong, attributes most of the country's success and the glory of Chinese civilization to the wolf/predator spirit that was supposedly the driving principle of the ancient dynasties. Similarly, the movie *Hero* by Zhang Yimo and several popular historical drama television series glorify Chinese territorial expansion and cultivate reverence of a strong imperial state.

The Chinese name for China, *Zhong Guo*, means the “Middle Kingdom.” More and more Chinese are aspiring to interpret that literally and make their country the central power of the world, especially in Asia. This line of thinking understandably worries China’s neighbors, and also concerns many within China. A renowned writer, Yu Jie, has argued that Chinese people have already long suffered from the misguided ambitions of their government and paid dearly. He says, “Philosophies such as Marxism-Leninism and Communism are entirely losing their attractiveness. With the gunshots in 1989, they have collapsed like soap bubbles. Being in this situation, the Chinese Communist Party is soliciting new concepts to unify the Chinese society. Nationalism or patriotism seems operable to fill the vacuum left by Marxism-Leninism and Mao’s Communism.”¹¹

Another scenario for China’s future is simply retaining the status quo. But is it sustainable given the gradual advancement of grassroots liberalization processes? Will the government continue to bend to the collective, though uncoordinated, action of millions of individual Chinese without breaking? Or can various civil rights movements eventually transform the Chinese state’s institutionalized flaws and its economy into some sort of manageable, liberalized political and economic model of governance? Some believe that inside the Chinese Communist Party, democratization is happening. Others predict that the current tension and conflicts between the state and rising civil society will continue but without a decisive systemic resolution.

A more optimistic vision for the future is Chinese federalism. The country has already achieved *de facto* federalism on two fronts. Politically, Hong Kong, Macau, and arguably Taiwan have provided some models for federalism worth exploring, particularly in the light of the protracted crisis over Tibet. Economically, the decentralized nature of Chinese production, driven largely by local industrial hubs, provides a material base for federalism. A turn toward federalism could help China learn from the past and embrace its multicultural identities in a peaceful manner.

Conclusions

For the past thirty years, ordinary Chinese citizens have seized significant freedoms in defiance of their government, including mass rural-urban migrations and the rise of private enterprise, a multifaceted sexual revolution, deepening engagement with the international community, and a proliferation of grassroots movements. Originating as a spontaneous series of unorganized, non-ideological, and apolitical movements, this grassroots resistance has fundamentally altered key elements of China’s party-state regime and society. The transformations have created a parallel society alongside the authoritarian state – a burgeoning civil society has begun to take root, where people can now, to some degree, wield control over their lives.

Without the elements of the market economy, there would be no progress in individual liberty. Adam Smith once described a free market system as a “system of natural liberty.” A push toward natural liberty is evident in China today, as ordinary people seek greater economic and personal freedoms, while the government does not have the capacity to deal with so many forms of grassroots disobedience: millions of law-violating migrants, thousands of anti-government court cases, scores of independent websites, and tens of millions of uncensored text messages. Daily life in China has become an issue of how far to push the limits of state and of civil society.

Notwithstanding its progress, the liberalization movement confronts significant challenges; notably, a weak rule of law, a lack of unity among various movements, and a prevailing hyper-nationalism that threatens prospects for peace and stability in Inner Mongolia, Xinjiang province, and Tibet. These realities have placed China at the crossroads of three possible futures: the rise of a fascist-like state, a continuation of the status quo, or most likely some form of liberalized Chinese federalism. Which future will ultimately prevail depends upon the tenacity of the Chinese people in their struggle for liberalization and how far the state is willing to go to stop them.

Notes

- ¹ Deng Xiaoping quote from People's Daily, June 13, 1987.
- ² Kate Xiao Zhou, *How the Farmers Changed China: Power of the People*, Boulder, Colo.: Westview Press, 1996, p.106.
- ³ Milton Friedman, *Capitalism and Freedom* (Chicago: University of Chicago Press, 1962), Chapter 1, "The Relation Between Economic Freedom and Political Freedom," pp. 7-17.
- ⁴ Erik Eckholm, "Petitioners Urge China to Enforce Legal Rights," *New York Times*, June 2, 2003.
- ⁵ "China: Beijing's Migrant Construction Workers Abused," Human Rights Watch, March 12, 2008, http://hrw.org/english/docs/2008/03/12/china18244_txt.htm.
- ⁶ Report of the Commission on Legal Empowerment of the Poor, "Making the Law Work for Everyone," June 3, 2008, http://www.undp.org/legalempowerment/report/Making_the_Law_Work_for_Everyone.pdf.
- ⁷ Interviews with Dr. Fan on July 9, 10, and 11, 2005 in both Beijing and Hunan.
- ⁸ Interview with Prof. Liu Haibo, a constitutional scholar in Beijing, July 8, 2005.
- ⁹ "Basic Statistics on Lawyers, Notarization, and Mediation," China Statistical Yearbook, 1993-1997, (Chinese Statistical Bureau, 1996 #240).
- ¹⁰ Jacques de Lisle, "Property Rights Reform in China," Foreign Policy Research Institute, 29 Jan 2004, <http://www.fpri.org/transcripts/lecture.20040126.delisle.chinapropertyrights.html>.
- ¹¹ Jonathan Mirsky, "China: A maverick dares to challenge the Party line," *International Herald Tribune*, Aug 25, 2005.

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