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Perspective on the causes, effects and governance strategies of the "abnormal rights protection" phenomenon—Taking several civil cases as examples

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Abstract. Due to various reasons, when some people's rights and interests are infringed, they prefer to protect their rights by petitioning, causing disturbances, conducting Internet exposure, or through other means instead of defending rights in accordance with the law through normal channels such as litigation. Although "abnormal rights protection" can protect the infringed rights and interests to some extent, it also brings a series of negative effects. Therefore, we are supposed to implement multiple strategies simultaneously and take a comprehensive approach by urging government departments to perform their duties, accelerating the modernization of the rule of law, constantly improving the petition system, strengthening social mediation, and strengthening governance at the community level.

Keywords: rights protection, protest, petition, governance

1. Introduction

At present, influenced by various factors, when certain citizens find their legitimate rights and interests violated, they rarely seek redress through legal channels such as litigation. Instead, they often resort to "abnormal" means—including petitioning, disruptive behavior, or exposing grievances online—to create public pressure and force government intervention in order to resolve their rights protection issues. This form of "abnormal rights protection" is also referred to by some as "Chinese-style rights protection."

Since the launch of the reform and opening-up policy, and especially in the context of the significant restructuring of social interests, rights protection activities by the general public in China have become increasingly active. Notably, before the abolition of the agricultural tax in the 1990s, disputes over interests in rural areas frequently led to sharp conflicts, with rights protection issues being particularly prominent. These developments attracted considerable attention from scholars both in China and abroad. Researchers have explored issues such as social conflict, political contention, popular rights defense, and grassroots governance, with topics spanning the relationships between rights protection and conflict, rights protection and protest, rights protection, and stability maintenance, and rights protection and the petition system.

Scholarly research in this field may be broadly categorized into the following perspectives:

First, the perspective of social conflict. Rights protection and protest are micro-level manifestations of social conflict. Research—especially by Western scholars [1]—has shown that social conflict is an indispensable political phenomenon in modern states. While it reflects underlying issues in state governance, it can also contribute to improvements in governance mechanisms [2]. Therefore, "abnormal rights protection," as a specific manifestation of social conflict, may also serve as a means of promoting better governance [3].

Second, the perspective of the grassroots standpoint. Past research on social conflict and public rights defense has largely adopted a macro-level, state-centric approach, often neglecting the perspectives of ordinary citizens—particularly the victims—thus lacking a genuine "grassroots standpoint" [4]. Some scholars argue that studying rights protection and protest from the perspective of grassroots victims allows for a clearer understanding of the operational logic behind such actions [5].

Third, the perspective of interest-based struggles. Social conflicts and disputes are often directly or indirectly rooted in interests [6]. The impetus for public rights protection generally stems from infringements on individual interests; fundamentally, it is a struggle to defend one's own interests [7]. As such, the essence of rights protection lies in interest negotiation and contestation.

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Fourth, the perspective of resistance by the disempowered. For ordinary citizens, once their rights are violated, they often find themselves in a disadvantaged position. Regardless of the methods they employ, their efforts at rights protection essentially constitute "resistance by the weak" [8]. Their actions are inherently shaped by this status, and analyzing their behavior from this standpoint helps elucidate their intentions and motivations [9]—especially when they resort to "abnormal" methods.

Fifth, the perspective of government governance. Some scholars, from the standpoint of public governance, have examined the intricate relationship between citizens' rights protection efforts and government administration [10]. They focus particularly on the interactions and mutual influences between rights defense, social stability maintenance, and the petition system, offering a range of recommendations for addressing these complex issues [11, 12].

These studies have broadened the understanding of public rights defense in China. Many scholars' conclusions are highly insightful and offer practical recommendations for addressing the issue. However, the author finds that existing research still leaves room for further exploration. Most studies do not focus specifically on the issue of rights protection, and those that do touch upon the phenomenon of "abnormal rights protection" often lack in-depth fieldwork and detailed case analysis. As a result, the underlying logic of such behavior remains insufficiently uncovered. Moreover, while some analyses are theoretically profound, the solutions they propose often lack practical applicability.

In reality, when the legitimate rights and interests of citizens are infringed, some individuals do succeed in safeguarding their rights through "abnormal" means, suggesting a certain degree of "pragmatic rationality" in these actions. That is, these strategies are sometimes effective in practice. Therefore, it is necessary to conduct a detailed analysis of specific cases in order to accurately grasp the unique logic and deeper causes behind this phenomenon and to propose actionable approaches for ultimately resolving such issues. This paper takes three real civil cases as examples to explore these questions in depth.

2. Case narratives: why does "abnormal rights protection" occur

The three cases analyzed in this paper are based on the author's firsthand experience. During field research conducted in July and August 2022 on the petition offices and local people's courts in City S, Henan Province, the author found that many cases involved issues related to public rights defense. When their legitimate rights and interests were infringed, some individuals instinctively turned to "abnormal" methods—such as petitioning, causing disturbances, or launching online exposure—as their primary strategy for seeking redress. The following are three representative cases drawn from this research:

2.1. "Abnormal rights protection" cases

2.1.1. Case 1: Qiao demands payment for construction work through online exposure

In August 2014, Qiao from Shanzhou District, Sanmenxia City, Henan Province subcontracted the third section of the Wancheng Huafu project under the name of a construction company. After the completion of the project, a series of quality issues emerged, including roof leakage, basement seepage, and substandard insulation walls. Qiao refused to undertake the necessary repairs, prompting Company W to withhold the remaining construction payment. This led to a dispute between the two parties. Starting in the second half of 2017, Qiao hired a professional video production team to film on-site footage at the project location. The videos accused the owner of Wancheng Real Estate Company of owing wages to migrant workers, colluding with local officials, and committing crimes associated with criminal gangs by assaulting workers demanding payment. These videos were widely disseminated on Douyin, Kuaishou, and via WeChat Moments. Qiao also reported the matter to various departments, including public security, disciplinary inspection, and petition offices. To avoid further conflict, Wancheng Real Estate Company paid Qiao 500,000 yuan, on the condition that he would delete all the videos and refrain from further online exposure. However, not long afterward, Qiao resumed publishing similar videos online. Company W was forced to make additional payments. Through repeated use of online pressure tactics, Qiao continued to demand payment. Ultimately, after paying him a total of 1.7 million yuan in construction fees, Company W, having exhausted all alternatives, filed a lawsuit in the People's Court. The company demanded that Qiao assume liability for the quality assurance of the project and compensate for the resulting losses. Only at this point did Qiao's "abnormal" rights protection come to a temporary halt.

2.1.2. Case 2: Guo's divorce case

Guo was an employee of a company who had earlier married her colleague, Wang. The couple had a son and a daughter, and after marriage, Guo devoted herself entirely to raising the children at home. Due to irreconcilable differences, Wang applied for a transfer to a remote work site in Qinghai, aiming to distance himself from Guo. Subsequently, Guo filed for divorce and requested a division of Wang's salary and income. During the first trial, Guo applied to the court to obtain Wang's income records. However, the court refused to retrieve this information and ultimately dismissed her claim. Upon appeal, the second-instance court overturned the original ruling and remanded the case for retrial.

Fearing that the court would again neglect her request during the retrial, Guo repeatedly petitioned the presiding judge to retrieve her husband's salary records. The judge consistently gave no clear response. As her hopes began to fade, Guo resorted to drastic measures. She brought a small bottle of pesticide with her to the court and confronted the judge, placing the bottle on the desk and declaring: "Judge, my husband earns hundreds of thousands of yuan annually at the remote site. I deserve half of that, but I cannot access the information myself. Only the court can help me retrieve it. If you help, I'll say no more. But if you don't, this bottle of pesticide is my answer. I'll drink it right here in your office. I've raised our son and daughter with all my strength. Now he wants to leave me with nothing, which is impossible. If you judge won't stand up for me, what's the point of living? I might as well die now. And even as a ghost, I'll haunt you. My children will find you too." Even more distressing, Guo began appearing daily outside the courthouse. Every time she saw the judge arrive or leave, she would shout, cause scenes, and repeatedly threaten to drink the pesticide—behaving in a manner that appeared utterly unhinged. Eventually, the court relented and agreed to her request. A designated officer was assigned to retrieve Wang's income records. It was discovered that in just two years, his salary and financial income exceeded 700,000 yuan. The court ultimately ruled that this sum constituted marital property and should be equitably divided between the two parties.

2.1.3. Case 3: suicide threats by the family of a sichuan rural migrant worker demanding death compensation

A rural migrant worker from Sichuan referred to as D, was employed by a company in an industrial park, working under the supervision of a fellow villager, C. On May 8, 2022, D requested sick leave due to an infected foot and general physical discomfort. However, C refused to approve his leave or settle his wages, arguing that wages could not be paid until the end of the month. The two had a heated argument, after which D chose to remain in the dormitory and refused to work. On May 11 at noon, it was discovered that D had not shown up for lunch and was not in his dormitory. A search was conducted, and D was eventually found drowned in a reservoir behind the factory. After the police were called and an investigation carried out, there was no conclusive evidence to suggest homicide by C. Subsequently, D's wife, daughter, and two cousins came to negotiate compensation and demanded one million yuan. However, the company and relevant parties deemed the amount excessive, leading to buck-passing and refusal to accept responsibility. This caused the conflict to escalate significantly. On the third day, two of D's brothers climbed a high advertising tower—several dozen meters tall—within the industrial park, loudly shouting that unless the compensation of one million yuan was paid, they would jump and die together. At the time, strong winds caused the two men to sway dangerously at the top of the tower, creating a highly perilous scene. Large crowds of onlookers gathered, and videos of the deceased worker's family engaging in extreme rights-defense behavior were uploaded to platforms such as Douyin and Kuaishou. These videos quickly gained widespread attention and comments, causing the situation to intensify and spiral further. As the director of the industrial park office put it, "This afternoon, the video of the deceased worker's family demanding compensation went viral." Under mounting pressure from online public opinion, the local government and relevant departments instructed the industrial park office and the responsible parties to take immediate action to resolve the issue and provide a satisfactory response to the family. After arduous negotiations, a final settlement of 400,000 yuan in compensation was reached with the deceased's family, thereby defusing the crisis.

There are numerous other instances of such "abnormal rights protection" cases. For example, the case of a Mercedes-Benz owner in Xi'an protesting atop the car's hood to demand redress from the manufacturer; Luo Yonghao smashing a refrigerator in anger; passengers at Kunming and Shanghai Pudong airports blocking flights to defend their rights; homeowners in Jinan obstructing roads to protest real estate issues; and even a Beijing resident forcibly intercepting General Secretary Xi Jinping's motorcade during his visit to the United States to express dissatisfaction over demolition compensation. Whether the disputes are person-to-person or individual-to-institution, the victims in these cases tend to adopt "abnormal" measures to assert their rights. Such incidents are typical manifestations of the "abnormal rights protection" phenomenon.

2.2. Primary causes of "abnormal rights protection"

Why does "abnormal rights protection" occur in real life? Why is it that, when their lawful rights and interests are infringed upon, victims do not seek recourse through formal legal channels—such as litigation—but instead resort to methods like petitioning, roadblocking, or internet exposure? Under what social conditions does such "abnormal" rights defense emerge?

In practice, cases of "abnormal rights protection" often result from a combination of multiple, intertwined factors. Drawing from the textual analysis of the above cases, the primary causes behind the emergence of such behavior can be summarized as follows:

2.2.1. The high cost of rights protection prevents victims from accessing legal channels

Research by Li has revealed that when ordinary people encounter disputes, they often prefer private settlements over litigation, largely due to the prohibitive costs of accessing the judicial system—costs that are simply unaffordable for many citizens [13]. In practice, exercising one's legal rights through litigation in China can involve considerable costs: extended timeframes,

substantial financial expenses, lost wages, and significant psychological stress. Take, for instance, the case of Qiao discussed earlier. Had he chosen to file a lawsuit to recover the outstanding project payment through the People's Court, the process would have required significant time and effort. From the submission of case materials to the formal registration of the case, the initiation phase alone typically takes one to three months—or even longer. Once the case is formally registered, the first-instance proceedings can last up to six months, followed by a three-month second-instance trial. This timeline does not include the period required for judicial appraisal, which is often necessary in construction disputes due to quality-related issues. The appraisal process itself may take several additional months. Thus, an ordinary case—from initial filing through the completion of both trial stages—may require at least a year and a half. If the second-instance court sends the case back for retrial, all previous procedures must be repeated, potentially extending the process to three years before a final judgment is issued. Moreover, even receiving a second-instance judgment does not guarantee actual payment. If the plaintiff applies for compulsory enforcement, they may encounter further obstacles such as objections to enforcement, related litigation, evaluation and auction procedures, or the debtor's lack of assets for execution. As a result, the victim may expend vast sums and years of effort only to end up with nothing. Given such prohibitive costs, many victims are deterred from pursuing legal remedies. Instead, they tend to resort to faster, more direct "abnormal rights protection" measures. If timed effectively, such tactics may allow victims to achieve their goals with minimal cost or effort.

2.2.2. The all-encompassing government structure leads to "selective enforcement" by functional departments, preventing timely resolution of infringement cases

Following the founding of the People's Republic of China, the establishment of the People's Commune system in rural areas allowed state power to penetrate deeply into all aspects of grassroots society, creating a structural pattern of a "strong state and weak society." Under such conditions, the development of independent social organizations was stunted, and the state assumed responsibility for many matters that it could neither manage effectively nor had the capacity to control [14]. For instance, in the case of Qiao's demand for payment of arrears in construction fees, the underlying causes of the dispute were complex, involving not only subjective factors such as intentional non-payment due to lack of funds or refusal to repair construction quality issues but also the difficulty of clearly determining fault. Both parties presented conflicting narratives, and even when government departments intervened, it was often difficult to ascertain the truth or assign clear responsibility. In such scenarios, if parties continued to turn to the government for resolution, the inability of government agencies to provide effective solutions would lead to bureaucratic buck-passing—pushing responsibility from one department to another without resolving the issue. More critically, due to limited human and material resources, government departments are often inclined to enforce laws selectively. That is, rather than addressing all citizen complaints with equal attention, functional departments tend to prioritize cases with greater visibility or impact while delaying or ignoring those deemed less urgent. Victims are acutely aware of this selective approach through their social experience. Consequently, they understand that by amplifying a "small issue" into a "big event" and placing public pressure on the government, they can prompt faster intervention and quicker resolution. This dynamic gives rise to a peculiar logic in practice: "Big disturbances get big solutions; small disturbances get small solutions; no disturbance gets no solution." Within this framework, the emergence of "abnormal rights protection" appears not only understandable but, in some contexts, almost inevitable.

2.2.3. One-sided stability maintenance under a pressure-based system creates tension between government stability goals and citizens' rights claims, enabling "abnormal rights protection"

China's current governance structure is largely characterized by a pressure-based system in which various government departments operate under significant institutional pressure. Within this framework, social stability is treated as the primary indicator for evaluating governmental performance. As a result, departments at all levels prioritize "stability maintenance" above all else, often to the point of disregarding legal boundaries and adopting one-sided approaches [15]. For functional departments, the dominant guiding principle is the "logic of avoiding incidents" [16]. As long as no disturbances occur and public order is preserved, everything is negotiable. Citizens have come to recognize this institutional vulnerability at the grassroots level and often engage in tactical maneuvers to exploit it, bargaining with local officials through confrontation. Each of the three cases discussed in this paper contains elements of intentionally escalating a relatively minor issue into a larger disturbance. Since maintaining social stability is regarded as a top political priority, and since government departments often remain indifferent to rights violations until public disruptions arise, affected individuals are incentivized to "make a scene." Once unrest threatens stability, it can potentially jeopardize officials' positions or political futures, prompting them to intervene quickly to resolve the issue. In this way, citizens intentionally magnify conflicts and escalate disputes through non-conventional means—sometimes even deliberately manipulating public opinion—to generate sufficient pressure. Once the situation evolves to the point of affecting social stability, government departments are compelled to act, often leading to a more favorable resolution for the complainants. This dynamic again opens the door for "abnormal rights protection" to emerge as a viable strategy.

2.2.4. Judicial injustice and related factors discourage victims from pursuing legal remedies through litigation

In recent years, despite the central government's intensified anti-corruption efforts, corruption at the grassroots level—particularly judicial corruption—remains a persistent issue. According to an empirical study conducted by the Collaborative Innovation Center of Judicial Civilization on judicial corruption in 20 provinces and municipalities across China, more than half of the local experts surveyed believed that local judges were likely to handle "relationship-based cases." Notably, 75.1% of respondents in Ningxia believed that the practice of handling such cases was particularly severe. Additionally, 81.3% of the general public agreed that judges engage in "money-based cases." The survey also revealed that judicial corruption is widespread in China, with minimal regional variation; it bears little direct correlation to geography, level of economic development, or population density. Among the most prevalent forms of judicial corruption are so-called "relationship-based" and "money-based" adjudications [17, 18]. The uncertainty and potentially exorbitant costs associated with judicial corruption deter many victims from seeking justice through litigation. Even when their rights are clearly infringed, victims may refrain from legal action out of concern that they could be exploited by corrupt judges. To avoid incurring greater losses, many choose not to pursue legal recourse, despite its legitimacy. From a cost-benefit perspective, they are more inclined to adopt "abnormal" methods of rights protection, which may be more efficient or effective under such circumstances.

In addition to judicial corruption, other factors such as local government departments' inaction or abuse of power, as well as corruption at the grassroots level, further erode public trust in the legitimacy and efficacy of legal channels. Consequently, many citizens come to believe that legal remedies are ineffective or even futile, ultimately leading them to opt for "abnormal rights protection."

3. The negative consequences of "abnormal rights protection"

As a distinctive mode of defending one's rights, "abnormal rights protection" can, under certain circumstances, help victims achieve their goals. While such non-traditional approaches may lead to the protection of individual rights, they simultaneously inflict deeper harm on the social foundations that ensure the normal functioning of those rights. This form of rights defense constitutes a vicious cycle—an involutional mode of contention—whose detrimental effects are conspicuously evident:

3.1. "Abnormal rights protection" entails the sacrifice of personal dignity

The rights that victims seek to defend through "abnormal" means are precisely the lawful rights and interests they are already entitled to—basic rights that embody the dignity of citizenship. In reality, victims often resort to such measures only after numerous failed attempts at negotiation and communication with the perpetrating party. Prior to this, they may have exhausted formal channels of redress, including filing complaints with various levels of administrative and judicial organs. However, these efforts are frequently ignored. The infringing party, typically more powerful, remains indifferent to the victim's lawful claims, and when institutional remedies prove fruitless, victims are left with no alternative but to engage in "abnormal" resistance. In such scenarios, individuals are forced to relinquish their dignity in order to protect what is inherently theirs. Cases such as internet celebrity Luo Yonghao smashing a refrigerator in protest, or the Mercedes-Benz owner in Xi'an who sat on her car's hood to draw attention to her grievances, underscore a harsh truth: that citizens' legitimate rights have been mercilessly trampled upon. Even when "abnormal" methods ultimately secure redress, this success comes at the cost of personal dignity. Therefore, such rights protection is, at its core, a defense achieved through the sacrifice of dignity.

3.2. "Abnormal rights protection" reflects a regression from the rule of law

When victims of rights violations find that legal channels are ineffective or inaccessible, while "abnormal" methods yield tangible results, it reveals a deeper structural problem: the rule of law fails to provide fair, equitable, and low-cost avenues for citizens to safeguard their rights. For many, the law becomes something distant and unattainable. This distinctive form of resistance has been dubbed "Chinese-style rights protection," and its emergence and persistence stem from China's transitional status between a rule-of-man society and a rule-of-law society. Although the spirit of the rule of law has been enshrined in the Constitution, the logic of rule by man continues to dominate much of the country's social and political life. In a rule-of-man society, social governance is driven by a powerful, centralized, vertically hierarchical power structure, where a leader's "instructions" often carry greater weight in practice than legal provisions. In such a context, the structural design of rights protection under the rule of law may produce a system that is simultaneously inefficient and lacking in justice, thereby placing ordinary citizens on a path of high-cost, high-risk rights defense—what has come to be known as "Chinese-style rights protection." When their rights are infringed, citizens may have no choice but to resort to unconventional, lower-cost approaches. Over time, this could give rise to a worrying social norm in which "petitioning, not law" becomes the default logic for resolving disputes.

3.3. "Abnormal rights protection" exacts a heavy cost on society

Peter Blau and others have argued that the unprecedented expansion of large-scale organizations in modern society has led to the emergence of bureaucratic structures. Similarly, Chinese scholar Ma Rong observes that China's political system also exhibits bureaucratic characteristics, manifested in "inefficient administrative management and bureaucratic privilege" [19]. Within this framework, China's political and administrative systems have developed a strict hierarchical bureaucratic order, in which issues are expected to be reported and addressed level by level from the bottom up, thereby ensuring orderly grassroots governance. However, "abnormal rights protection" disrupts this bureaucratic logic and administrative order. It directly undermines the stability of grassroots governance structures. Whether it is Qiao demanding payment of project funds, individuals climbing power poles to claim death compensation, victims threatening suicide in court to compel income disclosure, or other disruptive behaviors such as blocking roads, smashing vehicles, or inciting unrest in medical disputes, such actions invariably disturb normal social order. From this perspective, "abnormal rights protection" is a form of resistance that comes at the cost of disrupting grassroots administrative governance—it leverages damage to public interest and social stability as bargaining tools. While such actions may secure personal remedies for the victims, they simultaneously inflict serious harm on the broader societal framework. Precisely because this form of resistance undermines social order at its core, Chinese law has increasingly sought to regulate extreme forms of such behavior. In cases where petitioners resort to excessively radical or socially disruptive tactics, they may face criminal charges, including prosecution for the offense of "picking quarrels and provoking trouble." Many long-term petitioners have even received custodial sentences. This clearly illustrates that, in essence, "abnormal rights protection" is unlawful. The state's efforts to suppress and criminalize such conduct are directly tied to the significant social costs it imposes.

3.4. "Abnormal rights protection" undermines government credibility

As a socialist country committed to the system of people's democracy, the Party and government uphold the principle of governing for the people and serving the people. However, when the legitimate rights and interests of "the people" are infringed upon, it is concerning that some individuals choose not to seek redress through regular administrative or judicial channels. Instead, they exploit institutional loopholes, escalate minor disputes into public crises, deliberately create public pressure, and compel the government to fulfill its duties and protect citizens' rights. Such actions are fundamentally at odds with the spirit of China's people's democracy. Although the ultimate goal of rights protection may be achieved, it is not due to the proactive efforts of relevant government departments to safeguard the people's interests. Rather, it occurs as a result of being pressured into action —reactively rather than responsibly. While the "abnormal" means may lead to a resolution of the issue, the process exposes a deeper dissatisfaction with the authorities. This form of rights defense may appear effective on the surface, but what is lost in the process is the public's trust in the government. It weakens the government's credibility and undermines the moral foundation of the state's legitimacy.

3.5. "Abnormal tights protection" reflects the involution of national governance

Under current conditions, many ordinary citizens find that their routine appeals and interests cannot be safeguarded through legal and institutionalized channels. Consequently, they are compelled to resort to "abnormal" means such as media exposure, petitioning, collective incidents, and public escalation in order to attract attention and compel intervention from higher authorities. Given the persistent lag in China's rule-of-law construction, the protracted judicial process, high litigation costs, and issues such as judicial corruption, the formal legal system often becomes a suboptimal choice for rights protection—or is abandoned altogether. In contrast, victims are increasingly inclined to engage in "abnormal rights protection" as a form of resistance to defend their lawful rights. To some extent, this phenomenon reflects a governance problem: under conditions of government inaction, selective enforcement, or administrative corruption, disadvantaged individuals—lacking resources and influence—are forced to identify and exploit the "weak points" of government departments in order to achieve their goals. Such dynamics, in turn, compel state organs to respond reactively under pressure. This cycle reveals a deeper structural issue: the involution of grassroots governance. "Abnormal rights protection" thus emerges not only as a social reaction to rights violations but also as a symptom of systemic stagnation and inefficiency within the governance apparatus [20].

4. Governance approaches: breaking the dilemma of "abnormal rights protection"

As a distinctive form of rights defense, "abnormal rights protection" entails securing individual rights at the expense of broader public interests and social order. Its persistence fundamentally reflects the obstructions within formal and lawful channels of redress. When citizens are unable to defend their legitimate rights through legal means, they are often compelled—out of necessity rather than preference—to resort to irregular or extreme measures. Therefore, the key to resolving this phenomenon lies

in unblocking and institutionalizing proper rights protection mechanisms. Efforts must be made to center on the smooth functioning of legal grievance channels, implement multi-pronged strategies, and promote comprehensive governance in order to effectively address this issue.

4.1. Fulfilling governmental responsibilities to safeguard citizens' legitimate rights and interests

In practice, citizens do not typically resort to "abnormal" means of rights protection as their first response to perceived injustice. More often, they initially seek resolution through appropriate legal and administrative channels, hoping that relevant departments will address their grievances. It is only when they discover that such formal mechanisms are ineffective or unresponsive that they are driven to adopt unconventional approaches. Thus, from the occurrence of "abnormal rights protection" itself, it becomes evident that if governments at all levels and their functional departments were genuinely accountable to the people—placing the interests of the populace at the forefront and responding promptly when citizens' rights are infringed—there would be no incentive or need for the public to resort to non-institutional methods. Therefore, it is imperative to ensure that all levels of government and associated agencies earnestly assume their responsibilities in protecting the legitimate rights of the people. This not only requires strengthening a public service-oriented consciousness among officials but also demands institutional guarantees that ensure governmental functions are carried out in practice. Additionally, effective oversight mechanisms must be put in place to supervise the performance of relevant departments. In short, only when governments are held accountable and administrative bodies dutifully fulfill their mandates—ensuring that citizens' rights can be effectively protected through lawful means—will the public be dissuaded from seeking redress through "abnormal" forms of rights defense.

4.2. Accelerate the development of the rule of law and provide quality legal services

In recent years, China's progress in the rule of law has been steadily advancing, and the level of legal modernization has continuously improved. However, in judicial practice, issues such as high litigation costs and judicial corruption still persist for various reasons. When citizens' legitimate rights and interests are infringed upon, many either cannot afford the expenses of litigation or reluctantly pursue legal action but fail to achieve justice due to corrupt practices. As a result, the public's trust and willingness to rely on lawful means to protect their rights remain limited. Therefore, a crucial step to reducing "abnormal rights protection" is to accelerate the modernization of the rule of law, continuously improve the judicial system, and establish a modern legal framework with Chinese characteristics. This framework should provide efficient, affordable, impartial, and fair judicial services, empowering victims to pursue litigation effectively and ensuring that their lawful rights and interests are duly protected through judicial processes. Under such conditions, the incidence of resorting to "abnormal" methods of rights protection will naturally decline.

4.3. Strengthen petition work and accelerate reform of the petition system

The petition system is a distinctive democratic political institution characteristic of China. However, in practice, many local petition systems have become distorted. In some regions, there is a one-sided emphasis on maintaining stability, resulting in unconditional concessions to petitioners regardless of the legitimacy or legality of their demands, often resolving issues by financial means—essentially buying peace. Conversely, some localities implement rigid petition assessments that indiscriminately file cases and hold grassroots officials accountable merely because a petition has been submitted, sometimes even punishing them severely. The direct consequence of these practices is widespread public distrust in legal procedures; many victims, despite having the option to seek redress through litigation, choose instead to petition local governments to exert pressure—manifesting the prevalent phenomenon of "petitioning without trusting the law." This situation contributes to the emergence of "abnormal rights protection." Therefore, from the perspective of petition work, it is essential to comprehensively improve the petition system across all aspects, including registration, ranking, notification, accountability, disciplinary actions, and supervision. For certain infringement cases, efforts should be made to divert them to judicial authorities starting from the case-filing stage, guiding victims to seek legal redress through litigation. Particularly for petition cases that have already undergone final judicial review, petitions should not be accepted, and the public should be encouraged to pursue lawful remedies such as applications for retrial.

4.4. Integrate mediation resources and enhance social mediation capacity

Currently, many rights protection cases remain difficult to resolve through mediation for three main reasons: first, some functional departments are unwilling to genuinely help resolve disputes due to irresponsibility; second, relevant departments face heavy caseloads and insufficient personnel, limiting their ability to assist the public in mediation; third, mediation efforts across different units often lack coordination and synergy, resulting in inefficacy. Therefore, it is imperative to continuously improve the

existing social mediation system, especially by integrating the mediation functions of government agencies, the People's Congress, public security, judiciary, prosecution, courts, and disciplinary inspection bodies. Where conditions permit, governments should take the lead in establishing government mediation centers that unify and optimize mediation resources from these departments, possibly by co-locating offices or centralizing services while maintaining separate case handling, modeled after administrative service centers. The goal is to provide diversified social mediation services for complainants and to enhance the effectiveness of mediation in resolving disputes and assisting the public in rights protection. When victims are wronged, they should be able to easily access these mediation centers to seek support from relevant departments. In turn, these centers would offer practical and effective rights protection services, thereby reducing the need for victims to resort to "abnormal" means of rights protection.

4.5. Strengthen grassroots governance to reduce social conflicts

The phenomenon of "abnormal rights protection" among the public is predicated on the occurrence of infringement acts, which result in the violation of citizens' legitimate rights and interests, coupled with the difficulty of obtaining redress through normal channels. Under such circumstances, individuals resort to "abnormal" means of rights protection. Therefore, to fundamentally reduce or eliminate the occurrence of "abnormal rights protection," it is essential to strengthen grassroots governance and fundamentally decrease social conflicts, particularly by reducing the incidence of rights violations. Only through such measures can the root causes of "abnormal rights protection" be effectively addressed. Since grassroots governance involves multiple relevant aspects, enhancing it is a complex and systemic project that requires accelerating reforms in various domains, improving relevant systems, and advancing numerous initiatives. The author will elaborate on this topic in another article and will not expand on it further here.

5. Conclusion

In summary, fundamentally eradicating the occurrence of "abnormal rights protection" requires not only strengthening the sense of responsibility among government functional departments and enhancing their capacity to resolve interest disputes and promptly defuse conflicts, but also demands that the Party and government intensify their commitment to serving the people, improve service quality, prioritize the development of the rule of law, and enhance governance capabilities. This will provide robust institutional guarantees and convenient channels for citizens to exercise their lawful rights. Only when victims can "trust the law rather than petitions" will they be inclined to choose legal means to safeguard their legitimate rights and interests. It is solely under such conditions that the phenomenon of "abnormal rights protection" can be fundamentally addressed and resolved.

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