



# Asia Program

SPECIAL REPORT

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## China and Democracy: A Contradiction in Terms?

EDITED BY MARK MOHR

**ABSTRACT** This Special Report examines the degree of progress toward democracy being made in China today. The four essayists agree that the Chinese Communist Party is not about to give up its hold on political power anytime soon. **Merle Goldman** of Harvard University argues that although various segments of the population are enjoying more individual freedoms than ever before, increasing protests reveal that China's current political system may no longer be able to deliver the security and stability that the Chinese so desire and that are necessary for China's continued modernization and peaceful interaction with the rest of the world. **Suisheng Zhao** of the University of Denver states that the party itself is promulgating a host of laws, attempting to become more responsive to the people, but that such laws are more paternalistic than democratic. **Richard Baum** of UCLA points to the limits of what he calls "consultative Leninism," and warns that the current system may already be living on borrowed time. **Zhou Yongming** of the University of Wisconsin, specifically addressing internet politics, notes that the assumption that China will move closer to democracy as more information is spread on the internet may not necessarily be valid.

### INTRODUCTION

MARK MOHR

These essays, originally presented at a March 22, 2006, symposium at the Woodrow Wilson International Center for Scholars, attempt to determine the extent to which democracy is penetrating the political and social fabric in China today. The current so-called fourth generation of Chinese leaders, headed by president Hu Jintao and premier Wen Jiabao, is noticeably less inclined to a further opening of Chinese society than was the third generation of leaders, led by Jiang Zemin. Does this signify that China is going backward with regard to democracy, and that the overall prospect for democracy in China is fairly bleak? Which sectors of the Chinese population are actively pushing for political reform, and have they had any success? Why

has China's rapidly growing entrepreneurial class not evolved into a bourgeoisie pressing for more democratic reforms? According to official statistics, there were 87,000 protest demonstrations in China last year. What is the Chinese Communist Party (CCP) doing to meet this pressure from the bottom up for more accountability? These and other questions are examined in detail by our four essayists.

The first essay, by **Merle Goldman**, professor emerita, Boston University, and associate of the Fairbank Center, Harvard University, notes that while the phrase "China and democracy" is not a contradiction, this does not mean that China will become a democracy in the near future. Nevertheless, she points out that there are certain conditions that may indicate movement in that direction. From a cultural point of view, China's Confucian legacy does not prevent the develop-

ment of democracy. The other post-Confucian countries surrounding China—Japan, South Korea and Taiwan—all have democratic political systems. Moreover, Confucian ideology emphasizes education. This leads not only to social mobility, but also to a responsibility on the part of the Confucian literati to speak out against the abuse of political power. In addition, on the ground in China today, 90 percent of China's villages cast votes for their village heads and village councils. The problem is that the voting process has not moved up to higher levels as yet.

Goldman further states that China does not yet have a bourgeoisie, that is, an independent middle class, which was the impetus for democracy in the West. China's newly rich entrepreneurs are being co-opted into the party, and frequently establish businesses in collaboration with local party leaders. Nevertheless, over the past 25 years, select groups of independent intellectuals, editors, journalists, lawyers, and veterans of the Cultural Revolution, the Democracy Wall movement, and the 1989 Tiananmen demonstration, as well as some independent-minded small business people, have been at the forefront of efforts to introduce political reforms. Despite repression and constant harassment, such individuals and groups are now acting as independent actors, challenging the party and its policies, and attempting to assert their political rights.

Equally significant, asserts Goldman, for the first time in the history of the People's Republic there is a linking up of members of these groups with ordinary citizens. However, with the party's continuing use of violence and repression against any challenges to its political power, attempts at political reform in China thus far have been short-lived. On the other hand, it would be wrong to discount the impact of these various efforts simply because they are quickly suppressed. The fact that people continue to push for reform is significant, as is the

fact that the concept of rights is spreading to ordinary citizens. However, in order for independent political actors and groups to survive and develop, they will need much more support from Chinese society and they will need laws to protect their activities. Goldman notes that there can be citizenship without democracy, but there cannot be democracy without citizen participation. She concludes that the transition from "comrade to citizen" in China has begun.

In the second essay, **Suisheng Zhao** of the University of Denver states that since China began revamping its economy in the late 1970s, the pressure for political reform has been building. The current leadership of the CCP, in trying to limit power by individuals without relinquishing overall party control, has issued a series of laws and regulations. Some of these regulations include two-term limits for the highest party posts and mandatory retirement for party members. These regulations are clearly intended to prevent power from falling into the hands of one individual, with the abuse of power that follows (read Chairman Mao). Thus in China today the debate is generally between the rule of law (as defined by the party) and democratization, rather than the rule of law as the basis for democracy.

In detailing this point, Zhao notes that political reform has not only been hotly debated and broadly discussed among Chinese intellectuals, but also has become an official policy objective, listed on the agenda of the CCP. Institutionalization of China's leadership system is one of the most important aspects of political reform, since it emphasizes the normative rules and procedures in the decision-making process.

Another attempt at political reform, adds Zhao, is to build an institutional and legal mechanism to restrain government officials and cadres, making them more responsive to society's demands and

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more accountable for poor performance. In addition to the above, the concept of constitutional reform, including provisions that no organization or individual is privileged to be beyond the constitution or law, has filtered its way into the public consciousness. Echoing a point made by Goldman, Zhao states that protection of constitutional rights has become a hot topic in China's media, as ordinary Chinese have developed an understanding of the legal rights they are supposed to enjoy. The real test of political reform, however, is whether the party and state are willing to accept constitutional curbs on their ultimate power by, among other things, an independent constitutional review process, expansion of direct local elections, dilution of party control of the judiciary, and, in practice, permitting people to exercise such rights as freedom of assembly. Zhao concludes that it is hard to expect current Chinese leaders to make such a breakthrough, since they are committed to improving the system that they oversee—not bringing it down.

**Richard Baum** of UCLA, in the third essay, asserts that Chinese leaders in recent years have adopted a variety of “soft authoritarian” measures designed to expand cautiously the arena of political inclusion, consultation, cooperation and feedback, without at the same time enlarging the scope of public accountability, responsibility or empowerment. Such measures have included the creation of provincial, municipal and county-level “e-government” websites for the public dissemination of administrative information and solicitation of public feedback on government performance; expanded use of special offices to assist members of the public in reporting abuses of state power; and the providing of legal recourse for citizens suffering administrative abuse at the hands of state officials.

Early in the new millennium, states Baum, with the risk-averse Jiang Zemin moving toward retirement, it was widely anticipated that his fourth generation successors, Hu Jintao and Wen Jiabao, might be free to pursue a more progressive political agenda. However, Hu dashed such hopes by making it clear in a September 2004 speech that there would be no diluting or relinquishing the CCP's 55-year monopoly on political power. By substituting paternalistic consultation for autonomous political participation, cooptation for representation, advice for empowerment, and consensus-building for the clash of conflicting interests, the CCP has arguably


been able to avoid much of the putative clutter and chaos of democratic pluralism.

In the short term, China's “consultative Leninism”—bolstered by robust economic growth—has arguably extended the life span of China's authoritarian regime. However, a recent study which drew on data gathered from approximately 150 countries between 1970 and 1999 concluded that competent authoritarian governments that provide substantial economic growth and administrative goods, while effectively suppressing media freedom, unrestricted access to internet sites, and freedom of assembly, can only delay the onset of democratization for up to a decade or more. Thus, warns Baum, China may already be living on borrowed time.

In the final essay, **Yongming Zhou** of the University of Wisconsin discusses internet politics in China. He places such politics in the context of the way the CCP handles all media, whether newspapers, magazines, TV, radio or the internet: the authorities attempt to control it. Thus, we should not be surprised at party and government attempts to control the internet, or the success they have had in controlling it to date. They have had much practice with media control.

Zhou also asserts that while Western concerns have focused entirely on the free use of the internet, that is, information transmission, another equally important aspect is that of information reception. Most internet users in China are male, under 30, and fairly well-educated. They are also fairly nationalistic. Many “netizens” interpret U.S. assertions of freedom and democracy as code words to advance a U.S. agenda at the expense of Chinese interests.

The role of the internet in China has in recent months received world-wide attention because of news that Yahoo, Microsoft, Google and Cisco have agreed to help Chinese authorities block out unwanted information on the internet. Such attention culminated in a U.S. congressional hearing in mid-February 2006, at which executives of the technology giants were summoned to Capitol Hill and subjected to much criticism. Yet some Chinese internet users have been critical of Congress, arguing that U.S. internet presence in China, if eliminated, would leave the field to Chinese internet companies, and such companies are much stricter in controlling internet information than Microsoft or Google.



Zhou concludes that one should be neither too optimistic nor too pessimistic about the internet in China. It is a fact that the Chinese people are accessing more and more information through the internet and satellite TV, as well as via the traditional media. The space for freedom of speech is being enlarged, and many Chinese see this as an irreversible trend and an ideal route for change. Yet it must also be realized that the internet is only a promising new technology, and that only by changing the whole political system can the internet be used freely.

All four of these authors concur that the party has been relatively successful to date in harmonizing

rapid economic growth with equally rapid social change. All agree that while individual freedoms are growing, the party has made clear there are limits to political reform, that it does not intend to share power, and that dissent will not be tolerated. Zhou, the internet expert, warns that information technology is not the magic key that will unlock the door toward democracy. Nevertheless, all four, to a greater or lesser degree, cast doubt on the ultimate sustainability of the Chinese Communist Party's attempts to be both a facilitator of modernization and a constrictor of political freedoms.

# THE PHRASE “DEMOCRACY AND CHINA” IS NOT A CONTRADICTION

MERLE GOLDMAN

When China moved to a market economy in the late 1970s, it experienced a rate of economic growth of nine to ten percent a year that continues into the early years of the twenty-first century. Not only has this unprecedented economic growth transformed the Chinese economy, it has also transformed Chinese society with the emergence of a dynamic middle class. These changes, however, have been accompanied by accelerating protests all over the country. China’s official figures show that in 1993 there were 14,000 protests, in 2004, there were 74,000 protests and in 2005, 87,000 protests. These figures indicate that China’s authoritarian political system is unable to handle the dynamic changes that are underway in China today. Its leaders may continue to muddle through with the existing authoritarian party-state or they could turn to democratic procedures that might be better able to handle the rising discontent of China’s farmers, who have been left behind by the dynamic growth of China’s cities, and Chinese urban workers who have lost their jobs, health care and pensions as state-owned industries are privatized.

## PRECONDITIONS FOR THE DEVELOPMENT OF DEMOCRACY

China has certain historic precedents that lend themselves to becoming a democratic polity. First, China’s Confucian legacy does not prevent the development of democracy. The other post-Confucian countries surrounding China—Japan, South Korea, and Taiwan—have democratic political systems. In fact, given that these countries were among the first non-Western countries to become democratic, there may be something in their Confucian background that is compatible with democracy, such as the emphasis on education that leads to social mobility, concern for equitable treatment of the population, and the responsibility of the Confucian literati to speak out against the abuse of political power.

Second, 90 percent of China’s villages now cast votes for their village heads and village councils. A similar development began in Taiwan in the early 1950s. However, in Taiwan, the vote moved up the political ladder to the townships, counties, and provinces. Even though a few townships have experimented with local elections, this has not yet happened in China. On the other hand, in the post-Mao period, China’s National People’s Congress has become less of a rubber-stamp congress, no longer voting unanimously for party policy. In 1992, for example, one-third of the delegates to the congress voted against or abstained on the decision to build the Three Gorges Dam.

Third, China’s literacy rate is now close to 90 percent and China’s move to the market in the late twentieth century has led to the development of a rising middle class. Both of these phenomena are associated with the development of democracy. Still, China does not yet have a bourgeoisie, that is, an independent middle class, which was the impetus for democracy in the West. China’s newly rich entrepreneurs are being co-opted into the party, and frequently establish businesses in collaboration with local party officials. Because of the absence of the rule of law to protect economic activities, they remain dependent on local officials to continue their businesses. Moreover, China’s new entrepreneurs support the party because its economic reforms have provided them with the opportunity to amass great amounts of wealth. Unlike in the West, members of China’s newly rich entrepreneurial class are not advocates of political reform.

Nevertheless, there are other members of China’s rising middle class—intellectuals, editors, journalists, lawyers, some independent-minded small business people and veterans of the Cultural Revolution, the Democracy Wall movement, and the 1989 Tiananmen demonstrations—who have been at the forefront of efforts to introduce political reforms. The opening up of the market economy provided the Chinese with a degree of person-

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al freedom that was unprecedented since the 1949 Communist revolution. For example, most of the media, with only a few exceptions, such as the theoretical mouthpiece of the party, the *People's Daily*, no longer receive state subsidies and must now be self-supporting. As a result, in order to gain readers, editors and journalists have become more daring and responsive to the concerns of ordinary people. Consequently, some media have also become more independent, at times even challenging party policy, as for instance, the daring Southern Media Group in Guangdong. Similarly, the introduction of the internet in the mid-1990s, despite the variety of government-imposed controls and filters, has led to a further opening to the outside world and increased domestic interactions that can no longer be controlled by the party. Although there is still no independent judiciary in China, a number of courageous lawyers are willing to defend those charged with political crimes.

#### TRANSITION FROM COMRADE TO CITIZEN

Most significant, over the last twenty-five years select groups of independent intellectuals, journalists, small business people, lawyers, and ordinary citizens, have been calling for political reform. This is what I discuss in my new book, *From Comrade to Citizen: The Struggle for Political Rights in China*. Despite repression and constant harassment, the individuals and groups described in the book challenge the party and its policies, and attempt to assert their political rights. Like the dissidents in Eastern Europe and the former Soviet Union in the 1970s and the 1980s, they cite the relevant clauses in their constitution, specifically Article 35, that stipulates freedom of speech and association, as the basis for their actions.


Although China remains an authoritarian state, the various groups that developed during the Cultural Revolution, the Democracy Wall movement of the late 1970s and the Tiananmen movement in 1989, as well as the China Democracy Party that attempted to establish an opposition political party in 1998, have come close to creating truly independent political organizations—until the party forcefully suppressed them. Equally significant, for the first time in the People's Republic there is a linking up of members of these groups with ordinary citizens. Previously, intellectuals in the People's Republic of China had no political contacts with

workers, farmers and shopkeepers. The Red Guards and the leaders of the Democracy Wall movement would have been intellectuals had they not been deprived of their education in the Cultural Revolution. Instead, they were forced to become workers and small business people, thus facilitating their link-up with ordinary citizens in their political activities. Also, ordinary citizens and workers joined the 1989 student-led Tiananmen demonstrations, and in 1998 laid-off workers from state industry, small business people, and some farmers joined the efforts to establish the first opposition party, led by veterans of the earlier movements. In 2005, intellectuals also helped the effort of the Taishi villagers in Guangdong province to replace their village leader whom they charged with corruption.

These movements of intellectuals and ordinary citizens to bring pressure from below for political reform is a new phenomenon in the People's Republic. A similar linkage of intellectuals and ordinary citizens occurred in the Soviet Union, Eastern Europe and Taiwan in the 1970s and 1980s prior to their establishment of democratic polities in the 1990s. The movements in China, however, still do not have the backing of a broad social base or of a developed civil society such as existed in Eastern Europe in the 1970s or in Taiwan in the 1980s. Without such backing and with the party's continuing use of violence and repression against any challenges to its political power, all of these movements in China thus far have been short-lived. In addition, very few members of the post-1989 generation have participated in the efforts to promote political reforms. Instead, they remain focused on making money or pursuing their own personal professions.

Nevertheless, in the early years of the twenty-first century, the concept of rights (*quanli*) is spreading to ordinary citizens. As their land has been confiscated by officials and new entrepreneurs for modernization projects, farmers, engaged in a growing number of protests, are demanding their rights to more compensation. Similarly, unemployed workers, dismissed from state-owned industries undergoing privatization, are protesting and demanding their rights to lost pensions and health care. Thus, as they engage in protests against local officials, ordinary Chinese are developing a growing consciousness of their rights with their words as well as through their actions.

The development of a citizenry and their assertion of political rights do not necessarily imply



movement toward democracy, but such phenomena are indeed prerequisites for the establishment of a democratic political system. There can be citizenship without democracy, but there cannot be democracy without citizen participation. Therefore, it would be wrong to discount the impact of these various efforts to assert political rights in China because they are quickly suppressed and remain unrealized. Clearly, much more is needed. In order for independent political actors and political groups to survive and develop, they will need much more support from Chinese society and they will need laws to protect their activities. Nevertheless, the process of the transition from “comrade to citizen” in China has begun.

Given the anarchy, conflicts and violence that has accompanied efforts to introduce competitive elec-

tions in the Middle East, we may ask whether it is in either Chinese or American interests for China to move in a democratic direction. But democracy is not just competitive elections—it is also the rule of law, freedom of press and association, and system of checks and balances. As we have seen, such institutions are not alien to post-Confucian societies. In fact, without the development of these institutions, the increasing inequalities and protests that are accelerating all over China today may give rise to anarchy. These protests reveal that China’s current political system may no longer be able to deliver the security and stability that the Chinese so desire and that are necessary for China’s continued modernization and peaceful interaction with the rest of the world. Thus, it is in the interests of both China and the United States that China move in a democratic direction.

# POLITICAL REFORM IN CHINA: TOWARD DEMOCRACY OR A RULE OF LAW REGIME?

SUI SHENG ZHAO

Since China began revamping its economy in the late 1970s, the pressure for political reform has been building up as it has become more and more difficult for the communist regime to sustain a growing disconnection between a market-oriented economy and a dynamic society on the one hand, and an anachronistic and authoritarian state on the other. As a result, political reform has not only been hotly debated and broadly discussed among Chinese intellectuals, but also become an official policy objective of the Chinese Communist Party (CCP). One of the key issues in the debate is whether single party rule can adequately cope with China's rapidly changing society, or whether a multi-party electoral democracy is required.

While many Western observers and Chinese liberal intellectuals want to see China's political reform leading to a multi-party democracy, Chinese government officials and some Chinese scholars have proposed to improve the rule of the CCP, making the single party system more efficient and providing it with a solid legal base. Pan Wei, a Berkeley-trained Chinese scholar at Peking University, put forth a concept of political reform without democratization by proposing a consultative rule-of-law regime. This would be a "mixed" regime derived from the Chinese tradition of civil service via examination and the Western tradition of legalism and liberalism via the separation of power to form checks and balances.<sup>1</sup> Pan suggests the consultative rule of law regime as an option for China's political reform. He considers this a feasible path for China to improve fundamentally the rule of the CCP within the single party system. He believes that a legalist direction of political reform is a logical development in light of China's particular social setting and the related political culture.

Although scholars have continued to debate the feasibility of Pan Wei's consultative rule of law regime, political reform in post-Mao China has moved steadily toward governing the country by law (*yifa zhiguo*), or governing the state according to

law (*yifa zhizheng*). This trend may be observed from the following three important aspects of political reform after the transition of the CCP leadership from the third generation led by Jiang Zemin to the fourth generation under Hu Jintao: institutionalization of the leadership system with an emphasis on normative rules and procedures, the effort to make government more accountable to an increasingly pluralistic society, and the improvement of citizen's constitutional rights. These aspects of political reform, however, will not necessarily lead to a liberal democracy in China.

## INSTITUTIONALIZATION OF THE DECISION-MAKING SYSTEM

Institutionalization of China's leadership system is one of the most important aspects of political reform, as it emphasizes the normative rules and procedures in the decision-making process. Such reform started in the 1980s when Deng Xiaoping realized that "the lack of effective institutions and checks on arbitrary authority had helped bring about disasters in the Mao years."<sup>2</sup> Significant reform measures have included regular party and state decision-making institution meetings according to constitutional schedules; constitutionally mandated two-term limits for the president and premier; a fixed retirement age for all party and government posts; and a personnel policy emphasizing youth and education. One of the most important consequences of institutionalization is the enhancement of formal institutional authority and the corresponding decline of informal personal authority on the part of the top leaders. By definition, personal authority revolves around individual personages and derives from the charismatic nature of strong leaders, which supersedes impersonal organization in eliciting the personal loyalty of followers. By contrast, institutional authority derives from and is constrained by impersonal organizational rules. In the ideal situation, such authority rests not on individual charisma but on the formal position of

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the individual in an institutional setting. Insofar as a leader can issue commands under institutional authority it is because of the office that he or she holds, rather than of any personal quality.

For many years in PRC history, personal authority was more important than institutional authority. This was particularly true during the 1980s when retired senior leaders possessed great personal prestige and influence over newly promoted and younger top office-holders.<sup>3</sup> Since the demise of the senior revolutionary veterans in the 1990s, institutional authority has advanced to take a more important position than personal authority. The rise of the third generation of leadership under Jiang started the transition. The rise of the Hu leadership has completed the transition. This is the first generation of leadership in the PRC without significant personal memory of the revolution years, or any wartime military experience. As a result, since Deng's death in 1997, there have not been any retired senior leaders who have practiced the foot-loose informal power that Deng did.

After taking office, Hu Jintao has moved further along the direction of institutionalization of the leadership system and, in particular, has emphasized the importance of preserving the normative rules and procedures of collective leadership in the decision-making process. At the highly publicized first Politburo meeting after the 16th party congress, Hu emphasized the rule of law and the constitution. Since then, the Politburo and its standing committee meetings have been routinely publicized in the official media. In a move to institutionalize the decision-making system in the State Council, Wen stopped making decisions at premier work meetings (*zhongli bangong huiyi*). These meetings did not have any legal status, but they were held regularly by Wen's predecessors. Wen, on the other hand, has made decisions at the State Council Executive meetings (*guowuyuan changwu huiyi*) and State Council Plenary Meetings (*guowuyuan qianti huiyi*), which do have legal status. Another significant move toward institutionalization of leadership politics is the decision in July 2003 to abolish the annual series of informal central work conference meetings at the summer resort Beidaihe that started in the Mao's years. Instead, the leadership is relying on formal meetings of the Politburo and its Standing Committee. This is certainly a major advance toward institutionalization of decision making at the top.

Continuing institutionalization of the leadership system in this direction is certainly an important development for building a rule of law regime. Top CCP leaders have tended to have less and less personal authority as the institutionalization of leadership politics continues. In this case, Hu Jintao, no matter how capable he is, will have less personal authority than his predecessor, Jiang Zemin. Hu will also be less likely to become a strongman after his retirement than Deng or even Jiang did. This lack of a strongman in the leadership will make members of the CCP leadership more willing to follow normative rules and procedures in decision-making.

### CADRE ACCOUNTABILITY

Another aspect of political reform is building an institutional and legal mechanism to restrain government officials and cadres with the goal of making them more responsive to society's demands and more accountable for poor performance. Accordingly, a number of institutions and mechanisms have been established for this purpose, including legislative oversight committees, supervision committees, party discipline committees, internal administration reconsideration procedures, a system of letters and visits, administrative litigation law, and judicial review. Another example is the cadre accountability/responsibility system (*ganbu wenze zhi*) which provides that, if any official is found unable to prevent mishaps ranging from epidemics to labor unrest, he or she would face tough penalties or dismissal.

This system was triggered primarily by the SARS (severe acute respiratory syndrome) crisis in 2003. After a whistleblower exposed a cover-up about the outbreak, the Chinese people began demanding basic rights to information and the World Health Organization and the foreign media clamored for accountability. In the hospitals, the virus crept into the ranks of the Communist Party. Unlike in the past, the drama was chronicled in real time on the internet. Realizing the danger that SARS could pose to the country and the state, Hu made the unusual move to acknowledge that the government had lied about the disease and fired Beijing's mayor and the country's health minister for covering up the actual number of SARS patients.

Partially in response to the media exposure and domestic as well as international pressure with regard to the initial cover-up of the epidemic, the

new Chinese leadership worked hard to build an image as the champion of ordinary Chinese people by calling for government officials to be more professional and accountable. The result was the setting up of a cadre responsibility system, whereby greater accountability was demanded of leading officials and they were required to report truthfully on the epidemic situation and other disasters. In addition, the behavior of China's usually docile media was also changed. Since then, major accidents, such as bird flu outbreaks and mine explosions have been routinely reported in the media, and the officials responsible have been removed or even punished.

Although such changes do not indicate an acceptance of liberal democratic principles or entail a complete opening of the political system, the Hu-Wen administration has certainly been under pressure to reform the political system to reflect the tumultuous pace of transformation in China, from technology that often outpaces efforts to control information, to globalization and foreign influences that vie with Communist Party doctrine. The reform has made the Hu-Wen administration more responsive to popular demands than its predecessors, but it falls far short of building institutions and systems of governance that would guarantee effective supervision of the rulers. Although the cadre accountability system in theory is supposed to make the cadres more responsive to societal demands, the way it has worked to date makes the cadres responsive only to their hierarchical superiors. This is not accountability in the genuine sense of democracy. From this perspective, the cadre accountability system is a reform more toward the rule of law than democratization. As a matter of fact, the Hu-Wen administration, just as its predecessors, has not hesitated to put a damper on any changes that threaten the CCP's monopoly of power.

### CONSTITUTIONAL REFORM

Building a legal system, or *"fazhi,"* a Chinese word which means both "rule of law" and "rule by law," has become the third most important aspect of political reform in recent years. In addition to promulgating many laws and training legal professionals, constitutional reform has become a hotly contested issue in China's political reform agenda.

The PRC has been governed by four constitutions, and four amendments have been made to the

current constitution. The first constitution in 1954 detailed the state structure of the new People's Republic, but it ceased to function when the Cultural Revolution disrupted established institutional arrangements. The second constitution, known as "the Cultural Revolution Constitution" (*wenge xianfa*), was produced in 1975. After the inception of economic reform, the third constitution, known as the "Four Modernization Constitution" (*sige xiandaihua xianfa*), was adopted in 1978, marking the initial attempts to restore the pre-Cultural Revolution political system and the re-orientation of party policy toward economic development. The formal structures governing the Chinese political system barely gained legitimacy with the 1978 constitution. Thus, the fourth constitution, known as "Reform and Opening-up Constitution" (*Gaige kaifang xianfa*), was passed in 1982. Many changes were made in the 1982 constitution. The most important ones are a stipulation that "no organization or individual is privileged to be beyond the Constitution or law," and the emphasis on the equality of all citizens before the law.

Functioning to regularize the framework for political life in China, the 1982 constitution was amended four times: in 1988, 1993, 1999, and 2004. This was in response to policy adjustments at the 13th, 14th, 15th, and 16th CCP National Congresses. The fact that the constitution was amended, rather than replaced by a new constitution, suggests an important development in Chinese politics and a move toward international norms on legal issues. In addition, these amendments have made the constitution more like a legal document and provide protection to citizen's rights. For example, the 1988 amendment introduced provisions on the private economy, while the 1993 amendment replaced the concept of "socialist market economy" with the concept of "planned economy on the basis of socialist public ownership." In the 1999 amendment, the role of the private sector was elevated from being "a complement to the socialist public economy" to "an important component of the socialist market economy." The phrase "counter-revolutionary activities" was changed to "crimes jeopardizing state security." Significantly, the constitutional amendments explicitly avow, for the first time in the constitutional history of the People's Republic, to "govern the state according to law" (*Yifa Zhiguo*) and "establish the socialist state of rule of law."<sup>4</sup> Among the revisions in

the 2004 amendment, a notable one is that “citizens’ legal private property is not to be violated. . . . The state protects citizens’ private property rights and inheritance rights according to law.” This change puts private assets of Chinese citizens on an equal footing with public property, both of which are “not to be violated.”

While the top-down approach toward constitutional reform has set limitations on the scope of the amendments, Liu Xiaobo, a Chinese political dissident known for his role in the 1989 Tiananmen pro-democracy demonstrations, acknowledges that “a constitution for party authority (*dangquan xianfa*) has been transformed into a constitution to limit party authority (*xianquan xianfa*).” Evidence of the transformation, according to him, is that the emphasis on legal education has shifted from educating citizens to obey the law to educating officials to follow the law.<sup>5</sup>

Indeed, protection of constitutional rights has become a hot topic in China’s media, as ordinary Chinese have developed an understanding of the legal rights they are supposed to enjoy and try to make them real. This development has produced rights consciousness and activism (*weiquan yundong*). The rise of constitutional rights consciousness has brought about many new concepts among the Chinese people. For example, Guangzhou’s bi-monthly magazine, *Nanfeng Chuang* (South Wind Window), listed ten “concepts of the year” in 2003. Most of them are closely linked with constitutional consciousness, such as “*yimin weiban*” (people are the original source of political authority), “*yixian ziguo*” (to rule the country according to the constitution), “*zhiqing qian*” (the right for information), and “*zhunzhong minyi*” (respect the people’s will).<sup>6</sup>

## CONCLUSION: THE RULE OF LAW AND PROCEDURALISM

Political reform has made a thin crack in China’s rigid authoritarian system, and the new generation of leadership has tried to establish a new image of being bound by the rule of law. Paradoxically, one of the main purposes of this political reform has been to head off threats that might eventually increase pressure for democratization.

Bruce Gilley characterized the recent development of institutionalization and the rule of law regime in China as “proceduralism,” which “is a key

to the notion of ‘technocracy’—officialdom guided by markets and scientific expertise.” The constitution is seen as “the pediment of the procedural temple” and “Constitutionalism, as envisaged by Mr. Hu and others, is a way to establish a reign of quiescence over those who would contest party and state decisions.”<sup>7</sup> It is interesting to see the doctrine of proceduralism in the context of a grand policy consensus built by Deng and advanced by Jiang and Hu to concentrate on economic modernization and political stability in order to maintain the CCP one-party rule. It has been a long-held party belief during the reform years that keeping economic growth moving and prosperity on the rise is crucial to the party’s progress and efforts to maintain one-party rule over an increasingly savvy society. Its legitimacy can be maintained without abolishing the one-party rule, as long as the communist party’s rule can be improved to deliver economic growth.

Both the doctrines of proceduralism and economic primacy have so far stood the state in good stead. However, the party’s legitimacy in China has become increasingly tied not only to the party’s ability to maintain a rule of law regime, but also to the party’s ability to raise incomes and deliver year after year of strong GDP growth. There is great uncertainty as to how long this situation may last. A U.S. legal scholar indicated that China may be heading towards a legal crisis because its weak institutions cannot address an increasing number of grievances, especially from farmers and other underprivileged groups. The leadership has pledged to establish the rule of law and has created rising expectations, but the country lacks an independent judiciary and an official channel for grievances; consequently, “expectations are more often than not being dashed.”<sup>8</sup> The real test for political reform, therefore, is whether the party and state are willing to accept constitutional curbs on their ultimate power by, among other things, an independent constitutional review process, expansion of direct local elections, dilution of party control of the judiciary, and, in practice, permitting people to exercise such rights as freedom of assembly. It is hard to expect the Hu leadership to make such breakthroughs, as the goal of the new leadership has been to improve the system that they oversee rather than bring it down. They have worked to govern an increasingly complex polity by maintaining a one-party system, rather than to strike out in finding a new political direction.

## ENDNOTES

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4. Qianfan Zhang, "The People's Court in Transition: The Prospects of the Chinese Judicial Reform," *Journal of Contemporary China*, Vol. 12, No. 24 (2003): 69–70.
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# THE LIMITS OF CONSULTATIVE LENINISM

RICHARD BAUM

Almost 40 years ago, Samuel Huntington noted that the process of socio-economic modernization was inherently destabilizing politically, and that rapid modernization was more stressful and destabilizing still. In Huntington's famous formulation, accelerated socio-economic change served to raise popular expectations faster than existing political institutions could satisfy them, thus spawning a "frustration gap" that fueled rising political discontent.<sup>1</sup>

In Huntington's view, the key to dealing effectively with the profound transitional stresses of rapid modernization was to promote effective long-term *political institutionalization* (defined as an increase in governmental autonomy, adaptability, and complexity) while maintaining strong, centralized *political authority*. As he famously put it, in political development the *degree* of government matters more than the *form* of government. And he went so far as to suggest that charismatic/authoritarian political regimes could provide a degree of political stability necessary to guide a rapidly modernizing society through the traumas of socio-economic change. Eventually, under the selection pressures of modernity, democratic institutions would display superior capacity to adapt and respond to emergent, pluralistic social forces; but in the meantime, strong central authority was the *sine qua non* of political order.<sup>2</sup>

China's post-Mao leaders have seemingly taken Huntington's theory to heart.<sup>3</sup> Seeking to avoid risking the notional chaos of democratic pluralism in an age of increasing socio-economic complexity, they have stressed "unity and stability" above all else. When faced (as in the spring of 1989) with a stark choice between political reform and political repression, they unflinchingly opted for the latter. Yet for Huntington, the comparative advantage conferred by strong authoritarian governance was short-term and transitive in nature; over the long haul, political power had to be institutionalized to be effective. And therein lay a profound dilemma for China's post-Mao leaders: how to create more

effective, responsive political institutions without relinquishing their Leninist monopoly of political power. How, in short, to increase popular *feedback* without encouraging political *pushback*.

## THE RISE OF CHINESE "SOFT AUTHORITARIANISM"

Beset by the intensifying societal frustrations and pressures of modernization, and increasingly mindful of the need to bolster the Communist party-state's "ruling capacity" (*zhizheng nengli*), Chinese leaders in recent years have adopted a variety of "soft authoritarian" measures designed to cautiously expand the arena of political *inclusion*, *consultation*, and *cooptation*, without at the same time enlarging the scope of public *accountability*, *responsibility*, or *empowerment*. Such measures have included, *inter alia*:

- Enlarging the deliberative function of people's congresses at all levels;
- Expanding the advisory and consultative roles of "united front" organs such as the Chinese People's Political Consultative Conference (CPPCC) and the eight officially recognized "democratic parties";
- Creation of provincial, municipal and county-level "e-Government" websites for the public dissemination of administrative information and solicitation of public feedback on government performance;
- Expanded use of *xinfang* ("letters and visits") offices to assist members of the public in reporting abuses of state power;
- Providing legal recourse for citizens suffering administrative abuse at the hands of state officials, formalized in the 1990 Administrative Litigation Act;
- Use of open hearings to broaden public awareness of local policy issues;
- Increasing the social representativeness and inclusiveness of the CCP by recruiting entrepreneurs and other emergent middle class and *nouveaux-riches* strata into the party under the aegis of the "three represents"; and

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- Promotion of the neo-Confucian cultural ideal of a “harmonious society” (*hexie shehui*) to foster peaceful resolution of conflict arising from the reform-induced polarization of incomes and economic opportunities.

While a primary goal of such administrative and ideological innovations is to improve governmental performance and responsiveness, a series of steadily worsening societal stresses and tensions have called into question the viability of the new, improved Chinese model of “consultative Leninism,” raising anew the Huntingtonian question of the relationship between short-term political order and long-term political development.

### THE NATURE OF CONSULTATIVE LENINISM

In its Maoist format, Chinese Leninism stressed the CCP’s indirect control over society via its top-down domination of sector-specific mass organizations. By controlling the leadership and agenda of such nationwide “peak associations” as the All-China Trade Union Federation and the All-China Women’s Federation, the CCP was able effectively to penetrate—and mobilize—major segments and strata of Chinese society. At the same time, the CCP sought to co-opt (and thereby neutralize) key non-party social strata, such as intellectuals, through a series of “united front” organs that included the CPPCC—a shadow parliament—and China’s eight democratic parties, remnants of the CCP’s “new democratic united front” of the early 1950s. Nominally, such bodies enjoyed supervisory (*jiandu*) and advisory (*quangao*) functions vis-à-vis the party-state; in reality, however, they were politically impotent, widely dismissed as “flowerpots”—pleasant to look at, but carefully tended, watered and where necessary, weeded by the Communist Party. Above all, the purpose of mass organizations and united front bodies alike was to help mold “unified public opinion” in support of CCP programs and policies.

With the death of Mao and the advent of economic reform and “opening up” in the late 1970s and early 80s, the party-state began to retreat from micro-managing the economy and society. With the relaxation of previous restrictions on market commerce, labor mobility, and private acquisition of wealth (“To get rich is glorious”), the Leninist state and its socialist *danwei* (work units) loosened their

grip on the lives of hundreds of millions of people. In this new situation of accelerated social mobility and enhanced individual discretion, the CCP’s traditional imperative of “unified public opinion”—the notion that the interests of the party-state and the popular masses were always identical and indivisible—was subject to significant strain.

As China’s economy and society became more complex and pluralistic in the 1980s there was increasing talk of a new, post-Leninist Chinese development model. Sometimes referred to as “small state, big society” (*xiao guojia, da shehui*), this model envisioned a substantial downsizing of the party-state apparatus, accompanied by the rise of a vibrant, spontaneous, and autonomous sphere of associational life at the grass-roots level.<sup>4</sup> Implicit in the model was a recognition of the legitimacy of particularistic socio-economic interests and interest groups.

Movement in the direction of greater interest group pluralism was endorsed by a group of younger CCP reformers in the late 1980s, under the patronage of Party General Secretary Zhao Ziyang. On the eve of the 13th Party Congress in October 1987, Zhao rejected the conventional Maoist view of “unified public opinion” under socialism, arguing that the government should be concerned with listening to and reflecting the divergent interests and opinions of its citizens. Noting that “Socialist society is not a monolith,” he stressed that “special interests should not be overlooked”, arguing that “conflicting interests” should be represented “within the political process.”<sup>5</sup> In his political report to the 13th Party Congress, Zhao proposed a series of political and administrative reforms that, among other things, included greater tolerance of organized interest groups: “Different groups of people may have different interests and views,” he said; “they too need opportunities to exchange ideas.”<sup>6</sup>

While proposing a gradual, step by step transition to a more pluralistic, interest-based political process, Zhao stopped short of advocating Western-style constitutional democracy, with its separation of powers, multiparty competition and freedom of political expression. Noting that modernization and economic reform were inherently turbulent and stressful, Zhao argued (à la Huntington) that there were inevitably “many factors making for instability.” For this reason, he suggested (also in good Huntingtonian fashion) that the transition to polit-

ical pluralism should be undertaken “step by step in an orderly way.”<sup>7</sup>

In the event, Zhao’s modest proposal for a hybrid system of limited interest group pluralism was mooted during the Beijing Spring of 1989, when self-organizing groups of independent students, workers, journalists and others took part in massive anti-government demonstrations. Boldly asserting their autonomy from official, state-sponsored mass organizations, the dissidents’ defiance proved more than CCP hard-liners could tolerate. When the crackdown began in early June, leaders of the new-born autonomous organizations were among the first to be targeted for suppression.

### LESSONS FROM THE SOVIET COLLAPSE

The CCP’s determination to resist—and suppress where necessary—political pluralism gained added impetus in February 1990, when Mikhail Gorbachev announced his intention to terminate the Soviet Communist Party’s 72-year monopoly of political power. Less than 48 hours after Gorbachev dropped his bombshell, the Chinese media released the text of a 24-point CCP Central Committee decision categorically rejecting the option of multi-party power-sharing. While not criticizing Gorbachev directly, the document asserted that “bourgeois democracy” was wholly unsuitable for China; instead, it claimed that relations between the party and the people could best be improved by strengthening the traditional advisory, supervisory and consultative roles of united front bodies such as the CPPCC and the eight democratic parties “under the leadership of the CCP.”<sup>8</sup>

By seeking to co-opt non-party elites and grant them easier advisory access to government policymakers, Chinese leaders hoped to forestall popular demands for more widespread, systemic political access and accountability. Unlike Gorbachev, China’s rulers had no intention of sharing power. When Gorbachev was subsequently deposed (and the CPSU swept away) in the Soviet meltdown of 1991, Chinese leaders strongly reaffirmed their commitment to single-party rule, focusing once again on the need to preserve “unity and stability.” In their view, Gorbachev’s misguided liberalism, aided and abetted by the subversive forces of “peaceful evolution,” exported by the West, had been responsible for the disintegration of the Soviet bloc.<sup>9</sup>

### MOUNTING SOCIAL DISCONTENT IN THE “ROARING NINETIES”

With political liberalization indefinitely shelved and party conservatives threatening to reverse China’s economic reforms and “open policy,” Deng Xiaoping’s personal intervention rescued the endangered reforms in 1992. In a manic upsurge of market activity that followed Deng’s famous “southern tour” of January–February 1992, the reforms were accelerated and further institutionalized. In the process, however, a number of existing societal stresses were exacerbated (including economic overheating, urban inflation, rampant corruption, and uncontrolled rural emigration), while a series of new and potentially critical socio-economic faultlines appeared (including massive layoffs from failed or downsized state-owned enterprises, a disappearing social safety net, unrestrained environmental degradation, a speculative stock market and real-estate development boom/bubble, widespread illegal land seizures, and severe income polarization between city and countryside, coast and interior).<sup>10</sup> While a decade of near double-digit economic growth after 1992 enabled Chinese leaders to survive these added stresses while kicking the can of democratic political reform further down the road, avoiding tough political choices, the sharply rising frequency of organized public displays of discontent, protest, and rioting since the early 1990s offers presumptive evidence of an incipient crisis of governance.<sup>11</sup>

Throughout the 1990s, the CCP’s primary strategy for dealing with local disturbances was to isolate and cauterize them. When problems arose that could not be ignored—farmers protesting excessive fees or illegal land seizures; laid-off workers demanding payment of embezzled wages and pensions; outraged parents demanding investigation of a fatal school explosion and fire—they were handled on an *ad hoc*, individual basis. So long as such incidents were localized, they could be dealt with by a paternalistic government determined to keep the lid on social disorder. If necessary, village elections could be held to remove corrupt local cadres; government officials could launch a high-profile investigation into the causes of a school fire (or a coal-mine collapse); and money could be found to pay off angry farmers and pensioners. If demonstrations persisted or spread, their leaders could be arrested or physically intimidated.

Such a strategy of localized conflict containment is arguably most effective when discontent is small in scale and widely dispersed, and when communication among aggrieved groups and individuals is difficult. What began happening in the late 1990s, however, was the mobilization of discontent by disadvantaged groups possessing modern means of communication—cellphones, pagers, personal computers, text messaging (SMS), and the internet. As socialized manifestations of discontent became more numerous and larger in scale, their potential political threat to the regime became greater.

### JIANG ZEMIN'S "THREE REPRESENTS"

Confronted in the late 1990s with signs of a growing disconnect between the party-state and society, Jiang Zemin sought to boost the Communist Party's flagging prestige. Articulating a controversial "theory of the three represents" (*sange daibiao lilun*), Jiang invited China's emergent *nouveaux riches* entrepreneurs and commercial elites to join the Communist Party. By including these new economic elites within the CCP's "big tent," Jiang hoped to broaden the socio-economic base of the party and thereby increase its responsiveness.

In the event, Jiang's initiative did little to ease the "great wall of power" that separated the party from the people. Although the "three represents" reflected a growing recognition of the need for the party to embed itself more deeply and broadly within the society, it was but a first step, and arguably a rather feeble one at that. Many ordinary citizens displayed a noncommittal attitude toward the "three represents"; others were openly cynical, viewing the new doctrine as a veiled attempt to co-opt upwardly mobile groups and individuals without diluting the party's effective political monopoly. For most people, however, it was simply irrelevant.<sup>12</sup>

### THE NEED TO "STRENGTHEN RULING CAPACITY"

Early in the new millennium, with the risk-averse Jiang Zemin moving toward retirement, it was widely anticipated that his fourth-generation successors, Hu Jintao and Wen Jiabao, might be free to pursue a more progressive political agenda. Indeed, the prospects for meaningful reform seemed to brighten momentarily when the Fourth Plenum of

the 16th Central Committee, meeting in September 2004, frankly acknowledged the fragility of party rule and affirmed the existence of a deepening crisis of legitimacy:

China's reform and development has reached a critical stage in which new problems are mushrooming. . . . The CCP's ruling status . . . will not last forever if the party does nothing to safeguard it. . . . We must develop a stronger sense of crisis . . . and strengthen our ruling capacity in a more earnest and conscientious manner.<sup>13</sup>

To deal with the mounting crisis, the Fourth Plenum pledged that "The party will guarantee that the people carry out democratic election, policy making, management and supervision according to law, while improving the People's Congress system and the system of multi-party cooperation and political consultation . . ."<sup>14</sup>

If the Fourth Plenum cautiously raised hopes for greater political openness and pluralism, Hu Jintao soon dashed them. In a September 2004 speech commemorating the 50th anniversary of the National People's Congress, Hu made it clear that "strengthening ruling capacity" did not mean diluting or relinquishing the CCP's 55-year monopoly on political power:

The Communist Party of China takes a dominant role and coordinates all sectors. . . . The leading position of the party is a result of long-term practice and is clearly stipulated by the Constitution. People's congresses at all levels and their standing committees must consciously put themselves under the party's leadership. . . . The role of party organizations and party members in government departments should be brought into full play . . . so as to realize the party's leadership over state affairs.<sup>15</sup>

Further underscoring Hu's emphasis on unrelenting party domination, a lengthy commentary by Politburo Standing Committee member Zeng Qinghong (an erstwhile protégé of Jiang Zemin), published shortly after the Fourth Plenum, spelled out an expanded role for the party in China's governance. Among other things, Zeng called for tighter party control over legislative deliberations; increased fusion (and blurred functional distinctions) between



party and state officials; and tighter party supervision over the activities of interest groups:

Upholding rule by law requires strengthening the party's leadership of legislative work and being good at using statutory procedures to translate the party's preferences into the national will . . . .

The Decision proposes . . . increasing to an appropriate extent the overlap in the duties and positions of party and government leaders . . . .

Creating sound supervisory channels . . . will prevent the formation of vested interest groups.<sup>16</sup>

Not coincidentally, these three imperatives directly contradicted key reform initiatives proposed by Zhao Ziyang in 1987. In this and other respects, the Fourth Plenum's call to "strengthen ruling capacity" seemed less a manifesto for political openness than a call for reinforcing traditional CCP domination of the instruments and avenues of governance.

### THE QUEST FOR A "HARMONIOUS SOCIETY"

Most recently, the drive to strengthen the CCP's ruling capacity has been conjoined, somewhat paradoxically, with a revival of neo-Confucian philosophy, centering on the quest for a "harmonious society" (*hexie shehui*). Premier Wen Jiabao laid the cornerstone of this renaissance on March 5, 2005, in his Report to the 19th National People's Congress. "We must," said the premier, "build a harmonious socialist society that is . . . fair and just, trustworthy and friendly, full of vigor and vitality, secure and orderly, and in which man and nature are in harmony."<sup>17</sup> A few weeks later, an article by a vice-chairman of the CPPCC defined the political goal of "a harmonious society" as a desire to "reach unanimity after taking many things into consideration." The author went on to say: "When this logic is [applied] to administration, we must harmonize various kinds of interests, synthesize different opinions and defuse complicated contradictions."<sup>18</sup>

While this language is vaguely utopian, the political implications are strikingly authoritarian and paternalistic. Since the spontaneous, unmediated

clash of contending interests, in the absence of competitive parties, putatively engenders social discord and political chaos, a unifying force, standing above the fray, is needed to forge a coherent synthesis among clashing social forces. Like the "three represents", the call for a "harmonious society" presupposes the existence of a benign, superordinate authority—the CCP—capable of faithfully incorporating and blending the full spectrum of "legitimate" societal interests.

### CONCLUSION: THE FUTURE OF CONSULTATIVE LENINISM

By substituting paternalistic consultation for autonomous political participation, co-optation for representation, advice for empowerment, and consensus-building for the clash of conflicting interests, the CCP has arguably been able to avoid much of the putative clutter and chaos of democratic pluralism. But what of Huntington's institutional imperative? Has the Chinese party-state become more complex, adaptable, and responsive—i.e., more *effective*—as a governing institution? And if so, does this increase or decrease the likelihood of a future democratic transition?

A relatively optimistic assessment of the outlook for improved Chinese governance by Dali Yang focuses on a series of recent incremental administrative and legal reforms, including enactment of the Administrative Litigation Law; strengthening "letters and visits" as a mechanism for redressing abuses of government authority; proliferation of "e-Government" internet websites and business-friendly government service centers; and increased use of public hearings, permitting expanded citizen input into policy deliberations. Arguing that such initiatives help to "improve the efficiency, transparency, and accountability of the administrative state," Yang suggests that they "help bridge the gap between elite and masses, and go some way toward curbing rampant [corruption]." And he goes on to suggest that in the long run, "an efficient and well-governed administration will be indispensable if and when elite politics do make a democratic transition."<sup>19</sup>

The key to Yang's "if-and-when" optimism lies in his perception that the gap between state and society is gradually shrinking, albeit non-democratically, due to soft-authoritarian administrative and procedural reforms. Such optimism may be difficult

to square, however, with the rapidly rising frequency and intensity of reported incidents of organized social protest over the past dozen years. In 2005 alone, China's Ministry of Public Security recorded over 87,000 such incidents—representing a six-fold increase over 1993.<sup>20</sup>

Casting a more critical eye on China's recent administrative reforms, Minxin Pei agrees with Yang that narrowing the state-society gap is the key to improving governmental performance. But unlike Yang, Pei sees China locked in a “trapped transition” wherein new socio-economic elites, having been successfully co-opted by the party-state to become willing partners in a corrupt system of “crony capitalism,” have little interest in altering the political status quo:

In China, mixing command and control with embryonic market forces enables the Communist party to tap efficiency gains from limited reforms to sustain the unreconstructed core of the old command economy—the economic foundation of its political supremacy. In a ‘trapped transition,’ ruling elites have little interest in real reforms. They may pledge reforms, but most such pledges are lip service or tactical adjustments aimed at maintaining the status quo.

Without a national reformist ethos or visionary reformers, China seems to be on a Long March to nowhere. China's continuing economic growth merely vindicates current policies and disproves the need for change, perpetuating the trap. Riding this momentum, the party may muddle along for some time but it is hard to imagine that China can evolve into a market democracy without a cataclysmic mid-course correction.<sup>21</sup>

Where does all this leave China? In theory, absent competitive political parties and vibrant, self-organizing *pouvoirs intermediares*, China's soft-authoritarian administrative and legal reforms could conceivably yield a Singaporian or Hong Kong-style “executive-led, administered state.” But Singapore and Hong Kong both enjoy important comparative political advantages over China as a result of being: (a) tiny city-states of 6 million (or less) well-educated citizens, with virtually no rural

hinterlands; (b) inheritors of mature British-type legal systems and the developing world's most uncorrupt civil services; and (c) per-capita incomes of over US\$30,000—roughly six times greater than China's.<sup>22</sup> Thus, the likelihood of China evolving into another Singapore or Hong Kong anytime soon must be reckoned as exceedingly remote.

In the short-term, consultative Leninism—bolstered by robust economic growth—has arguably extended the life span of China's authoritarian regime. In a recent *Foreign Affairs* article, Bruce Bueno de Mesquita and George W. Downs argue that authoritarian governments can add substantially to their longevity by combining economic liberalization and the effective provision of administrative goods with tight restrictions on “coordination goods” such as political liberties, press freedom, and unrestricted internet access:

[P]lenty of evidence now suggests that autocratic and illiberal governments of various stripes can delay democracy for a very long time. Over the past half century, a large number of such regimes have undergone extensive economic growth without any corresponding political liberalization. In other cases, autocrats have been forced to introduce modest political changes but have held onto power by limiting the scope of those changes.

What explains the often lengthy lag between the onset of economic growth and the emergence of liberal democracy? The answer lies in the growing sophistication of authoritarian governments. Although development theorists correctly assume that increases in per capita income lead to increases in popular demand for political power, they consistently underestimate the ability of oppressive governments to thwart those demands. . . .

In the long term, however, economic growth can threaten the survival of repressive governments by raising the likelihood that effective political competitors will emerge. This happens for two reasons: (1) economic growth raises the stakes of the political game by increasing the spoils available to the winner, and (2) it leads to an increase in the number of individuals with sufficient time, education, and

money to get involved in politics. Both these changes can set in motion a process of democratization that, slowly gathering momentum, can eventually overwhelm an autocratic status quo and create a competitive, liberal democracy in its place.<sup>23</sup>

As to just what constitutes “eventually,” “a very long time,” and “in the long term,” Bueno de Mesquita and Downs, drawing on data gathered from approximately 150 countries between 1970 and 1999, conclude that competent authoritarian governments that provide substantial economic growth and administrative goods, while effectively suppressing coordination goods (including media freedom, unrestricted access to internet sites, and freedom of assembly), can delay the onset of democratization for up to a full decade or even longer. If their calculations are correct, China’s unreconstructed Leninists may already be living on borrowed time.

## ENDNOTES

1. Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), chapter 1 et passim.
2. In Huntington’s view, the main alternatives to strong transitional political authority were *praetorianism* (government by military coup) and *revolution* (governmental collapse).
3. Huntington’s book was widely read by Chinese political reformers in the 1980s, and was said to be instrumental in inspiring Zhao Ziyang’s proposals for limited political reform, introduced at the 13th CCP National Congress in 1987.
4. The term “small state, big society” was coined in connection with the creation of a new provincial-level Special Economic Zone on Hainan Island in 1988.
5. Zhao Ziyang, “On Separating Party from Government,” *Beijing Review*, Vol. 30, No. 50 (December 14–20, 1987): 16.
6. Zhao’s proposals are examined in Richard Baum, *Burying Mao: Chinese Politics in the Age of Deng Xiaoping* (Princeton: Princeton University Press, 1996), 220–222.
7. *Beijing Review*, Vol. 30, No. 45 (1987), 6, 15.
8. Chinese Communist Party, “Opinions On Persisting In and Improving the System of Multiparty Cooperation and Political Consultation Under the Leadership of the CPC,” *Foreign Broadcast Information Service* (February 7, 1990), 7–11.
9. China’s response to the collapse of Leninist regimes in East and Central Europe and the Soviet Union, 1989–92, is analyzed in David Shambaugh, *China’s Communist Party: Atrophy and Adaptation*, (forthcoming).
10. See, e.g., Charles Wolf, et al., *Faultlines in China’s Economic Terrain* (Santa Monica: Rand Corporation, 2004); and Wang Shaoguang and Hu Angang, *The Political Economy of Uneven Development: The Case of China*, (Armonk, NY: M.E. Sharpe, 1998)
11. From approximately 14,000 officially recorded incidents of collective protest in 1993, the number rose to over 87,000 in 2005. See note 20, below.
12. There is a good deal of anecdotal evidence to suggest that the “three represents” failed to achieve widespread public acceptance or respect. On several occasions in 2002, 2003, and 2004, the author asked Chinese informants in various cities (including a fair number of taxi drivers) their opinion of Jiang’s new theory. More often than not, the query was met with either total silence or an attempt at humor. One cab driver in Lanzhou, Gansu, when asked how he related to the “three represents”, responded with mock seriousness that “every night when I get home from work the first thing I do is discuss the three represents with my wife and kids.” Pleased with his little joke, he laughed audibly.
13. An abridged Chinese text of the Fourth Plenum Communiqué, entitled “*Zhonggong zhongyang guanyu dangde zhizheng nengli jianshede jue ding*” [Resolution of the CCP Central Committee on Building the Ruling Capacity of the Party] (September 19, 2004), appears in *Xinhua Wang Online* (Beijing), September 26, 2004. A lengthy English language commentary on the communiqué appears in [http://english.peopledaily.com.cn/200409/26/print20040926\\_158378.html](http://english.peopledaily.com.cn/200409/26/print20040926_158378.html).
14. *Ibid.*
15. Hu Jintao, “Speech commemorating the 50th anniversary of the founding of the National People’s Congress” (September 15, 2004), *People’s Daily Online*, <http://english.people.com.cn/>

- com.cn//200409/15/eng20040915\_157073.html.
16. Zeng Qinghong, "A Programmatic Document for Strengthening the Party's Ruling Capacity: Study and Implement the Spirit of the Fourth Plenum of the 16th Party Committee, Strengthen the Party's Ruling Capacity," *People's Daily* (internet edition), 8 October, 2004, translated in FBIS CPP20041008000029 (October 8, 2004).
  17. The text of Zhao's report is reproduced in [http://english.gov.cn/2006-02/22/content\\_207113.htm](http://english.gov.cn/2006-02/22/content_207113.htm).
  18. Feng Zhijun, "The Philosophy of Harmony," *People's Daily* (Overseas Edition), March 23, 2005: 1.
  19. Dali Yang, "State Capacity on the Rebound," *Journal of Democracy* 14:1 (2003), 48. Also Dali Yang, *Remaking the Chinese Leviathan*, (Palo Alto: Stanford University Press, 2004).
  20. Statistics as reported on the MPS website, <http://www.mps.gov.cn/webpage/showNews.asp?id=1810biaoshi=bitGreatNews>.
  21. Minxin Pei, "China Is Stagnating in Its 'Trapped Transition,'" *Financial Times*, 24 February 2006. Also Minxin Pei, *China's Trapped Transition* (Cambridge: Harvard University Press, 2006).
  22. Income calculations based on PPP estimates. See Central Intelligence Agency, *The World Factbook*, January 10, 2006.
  23. Bruce Bueno de Mesquita and George W. Downs, "Development and Democracy," *Foreign Affairs*, Vol. 84, No. 5 (September-October 2005): 77-86.

# UNDERSTANDING CHINESE INTERNET POLITICS

YONGMING ZHOU

## INTRODUCTION

Since the early 1990s, the internet has attracted tremendous attention from business, academia and the media. This is especially true in the case of China. Government regulations on internet use have been scrutinized, and the application of technologies to censor information flow on the net condemned. Government crackdowns on dissent activities in cyberspace have also been critiqued, and details of each case have been gathered and made public both online and through traditional media. In the last several months, we have witnessed further extraordinary attention to the internet in China. First, news broke that Yahoo had provided the Chinese authorities with online activity records that, in part, helped them to sentence journalist Shi Tao to a 10-year prison sentence for leaking national secrets. Next, Microsoft was accused of removing the blog space of Chinese journalist Michael Anti (Zhao Jing) from MSN because of his blog's politically sensitive content. In mid-January, Google's decision to launch a Chinese version of its search engine that would block websites deemed unacceptable by the Chinese authorities was given widespread coverage. Furthermore, a major internet player such as Cisco has long been known to be one of the hardware providers that have helped the Chinese build a firewall to filter out "unhealthy" information online. All this attention culminated in a congressional hearing in mid-February, at which executives of the above-mentioned technological giants were summoned to Capitol Hill, where they faced intense scrutiny from congressmen as well as the media.

The reason why we pay so much attention to the internet in China may reflect our disappointment and frustration at the way the internet has evolved there, especially since it has been in a manner quite different from many early expectations. In the earlier phase of growth, many experts predicted that China's attempts to control the internet were destined to fail because the internet, with its uniquely decentralized structure and absence of hierarchy,

was thought to be uncontrollable. Indeed, many predicted that the internet would change China into a more democratic society. An additional argument was that the Chinese economy could not be successful in a contemporary information age if the authorities chose to block the people's ability to freely obtain and integrate information at all levels. As often in contemporary Chinese politics, however, this prediction has turned out to be simply wishful thinking. As we have seen in the last several years, the development of the internet in China has brought a more complicated outcome. On the one hand, Chinese decision makers have treated the internet as an economic and social growth engine, and their proactive policies have promoted phenomenal internet growth, so that China is now the country with the second-largest number of internet users (110 million) in the world. On the other hand, this rapid development has been achieved without the government losing much control of internet cyberspace. In fact, the Chinese state has developed a variety of means of control over the content of the internet which—at least up to the present—have been fairly effective. Worse still, international tech giants have proved to be either compliant or even complicit with Chinese government control mechanisms. Frustration and outrage are understandable in this context.

## INTERNET CONTROL AS PART OF THE MEDIA SYSTEM

To understand the complex picture of contemporary China, however, we should not overestimate the transformational capacity of the internet, or underestimate the control abilities of the contemporary Chinese state. In other words, neither a too optimistic nor a too pessimistic view is correct. Our early high expectations of the internet were based on prior assumptions of its democratizing function in Chinese society. While all of us agree that the internet has and will continue to have an impact on Chinese politics, we have to realize that technology

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facilitates, but does not dictate, politics. The same technology can be used by different parties in different ways to achieve diverse goals. The internet can thus be used by the Chinese people to enlarge their space of political participation, but it can also be adopted by the Chinese state to consolidate its power. As I illustrated in my recent book, the telegraph, the newest information technology one hundred years ago, was used by the Chinese to conduct a nationwide mobilization against American goods to protest the Chinese exclusion treaty.<sup>1</sup> My case study on websites of fans of the military shows that the internet has also been used by the Chinese to conduct nationalist and anti-democratic mobilization online.<sup>2</sup> The democratizing function of the internet is thus only one of many possibilities of that medium.

China's entering into a market economy was initially seen as a very promising development that would loosen the state's tight media control. Yet so far the result is mixed. Chinese newspapers, radio and television stations have experienced dramatic commercialization, but the state still maintains a firm grip on these media forms. The Chinese authorities have achieved their control over the news media through a complex combination of different means. Major components are as follows: putting the party apparatus in direct charge of monitoring media organization operations and the content they carry, setting the bar high to discourage the founding of new media organizations, pressuring journalists to consent to party rule through career and material incentives, and conversely threatening to block their access to various state owned resources, and even resorting to prosecution if they do not comply. These mechanisms work together to maintain state control, which is mainly expressed through the exercise of self-censorship. Even in the case of local or commercially oriented media outlets that are not under strict state monitoring, the pressure to self-censor is still pervasive.

This does not mean that Chinese media workers passively submit to control, nor does it imply that marketization and the appearance of new media forms such as the internet have not helped them challenge this control. As shown in my study on the *minjian* (unofficial, independent) online political writers, the market economy and the internet have provided additional avenues to support the appearance of independent intellectuals in China, which

was impossible under the old planned economy and totalitarian regime.<sup>3</sup> In fact, Chinese intellectuals, media workers, and online writers have constantly aimed to test state limits, and a much enlarged space of expression has been won through their efforts. It is a well-acknowledged fact that in today's China restrictions on what can be expressed have been loosened substantially. The rapid development of mass media and the internet has definitely played an important role in this process. Yet the environment remains complex, and only seasoned players can figure out to what degree self-censorship should be employed in different media forms.

Despite sensationalist reports regarding Chinese internet control, focusing on activities ranging from filtering keywords, blocking websites, raiding internet cafés, closing down chat-rooms, removing blogs, and persecuting cyber dissidents, these actions are not new if we put them in the context of media control in China. The Chinese authorities carry out these activities in the same way that they prevent “unhealthy” TV or radio programs from being aired, deny sensitive news from being reported in newspapers, or shut down magazines that publish problematic articles. As is the case in other forms of media and in everyday life, the vast majority of internet control work is performed through self-censorship. As I suggested earlier, our seemingly obsessive attention to the Chinese internet results from our high expectations of it. If we realize that the internet is only a promising new technology, and efforts to control it are an integral part of Chinese media control mechanisms—which in turn are part of the current political system—we will come to the conclusion that only by changing the whole political system can the internet be used freely. Expecting that the availability of this technology alone can change the whole system is not realistic, and we should thus not overestimate the transformational role of the internet in China.

### **PRIVATIZING CONTROL: THE DUAL ROLE OF THE MARKET**

In contrast to our overestimation of the transformational power of the internet, we may have underestimated Chinese ability to control the internet (and other media) within the new domains of the market economy and privatization. I argue that the politics of the internet has to be examined in the con-

text of China's continuing turn to neoliberalism, in which marketization and privatization have been actively promoted by the state. At first sight, using neoliberalism to describe a social order which still claims to be socialist may seem a little perplexing, yet various neoliberal practices in China have attracted scholarly attention recently. Of special interest to our discussion is what David Harvey calls "neoliberalism with Chinese characteristics" in which the outcome "has been the construction of a particular kind of market economy that increasingly incorporates neoliberal elements interdigitated with authoritarian centralized control."<sup>4</sup> This brand of neoliberalism with Chinese characteristics has made relationships between private business, the market, and the state more complicated in the arena of internet control.

From this perspective, I argue that in addition to allowing privatization in the economic domain, the state has also aimed to "privatize" certain aspects of control by devolving them to the private sector. In the area of media control, the state has been successful in enlisting the business sector to censor information, thus "privatizing" certain control functions that originally belonged to the authoritarian state. This has resulted in new mechanisms to achieve the goal of maintaining economic privatization and political control. In the Chinese context, the emphasis on "self-control" can be expanded to include both individual users as well as the international tech giants. For the latter, their resistance to state regulations often stops when their ultimate goal of profit seeking is calculated to be in danger. By extending the right to operate a business, the state privatizes some elements of control by transferring them into the hands of tech companies, effectively creating another form of "self-control." In the context of economic privatization and the fast pace of development, the market has shown its dual role in either challenging state regulations or working together with the state to ensure its overall goal of profit. By enlisting the market to serve its control goals, the state has also initiated a process of the privatization of control which permits companies to make "rational" choices within the limits set by the state. The recent uproar in the West at the fact that high-tech giants have complied with Chinese internet surveillance rules is a good example illustrating that the privatization of control can be extended to multinational companies as long as

their need to penetrate China's huge market renders "self-control" a rational choice.

The politics of the internet should be examined from the perspective of two sets of tensions embedded within the broader context of contemporary China. One set of tensions arises from the fact that the non-monolithic Chinese state is both the promoter and the monitor of new technology, the other from the fact that privatization and market forces both challenge and reinforce state regulations. These contradictions illustrate the complexity of a new neoliberal governmentality that is gaining hold in China. As long as the processes of privatization and marketization continue to flourish in a Chinese neoliberal environment, it is likely that we will see more privatization of control in many domains in China in the future.

## INFORMATION FLOW AND INFORMATION RECEPTION

Let me enter the final part of this short paper by mentioning two interesting recent episodes concerning the Chinese internet. One happened in early March, in which two Chinese journalists closed their blogs, claiming that their actions were "due to unavoidable reasons with which everyone is familiar." These closures immediately caught the attention of Western internet watchers. The BBC reported that the closure was ordered by the Chinese authorities, and French-based Reporters Without Borders followed this with a condemnatory statement. As it turned out, the blogs were back one day later and the Chinese government had no role in the whole event. The event was, in fact, staged by two Chinese journalists "to give foreign media a lesson that Chinese affairs are not always the way you think."<sup>5</sup> Another episode involved Michael Anti, the very Chinese journalist whose blog was removed from MSN several months ago. When he heard that a U.S. congressional hearing was to be held on the U.S. tech giants' role in helping Chinese internet censorship, and that an Internet Freedom Act was to be proposed, he issued a statement on his new blog claiming that he did not think "the freedom of speech of Chinese people needs American protection" and argued that the U.S. Congress should not view Chinese internet users as its "maids," dressing them up in whatever way it wished. Furthermore, Anti noted that if the hearing

were held for the purpose of achieving freedom of speech in China, it would actually do more harm than good by driving Microsoft and Google out of China, leaving Chinese netizens only with Chinese companies that practice even more severe censorship. He claimed that the congressional hearing itself proved that foreigners did not understand the Chinese situation, and that only the Chinese themselves could fight for their own rights and freedoms.<sup>6</sup>

The first episode mocked the unprecedented Western attention to the efforts at control by the Chinese state, which, according to the Chinese journalists, did not reflect the whole picture. The hoax by two Chinese journalists embarrassed western media to a certain degree. Michael Anti's reaction to the congressional hearing is more puzzling, since his case with Microsoft was part of the reason the hearing was called. It is obvious that both the two Chinese journalists and Michael Anti have easy access to the internet, are well informed, and in the case of Anti at least, are critical of the Chinese government. Why, then, do they all mistrust the attention given to internet censorship by those outside China? How do we make sense of their unique reactions? To answer these questions, let me reiterate my argument that many China observers have neglected the fact that transmitting information is a process that involves two elements: information issuance and information receiving. It is surely mistaken to pay attention only to whether or not information gets through, forgetting that any information can be reinterpreted by receivers in ways radically different from the expectations of free information advocates. In the process of communication, information receivers do not receive information passively; they have always played an active role in selectively receiving and actively reinterpreting the information received.

For example, in the previously mentioned case study I conducted on a website of military fans, the majority of its members are well-educated, very knowledgeable of how to circumvent censorship methods in order to access to forbidden websites, and are thus well informed, yet at the same time they are nationalistic and anti-Western. This phenomenon raises a key question: if these Chinese internet surfers are informed about the outside world, why does nationalistic thinking appeal much more to them than do ideas of democracy and freedom, and worse still, why do they treat the latter ideas with

disbelief and sarcasm? My tentative answer is that even though Chinese people have become more informed, they have also adopted a new interpretative framework that acknowledges the pursuit of national interest as the ultimate goal of international relations. From this perspective, America's promotion of democracy, human rights and other values is often perceived as a front to advance its own national interest, especially in the Sino-U.S. relationship. Within such a "reception context" for the information, these well-educated, well-informed young Chinese are very skeptical about the information conveyed by the Western media. The two episodes mentioned above show that ensuring the free information flow is not the end of the task. A more critical task is how to encourage the formation of a "reception context" that will make democratic values more attractive in the process of information reception and interpretation.

## CONCLUSION

One of the reasons that so much attention has been given to the internet in China is a tendency to overestimate its role in promoting democratic changes in Chinese society. It is important to realize that the internet is a technology, and only the human users will decide in what way and to what ends this new technology is to be used. To better understand Chinese internet politics, people have to be aware that current internet control is a part of a comprehensive package of control mechanisms applied to all media forms in China. It is clear that, in facing new challenges, the Chinese state has not only reacted defensively and passively, but also proactively. In a very short period of time, the Chinese state has come up with more refined and flexible strategies to "govern" this new domain. A big element in the success of internet control is that the state has successfully privatized certain parts of the task in the new context of a market economy. Along with the privatization of business operations, it has also privatized or subcontracted certain control responsibilities to non-state actors, such as internet cafés, entrepreneurs, customers, community volunteers, and even multinational high-tech companies, through the state's expectation of them to exercise "self-control."

Observers should be neither too optimistic nor too pessimistic about the internet in China. It is a



fact that Chinese people are accessing more information through the internet, satellite TV and other traditional media than was previously available. The room for freedom of speech is thus being enlarged, and many Chinese see this as an irreversible trend and an ideal route for change. Even Michael Anti claims that “what Chinese netizens need is the gradual increase of freedom.” Democracy is based on the tolerance and acceptance of plural opinions, and it is time for Western media observers and policy makers to realize that having free access of information in no way guarantees that the information will be interpreted in ways that promote the principles of democracy and freedom of speech. So much attention has been focused on how to transmit information without censorship in China, but a much more urgent need is to build a ‘reception context’ that enables such information to be received and interpreted in line with democratic value systems. This shift may turn out to be a more productive approach.

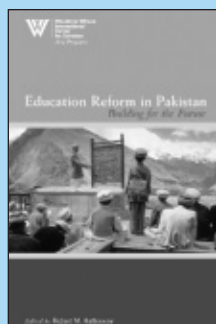
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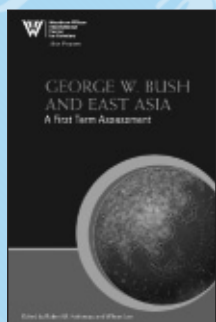


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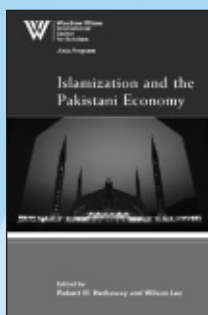
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