

SEEKING CHANGES

THE POLITICAL DEVELOPMENT IN CONTEMPORARY CHINA

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全国百佳出版社
中央编译出版社
Central Compilation & Translation Press

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□ Lü Zengkui Wang Xinying

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图书在版编目 (CIP) 数据

当代中国政治发展 = The Political Development
in Contemporary China: 英文/吕增奎, 王新颖编.
—北京: 中央编译出版社, 2011. 4

(寻求变革)

ISBN 978 - 7 - 5117 - 0816 - 8

I. ①当…

II. ①吴… ②王…

III. ①政治制度-研究-中国-现代-英文

IV. ①D621

中国版本图书馆 CIP 数据核字 (2011) 第 045735 号

Seeking Changes: The Political Development in Contemporary China

出 版 人 和 龔

策划编辑 贾宇琰

责任编辑 侯天保 杜永明

责任印制 尹 珺

出版发行 中央编译出版社

地 址 北京西单西斜街 36 号 (100032)

电 话 (010) 66509360 (总编室) (010) 66509367 (编辑室)
(010) 66161011 (团购部) (010) 66130345 (网络销售)
(010) 66509364 (发行部) (010) 66509618 (读者服务部)

网 址 www.cctpbook.com

经 销 全国新华书店

印 制 北京中印联印务有限公司

开 本 787 × 1092 1/16

印 张 22.5

版 次 2011 年 5 月第 1 版第 1 次印刷

定 价 66.00 元

本社常年法律顾问: 北京大成律师事务所首席顾问律师 鲁哈达

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Democracy and the Governing Party: A Theoretical Perspective

Brantly Womack*

In the past few years the leadership of the Communist Party of China has been developing a political guiding ideology that would sustain and justify the Party as a governing party (*zhizheng dang* 执政党, also translated as “ruling party”) on the basis of its capacity to serve the current needs and interests of China as a modernizing and prosperous country. In September 2004, the Central Committee adopted a major guideline for political reform, the “Resolution on Developing the Party’s Governing Capacity” (*Zhong Gong ZhongYang GuanYu JiaQiang Dang De ZhiZheng NengLi JianShe* 中共中央关于加强党的执政能力建设的决定).¹ The Resolution stresses that the fate of Chinese socialism, the fate of the Chinese people and the fate of the Communist Party of China hangs upon the successful adaptation of Party to the leadership challenges of being a governing party for a relatively prosperous country.

Restructuring the Party as a governing party is not considered an easy task. As the Resolution puts it, “It was not easy for a proletarian political party to achieve power, but to handle power over the long term—and especially to handle it well—is even more difficult.”² The task as described by the Resolution is not to continue the revolution, but to adapt the party-

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© *Journal of Chinese Political Science*, Vol. 10, No. 1, April 2005.

1 Xinhua News Net (新华网), Sept 26, 2004.

2 Ibid.

state structure created by revolution to a complex environment in which the only expected transformations are economic. Adaptation involves some features common in other forms of modern government, such as rule of law, encouragement of economic development and equity, and citizen institutions. However, the purpose of the Resolution is not to provide guidance for a transition to a modern government similar to other modern governments, but rather to preserve China's unique form of party governance under modern conditions.

The formulation of the problem of the governing party began with Jiang Zemin in the second half of the 1990s and is best known by the label of his "Three Represents" (*san ge daibiao* "三个代表"). The Three Represents attempt to provide an ongoing legitimation and policy guidance for Party rule without relying on the historical justification of the 1949 revolution or even on Deng Xiaoping's "second revolution", and without relying on the future promise of the achievement of a communist transformation of society. The Three Represents promise stability on the basis of the Party's inclusive and effective promotion of popular interests within a framework of a rule of law administered by the state and guaranteeing the appropriate autonomy of individuals and groups. In effect, the Three Represents attempt to preserve the existing political structure by binding its governance to popular interests. The goal is thus party-state democracy, the achievement of the effective power of the people within the framework of a single political party that cannot be challenged by other political parties.

The historical reasons for the Party's shift toward the idea of a governing party are clear. First, the party-state has remained the central institution of the reform era, and any change to a different political system might be profoundly disruptive. The example of the former Soviet Union is quite convincing in demonstrating that transformations of political systems can be harmful. The problem is not unique to communist regimes. As the philosopher David Hume pointed out in 1752:

It is not with forms of government, as with other artificial contrivances; where an old engine may be rejected, if we can discover another more accurate and commodious, or where trials may safely be made, even though the success be doubtful. An established government has an infinite advantage, by that very circumstance of its being established; the bulk of mankind being governed by authority, not reason, and never attributing authority to any thing that has not

the recommendation of antiquity. To tamper, therefore, in this affair, or try experiments merely upon the credit of supposed argument and philosophy, can never be the part of a wise magistrate, who will bear a reverence to what carries the marks of age; and though he may attempt some improvements for the public good, yet will he adjust his innovations, as much as possible, to the ancient fabric, and preserve entire the chief pillars and supports of the constitution.³

Secondly, the Party's success in managing reform since 1980 compares quite favorably with other political systems. Clearly the Party has acquired "performance legitimacy" that the European communist parties lacked in the 1980s. Thirdly, however, the political assets of the Party have shifted during the reform era. Although successful efforts have been made to recruit younger and better-educated leaders, the movement of economic activity away from state-owned enterprises and collective farming toward privately organized businesses has eroded the Party's presence in new and important areas of Chinese society. Finally, just as the 1956 uprisings in Poland and Hungary led to a realization that "contradictions among the people" were possible even under socialism, the disturbances of 1989 have led the Party to reconsider its mechanisms for maintaining its leadership of the people. Continuing problems of corruption and of popular alienation indicate institutional weaknesses toward abuse of power and insensitivity to popular concerns that might endanger the party-state if they are not corrected.

Although the rationale for the governing party is clear, party-state democracy is quite different from legislative democracy,⁴ and there is no existing model for its success in the long term. Therefore the chief theoretical question posed by the goal of establishing a governing party is quite simple: Is party-state democracy possible? But this question is neither as important nor as simple as it seems.

Regardless of whether party-state democracy is an achievable or sustainable goal, it could be argued that the governing party is the best feasible policy direction for the Party. Even if legislative democracy is the only stable form of democracy, the continued liberalization of the party-state might minimize the trauma of transition, and if no transition occurred

3 David Hume, "Idea of a Perfect Commonwealth", in Charles Hendel (ed.), *David Hume's Political Essays*, New York: Liberal Arts Press, 1953, pp. 145 - 158.

then a soft authoritarian state could still be preferable to a less soft one.

Lastly, it has been argued that China's most basic political need is the rule of law rather than democratic rule. The Three Represents contribute directly to the rule of law by stressing the importance of controlling corruption. More generally, the emphasis on a governing party rather than a revolutionary party puts greater emphasis on laws and their administration (*yi fa zhizheng* 以法执政). Thus it is possible to justify the measures suggested by the Fourth Plenum as a step forward without answering the question of a step towards what goal.

The question of the theoretical possibility of party-state democracy is less simple than it might appear because essentially it is an abstract question of the compatibility of the minimum conditions of a democratic system and of the minimum conditions of the party-state. If party-state democracy is impossible in theory, then of course it should be impossible in practice. On the other hand, even if party-state democracy is possible in theory, there may be circumstances in which it cannot be realized in practice. Just as a legislative democracy may be too weak to provide effective governance, a party-state democracy might be too strong to permit the power of the people to have any real effect on the decisions or behavior of the leadership. Another possibility is that the population can be too alienated from the party-state to utilize the new mechanisms of party-state democracy.

Despite these cautions concerning the practical consequences of theoretical discussions of party-state democracy, the topic remains significant and in need of serious consideration. There are fundamental differences between a party-state and a legislative democracy, and all existing modern democracies are legislative democracies. The "governing party" that Hu Jintao has in mind is not simply a Chinese version of the Japanese LDP or the Singapore PAP, because these parties operate within the framework of contested elections. The fate of the LDP demonstrated that Japan did not have a governing party, but rather a legislative democracy under the long term control of a single political party.

The argument for a governing party cannot be that party-state democracy is a new form of legislative democracy. It must be argued that modern democracy is a broader category than legislative democracy. As we will see, such an assertion contradicts the assumptions of a half-century of Western democratic theory, and there is at present no broader democratic

theory that can encompass both legislative democracy and party-state democracy. In order to argue for the possibility of party-state democracy, one must also assert that legislative democracy is not the essence of democracy, but rather one path of democracy, and that there exists the possibility of other paths.

Since the identification of democracy with legislative democracy is so entrenched in contemporary political thought around the world, the first task of this essay is to explore the limitations of legislative democracy as a comprehensive democratic theory. We will then consider the relationship of people and public authority in China. Finally we will consider whether party-state democracy implicit in the Fourth Plenum's idea of the governing party could possibly fit within a more general notion of modern democracy, and what its prerequisites would be.

■ The Limits of Legislative Democracy

By “legislative democracy” I am referring to what is often called “parliamentary democracy” or “liberal democracy”. Most often in the contemporary West, however, it is simply called “democracy”. It refers to a system of government in which the formulation of laws for society is the highest political act, and the legitimacy of the legislative process is secured by the free formation, articulation and aggregation of citizen interests, and electoral control of representatives by the citizenry. In order for the citizenry to exercise its rights, it requires freedom of expression and information, freedom of political organization, and decisionmaking processes based on majority rule but limited by the vital interests of minorities and by the limits placed on the state by society. The most basic law is the constitution, which defines the functions and limits of the state within the larger interests of society.

Legislative democracies differ in their selection of chief executives (hence the distinction between “presidential” and “parliamentary” democracies), but regardless of the amount of attention lavished on the chief executive, the core political function is the authoritative formulation of the will of the people by the legislature. The executive operates not only in accordance with the laws, but also primarily in order to make the laws effective. The judiciary provides authoritative judgments of disputes arising under the

laws, including conflicts between ordinary legislation and the constitution.

Of course, when the term “democracy” was coined in Athens, it did not have this meaning. It referred to the direct power of the people to decide public matters, and it was distinguished from “aristocracy” (rule by the nobles) as well as from “monarchy” (rule by the king). The claim that legislative democracy merits the name “democracy” was made by John Locke, who argued that a legislative process based on majority rule was necessary to control and displace the abuses of privilege by the monarch and nobility.⁴ The power of the people and the protection of society from state excesses required a powerful elected legislature. Essentially the justification for the procedures of legislative democracy was founded on the substantive claim that this would secure the real power of the people. The classic claim for legislative democracy was put most famously by Abraham Lincoln in 1863 as “government of the people, by the people, and for the people”, and by John Stuart Mill as “the government of the whole people by the whole people, equally represented”.⁵

Even before the twentieth century contradictions were evident between the substantive claim that legislative democracy guaranteed the power of the people and the procedural outcomes of legislative democracy. Thomas Jefferson, the author of the immortal line that “all men are created equal”, was himself a slave owner. Abraham Lincoln preserved the unity of the United States of America despite the votes of the southern states to secede. John Stuart Mill worried about the “tyranny of the majority”, that is, the power of the legislative state to interfere with the private behavior of citizens.⁶ Moreover, according to Mill, democracy required a high level of civilization, and savage peoples had to be enlightened by their colonial masters before legislative democracy could be effective.⁷ In general, the nineteenth century democrats saw democratization as a work in progress, and the imperfections of democracy as signs that the job was not yet finished. Before the extension of the right to vote to the entire populations

4 John Locke, *Two Treatises of Government*, Peter Laslett (ed.), New York: Mentor Books, 1965; original 1698.

5 John Stuart Mill, *Considerations on Representative Government*, Chicago: Henry Regnery, 1966; original 1861.

6 John Stuart Mill, “On Liberty”, 1869.

7 John Stuart Mill, *Considerations on Representative Government*.

of Western countries and the completion of the education of the savages elsewhere, the shortcomings of legislative democracy could be attributed to its incompleteness rather than to inherent structural problems.

Although the classic notions of democracy inspired the transition to legislative regimes in Europe and the extension of the franchise to the whole citizenry, by the end of the nineteenth century serious doubts had been raised concerning the capacity of legislative democracy to serve as the mouthpiece for the voice of the people. Besides the radical critiques of capitalist democracy offered by Marxists and anarchists, the failure of the growing strength of the social democratic parties in Europe to make much difference in European politics led to a disillusionment regarding political parties and elections. Gaetano Mosca argued in *The Ruling Class* that in any large state there would always be a minority political class who actually ran things.⁸ Robert Michels strengthened the argument for an inevitable elitism in electoral politics by carefully analyzing the incorporation of the rising leaders of the social democratic parties into the existing political arrangements. In his *Political Parties* he suggested that there was an “iron law of oligarchy” by which the leadership of all groups would have more in common with their fellow members of the elite than with their followers.⁹ Meanwhile Walter Lippmann in his classic *Public Opinion* emphasized the shaping of public opinion by elites and the stereotyping of public choice by the very limited set of alternatives that can be presented for a vote.¹⁰ Given the inevitable elitism in democracies and the shaping of the public mind by the government, it is not surprising that fascism would dismiss legislative institutions and attempt to build a direct, one-way relationship between the leader and the nation, or that communism would dismiss bourgeois democracy as a political facade for class rule.

Victory in the Second World War gave a new confidence to Western democracy, but it did not answer the questions raised about its efficacy as a means of rule by the people. Joseph Schumpeter in his work *Capitalism, Socialism and Democracy* began a new line of defining democracy by shifting attention away from the general question of the “power of the people” and

8 Gaetano Mosca, *The Ruling Class*, H. Kahn (tr.), New York: McGraw Hill, 1939; original 1895.

9 Robert Michels, *Political Parties*, C. Paul (tr.), New York: Free Press, 1962; original 1911.

10 Walter Lippmann, *Public Opinion*, New York: Free Press, 1922.

toward the most prominent institutional features of modern Western democracy.¹¹ Schumpeter explicitly rejected “the classical notion of democracy” with its normative emphasis on the role of the people and redefined democracy in terms of the empirical political processes of legislative states. Schumpeter’s redefinition of democracy as electoral competition for power was developed into a calculus of party competition for votes by Anthony Downs in *An Economic Theory of Democracy*.¹² Downs argued that the logic of two-party electoral competition drives both candidates to the center of the political spectrum and leaves voters with little choice, but he presented this as a basic logic of democracy, not as a questioning of the democratic character of competitive elections. In various writings in the 1960s and 1970s Robert Dahl developed a comparative theory of democracy based on a generalization of the characteristics and prerequisites of legislative majority rule, and by the time of Samuel Huntington’s *The Third Wave: Democratization in the Late Twentieth Century*, it was out of the question that a form of government that did not conform to the legislative democratic model could still be considered democratic.¹³ Moreover, despite the institutional definition of democracy, the assumption was that any government that did not meet the standards of legislative democracy would necessarily be authoritarian or worse. To be sure, democratic theorists were often critical of democratic politics, and Robert Dahl hesitated to rank any existing democracies above “polyarchy”¹⁴. However, with few exceptions (C. P. MacPherson being the most impressive)¹⁵ the critics did not expand the notion of democracy beyond legislative democracy.

Regardless of the questions that can be raised about the relationship of citizen power and public authority in legislative democracy, the popularity of this form of government is profoundly impressive. While it can be argued that the people don’t really get what they want in legislative democracy, it

11 Joseph Schumpeter, *Capitalism, Socialism and Democracy*, New York: Harper and Row, 1950.

12 Anthony Downs, *An Economic Theory of Democracy*, New York: Harper and Row, 1957.

13 Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, 1991.

14 Robert Dahl, *Polyarchy: Participation and Opposition*, New Haven: Yale University Press, 1971.

15 C. P. MacPherson, *The Real World of Democracy*, New York: Oxford University Press, 1975.

is clear that they want what they get. The legitimacy of legislative democracy is certainly enhanced by habituation, and in countries like the United States it is further enhanced by a sense of prosperity, power and superiority that is attributed to its political structure, but it is also robust when it is challenged, as in India by Indira Gandhi, or overturned, as in the Philippines by Ferdinand Marcos, and it is attractive to people living under other political systems. The American presidential election of 2000, in which more people voted for Al Gore than for George W. Bush and election irregularities occurred in Florida, did not lead to a general alienation from the political system. Many would agree with Winston Churchill's joke that democracy is a terrible form of government except when compared to the alternatives. Thus, to doubt whether legislative democracy is in fact democratic is itself an undemocratic act—it clearly goes against the will of the people.

Why is legislative democracy so popular? It would be difficult to argue that it selects the most competent candidates for office. To take an American example, anyone who would argue that George W. Bush is the best possible president is unlikely to have thought that Bill Clinton was the best possible president, and yet they were both elected by the same system. More generally, despite the popularity of the democratic system, politicians are usually held in low regard, and electoral participation is often quite low.

Ultimately, legislative democracy is popular not because it expresses the will of the people or because it produces the best political leadership, but because it is a participatory system in which the current leadership appears to be at risk to popular opinion, and it is also a system that does not threaten the complex society of developed nations. Because legislative democracy is inclusive and participatory, and citizens are free to make up their own minds and to participate as much as they want, there is a sense that the system is fair even if the results are unsatisfactory. If a citizen does not approve of an elected representative, the citizen should have tried harder to elect someone else. In any case, because the elected officials remain at risk to the electorate in the next election, it is unlikely that they will threaten overtly the interests of a significant part of the electorate. Thus democratic politics tends to be cautious. The middle of the political spectrum predominates, and while people like to hear grand proposals

during election campaigns the politicians rarely risk the political costs of transformative new programs.

Before concluding the discussion of legislative democracy, it should be noted that the process of transition to legislative democracy has been considerably more volatile than the settled politics of developed democracies. The political shifts in European communism that began with the election of Solidarity in Poland on June 4, 1989 were anything but cautious, and subsequent democratic politics in former communist states has moved around the political spectrum, including back to reconstructed democratic rebirths of former ruling communist parties. The key problem in post-communist states has not been the conservative caution characteristic of developed democracies, but rather the weakening of state capacity in a situation of economic and political disorder. Hence, even if legislative democracy is accepted as the most desirable form of government and the only form of modern democracy, the transition to democracy might reasonably be viewed as a perilous passage with no guarantee of success.

The importance of this brief critical look at legislative democracy for our consideration of party-state democracy is two-fold. First, the common assumption that legislative democracy is synonymous with democracy, or at least with modern democracy, must be questioned. Although legislative democracy can be a popular and effective form of government, it is not simply "the power of the people". Thus the characteristics of legislative democracy should not be used as an unquestioned standard for judging the relationship of popular interests and power to public authority in another form of government. Secondly, if legislative democracy—with all of its problems—is still considered a democracy, then the standard of what is a modern democracy should be reconsidered. Either the standard can be set for a pure democracy that is unattainable in a large modern state—full, direct participation of the citizenry in public affairs—or the standard should take into account the satisfaction of the people with their system of government and their confidence that their interests are served.

Even though legislative democracy is a very interesting and impressive system of government, and many of its features might provide useful lessons for other forms of government, I think that it is important to bring the people back in to the definition of democracy. The question of the relationship of the people to government is too important and too complex

to be reduced to a shopping list of legislative characteristics. Moreover, questions about democracy as “the power of the people” are most properly endogenous questions. They are about the power of this particular people in this particular state. All politics is local, and therefore democracy without Chinese characteristics is not Chinese democracy.

■ A Chinese Path?

Legislative democracy has never played a major role in Chinese politics. Ch'ien Tuan-sheng (Qian Duansheng 钱端升) provided the classic narration and critique of China's constitutional history during the Republican period¹⁶, and Mao Zedong in 1949 clearly affirmed a Marxist critique of bourgeois democracy and a party-state model of governance in “On the People's Democratic Dictatorship”, issued on the 28th anniversary of the founding of the CPC.¹⁷ Although laws, constitutions, and the system of People's Congresses have played a role in the politics of the PRC since 1949 and especially in the reform era, they do not play the central role that they enjoy in legislative democracy, and they do not operate in the institutional configuration of competitive political parties. Moreover, even with the political reforms of the past twenty years, a transition to legislative democracy would involve a political transformation more profound than anything China has experienced since 1949, and such a transformation is not envisioned in the idea of a governing party.

While legislative democracy may have been peripheral to China's politics over the past century, the power of the people was central to the success of the protracted rural revolution. As Mao argued in “Be Concerned with the Well-Being of the Masses”, the only strength that the CPC could rely on against militarily superior enemies was the support of the people.¹⁸ Through trial and error Mao and the CPC developed the mass line and mass-regarding habits of leadership. The key mistake to be avoided was alienation

16 Ch'ien Tuan-sheng, *The Government and Politics of China 1912—1949*, Stanford: Stanford University Press, 1950.

17 Mao Tse-tung, “On the People's Democratic Dictatorship”, *Selected Works of Mao Tse-tung*, Beijing: Foreign Languages Press, 1967, Vol. 4, pp. 411 – 424.

18 Mao, “Be Concerned with the Well-Being of the Masses”, *Selected Works of Mao Tse-tung*, Beijing: Foreign Languages Press, 1967, Vol. 1, pp. 147 – 252.

from the masses (*tuoli qunzhong* 脱离群众) .¹⁹ Because the rural revolution transformed the village structure and mobilized the masses, it created a political and military power that eventually overwhelmed the Guomindang and its allies. In effect, the rural revolution was a quasi-democratic system²⁰ because the CPC pursued mass-regarding policies without democratic institutions in the context of a life-and-death struggle with the Guomindang.

After victory in 1949, the situation became more complex. On the one hand, Mao Zedong and the CPC remained committed to the people's welfare, and mass mobilization remained the major technique for accomplishing economic and political goals. On the other hand, the goals of socialist transformation were not as immediate or obvious to the masses as the earlier goals of land reform and fighting the Japanese, and the CPC now controlled the state. Revolutionary transformation remained the goal of the party-state, but, in contrast to the base area period, the top-down authority structure was not conditioned by a powerful domestic opponent. The people's democratic dictatorship was indeed a dictatorship, however, democratic its intentions.

It is unquestionably true that Mao Zedong bore personal responsibility for the catastrophes of the Great Leap Forward and the Cultural Revolution. Without his initiative, the Great Leap Forward would not have been launched, and if launched it would have terminated at the Lushan Plenum. The Cultural Revolution was even more dependent on Mao's personal intervention and authority. Even if another Party leader or group had wanted to launch such a movement, no one but Mao had the personal authority to "bombard the headquarters". Nevertheless, the excesses of these movements depended on systemic weaknesses as well. Just as the rest of the Party leadership could not question Mao's directives, there were no institutions within the Party or state that permitted alternative viewpoints or provided for the defense of basic interests. Although Mao provided a theoretical justification for acknowledging contradictions among the people²¹ and argued for democratic centralism and self-criticism by leading

19 Brantly Womack, *Foundations of Mao Zedong's Political Thought, 1917—1935*, Honolulu: The University Press of Hawaii, 1982.

20 Brantly Womack, "The Party and the People: Revolutionary and Post-Revolutionary Politics in China and Vietnam", *World Politics*, Vol. 39, No. 4, July 1987, pp. 479 – 507.

21 Mao, "On the Correct Handling of Contradictions Among the People", *Selected Works of Mao Tse-tung*, Vol. 5, Beijing: Foreign Languages Press, 1977, pp. 384 – 421.