

through civil service exams rather than by appointment from above, and the educational level of cadres has increased significantly since the 1980s. Most cadres must now retire between the ages of sixty and seventy. A two-term limit has been set for all top cadres, including party and state leaders.

The CCP uses a weblike system of organizational controls to make sure that the government bureaucracy complies with the party's will in policy implementation. In the first place, almost all key government officials are also party members. Furthermore, the CCP exercises control over the policy process through party organizations that parallel government agencies at all levels of the system. For example, each provincial government works under the watchful eye of a provincial party committee. In addition, the Communist Party maintains an effective presence inside every government organization through a "leading party group" that is made up of key officials who are also CCP members.

The CCP also influences the policy process by means of the "cadre list," or as it was known in the Soviet Union where the practice was developed, the *nomenklatura* system. The cadre list covers millions of important positions in the government and elsewhere (including institutions such as universities, banks, trade unions, and newspapers). Any personnel decision involving an appointment, promotion, transfer, or dismissal that affects a position on this list must be approved by a party organization department, whether or not the person involved is a party member. In recent years, the growth of nonstate sectors of the economy and administrative streamlining have led to a reduction in the number of positions directly subject to party approval. Nevertheless, the *nomenklatura* system remains one of the major instruments by which the CCP tries to "ensure that leading institutions throughout the country will exercise only the autonomy granted to them by the party."¹²

nomenklatura

A system of personnel selection under which the Communist Party maintains control over the appointment of important officials in all spheres of social, economic, and political life. The term is also used to describe individuals chosen through this system and thus refers more broadly to the privileged circles in the Soviet Union and China.

Other State Institutions

The Judiciary

China has a four-tiered system of "people's courts" that reaches from a Supreme People's Court down through higher (provincial-level), intermediate (city-level), and grassroots (county- and township-level) people's courts. The Supreme People's Court supervises the work of lower courts and the application of the country's laws, but it hears few cases and does not exercise judicial review over government policies.

China's judicial system came under attack as a bastion of elitism and revisionism during the Cultural Revolution. The formal legal system pretty much ceased to operate during that period, and many of its functions were taken over by political or police organizations, which often acted arbitrarily (and brutally) in making arrests and administering punishments.

In recent decades, the legal system of the PRC has been reformed and revitalized. At the end of the Maoist era, there were only 3000 (poorly trained) lawyers in China; now there are about 200,000 (compared to more than a million lawyers in the United States), with an increasingly high level of professionalism. Advisory offices have been established throughout the country to provide citizens with legal assistance.

There has been an enormous surge in the number of lawsuits filed (and often won) by people against businesses, local officials, and government agencies. Chinese courts can provide a real avenue of redress to the public for a wide range of nonpolitical grievances, including loss of property, consumer fraud, and even unjust detention by the police.

Citizen mediation committees based in urban neighborhoods and rural villages play an important role in the judicial process by settling a majority of civil cases out of court.

China's criminal justice system is swift and harsh. Great faith is placed in the ability of an official investigation to find the facts of a case. The outcome of cases that actually do come to trial is pretty much predetermined. The conviction rate is 98–99 percent for all criminal cases. Prison terms are long and subject to only cursory appeal. A variety of offenses in addition to murder—including, in some cases, rape and especially major cases of embezzlement and other “economic crimes”—are subject to capital punishment.

All death penalty sentences must be approved by the country's Supreme People's Court. The court has recently started to be more rigorous in this review process, and quite a few death sentences have been reduced to prison terms. But appeals are handled quickly. Capital punishment cases do not linger in the courts for years, or even months. Execution is usually by a single bullet in the back of the convicted person's head, although the country is moving toward lethal injection. The number of annual executions is considered a state secret in China, but it is certainly in the thousands, and the PRC executes more people each year than the rest of the world combined.

Although the PRC constitution guarantees judicial independence, China's courts and other legal bodies remain under Communist Party control. The appointment of all judicial personnel is subject to party approval. Lawyers who displease officials are often harassed in various ways, their licenses to practice law are sometimes not renewed, and they themselves are sometimes arrested.

Legal reform in China has been undertaken because China's leaders are well aware that economic development requires professional lawyers and judicial personnel, predictable legal processes, and binding documents such as contracts. China has, by and large, become a country where there is rule *by* law, which means that the party-state uses the law to carry out its policies and enforce its rule. But it is still far from having established the rule *of* law, in which everyone and every organization, including the Communist Party, is accountable and subject to the law.

Subnational Government

China (like France and Japan) is a unitary state in which the national government exercises a high degree of control over other levels of government. It is not a federal system (like the United States and India) that gives subnational governments considerable policy-making and financial autonomy.

There are four main layers of state structure beneath the central government in China: provinces, cities, counties, and rural towns. There are also four very large centrally administered cities (Beijing, Shanghai, Tianjin, and Chongqing) and five autonomous regions, areas of the country with large minority populations (such as Tibet).

Each level of subnational government has a people's congress that meets infrequently and plays a limited, but increasingly active, role in supervising affairs in its area. In theory, these congresses (the legislative branch) are empowered to supervise the work of the “people's governments” (the executive branch) at the various levels of the system. But in reality, subnational government executives (such as provincial governors and city mayors) are more accountable to Communist Party authority than to the people's congresses. For example, the city of Shanghai has both a mayor and a party secretary, each with distinct and important powers. But the party secretary's power is more consequential.

Government administration in China has become increasingly decentralized over the last two decades as the role of central planning has been reduced and

more power has been given to provincial and local authorities, particularly in economic matters. Efforts have also been made to reduce party interference in administrative work.

Nevertheless, the central government retains considerable power to intervene in local affairs when and where it wants. This power of the central authorities derives not only from their ability to set binding national priorities, but also from their control over the military and the police, the tax system, critical energy resources, and construction of major infrastructure projects. A number of political scientists in China and abroad have suggested that the PRC, given its continental size and great regional diversity, would be better served by a federal system with a more balanced distribution of power between the national, provincial, and local levels of government. However, such a move would be inconsistent with the highly centralized structure of a communist party-state.

Under the formal layers of state administration are China's 600,000 or so rural villages, which are home to the majority of the country's population. These villages, with an average population of roughly 500–1,000 each, are technically self-governing and are not formally responsible to a higher level of state authority. In recent years, village leaders have been directly and competitively elected by local residents, and village representative assemblies have become more vocal. These trends have brought an important degree of grassroots democracy to village government. However, the most powerful organization in the village is the Communist Party committee, and the single most powerful person is the local communist party leader (the party secretary).

The Military, Police, and Internal Security

People's Liberation Army (PLA)

The combined armed forces of the People's Republic of China, which includes land, sea, air, and strategic missile forces.

China's **People's Liberation Army (PLA)**, which encompasses all of the country's ground, air, and naval armed services, is, according to the PRC Ministry of Defense, "a people's army created and led by the Communist Party of China."¹³

The PLA is the world's largest military force, with about 2.3 million active personnel (down from nearly 4 million in 1989). On a per capita basis, the PRC has 1.8 active military personnel per 1,000 of its population, compared with the U.S. ratio of 5.1 per 1,000. The PLA also has a formal reserve force of another 500,000 to 800,000. A people's militia of 8 million minimally-trained civilians can be mobilized and armed by local governments in the event of war or other national emergency.

Article 55 of China's constitution states, "It is a sacred duty of every citizen . . . to defend the motherland and resist invasion. It is an honored obligation of the citizens to perform military service and to join the militia forces." The Military Service Law gives the government the power to conscript both men and women between the ages of eighteen and twenty-two as necessary to meet the country's security needs. But China's military has never had to rely on a draft to fill its ranks since serving in the PLA is considered a prestigious option for many young people, particularly for rural youth who might not have many other opportunities for upward mobility. All university-bound students must undergo a brief period of military training before beginning classes.

China has spent heavily over the last two decades to modernize its armed forces and raise the pay of military personnel. The PRC's official defense budget for 2010 was about \$80 billion, a 7.5 percent increase over 2009 (the lowest percentage increase since 1989). Many analysts think that the PRC vastly understates its military expenditures. They estimate that it is twice the official figures. Still, China spends much less in total and vastly less per capita on its military than does the United States, which spent about \$660 billion on defense in 2010.

The key organization in charge of the Chinese armed forces is the **Central Military Commission (CMC)**. There are currently twelve members of the CMC, ten of whom are the highest-ranking officers of the People's Liberation Army; the other two are Hu Jintao, PRC president and CCP general secretary, who chairs the committee, and his heir-apparent, China's vice-president, Xi Jinping. The chair of the CMC is, in effect, the commander-in-chief of China's armed forces and has always been the most powerful leader of the communist party.

China's internal security apparatus consists of several different organizations. The People's Armed Police (PAP) guards public officials and buildings and carries out some border patrol and counter-terrorism functions. It has also been called in to quell public disturbances, including worker, peasant, and ethnic unrest. The Ministry of State Security, with a force of about 1.7 million, is responsible for combating espionage and gathering intelligence at home and abroad.

The Ministry of Public Security is the main policing organization in the PRC and is responsible for the prevention and investigation of crimes and for surveillance of Chinese citizens and foreigners in China suspected of being a threat to the state. Local public security bureaus, which carry out day-to-day police work, are under the command of the central ministry in Beijing. In effect, this gives China a national police force stationed throughout the country. The Ministry of Public Security has a special unit devoted to Internet surveillance with a website (<http://www.cyberpolice.cn/>) that allows citizens to report online activity that "endangers national security and social stability or promotes national division, cults, pornography, fraud, and other harmful information."

In addition to regular prisons, the Ministry of Public Security maintains an extensive system of labor reform (*laogai*) camps for people convicted of particularly serious crimes, including political ones, such as "endangering state and public security" or "revealing state secrets." These camps are noted for their harsh conditions and remote locations.

The Public Security Bureau also administers "reeducation through labor" (*laojiao*) centers for petty criminals, juvenile delinquents, those considered to have disrupted social order, including prostitutes and small-scale drug users, as well as political and religious dissidents. Inmates can be held in "administrative detention" for up to three years without a formal charge or trial.

Central Military Commission (CMC)

The most important military organization in the People's Republic of China, headed by the general secretary of the Chinese Communist Party, who is the commander-in-chief of the People's Liberation Army.

The Policy-Making Process

At the height of Mao Zedong's power in the 1950s and 1960s, many scholars described policy-making in China as a simple top-down "Mao-in-command" system. The Cultural Revolution led analysts to conclude that policy outcomes in the PRC were best understood as a result of factional and ideological struggles within the Chinese political elite. Now, a much more nuanced model, "fragmented authoritarianism," is often used to explain Chinese policy-making.¹⁴ This model recognizes that China is still fundamentally an authoritarian state and is far from being a democracy in which public opinion, party competition, media scrutiny, and independent interest groups have an impact on policy decisions. But the model also takes into account that power in China has become much more dispersed, or fragmented, than it was during the Maoist era. It sees policy as evolving not only from commands from above, but also as a complex process of cooperation, conflict, and bargaining among political actors at various levels of the system. The decentralization of power that has accompanied economic reform has given

provincial and local governments a lot more clout in the policy process, and the national focus on economic development has also led to the growing influence of nonparty experts, the media, and nongovernmental organizations within the policy-making loop.

The fragmented authoritarian model acknowledges that policy-making in China is still ultimately under the control of the Chinese Communist Party and that the top two dozen or so party leaders who sit on the party's Politburo wield nearly unchecked power.

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The current party leadership is a balance between two major coalitions, the "elitists" who give priority to rapid economic growth and investment in China's major cities, and the "populists" who believe that more attention needs to be paid to the consequences of growth, such as urban-rural inequality and environmental degradation.¹⁵ These coalitions appear to operate with a kind of balance-of-power understanding when it comes to allocating important leadership positions and making policy decisions.

No account of the policy process in China is complete without noting the importance of *guanxi* ("connections"), the personal relationships and mutual obligations based on family, friendship, school, military, professional, or other ties. The notion of *guanxi* has its roots in Confucian culture and has long been an important part of political, social, and economic life in China. These connections still influence the workings of the Chinese bureaucracy, where personal ties are often the key to getting things done. Depending on how they are used, *guanxi* can either help cut red tape and increase efficiency or bolster organizational rigidity and feed corruption.

The policy process in China is much more institutionalized and smoother and less personal and volatile than it was in the Maoist era. But it is still highly secretive, and leaders of the People's Republic are not accountable to the people of China. The unchallengeable power of the Communist Party is still the most basic fact of political life in the People's Republic of China. Party dominance, however, does not mean that the system "operates in a monolithic way"; in fact, it "wiggles with politics" of many kinds, formal and informal.¹⁶ A complete picture of governance and policy-making in China must take into account how various influences, including ideology, factional maneuverings, bureaucratic interests, citizen input, and *guanxi*, shape the decisions ultimately made by Communist Party leaders and organizations.

Summary

China is one of the few remaining countries in the world still ruled by a communist party. Even though the CCP has moved China in the direction of a capitalist, free market economy, it proclaims it is following communist ideology and its goal is to create a socialist China. The CCP insists it is the only political party that can lead the country toward this goal, and it prohibits any serious challenge to its authority. Power is highly concentrated in the top two dozen or so leaders of the CCP, who are chosen through secretive inner-party procedures. The government of the People's Republic of China is technically separate from the CCP, and political reform in China has brought some autonomy to government institutions, such as the national legislature and the judiciary. But, in fact, the government operates only under the close supervision of the Communist Party and almost all high-ranking government officials are also members of the Communist Party.

guanxi

A Chinese term that means "connections" or "relationships," and describes personal ties between individuals based on such things as common birthplace or mutual acquaintances.

REPRESENTATION AND PARTICIPATION

SECTION 4

The Chinese Communist Party claims that it represents the interests of all the people of China and describes the People's Republic as a **socialist democracy**. In the CCP's view this is superior to democracy in capitalist countries where wealthy individuals and corporations dominate politics and policy-making despite multiparty politics. China's *socialist* democracy is based on the unchallengeable role of the CCP as the country's only ruling party and should not be confused with the *social* democracy of Western European center-left political parties, which is rooted in a commitment to competitive politics.

Although power in China is highly concentrated in the hands of the top Communist Party leaders, representation and participation do play important, if limited, roles in China's political system. Legislatures, elections, and organizations like labor unions provide citizens with ways of influencing public policy-making and the selection of some leaders.

The Legislature

The Chinese constitution grants the National People's Congress (NPC) the power to enact and amend the country's laws, approve and monitor the state budget, and declare and end war. The NPC is also empowered to elect (and recall) the president and vice president, the chair of the state Central Military Commission, the head of China's Supreme Court, and the procurator-general (something like the U.S. attorney general). The NPC has final approval over the selection of the premier and members of the State Council. On paper, China's legislature certainly looks to be the most powerful branch of government. In fact, these powers, which are not insignificant, are exercised only as allowed by the Communist Party.

The National People's Congress is a unicameral legislature with nearly 3000 members (called "deputies") who meet only for about two weeks every March. When the NPC is not in session, state power is exercised by its 175-member Standing Committee (not to be confused with the CCP Standing Committee), which convenes every other month. A council of about fifteen members conducts the day-to-day business of the NPC. The chair of the NPC is always a high-ranking Communist Party leader.

NPC deputies are elected for five-year terms. Except for those from the People's Liberation Army, they are chosen from lower-level people's congresses in China's provinces, autonomous regions, and major municipalities. There are representatives from China's two indirectly ruled Special Administrative Regions, the tiny former Portuguese colony and gambling haven of Macau and the former British colony and bustling commercial city of Hong Kong. To symbolize China's claim to Taiwan, deputies representing the island are chosen from among PRC residents with Taiwanese ancestry or other ties.

Deputies are not full-time legislators, but remain in their regular jobs and home areas except for the brief time when the congress is in session. A large majority of the deputies to the NPC are members of the CCP, but many belong to one of China's

Focus Questions

What are the functions and limitations on the power of China's National People's Congress?

How has the membership of the Chinese Communist Party changed over time, and what does this reflect about political changes in the PRC?

How does the CCP monitor and control the way in which citizens express their interests? What kinds of protests have been increasing in China?

socialist democracy

The term used by the Chinese Communist Party to describe the political system of the People's Republic of China. The official view is that this type of system, under the leadership of the Communist Party, provides democracy for the overwhelming majority of people and suppresses (or exercises dictatorship over) only the enemies of the people.

eight noncommunist (and powerless) political parties (see below) or have no party affiliation. Workers and farmers make up less than 20 percent of NPC deputies; the remainder are government and party cadres, military personnel, intellectuals, professionals, celebrities, and business people. Women make up around 20 percent of NPC deputies and ethnic minorities 15 percent. In a new category of representation, three migrant workers (out of a national total of about 150 million) were elected in 2008.

Most NPC deputies are now chosen because of their ability to contribute to China's modernization or to represent important constituencies rather than simply on the basis of political loyalty. The educational level of deputies has increased significantly in recent years, with more than 90 percent having junior college degrees or above, and more than half have advanced degrees.

Despite great fanfare in the press as examples of socialist democracy at work, legislation is passed and state leaders are elected by the National People's Congress by overwhelming majorities and with little substantive debate. The annual sessions are largely taken up by the presentation of very long reports by the premier and other state leaders. The NPC never deals with sensitive political issues. The CCP also monitors the election process to make sure that no outright dissidents are elected as deputies.

Nevertheless, some deputies have become a bit more assertive on issues like corruption and environmental problems. Government legislative initiatives have occasionally been defeated or tabled.

For example, a property rights law—which included the protection of private property—that was finally passed in March 2007 had first been put on the NPC agenda in 2002. It generated enough controversy among deputies, party-state leaders, and academics that it had to be revised several times before it was finally affirmed by 96.9 percent (2903 for, fifty-three against, and thirty-seven abstentions) of the vote. Some objected to the law because they thought providing such guarantees to private property owners was contrary to communist principles; others feared that corrupt officials would use the law to enrich themselves through the “asset-stripping” of privatized state-owned enterprises as happened on a grand scale when Russia went from a planned to a market economy. But, in a reflection of the limits on the discussion of controversial issues, the Chinese press was not allowed to cover the property law debate in the NPC or to print editorial opinions on the issue.

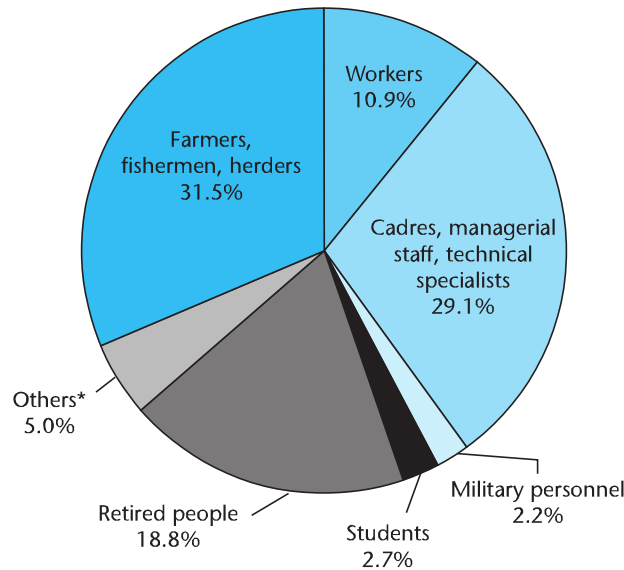
Legislatures in communist party-states are often called “rubber stamps,” meaning they automatically and without question approve party policies. But as economics has replaced ideology as the main motivation of China's leaders, the NPC has become a more significant and lively part of the Chinese political system. It is still not, however, an independent legislative branch of government that in any way checks or balances executive power.

Political Parties and the Party System

The Chinese Communist Party

With about 80 million members, the Chinese Communist Party is by far the largest political party in the world. But its membership makes up a very small minority of the population (less than 10 percent of those over eighteen, the minimum age for joining the party). This is consistent with the CCP's view that it is a “vanguard” party that admits only those who are truly dedicated to the communist cause. Joining

Membership of the Chinese Communist Party (2007)



*Includes private entrepreneurs, technicians, and managerial-level staff in private or foreign-funded companies and the self-employed.

FIGURE 14.5 Membership of the Chinese Communist Party

Source: http://news.xinhuanet.com/english/2007-10/09/content_6849781.htm.

the Communist Party is a time-consuming process that can last as long as two years and involves a lengthy application, interviews, references, a background check, and a probation period.

The social composition of CCP membership has changed profoundly since the party came to power in 1949. In the mid-1950s, peasants made up nearly 70 percent of party members. Figure 14.5 shows the composition of the CCP as of mid-2007.

The Chinese Communist Party now claims that rather than representing just workers and peasants, it represents the interests of the overwhelming majority of people in China and is open to all those who are committed to promoting national development and are willing to accept party leadership in achieving that goal.

The CCP welcomes members from what it calls the “new social stratum” that has emerged in the process of market reform and globalization of the Chinese economy. The new social stratum includes private business owners (“entrepreneurs”) and managerial-level staff in private or foreign-funded companies. This is a dramatic change from the Maoist era when any hint of capitalism was crushed. It is also a key part of the strategy of the party to prolong its rule by adapting to a rapidly modernizing economy.

Women make up only 20 percent of the CCP membership as a whole and just 6 percent of full members of the Central Committee elected in 2007. The Politburo has one female member. No women serve on the party’s most powerful organization, the Politburo Standing Committee.

Even though many Chinese believe that communist ideology is irrelevant to their lives and the nation’s future, being a party member still provides unparalleled access to influence and resources. It remains a prerequisite for advancement in many careers, particularly in government. More than two million people join the CCP each year, most of them college graduates under the age of thirty-five.

China's Non-Communist "Democratic Parties"

China is rightly called a one-party system because the country's politics are so thoroughly dominated by the Chinese Communist Party. But, in fact, China has eight political parties in addition to the CCP. These are officially referred to as China's "democratic parties," which is said to be another example of socialist democracy in the PRC. Each non-communist party represents a particular group in Chinese society. For example, the Chinese Party for the Public Interest draws on overseas Chinese who have returned to live in China. But these parties, all of which were established before the founding of the PRC in 1949 and accept the "guidance" of the CCP, have a total membership of only a little over half a million. They provide advice to the CCP on nonpolitical matters and generate support within their particular constituencies for CCP policies. Individual members of these parties may assume important government positions. But politically, these parties are relatively insignificant and function as little more than "a loyal non-opposition."¹⁷

New political parties are not allowed to form. When a group of activists who had been part of the 1989 Tiananmen protests tried to establish a China Democracy Party in 1998 to promote multiparty politics, they were arrested or forced into exile abroad, and the party was banned.

Elections

Elections in the PRC are basically mechanisms to give the communist party-state greater legitimacy by allowing large numbers of citizens to participate in the political process under very controlled circumstances. But elections are becoming somewhat more democratic and more important in providing a way for citizens to express their views and hold some local officials accountable.

Most elections in China are *indirect*. In other words, the members of an already elected or established body elect those who will serve at the next-highest level in the power structure. For example, the deputies of a provincial people's congress, not all the eligible citizens of the province, elect delegates to the National People's Congress. A comparable situation would exist in the United States if members of Congress were selected by and from state legislatures rather than by popular vote.

In *direct* elections all voters in the relevant area cast ballots for candidates for a particular position. Direct elections are now quite common in China's villages, and there have been experiments with letting all voters choose officials and representatives in rural towns, counties, and urban districts. To promote "inner-party democracy," some lower-level CCP leaders are now directly elected.

The authorities have been very cautious in expanding the scope of direct elections. The Communist Party wants to prevent them from becoming a forum for dissent or a vehicle for a political movement. The most powerful positions in the government, such as city mayors and provincial governors, are appointed, not elected.

Many direct and indirect elections now have multiple candidates and open nominations, with the winner chosen by secret ballot. A significant number of independently nominated candidates have defeated official nominees, although even independent candidates also have to be approved by the CCP.

The most noteworthy steps towards democratic representation and participation have occurred in the rural villages. Laws implemented since the late 1980s have provided for direct election of the village head and other leaders. These elections are

generally multicandidate with a secret ballot. Villagers have used them to remove leaders they think are incompetent or corrupt.

The village CCP committee closely monitors such grass-roots elections. In many cases, the local Communist Party leader has been chosen to serve simultaneously as the village head in a competitive election. This is often because the Communist Party leader is a well-respected person who has the confidence and support of the villagers. Only 1 percent of the village leaders (out of more than 600,000) are women.

Villager representative assemblies have members chosen from each household or group of households. The assemblies have taken a more active role in supervising the work of local officials and decision making in matters affecting community finances and welfare. Some observers believe such direct grass-roots measures are seeds of real democracy. Others see them as a façade to appease international critics and give the rural population a way to express discontent without challenging the country's fundamental political organization.

Recent electoral reform has certainly increased popular representation and participation in China's government. But elections in the PRC still do not give citizens a means by which they can exercise effective control over the party officials and organizations. Top Chinese communist leaders, from Mao to now, have repeatedly claimed that multiparty democracy is unsuited to China's traditions and socialist principles. According to an official of National People's Congress, "Western-style elections... are a game for the rich. They are affected by the resources and funding that a candidate can utilize. Those who manage to win elections are easily in the shoes of their parties or sponsors and become spokespersons for the minority.... As a socialist country, we cannot simply take the Western approach."¹⁸



China Photos/Getty Images.

Rural residents vote in a village election in China. In recent years, such grassroots democracy has become widespread in the countryside, although it is always closely monitored by the Chinese Communist Party.