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## **The totalitarian model revisited : an assessment of the post-Mao regime change**

Sujian Guo

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I am submitting herewith a dissertation written by Sujian Guo entitled "The totalitarian model revisited : an assessment of the post-Mao regime change." I have examined the final electronic copy of this dissertation for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy, with a major in Political Science.

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We have read this dissertation and recommend its acceptance:

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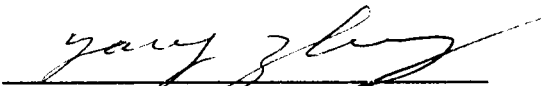
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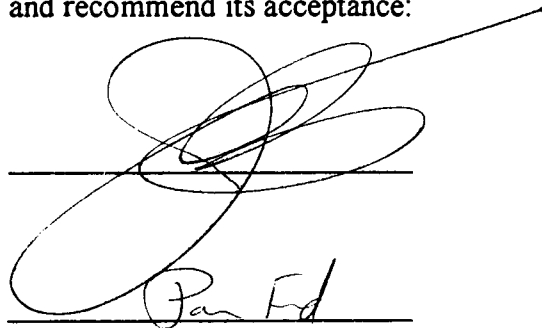
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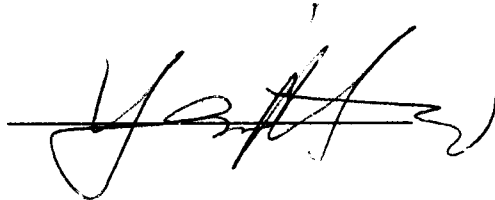
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and recommend its acceptance:

  
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Accepted for the Council:

  
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Associate Vice Chancellor and  
Dean of The Graduate School

**THE TOTALITARIAN MODEL REVISITED:  
AN ASSESSMENT OF THE POST-MAO REGIME CHANGE**

**A Dissertation  
Presented for the  
Doctor of Philosophy  
Degree  
The University of Tennessee, Knoxville**

**Sujian Guo  
May 1999**

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## DEDICATION

This doctoral dissertation is dedicated to those  
Who have devoted themselves to China's democratization

And

My wife, Yuan Yuan,

Who have given me invaluable support.

*I would rather be defeated in a cause that will ultimately triumph,  
than to win in a cause that will ultimately be defeated.*

— Woodrow Wilson

## ACKNOWLEDGEMENTS

### *All Glories and Praises Go to God*

In writing this dissertation, I have owed debts to many people. First, I am most grateful to my dissertation committee: Drs. Jeffrey Berejikian, Patricia Freeland, Hao Yen-Ping, and Yang Zhong for their constructive criticism and unfailing encouragement. I am particularly grateful to my committee chair, Dr. Yang Zhong, who has supported my research efforts ever since, with his expertise, friendship and graciousness. I also owe a special debt to Dr. Patricia Freeland who served initially as my Ph.D. program faculty committee adviser and helped me in many ways that made my time at the University of Tennessee so rewarding.

Chapters 1 and 7 as well as part of Chapters 4 and 6 of this dissertation contains materials previously published, entitled "The Totalitarian Model Revisited," *Communist and Post-Communist Studies*, vol. 31, no.3 (September 1998), pp. 271-285; "Democratic Transition: A Comparative Study of China and the Former Soviet Union," *Issues & Studies*, vol. 34, no. 8 (August 1998), pp. 63-101; "Enigma of All Enigmas: Capitalist Takeover? Assessment of the Post-Mao Economic Transformation," *Journal of Chinese Political Science*, vol. 4, no. 1 (Spring 1998), pp. 33-74; "Totalitarianism: An Outdated Paradigm for Post-Mao China?" *Journal of Northeast Asian Studies*, vol. XIV, no. 2 (Summer 1995), pp. 62-90. I wish to thank the publishers for permission to use or adapt the materials.

## ABSTRACT

Two decades of Chinese reforms have brought about a considerable change in many aspects of post-Mao China. While many have begun to talk with great relish about the changes and even rejoice in celebrating some “fundamental” changes in China, those critical or fundamental aspects of the Chinese communist system and central realities of China tend to be pushed aside, neglected, and very rarely mentioned. The actual picture of the empirical world is one with two sides. A comprehensive and all-sided assessment of the twenty-year change will counterbalance the one-sided view and make an important theoretical contribution to the study of regime change in post-Mao China. The assessment requires a coherent and effective macro-model or conceptual framework for defining the political regime, examining what has been changed and what has not, and assessing the nature of change in the post-Mao regime and its significance in the future of China’s political development.

However, a theoretical problem in defining “regime identity” of a political regime in conceptual and comparative terms is that there are no generally accepted theoretical criteria that could be used to demarcate the beginning and ending of a political regime and to assess the nature and characteristics of a regime change in communist and post-communist countries. This dissertation attempts to address the significance of this problem, revisit the utility of the totalitarian model, and develop a refined macro-model that can serve as the means to solve the problem – as conceptual reference points to define regime identity, measure or assess, and interpret the regime change in theoretical and comparative terms.



This study challenges the widespread view that post-Mao China has moved away from communist totalitarianism and the totalitarian model is no longer useful in the Chinese studies. This study applies the newly refined model to the study of regime change in post-Mao China to test if the refined model can serve as conceptual reference points that can be used to observe, explain, and evaluate the regime change in post-Mao China. On the other hand, the case study itself provides confirming evidence for the utility of the refined totalitarian model in defining “regime identity” of a political regime and assessing the nature of change in the political regime.

Chapter I (Theoretical Framework) addresses the research problem under consideration, the importance of the problem, and how to solve this problem. The importance of this problem is elaborated as follows: first, we have to define exactly what constitutes the “essence” of the communist regimes, in order to specify the precise point from which a transition departed and the precise time at which the Soviet or Chinese regime ceased to be a totalitarian dictatorship. Second, we must have conceptual reference points against which to measure change. Without generally accepted reference points, we would find ourselves left without a common basis for discussing either what existed before or what has come into being. Third, studies of communism must rely, implicitly or explicitly, on a model that can be used to collect facts for their political relevance, to present them in a coherent manner, and to provide a conceptual framework for comparative communist studies. Finally, this effort helps us understand what the post-communist regimes carry as legacies, what they are trying to overcome, and what they have accomplished so far.

This is followed by the effort to revisit the utility of totalitarianism as a macro-model in defining “regime identity” of a political regime and assessing the nature of change in the political regime, and the attempt to establish that the totalitarian model has undeniable analytic utility in communist studies and should be amended rather than discarded. My major argument addressed to the utility of the totalitarian model is that naïve falsification, lack of generally accepted theoretical criteria for defining “regime identity,” misuse of the conceptual categories in the study of regime change (“conceptual stretching”), and discretionary use of key concepts and terms without their being clearly defined all lead to the premature abandonment of a potentially useful model in comparative analysis.

Then, a great effort is made to refine the totalitarian model on more theoretical and comparative grounds so that it can serve as conceptual reference points against which to define regime identity, measure and explain the regime change in general, and enrich our understanding of specific cases in particular. This newly refined model has clearly defined and identified the distinguishing core features of a totalitarian regime from other operative features, and established the criteria for assessing and measuring the regime change of totalitarianism. Therefore, the refined model has several useful features that can serve as the means to solve the general problem proposed at the beginning of this study.

For the purpose of both empirical elaboration of the refined model and practical need of this specific case study, the refined model is then put in more concrete terms by taking China as an actual case for further elaboration and defining the “hard core” and “protective belt” of Chinese communist totalitarianism according to the refined model.

The hard core and protective belt of the refined totalitarian model can effectively serve as conceptual reference points against which we are able to (1) define what existed before post-Mao China or what is the original point from which the post-Mao regime has departed or the change has occurred; (2) to identify what has changed and what has not, in degree or in kind, developmental or genetic in nature; (3) to explain what features of the totalitarian “syndrome” the regime can lose but still be totalitarian or what degree of ideological, political, legal, economic, and social change can occur but still leave the old regime’s identity essentially unaffected; and (4) to evaluate whether or not the post-Mao changes have made the defining features or the “hard core” of communist totalitarianism insignificant or have changed them altogether into something different.

Chapter II (Method and Data) justifies the case study as a method for testing a theory by addressing the problem of external validity (generalizability) of the case study method in social sciences and by distinguishing statistical generalization in which a sample is used to enumerate sample frequencies and generalize to a larger population from analytic generalization in which case studies attempt to generalize a particular set of observed results to some broader theory rather than to some population in survey research. This chapter further addresses our major concern about the validity of selected measures for assessing the change in post-Mao China by developing an operational measurement scheme which can serve as a regular, step-by-step procedure to direct the actual operation of measuring the regime change, in particular, the data collection of the ensuing case study in post-Mao China. Finally, this chapter also identifies the primary and secondary data sources to be used in the case study.

Chapters III – VII apply the refined model to the study of regime change in post-Mao China to test the utility of the totalitarian model. Post-Mao China in the last twenty years has indeed experienced considerable quantitative changes that have had a great impact on socioeconomic life, compared with the situation under Mao's regime. However, the question is *not* whether changes have taken place in some aspects of the totalitarian regime, *but* whether these changes have been significant enough to affect the fundamental character of the regime. The key point here is to distinguish the changes *within* the system and the change *of* the system itself. The former is "developmental change" within the regime or change at the operative level, while the latter is "systemic change" of the regime or change at the fundamental level. The nature of a political regime remains fundamentally unchanged, if its hard core or essential characteristics are sustained. Through a systematic survey of party documents and resolutions, leaders' speeches and policy statements, official publications, published empirical data, and general academic studies on the post-Mao reform in English and Chinese, these five empirical chapters examine in depth post-Mao changes across the most critical empirical aspects of regime change (ideological, political, legal, social, and economic) and the most important dimensions of each of these aspects, assess their nature and significance in terms of regime change – developmental change within the regime or systemic change of the regime, and determine whether post-Mao China can still be described as totalitarian or if those changes have transformed the post-Mao regime into post-totalitarianism, authoritarianism, soft-authoritarianism, fragmented authoritarianism, market-oriented capitalism, or anything fundamentally different from communist totalitarianism.

Chapter VIII draws some conclusions about a set of results observed in this case study which can be used to generalize to the theory of totalitarianism and provide confirming evidence for the utility of the totalitarian model. The findings of this study demonstrates that, in spite of incoherence among the components of the regime or inconsistency between the regime and related behavior, the practice of post-Mao reform remains not only rooted in but also committed to the “hard core” of communist totalitarianism, such as the “universal truths” of Marxist-Leninism, the ultimate goal or end-goal of communism, the ideological commitment to its fundamental principles and norms, the hard core of political, ideological, legal, social and economic systems of Chinese communist totalitarianism, and many typical totalitarian practices, which do not contradict the regime’s commitment to the intermediate goal of economic modernization, but make only adjustments to the action means of achieving them. The post-Mao regime has never abdicated its totalitarian political tradition and practice to transform human nature and thinking. It has continued to control over the media and require uniformity in the press and the public opinion. It has continued to stress the “pedagogical” role of the press in educating, transforming, and perfecting human nature to mold a new type of socialist citizens.

The post-Mao regime has attempted to resurrect the political tradition and political theory of the mid-1950s and based the political doctrine and practice of the post-Mao regime on the “Four Cardinal Principles,” which are considered as defining the core elements of the post-Mao regime and the direction, scope, content and limits of its reform programs. The post-Mao regime has continued to consolidate and institutionalize the totalitarian party-state apparatus, which has come down from Mao’s era, as an appendage

of the communist party who decides what should be done and what steps or measures should be undertaken. The totalitarian party has continued to control and dominate all sectors of the state and has remained the locus or the “core of leadership” or “political nucleus” for all state institutions, public and social organizations.

The post-Mao regime has continued to define and promulgate the constitutional rules and give orders or directives to the governmental organs in lawmaking and implementation. The party’s exercise of power is not limited by law. The party is the “supreme lawmaker” or “lawgiver.” Party decisions or policy changes need not be formally justified by reference to legal rules. There are no such institutions as independent judiciary, independent legal profession, independent private bar, and special public law jurisdictions for review of administrative action and the constitutionality of legislation. Laws are not made clear, noncontradictory, and accessible. The party can manipulate laws to further its own ends. Post-Mao legislative and legal reforms have not given the Chinese people and their “representatives” remarkably more say over important matters of the state. The communist constitution, laws, and legal system are as a matter of fact an instrument of the single one-party dictatorship to extend its control over society, maintain its political and economic order, and achieve its policy goals.

The post-Mao regime has not made any substantial retreat from either the state or the civil society, though the party-state has relaxed its control over its citizens’ daily life, economic activities, and social mobility to correct the traditional dysfunctional system of controlling society. The “administrative state” and “administrative society” of Chinese communist totalitarianism have remained fundamentally unchanged, and the state power has continued to perform comprehensive or all-embracing functions of administration,

such as the economic function of organizing major economic activities, the social function of administering major means of production and exchange, the ideological function of cultural education, and the political/legal function of maintaining socialist political and legal system. Under the world's most austere license system, all social organizations have become party-led, state-licensed, or government-controlled, with no real meaning of self-government, independence, or autonomy (except those popular clubs and societies strictly limited within non-political areas). The muscle of the police apparatus has been greatly boosted to keep a tight leash on society, and party organizations have continued to penetrate and dominate almost every corner of society.

The post-Mao regime has attempted to preserve the socialist character of the economy over the past twenty years since Deng's reform. The goal of post-Mao economic reforms is to restructure state socialism and establish the "Socialist Market Economy," which does not suggest any attempt by the post-Mao regime to transform the Chinese economy into a capitalist one or to abandon its ultimate goal of communism. Public ownership, the governance structure of state socialism, and the administrative command system have continued to dominate the Chinese economy, while a fledgling or distorted market has just started to emerge within the general framework of state socialism and the political context of party-state power structure. The reforms have not changed the nature of economic system or gone so far as to reverse this system. All the fundamental or core features of communist totalitarianism have remained unchanged, only with the means of achieving ends being adjusted.

In short, this study has provided confirming evidence for the analytic utility of the paradigm of totalitarianism, which, rather than outmoded, is still useful and applicable to

the study of the Chinese communist regime. The post-Mao communist regime has remained totalitarian rather than turning into “authoritarianism” or “soft authoritarianism” or “evolving away from the authoritarian regime of the Deng era.” Both Mao’s regime and the post-Mao regime are communist totalitarianism *at the fundamental level*, though they do have many differences from each other *at the operative level*. The change has been in degree rather than in kind; it is the developmental change *within* the regime rather than the systemic change *of* the regime.



## TABLE OF CONTENTS

CHAPTER	PAGE
I. THEORETICAL MODEL .....	1
Introduction	
The Utility of the Model	
Redefining the Totalitarian Model	
Conclusion	
II. METHOD AND DATA .....	45
Justify the Case Study as a Research Method	
Justify the Case Selection	
Justify the Validity of Measurement Scheme	
III. ASSESSMENT OF THE POST-MAO DEOLOGICAL CHANGE .....	55
Introduction	
Assessment	
Conclusion	
IV. ASSESSMENT OF THE POST-MAO POLITICAL CHANGE.....	114
Introduction	
Assessment	
Conclusion	
V. ASSESSMENT OF THE POST-MAO LEGAL CHANGE .....	159
Introduction	
Assessment	
Conclusion	
VI. ASSESSMENT OF THE POST-MAO SOCIAL CHANGE.....	206
Introduction	
Assessment	
Conclusion	
VII. ASSESSMENT OF THE POST-MAO ECONOMIC CHANGE.....	269
Introduction	
Assessment	
Conclusion	
VIII. CONCLUSION.....	336
BIBLIOGRAPHY .....	347
VITAE .....	371

## LIST OF TABLES

TABLE	PAGE
1. 1 Working Distinctions between Authoritarianism and Totalitarianism.....	18
1. 2 Classical Model of Totalitarianism.....	22
1. 3 A Refined Model in Comparative Analysis.....	26
1. 4 Comparison of Mao's Regime and Post-Mao's Regime.....	38
1. 5 Regime Change: Genetic vs. Developmental.....	38
2. 1 The Measurement Scheme for Collecting Data and Assessing Changes.....	51
2. 2 Primary and Secondary Data Sources.....	52
3. 1 Political and Ideological Campaigns before and after 1979.....	77
4. 1 The CCP under Mao's Regime and under Deng's Regime.....	130
4. 2 Party-State Relationship under Mao's Regime and under Post-Mao's Regime.....	135
5. 1 China's Lawmaking, 1949 – 1993.....	168
5. 2 China's Legislation in Different Aspects of the Society, Selected Year (1993-1998).....	175
5. 3 Court Orders and Executions, Selected Years (1992 – 1993).....	181
5. 4 The Composition of NPC Deputies from 6 <sup>th</sup> NPC in 1983 to 9 <sup>th</sup> NPC in 1998.....	191
5. 5 Quotas Distribution of the 9 <sup>th</sup> NPC Deputies by the "Electorate Units".....	192
6. 1 Four Broad Categories of Social Organizations in Post-Mao China.....	212
6. 2 A Comparison of Freedom under Mao's Regime and under Deng's Regime.....	234
7. 1 Shares of Different Economic Sectors in Industry, Selected Years.....	289
7. 2 Shares of Different Economic Sectors in GVIO in Wenzhou (%).....	309
7. 3 Provincial GVIO by Ownership, 1994 (% of Provincial GVIO).....	310
7. 4 Shares of Foreign Enterprises and Hong Kong, Macao, and Taiwan Enterprises.....	311

## LIST OF FIGURES

<b>FIGURE</b>		<b>PAGE</b>
1. 1	Lakatos's Research Programs & The Function of Dynamic Core in Relation to Action Means.....	27
1. 2	Strength Function of Totalitarianism in Relation to its Features (I).....	39
1. 3	Strength Function of Totalitarianism in Relation to its Features (II).....	40
1. 4	Regime Change vs. Regime Weakening.....	41

## Chapter I

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### Theoretical Model

#### 1. INTRODUCTION

Two decades of Chinese reforms have brought about a considerable change in many aspects of post-Mao China. While many have begun to talk with great relish about the changes and even rejoice in celebrating some “fundamental” changes in China, those critical or fundamental aspects of the Chinese communist system and central realities of China tend to be pushed aside, neglected, and very rarely mentioned. The actual picture of the empirical world is one with two sides. A comprehensive and all-sided assessment of the twenty-year change will counterbalance the one-sided view of post-Mao China and make an important theoretical contribution to the study of regime change in post-Mao China. The assessment requires a coherent and effective macro-model or conceptual framework for defining the political regime, examining what has been changed and what has not, in degree or in kind, and assessing the nature of change in the post-Mao regime and its significance in the future of China’s political development.

However, a theoretical problem in defining “regime identity” of a political regime in conceptual and comparative terms is that there are no generally accepted theoretical criteria or reference points that could be used to demarcate the beginning and ending of a political regime and to assess the nature and characteristics of a regime change in communist and post-communist countries. The collapse of the “Soviet regime” and the change of the “post-Mao regime” have made the resolution of this problem all the more

important. The resolution of this problem may hold the key to understanding the post-Soviet politics and the post-Mao or post-Deng politics.<sup>1</sup>

The importance of this problem deserves a more detailed elaboration. First of all is the need to establish conceptual clarity in regime change theory.<sup>2</sup> In other words, how can the “regime change” or “transition” be characterized theoretically? We have to define exactly what constitutes the “essence” of the communist regimes, in order to specify the point from which a transition departed and the time at which the Soviet or Chinese regime ceased to be a totalitarian dictatorship. According to Stephanie Lawson, “regimes embody the norms and principles of the political organization of the state, which are set out in the rules and procedures within which governments operate.”<sup>3</sup> The key to the definition of “regime” here is directly related to the values embodied in the principles and norms. A change of government does not necessarily involve a change of regime, if governments formed within or under a particular regime are all essentially of the same character, to the extent that these governments share a commitment or conform to the fundamental principles and norms of the regime. Rules and procedures, which can take various forms

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<sup>1</sup> Stephen E. Hanson, “Social Theory and the Post-Soviet Crisis: Sovietology and the Problem of Regime Identity,” *Communist and Post-Communist Studies*, vol. 28, no. 1, 1995, pp. 119-120

<sup>2</sup> Stephanie Lawson, “Conceptual Issues in the Comparative Study of Regime Change and Democratization,” *Comparative Politics*, vol. 25, no. 2, 1993, p. 188

<sup>3</sup> Stephanie Lawson, p. 187; For more discussions on the definition of “regime” as well as the distinctions among “state,” “regime,” and “government,” see also Robert M. Fishman, “Rethinking State and Regime: Southern Europe’s Transitions to Democracy,” *World Politics*, vol. 42, April 1990, p. 428; Peter Calvert, ed., *The Process of Political Succession* (London: Macmillan, 1987), pp. 18, 248; Jan-Erik Lane and Svante O. Ersson, *Politics and Society in Western Europe* (London: Sage, 1987), p. 279; Allan Larson, *Comparative Political Analysis* (Chicago: Nelson Hall, 1980), p. 19; Naomi Chazan,

and are subject to change, derive from and are secondary to principles and norms. A “regime change” is a fundamental change in or abandonment of the principles and norms governing the nature of the regime, which must be distinguished from a “regime weakening,” which constitutes a phase in regime change. “Regime weakening” occurs where the relationship between norms, principles, and rules becomes less coherent or where actual practice becomes inconsistent with the values or rules of the regime.<sup>4</sup> Stephen Krasner has made a clear and useful distinction between three related but different concepts: “change within a regime involves alterations of rules and decision-making procedures, but not of norms or principles; change of regime involves alteration of norms and principles; and weakening of a regime involves incoherence among the components of the regime or inconsistency between the regime and related behavior.”<sup>5</sup> Although the notion of “regime” in international relations theory is situated in a different context of relationships, the idea that regimes are an embodiment of principles, norms, and rules is the key point, and therefore is applicable to the notion of “regime” in both domestic and international arenas.<sup>6</sup>

Second, studies of communism must rely, implicitly or explicitly, on a model that can be used to collect facts for their political relevance, to present them in a coherent manner, and to provide a conceptual framework for the comparative study of communism

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Robert Mortimer, John Ravenhill, and Donald Rothchild, *Politics and Society in Contemporary Africa* (London: Macmillan, 1988), p. 17

<sup>4</sup> Stephanie Lawson, pp. 185-186

<sup>5</sup> Stephen D. Krasner, ed., *International Regimes* (Ithaca: Cornell University Press, 1983), p. 5

<sup>6</sup> Stephanie Lawson, p. 185

or conceptual reference points against which to interpret and assess regime change.<sup>7</sup> Without generally accepted reference points, we would find ourselves left without a common basis for discussing either what existed before or what has come into being. Unless such reference points can be established, any discussion will lack both clarity and cogency.<sup>8</sup> Clearly defined reference points can help us to avoid the “conceptual stretching”<sup>9</sup> – the distortion that occurs when a concept does not fit the new cases or “where the same terms have been used, often without having been explicitly defined, to mean different things.”<sup>10</sup>

However, the absence of a coherent theory of regime identity in studies of communism has led many analysts to adopt a form of ad hoc model construction.<sup>11</sup> When Stephen E. Hanson addressed this issue regarding the concept of regime identity in Soviet and post-Soviet studies, he pointed out, “one possible response to the argument presented so far is to reply: so what? ... Why not simply utilize whatever terminology seems heuristic in interpreting a given period of Soviet, or any other history, and not worry about standardizing our theoretical definition of what constitutes a ‘regime’?” Therefore, one could coin any terms to apply to particular sub-phases of the history of that regime, such

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<sup>7</sup> Alex Inkeles, *Social Change in Soviet Russia* (Cambridge: Harvard University Press, 1968), p. 419

<sup>8</sup> William E. Odom, “Soviet Politics and After: Old and New Concepts,” *World Politics*, vol. 45, no. 1, 1992, p. 68

<sup>9</sup> Giovanni Sartori, “Concept Misformation in Comparative Politics,” *American Political Science Review*, vol. 64, 1970, pp. 1033-53; Giovanni Sartori, “Guidelines for Concept Analysis,” in Giovanni Sartori, ed., *Social Science Concepts: A Systematic Analysis* (Beverly Hills: Sage, 1984)

<sup>10</sup> Gerardo L. Munck, “Democratic Transitions in Comparative Perspective,” *Comparative Politics*, vol. 26, no. 3, 1994, p. 356

<sup>11</sup> Hanson, p. 128

as the period of War Communism, the New Economic Policy period, Stalinism prior to 1934, Stalinism during the Great Purge and thereafter, the post-Stalin period, and so forth, without defining and making reference to the original core regime identity. Thus, these sub-phases of Soviet history could be considered as different “regime-types” or “systems” rather than changes within the same regime.<sup>12</sup> These analysts are “unself-conscious about the methodological implications of employing macro-systemic concepts as means of focusing attention on under-documented, micro-processes.”<sup>13</sup> Such “unconscious” thinkers or ad hoc approaches are also widespread among post-Mao China studies. Ambiguous use of a term or concept, indiscreet banishment of a potentially useful term from the vocabulary of post-Mao Chinese studies, or arbitrary assertion of a macro-model as outdated has clouded conceptual clarity of concepts such as political liberalization, democratization, capitalism, privatization, market economy, rule of law, civil society, and so forth, and blurred distinctions among regimes such as democracy, authoritarianism, totalitarianism and distinctions between change within a regime and change of a regime. As a result, we often find ourselves left without a common basis for discussing either what existed before or what has come into being, or involved in a situation where “each blows his own bugle and sings his own song” in research practice, which has inhibited fruitful academic communication and has plagued us in our effort for theory-building in China studies.

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<sup>12</sup> Hanson, p. 127

<sup>13</sup> George Breslauer, “In Defense of Sovietology,” *Journal of Post-Soviet Affairs*, vol. 8, no. 3, 1992, p. 223



Finally, this effort will help us understand what the post-communist regimes carry as legacies, what they are trying to overcome, and what they have accomplished so far. As William E. Odom points out, any comparative study of the transitions in the communist countries must fully consider the legacy of totalitarianism.<sup>14</sup> The resolution of this problem might help us to do the research on the following important questions: How can we define what constitutes the beginning and the end of a political regime in theoretical and comparative terms? At what exact point in a historical process of political change can we say a new regime has come into being? What degree of ideological, political, legal, social, economic change can occur and still leave a regime's identity essentially unaffected? At what point in a process of change can we say that a regime has ceased to exist? Does the collapse of the Soviet regime or the change under Deng's regime or post-Deng's regime suggest that we must discard the classical totalitarian model? How many key features of the totalitarian "syndrome" can a regime lose and still be totalitarian? Can we still take the totalitarian model as a reference point for examining what has changed between then and now? These are the critical questions in defining regime identity in conceptual and comparative terms.<sup>15</sup> However, all these questions lead to such a central question: *Is totalitarianism an outdated model in communist and post-communist studies?*<sup>16</sup>

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<sup>14</sup> Odom, p. 93

<sup>15</sup> Hanson, pp. 120, 124

<sup>16</sup> One possible response might be: totalitarianism is at least an outdated model for post-communist studies due to the collapse of communism in formerly communist states. However, according to William E. Odom, "the totalitarian model retains utility for understanding the legacies those states still confront." See Odom, p. 93, particularly the abstract of his article.

The objective of this dissertation is to redefine the totalitarian model and to assess regime change in post-Mao China. To this purpose, this dissertation will do the following: first, to establish that the totalitarian model should be amended rather than discarded; second, to refine the totalitarian model on more theoretical and comparative grounds so that it can serve both to measure and explain the regime change in general and enrich our understanding of specific cases in particular; and third, apply the newly refined model to the study of regime change in post-Mao China to test if the refined model can serve as conceptual reference points that can be used to observe, explain, and evaluate the regime change in post-Mao China. On the other hand, the case study itself may provide confirming evidence for the utility of the totalitarian model.

## II. THE UTILITY OF THE MODEL

The totalitarian model dominated Soviet studies and communist studies in Eastern Europe, China, and other communist countries in the 1950s. The utility of the totalitarian model was challenged in the 1960s and its applicability to the communist studies was questioned due to the changes in the Soviet Union after the death of Stalin and the development of other communist countries. In the meantime, however, there were noteworthy efforts during the 1960s to modify and amend the model.<sup>17</sup> Since then, two contrasting views, the “out-of-date-thesis” and the “antithesis,” can be found in the literature of communist and post-communist studies.

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<sup>17</sup> Gabriel A. Almond and Laura Roselle, “Model Fitting in Communism Studies,” in Frederic J. Floron, Jr. and Erik P. Hoffmann, eds., *Post-Communist Studies and Political*

The “out-of-date-thesis,” represented by those alternatives to the totalitarian model, attempts to break with the totalitarian model and rejects the utility of the conceptual term in communist studies. Some scholars argue that a systemic or genetic change has occurred and that the system is no longer totalitarian, but merely “authoritarian.” Therefore, “totalitarianism” is no longer the best term to use for it. Others even anticipate that the change would follow the path of several authoritarian regimes in Southern Europe, Southeast Asia, and Latin America, implying that the system is moving on the spectrum of extremes from the authoritarian pole toward the liberal pole. These scholars reject the totalitarian model because they believe that the model fails to capture the dynamic change that has occurred in the communist countries of the post-Stalin years or of post-Mao China. Still others place their charges against the utility of the totalitarian concept simply on the fact that the Soviet Union collapsed, and declare that the discussion of totalitarianism has no place in the post-communist world.<sup>18</sup> These alternative models can be classified as the modernization model, the bureaucratic model, the elite model, the group model, the structural-functional model, the political-cultural model, the institutional-pluralist model, and the neo-corporatist model.<sup>19</sup>

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*Science: Methodology and Empirical Theory in Sovietology* (Boulder, Colorado: Westview Press, 1993), pp. 30-31

<sup>18</sup> Chalmers Johnson, ed., *Change in Communist Systems* (Stanford: Stanford University Press, 1970), pp. 2-3, 117, 135-136, 314, 347-351; Andrew C. Janos, “Social Science, Communism, and The Dynamics of Political Change,” *World Politics*, vol. 44, no. 1, 1991, p. 82; Christopher Hitchens, “How Neoconservatives Perish: Goodbye to Totalitarianism and All That,” *Harper’s*, July 1990, pp. 65-70

<sup>19</sup> It is not the purpose of this paper to discuss these models. For a comprehensive and detailed discussion of these models, see Frederic J. Florn, Jr., “Towards a Reconceptualization of Political Change in the Soviet Union,” *Comparative Politics*, vol. 1, no. 2, 1969, pp. 228-244; Amos Perlmutter, *Modern Authoritarianism* (New Haven,

The antithesis includes those scholars who have attempted to resurrect the totalitarian model on more theoretical and comparative grounds.<sup>20</sup> More recently, William E. Odom, for example, has plausibly argued that the classical totalitarian model captures the key features of Soviet rule, and that “in dismissing the totalitarian model, we lost the basis for measuring change.”<sup>21</sup> According to Odom, none of those alternative models have fully replaced the classical totalitarian model and no one rivals its dominance. He has plausibly argued that “where they emphasize other things, they neglect central realities.”<sup>22</sup> Even in recent years some distinguished scholars have not wholly discarded it. “The totalitarian model has far more analytical utility than its competitors (which is not to deny that the others have yielded insights),” because “the totalitarian model captures critical

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CT: Yale University Press, 1981), pp. 62-75; Serban Orescu, “A Structural-Functional Model for the Comparative Study of Communist Systems,” *Studies in Comparative Communism*, vol.16, no. 4, 1983, pp. 265-274; Gabriel A. Almond and Laura Roselle, “Model Fitting in Communism Studies,” in Frederic J. Fleron, Jr. And Erik P. Hoffmann, eds., *Post-Communist Studies and Political Science: Methodology and Empirical Theory in Sovietology* (Boulder: Westview Press, 1993); Stephen White, John Gardner, and George Schopflin, *Communist Political Systems: An Introduction* (New York: St. Martin’s Press, 1987), pp. 14-30; Odom, pp.66-67, 73-77;

<sup>20</sup> For the early effort to resurrect the totalitarian model, see Allen Kassof, “The Administered Society: Totalitarianism Without Terror,” *World Politics*, vol. 16, no. 4, July 1964; Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace, 1966); C.J. Friedrich, ed., *Totalitarianism in Perspectives* (New York: Praeger, 1969); Robert Orr, “Reflections on Totalitarianism, Leading to Reflections on Two Ways of Theorizing,” *Political Studies*, vol. 21, no. 4, December 1973; George Breslauer, *Five Images of the Soviet Future* (Berkeley, CA: Institute of International Studies, 1978); Stephen J. Whitefield, *Into the Dark: Hannah Arendt and Totalitarianism* (Philadelphia, PA: Temple University Press, 1980); Ernest A. Menze, ed., *Totalitarianism Reconsidered* (Port Washington, NY: Kennikat Press, 1981); Abbott Gleason, “Totalitarianism in 1984,” *Russian Review*, vol. 43, no. 1, April 1984;

<sup>21</sup> Odom, p. 77

<sup>22</sup> *Ibid.*, p. 72

features of the system that tend to get pushed aside by other models.”<sup>23</sup> Stephen E. Hanson argues that these alternative models leave us in no better position than the classical totalitarian model in identifying the conceptual continuity of the entire history of the Soviet or Chinese regime.<sup>24</sup> Donald W. Treadgold concurs: “whether all of these changes can still be accounted for within the analytical framework of totalitarianism is in dispute, but no other term has yet gained general acceptance as a substitute.”<sup>25</sup>

A host of other recent studies defends the utility of the totalitarian concept in today’s comparative research. Giovanni Sartori observes recently that the objection to the utility of the totalitarian concept is a gratuitous wish, consisting of a series of *non sequiturs*.<sup>26</sup> Richard Pipes also makes a succinct argument defending “totalitarianism” as a label for specific political phenomena that is as useful as “democracy.”<sup>27</sup> In his masterful study of the Soviet Union and its demise, Martin Malia argues that the threat of totalitarianism does not die with the Soviet regime and that the utopian attempts to enforce social and economic equality either in the name of mankind’s “common good” or for the liberation of some oppressed group will continue as long as inequality exists in the world, whether or not they call themselves the communists. A global crisis, such as that in 1914-1918 which helped bring Bolshevik totalitarianism to power, could do the same in our day. “it would be foolish to conclude that because the greatest utopia of our age has

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<sup>23</sup> *Ibid.*, p. 67

<sup>24</sup> Hanson, p. 126

<sup>25</sup> Donald W. Treadgold, *Twentieth Century Russia*, (Boulder: Westview Press, 1990), p. 12

<sup>26</sup> Giovanni Sartori, “Totalitarianism, Model Mania, and Learning From Error,” *Journal of Theoretical Politics*, vol. 5, 1993, pp. 5-22

ended in disaster, utopian politics as such are finished.”<sup>28</sup> Abbott Gleason concludes his recent study of the totalitarian concept: even if utopian politics should prove dead in the wake of the Soviet communist collapse, the resurgence of religious and ethnic hatreds may bring us comparable totalitarian horrors.<sup>29</sup> Nicholas Dujmovic examines possible sources of totalitarianism in the post-Soviet era: totalitarian regimes continue to exist, such as China and North Korea, and new ones may develop in the post-communist world such as Russia or in places such as Saddam Husayn’s Iraq. The potential for totalitarian regimes to arise makes it important to understand how these regimes developed and what their legacies left.<sup>30</sup>

This work stands in the same line with the second group of scholars. My main viewpoint is that, although the first group of scholars point to some critical weaknesses of the classical model of totalitarianism, their arguments lead to the premature abandonment of a potentially useful model in comparative analysis.

First, a theory or a model is not developed or constructed in a “once-and-for-all-time” manner. The model creators were not offering their model as the final word, but only offering a tentative list of characteristics, derived from observations of some examples, which they hoped would stimulate others to define the model upon further

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<sup>27</sup> Richard Pipes, *Russia Under the Bolshevik Regime* (New York: Alfred Knopf, 1993), pp. 243-245

<sup>28</sup> Martin Malia, *The Soviet Tragedy: A History of Socialism in Russia, 1917-1991* (New York: The Free Press, 1994), pp. 516-520

<sup>29</sup> Abbott Gleason, *Totalitarianism: The Inner History of the Cold War* (New York: Oxford University Press, 1995), pp. 209-210

<sup>30</sup> Nicholas Dujmovic, *The Totalitarian Temptation and its Failure in Revolutionary Grenada, 1973-1983*. Doctoral Dissertation in Political Science, The Fletcher School of Law and Diplomacy, February 1996, pp. ii, 299-310, 312-315

examination. If a model cannot be refined, it should be discarded; otherwise it should retain its utility. For example, classical positivism was refined by the logical positivists; classical realism was refined by the structural realists or neo-realists; institutionalism was refined by the neo-institutionalists; and the modernization theory was refined by new modernization theorists.

“Naïve” falsification of logical positivists argues that a theory or model can be tested and falsified against the observed facts. If a theory or model is inconsistent with the facts, it shall be rejected. But, scientists still have options – either discard it or amend it and try out the fresh implications for theory building and scientific explanation. A third option is to save the theory or model by rejecting the facts. This is because facts do not speak for themselves and facts are always theory-dependent. Thomas Kuhn and Imre Lakatos make a strong case for a third kind. Experience that conflicts with a theory or model can be treated in two ways – either treated as a counter-evidence or as an anomaly, demanding that the theory or model be amended or discarded. The “hard core” of the theory or model is defended from empirical refutation by a “protective belt” of auxiliary assumptions or hypotheses where adjustments are made to save the “hard core” in the face of anomalies. For example, in the rational choice model, the hard core consists of the conceptualization of social phenomena in terms of the rational choices of individual actors responding to the structure of incentives they face. The theorists will refuse to make adjustments in these basic principles, but will modify some features of the “protective belt” in order to “save” the hard core. Scientific progress is the adjustment of the “protective belt.” So theories are never falsified absolutely but only relatively. A good theory is like a

good swimmer – mainly because its “protective belt” serves as a life belt, keeping the “hard core” afloat on an ocean of anomalies. As long as this belt can be adjusted in “progressive” ways, the theory is in no danger of sinking.<sup>31</sup>

Second, the nature or essence of a political system is judged by assessing the major components in the syndrome of traits of the system. The utility of a macro-model remains justified if it captures the major and essential features of the system, even though some situations contrasting the essential characteristics may exist, or changes in some aspects of the major components may be evident. As Seymour M. Lipset has pointed out, “a country like the United States may be characterized as ‘democratic’ on the national level, even though most secondary organizations within the country may not be democratic.”<sup>32</sup> This means that a complex of characteristics of a political system have multivariate compositions and may produce possible variations on some aspects of the system in the process of social development. This is evident even among other stable democracies today. For instance, a democracy, on the one hand, sustains those major or essential aspects of complex characteristics but, on the other hand, some compositions contrary to capitalist democracy, or some of consequences that are constantly produced within the

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<sup>31</sup> T. Ball, “From Paradigms to Research Programs: Toward a Post-Kuhnian Political Science,” in Herbert B. Asher, et al., eds., *Theory-Building and Data Analysis in the Social Sciences* (1984), pp. 23-49; J. Donald Moon, “The Logic of Political Inquiry: A Synthesis of Opposed Perspectives,” in Fred I. Greenstein and Nelson W. Polsby, eds., *Political Science: Scope and Theory, Handbook of Political Science*, vol. 1 (Reading, MA: Addison-Wesley, 1975), pp. 151-152; Ingvar Johansson, *A Critique of Karl Popper's Methodology* (Gothenburg, Sweden: Esselte Studium, 1975), pp. 150-151;

<sup>32</sup> Seymour M. Lipset, *Political Man: The Social Bases of Politics* (Baltimore, MD: Johns Hopkins University, 1981)



system, may have the effect of undermining democracy. Similarly, the same situation may occur in a totalitarian system or any other system.

Fascism and Communism have been commonly classified as two sub-types of totalitarianism. However, there are significant differences in the operation and experience of the two systems. They both do not exhibit the key characteristics of totalitarianism to the same degree, and some of these characteristics are barely present at all in one or another of the systems, because of the widely different political cultures of these countries. Even then, however, there does retain sufficiently similar characteristics to allow the two systems to be placed in a common classification.<sup>33</sup> For example, Hitler's regime is totalitarian, but no one would dispute the nature of the regime because it lacked "total" control over the economy or public ownership. The essence of totalitarianism does not rest on the "total control" but on the combination of the core features of critical importance.

Among the former communist states there was also a great deal of variety in their functioning of political and economic institutions. In most former communist states, for instance, the means of production were virtually in the hands of the state, while in others, such as Poland, most agricultural land was in private ownership. In most former communist states, similarly, a single communist party dominated power, while in others, such as Poland, Bulgaria, and the GDR, a variety of "nominally independent" parties were allowed to exist. However, their ideological, political and institutional framework displayed significant similarities which justify putting all of these states into one common

category.<sup>34</sup> Therefore, the core features are essential for evaluating the nature of a regime, despite of the variation or incoherence among the components of the regime.

Third, some have tried to place “regime change” in some communist states on the spectrum from authoritarian to liberal democratic, and categorized the post-Mao or the post-Deng regime as “authoritarian” or “soft-authoritarian.” However, how could one explain those critical features or distinct elements that are generally not inhabited by an authoritarian regime but evidently present in post-Mao China: the long-term goal of social transformation, the attempt to control and transform one’s thinking and conscience, the claim of itself as the sole representative of the absolute truth and the whole nation, the effort to legitimize and institutionalize its own set of beliefs as only one paramount ideology, the party-state dominance over social processes, and the refusal to allow for independent social activity, and so forth? All these features are essentially typical of a totalitarian regime. Post-Mao China contains many distinct elements those alternative models to totalitarianism can barely account for. All those regimes under Hitler, Stalin, and Mao have these critical features or distinct elements. The difference between these regimes and the post-Mao regime is only the scope and extent to which these features are accomplished. In spite of incoherence among the components of the regime or inconsistency between the regime and related behavior, the post-Mao regime has never abandoned the “hard core” of their inevitable goals, fundamental principles and norms, but only made adjustments to the action means of achieving them.

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<sup>33</sup> Michael Curtis, *Totalitarianism* (New Brunswick, NJ: Transaction Books, 1979), pp. 11-12

Therefore, for the purpose of the assessment of regime change, we must make some clear working distinctions between totalitarianism and authoritarianism in order to identify a set of fundamental principles or core components of a communist totalitarian regime that distinguish it from other authoritarian regimes.

(1) In contrast to totalitarian regimes, authoritarian regimes not only depend to a considerable extent on a variety of social forces such as monarchy, church, the army, or business, but also leave whole areas of life untouched by official influence and control, and leave in place existing allocations of wealth, status, social values, and other resources, in particular, with a relatively strong private property as their socioeconomic basis.

(2) Unlike totalitarian regimes, authoritarian regimes are rarely inspired by a utopian goal or an integrated or meaningful ideology, without having to base their legitimacy upon a strong ideological commitment. These regimes do not claim to embody a particular historical destiny or to possess an absolute truth, and therefore they aim neither at fulfilling a historical mission nor at re-creating a “new type of social life” or “new type of man.”

(3) Authoritarian regimes seek only to control human behavior mainly through denying individuals civil and political rights such as participation in political life or the exercise of free speech, while totalitarian regimes aim not only to remold behavior but also to do so through the transformation of human nature, the exercise of extensive thought control, and the interference into personal beliefs. Therefore, even an authoritarian regime with a single-party system need not be totalitarian; it becomes so only when this party

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<sup>34</sup> Stephen White, John Gardner, and George Schopflin, *Communist Political Systems: An*

claims for itself the historical mission of transforming society and human nature and attempts to subjugate individual consciences and exercise thought control.

(4) A totalitarian state is a state in which political leaders steer a society along the lines of their own political beliefs and aspirations and ideology is the major source of the system's legitimacy. In contrast, a theocratic state is a state that reflects the established religious beliefs and norms, protect the existing character of a traditional religious society and promote its growth along established religious beliefs and norms.

(5) Totalitarianism refers to the "totalism" or "totalistic nature" of all major aspects of a totalitarian regime in ideology, politics, economy, society, law, communication, and organization which are dominated and penetrated by the party ideology, organization, and party-state establishment, not simply the reality of "total control" which means a complete control of everything in detail or every single aspect of social life. A common misunderstanding of the totalitarian model is to equate "totalitarianism" with the concept of the "total control" or the traditional concept of the "total state,"<sup>35</sup> which was mainly used to refer to "oriental despotism" or those traditional tyrannies. These traditional regimes of the "total state" were solely based on coercion and might, attempted to maintain the status quo, traditional values and social norms, and required passive subjects, while the totalitarian regime was a new and unprecedented modern phenomenon, based on the officially defined goals and absolute ideological doctrine, attempted to break with and even destroy the old traditions in order to institute a

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*Introduction* (New York: St. Martin's Press, 1987), p. 5

<sup>35</sup> Karl A. Wittfogel, *Oriental Despotism: A Comparative Study of Total Power* (New Haven, Conn.: Yale University Press, 1967), chapters 1-5

process of radical social change, and demanded active participants for achieving its officially defined goals. The oriental despot identified himself only with the State, while the totalitarian single elite party, overriding the traditional concept of “the total state,” carried out politics not within but beyond the framework of the state.

(6) Totalitarianism, like any other political system, is classified by a complex of characteristics to distinguish itself from others, which requires for a full grasp of the concept in *holistic* or *totalistic* terms. None of authoritarian regimes exhibit all this combination of features, though they may possess one or another of its constituent traits. So it is very clear that totalitarian regimes are different from authoritarian countries such as Franco’s Spain or Portugal under Salazar, or military regimes, despotic dictatorships, authoritarian rules, and outright tyrannies in African and Asian countries.<sup>36</sup>

The above classification not only suggests a set of distinguishing characteristics of totalitarianism, but also implies that each totalitarian regime is at the same time authoritarian, dictatorial, but an authoritarian regime need not be totalitarian. We can use Table 1.1 to illustrate this distinction between totalitarianism and authoritarianism.

**Table 1. 1. Working Distinctions between Authoritarianism and Totalitarianism**

	Types of governments	Transformation of human nature and society	Utopian goals	Pervasive official ideology	Extensive thought control and brainwashing
Authoritarianism	Autocracies Oligarchies	No	No	No	No
Totalitarianism	Fascism Communism	Yes	Yes	Yes	Yes

<sup>36</sup> Some of these working distinctions are derived from the works of Michael Curtis and Hans Buchheim. Cf. Michael Curtis, *Totalitarianism* (New Brunswick, NJ: Transaction Books, 1979), pp. 2-4; Hans Buchheim, *Totalitarian Rule: Its Nature and Characteristics* (Middletown, Connecticut: Wesleyan University Press, 1968), pp. 21-23, 115

The KMT regime in Taiwan, which has an official ideology as the base of its policy, stands as one case of the “anomalies” or a “deviant case” that is known to deviate from established generalizations.<sup>37</sup> In many other cases, such as Iraq, Indonesia, and in parts of the Third World, authoritarian dictatorships may have a single party. But this party is simply a “method by which a regime which was basically personal and dictatorial sought to give itself legitimacy,”<sup>38</sup> and the regime uses it as a vehicle to centralize power around the dictator or a “strongman” leader and emphasize the national unity and strength, particularly in a context that involves severe external threat and domestic conflict. None of these parties are completely intertwined with the state and involved in total domination of the state as is the party-state establishment in totalitarian states, and none of their organizational penetration of society is so pervasive as is a totalitarian party. It is not very difficult to find one or another element of totalitarianism in other types of regimes. But none of these regimes exhibit all this combination of defining core features of totalitarianism, though they may have one or another of its constituent traits. This actually raises an interesting methodological issue: can a theory be rejected or falsified by some “ugly facts” or “deviant cases?”

In addressing naïve falsification of logical positivists who seek to prove or verify a theory solely based on the positive evidence of observable experience, Karl Popper famously argues that a theory cannot be simply rejected or falsified by some “ugly facts.” In order to falsify a theory, they have to be reproducible events. Some deviant cases or

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<sup>37</sup> For a definition of “deviant case,” see Arend Lijphart, “Comparative Politics and the Comparative Method,” *The American Political Science Review*, vol. 65, 1971, p. 692

stray statements contradicting a theory can only generate a “low-level empirical hypothesis,” which is called “a falsifying hypothesis” that is subject to tests.<sup>39</sup> As Popper puts, some deviant cases or “a few stray basic statements contradicting a theory will hardly induce us to reject it as falsified. We shall take it as falsified only if we discover a *reproducible effect* which refutes the theory.”<sup>40</sup> Popper’s view is widely shared and incorporated by a host of important scholars in this field. As Imre Lakatos noted, a theory would remain valid in an ocean of anomalies as soon as the “protective belt” could be adjusted. Even in those totalitarian states, such as Hitler’s Germany, Soviet Russia, China, North Korea, Cuba, Vietnam, Cambodia under Pol Pot (1975-1979), Iran under Khomeini (1979-1989), Nicaragua under the Sandinistas (during the 1970s and 1980s), and Ethiopia under Mengistu Haile Mariam (1970-1991), totalitarian regimes, like democracies and traditional authoritarian dictatorships, can assume different forms or display different degrees of the key defining features throughout the world, while sharing the same essence of their rule.<sup>41</sup> As William E. Odom put it, “the fit is far from perfect in several of these states, but it is certainly sufficient to make the model an excellent basis for comparison.”<sup>42</sup>

The above discussion has suggested that naïve falsification, lack of generally

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<sup>38</sup> Leonard Schapiro, “Can the Party Alone Run a One-Party State?” in Leonard Schapiro, ed., *Political Opposition in One-Party States* (London: Macmillan, 1972), p. 25

<sup>39</sup> Karl R. Popper, *The Logic of Scientific Discovery* (London: Hutchinson & Co., 1959), pp. 86-87

<sup>40</sup> *Ibid.*, p. 86 [emphasis in original]

<sup>41</sup> Thomas M. Magstadt and Peter M. Schotten, *Understanding Politics: Ideas, Institutions, and Issues* (New York: St. Martin’s Press, 1996), pp. 78-79; Odom, p. 70

<sup>42</sup> Odom, p. 70

accepted theoretical criteria for defining “regime identity” and assessing the utility of a model, misuse of the conceptual categories in the study of regime change (“conceptual stretching”), and discretionary use of key concepts and terms without their being clearly defined all lead to the premature abandonment of a potentially useful model in comparative analysis. As Odom argues, “the totalitarian model, for all its faults, kept the focus on the central and unique features of the system,” and “had empirical referents for these characteristics, that is, institutions, ideas, and processes that can be identified as either extant or absent.”<sup>43</sup>

### **III. REDEFINING THE TOTALITARIAN MODEL**

#### **1. The Classical Totalitarian Model**

Hannah Arendt pointed out, totalitarian regimes “operated according to a system of values so radically different from all others that none of our traditional legal, moral, or common sense utilitarian categories could any longer help us come to terms with, or judge, or predict their course of action.”<sup>44</sup> Friedrich and Brzezinski identified six defining attributes or key features of the totalitarian “syndrome,” which was often recognized as the classical totalitarian model or simply labeled as the “Friedrich-Brzezinski model” – an official and exclusive ideology, a single centralized party led by an all-powerful leader, a system of secret police terror, and monopolistic control by the state over the economy, communications, and coercion. Whether or not regimes were totalitarian was judged by

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<sup>43</sup> Odom, pp. 97, 69

<sup>44</sup> Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt Brace Jovanovich, 1973), p. 460



how many of these features they manifested.<sup>45</sup> This classical model of categorizing the key features of the totalitarian syndrome can be illustrated in Table 1.2.

**Table 1. 2. Classical Model of Totalitarianism**

Cases	Distribution of the Totalitarian Attributes					
1	A	B	C	D	E	F
2	A	B	C	D	E	
3	A	B	C	D		
4	A	B	C			
5	A	B				
6	A					

- A – F represent the six defining attributes of totalitarianism
- All cases (1 – 6 ) have some of the six defining attributes

Is this classical model sufficient to define “regime identity” of totalitarianism in conceptual and comparative terms? A macro-model for a political regime must at least (1) capture the defining features of critical importance; (2) offer a basis for comparison with other systems; and (3) account for change<sup>46</sup>

<sup>45</sup> Carl Friedrich and Zbigniew Brzezinski, *Totalitarian Dictatorship and Autocracy* (Cambridge: Harvard University Press, 1956), p. 15; for a more detailed discussion about a complex of characteristics of the classical totalitarian model, see Hannah Arendt, *The Origins of Totalitarianism* (New York: The World Publishing Company, 1958); Carl J. Friedrich, *Totalitarianism* (MA: Harvard University Press, 1954); Carl J. Friedrich and Zbigniew K. Brzezinski, *Totalitarian Dictatorship and Autocracy* (MA: Harvard University Press, 1956); Carl J. Friedrich, Michael Curtis and Benjamin R. Barber, *Totalitarianism in Perspective: Three Views* (New York: Praeger Publishers, 1969); Hans Buchheim, *Totalitarian Rule: Its Nature and Characteristics* (Middletown, Connecticut: Wesleyan University Press, 1968); Michael Curtis, *Totalitarianism* (New Brunswick, NJ: Transaction Books, 1979); Ernest A. Menze, *Totalitarianism Reconsidered* (Port Washington, NY: Kennikat Press, 1981); Steven P. Soper, *Totalitarianism: A Conceptual Approach* (Lanham, MD: University Press of America, 1985); Mark N. Hagopian, *Regimes, Movements, and Ideologies* (New York and London: Longman, 1978), pp. 170-178

<sup>46</sup> Samuel Huntington, “Paradigms of American Politics: Beyond the One, the Two, and the Many,” *Political Science Quarterly*, vol. 89, March 1974, p. 7

William E. Odom reviews the Friedrich-Brzezinski model against the three criteria and suggests that the classical model is still capable of identifying the most important patterns and institutions of the system, providing empirical referents for these characteristics and an excellent basis for comparison, and accounting for the dynamic change of a system, though the fit is far from perfect in one way or another and many significant variations exist in modern history within this broad pattern of similarities. Therefore, Odom argues that “as measured against these three criteria, the model is hardly a failure,” while other alternatives to the totalitarian model fail to capture the central realities and characterize the dynamics of the system, the kind of change that is occurring, and where it will lead.<sup>47</sup>

However, the problem is that, if one insisted upon the presence of all six features listed, only the Stalinist regime and the Maoist regime would qualify as truly totalitarian, and some other conceptual terms would be necessary to interpret the continuity of the Soviet or Chinese regime. If this model allows for “degrees” of totalitarianism, then the whole period of the Soviet or Chinese regime might be considered partially totalitarian due to the fact that some of these attributes had been relaxed. But, the “partially” totalitarian nature could be easily confused with all other modern states with similar features. Therefore, this six-features “syndrome” gives us no clear way to tell when the erosion of the original six features of totalitarianism has led to a fundamental change of regime-type.

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<sup>47</sup> Odom, pp. 69-77

Nor can such a classical model help us identify any conceptual unity encompassing the entire history of the Soviet or Chinese regime.<sup>48</sup>

Therefore, to some extent, this model in its classic form has disadvantages in the study of the changes of totalitarian regimes. The classical model tends to overlook the importance of quantitative changes. More important, it often runs into a classificatory problem, as offering a list of features of totalitarianism is unable to distinguish one type of totalitarian regime from the other, and to reflect the changing features of a totalitarian regime.

Any social system is always in a dynamic state, even though it is sometimes inactive or stagnant. Therefore, any model should be adaptable to change at any time in order to capture the changing features of the social system, or the model would become an outmoded paradigm once it failed to follow the changes that occurred in the system. The classical model of totalitarianism seems to have suggested little in this respect, and offers no clear resolution. Clearly, the classical model needs some sort of “remodeling” or redefining.

## **2. Redefining the Totalitarian Model**

In addressing the problem of “conceptual stretching,” Collier and Mahon argues that comparative analysts seek to solve the problem of “conceptual traveling” and “conceptual stretching” by adding or dropping an adjective, for instance, “bureaucratic

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<sup>48</sup> Hanson, p. 122

authoritarianism” is a secondary category in relation to the primary category “authoritarianism,” and “liberal democracy” is a secondary category in relation to the primary category “democracy.”<sup>49</sup> In other words, they attempt to increase the extension of the overall analytic category by creating secondary categories, without “stretching” or “distorting” the concept. Collier and Mahon provide a useful vehicle for our effort to establish a classificatory system for the refined model in comparative analysis of political regimes.

However, the key point is what elements of the totalitarian model should be categorized as the “essential” components and the “non-essential” or “operative” components. Therefore, the key question remains to be answered: what are the most *fundamental or core* components of those major characteristics that should be maintained *to a minimum*, in order to sustain the nature of the system, when quantitative changes occur within the system?

In the attempt to resurrect the totalitarian model on more theoretical and comparative grounds, some efforts have been made to divide totalitarianism into four components: (1) philosophical absolutism, (2) goals, (3) pillars (official ideology and single elitist party); and (4) methods and mechanisms, among which the former three are defined as the “essential components” of the totalitarian model and the methods and mechanisms as means to achieve or maintain philosophy, goals and pillars.<sup>50</sup> According to

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<sup>49</sup> David Collier and James E. Mahon, “Conceptual Stretching Revisited: Adapting Categories in Comparative Analysis,” *American Political Science Review*, vol. 87, no. 4, 1993, pp. 845-855

<sup>50</sup> Maria H. Chang, “Totalitarianism and China: The Limits of Reform”, *Global Affairs*, (Fall, 1987), pp. 150-153

Maria H. Chang, the assessment of the significance of changing features of a totalitarian regime is critically contingent on “what one takes to be the essential components of the totalitarian model,” which should be distinguished from those more tactical methods and mechanisms that are subject to change and fluctuation. “The essential components” are decisive for determining the nature of the regime, whereas the fluctuations of methods and mechanisms, so long as they are within a certain scope, do not affect the basic character of the regime.<sup>51</sup> Now, if these identified essential and nonessential (or operative) components are put together, a refined model of totalitarianism can be illustrated in Table 1. 3.<sup>52</sup>

**Table 1. 3. A Refined Model in Comparative Analysis**

Category	Types	Essential Components			Operative Components
Primary category	Model I	A	B	C	D
Secondary categories	Model II	A	B	C	E
	Model III	A	B	C	F

- Model I refers to the classical model, while Model II and III refer to the variants
- A, B, and C refer to a set of genetic attributes or essential components:  
A = Philosophical absolutism  
B = Goals  
C = Pillars
- D, E, and F refer to a set of developmental attributes or operative features:  
D, E, or F = a set of action means, methods, and mechanisms

However, to facilitate the assessment of regime change, this dissertation will decompose the complex components in the syndrome of traits of totalitarianism into two levels: *a fundamental level or dynamic core and an operative level or action means*, so that the critical features of a totalitarian system can be more effectively approximated,

<sup>51</sup> *Ibid.*, p. 157

<sup>52</sup> This figure is based on the diagram presented by David Collier and James E. Mahon, “Conceptual Stretching Revisited: Adapting Categories in Comparative Analysis,” *American Political Science Review*, vol. 87, no. 4, 1993, p. 849

probed, and measured in the dynamic state. The most important is the distinguishing of the “essential components” of totalitarianism from its other “operative” features, since only the “essential components,” account for the *origins*, the *dynamics*, and the *essence* of totalitarianism, while the *operative* features such as “actions means” or “mechanism” largely account for the functioning of totalitarianism. The function of the dynamic core or fundamental level in relation to the action means or operative level is similar to the function of the “hard core” and “protective belt” suggested by Lakatos’s research programs.

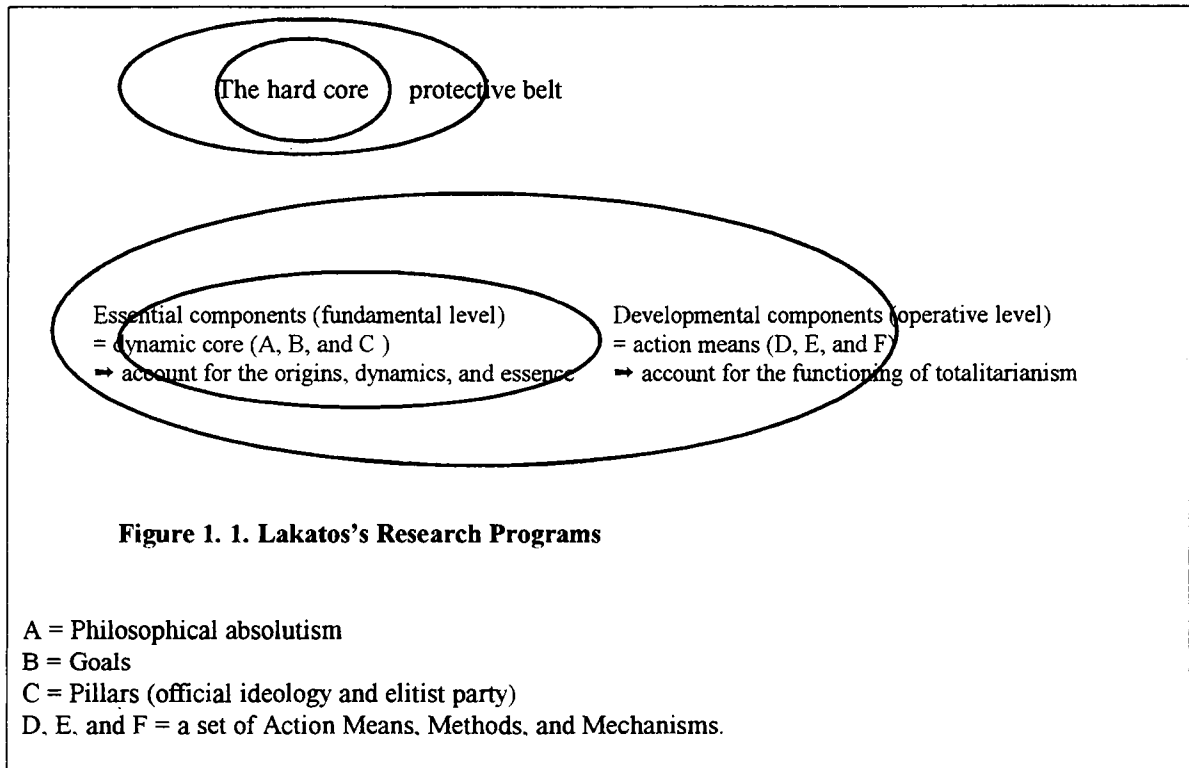


Figure 1. 1 suggests an illustrative profile of the defining features of a totalitarian regime in communist states, which deserves a more detailed elaboration. In what follows, we will take China as an actual case for elaboration, and define Chinese communist

totalitarianism according to the refined general model in terms of philosophical absolutism, inevitable goals, official ideology, the single-party dictatorship, and various action means for achieving and maintaining the core features. For analytic purpose, philosophical absolutism, inevitable goals, official ideology and the single-party dictatorship are defined as the essential characteristics that can be merged into *the fundamental level*.<sup>53</sup> Various action means of achieving and maintaining the above essential characteristics can be defined as the operative characteristics that can be singled out into *the operative level*. The hard core of Chinese Communist totalitarianism, therefore, could be defined as follows:

(1) Philosophical absolutism and inevitable goals constitute the first fundamental part in the syndrome of traits of Chinese communist totalitarianism. The Chinese communist regime claims to possess absolute and universal truth, to be in command of objective historical laws and historical destiny of human society, and therefore to be in the position of completing its course. It claims its ideological sources in Marxism-Leninism, which constitutes a universal formula for mankind toward an inevitable goal, and for the necessary development of all human society, from slavery through feudalism and capitalism to Communism. Marx's historical materialism and dialectic materialism<sup>54</sup> supply

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<sup>53</sup> Philosophical absolutism, goals, and official ideology are in a fundamental sense interrelated and intertwined with one another – one overlaps and reinforces another. However, it is useful to decompose and reorganize them for the analytic purpose.

<sup>54</sup> Karl Marx, "Preface to A Critique of Political Economy," in David McLellan, ed., *Karl Marx, Selected Writings* (London: Oxford University Press, 1977), pp. 389-390; Roger Garaudy, *Karl Marx: The Evolution of His Thought* (New York: International Publishers, 1967), pp. 68-77, 89-98; Iain Mclean, ed., *The Concise Oxford Dictionary of Politics* (Oxford, Oxford University Press, 1996), p. 139

the philosophical basis for the party's declaration of universal truths and inevitable goals. Historical materialism and dialectic materialism are used by the Chinese communist regime, as in all communist states, to explain universal phenomena of human society and general laws of social development and, moreover, to guide the development of all disciplines of the social sciences, such as political science, economics, sociology, history, law, anthropology, ethics, and aesthetics.

Communist totalitarianism pursues the twin goals of utopia and modernization: ultimate goal of the classless communist society and the immediate goal of the industrialization. The difference between Mao's regime and post-Mao's regime is that the former attempts to achieve the ultimate goal at the early stage of the communist development whereas the latter recognizes the impossibility of the ultimate goal at the early stage and shifts its policy focus to the immediate goal and aims at preserving the ultimate goal by achieving the immediate goal. Modernization and industrialization have been the goal of all modernizers; but in China and other communist totalitarian regimes, they are seen as "immediate goals" and the achievement of modernization and industrialization is merely seen as the means to the end of a better world, in our case, to achieve the long-term, ultimate goal of communism. Mao's regime pursued rapid industrialization and hoped to catch up with the Western powers within fifteen years. But Mao's industrialization was within the framework of totalitarianism and was pursued as the means to maintain the monopolistic power of the Chinese communist party and achieve the "great expectation" of Communism. Post-Mao China "relaxes" the urgency of the achievement of Utopia and attempts to achieve "socialist modernization" by using



some market-economy methods for the purpose of paving a way for the future goal. This effort will not turn the Chinese communist regime from a difference in degree to one in kind, because either more or less utopian goal serves the same function of a political ideology used by the communist leaders to mobilize support and inspire the people to political action. According to Lowenthal, the twin goals of “utopia and modernity”<sup>55</sup> are intertwined but produce recurrent conflicts over certain policy issues, and the communist totalitarian regimes repeatedly try to undo the “ideologically undesirable by-products of economic development and spontaneous social change.”<sup>56</sup>

(2) The second defining core feature of Chinese communist totalitarianism is the official, exclusive, and paramount ideology to which Chinese society is required to be subject and everyone is supposed to adhere, and which is the basis for a new type of social system and for a new type of man. Official ideology is crucial for the communist totalitarian rule to maintain its legitimacy to control over the whole society, and plays a decisive role in the process of totalitarian development, since totalitarianism is neither able to eradicate the old society altogether nor fully to realize the new one, as it is unable to overcome those natural basic forms emerging directly and constantly either from the nature of man or from nature itself.

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<sup>55</sup> Richard Lowenthal, “Development vs. Utopia in Communist Policy,” in Chalmers Johnson, ed., *Change in Communist Systems* (Stanford: Stanford University Press, 1970), p. 51

<sup>56</sup> *Ibid.*, p. 53

Communist ideology falls into the category of the unconstrained vision.<sup>57</sup> This vision assumes that man is capable of encompassing the world completely, in practice as well as in theory, that man can rise above matter, in action as well as in thought, and that the world and social life are perfectible and transformable as human nature is perfectible and transformable. Communist ideology radically rejects the old society by proposing to re-create a socialist new social life and a socialist new man. It claims that the fundamental problem is not the nature of man but existing institutions; the social evils of capitalism are created by the social system and the institutions that are built on the private property system; the evils of the world can only be removed by changing the old capitalist social system; and the communist revolution is the route of changing the old order and achieving the ideal society of Communism.

Ideological propaganda and communist morality education pervades the whole society, in the attempt to convince the population of the infallibility of the party and the necessity of the measures to be taken, denying any moral and spiritual authority independent of the party's approval or against the party doctrine. Individual conscience and attitude are subjugated to party ideological norms. Independent theoretical thinking and creation are crippled and constrained within party policy lines, and especially subject to the personal interpretation of the paramount leader or the top political leaders. One might have some latitude for personal thinking in specific cases *within* the basic party policy line. Many of the ideological doctrines, including Mao's or Deng's personal thought, are taboos in theoretical research. Ideologization of socio-cultural life is a

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<sup>57</sup> Thomas Sowell, *A Conflict of Visions: Ideological Origins of Political Struggles* (NY:

constant daily work of the party, frequently resulting in political, cultural and ideological campaigns.

Monopoly over the interpretation of doctrine has become the lifeline in policy-making and policy change, since “Mao Zedong Thought” and “Deng Xiaoping Theory” are officially declared and codified into the Chinese Constitution as the implication of the universal truth of Marxism-Leninism in China’s concrete conditions. “Thought” or “Theory” is viewed as the interpreter of “ism,” through which the universal truth of Marxism-Leninism is applied into specific policy and practice in a particular time and place.<sup>58</sup> The interpretation of doctrine provides a basis for the policy of totalitarian rule and prescribes for it a theoretical guidance and direction.

The party’s ultimate goal or end-goal of communism, the universal truths of Marxism-Leninism, the “Four Cardinal Principles,” the principle of democratic centralism, socialist public ownership of major means of production and exchange, and so forth, constitute the body of fundamental principles or core components of the Chinese communist ideology. The body of these fundamental principles, universal truths, and official norms involves a small number of core elements that define the regime identity and play a key role in unifying it. These core components must be sustained to maintain the regime identity, legitimize the party leadership and its proclaimed historical mission to “build socialism” and “realize communism,” and justify the necessity of the transformation of society and man.

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William Morrow, 1987), pp. 1-39

<sup>58</sup> Maria H. Chang, “What Is Left of Mao Tse-tung Thought?”, *Issues and Studies*, vol. 28, no. 1, (January 1992), pp. 18-38

(3) The third defining core feature of Chinese Communist totalitarianism is the special role of the one-party dictatorship in the power structure. A highly hierarchical and centralized communist party is totally bureaucratized, completely intertwined with the state, and replaces to a large extent the governmental functions. The real sovereign is the party, not the state. The party machine functions as the “hub” of the political system,<sup>59</sup> while the state serves as an instrument of the party dictatorship, and functions as an administrative and bureaucratic apparatus for the party. The dictatorial party, overriding the traditional concept of “the total state,”<sup>60</sup> carries out politics not within but beyond the framework of the state, and in fact employs the state a tool to realize its long-term goals and intermediate policy goals. The party power predominates over the state power.

Under the dictatorial rule of the Chinese Communist Party, the structure and function of the party and the state are combined into one – the party-state, in which the party is the core of leadership, exercises highly centralized and unified leadership, and dominates the policymaking process. The CCP, as the governing party, in the political system, unlike its counterparts in the United States or in any Western European democracies, is statized and institutionalized, and acts like an institution of state power, in large part, performing the functions of the state. The party has in effect grown into a dictatorial bureaucratic body which exercises overall control over the state. The bureaucratization of party power has also been duplicated on lower levels. Party organizations penetrate all sectors of the state and almost every corner of society. The

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<sup>59</sup> Paul Cocks, “The Rationalization of Party Control,” in Chalmers Johnson, ed., *Change in Communist Systems* (Stanford: Stanford University Press, 1970), p. 153

government and other state power institutions are actually the executive and administrative bodies of the party. An overlapping institutional system exists from top to bottom in the hierarchy –the party leading bodies or leading groups exists at all levels of government institutions and “mass organizations”. The party leaders simultaneously hold positions in government institutions or “mass organizations.” One could hold several positions. All important powers are in the hands of party leaders. The party exercises “democratic centralism,” by which every party member has to abide. So the party totally dominates the policymaking process within these institutions and organizations.

The legislature is simply a political tool used to preserve, maintain, and protect the monopolistic power of the Communist regime. In theory, deputies of the People’s Congress, members of the Standing Committee of the People’s Congress, and the leaders of the state are to be elected. However, in practice, they are not elected but selected by an official slate prepared in advance by the leaders themselves. Everything is already decided in advance before the opening of sessions, including the topics for discussion, the agenda, legislative proposals, the slate of the appointment of personnel affairs, and so on. The deputies actually do not have any substantial or real power in the decision-making process and serve only as a “voting machine.” The People’s Congress is not an efficient legislative body that initiates and independently decides on legislation. Its primary function is simply to enact the legislation or supply the final legitimation for the party decisions sent to it by the executive administrations or the party policymaking bodies. It has little meaningful

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<sup>60</sup> Karl A. Wittfogel, *Oriental Despotism: A Comparative Study of Total Power* (New Haven, Conn.: Yale University Press, 1967), chapters 1-5

power as the legislative body, and serves essentially as the “rubber stamp” to provide the legitimacy for the party leadership and the party policy. The legal system is not independent of the party power, and serves as an instrument of maintaining and protecting the party’s dictatorial rule. The Communist Party puts itself above the Constitution and the legal system, and dominates the process of lawmaking and of law implementation. Laws and the legal system are a means of power, and serve as a means of controlling the population, attacking the opposition, legalizing the ruling order and the policy changes, and legitimizing the existing dictatorial rule.

The “democratic centralist” organizational principle of the Communist Party is a crucial aspect of Chinese Communist totalitarianism. This principle is the foundation and backbone of the exercise of power. More importantly, this principle is extended to and strictly applied in governmental operations and other social, political, and cultural areas. This principle is largely ignored in the analysis of communist totalitarianism. So critical is its role in the exercise of communist totalitarian power that one can not really understand the operation of the communist totalitarian regime without considering this trait. The strict party discipline, the loyalty to the ideological program, the obedience to the will of the leadership and the decision of the party organization, and the acceptance of the party’s interest overriding individual interests and rights, etc., are all carried out in the name of “democratic centralism.” No wonder that “democratic centralism” is officially prescribed as the “fundamental system” of the Chinese political system.

(4) The fourth distinctive feature is the action means and methods Chinese totalitarians use to achieve and maintain the former three fundamental or core features.

These action means and methods are operative features, which include repeated, massive use of state violence and terror, mass mobilization, control over information and media, education, culture, economy, means of production, military forces and weapons. These action means are used to control not only over political, economic, cultural, and social arrangements but also over individual beliefs and attitudes.<sup>61</sup>

These four defining features of Chinese communist totalitarianism serve as reference points which can be used to examine what has changed or what has not between now and then, and to explain what features of the totalitarian “syndrome” the regime can lose and still be totalitarian, or what degree of ideological, political, legal, social, and economic changes can occur and still leave the old regime’s identity essentially unaffected. Philosophic absolutism, inevitable goals, official ideology and the single-party dictatorship are the most fundamental core features that account for the origins, dynamics, and essence of Chinese communist totalitarianism, while the action means or operative features account for the functioning of Chinese communist totalitarianism. The fundamental features or hard core must always be there for Chinese communist totalitarians to sustain the regime identity; otherwise, it would have been transformed into something else. But the operative features are subject to change, as methods and mechanisms are always employed selectively and in varying degree at different phases of the history and in different situations confronted by totalitarians. Therefore, change at the operative level

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<sup>61</sup> This elaboration is largely derived from Sujian Guo, “Totalitarianism: An Outdated Paradigm for Post-Mao China?” *Journal of Northeast Asian Studies*, vol. 14, no. 2, 1995, pp. 67-70

will not have a decisive effect on the nature of a totalitarian regime and it only reflects difference in degree, not one in kind.

In other words, the operative features serve as its “protective belt” or a life belt, keeping the “hard core” afloat on an ocean of anomalies. As long as this belt can be adjusted, the totalitarian regime is in no danger of sinking. A change in the operative features does not mean that the regime is more or less totalitarian, because it occurs at the operative level and affects the elements not fundamental to the regime, just like the change in which more resort to law by a totalitarian regime does not necessarily mean that a society has transformed into one of “rule of law.” That is to say, if the changes in post-Stalin Soviet Union or post-Mao China aim at preserving the substance of totalitarian power or the core of the political system, the regime remains, in spite of all the changes or in however modified forms, fundamentally or essentially unchanged and, by definition, totalitarian. This function can be further illustrated in Table 1.4 against a specific case through a comparison of Mao’s regime and post-Mao regime.<sup>62</sup>

### **3. Criteria for Assessing and Measuring Regime Change**

Corresponding to the hard core and operative means of the model, regime change can also be decomposed into two general types: “genetic” or “developmental” This has

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<sup>62</sup> The term “regime” here is employed as a label to characterize or personalize the structure of government or the nature of policy under the leadership of individual political elite or as a name usually given to sequence of governments formed and led by the same party or in which power remains essentially in the hands of the same elite group, This is a fairly common usage of regime, such as “Thatcher regime,” “Marcos regime,” and “Stalin regime.” see Lawson, p. 202 fn. 17; Calvert, p. 18



**Table 1. 4. Comparison of Mao's Regime and Post-Mao's Regime**

Cases	Core Features			Operative Features or Action Means									
Mao's Regime	A	B	C	D	E	F	G	H	x	x	x	x	x
Post-Mao's Regime	A	B	C	x	x	x	x	x	I	J	K	L	M
<p>What has not been changed:            A = Absolutist philosophy and inevitable goal            B = Ideological commitment            C = Dictatorial party-state system</p> <p>What has been changed:            D = all-embracing power penetrating and control → I = streamlining power penetrating and control            E = mass mobilizing and mass terror → J = limited forms of mass mobilizing and police terror            F = planned economy → K = socialist market economy with the public ownership dominant            G = highly centralized policymaking → L = decentralization and centralization in selected policy areas            H = rule by party policy → M = rule by combination of party policy and law</p>													

been used for comparative studies of the Soviet and Chinese regime changes: Gorbachev's perestroika is "genetic" change in nature – lost regime identity – the change from the Gorbachev regime to the Yeltsin regime is essentially different from the various leadership changes in Soviet history that occurred before it, whereas Deng's reform is developmental change in nature – kept regime identity – the change from the Mao regime to the Deng regime and, more recently, to the post-Deng regime is not essentially different from each other.<sup>63</sup> Table 1.5 illustrates the key idea.

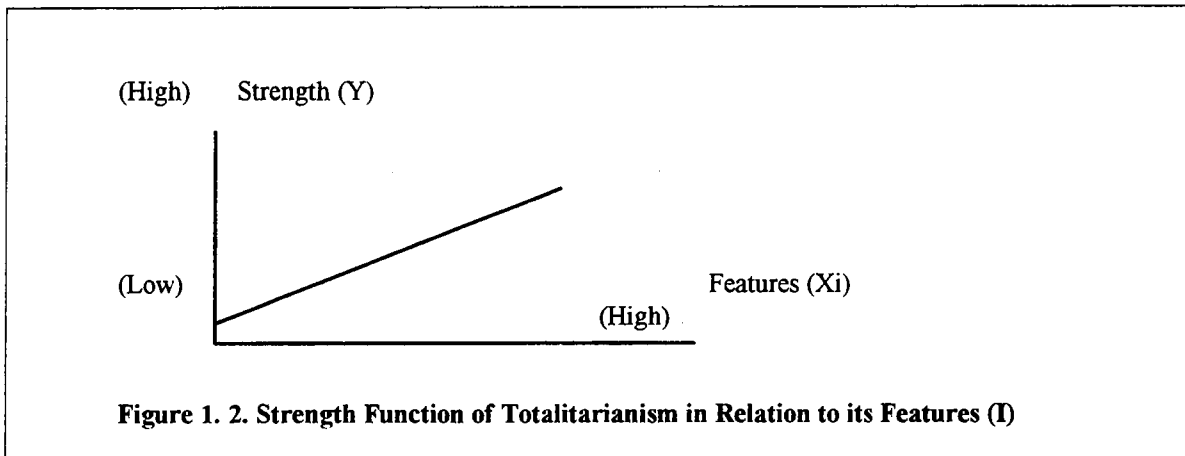
**Table 1. 5. Regime Change: Genetic vs. Developmental**

	Genetic or Systemic	Developmental
Gorbachev	Lost regime identity	
Deng Xiaoping		Kept regime identity

While a totalitarian regime could experience a decline in capacity and strength, the totalitarian nature of the regime – its fundamental principles and norms – its core features could remain unchanged. Consider two functional forms of regime strength in relation to its features. One assumption has been made of the totalitarian strength function, which

<sup>63</sup> Hanson, p. 129

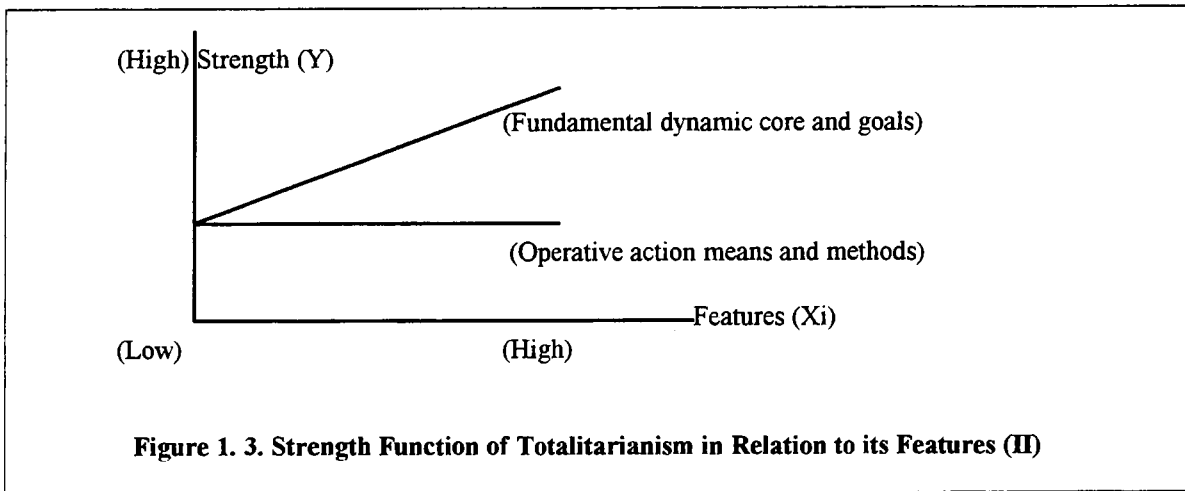
regards “strength” (Y) as a linear function of “features” (X): strength increases as features increase. Figure 1. 2 draws a hypothetical regression line in the attempt to illustrate the assumption about the strength function of totalitarianism in relation to its features:



This strength functional form appears as a line of regression slope. This regression line of the strength function visually summarizes the relationship between “Strength” (Y) and “Features” (Xi), which suggests that the two variables are positively correlated, i.e., “Strength” increases as “Features” increase and “Strength” decreases as “Features” decrease. As “Features” maintain their full measure, “Strength” stays to its full measure.

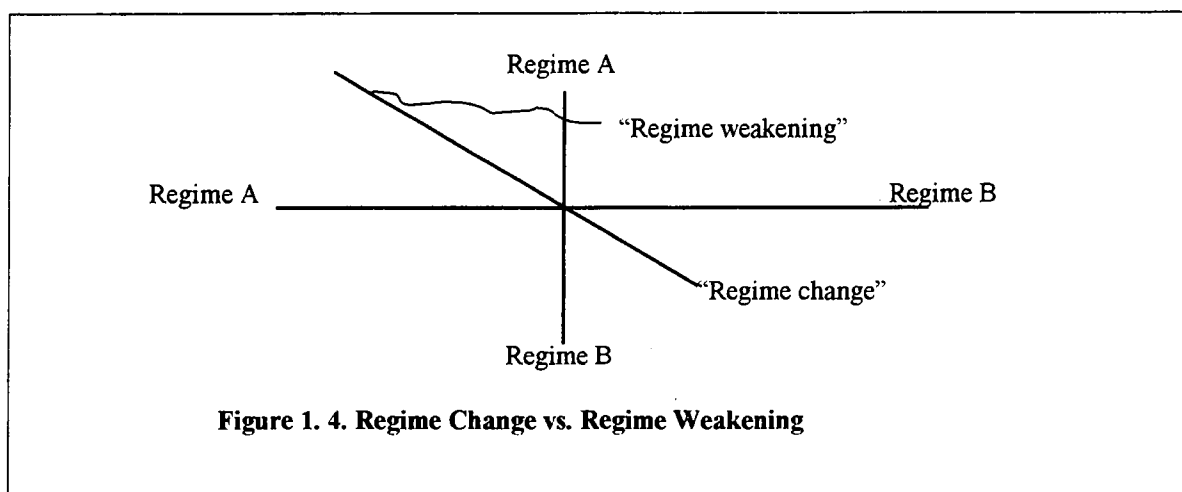
However, this assumption about the strength function is only a “myth.” Both the classical model and its critics committed the same error. This functional form assumes that both core and operative features have an equal effect on regime strength. The purpose of the discussion on this strength functional form is to bring out the second strength functional form – the regime strength (Y) is a function of the two sets of system components (core and operative features):  $Y = F (C_i, O_i) + U_i$  (unexplained variables). Moreover, in this functional form, the “Strength” for each of “Features” ( $C_i, O_i$ ) varies at

different levels. In other words, the second functional form assumes that “core features” (A, B, or C) play a decisive role in maintaining regime strength while “operative features” (D, E, and F) account little for the change in regime strength. This assumption can be further illustrated by a hypothetical diagram in Figure 1.3.



The assumption of the second strength functional form is well deduced from the underlying regime theory: core features (e.g. principles, norms, and goals) should be assigned more value or more weight than operative features in maintaining “regime identity.” Principles, norms, and goals provide the basic defining characteristics of a regime, while rules, procedures, and action means can be consistent or inconsistent with the same principles and norms. Changes in rules, procedures and action means are changes *within a regime*, rather than a *change of regime*, if fundamental principles and norms are unaltered. A “regime change” occurs only when those fundamental principles and norms change, such as change from a “nondemocratic” regime to a “democratic” regime. A “regime weakening” occurs when the relationship between norms, principles, rules, and procedures becomes less coherent or where actual practice becomes inconsistent with the

values of the regime. Figure 1. 4 is a graphical illustration of “regime change” versus “regime weakening.”



**Figure 1. 4. Regime Change vs. Regime Weakening**

Moreover, the nature of one particular type of regime can remain in place, even if this type of regime incorporates some features of another type of regime. For instance, a nondemocratic regime can have political parties, congress or constitutional provisions for elections, but these are meaningless unless an opposition is allowed and able to succeed legitimately to government in an open, free, and fair contest.

In short, core features are relatively stable, but the change at this level has a significant effect on regime identity, whereas operative features are always subject to change, but the change at this level has little affect on regime identity. That is, only the change at the core level can alter regime identity. The fact that some operative features are eroded suggests only “regime weakening” or “strength declining,” rather than “regime change” or “change of regime.” As Figure 9 suggests, either “regime weakening” or “strength declining” is a “developmental” change in degree – *change within the regime*,

rather than “genetic” change in kind. Only when core features are changed or completely lost can we be certain that a “regime change” or “change of regime” has occurred; that is, the change is so fundamental that the regime has ceased to exist or replaced by another regime type. The answer to the question of whether a “totalitarian” regime is no longer totalitarian will depend on our assessment of the change in the regime. The refined model will provide theoretical criteria or reference points against which the assessment of regime change can be conducted.

#### **IV. CONCLUSION**

Regime change is an important topic, and one that has not been well addressed in relation to China much lately. Besides ritual mentions of the terms such as “authoritarian,” “soft-authoritarian,” or “totalitarian,” there have been few recent discussions of the regime identity of post-Mao China at this level of abstraction. This work attempts to make a contribution in this regard.

This work attempts to deal with the problem of conceptual stretching and construct a plausible model of real-world totalitarianism by using Collier and Mahon’s work on categorization to specify precisely the “hard core” of totalitarianism. This work has argued that the complex components in the syndrome of traits of a social system or a regime can be classified into two levels: a fundamental level or dynamic core, and an operative level or action means. Accordingly, changes in a regime may occur at two levels: the genetic or systemic level and the developmental level. The former occurs very rarely because it leads to a loss of identity, while the latter occurs more easily because the regime

identifies itself with goals rather than with means. Changing operative means does not suggest a change in the final goal.

The work has theoretically as well as graphically illustrated the refined model developed by considering two strength functional forms of the relationship between regime strength and regime features. This newly refined model has clearly defined and identified the core features of a totalitarian regime from other operative features, and established the criteria for assessing and measuring the change in a totalitarian regime. Therefore, the refined model has several useful features that can serve as the means to solve the problem proposed at the beginning of this study. The new model provides reference points which can be used to define what constitutes the beginning and the end of a totalitarian regime in theoretical and comparative terms, to examine what has changed or what has not between now and then, to specify the precise point in a historical process of change at which the old regime ceases to exist or a new regime comes into being, and to explain what features of the totalitarian “syndrome” the regime can lose and still be totalitarian, or what degree of ideological, political, economic, and/or cultural change can occur and still leave the old regime’s identity essentially unaffected.

Moreover, the newly refined model places communist politics, as a sub-field, into the larger framework of comparative politics. The refined model becomes a concept of broad comparative scope in contrast to the classical model, which has classificatory problems in the comparative study of communism and post-communism. The refined model can both enable us to observe, explain, and predict the regime change in general and enrich our understanding of specific cases in particular. Based on the insights yielded

by the new model, researchers could modify this model by using techniques of formal modeling or by dropping some features while retaining others of the model.

## Chapter II

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### Methods and Data

#### I. JUSTIFY CASE STUDY AS A RESEARCH METHOD

The previous chapter has developed a refined macro-model for studying totalitarianism. What is most interesting is to select cases to test the model to see if the refined model can serve as conceptual reference points that can be used to observe, explain, and evaluate the regime change in post-Mao China. On the other hand, the case study itself, as a distinctive research strategy, will enable us to obtain the holistic and meaningful characteristics of the Chinese political regime that may provide a confirming evidence for the utility of the totalitarian model.

However, “the case study has long been stereotyped as a weak sibling among social science methods,”<sup>1</sup> being seen as providing a poor basis for scientific generalization (or as having poor external validity). Therefore, the case study method needs to be justified. This traditional prejudice against the case study confuses case studies with survey research, in which a sample is used to generalize to a larger population and which is based on statistical generalization. However, case studies attempt to generalize a particular set of observed results to some broader theory rather than to some population as in survey research. Robert K. Yin, in his ground-breaking work, contends that case studies, like scientific experiments, are generalizable to theoretical propositions and not to populations in survey research. Like the experiment, the case study does not represent a “sample;” the goal is to expand and generalize theories (“analytic generalization”) and not to enumerate



sample frequencies (“statistical generalization”). As three notable social scientists, Lipset, Trow, and Coleman, describe in their single case study, the goal is to do a “generalizing” rather than a “particularizing” analysis.<sup>2</sup> In statistical generalization, an inference is made about a population on the basis of empirical data collected about the sample. In analytic generalization, a previously developed theory is used as a template with which to analyze and compare the empirical results of case studies, analogous to the way a scientist generalizes from experimental results to theory. If two or more cases are shown to support the same theory, replication will be claimed. Analytic generalization can be produced whether the case study involves single case or multiple cases.<sup>3</sup>

Another common flaw is to confuse case studies with some types of qualitative research, such as ethnographies, participant-observations, or any type of fieldwork, which are considered either as a data collection technique or as the initial stage of observations that generate hypotheses. “Case studies are a form of empirical inquiry that does not depend solely on ethnographic or participant-observer data. One could even do a valid and high-quality case study without leaving the library, depending upon the topic being studied.”<sup>4</sup> For case studies, theory development as part of the design phase is an essential step, whether the ensuing case study’s purpose is to develop or to test theory. Theory development not only provides guidance for what data to collect, but also is the level at

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<sup>1</sup> Robert K. Yin, *Case Study Research: Design and Methods*, 2<sup>nd</sup> ed., (Thousand Oaks, CA: Sage, 1994), p. xiii

<sup>2</sup> *Ibid.*, p. 10

<sup>3</sup> *Ibid.*, p. 30-31

<sup>4</sup> *Ibid.*, pp. 14, 11-12

which the generalization of the case study results occurs.<sup>5</sup> Most important, the most crucial property shared by the various types of qualitative research is that the analysis is inductive and it attempts to avoid prior commitment to any theoretical model. In contrast, a qualitative case study is a type of empirical inquiry in which the analysis is deductive and starts with constructing a preliminary theory related to the topic of study.

Single-case study is analogous to a single experiment, and the logical procedures that justify a single experiment also justify a single-case study. Like a critical experiment, a single-case study represents the critical case in testing a well-formulated theory. The theory has specified a clear set of propositions as well as the circumstances within which the propositions are believed to be true. The theory itself could be the subject of study. To confirm, challenge, or extend the theory, there may exist a single case, meeting all of the conditions for testing the theory. Like Graham Allison's application of three decision-making models to the Cuban missile crisis, the single case can be used to develop the best explanation for the course of events in this type of crisis and can make a significant contribution to knowledge and theory-building.<sup>6</sup> In our case, if the newly refined model is confirmed, it can provide the conceptual reference points for observing and explaining regime change in general and the vehicle for examining other cases and enriching our understanding of these cases.

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<sup>5</sup> *Ibid.*, pp. 27, 30

<sup>6</sup> *Ibid.*, pp. 5, 38-39

## II. JUSTIFY THE CASE SELECTION

The previous chapter has developed a refined macro-model for studying totalitarianism. In the following chapters, this model will be applied to the Chinese case, which is one of the most typical or representative cases and deserves a detailed examination. A sample of one or a sample of just a few would not make difference in terms of the purpose of this study. More important, the choice of China is primarily motivated, among other things, by the theoretical controversy about the changing nature of the post-Mao regime. What is the nature of the difference between Mao's regime and post-Mao's regime? Is it quantitative or qualitative, a change in degree or in kind? If the change has become systemic, genetic, or essential in nature, the concept of totalitarianism should be discarded for the study of *post-Mao* China and a new set of conceptual reference points would be needed to replace it. Otherwise, the model should be accepted as conceptual reference points for studying post-Mao China. *The purpose of the ensuing case study is to test the newly refined model, hoping that the case study itself may provide confirming evidence for the utility of the refined totalitarian model in defining "regime identity" of a political regime and assessing the nature of change in a political regime.*

## III. THE VALIDITY OF MEASUREMENT SCHEME

Having addressed the problem of external validity (generalizability) of the case study method, we now need to address the major concern about the validity of any research design. What we are primarily concerned with in this study is the validity of the selected measures for assessing the change in post-Mao China. Validity concerns the

extent to which one measures what one intends to measure. Without addressing this problem, the quality of any empirical research cannot be established. That is to say, without prior specification of the significant, operational elements that constitute “change,” no one can tell what types of changes should be examined, what data are relevant and should be collected, and whether the recorded changes in a case study genuinely reflect significant, critical aspects of change or whether they happen to be based on a researcher’s biases or impressions only. The problem of validity must be addressed with a close consultation with the underlying theory. That is to say, we are concerned with whether the measure of “regime change” is consistent with the theoretical propositions derived from the model and to what extent the content of the measure adequately represents the full domain of a particular concept, in our case, “regime change.”

A set of propositions derived from the refined model can be formulated as follows: (1) core features have a significant effect in maintaining the regime identity while operative features have little effect in changing regime identity; (2) accordingly, systemic or genetic change, which involves a loss of core features, occurs very rarely because it leads to a loss of identity, while developmental change, occurring at the operative level, occurs more easily because the regime identifies itself with goals rather than with means. This set of propositions will direct this case study to what should be examined within the scope of the study and what evidence or data are relevant and should be collected. In what follows, we attempt to (1) identify the types of change to be examined in relation to the objective of the study and the theoretical proposition developed in the refined model and (2) specify the key elements that constitute “change.” By so doing, we will be able to

demonstrate that the selected measures of these changes do indeed reflect the types of change that have been selected. Table 2.1 illustrates the validity of this study by developing an operational measurement scheme against which to collect data and assess changes in post-Mao China.

This operational measurement scheme against which to measure the regime change will be used as a procedure to direct the actual operation, in particular the data collection, of the ensuing case study of post-Mao China. If a later researcher follows the same procedure as described in this study and conducts the same case study all over again, the later researcher is expected to arrive at the same conclusion. Data sources are identified and classified as primary and secondary in Table 2.2.

Given the nature of the qualitative research, this dissertation relies mainly upon textual analysis, and focuses on two types of texts: one includes official documents, government resolutions, policy statements, leaders' speeches, official party magazines and newspapers; the other involves academic publications both in Chinese and English. What needs to be stressed here is that the official documents and the official press should be considered as very important part of the primary data source for this study, since the purpose of this study is to interpret and evaluate the change. The official documents, including work reports or political addresses, resolutions, decisions and speeches of top leaders from the party congresses and plenary sessions, are the key indicators or predictors of the regime's policy and its changes. It is the party congress that not only sets the political agenda, but also plays a critical role in establishing the legitimacy of policy. The official press propagates the regime's official ideology, serves as an important vehicle for

**Table 2. 1. The Measurement Scheme for Collecting Data and Assessing Changes**

	<b>Genetic Change =Systemic Change</b>	<b>Developmental Change = System Revitalization</b>
<b>Political</b>	<ol style="list-style-type: none"> <li>1. Political liberation is substantially effected</li> <li>2. Genuine separation of party and state is effected</li> <li>3. The party no longer requires the state, society and individuals to subject themselves to the party line</li> </ol>	<ol style="list-style-type: none"> <li>1. Organization revitalization</li> <li>2. Cadre system rationalization</li> <li>3. Decision-making rationalization</li> <li>4. Circulation of elites through peaceful purge</li> <li>5. Limited forms of political and ideological campaigns</li> <li>6. The party-state power is comparatively less pervasive in individuals' daily life but the regime retains the ability to intervene as it wishes</li> </ol>
<b>Ideological</b>	<ol style="list-style-type: none"> <li>1. The regime declares abandonment of the official ideology</li> <li>2. The regime does not claim to have an absolute and universal truth</li> <li>3. The regime does not claim to have a long-term inevitable goal</li> <li>4. The regime does not resort to political and ideological campaigns and mass movements</li> </ol>	<ol style="list-style-type: none"> <li>1. Ordinary people have more freedom of speech, but only limited at private or individual level</li> <li>2. The regime is more tolerant towards religions, but in a very limited degree; and religious practice is highly restricted by the party-state policy</li> <li>3. The party still adheres to its ideological commitment while its true believers become fewer</li> <li>4. Communist morality is still a whip over society and individuals, while party ability to control private beliefs and morality is weakening</li> </ol>
<b>Legal</b>	<ol style="list-style-type: none"> <li>1. Government by the rule of law, rather than other supreme authorities</li> <li>2. The party no longer stipulates its own principles, norms, rules in the constitution</li> <li>3. The party rule no longer overrides laws of government</li> <li>4. The legal system is not subjugated to the party</li> </ol>	<ol style="list-style-type: none"> <li>1. The regime resorts more to the means of law to regulate economic activities and control social life</li> <li>2. Some civil law practice is allowed, and ordinary people begin to turn to the legal system to resolve their business and civil disputes more often than before, though the results are not optimal</li> <li>3. Rationalization of the legal system is more effected, with limited inclusion in the legislative process</li> </ol>
<b>Social</b>	<ol style="list-style-type: none"> <li>1. The party makes a substantial retreat from both state and society and de-sta-tization of society has made Chinese society become "civil"</li> <li>2. Civil organizations are legally and practically permitted and independent civil organizations are not considered subversive, but allowed to challenge or check the government</li> <li>3. Political liberalization is substantially effected to make human rights and civil/political rights protected and enhanced</li> <li>4. Party-state establishment is dismantled and party domination of society is diminished</li> </ol>	<ol style="list-style-type: none"> <li>1. Control over citizens' daily life, economic activities, and social mobility is relaxed while control over political, cultural, and major economic areas are tightened</li> <li>2. A system of state-licensed, officially controlled, or party-led professional and industrial organizations is established to supplement the party direct control through the various official "mass" organizations</li> <li>3. Grassroots of government in urban and rural areas are restructured to correct the traditional dysfunctional controlling system</li> </ol>
<b>Economic</b>	<ol style="list-style-type: none"> <li>1. Major economic activities are performed by private economic organizations, or substantial privatization programs are conducted</li> <li>2. State socialism characterized by the traditional administrative command system is transformed into an economic system primarily based on a free market and private enterprise system, with minimal government intervention</li> </ol>	<ol style="list-style-type: none"> <li>1. Mixed economic elements with publicly owned economic organizations dominant in major economic activities</li> <li>2. Marketization or economic liberalization</li> <li>3. Limited and selected decentralization</li> <li>4. A fledgling market within state socialism, with the administrative command system predominant and extensive government intervention everywhere in the economy</li> </ol>

**Table 2. 2. Primary and Secondary Data Sources**

<b>Primary Sources</b>	<b>Secondary Sources</b>
Official Documents, Work Report to CCP Congress	Major American academic journals on China
Writings and Speeches of Chinese top leaders	Major American newspapers
Almanac of China's Economy (Zhongguo jinji nianjian)	FBIS (the United States Department of State Foreign Broadcast Information Services)
Statistical Yearbook of China (Zhongguo tongji nianjian)	World Journal (Shijie Ribao, published in Taiwan)
Digest of China's Statistical Data (Zhongguo tongji zhajiao)	Major Statistical Yearbooks by UN, World Bank, IMF
Chinese Press Almanac (Zhongguo xinwen nianjian)	Human Rights Reports on China by Asia Watch and other international human rights organizations
People's Daily (Overseas Edition), China Daily, Beijing Review (Beijing Weekly)	General studies on China's economic and political Reforms both in Chinese and English

the leaders to communicate their policy orientation and the regime norms to the party rank and file and to the whole population, reflects the conflict between competing ideological perspectives within the same ideology, and educates the public on the current political line.

Given the objective of this study, this dissertation will not describe in detail how changes have taken place in post-Mao China but instead will focus on the major aspects and features of the change, which are crucial for understanding the present functioning of the post-Mao regime, as well as fundamental or core components of Chinese communist totalitarianism, to see whether the changes have made the defining and central features, the "hard core," of totalitarianism insignificant or have changed them altogether into something different.

The Post-Mao regime can generally be divided into the following periods: (1) rationalization 1978-1988; (2) conservative setback 1989-1992; (3) economic liberalization 1992 -1998. The major quantitative changes should be generally thought of as taking place in two stages. One is the stage during which some attempts are made to rationalize the party and state institutions and operations and vitalize the economy both in

the rural sector and the urban sector; the second is the stage during which regime-initiated economic liberalization, characterized by a “marketization” march, has made a considerable progress, and continuity of institutional rationalization has been maintained.

Post-Mao China in the last twenty years, after undergoing the two major reform stages, has indeed experienced considerable quantitative changes that have had a great impact on socioeconomic life, compared with the situation under Mao’s regime. However, the question is *not* whether changes have taken place in some aspects of the totalitarian regime, *but* whether these changes have been significant enough to affect the fundamental character of the regime. The point here is to distinguish the changes *within* the system and the change *of* the system itself. The former is “developmental change” within the regime while the latter is “systemic change” of the regime. The nature of a system or regime remains unchanged if its hard core or essential characteristics are sustained. If the change has become systemic, genetic or essential in nature, the concept of totalitarianism should be discarded for the study of post-Mao China and a new set of conceptual reference points would be needed to replace it. Otherwise, the refined model should be accepted.<sup>7</sup>

In the following chapters, we will apply the refined model to the study of regime change in post-Mao China to test if the refined model can serve as conceptual reference points that can be used to observe, explain, and evaluate the regime change in post-Mao China. On the other hand, the case study itself is expected to provide confirming evidence for the utility of the refined totalitarian model in defining “regime identity” and assessing

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<sup>7</sup> William E. Odom, “Soviet Politics and After: Old and New Concepts,” *World Politics*, vol. 45, no. 1, 1992, p. 81



the nature of change in the political regime. To determine whether post-Mao China can be described as totalitarian, we will present and assess post-Mao changes and reforms according to the selected measures of change that have been specified in Table 2. 1 according to the refined model, and evaluate their significance and nature in terms of the five major empirical aspects of change: ideological, political, legal, social, and economic.

## Chapter III

### Assessment of the Post-Mao Ideological Change

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#### I. INTRODUCTION

Post-Mao economic reforms and Deng's pragmatism have led many analysts to declare that communist ideology in post-Mao China has declined and decayed. It seems to them that the marketizing reform has led towards deideologization: ordinary people are encouraged to consume, to become rich, and to go in for business opportunities. Much of the population is in fact now open to market change and absorbed in money making. Also, the calls for people to "liberate thought," in effect, particularly in the context of greater openness to the outside world, have led to a proliferation of new values which have clashed with old ideological claims. These new conceptions and values have undermined the validity of the official ideology and threatened the base of party legitimacy. Moreover, there is more freedom of expression and more open talk about the "shortcomings" of the communist regime, as long as ideological taboos or party line are avoided, and as long as such dissident voices are strictly individual and do not aspire to organized support.

Therefore, to many China analysts, post-Mao political ideology is downplayed and treated only at face value on the assumption that post-Mao Chinese leaders no longer believe in the ideology they advocate and rely more on pragmatic considerations and non-ideological resources for solutions to the problems they have confronted.<sup>1</sup> Some other

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<sup>1</sup> Gordon White, "The Decline of Ideocracy," in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan, 1995), pp. 23-24; for more sources of such critics, also see Wei-wei Zhang, *Ideology and Economic Reform under Deng Xiaoping 1978-1993* (London and New York: Kegan Paul International, 1996), p. 7

analysts have prematurely concluded that the communist ideology is no longer relevant to Chinese society, given the technocratic nature of the top leadership and their commitment to reform. Communism is dead. No one truly believes it.<sup>2</sup>

However, what changes lends no support to the above assertion or conclusion, or to any optimistic assessment of regime change or any significant rise of a civil society, as we will discuss later. The fact that fewer people really believe in the “official ideology,” the so-called “faith crisis,” only suggests an “ideological decay” at the mass level, rather than a fundamental change at the regime level. We must evaluate the significance and nature of the change to determine if any fundamental change has occurred at the regime level. To do so, a special rule or an analytic framework must be introduced: we need to distinguish change of “regime identity” or “official ideology” from change of “popular” or “mass” ideology. In other words, ideology is defined as a system of beliefs which can be classified into two levels: fundamental level or core beliefs and operative level or action principles. Accordingly, ideological changes may occur at the two levels. The change of party goals or party identity indicates a fundamental change of core beliefs or change at the fundamental level. A change at the operative level does not suggest the substitution of the final goal or a change of core beliefs. We will discuss this typology in great detail in the next section. A hypothetical, simple example: the Communist Party of Italy (*PCI*) or the Communist Party of the Russian Federation (*CPRF*) after the collapse of communism can still be identified as “communist” even though it only gets 1% of votes or no vote in the election or not many people really believe in their ideology. Why? The party does not

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<sup>2</sup> Cheng Li, *Rediscovering China: Dynamics and Dilemmas of Reform* (Lanham,

lose its “identity” as long as it commits itself to the hard core or fundamental principles of its political ideology in theory and practice, regardless of how many people believe it or of any change at the operative level. This is just the equivalent of saying: “you are a liar because you lie or intend to cheat people despite the fact that few or fewer people believe you or buy what you say.”<sup>3</sup> No matter how far the party doctrine distorts reality, no matter how distressing the “faith crisis” is, the Chinese communist regime nevertheless has abandoned its ideological absolutism and commitment, as we will discuss later, but continued to appeal to them, act upon them, and impose them upon the Chinese people, since the regime identifies itself with the ideological absolutism, those fundamental principles and goals. The CCP is still claiming to be in possession of the absolute and universal truth, and therefore in the position of fulfilling its historical destiny – Communism – through the “elementary phase” of Socialism to the “developed phase” of Socialism. Therefore, it is the Communist party alone that possesses the universal truth and represents the fundamental interest of the people. Thus it is the party alone that has the right and the duty to guide, to govern, and to dictate the society, in order to achieve China’s historical destiny: It is in this fundamental sense that the CCP is in its very nature totalitarian.

Nevertheless, the party doctrine can adapt to objective conditions without breaking faith with its fundamental principles and norms. As the post-Mao party leadership has declared, “Mao Zedong thought” or “Deng Xiaoping theory” is the application of the

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Maryland: Rowman & Littlefield Publishers, 1997), pp. 305-307

<sup>3</sup> This statement itself is used to address the question, not to imply that the *PCI* or the CCP is a “liar.”

universal truths of Marxism-Leninism to the concrete practice of the Chinese revolution and construction in China's specific objective conditions. Therefore, "thought" or "theory" has two ideological components: commitment to the general or universal truths of Marxism-Leninism and renovation on or modification of some elements of Marxism-Leninism in order for the Chinese communists to apply the -ism to the concrete practice of the Chinese revolution and construction. In fact, "thought" or "theory" has been changeable in accordance with the changes in the specific conditions, and applied selectively and accordingly. But modification does not suggest discarding the fundamental principles and norms, but renovation within the same basic framework, or "adherence to and development of Marxism" as repeatedly emphasized by the post-Mao leadership. It is not surprising that the regime has never thought to relinquish its commitment to the basic principles of Marxist and Maoist doctrines, though the post-Mao regime has cautiously modified some of Mao's doctrines through the official interpretation of the sacred text. Therefore, modification of the official doctrine does not lend support to the assertion that post-Mao Chinese leaders no longer believe in the ideology they advocate, or that post-Mao political ideology is downplayed and treated only at face value.

Moreover, such a declaration or assertion contradicts the fact that one major force that has shaped post-Mao Chinese political life and economic reforms is still the conflict between political leaders who hold divergent perspectives on the nature of post-Mao reform, on its space, scope, content, and timing, and on what constitutes genuine socialism. While pragmatism and rationalism are the distinguishing features of post-Mao leadership style, such a declaration fails to capture the central realities of the Chinese

political system and the fundamental character of its political elites. Some recent studies have represented the contending view in the evaluation of the political role of the post-Mao communist ideology and offered a compelling illustration of how the communist ideology matters in the post-Mao regime.<sup>4</sup>

The two contrasting views in assessing the post-Mao political ideology suggest some important questions that have remained unanswered: What are the core components of communist ideology? Is the ideology of post-Mao's regime fundamentally different from Mao's regime or it is in one continuous line with Mao's? To what degree have such core components changed so that the post-Mao regime is no longer communism? The answers to these questions require certain theoretical criteria or reference points against which to assess the ideological change in post-Mao China, and serious reconsideration of the change supported by empirical evidence. Those who assert the irrelevance or erosion of communist ideology in the post-Mao regime usually tend to address the issue without clearly defining the concepts used in their discussions or without bothering to refer to any general theoretical framework or reference points for assessing the changes in post-Mao China, which in turn leads to the neglect of many fundamental aspects of the post-Mao regime's continuity of communist totalitarianism and Maoist-style practice.

In what follows, we will specify the major components of communist ideology to establish a theoretical framework against which to assess the political role of the post-Mao ideology and the nature of the post-Mao change, and examine the six major aspects of the

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<sup>4</sup> Wei-wei Zhang, pp. 1-10; Feng Chen, *Economic Transition and Political Legitimacy in Post-Mao China: Ideology and Reform* (New York: State University of New York Press, 1995), pp. 2-6

post-Mao regime's theory and practice: two levels of communist ideology, communist twin-goal culture, the "four cardinal principles," the "socialist spiritual civilization," monopoly of mass communications, and Deng's thought established as the supreme authority. Through a systematic survey of party documents, policy statements, leaders' speeches, official newspapers and magazines, and general academic studies on the post-Mao reform in English and in Chinese, this chapter will provide empirical evidence to establish the argument that the communist ideology matters in post-Mao China, and that the post-Mao regime and Mao's regime have come down in one continuous line both in theory and in practice, and that the two regimes have no fundamental difference in terms of the political role of communist ideology and many aspects of the communist totalitarian practice.

## II. ASSESSMENT

### 1. Two Levels of Communist Ideology

Ideology has been defined as "ideas which help to legitimate a dominant political power";<sup>5</sup> "the link between theory and action";<sup>6</sup> "sets of ideas by which men posit, explain and justify ends and means of organized action"; and "a set of ideas with a discursive framework which guides and/or justifies policies and actions, derived from certain values and doctrinal assumptions about the nature and dynamics of history."<sup>7</sup> According to

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<sup>5</sup> Terry Eagleton, *Ideology – an Introduction* (London: VERSO, 1991), p.1

<sup>6</sup> Zbigniew Brzezinski, *Ideology and Power in Soviet Politics* (Westport, Conn.: Greenwood Press, 1976), p. 98

<sup>7</sup> Martin Seliger, *Ideology and Politics* (New York: The Free Press, 1976), p. 14

Gordon White, "Ideology has played a crucially important role in the politics of state socialism or communist regimes. Such systems are 'ideocratic' – they rely on an explicit and codified system of political ideas derived from Marxism-Leninism, which guides the actions of the political elite in the hegemonic communist party, justifies the party's monopoly on power, and legitimizes its proclaimed historical mission to 'build socialism'." <sup>8</sup>

In China, the political role of ideology reached high intensity during the periods of Maoist mass mobilization. However, as doctrinal ideas, communist ideology has been employed by the post-Mao leadership to guide and justify policy change and implementation. China's official ideology has more cohesive values which have shaped the thinking and mentality of the Chinese political leadership, and less coherent ideas which, nonetheless, do not counter the fundamental principles and norms, but represent ideological renovations within the same framework. <sup>9</sup> The framework of communist ideology is frequently classified by political scientists into two components: Seliger's "fundamental" and "operative" ideology, <sup>10</sup> Moore's "ideology of ends" and "ideology of means," <sup>11</sup> Schurmann's "pure" and "practical" ideology, <sup>12</sup> and Lowenthal's "utopia vs. development." <sup>13</sup> The former refers to universal truth, philosophical absolutism and

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<sup>8</sup> Gordon White, p. 21

<sup>9</sup> Wei-wei Zhang, p. 5

<sup>10</sup> Martin Seliger, *Ideology and Politics* (New York: The Free Press, 1976), p. 109

<sup>11</sup> Barrington Moore, *Soviet Politics – the Dilemma of Power, the Role of Ideas in Social Change* (Cambridge, Mass., Harvard University Press, 1950), pp. 402-403

<sup>12</sup> Franz Schurmann, *Ideology and Organization in Communist China* (Berkeley: University of California Press, 1966), pp. 21-45

<sup>13</sup> Richard Lowenthal, "Development vs. Utopia in Communist Policy," in Chalmers Johnson, ed., *Change in Communist Systems* (Stanford, CA: Stanford University Press,



communist end-goal at the fundamental level, while the latter refers to practical ideas, policy preferences, and action means at the operative level.

According to Lowenthal, the conflict between reality and goal that confronted all communist states in the process of modernization was “development versus utopia” or “modernity versus utopia.” With the advent of “mature industrialization,” a communist state had to adapt itself to certain institutional changes (such as material incentives, managerial autonomy, specialization, and income differentials), all of which conflict with its fundamental ideological goals. The twin goals of “utopia and modernity” are intertwined but produce recurrent conflicts over certain policy issues, and the communist totalitarian regimes repeatedly try to undo the “ideologically undesirable by-products of economic development and spontaneous social change.”<sup>14</sup>

Political leaders in the former Soviet Union and Eastern Europe experienced such a goal conflict as these countries moved toward more mature industrialized societies. China, today, is facing the same goal conflict in the marketization of its economy. However, goal conflict does not necessarily prove the post-Mao regime’s abdication of the ultimate goal or suggest “fundamental goal” being replaced by “developmental goal” or “utopia” being replaced by “modernity.” In contrast, the reality in post-Mao China suggests that there has been coexistence of the two goals – the ultimate goal of communism and the intermediate goal of modernization. The post-Mao regime has

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1970); “The Ruling Party in a Mature Society,” in Mark Field, ed., *Social Consequences of Modernization in Communist Societies* (Baltimore: Johns Hopkins University Press, 1976)

<sup>14</sup> Richard Lowenthal, pp. 51, 53; for a more detailed discussion, see Feng Chen, pp. 5, 13-20

attempted to balance the two goals to meet the needs of the regime's policy change and legitimacy. To do so, the post-Mao regime has become more tolerant of ideological change at the operative level while at the same time continuing to commit itself to its ultimate goal and those ideological elements at the fundamental level. The empirical evidence explored in this chapter will demonstrate that the most significant change has occurred at the operative level rather than at the fundamental level. Therefore, the terminology of "fundamental" and "operative" ideology is useful for analytic purpose.

The fundamental level refers to the body of fundamental principles or core components of the CCP's ideology, such as Marxism-Leninism and Mao Zedong Thought, the leadership of the Communist Party, the Socialist Road, the Dictatorship of the Proletariat, which are established as the "Four Cardinal Principles," and other "universal truths" or utopian visions of an ideal society, such as the end-goal of communism, the ultimate elimination of class, the major tenets of historical materialism and dialectic materialism, the transformation of human nature, democratic centralism, socialist public ownership, and the historical mission of the proletariat. The body of these fundamental principles and universal truths involves a small number of core elements that define regime identity and play a key role in unifying it. The fundamental components determine the CCP's final goal, legitimate the CCP's leading role, define the parameters of social and political life, conceptualize the social and political order desired by the CCP, and provide an ontological framework or a worldview to evaluate everything from policies to human behavior. These fundamental components are rigid, dogmatic, and impermeable to argument and evidence, and they tend to resist any significant change, for such change will

ultimately change the regime identity and therefore the nature of the system.<sup>15</sup> As Daniel Bell noted, “dogmas such as dialectic materialism, historical materialism, the superiority of collective property, and the nature of scientific communism” serve as the doctrinal core of communist ideology. “The central fact is not any specific theoretical formulation *but the basic demand for belief in the Party* itself ... It is not the creed but the insistence on the infallibility of the interpreters that becomes the necessary mechanism of social control.” Thus, the crucial feature of communist ideology is the idea that Party direction is essential in all fields of work.<sup>16</sup>

The operative level designates sets of political ideas and theories put forward by political elites to guide, justify and interpret their current tasks, intermediate goals or policy goals, concrete policies, policy choices, and actions within a given historical context, such as the goal of industrialization or modernization, theories of “Socialist Primary Phase,” “Socialism with Chinese Characteristics,” and “Socialist Market Economy.” The intermediate goal and these theories serve to justify current measures as necessary for China, because China’s socialism was created in a historical context of an underdeveloped society. Concepts such as “leasing,” “shareholding,” “coexistence of multiple ownership economic sectors,” and “individual interests” are thus interpreted as applicable to the economy at the “primary phase of socialism.”

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<sup>15</sup> Giovanni Sartori, “Politics, Ideology, and Belief Systems,” *American Political Science Review*, vol. 63, 1969, pp. 398-411; Feng Chen, pp. 10-13

<sup>16</sup> Daniel Bell, “Ideology and Soviet Politics,” *Slavic Review*, vol. 24, no. 4, 1965, p. 602 [emphasis in original]

Both fundamental ideology and operative ideology serve their own functions. Although there is some overlap between the two levels, each is sufficiently distinguishable for analytic purposes. For instance, the theoretical distinction between the two levels or two dimensions of communist ideology is important when one attempts to understand how and why two communist leaders, such as Deng Xiaoping and Chen Yun, who share common ideological allegiance, are often in conflict with each other in their policy preferences and choices. While they are committed to the same “pure” or “fundamental” principles, they may disagree on many points at the operative level of ideology, which could in turn produce different concrete policy choices. In fact, most controversies among the Chinese political elites tend to occur in the field of operative ideology regarding how to guide party policies, and relate more to the specific political and economic issues confronting them.<sup>17</sup>

The distinction of communist ideology into two levels serves as a theoretical framework against which to distinguish between fundamental and operative changes in post-Mao ideology as well as to assess the nature of post-Mao change. Therefore, we are not primarily concerned with how loyal political leaders are to their professed ideology but more concerned with the functional role and political use of ideology in guiding and justifying their policy preferences.

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<sup>17</sup> Zhang, pp. 5-6

## 2. Communist Twin-Goal Culture Remains Unchanged

The key aspect to be examined in this section is the communist goal: Have the components of the communist goal changed under the post-Mao regime? The communist goal can be analytically divided into two major components: “ultimate goal” at the highest stage of communism and “intermediate goal” at the primary stage of socialism. Anthony Wallace’s twin-goal culture serves as a sound starting point from which to examine the components of the communist goal. Anthony Wallace identifies two components of any revolutionary ideology as “goal culture” and “transfer culture.”<sup>18</sup> An ideology’s goal culture is its image of the ultimate utopia, its idealized contrast to the present, while an ideology’s transfer culture, on the other hand, provides the norms that guide policy formation: it specifies what steps the leadership must take or justifies the steps the leadership does take to move toward the goal culture.<sup>19</sup>

As Johnson concurs, economic modernization is an intermediate goal of policies adopted in the service of an ideological “transfer culture,” an integral part of necessary measures for moving society toward a utopian goal culture.<sup>20</sup> “The communist goal culture does not aim at a ‘modernized society,’ but overcoming the conditions of backwardness becomes the main task of the transfer culture as it seeks both to prepare the society for the goal culture and to maintain the society in the here and now.”<sup>21</sup> It does not matter whether or not the intermediate goals specified by the transfer culture are in fact

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<sup>18</sup> Anthony Wallace, *Culture and Personality* (New York, 1961), p. 148

<sup>19</sup> Chalmers Johnson, ed., *Change in Communist Systems* (Stanford: Stanford University Press, 1970), p. 7

<sup>20</sup> Johnson, pp. 6, 25

<sup>21</sup> Johnson, p. 12

rational steps toward the goal culture – e.g., whether forced industrialization or controlled marketization actually has anything to do with achieving a classless society. *What matters is that these intermediate goals are justified and vigorously pursued in the direction, scope, and ways defined and dictated by the party ideology, without regard to public opinion, and they are pursued in the name of a utopia that serves as a legitimate source of the political regime.*<sup>22</sup>

Communist ideology does not rise in opposition to industrialization or modernization but mandates a strong commitment to industrialization and economic development since a truly classless Communist society is believed to represent the highest stage of economic development in human history.<sup>23</sup> Stalinist industrialization was the attempt to achieve the “highest stage” within the shortest period of time. Maoist industrialization was another type of attempt to achieve this goal rather than reject it. Mao’s industrialization was based on the idea that “the CCP will lead the people of the whole country in surmounting all difficulties and undertaking large-scale construction in the economic and cultural spheres to eliminate the poverty and ignorance inherited from the old China and improve the material and cultural life of the people step by step.”<sup>24</sup> Mao anticipated that, economically, China would achieve four modernizations – industry, agriculture, science and culture, and national defense; socially, the whole country would

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<sup>22</sup> Johnson, p. 8

<sup>23</sup> Cal Clark, “The Nature of Chinese Communism and the Prospects for Teng’s Reforms,” in Yu-ming Shaw, ed., *Mainland China: Politics, Economics, and Reform* (Boulder and London: Westview Press, 1986), p. 41

<sup>24</sup> *Selected Works of Mao Tse-tung* 5:20, quoted in Alan P.L. Liu, “How Can We Evaluate Communist China’s Political System Performance?” in Yu-ming Shaw, ed., *Changes and*

be transformed into “a unitary system of whole people’s ownership” (total collectivization of production and social life); and politically, Mao hoped for “a situation ... in which we have both unity of will and liveliness, that is, both centralism and democracy, both discipline and freedom.”<sup>25</sup>

Therefore, the post-Mao regime’s commitment to the goal of economic modernization is not something new or any deviation from the communist ideology and goal, which it is unfortunately misinterpreted as by many observers and analysts on China. China’s economic modernization is the transfer goal or intermediate goal that leads to the ultimate goal of communism. Mao’s regime made a strong commitment to industrialization, though its industrialization drive relied upon mass mobilization and irrational economic policies rather than on the methods of the post-Mao regime. The post-Mao regime’s commitment to modernization does not contradict its commitment to the ultimate goal of the communist ideology.

The post-Mao regime openly declares its commitment to the end goal of communism and its intermediate goal of economic modernization as preparing the society for achieving the end goal. Therefore, the post-Mao leadership is still conditioned by its “ideological” system in which all important policies require an ideological justification.<sup>26</sup> As a Leninist one-party system, it requires a theoretical basis for all major policies to sustain the system’s legitimacy. “Ideas held by top leaders and key policy makers are

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*Continuities in Chinese Communism* (Boulder and London: Westview Press, 1988), p. 28, fn. 90

<sup>25</sup> see Liu, p. 30, fn. 101-103

<sup>26</sup> Wei-wei Zhang, p. 2

important for policy change and innovation,” and “ ‘ideas from above’ perform a significant function of forming and redefining political discourse and ideology in which new policy proposals can emerge.”<sup>27</sup> For instance, to justify a particular policy option, a given leader has to present such a policy agenda in an acceptable theoretical framework in order to achieve a leadership consensus and communicate it to the party rank and file. In fact, general ideological statements made in party congresses and conferences are frequently the points of departure for more specific economic strategies and tactics. While Chinese reformist leaders might want to modify some of the ideological orthodoxy to meet the practical needs of economic modernization, they still commit themselves to Marxism-Leninism and Mao Zedong Thought and tend to undertake ideological modifications within such a framework.

To meet the needs of legitimizing the party leadership and justifying its reform policy without abdicating the commitment to the party’s ultimate goal and utopian visions of an ideal future, the post-Mao regime invents a “primary phase of socialism” and inserts a new historical stage into the evolutionary progression of communism. This is actually a new doctrine of the post-Mao regime, which asserts that the full implementation of socialism is to be accomplished through distinct stages, and that each stage is to be accomplished by certain special policies. None of the stages can be skipped or altered, because certain historical processes have to occur at each stage.<sup>28</sup>

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<sup>27</sup> Feng Chen, pp. 2-3

<sup>28</sup> Alan R. Kluver, *Legitimizing the Chinese Economic Reforms: A Rhetoric of Myth and Orthodoxy* (New York: State University of New York Press, 1996), p. 78



By arguing that there are distinct stages in the implementation of socialism, and that each stage has its own historical goals and missions, the legitimacy of the early policies of the CCP under Mao's regime, such as the nationalization of private industry, is maintained and the post-Mao reform measures are not seen as contradictory to the early policies, only as fulfilling a different historical mission. By clearly demarcating a historical phase for the current reforms, the regime ensures that its policies are not seen to undermine the ultimate goal – a fully communist society.<sup>29</sup>

The central task of the “primary stage of socialism” is therefore defined as socialist economic construction or modernization, thus necessitating some measures that are not consistent with the ideological orthodoxy. That is to say, the CCP has to achieve this intermediate goal before it can proceed to the next stage. The post-Mao new party line at this intermediate phase is summarized as the “one center, two basic points” formula in Zhao's Political Report at the 13<sup>th</sup> party congress: the one central task is to develop the productive forces and the two basic points are to uphold the Four Cardinal Principles as well as the reform and open-door policy. As Zhao Ziyang said, “the purpose of reforming both the political and economic structures is, under the leadership of the party and the socialist system, to develop the productive forces and to take full advantage of the superiority of socialism.”<sup>30</sup> At the close of his address, Zhao reiterated the need to uphold

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<sup>29</sup> Kluver, p. 80

<sup>30</sup> Zhao Ziyang, “Advance along the Road of Socialism with Chinese Characteristics,” *Documents of the Thirteenth National Congress of the Chinese Communist Party* (Beijing: Foreign Languages Press, 1987), p. 42

the ideological system on which China has been based: “Socialism with Chinese characteristics is the product of the integration of the fundamental tenets of Marxism with the modernization drive in China and it is scientific socialism rooted in the realities of present-day China. It provides the ideological basis that serves to unite all the party comrades and all the people in their thinking and their action. It is the great banner guiding our cause forward.”<sup>31</sup>

Jiang Zemin has continued to uphold Marxism-Leninism and Mao’s thought as the core of the party’s ideology during the earlier revolution and attempts to justify the earlier policies under Mao’s regime as the inevitability of the historical progression. “The old economic structure has its historical origins and has played an important and positive role. With changing conditions, however, it has come to correspond less and less to the requirements of the modernization program.”<sup>32</sup> Moreover, Jiang’s speech also reclaimed the absoluteness of communist ideology and reaffirmed the inevitability of socialism, even in other countries. This statement is so important for our discussion that it deserves a long quote:

Socialism is a completely new system in the history of mankind. It is bound to replace capitalism – that is the general trend of social and historical development. Any new social system, as it is born, consolidated and developed, inevitably follows a zigzag course of struggles and sacrifices, of victories and defeats. Communists and the people in general will surely be tempered in this process and draw lessons from it, pushing socialism in the right direction.<sup>33</sup>

Jiang’s Political Report to 14<sup>th</sup> National Congress of the CCP admitted that

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<sup>31</sup> Zhao Ziyang, p. 69

<sup>32</sup> Jiang Zemin, “Accelerating Reform and Opening-up,” *Beijing Review*, 26 October – 1 November 1992, pp. 10-11

<sup>33</sup> Jiang Zemin, p. 33

socialism had suffered a temporary setback in the Soviet Union and Eastern Europe, but it declared that the ultimate progression of history would inevitably bring those nations back to socialism. Socialism was declared as the only road for the Chinese people toward the communist future of common prosperity, and therefore only the CCP leadership could guarantee the socialist direction of China. China's task was to continue to uphold and advance socialism until the realization of the ultimate communist goal: "The ultimate goal of building Socialism with the Chinese characteristics is to realize Communism, and therefore the promotion of socialist and communist morality is necessary for the whole society."<sup>34</sup> At a national conference on the campaign of studying Deng Xiaoping Theory held in Beijing in July 1998, Jiang asked the whole party to guard against a one-sided understanding of Deng's thought and the spirit of the 15<sup>th</sup> party congress and reiterated:

Taking the socialist road is the inevitable outcome of Chinese history and the correct choice of the Chinese people of all nationalities. Any attempt to abandon socialism or take the capitalist road is completely wrong and fundamentally infeasible... Our reform is absolutely not to engage in capitalism, but is the self-perfection of the socialist system and the need of consolidating and developing socialism. Anything that might jeopardize socialism and the fundamental interest of our people must not be tolerated and must not be allowed to spread unchecked at any time and under any circumstances.<sup>35</sup>

He further illustrated the basic spirit of the 15<sup>th</sup> party congress and emphasized that the predominance of public ownership and the coexistence of multiple economic sectors constituted two sides of socialism with Chinese characteristics at the "primary socialist phase." The shareholding system is not the single one form but one form of many to

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<sup>34</sup> The Central Propaganda Department of the CCP, "The Party Central Committee Resolution on Several Important Problems in Strengthening the Construction of Socialist Spiritual Civilization" (issued at the Sixth Plenary Session of the Fourteenth Central Committee), in *Study Brochure of Building Socialist Spiritual Civilization* (Beijing: The CCP Party History Press, 1997), p. 164

<sup>35</sup> *People's Daily*, October 16, 1998, pp. 1-2

realize public ownership. Jiang asked the party and state cadres at all levels not to take a one-sided view of it – not to prescribe one solution for diverse problems (*yidaoqie*) or rush headlong into mass action (*yihongershang*). The policy for SOEs to “hold the big and let the small go” (*zhuada fangxiao*) is to restructure and develop SOEs. “Let the small go” is to “invigorate them” (*fanghuo*), not to give them away or abandon them. There are many ways to “let the small go,” such as reorganization, cooperatives, incorporation, leasing, contract, shareholding cooperatives, and sell-off. Sell-off, however, is only one form of many, and the policy is not to sell all the small state enterprises or simply give them away. A one-sided understanding of the policy leads to mistakes in action. The same is also true with the political reform, which is not the equivalent of the multiparty system, bicameral houses, and separation of powers.<sup>36</sup> Since 1979, the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> party congresses have continued to uphold the party’s ideological commitment, which suggests that the CCP has never abdicated its ultimate goal.

Although the post-Mao regime has become less attentive than in Mao’s era to utopian visions of an ideal future, the CCP ideology still officially retains many utopian elements as stipulated in the CCP constitution and reflected in the leaders’ speeches. Moreover, many current practices still continue to follow the Maoist or Stalinist style and remain utopian in character regarding such things as ultimate goals, ideological education, campaigns of “socialist spiritual civilization,” campaigns of learning from Lei Feng and other exemplary individuals and groups, mobilizing the whole party and the whole nation from above to campaign for certain policy goals, certain urgent tasks in the fields of

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<sup>36</sup> *Ibid.*, p. 2

politics, economics, and culture, campaigns to crack down smuggling and criminals, re-education programs, mobilizing “the whole party and the whole people of the nation” to campaign for an annual economic growth rate or a five-year plan of economic growth, or the campaign for modernization, etc. Many of these Maoist practices have remained unchanged. Re-educating dissidents, political prisoners, and religious activists is another typical practice of communist totalitarianism. The major function of re-education programs or re-education camps is to re-mold human behavior and thought, which is particularly utopian in character.

Mikhail Heller defines totalitarianism as a massive, mandatory pedagogical movement, combined with compulsory labor.<sup>37</sup> While authoritarian regimes seek only to control human behavior mainly through denying individuals civil and political rights such as participation in political life or the exercise of free speech, totalitarian regimes aim not only to remold behavior but also to do so through the transformation of human nature. “To totalitarians, it is not enough to change behavior; man’s very thought patterns must be changed” to remold the communist new man, and “this requires reeducation on a large scale.”<sup>38</sup> The post-Mao regime, as in Mao’s era, continues to remold human behavior and thought through the pedagogical and compulsory reeducation programs, which are within the jurisdiction of the police authorities, governed by statute and the regulations of the

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<sup>37</sup> Mikhail Heller, *Cogs in the Wheel: The Formation of Soviet Man* (New York: Knopf, 1988), chapter 11

<sup>38</sup> Nicholas Dujmovic, *The Totalitarian Temptation and its Failure in Revolutionary Grenada, 1973-1983*, Doctoral Dissertation in Political Science, The Fletcher School of Law and Diplomacy, February 1996, p. 229

government administration. This has been a typical political tradition of communist totalitarian states and is a prominent feature of the post-Mao regime.

### **3. The “Four Cardinal Principles”**

The “Four Cardinal Principles,” laid down by Deng Xiaoping, are the most fundamental aspect of the post-Mao regime’s continuity of Mao’s communist totalitarianism. The post-Mao leadership continues to hold Mao Zedong Thought as a “valuable spiritual asset of our party” and as “the integration of Marxist-Leninist universal truth with the realities of the Chinese Revolution.”<sup>39</sup> Although the post-Mao political doctrine differs from Maoist orthodoxy in some respects of the political content at the operative level, it is not something new at the fundamental level. It has come down in one continuous line from Maoist ideological orthodoxy. The post-Mao regime has attempted to resurrect the political tradition and political theory of the mid-1950s and base the political doctrine of the post-Mao regime on the “Four Cardinal Principles,” proclaimed as defining the core elements of the post-Mao regime: Marxism-Leninism and Mao Zedong Thought, the socialist road, the dictatorship of the proletariat, and the leadership of the Communist Party. These fundamental principles claim the CCP itself in possession of universal truth and assert the necessity for a ruling ideological orthodoxy as the guiding principle of China’s socialist revolution and construction.

Deng Xiaoping urged the whole party and the whole people to counterbalance the influence of “bourgeois liberalization” and adhere to the “Four Cardinal Principles.” He

emphasized: “in order to realize the Four Modernizations in China, we must, in the fields of ideology and politics, uphold the Four Cardinal Principles. This is a fundamental prerequisite to the realization of the Four Modernizations.”<sup>40</sup> At the first session of the 9<sup>th</sup> National People’s Congress, Li Peng, former Premier and new Chairman of the NPC, pointed out, “we must continue to promote political reform, perfect the socialist democratic system, and make and improve socialist laws under the condition of the Four Cardinal Principles.”<sup>41</sup> There is no denying that the Four Cardinal Principles have fundamentally prescribed the direction, scope, content, and limits of the post-Mao reform.

Political campaign, a defining feature of a communist totalitarian regime, has always been exploited by the Chinese communist regime as a means to attain their goals. Although the post-Mao regime has repeatedly proclaimed their intention not to wage any further political campaigns in the course of constructing a socialist society, political campaigns have been widely and recurrently used in post-Mao China to educate the public about the official norms and current political line of the post-Mao regime: for instance, the first campaign in the post-Mao era to eradicate “three type persons,” the remnants of the Gang of Four; the “thought emancipation movement” in 1979-81; “anti-bourgeois liberalization” in 1981 and 1986-87; “anti-spiritual pollution” in 1983-84; “anti-imperialist peaceful evolution” in 1989-91; the “socialist spiritual civilization campaign” in 1987-

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<sup>39</sup> *The Constitution of the Chinese Communist Party* (Beijing: People’s Publishers, 1997), pp. 1-2

<sup>40</sup> Deng Xiaoping, “Uphold the Four Cardinal Principles,” *A Selection of Important Documents Since the Third Plenary Session* (Beijing: People’s Publishing House, August 1982), p. 87

<sup>41</sup> *People’s Daily*, March 23, 1998, p. 1

1998; the post-4 June re-education campaigns on Chinese students; a series of “party rectification campaigns” under the post-Mao regime; and a series of “theoretical study movements” of Marxism-Leninism, Mao Zedong Thought, and Deng Xiaoping’s Theory in both the 1980s and the 1990s. All have been conducted essentially as political and ideological campaigns and on a nationwide scale, although the measures that have been used are more moderate than those of earlier times under Mao’s regime.<sup>42</sup> No one can deny this fact, which is actually consistent with the classical definition of communist totalitarianism as a political regime of mass mobilization. A comparison of political and ideological campaigns before and after 1978 is usefully illustrated in Table 3.1:

**Table 3.1. Political and ideological campaigns before and after 1979**

Year	Campaigns	Targets	Characteristics
1950 – 1978	land reform, suppression of counterrevolutionaries, three-anti campaign, five-anti campaign, thought reform of intellectuals, agricultural cooperatives, socialist reform of private enterprises, anti-rightist, party rectification, great leap forward, people’s communes, four cleanups, socialist education, cultural revolution	landowners, rich peasants, counterrevolutionaries, former employees of the Nationalist government, former businessmen, former members of “democratic parties,” intellectuals, cadres, “rightists,” “capitalist-road-takers,” and anyone suspected of disloyalty or opposition to Mao Zedong	high intensity, high penetration, on a nationwide scale. rely upon mass terror. In each of these campaigns, there were certain groups or classes designated to be the target of struggle
1980 – 1997	four major anti-spiritual-pollution and anti-bourgeois campaigns, party rectification, constant socialist spiritual civilization movement, periodic crack-down on illegal publications, etc.	intellectuals, dissidents, journalists, cadres, and anyone advocating “bourgeois liberalization” or espousing “Westernization”	low intensity, low penetration, on a nationwide scale. rely upon state terror. In each of these campaigns, there are many target individuals to be persecuted, arrested, or purged

<sup>42</sup> An-chia Wu, “Whither Mainland China: On the Theoretical Study Campaign,” in Yu-ming Shaw, ed., *Changes and Continuities in Chinese Communism* (Boulder and London: Westview Press, 1988), pp. 153-154



The post-June 4<sup>th</sup> campaign to counter “peaceful evolution” is another recent nationwide political campaign following the Tiananmen crackdown in 1989. “Anti-bourgeois liberalization” has been regarded by the post-Mao regime as a long-standing combating task, a matter of life and death of the CCP and the Chinese socialist revolution and construction.<sup>43</sup> “Bourgeois liberalization” is defined as “negating the socialist system and advocating the capitalist road.” As stated in an editorial article in the CCP’s *People’s Daily*, “politically, it advocates the Western-style multi-party politics and the parliamentary system, negating the leadership of the Communist party and the dictatorship of the proletariat. Economically, it advocates private ownership, negating public ownership and the planned economy. Ideologically, it advocates pluralism of ideologies, negating the leading position of Marxism-Leninism and Mao Zedong Thought.”<sup>44</sup> After the 1989 massacre and the fall of communism in the former Soviet bloc, a key article in the CCP’s theoretical journal *Qiushi* pointed out, “we must use the class viewpoint of Marxism, and the Marxist methodology of class analysis to assess the counter-revolutionary rebellion of 1989. Only then can we see clearly the profundity, seriousness and danger of the struggle between the two roads.” It continued that bourgeois liberalization “runs counter to the fundamental interests of the working class and the broad masses, and its defeat was inevitable... We are full of confidence in the eventual victory of socialism as well as the future of communism.”<sup>45</sup> Jiang Zemin, the party chief, told the

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<sup>43</sup> Simon Long, “Leadership Politics since 1989,” in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan Press, 1995), p. 57

<sup>44</sup> *People’s Daily*, April 24, 1991

<sup>45</sup> *China News Service*, February 14, 1990

whole party, "class struggle will continue to exist within certain parameters, and it will even be exacerbated under certain conditions."<sup>46</sup> Therefore, cadres and party members must deal well with three relationships: "the relation between the reform/renovation and the succession of fine party tradition, the relation between incorporation and resistance in the open door to the outside world, and the relation between getting rich earlier and realizing common prosperity."<sup>47</sup>

The post-June 4<sup>th</sup> campaign to re-educate Chinese students is an attempt to prevent a recurrence of the turbulence and, in the long run, to re-educate students about the official norms and values of the communist regime, and to transform the thinking and behavior of students at all levels. This is typical communist totalitarianism. The re-education campaign involves an extended program of mandatory military training in army schools for university freshmen, a revival of the Lei Feng model and other familiar model personages from the pre-Cultural Revolution era, more semester hours in the curriculum for courses in moral education, Marxist theory and "public politics" defined by the authorities, an upgrading in the status of political work cadres in universities, and a tighter control over the thinking and behavior of students.<sup>48</sup>

During the military training, students had no courses or reading material in their chosen fields of study, except for classes in English and Chinese. One course was devoted

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<sup>46</sup> *People's Daily*, October 2, 1989

<sup>47</sup> *People's Daily*, January 24, 1995, p. 1

<sup>48</sup> For a detailed discussion on this subject matter, see Stanley Rosen, "The Effect of Post-4 June Re-education Campaigns on Chinese Students," *The China Quarterly*, no. 134, June 1993; Ruth Hayhoe, "China's Universities since Tiananmen: A Critical Assessment," *The China Quarterly*, no. 134, June 1993

entirely to the authority's indoctrination about the necessity of crushing of the demonstrations.<sup>49</sup> By 1992, according to data from the State Education Commission, more than 140 universities had received money from a special state fund to conduct either year-round or eight-week military training for students, either in army units or on campuses. More than 200 universities were asked to raise their own funds to finance short-term (3-4 weeks) military training for freshmen.<sup>50</sup> The official press offered enthusiastic accounts from satisfied students and campus educators and, indeed, it does appear that isolating 18-year-olds on a military base produced some thought transformation, even though it was not short of complaints and problems.<sup>51</sup>

The curricular reform in Chinese universities in the 1990s derives from the concerns to adapt university programs more closely to changing economic and technological needs and to maintain and enhance academic quality, while at the same time introducing some major measures into the curricular change to purge Western influences out of social sciences and humanities in an attempt to guard universities against imperialist strategy of "peaceful evolution." Many articles gave details of curricular changes under way, which emphasized the strengthening of traditional disciplines alongside the introduction of classical Marxist texts in areas such as literary theory, law, philosophy, history, economics, and political science.<sup>52</sup> All department chairs and party secretaries in the humanities and

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<sup>49</sup> Sarah Lubman, "Students at Beijing University Trying to 'De-program' Freshmen Exposed to Year of Indoctrination," *The Chronicle of Higher Education*, October 17 1990, pp. A46-47

<sup>50</sup> *FBIS-China*, July 1, 1992, p. 43 (*Xinhua*, June 27, 1992)

<sup>51</sup> *People's Daily*, November 20, 1991

<sup>52</sup> Ruth Hayhoe, pp. 296-299

social sciences have been called upon to review each program within their department and each course being taught in order to remove anything regarded as tainted with something of “bourgeois liberalization.” University journals and graduate theses have been investigated in order to carry out a thorough criticism of the errors made by faculty and students in the pre-Tiananmen period.<sup>53</sup> In order to ensure indoctrination of the official norms along with high academic standards, the State Education Commission has led the rectification of all curricula in the humanities and social sciences through the establishment of a high-powered committee given the responsibility for providing new program guidelines in the major fields.<sup>54</sup>

The political control over social science curricula is justified by the principle of so-called “party nature” (*dangxing*) of social science research and implemented in a traditional top-down manner throughout the whole higher education system. At a national conference for social science research in universities held in Beijing in early 1990, the principle of the university party committee strengthening the control over all social science research was emphasized on the grounds that all such research falls into the category of party theoretical work. All faculty teaching in the social sciences were called upon to be political instructors. The rationale behind the principle is the assertion of a unity between social research’s party nature and its scientific nature. “If the party nature is abandoned,

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<sup>53</sup> “Ren zhen qing li zhi chan jie ji zi you hua si chao zai xue ke ling yu de ying xiang” [Make Every effort to eradicate influences of the tide of bourgeois liberalization in various disciplines], *Zhongguo Gaodeng Jiaoyu*, no. 11, 1991, pp. 26-27

<sup>54</sup> “Guojia jiaowei zuzhi bianxie wenke jiaoxue zhidao gangyao” [The State Education Commission has organized and edited guidelines for humanities and social sciences programs], *Zhongguo Jiaoyu Bao*, November 27, 1990, p. 1

then the question of its scientific nature cannot even be discussed.”<sup>55</sup> The Vice President of the State Education Commission, Teng Teng, in a 1991 speech on the problem of job assignment for humanities and social science students, stressed the “class nature” of the social sciences and their “party nature” (*dangxing*) principle, and pointed out that the purpose of education was to train and mold “successors to the socialist cause,” not liberal-democratic individuals. All elective courses should be strictly monitored to ensure they fit into the basic framework of Marxism, and they should not be seen as a free marketplace of ideas.<sup>56</sup>

Therefore, education in humanities and social sciences is seen as political education as well as training professional talents and successors for the socialist cause, with all faculty required to take responsibility for the political orientation of their students and all courses aimed to counter “peaceful evolution” and “bourgeois liberalization.” All faculty must attend weekly political study meetings on one afternoon, and weekly departmental meetings for academic work on another. The latter are often used for the campaigns to purge bourgeois liberal ideas from all teaching materials. For party members, there is an added weekly party life meeting at the departmental level. Thus, as much as one and a half days every week are taken up for political study meetings. Those who do not participate

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<sup>55</sup> “Jianchi dangde jiben luxian, gaohao gaoxiao shehui kexue yanjiu” [Adhere to the Party’s basic line and do a good job of managing social science research in universities], *Gaodeng Jiaoyu*, no. 6, 1990, pp. 51-54

<sup>56</sup> Teng Teng, “Wenke jiaogai tixi jianchi Makesi zhuyi zhidao he lilun lianxi shiji” [The education reform system in humanities and social sciences must adhere to Marxism and the connection of theory with practice], *Zhongguo Gaodeng Jiaoyu*, no. 6, 1991, pp. 2-7

are penalized by having the monthly subsidies cut from their salary as well as by other forms of departmental discipline.<sup>57</sup>

One of the most recent re-education programs in the 1990s includes the introduction of Deng Xiaoping Theory and his ideas into university curricula and university textbooks in an attempt to “confirm the thought of university students to Deng Xiaoping Theory and the Party’s basic line,” as said the Politburo standing member Li Lanqing, who is currently in charge of higher education. “No other theories except Deng Xiaoping Theory can solve the issue of China’s future and fate. Only when students’ thought is conformed with Deng Xiaoping Theory and the Party’s basic line can they be trained and brought up as constructors and successors for the socialist and communist cause.”<sup>58</sup> All faculty are asked to teach the theory and relate it to China’s practice. In addition to classroom teachings, according to the directives of the Politburo Standing Committee, university authorities must organize students to read the party’s documents and literature, watch documentary video tapes, hold seminars on the readings, and invite leaders and experts to give lectures on Deng Xiaoping Theory.<sup>59</sup> Beijing University is the first university to experiment with teaching courses in Deng Xiaoping Theory for all seniors. Other higher education institutions have also started to follow suit. It is reported that the Education Ministry, newly-restructured after the Ninth People’s Congress in 1998, “has decided to take the reform of political theory courses based on Deng Xiaoping

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<sup>57</sup> Ruth Hayhoe, p. 308

<sup>58</sup> *People’s Daily*, April 21, 1998, p. 1

<sup>59</sup> *Ibid.*

Theory as the central task of this year.”<sup>60</sup> According to a recent report, such courses have been introduced into classrooms at all universities. Student groups studying Marxism-Leninism and Deng Xiaoping Theory are organized on many university campuses. Student party members have increased so rapidly that 4 per cent of students are party members. In some universities, such as in Beijing University, student party members are 12 per cent of the total enrolled students.<sup>61</sup>

All the evidence has suggested that there have been systematic attempts by the post-Mao regime to indoctrinate the general population, through the education system and the media, about the official ideology with the “Four Cardinal Principles” as the core doctrinal components and the cornerstone of the post-Mao regime. The compilation of a paramount leader’s ideas and speeches into textbooks and curricula is another typical Maoist style practice as well as the general practice of all communist totalitarian regimes. The post-Mao regime has been committed to doing so on a nationwide scale, through pervasive ideological and political education work, organized through small study groups in workplaces and residential areas, or political study groups in schools, and daily “pedagogical” propaganda on mass media.

#### **4. “Socialist Spiritual Civilization”**

The building of “socialist spiritual civilization” is another fundamental aspect of the post-Mao regime’s continuity of Maoist style practice that is particularly communist

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<sup>60</sup> *Ibid.*

<sup>61</sup> *People’s Daily*, July 1, 1998, p. 4

totalitarian – remold human behavior through the transformation of human nature and human thinking. As Chalmers Johnson noted, “communist regimes are the product of revolutionary movements, not rebellious ones. They seek not merely to correct certain wrongs or to restore an old, betrayed society, but to build a new society and a new man. Such a goal calls for massive social renovation and a recasting of the division of labor.”<sup>62</sup> The post-Mao regime, either Deng’s regime or Jiang’s regime, has never abdicated its commitment to the transformation of human nature and human society. Jiang Zemin even declared the transformation of human nature as the “law” of human development.

At the Fifth Plenary Session of the Central Disciplinary Commission, Jiang Zemin urged the whole party to hold the great ideal of communism on high: “for contemporary Chinese Communists, to dedicate our life to the struggle for the construction of socialism with Chinese characteristics and for the ultimate actualization of communism is our highest goal.”<sup>63</sup> Jiang Zemin, on behalf of the Party Central Committee newly formed at the 15<sup>th</sup> Party Congress, made it clear at a national conference: the task of socialist culture construction is “to make persistent efforts to arm the minds of the whole party and the whole people and educate our cadres and people with Deng Xiaoping Theory; train and bring about a new type of citizens with ideals, morality, culture, and discipline to meet the needs of socialist modernization construction; and promote the development of material civilization in coordination with the building of socialist spiritual civilization.”<sup>64</sup> In his

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<sup>62</sup> Chalmers Johnson, p. 7

<sup>63</sup> *People’s Daily*, January 24, 1995, p. 1

<sup>64</sup> “Comrade Jiang Zemin’s Speech at the National Organizational Work Conference on December 22, 1997,” reprinted in *People’s Daily*, April 2, 1998, p. 1



speech, the transformation of human nature and brainwashing is justified as a “universal law”:

Human beings “constantly understand and transform their subjective world while understanding and transforming the objective world; thereby they constantly deepen their understanding and transforming of the objective world through constant understanding and transforming of their subjective world. This is the law of motivating the development of our cause as well as the law of one’s growing mature and making progress.”<sup>65</sup>

In response to the impact of economic liberalization and the mistrust of the party and its ideology, the party calls for the building of a “socialist spiritual civilization,” which refers to the complex of communist ideology, values and moral norms that serves the goal of provoking the forces of history toward their final fulfillment. “Socialist spiritual civilization” is considered crucial not only for China’s economic modernization and material civilization, but also for the “correct” orientation of that development. As James T. Myers put it, both “socialist spiritual civilization” and “anti-spiritual pollution” involve the control of human thinking and behavior. The former is the effort to have social members respond and act in certain ways to certain directions defined by the regime; the latter reveals the problem of individuals’ failing to respond or act in the desired way to sets of directions and calls for political action to correct it.<sup>66</sup>

In order to have the general population respond and act in the ways to the direction defined by the post-Mao regime, the CCP has passed two important resolutions on the “building of socialist spiritual civilization” and called for actions from the whole

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<sup>65</sup> *Ibid.*, p. 4

<sup>66</sup> James T. Myers, “Socialist Spiritual Civilization and Cultural Pollution: The Problem of Meaning,” in Yu-ming Shaw, ed., *Mainland China: Politics, Economics, and Reform* (Boulder and London: Westview Press, 1986), p. 279

party and the whole nation to correct problems of individuals' failing to follow the party decisions. These two party documents are "The Party Central Committee Resolution on the Guideline of Socialist Spiritual Civilization" issued at the Sixth Plenary Session of the Thirteenth Central Committee and "The Party Central Committee Resolution on Several Important Problems in Strengthening the Construction of Socialist Spiritual Civilization" issued at the Sixth Plenary Session of the Fourteenth Central Committee. Although these two documents come down in one continuous line, the latter not only emphasizes the "strengthening" but also makes more recourse to the Maoist "Left" fashion in many ways. The second resolution emphasizes the necessity to defy "the plot of antagonistic forces to Westernize and split us up" and the importance of preventing and eliminating "the infiltration of Western ideologies" and "the spread of Western cultural trash."<sup>67</sup> Moreover, in summarizing the experience in the 1980s, the second resolution stresses that "the biggest fault" of the party's work in the 1980s is "weakening ideological and political education," and therefore "we must never pursue temporary economic growth at the expense of spiritual civilization at any time."<sup>68</sup>

This is another version of typical Maoist style politics in an effort to avoid "satellite going up in the sky but red flag falling down to the ground." (*weixinshangtian hongqiluodi*). During the Cultural Revolution, Jiang Qing, Mao's wife and a Leftist, had a well-known saying: "we would rather have socialist grass than capitalist treasure"

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<sup>67</sup> "The Party Central Committee Resolution on Several Important Problems in Strengthening the Construction of Socialist Spiritual Civilization," in *Documents of the Sixth Plenary Session of the Fourteenth Central Committee* (Beijing: People's Publishing House, 1996), p. 3

<sup>68</sup> *Ibid.*, p. 6

(*ningyao shehuizhuyicao, buyao zibenzhuyibao*). Zhang Chunqiao, one of Mao's most important allies, also had a well-known saying: "Our country would have changed the color [from socialism to capitalism] without the Cultural Revolution, even if missiles had gone up to the sky, satellites had gone up in the sky, and production had increased greatly." What Jiang Zemin has repeatedly stressed and laid down in the party resolution – "We must never pursue temporary economic growth at the expense of spiritual civilization at any time" – has in fact come down in one continuous line with the Maoist Leftist line, though slightly different in the way of expression. Since 1989, the post-Mao regime has emphasized the importance of the "two-hands" or "twin-fisted" policy: to grasp economic construction with one hand and to ensure socialist spiritual civilization with the other. The "twin-fisted" policy is also exactly in the same line with the policy employed throughout the Cultural Revolution: "Grasp Revolution and Promote Production."

The building of "socialist spiritual civilization" is another version of Maoist brainwashing. Mao believed that a man's thoughts and beliefs – even his "class" nature – could be transformed if he or she were subjected to the right education or indoctrination. The building of "socialist spiritual civilization" would provide the norms of thought and behavior for a worthy citizen of socialist China. The post-Mao regime has tried to put together a Five -Year Plan for "socialist spiritual civilization" that would counterbalance the negative effects of "material civilization" or economic development. At a national conference on building "socialist spiritual civilization" held in November 1990, the task was set to propagate values including socialist patriotism, self-sacrifice, and loyalty to the CCP and socialist road. "Relying on the participation of millions of people, we will ensure

that the task of building socialist spiritual civilization will be implemented at grassroots levels in towns and villages.<sup>69</sup> Since 1989, an unprecedented “socialist spiritual civilization” and “socialist education” campaign has been launched in the cities and countryside.

Moreover, since 1989, the post-Mao regime has restored the Leftist line of “belief uniformity, opinion uniformity, and media uniformity” under Mao’s regime in its ideological education. The post-Mao regime has not only required the whole party but also the whole people to be loyal to Marxism-Leninism and socialism; it has undertaken a series of purges and crack-downs on “non-Marxists,” “illegal religions,” and other dissidents within and outside the party, governmental organizations, mass organizations, schools, the army, and the press. Ideological education has been considered as “the pillar of the building of spiritual civilization in the whole society, and party members should, first of all, play an exemplary role morally and ideologically... We must not allow our policies or work in any field to impede or, still worse, to undermine the building of a socialist spiritual civilization.”<sup>70</sup>

To make this effort effective, the post-Mao regime has also tried to appeal to the people’s sense of nationalism and patriotism for the purpose of building of “socialist spiritual civilization.” One of the key strategies used by the post-Mao regime after the Tiananmen massacre has been to link socialism closely with patriotism. Under the

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<sup>69</sup> *People’s Daily*, November 21, 1990

<sup>70</sup> Hu Yaobang, “Create a New Situation in All Fields of Socialist Modernization,” *Political Report addressed at the 12<sup>th</sup> National Congress of the CCP* (Beijing, Foreign Language Press, 1982) pp. 43-44

communist regime, “patriotism” is not simply a traditional value or historical phenomenon. In the official press, patriotism is seen as a historical phenomenon with different meanings under different historical conditions. In a socialist society, it means “loving socialist New China, which is under the leadership of the Communist Party.” Or as *People’s Daily* put it, “today, to love the motherland, one must love socialism.”<sup>71</sup>

In his talk to Shanghai People’s Congress deputies, Jiang Zemin called for the strengthening of socialist education in which the party must start “socialist patriotic education” with infants and the young. “This kind of education must start from kindergartens and primary schools,” and socialist values and patriotism must “take root in the heart and soul of children.”<sup>72</sup> In 1991, Jiang Zemin wrote a letter to the State Education Commission, stating that socialist China must make persistent and systematic efforts to educate primary students (even kindergartens children), high school students and college students with socialist patriotism, Chinese modern and contemporary history, and national conditions. He specified in the letter that such education must include the following points: “Following the May 4<sup>th</sup> Movement, the Chinese Communist Party was established to lead the Chinese people of all nationalities to create a new China, after experiencing land revolution war, anti-Japanese war, and liberation war. After liberation, the Chinese people, led by the CCP, have resisted international isolation and the threat of war from imperialism, and proved that Chinese people cannot be humiliated. The Socialist

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<sup>71</sup> *FBIS-China*, August 29 1990, pp. 10-11 (*Qiushi*, May 1, 1990; *Renmin Ribao*, August 24, 1990)

<sup>72</sup> *Wen Hui Pao* (Shanghai), March 30, 1991

system is the historical choice of the Chinese people on their own.”<sup>73</sup> Later, Jiang’s letter became the “guiding ideology” of the two important documents “Implementing Guidelines for Patriotism Education,” issued by the Party Central Committee, and “General Guidelines for Strengthening the Education of Chinese Modern and Contemporary History and National Conditions in Primary and High Schools,” issued by the State Education Commission.<sup>74</sup>

In late 1993, the Central Propaganda Department, the State Education Commission, the Ministry of Radio, Film and Television, and the Culture Ministry jointly launched a campaign to promote “socialist patriotic” works of art. In an official seminar on patriotic films held in November 1993 by *People’s Daily* and *Guangming Daily*, organizers quoted parents of secondary-school students complaining how the “invasion” of foreign, Hong Kong, and Taiwan movies had led to “corrupt” ideas such as mammonism, hedonism, nihilism, and extreme individualism.<sup>75</sup> The new straitjacket was laid down by Jiang Zemin in a speech to senior propaganda officials in January 1994 as follows: “Using scientific theory to arm people; correct opinion to guide people; and lofty spirit to mold people,”<sup>76</sup> which is the equivalent of the totalitarian policy under Mao’s regime: “belief uniformity, opinion uniformity, and media uniformity.”

The post-Mao regime has re-launched Maoist-style “mass movements” to coax the masses into learning from a number of communist “saints,” such as Lei Feng, Kong

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<sup>73</sup> *People’s Daily*, May 4, 1998, p. 1

<sup>74</sup> *Ibid.*

<sup>75</sup> *People’s Daily*, November 30, 1993

<sup>76</sup> *People’s Daily*, January 24, 1994

Fansheng, and Wang Tao. Such a movement has been a prominent feature of the post-Mao regime's efforts in communist ideological education, which has been used by the regime for shaping values of the general population in a manner that promotes political loyalty to the regime. Lei Feng's greatest desire was to be a rust-free screw to be used as the Communist Party asked, to act as "a cog in the communist wheel." This is exactly what the Chinese communist regime has intended to achieve in the campaign.<sup>77</sup>

In March 1990, the regime started a full-scale campaign on learning from Lei Feng, who was eulogized by Mao in 1963 as a national model of "an unstinting screw of the revolution." As Jiang Zemin put it, "We must learn from Lei Feng's communist total-abnegation. We must learn from Lei Feng's self-sacrificing spirit. We must learn from Lei Feng's spirit of total devotion to the people."<sup>78</sup> In a commentary, *People's Daily* pointed out that "the Lei Feng spirit is a crystallization of the wisdom of Chinese socialist revolution and construction. The Lei Feng spirit is the continuation and development of the superior moral tradition of the Chinese race as well as the lofty rectitude of the proletariat."<sup>79</sup> It is reported that China has launched a series of activities during 1998 to mark the 35<sup>th</sup> anniversary of Mao's inscription calling for the entire nation to "Learn From Comrade Lei Feng." For example, one exhibition, entitled "The Eternal Spirit of Lei Feng," was held in Beijing in early March 1998, for which the authorities organized 200,000 visitors. A large proportion of these visitors were teenagers and young students

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<sup>77</sup> Gay Garland Reed, "The Political Implications of the 'Learn from Lei Feng' Campaign in the PRC," paper presented at the Annual Meeting of the Association for Asian Studies, New Orleans, April 1991

<sup>78</sup> *People's Daily*, March 5, 1990

<sup>79</sup> *People's Daily*, March 5, 1990

organized by school authorities to show that “Lei Feng’s spirit remains an inspirational force” for the building of “socialist spiritual civilization.”<sup>80</sup>

Campaigns learning from “labor models” (*laomou*), “advanced workers” (*xianjin gongzuozhe*), and “advanced individuals” (*xianjin geren*) are another type of Maoist style mass movement that has been widely used by the post-Mao regime year round for the purpose of ideological education and “socialist spiritual civilization.” Thousands of these “models” are selected nationwide every year as “exemplary” for the entire nation to follow. All kinds of ceremonies, commendatory conferences, seminars, exhibitions, media propaganda, and mass activities have been organized at all levels, from the central government organs to the grassroots organizations, to call for the broad masses in all walks to learn from these officially commended exemplary individuals and groups, and to indoctrinate the general population, particularly the youth, with the official norms and values.<sup>81</sup> The post-Mao regime has used many more types of “models” on a year-round basis to promote the officially initiated campaign of “socialist spiritual civilization,” such as “five- good families,” “exemplary spouses,” “civilized villages,” “educationally-advanced villages,” “culturally advanced counties,” and “advanced counties with comprehensive social security.”<sup>82</sup>

Nationwide mass movements, under such names as “Mass Joint Activities in Building Socialist Spiritual Civilization” (*qunzhong gongjian shehuizhuyi*

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<sup>80</sup> *China Daily*, March 31, 1998, p. 1

<sup>81</sup> *People’s Daily*, April 24, 1998, p. 1; April 29, 1998, p. 1; April 30, 1998, pp. 1, 4; May 12, 1998, p. 2;

<sup>82</sup> *People’s Daily*, March 13, 1998, p. 1



*jinshengwenming huodong*), “Civilized and Polite Month” (*wenming limao yue*), “Pay Attention to Civilization, Promote New Custom” (*jiangwenming shuxinfeng*), “Education Month of Civilized Language and Behavior” (*wenming yanxin jiaoyuyue*), “Month of Township Environment Curing” (*xiangzheng huangjing zhengzhiyue*), and “Month of Traffic Order Administration” (*jiaotong chixu guanliyue*), have been yearly launched to solve the problems of “civilized language and behavior, environmental health, service quality, and traffic order,” which are officially considered part of socialist spiritual civilization. The Central Leading Commission of Spiritual Civilization Construction, headed by a CCP politburo standing member, which is duplicated at all lower levels, usually holds special telephone meetings or other mass rallies to mobilize the broad masses to participate in these activities. The same mobilization actions will be undertaken at all provincial and other lower levels, in all business circles, and in all urban and rural areas.<sup>83</sup> During the mass movement, as in Mao’s era, many different kinds of new individual and group “models” (*mofan*) or “pacesetters” (*biaobin*) will be chosen and propagandized in TV, radio, newspapers, mass rallies, study meetings, and in many other manners, while those citizens who do not abide by the “new order” or “new practice” will be victimized in many different ways, though the penalty might be less severe than in Mao’s era. Mass mobilization is particularly totalitarian and in its very nature one of the most prominent feature of communism.

A central focus of the campaign of “socialist spiritual civilization” was also given to thought control or “socialist education” in the countryside in addition to the rebuilding

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<sup>83</sup> *People’s Daily*, July 28, 1997, p. 1

of party cells in villages. The importance of securing the rural base was especially underscored after the collapse of communism in the Soviet bloc. As the *People's Daily* put it, "peasants make up more than 80 per cent of the population. Agriculture is the basis of the economy. The implementation of socialist education in the villages has a high significance for the consolidation of the socialist regime. We must saturate the peasants with socialist thought. We must raise their socialist and patriotic consciousness and their love for the collective."<sup>84</sup> At a national conference on rural ideological education held in November 1991, a work report revealed that intensified indoctrination had been completed in 390,700 villages, or 53 per cent of the total, and good results were achieved.<sup>85</sup> A major thrust of the Resolution of the Eighth Plenum of the Thirteenth Central Committee in late 1991 was to strengthen rural party organizations, which was seen as the prerequisite for "consolidating the rural socialist base." "Party branches must be combat-ready, and resolute fortresses that will seriously implement the party's line and policies," the document said. The rural education campaign would go on for at least two or three years. It called on various levels of party committees to set up leading groups to supervise the socialist ideological campaign.<sup>86</sup>

The socialist education campaign was also waged intensively in the rich, coastal provinces, whose leaders were eager to show Beijing that the development of their market-oriented economies was not incompatible with socialist norms. For example, at the

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<sup>84</sup> *People's Daily*, January 15, 1991

<sup>85</sup> *People's Daily*, November 21, 1991

<sup>86</sup> *People's Daily*, November 30, 1991

height of the mass movement, Guangdong province dispatched 44,000 ideological and political cadres to 1,682 counties and villages to supervise and direct the campaign.<sup>87</sup>

Jiang's address at the 14<sup>th</sup> Party Congress emphasized the importance of ideological education in cultivating socialist spiritual civilization: "We should teach the people of all nationalities, especially young people, about the party's basic line, about modern and contemporary history, and about the present conditions of our country, fostering patriotism, communist spirit and socialist ideology. Thus, they will come to prize national dignity, self-confidence and self-reliance. They will resist the corrosive influence of the decadent capitalist and feudal ideologies and cherish correct ideals, convictions, and values."<sup>88</sup> The ideological work and socialist education campaign got a boost in mid-1993 with the advent of the anti-corruption campaign, which blamed the filthy ideas of the capitalist West for the spread of graft and corruption. "Some forces in the West have never relaxed their peaceful-evolution plot against China," the party chief Jiang said. "They confuse people's minds and wreak havoc on our socialist construction. We will not change our insistence on taking economic construction as our core work. However, we must at any time counter peaceful evolution and combat corruption and full-scale Westernization."<sup>89</sup> The paramount leader Deng reportedly said that China's goal of communist "common prosperity" would be doomed if the party failed to maintain the socialist spiritual civilization by combating negative influence from the West. "If a person

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<sup>87</sup> *Shenzhen Special Zone Daily*, January 6, 1992

<sup>88</sup> Jiang Zemin, "Accelerating Reform and Opening-up," *Beijing Review*, October 26-November 1, 1992, p. 25

<sup>89</sup> *Wen Hui Pao* (Hong Kong), August 10, 1993

does not love the new socialist China under the leadership of the Communist Party, what else can he love?" Deng was quoted as stating that "ideological and cultural departments must produce more spiritual fruits for the people, and resolutely stop the production, import and circulation of poor quality products."<sup>90</sup>

In 1997, "to further the implementation of the decision of the 14<sup>th</sup> Party Congress on strengthening China's socialist ideological and moral construction and to help the Chinese people to foster a common ideal and a correct outlook on the world, life and value," the Literature Research Office of the Party Central Committee edited and published "Mao Zedong, Deng Xiaoping and Jiang Zemin's Discourse on Outlooks on the World, Life, and Value."<sup>91</sup> The CCP urged the whole party and the people of the whole nation to study the book: "The important discourse of Comrades Mao Zedong, Deng Xiaoping and Jiang Zemin on outlooks on the world, life, and value is our Party's great ideological weapon in knowing and transforming the world, particularly in transforming our subjective world and strengthening our party construction, and the basic textbook for ideological and moral education in our country."<sup>92</sup>

The mass campaign or mobilization is the typical Maoist style politics in the service of the transformation of man and society, and has been employed by the post-Mao regime on a year-round basis and on a nationwide scale to serve the purpose of strengthening the Party's ideological education and political control and justifying Party's legitimacy. The mass mobilization is in its very nature communist totalitarianism, which has continued to

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<sup>90</sup> *People's Daily*, January 21, 1994

<sup>91</sup> *People's Daily*, August 7, 1997, p. 1

<sup>92</sup> *Ibid.*

be a central political reality rather than has been treated only at “face value” or simply denied by referring to achievements of the post-Mao reforms. The core components of the “socialist spiritual civilization” serve to unify the communist regime identity and play a crucial political role in the post-Mao regime’s political discourse in the service of its intermediate and ultimate goals.

### **5. Monopoly of Mass Communications and Uniformity of the Press**

The post-Mao regime has never abdicated its control over the mass media and still requires press uniformity and public opinion uniformity, though the number of newspapers, magazines, TV stations, and radio stations has greatly increased, with more diversity than in Mao’s era. The monopoly of mass communications is a necessary characteristic of totalitarian regimes. This has been recognized by almost all writers on the subject – whether they are opposed to or supportive of the utility of the totalitarian concept. Hannah Arendt, Carl Friedrich, Zbigniew Brzezinski, Michael Curtis, George Kennan, Ernest Menze, Juan Linz, and a host of others have described how such a monopoly attempts to get an entire society to think along the lines required by the party’s ideology, ultimately for the transformation of man and society.<sup>93</sup> Such a monopolistic

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<sup>93</sup> Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace and Co., 1951); Zbigniew Brzezinski, *Ideology and Power in Soviet Politics* (New York: Praeger University Press, 1967); Michael Curtis, *Totalitarianism* (New Brunswick, NJ: Transaction Books, 1980); Carl Friedrich and Zbigniew Brzezinski, *Totalitarian Dictatorship and Autocracy*, 2<sup>nd</sup> ed., revised (New York: Praeger, 1966); Carl Friedrich, et al., *Totalitarianism in Perspectives* (New York: Praeger, 1969); George Kennan, “Totalitarianism in the Modern World,” in Carl Friedrich, ed., *Totalitarianism* (Cambridge: Harvard University Press, 1954); Ernest Menze, ed., *Totalitarianism Reconsidered* (Port Washington, NY: Kennikat, 1981); Juan Linz, “Totalitarian and Authoritarian Regimes,”

control is exercised by the Central Propaganda Department (CPD), which includes all functional bureaus and offices that are responsible for almost every aspect of the media function, such as news report, programs, domestic propaganda, and overseas propaganda. This department also oversees and provides policy guidelines for theoretical research, academic development, higher education, cultural education, literature and art, political and ideological work, and professional education.

Moreover, communist totalitarian media includes but goes far beyond the functions of authoritarian media, which are not “pedagogical” in nature but whose primary aim is to eliminate criticism that can lead to serious opposition.<sup>94</sup> The “pedagogical” function of totalitarian media is manifested in the requirement that the mass media reflect the party line and policy in its news report, carry out political and ideological education guidelines prescribed by the Central Propaganda Department of the CCP, commit itself to the “Four Cardinal Principles,” and propagandize around the central task of the current leadership.

To help understand the post-Mao change in respect to ideological control, it will be useful to introduce Brantly Womack’s three levels of ideological discourse: politics, policy, and private opinion. According to Womack, politics refers to the public realm of political discourse, overtly political questions, and ideological orthodoxy, in which open challenge and debate are still prohibited in China just as in Mao’s regime. Policy refers to expert discourse and the public discussion of concrete problems, solutions, and policies, which have been increasingly allowed to a limited degree, some being restricted to internal

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in Volume 2 of Fred Greenstein and Nelson Polsby, eds., *Handbook of Political Science* (Reading, MA: Addison Wesley, 1975);

<sup>94</sup> Mikhail Heller, chapter 11; Nicholas Dujmovic, p. 142

circulation (*neibu tongxun*) and others selected to appear in the press. Private opinion refers to the realm of private concerns, conversations, and opinions, which, as long as they do not attempt to become public or political, are largely left alone in the post-Mao era.<sup>95</sup>

The role of the mass media is mainly to propagandize the “four cardinal principles” and to sing the “leitmotif.” Between 1992 and 1998, the Party Central Committee has held several national conferences on propaganda work and several national conferences of propaganda chiefs, continued its commitment to totalitarian modes of thinking, and required the mass media, journalists, and cultural personages to hold Deng’s banner on high, grasp the Party’s basic line firmly, closely unite around the Party Central Committee with Jiang Zemin as the leading core, uphold the correct direction of public opinion, and sing the “leitmotif” of patriotism, collectivism and socialism.<sup>96</sup> In his visit to *The People’s Daily* in 1996, Jiang Zemin urged the press to “uphold the correct direction of public opinion, maintain and promote social stability, and mobilize all positive factors.” He explained the guidelines for “the correct direction of public opinion” as follows:

- (1) The press must be guided by the Party’s basic theory, basic line, and basic guideline, and keep politics, ideology, and action in conformity with the Party Central Committee;
- (2) the press must firmly keep to the standpoint of the Party, adhere to principle, and take clear-cut stand on what to promote and what to oppose on cardinal issues of right and wrong;
- (3) the press must adhere to the party’s guideline with stress on propaganda by positive examples, sing the praises of people’s great achievements, and conduct the correct supervision of public opinion that should help the party and the state to improve work and the style of leadership, solve problems, enhance unity, and safeguard stability;
- (4) the press must sing the leitmotif, hold patriotism, collectivism and socialism on high, and use best things to arm, direct and mold the people.<sup>97</sup>

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<sup>95</sup> Brantly Womack, “The Problems of Isms: Pragmatic Orthodoxy and Liberalization in Mainland China,” in Bih-jaw Lin and James T. Myers, eds., *Contemporary China in the Post-Cold War Era* (Columbia: University of South Carolina Press, 1996), pp. 4-11

<sup>96</sup> *People’s Daily*, September 9, 1997, p. 1

<sup>97</sup> *People’s Daily*, October 3, 1996, p. 1

Ding Guanggeng, the politburo member in charge of political and ideological work and the central propaganda chief, laid down the sixfold criteria for the press to follow in early 1994:

Provide help [to the party] and do not add trouble; sing the *leitmotif* and do not make cacophonous sounds; emphasize 'social effects' and do not be lured by profits; observe orders in propaganda and do not go your own way; focus your energy on major party policies and do not dissipate your energy; materialize your goals and do not fool around with superficial effects.<sup>98</sup>

At the 1997 National Conference of Propaganda Chiefs from all provinces, cities, autonomous zones, and all other propaganda departments, Ding asked the propaganda work to follow eight requirements. The most important requirements are: to hold Deng's banner on high and adhere firmly to the Party's guideline, with the Deng Xiaoping Theory of Socialism with Chinese characteristics as the pillar of our propaganda; keep ideology, politics and action in uniformity with the Party Central Committee with Jiang Zemin as the leading core; serve the interests of the whole party and the whole nation and follow the Party's propaganda discipline; hold your ground firmly, propose strict criteria, set rigid rules, check on the press strictly, strengthen "party nature," strengthen "correct" supervision, and strengthen censorship; etc.<sup>99</sup>

To establish the press as a "work team" with a strong sense of "party nature," "propaganda discipline," and "correct press style," the CPD has continuously held a series of seminars for the chiefs of provincial-level party newspapers, night papers, radio stations, and TV stations. According to the CPD directives, training classes and seminars of all levels have been held in all parts of the country. Looking back on the past-year press

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<sup>98</sup> *Ming Po* (Hong Kong), May 12, 1994

<sup>99</sup> *People's Daily*, January 20, 1997, p. 4



work on “upholding correct direction of public opinion,” the *People’s Daily* in 1997 concluded that, because of all these measures undertaken since the 14<sup>th</sup> Party Congress, “the problems of what banner our newspapers, TV stations and radio stations should hold on high, what leitmotif they should sing, how to serve the interests of the whole, and how to propagate what people like have been effectively resolved.”<sup>100</sup>

However, the *People’s Daily* noted, the art and technique of propaganda is critical for “upholding the correct direction of public opinion” in the press. “Three big shots” were put forth as guidelines for the press to follow: the first is to stress the typical example in propaganda. In the past few years, several dozen “advanced examples” have been established and propagandized to “influence and lead the whole social life.” The second is to direct “popular subjects” (*redian huati*) correctly. The “correct direction” means that the press must have a clear-cut departure point, not for the purpose of pursuing “stirring effects” (*hongdong xiaoyin*) or stirring the nation’s attention but for the purpose of helping the party and government to solve problems; and it also means that the press must pay attention to the “conjunction point” (*jiehedian*), which is the conjunction of the “central work” of the party-state and the focal concerns of the masses. The third is to conduct supervision of public opinion correctly. The “correct supervision” should be beneficial to improving the party and government’s work, solving problems, maintaining stability, focusing on the party’s central work, and listening to the masses. The targets of press supervision are such things as “unhealthy tendencies in industries,” “regional protectionism,” “corruption phenomena,” “environmental pollution,” “weakening of social

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<sup>100</sup> *People’s Daily*, September 9, 1997, p. 1

and moral norms,” “fake commodities,” “violations of planned birth control,” and “violations of law by law enforcement officers.”<sup>101</sup> The post-Mao regime’s greater attention to propaganda art and technique does give the press some flexibility in news report on the above affairs, which mostly involve those issues at the operative level. But such a “flexibility” does not support the argument of “ideology decline,” or suggest a fundamental change in post-Mao ideology, or categorize the post-Mao regime as less totalitarian, less communist, or more authoritarian, more liberal-democratic.

The post-Mao regime has also periodically cracked down on the press, unofficial publications, indecent publications, and writings advocating “bourgeois liberalization” to purify the press. After Tiananmen (1989 – 92), some of the most popular journals for introducing ideas from abroad and for general intellectual and social comment, such as *Xin Guancha*, *Jingjixue Zhoubao*, *Zhongguo Jingji Xinwen Bao*, *Lilun Xinxi Bao*, *Xiaoshuo Xuankan* and *Shulin* were shut down.<sup>102</sup> Since mid-1993 the regime has launched a new wave of crackdowns. Permits or registration numbers (*shuhao*) are no longer issued for new newspapers, periodicals and publishing houses. In May 1994, the cadres of 45 publications were penalized for trying to sell or lend their *shuhao* to new publishers.

According to a recent study, 1994 saw record prohibition of cultural and artistic production. The books that are found astray or inappropriate will not be allowed to be distributed. For example, in late 1993, the Beijing Yanshan Publishing House was ordered to hold up the distribution of its series of books entitled *Life after 60*, in which two

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<sup>101</sup> *People’s Daily*, September 9, 1997, p. 4

<sup>102</sup> *FBIS-China*, no. 39 (February 27, 1991), pp. 21-22

volumes of the autobiographical pieces contained retrospectives penned by liberal philosophers and journalists Wang Ruoshui and Hu Jiwei. The authorities also put pressure on an American foundation to withdraw financial support from a team led by Beijing University legal scholar Gong Xiangrui, who was trying to put out a series of monographs on the constitutional history of Asian countries, which were found astray from the party policy. Laws were put in place to stop or discourage joint ventures or co-production with Hong Kong and Taiwan companies in the areas of publications, video, and movies.<sup>103</sup>

In early 1998, at the National Conference of Propaganda Chiefs, the Central Propaganda Department ordered the party propaganda departments in all parts of the country to rectify the industry of the press and publication in order to meet the requirement of “strengthening macro-control over the industry of the press and publication” proposed at the Sixth Plenary Session of the Fourteenth Central Committee. The Party Central Propaganda Department and the Press and Publication Bureau of the State Council set up a joint leading group responsible for “the rectification of undisciplined and unchecked publications” (*zhisan zhilan*). All 17,000 internal (or restrictedly published) publications and 300 openly published newspapers and magazines were ordered to shut down in the first half of 1998.<sup>104</sup>

To tighten the Party’s control over the press, the Central Propaganda Department has asked the party propaganda departments in all parts of the country to set up

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<sup>103</sup> Willy Wo-Lap Lam, *China after Deng Xiaoping* (New York: John Wiley & Sons, 1995), pp. 177-178

<sup>104</sup> *Press Freedom Guardian*, May 23, 1998, p. 1

examination groups to censor local publications and discover the problems in local news report and propaganda. The local party propaganda departments have been asked to be more strict in handling “negative reports” and to try to reduce the number of “negative reports” in the mass media.<sup>105</sup> The censorship at all levels of government and party propaganda departments keeps newspapers, periodicals, television stations, and film studios under firm party control. The censors are so nervous that they are banning things that are quite apolitical. In June 1994, authorities in a number of cities even prohibited movie star “flash cards” favored by teenagers in Hong Kong and Taiwan.

The post-Mao leadership has continued to adhere to the principle of monolithic press and public opinion, and to stress the “pedagogical” role of the press in educating, transforming and perfecting human nature to mold a new type of socialist citizens. The communist totalitarian nature of the regime has remained unchanged.

#### **6. Deng Xiaoping Theory Established as the Supreme Authority**

Deng Xiaoping Theory has been established as the supreme authority and codified into the Constitution. The 14<sup>th</sup> and 15<sup>th</sup> party congresses not only ratified and celebrated Deng Xiaoping’s economic policies, but also established his ideas as an all-embracing ideological authority. After Deng’s death, the official press has launched a series of “making-god” propaganda. Establishing a paramount leader’s ideas as an all-embracing ideological authority is a typical Maoist or Stalinist style practice in the communist

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<sup>105</sup> *Ibid.*

totalitarian political tradition. Deng's pragmatism and economic reforms can not be used as empirical evidence to deny this very nature.

At the 14<sup>th</sup> Party Congress held in October 1992, Deng's ideas were officially codified into a new official doctrine called "Deng Xiaoping Theory," which has become the guiding line of China's socialist revolution and economic construction. Deng himself had decreed that his basic policies such as market reform, open-door policy, and the Four Cardinal Principles should remain unchanged for at least 100 hundred years. Therefore, Deng's thought has actually been elaborated and codified into a new formalized doctrine in the new context of post-Mao reforms. This doctrine still retains the essential end-goal of communism and socialist values, while it has gradually transformed the orthodox tenets into a more elastic and pragmatic form. Deng's doctrine has defined the direction, scope, content, and timing of post-Mao China's reforms.<sup>106</sup>

The effort at doctrinal building at the 14<sup>th</sup> Congress established Deng's full theoretical authority in the CCP, just as in 1945 in Yanan Mao Zedong thought was established as the supreme authority in the Chinese communist revolution. No one would deny that Deng's doctrine was now elevated to the status of Mao Zedong Thought. Deng's doctrine was officially called the "developmental theory of Marxism," applicable to a large and populous developing country like China. Deng's achievement in economic reforms was compared to Mao's in the war period in the sense that Deng was claimed to have found the right path for China's socialist modernization construction, combining the

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<sup>106</sup> Wei-wei Zhang, pp. 1-10, 213

universal truth of Marxism with the actual conditions of China.<sup>107</sup> Jiang's political report referred to Deng as "the chief architect of our socialist reform, of the open policy, and of the modernization program," and eulogized Deng's reforms as "another great revolution" comparable to Mao's "New Democratic Revolution."<sup>108</sup>

Since then, the regime has launched a series of nationwide "campaigns to study Deng Xiaoping Theory," in the forms of academic conferences, party school seminars, training classes, and study meetings in governmental institutions, mass organizations, schools, military units, and workshops, in the countryside, in neighborhoods and in all walks of life. The Fourth Plenary Session of the Fourteenth Central Committee of the CCP made a formal decision regarding the study campaign which was planned to be conducted nationwide for about three years. It is reported that, from 1993 to 1996, 21,000,000 officials were sent to training classes in Deng Xiaoping Theory, of which mid-level officials numbered about 390,000 and higher-level officials were about 1200.<sup>109</sup> All military units have sent about 40,000 division commanders or higher level officers to training classes in Deng Xiaoping Theory.<sup>110</sup> The Party Central Committee held three series of national conferences on Deng Xiaoping Theory; issued circulars to the whole party, the mass organizations, and "democratic parties" to direct how to carry out the directives on the study campaign; printed and issued "Study Guidelines for Deng Xiaoping's Building Socialism with Chinese Characteristics," "Study Guidelines for Deng

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<sup>107</sup> *Ibid.*, p. 217

<sup>108</sup> *Ibid.*, p. 219

<sup>109</sup> *People's Daily*, September 10, 1997, pp. 1-2

<sup>110</sup> *People's Daily*, July 18, 1998, p. 2

Xiaoping's Economic Theory," and "Study Guidelines for Deng Xiaoping Thought on the Military Construction" to the whole nation. According to the directives of the Party Politburo, five theoretical research bases on Deng Xiaoping Theory have been established, in the Central Party School, China Academy for Social Sciences, State Education Commission, National Defense University, and Shanghai Academy for Social Sciences, and many more similar research institutes have been established in all departments of the government and in all parts of the country. As it is reported, after the five years of the study campaigns, the authority or the leading position of Deng Xiaoping Theory had been "firmly established in the whole party and the whole people of the nation."<sup>111</sup> One recent national conference on studying Deng Xiaoping Theory, held in July 1998, urged the whole party and the whole nation to "wage a new high tide of studying Deng Xiaoping Theory" and to "further unify the minds and actions of the whole party and the whole people of the nation around the spirit of the 15<sup>th</sup> National Congress of the CCP."<sup>112</sup> To take concerted action with the need for "waging the new high tide" and strengthening the party construction, several key functional departments of the Party Central Committee have issued "Study Guidelines for Deng Xiaoping Theory on Party Construction," and required the party organizations at all levels to organize all cadres and party members to study the guidelines and Deng's works.<sup>113</sup>

At the 15<sup>th</sup> Party Congress, Deng Xiaoping Theory was eulogized as "the solely correct theory" that "can solve the problem of socialist future and fate." "Deng Xiaoping

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<sup>111</sup> *People's Daily*, August 21, 1997, p. 1

<sup>112</sup> *People's Daily*, July 18, 1998, pp. 1, 4

<sup>113</sup> *Ibid.*, p. 1

Theory is the great banner unifying the mind of the whole party and the will of the whole nation and promoting socialist modernization with one heart and one mind.”<sup>114</sup> Such eulogy can be put on a par with that of Mao. The 15<sup>th</sup> Party Congress called for the entire party to “highly hold the great banner of Deng Xiaoping Theory,” “strengthen the Party’s ideological and theoretical construction,” and “arm the entire party with Deng Xiaoping Theory”<sup>115</sup> In his political report addressed to the 15<sup>th</sup> Party Congress, Jiang Zemin said, “the soul of this congress is to hold high Deng Xiaoping Theory. The banner is crucial. After Deng Xiaoping, what banner we should hold and what road we should follow are the problem of political direction.”<sup>116</sup> In his another speech published in the *People’s Daily*, Jiang stated, “in contemporary China, Marxism-Leninism, Mao Zedong Thought, and Deng Xiaoping Theory are a unified scientific system that come down in one continuous line. Upholding Deng Xiaoping Theory is upholding Marxism-Leninism and Mao Zedong Thought; holding high the banner of Deng Xiaoping Theory is holding high the banner of Marxism-Leninism and Mao Zedong Thought.” “We must not discard Marxism-Leninism and Mao Zedong Thought. We would lose our foundation if we discard them,” Jiang emphasized.<sup>117</sup> What Jiang said about Deng was laid down in the amended Party Constitution at the 15<sup>th</sup> Party Congress for the whole party to follow.

All the evidence has suggested that the post-Mao leadership continues its commitment to Marxism-Leninism and Mao Zedong Thought, though some modifications

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<sup>114</sup> *People’s Daily*, February 19, 1998

<sup>115</sup> *People’s Daily*, April 10, 1998, p. 1

<sup>116</sup> *People’s Daily*, September 30, 1997, p. 1

<sup>117</sup> *People’s Daily*, September 22, 1997, p. 1



have been made in inheriting the ideological orthodoxy. Post-Mao leadership declares that Deng's theory and Mao's thought have come down in one continuous line, with no fundamental difference. For example, in his speech at the 1993 mass rally in commemoration of the centenary of Mao Zedong's birth, Jiang Zemin described Deng as a loyal comrade-in-arms of Mao and the most prominent successor and developer of Mao Zedong Thought. Post-Mao China had deliberately avoided experimenting with the market economy following the Western model in order to prevent the intrusion of Western ideology. As further proof of Deng's credentials as Mao's ideological heir, Jiang pointed out that Deng had successfully inherited Mao's ideas on the seeking-truth, mass line, and self-reliance for China.<sup>118</sup> Establishing a paramount leader's ideas as the supreme, all-embracing authority in a polity has been a prominent feature of communist totalitarianism, and recognized as the typical Maoist or Stalinist style of politics. Hitler did this, and so did Stalin. Mao did the same, and so did Deng. Now Jiang has begun to do so in order to establish his political and ideological authority of his regime at a time of transition into the post-Deng era.

### III. CONCLUSION

Through a systematic survey of party documents, policy statements, leaders' speeches, official newspapers and magazines, and general academic studies on the post-Mao reform in English and in Chinese, this dissertation has examined the post-Mao regime's theory and practice in the ideological arena along the six critical dimensions and

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<sup>118</sup> Jiang Zemin, "Speech at a Mass Rally in Commemoration of the Centenary of Comrade

demonstrated with fresh empirical evidence that the post-Mao regime has remained in the fundamental sense communist totalitarianism and the communist ideology has continued to play a crucial political role in post-Mao China.

The post-Mao regime has never abdicated its final goal, but continued to claim the absoluteness of communist ideology and reaffirm the inevitability of socialism. The post-Mao regime's commitment to the intermediate goal of modernization does not contradict its commitment to the ultimate goal of the communist ideology. Economic modernization is the intermediate goal in the service of the transfer culture of communism, justified and vigorously pursued in the direction, scope, and ways defined and dictated by the party ideology.

The post-Mao regime has attempted to resurrect the political tradition and political theory of the mid-1950s and based the political doctrine of the post-Mao regime on the "Four Cardinal Principles," which are proclaimed as defining the core elements of the post-Mao regime and the fundamental prerequisite to the realization of the Four Modernizations. The Four Cardinal Principles have fundamentally prescribed the direction, scope, content, and limits of the post-Mao reform. Political campaigns as a defining feature of a communist regime of mass mobilization have been periodically and widely used by the post-Mao regime as a means to attain their goals.

The post-Mao regime, either Deng's regime or Jiang's regime, has never abdicated its commitment to the transformation of human nature and human thinking. All kinds of mass campaigns of "socialist spiritual civilization" on a year-round basis and on a

nationwide scale represent the post-Mao regime's commitment to the typical Maoist style politics and attempt to transform man and society, strengthen the Party's ideological education and political control, and justify the Party's legitimacy. The core components of the "socialist spiritual civilization" serve to unify the communist regime identity and play a crucial political role in the post-Mao regime's political discourse in the service of its intermediate and ultimate goals.

The post-Mao regime has never abdicated its control over the media and still requires uniformity of the press and the public opinion. It has continued to stress the "pedagogical" role of the press in educating, transforming and perfecting human nature to mold a new type of socialist citizens. Reeducating dissidents, political prisoners, and religious activists has been another prominent feature of a communist totalitarian regime, and has been widely and vigorously used to remold human behavior and thinking.

Although cultural control is relaxed and links with the world are no longer prohibited, such greater cultural freedom is still limited within the scope of official permission. Literature and art activities, such as novels, poems and plays, have to adhere to the party line and deliver a "constructive" message. The watchword is "Socialist direction." They will be banned if they overstep the boundaries or endanger the very foundation of the regime or even offend individual top leaders. In no human society, even under authoritarian rule, the most colorful human spiritual activity and production, literature and art, must be prescribed by the party leadership for the goal of "Socialist Spiritual Civilization Construction." In this way, the party continues to control personal

thinking and individual attitudes by controlling literary and art production, even though it is less effective than it was in Mao's era.

Moreover, to counterbalance or resist "unhealthy" ideologies and foreign cultural invasion as a result of market reform and the open-door policy, various ideological and moral campaigns – a typical totalitarian tradition and practice – have been frequently and vigorously employed by the post-Mao regime at the nationwide level. Although these campaigns can be seen as the efforts to prevent the erosion of the CCP power, there is no denying the fact that preserving the CCP totalitarian rule and achieving its goal are completely *intertwined*, because the CCP believes that its goals can be achieved only under its leadership – jeopardizing its rule is viewed as undermining its goals. The communist goal would be out of the question if the communist totalitarian rule collapsed; the communist regime would lose its identity if the CCP changed its goal.

Although fewer Chinese people believe the regime's communist ideology and practice, this does not suggest any fundamental change of the regime. *You are a liar because you lie or intend to cheat people despite the fact that few or fewer people believe you or buy what you say.* In spite of incoherence among the components of the regime's ideology or inconsistency between the regime's ideology and related behavior, the post-Mao regime has never abandoned the "hard core" of their inevitable goals, fundamental principles and norms, but only made adjustments to the action means of achieving them.

## Chapter IV

### Assessment of the Post-Mao Political Change

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#### I. INTRODUCTION

The post-Mao change has brought about a highly observable phenomenon in that contrasting situations are coexistent: ideological and political campaigns are still vigorously employed while more emphasis is placed on economic development; the party still maintains its monopoly of power and its control is still pervasive while the party-state control over people's daily lives and economic activities is relaxed, with limited forms of terror and coercion rather than unrestricted mass terror as under Mao, and with more rational control rather than arbitrary control as under Mao; the party control over information and media is still tight while some civil publications are allowed within nonpolitical areas; the legal system is still subjugated to the party while a certain measure of civil law practice is allowed, and ordinary people begin to turn to the legal system to resolve business and civil disputes more often than before; political persecutions and arrests of dissidents are severe while greater individual freedom is evident; the party still adheres to its ideological commitment while its influence on the general population is weakening; and party control over private morality is less effective than it was under Mao while communist morality is still a whip over the Chinese society and individuals.

All these signs of change suggest the need to assess the change that has taken place in the past 20 years in post-Mao China and to evaluate whether or not the Chinese communist regime in the post-Mao era can still be accurately described as totalitarian. Are there any qualitative differences between the Mao regime and the post-Mao regime? In other words, has the Chinese communist totalitarian regime changed so sufficiently

that “totalitarianism” has itself become an outdated paradigm? Is it totalitarian, or authoritarian, or something else?

The post-Mao changes have led many China analysts to observe that post-Mao China has moved away from communist “totalitarianism” toward “authoritarianism,” “fragmented authoritarianism,” “soft-authoritarianism,” or a “post-totalitarian regime.”<sup>1</sup> It seems to them that some fundamental changes have been under way that “regime change” from one type to another has occurred in post-Mao China. However, the study of regime change requires theoretical reference points that can be used to define the “regime identity” and assess the nature of “regime change” or political change within a political regime. No sensible assessment of political change can be made without a clear conceptual framework.

This dissertation has constructed a plausible model of real-world totalitarianism by using Lakatos’ research program and Collier and Mahon’s work on categorization to distinguish the “hard core” of totalitarianism from other operative features, and establish the criteria for assessing the change in post-Mao China. The preceding chapter has examined the hard core components of Chinese totalitarianism in terms of philosophical absolutism, goals, and ideological commitment, and the assessment has demonstrated that the post-Mao regime has continued its commitment to Marxism-Leninism and Maoism,

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<sup>1</sup> Tang Tsou, “Back from the Brink of Revolutionary - ‘Feudal’ Totalitarianism,” in Victor Nee and David Mazingo, eds., *State and Society in Contemporary China* (Ithaca, NY: Cornell University Press, 1983); Kenneth G. Lieberthal and David M. Lampton, eds., *Bureaucracy, Politics, and Decision Making in Post-Mao China* (Berkeley: University of California Press, 1992), pp. 1-30; Joyce Barnathan et al., “China: Is Prosperity Creating a Freer Society?”, *Business Week*, June 6, 1994, pp. 94-99; Baohui Zhang, “Corporatism, Totalitarianism, and Transitions to Democracy,” *Comparative Political Studies*, vol. 27, no. 1, 1994, pp. 108-136; Jie Chen, *China since the Cultural Revolution: from Totalitarianism to Authoritarianism* (Westport, Conn: Praeger, 1995)

the end-goal of communism, and many typical Leninist and Maoist political and ideological practices. This chapter will focus on the third core component of totalitarianism and evaluate the political change in post-Mao China along the three key empirical dimensions: post-Mao “political reform,” the nature of the CCP, and party domination in the power structure. The assessment of the nature and significance of the political change will help us to determine if such a fundamental change has occurred in the political aspect of the communist totalitarian regime that we should no longer categorize China as totalitarian but as a post-totalitarian or post-communist state.

## **II. ASSESSMENT**

### **1. The So-called Post-Mao “Political Reform”**

The first aspect to be examined is the so-called post-Mao political reform: Has this political reform made any fundamental or systemic change? By “political reform” the post-Mao leadership has never meant a transition from communism, but primarily the modernization and professionalization of the party-state bureaucracy. The so-called “political reform” is not aimed at systemic change but at so-called “self-improvement” and “moral self-restraint” of government. This goal is no different from a utopia, in which government is expected to be self-restrained and self-improved without a system of checks and balances.<sup>2</sup> The aim of political reform, as Chinese paramount leader Deng Xiaoping clearly prescribed for China, is to “raise working efficiency and overcome bureaucratism” and to make party-state cadres at various levels “better educated,

professionally more competent, and younger.” Its content has included “separation of the functioning of the party and the government,” “decentralization of power,” and “streamlining the administrative structure,” but “westernization and liberalization,” “separation of powers,” and “Western parliamentary system “ in political reforms have not been allowed.<sup>3</sup> This is crucial for determining the nature of the reform and its limitations. Particularly, the post-Mao leadership emphasized that the “Four Cardinal Principles” are a fundamental prerequisite to the socialist reforms and the Four Modernizations. These Four Cardinal Principles, which are the most fundamental aspects of the post-Mao regime’s continuity of Mao’s communist totalitarianism, determine the direction, scope, content and limit of the post-Mao reforms. This also means that changes brought about by the reform have not made those defining core features of Communist totalitarianism insignificant.<sup>4</sup>

The “Four Cardinal Principles” are by no means considered by the post-Mao regime as rituals, but as defining the core elements of the system, and any attempt to weaken these principles has never been tolerated. During the 1980s, the top reformist leaders, such as Hu Yaobang and Zhao Ziyang, proposed and attempted to open up more political space or create “more relaxed political environment,” such as allowing more toleration of debate on political reforms, more press freedom, and more lifting of political

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<sup>2</sup> Maurice J. Meisner, *The Deng Xiaoping Era: an Inquiry into the Fate of Chinese Socialism, 1978-1994* (New York: Hill and Wang, 1996), p. 481

<sup>3</sup> Deng Xiaoping, *Selected Works of Deng Xiaoping* (Beijing: People’s Publishing House, 1993), vol. III, pp. 177-178

<sup>4</sup> For a detailed discussion on the actual practices and political/ideological campaigns to enforce these principles, see the preceding chapter of this dissertation.



taboos within the party policy line. Their limited liberal reform efforts had the unintended effect of ideological decay and increasing student and dissident activities. These reformist leaders and their political allies were removed from office and politically persecuted, and those steps toward a more “relaxed” political environment were quickly reversed after the suppression in 1989. Instead, legitimization of the regime and the individual leaders was sought through traditional political forms, such as the leadership cult and the resurrection of Maoism. Economic liberalization was emerging with political rigidity and repression, more severe violation of individual freedoms and rights of Chinese citizens, more austere control on any liberalizing tendencies both within and outside the regime, and more conservative backlash in every aspect of political life.

Political reform determines the nature and degree of political change. However, there has been no evidence to prove any essential change in the political system and the power structure since 1978. No one can deny that post-Mao reform, either under Deng or under Jiang, has pursued a pattern of economic modernization with no attempt to fundamentally transform the Chinese communist political system. Political reforms were officially regarded as a means of facilitating economic reforms, and served the purpose of strengthening and improving the Party leadership. Party leadership claimed that successful and further economic reform required “social stability and unity,” and should be carried out only under party leadership. Thus any tendency towards political liberalization and democratization was seen as a threat to such leadership and stability. Democratic reform had little place on the political agenda.

From the very beginning of Deng’s reform in 1978, the Chinese party leadership never intended to proceed to a true and thoroughgoing reform in the system, but attempted

to ease domestic conflicts and serious political tension between the Party dictatorship and the society through a readjustment of economic policy, or later economic liberalization and administrative rationalization, and continued to maintain the monopoly of power in political life while relaxing controls on day-to-day life in the economy. Therefore, the focus of the reform policy was not on the political realm but on the economic realm, which served to facilitate economic development and attract foreign investment; it was on economic liberalization and not on privatization of ownership in the economic system and democratization of the political system, which would enhance and guarantee democracy and individual freedoms and rights.<sup>5</sup> The post-Mao communist regime has attempted to graft a “market economy” on a political structure originally designed for a socialist planned economy. Such a reform strategy has led to the incompatibility between the requirement of a market economy and the political structure of communist totalitarianism, between the market economy and state ownership.

Political reforms in the 1980s were based on rationality and pragmatism, and were administrative in nature, such as separating party and state, decentralizing decision-making, streamlining administration, increasing work efficiency, and regularizing legal system. Decentralization and rationalization of administrative power and regularization of the legal system were not implemented for the purpose of systemic and structural transformation, but for more rational economic decisionmaking and more free market. Therefore, it was not a systemic reform, and involved no significant and fundamental transformation of the political system, power structure, and ideology. Therefore, as Tatsumi Okabe points out, “it was not a regime transition, but a within-system change (*tizhi*

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<sup>5</sup> We will define the concept “privatization” and discuss its relevance in the post-Mao

gaige).”<sup>6</sup> Even these rationalization programs in administrative, legislative, and legal systems were painfully slow and remained weakly institutionalized, and the actual achievements were meager until the late 1980s.<sup>7</sup>

A major reform step taken at the 9<sup>th</sup> National People’s Congress (NPC) following the 15<sup>th</sup> Party Congress was the government restructuring program intended to streamline the size of the central government to 29 departments. The reduction of the size at this time is comparable to the one in the Cultural Revolution under Mao, during which the standing bodies of the State Council were reduced to 33, among which 13 bodies were actually under the control of the Party Central Military Commission and the “Central Leading Group of the Cultural Revolution,” and the governmental employees were reduced by two-thirds.<sup>8</sup> Does this suggest that Mao’s regime is less totalitarian, less communist, or less capable of being brutal than Deng’s regime? This is another perfect example that suggests that the change in governmental size does not prove a systemic or fundamental change of the Chinese communist regime. This new plan at the 9<sup>th</sup> NPC involved greater changes both in institutions and people than were ever made since the reform in 1978. However, the Chinese communist regime has undertaken major government institutional restructuring six times since the communist takeover in 1949,

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economic reform in the chapter on economic transformation.

<sup>6</sup> Tatsumi Okabe, “China: The Process of Reform,” in Gilbert Rozman, Seizaburo Sato and Gerald Segal, eds., *Dismantling Communism: Common Causes and Regional Variations* (Washington, D.C.: The Woodrow Wilson Center Press, 1992), p. 190

<sup>7</sup> Andrew Nathan, *China’s Crisis: Dilemmas of Reform and Prospects for Democracy* (New York: Columbia University Press, 1990) pp. 178-179

<sup>8</sup> Xie Qingkui, “Retrospect and Prospect of Restructuring China’s Administrative Institutions” [*Zhongguo xingzheng gaige de huigu yu zhanwan*], *XinHua Wenzhai* [New China Digest], no. 3, 1998, p. 4

but it has always repeated the circle of “streamlining – bloating – streamlining again – bloating again.”

The latest institutional restructuring (1993-1997) just finished prior to the 9<sup>th</sup> National People’s Congress. At the 8<sup>th</sup> National People’s Congress, the government institutional restructuring program required streamlining the size of the central government from 68 departments to 59 departments, with a clear goal and specific policies and measures. The purpose of the program was to “transform functions, put relations in order, streamline administration, and improve efficiency.”<sup>9</sup> However, within four years, from 1993 to 1997, the departments and standing bodies of the State Council increased from 68 to 86, and the non-standing bodies increased from 49 to 85; on average, 14 standing and non-standing bodies increased per year.<sup>10</sup> In fact, the sixth governmental restructuring did not break the “vicious circle” of history, but just repeated it. It remains to be seen if the restructuring program this time will follow the same old disastrous road.

The same as before, the purpose of this large-scale restructuring program is not to reduce the strength of the state, or to weaken the party leadership, or to promote the separation of party and government, but to cut away overstuffed administration, improve civil service, professionalize cadres or staff of governmental organizations, and simplify overlapping administrative organizations that reduce government efficiency and stand in the way of economic growth. The principle is clearly stated as “streamlining, unification, and efficiency.” Therefore, this restructuring program is rationalization rather than liberalization. Such a program has not brought about and will not bring about any

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<sup>9</sup> *People’s Daily*, October 17, 1995, p. 1

systemic change in terms of a regime change. Zeng Jianhui, spokesman of the First Session of the 9<sup>th</sup> National People's Congress, made this clear at a press conference on March 4, 1998: "China must carry out a government restructuring program since the current government structure is not well adapted to a socialist market economy." "The goal of the plan," he added, "is to establish a highly efficient, well-coordinated and standardized administrative system. The final goal of the reform is to meet the requirements of a socialist market economy."<sup>11</sup> Therefore, the reform is an attempt at rationalization of the communist totalitarian system rather than liberalizing or crippling it. As *People's Daily* put it, "the restructuring program of the State Council reflects the general requirement of the 15<sup>th</sup> Party Congress to promote government institutional restructuring: improve work efficiency, coordinate governmental operation, and standardize governmental behavior."<sup>12</sup>

The bloody crackdown on the peaceful Chinese pro-democracy movement in 1989, and the continuing and deepening repression thereafter, continuing violation of individual freedom and rights of Chinese citizens, more austere control on any liberalizing tendencies within the political system, and more conservative backlash in political reform have suggested that political reform is the key problem in the transition from Chinese Communist totalitarianism toward pluralism and democratism. Without political reform, other reforms will not bring about any fundamental breakthrough in terms of systemic and structural transformation in China. As long as the totalitarian power structure and institutions remain in place, the regime can employ whatever means

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<sup>10</sup> Xie Qingkui, p. 5

<sup>11</sup> *China Daily*, March 5, 1998, p. 1

<sup>12</sup> *People's Daily*, March 19, 1998, p. 1

necessary to preserve its ideological commitment, monopolistic power, and control over the society.

After the June 4 event of 1989, the regime was obsessed with the overriding need to preserve and enhance the CCP domination of all sectors of the polity. In the wake of the collapse of communism in the Soviet bloc, the leadership of the post-Mao regime insisted that the CCP must maintain its monopoly on power through boosting the functions and powers of the party and beefing up its police apparatus, and “political reform” must take place in the context of “stability.” As Li Peng stressed, “political restructuring should be conducive to the stability and prosperity of the country rather than causing social disturbances.”<sup>13</sup> At the first session of the 9<sup>th</sup> National People’s Congress, Li Peng, the new Chairman of the NPC, pointed out, “we must continue to promote political reform, perfect socialist democratic system, and make and improve socialist laws under the condition of the Four Cardinal Principles.”<sup>14</sup>

During the first half of the 1980s, one of the important goals in the political reform was to address and rectify the party-government relations. But these efforts at reform came to an abrupt halt in 1989. The lesson drawn by party leaders from the collapse of communist regimes in the former Soviet Union and Eastern Europe is that one of the principal political tasks since 1989 has been to maintain party control at all costs.<sup>15</sup> Compared with the 13<sup>th</sup> Party Congress in 1987, the 14<sup>th</sup> Party Congress in 1993 regressed on political reforms in many regards.

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<sup>13</sup> Willy Wo-Lap Lam, *China after Deng Xiaoping* (New York: John Wiley & Sons, 1995), p.241, 243

<sup>14</sup> *People’s Daily*, March 23, 1998, p. 1

<sup>15</sup> John Bryan Starr, *Understanding China: A Guide to China’s Economy, History, and Political Structure* (New York: Hill and Wang, 1997), pp. 65-66

One of the most important regressions is that the 14<sup>th</sup> Party Congress did not advocate a separation of functions between the party and the state, and re-emphasized the need for more solid party unity and control. At the 13<sup>th</sup> Congress, Zhao claimed that “it was high time to put political structural reform on the agenda for the whole party.”<sup>16</sup> But at the 14<sup>th</sup> Party Congress, Jiang’s “Political Report” called only for streamlining the size of China’s bureaucracy and reducing the overlap between the functions of the party and of the government. The previous decision to abolish party cells in government organizations was dropped. Instead, Jiang’s “Political Report” called for party organizations to form the “political nucleus” of governmental organs and enterprises, proposed strengthening party cells in all organizations, and emphasized party leadership at all levels, particularly in the workplace, where the party organizations must retain a strong role to stop the enterprises from deviating too much from party policy due to the decentralization of some of the decision-making powers to the enterprises.<sup>17</sup> Although Jiang did not mention the “unified leadership of the Party Committee” under Mao’s regime, his “political nucleus” or the “core of leadership” is equivalent to Mao’s version that “the Communist Party exercises leadership in everything, either east-west-south-north-center or party-government-military-society-school.”

The 15<sup>th</sup> Party Congress has made little progress in this regard. As new Premier Zhu Rongji put it, “the main task of our government is to uphold the great banner of Deng Xiaoping Theory, under the leadership of the Party Central Committee with Jiang

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<sup>16</sup> Zhao Ziyang, “Advance along the Road of Socialism with Chinese Characteristics,” *Documents of the Thirteenth National Congress of the Chinese Communist Party* (Beijing: Foreign Languages Press, 1987), p. 42

<sup>17</sup> Wei-wei Zhang, p. 217

Zemin as the core, adhere to the Party's basic line and policy, and implement the strategic plan laid down at the 15<sup>th</sup> Party Congress in an all-round way."<sup>18</sup> The NPC and the CPPCC are seen as the two arms of the implementation of the CCP's will. As *People's Daily* put it, "From the 15<sup>th</sup> Party's Congress to the 9<sup>th</sup> NPC and the 9<sup>th</sup> CPPCC, the will of the CCP has been transformed into the will of the state and the action of the people. From reports on government work to the reform program of the State Council, from the legislative proposals of the deputies to the selection of the century-transition leadership, all fully reflect the implementation of the spirit, line, policy and goal of the 15<sup>th</sup> Party's Congress."<sup>19</sup>

Another major setback after the 14<sup>th</sup> Party Congress was called "cross leadership," referring to the fact that politburo members and other top leaders can concurrently take up positions in the party, government, legislature, and the CPPCC. Jiang Zemin, Deng's hand-picked successor, is head of the state, the party, and the army – President of the state, General Secretary of the CCP Central Committee, and Chairman of the Central Military Commission (CMC), in addition to many other substantial and ceremonial titles. Other Politburo members double as heads of the executive or the legislature. At the regional level, such as in Hainan, Hubei, Fujian and Heilongjian, party chiefs also double as heads of governments or legislatures.<sup>20</sup>

All the key party leaders also occupy senior positions in the government. While the party's constitution provides that the party congress is responsible for setting political policy, that authority in fact rests with a half dozen or so top party leaders who are

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<sup>18</sup> *People's Daily*, March 25, 1998, p. 1

<sup>19</sup> *People's Daily*, March 19, 1998, p. 1

<sup>20</sup> Willy Wo-Lap Lam, p. 247



members of the Politburo Standing Committee of the Party Central Committee. Under Deng's regime, this small group had to refer all major decisions to Deng Xiaoping.<sup>21</sup> The party has two means for ensuring that its policies are implemented by the government officials. The first is the power of appointment, since at each government level appointments are the responsibility of the party organization at the level just above – the central party organization appoints provincial officials, while provincial party organizations, in turn, appoint officials at the city and county level. Secondly, the performance of officials appointed by the party is then monitored by party organizations. At each government level and in public enterprises, a leading party group or a party committee monitors political correctness and ensures that party policies are carried out.

After the 15<sup>th</sup> Party Congress, in an effort to strengthen and improve the party work in the party-state organs, and bring the party grassroots organizations into full play, the Politburo of the Party Central Committee issued “Guidelines for the Party Grassroots Organizations Build-up in the Party and State Organs” and asked the party committees and the party leading groups in all provinces, all autonomous zones, all municipalities directly under the central government, all major military regions, all departments and commissions of the central party organs and the central state organs, all general departments of the Central Military Commission, all army services, and all people's organizations to carry out the guidelines without delay.<sup>22</sup>

The “black box” operation of the 15<sup>th</sup> Party Congress suggests a big retrenchment in “intraparty democracy,” of which the CCP claims to be the model for the whole nation.

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<sup>21</sup> John Bryan Starr, pp. 64-65

<sup>22</sup> *People's Daily*, May 7, 1998, p. 1

The election of the members of the 15<sup>th</sup> Central Committee was separately held in the hotels where various delegations or deputy groups stayed. No information exchange was allowed between various delegations or deputy groups during this period of time. In principle, deputies were not allowed to meet visitors or go home in the course of the congress. The specially designed envelopes containing the official slate and the form of election were picked up by specially appointed congress work personnel from Zhong Nan Hai (headquarter of the Party Central Committee of the CCP) and then sent to the hotels to distribute among the deputies. Deputies had no idea of the content of the envelopes until they opened them up.<sup>23</sup> Such a “black box” operation of the election suggests no fundamental change of the communist totalitarian regime.

As was discussed above and will be discussed later in more detail, major core elements of and many of the political practices of Mao’s era still remain essentially unchanged. Although some institutional factors might be important in determining short-term policy and personnel issues, they operate within the structural constraints that stem from the basic nature or essence of the communist totalitarian regime. Such a reform under the Chinese communist regime is in nature equivalent to “the Reform Movement of 1898 (*WuxuBiaofa*) under the Qing Dynasty (1644-1911), which was not a systemic reform but one within the structural constraints of autocratic monarchy.

## **2. The CCP Remains the Leninist Vanguard Party**

The CCP has since its very birth been a Leninist totalitarian party, declaiming itself as the “vanguard of the proletariat and all working classes” and following the

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<sup>23</sup> *Press Freedom Guardian*, November 21, 1997, p. 4

principle of “democratic centralism” of the Leninist organizational line. As a result of this very nature, the CCP leadership not only requires the whole party to be subject unconditionally to its will but also requires the state, the military, society, and individuals to be subject to the party’s will, leadership, and policy.

The post-Mao regime has continued to follow Bolshevik lines or Maoist style in its organization, though it has taken some measures to rationalize the organizational line and decision making. The new policy of “cadre four modernization” (*ganbu sihua*)<sup>24</sup> under the post-Mao regime has not really changed the very nature of its organizational line. The current organizational line can be traced to the same origin as the Leninist or Maoist line in the following three major respects:

(1) The party is conceived as a professional “revolutionary vanguard of the proletariat,” an elitist party acting as the enlightened trustee of all the working classes and acting on behalf of the entire society. The CCP under the post-Mao regime continues to claim itself as the “revolutionary vanguard” of all the working classes and social changes. As Jiang Zemin declared, “our party is the Marxist party standing in the forefront of the times and leading in the direction of the future. Our party will lead the people towards the full prosperity of the nation in the 21<sup>st</sup> century.”<sup>25</sup> The “vanguard” status of the CCP is the keystone of the totalitarian party and ideology synthesis, which resembles little the conventional political party in Western democracy or the elite single party in the authoritarian regime.

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<sup>24</sup> This new policy adopted in post-Mao era refers to the four criteria for choosing and promoting party-state cadres: younger, better educated, revolutionary, and modernized.

<sup>25</sup> *Dangjian Yanjiu* [Party construction studies], no. 4, 1998

(2) The party exercises the principle of “democratic centralism,” which in fact has everything to do with centralized control and nothing to do with democracy. Party organizations, from the national level to the cell of three party members at the workplace, neighborhood or village level, is rigidly hierarchical. The whole party must obey the Party Central Committee and looks to the PCC as the correct interpreter of ideology and the core leadership of political action. However, according to the principle of “democratic centralism,” the whole party is ultimately subject to a paramount leader and a small group of the Politburo standing members. Discussion may be allowed, but party leadership decisions are final and nondebateable. Dissent or even objective thinking is *prima facie* evidence of “bourgeois liberalism” that must be purged with “criticism and self-criticism”, if not expelled from the party.

At a national conference on party organizational work, Jiang Zemin addressed the issue of how the party can carry out the spirit of the 15<sup>th</sup> Party Congress in party construction and organizational work: First, according to the demand of the 15<sup>th</sup> Party Congress, we must bring about the new high tide of studying Marxism, Mao Zedong Thought and Deng Xiaoping Theory; second, we must ideologically and politically keep a high degree of conformity with the Party Central Committee, resolutely carry out the major policies and decisions of the Center, consciously preserve the central authority, and unify the thought and behavior of the broad cadres and masses around the spirit of the 15<sup>th</sup> Party Congress and the decisions of the central authority; and third, we must resolutely carry out the party’s principle of democratic centralism, which is the fundamental organizational and leadership system.<sup>26</sup>

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<sup>26</sup> *People's Daily*, April 2, 1998, p. 4

(3) The party claims to shoulder a historical mission of transforming and remolding society and man, and thus has to mobilize greater political participation in the programs and campaigns of transformation. In contrast, no passion for the transformation of society and man exists in authoritarian regimes, and no official ideology in authoritarian regimes mandates an elite party, if existing, to do so.

The three keystones of a communist totalitarian party remain as the fundamental organizational line that has come down from its Leninist or Maoist origin. A comparison of the CCP under Mao's regime and under the post-Mao regime can be further illustrated in Table 4.1:

**Table 4. 1. CCP under Mao's Regime and under Deng's Regime**

	<b>Under Mao's Regime</b>	<b>Under Deng's Regime</b>
<b>Power</b>	Monopolistic, Personalistic, and Monolithic (Democratic Centralism)	Monopolistic, Oligarchic, and Monolithic (Democratic Centralism)
<b>Ideology</b>	Strong commitment, Exclusive, Compulsory, and Coherent.	Strong commitment, Exclusive, Compulsory, and Less coherent
<b>Goal</b>	Twin-goal: Communism and Industrialization	Twin-goal: Communism and Modernization
<b>Means</b>	Mass mobilization and universal participation of all societal beings in the political system via constant and direct mass political campaigns or "mass democracy" manipulated for carrying out political objectives	Bureaucratic rationalization, combined with limited mass mobilization and participation in the political system via party-controlled mass organizations, political institutions, and state-licensed or controlled social organizations
<b>Leadership</b>	Infallible charisma (Mao)	Infallible charisma (Deng)
<b>Membership</b>	Elitist vanguard	Elitist vanguard
<b>Legitimacy sources</b>	Communist revolution and Marxist-Leninist-Maoist ideology	Communist revolution and Marxist-Leninist-Maoist-Dengist ideology

To maintain the "vanguard" status, carry out the principle of "democratic centralism," and accomplish the historical mission, the party has to put the whole party in a constant rectification movement. The rectification movement has been the main vehicle for the post-Mao regime to reestablish ideological purity and organizational rule. The earliest rectification movement after the death of Mao was the purge of the followers of

the “Gang of Four,” lasting for a number of years. This was followed by the 1984-1987 rectification movement, which was carefully planned to be systematic, thorough and inclusive.

The main purposes of the rectification movement are to rehabilitate the victims of the Cultural Revolution and purge the “three kinds of people” who had benefited from Cultural Revolution (that is, those who rose to prominent position by following the Jiang Qing and Lin Biao “cliques,” those who are imbued with factionalism, and those who engaged in “beating, smashing and looting”<sup>27</sup>), normalize the organizational life of the party, strengthen the party discipline and the conformity of the whole party to the center, improve “party style,” restore the party tradition of the period before the Cultural Revolution, attack “new unhealthy tendencies,” and attack any intra-party factionalism.<sup>28</sup> The movement was directed by a Central Commission for Guiding Party Rectification. In the earlier stages of the movement, the “liaison groups” were sent out by the Commission to supervise and coordinate rectification activities at lower levels. “Inspection groups” were often used later on to check on lower levels.<sup>29</sup>

Purges have been periodically conducted among party cadres and party members in “party construction” and “rectification” movements to ensure that “the party organization is pure” and to guarantee that “various leadership positions and functions are taken up by true Marxists.”<sup>30</sup> The most extensive house-cleaning after the Cultural Revolution was the purges that were carried out after June 4<sup>th</sup> 1989 massacre. “Work

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<sup>27</sup> *Beijing Review*, no. 42, 1993, p.v

<sup>28</sup> Graham Young, “Party Reforms,” in Joseph Y.S. Cheng, ed., *China: Modernization in the 1980s* (New York: St. Martin’s Press, 1990), pp. 75-86

<sup>29</sup> *People’s Daily*, March 13, 1985, p. 4

<sup>30</sup> *People’s Daily*, June 25, 1991

teams” were stationed in almost all key central government organs and their subordinate mass organizations. All government functionaries, particularly party members and cadres, were required to give a detailed account of their “involvement” in the democracy crusade. An unprecedented party membership “re-registration” campaign was launched in the first half of 1990. All party members automatically lost their membership unless they were allowed to re-register after satisfying the authorities of their total devotion to the “Four Cardinal Principles” and their consent to Deng Xiaoping’s policy on suppression of the democratic movement. The result of the purges was announced by the *People’s Daily* on May 30, 1991. The total number of CCP members was 50.3 million. In 1990, 127,000 party members were either expelled, or asked to leave the CCP. In addition, 166,000 party members were subjected to internal party discipline. At the same time, more than 1.3 million new members were inducted in 1990.<sup>31</sup>

The emphasis has been on restoring the party’s past values and practices of the earlier stages of the communist movement and on using “traditions” to address current problems. Jiang Zemin urged the party-state cadres to uphold the ultimate ideal and firm faith in communism, strengthen the “party nature,” resist various temptations, and try to be exemplary models in upholding and developing the Party’s fine tradition and style.<sup>32</sup> The emphasis on the “party traditions” is intended to improve “party style.” “Party style” (*Dangfeng*) refers to a combination of all the prescribed political norms and relationships crucial to the party’s operations and the maintenance of organizational coherence and obedience. The various elements of party style were first fully articulated in the early

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<sup>31</sup> Willy Wo-Lap Lam, pp. 155-156

<sup>32</sup> *People’s Daily*, April 2, 1998, p. 4

1940s, and it is this articulation that is regarded as establishing party “traditions.” If a tradition is to have any current political relevance, then it implies continuity of application. Emphasis on “party style” suggests a continued insistence on its vanguard character and on the qualitative difference between the CCP and other types of political organizations. The whole notion of “party style” demands the priority of commitment to party goals as the basis for members’ political actions and relationships.<sup>33</sup> However, this emphasis on party “traditions” is not considered to conflict with the “shift in focus” on economic modernization. Instead, it is considered crucial for the party’s survival in the economic marketization and liberalization, to offset the threat posed to organizational discipline and ideological purity.

All totalitarian regimes are without exception characterized by the supreme authority or the “core of leadership” of a paramount leader. Such a Maoist style practice has remained unchanged either under Deng’s post-Mao regime or under Jiang’s post-Mao regime. At the 14<sup>th</sup> Party Congress, Deng was referred to as “the chief architect of our socialist reform, of the open policy, and of the modernization program” and Deng’s reform was compared to “another great revolution” like Mao’s “New Democratic Revolution.” The message is clear: while Mao discovered the law of Chinese communist revolution before 1949, Deng found the right path to modernize China. This unprecedented eulogy of Deng also suggests the continued need for a personal cult in Chinese leadership, ideology, and political operation to establish the political authority of Jiang’s regime at a time of transition into the post-Deng era.<sup>34</sup>

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<sup>33</sup> Graham Young, pp. 83-85

<sup>34</sup> Wei-wei Zhang, p. 219



After Deng's death, to take concerted action on this need for a personal cult, the official press launched a series of "making-god" propaganda around the time of the 15<sup>th</sup> Party Congress and the 9<sup>th</sup> People's Congress. Jiang has been highly praised and equated with Mao and Deng: "Mao Zedong led the first generation to liberate China, and Deng Xiaoping led the second to open up the country. Jiang will make the nation stronger and wealthier."<sup>35</sup> It has been formally established that the whole party and the whole nation are asked to "unify around the Party Central Committee with Jiang Zemin as the core." This is a typical slogan and practice under Mao's regime. "Personal Cult," the old Maoist style practice, has remained unchanged either under Deng's post-Mao regime or under Jiang's post-Mao regime.

Such a slogan and practice is to personalize and privatize the party, the state and the army in order to create a new dictator like Mao and Deng. Although Jiang is not a charismatic leader, he can take full advantage of the highly concentrated and absolute power in his hand and employ the modern means of the mass media to force the whole nation to obey him, to indoctrinate people with what he thinks right, to establish his authority, and force all senior officials to obey him and to be loyal to him. Hitler, Stalin, and Mao did this, and so did Deng. Jiang has begun to do the same and continued to do so. The "third generation" of the CCP leadership is repeating Mao's and Deng's communist totalitarian rule. Those who view the post-Mao regime as authoritarian or capitalist ignore the very fact that Chinese Communist Party politics has come down in one continuous line Mao – Deng – Jiang, and upholds the same ultimate goal and the same fundamental principles of ruling. Communism is in its very nature totalitarian. The

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<sup>35</sup> *China Daily*, March 19, 1998, p. 1

post-Mao regime has not made a progress significant enough to change the nature of the regime fundamentally.

### **3. Party Control and Domination In Every Sector of the State Structure**

In all communist totalitarian societies, party and state are closely intertwined and their functions are largely combined into one body, with a dominant role for the party, for which the special term “party-state” has been created. The communist party is “the State of the state.” All the key policy decisions in China since 1949 are made outside the government but are entirely monopolized by the Party. The Party defines its function as that of making all the crucial decisions, which the government must carry out. The existence of party leading groups in units of the state organ ensures the structural dominance of the party. Members of party standing committees at the various levels are each in charge of one or some governmental functions and operations. We have sufficient evidence to suggest that there has been no genuine separation of party and state since the post-Mao reforms and no fundamental change in terms of the core features of communist totalitarianism. A comparison of party-state relationship under Mao’s regime and under the post-Mao regime can be illustrated in Table 4.2:

**Table 4. 2. Party-State Relationship under Mao’s Regime and under the post-Mao Regime**

	<b>Mao’s Regime</b>	<b>Post-Mao Regime</b>
<b>Government/ regime/ state</b>	The distinction between the three is blurred and fused through the CCP. The CCP constructs and molds government, regime, and state in its own ideology, principles, norms, rules, image and need.	Unaltered
<b>Party-state apparatus</b>	Party apparatus is hierarchically organized and either superior to or intertwined with the state apparatus.	Unaltered
<b>State institutions</b>	Fusion of powers of various state institutions through the CCP	Unaltered
<b>Party dictatorship</b>	CCP dictates politics, and party organizations dominate and penetrate every sector of the state	Unaltered

The following will look into some important relationships underlying the power structure of the post-Mao regime and shaping the nature of the regime, which will allow us to assess the political change and determine if the post-Mao regime has become less totalitarian or less communist.

### **(1) The CCP and the People's Congress**

The CCP is the most powerful political body in China, its decisions are determinative at virtually every level of the Chinese government, and its norms and rules govern the relationship between the CCP and the NPC. The preamble to the Chinese Constitution stipulates the CCP's leading role in China. "Despite the lack of any clear constitutional or statutory authority for the CCP's omnipotence and omnipresence, the CCP has de facto control over the entire state apparatus."<sup>36</sup> The CCP's leading role does not require any formal legal basis, because its establishment derives from the successful Communist revolution in 1949 rather than formal legislative process. Party leadership of people's congresses is achieved and guaranteed in the following ways:

(1) The CCP sets up the guidelines and policies for people's congresses to carry out according to its central tasks at each historical phase. For instance, the Party Central Committee of the CCP since 1979 has issued four major documents about the legislative work to strengthen the party leadership of the county and *xian* elections. To carry out the directives of the Party Central Committee, the leading party group (*Dangzu*) of the NPC laid down regulations, operating rules, and procedures for the legislative work which

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<sup>36</sup> James V. Feinerman, "Economic and Legal Reform in China, 1978-1991," *Problems of Communism*, vol. 40, September – October 1991, pp. 69-70

were specially designed to strengthen the party leadership in the county and *xian* elections. All these regulations were enacted into laws immediately.

(2) The CCP proposes directly to the NPC or its Standing Committee and other special legislative committees legislative bills in important state affairs, such as constitution amendments, outlines and plans of the national economic and social development, all major law-making decisions, and economic restructuring programs. Such a practice is duplicated at all levels of the party committees and people's congresses.

(3) The CCP exercises the leadership of the routine work of the NPC Standing Committee and those at lower levels through specific directives or decisions. The leading party groups of people's congresses exercise the system of "asking the higher party authorities for instructions beforehand and submitting reports afterwards" in their legislative work. For example, according to the PCC document 18 of 1986, the leading party groups must submit reports on the guiding ideas and principles of all the important legislative bills in political, legal, economic, administrative, and cultural fields to the higher party authorities for approval before they are considered. The legislative bills must also be submitted to the higher party authorities for approval before they are sent to the floor for enactment.

(4) The CCP exercises the leadership of the election work of people's congresses. People's congresses at all levels must set up a special leading group directly led by the party committees at corresponding levels to guide the election work. Major issues, particularly personnel appointments and candidates, must be decided by party

committees. Party committees evaluate all the important decisions of people's congresses to ensure correctness and authoritativeness.

(5) The CCP exercises the leadership of people's congress sessions. All major leaders of the party and governmental organizations must be in charge of some work during people's congress sessions, acting in such roles as president of the congress presidium, members of the congress presidium, and heads of the congress secretariat. All the important issues of congress preparations and sessions must also be reported to the party authorities for approval.

(6) The CCP exercises the organizational leadership of people's congresses. The important personnel decisions such as people's congress deputies, leading members of congress standing committees, candidates for leading positions in state institutions, and responsible leaders of the standing committees of people's congresses are all made by party committees. In practice, all the leading positions of people's congresses are held by party secretaries, deputy secretaries, or party committee members. Leading party groups are established in all people's congresses, which are subject to the leadership of the party committees at corresponding levels. Moreover, party members in people's congresses are also subject to party discipline. The principle of "democratic centralism" of the CCP has been the organizational principle of the Chinese state institutions and the people's congress, according to article 3 of the Constitution. This Leninist party principle has been the universal principle in political life of all communist states. The following will examine the relationships of the CCP with the NPC and its lower levels of people's congresses.

The NPC appears to be the highest legislative body in China. Theoretically, all governmental power rests in the NPC. The NPC also has a Standing Committee, which enjoys the authority to enact or to amend basic laws when the NPC is not in session. Interpretation of the Constitution is constitutionally entrusted to the Standing Committee of the NPC, although responsibility for the actual interpretation of laws is divided among the NPC Standing Committee, the Supreme People's Court, the Supreme People's Procuratorate, and the State Council, depending on whether the law in question requires "legislative," "judicial," or "administrative" interpretation, respectively. The NPC, as a parliamentary institution, is held only once a year, for one or two weeks, to rush passing laws, legal regulations, and the appointments of important governmental officials within a limited period of time. Therefore, the NPC Standing Committee, headed by the CCP top leaders, will do whatever they want to do without bothering to hear the opinions of congress deputies.

To ensure the CCP politburo's political appointment of all the key NPC and other state leaders, the politburo controls the nomination process through the NPC Presidium. All the key state leaders, such as the NPC chairperson and vice-chairpersons, the president, vice-president, premier, and chairperson of the State Military Commission, as well as cabinet members, president of the supreme people's court and a chief procurator, are nominally elected by the NPC. However, the one-candidate nomination is only in the hand of the NPC Presidium, which is in effect determined by the politburo in advance. According to the Organic Law of the NPC, the slate of the Presidium is proposed by the NPC Standing Committee prior to the opening of the NPC sessions. The slate is actually determined by the politburo beforehand and delivered to the NPC Standing Committee.

The 150-odd-name list of the Presidium is printed before the NPC deputies step into the People's Great Hall and attend the preparatory meeting for the Congress. No deputy will propose a candidate for the Presidium. The slate of the Presidium is normally passed within a few minutes. The CCP Politburo thereby controls the nomination of all the key state leaders as well as the political agenda of the congress. The deputies come only to "vote" for these officially nominated state leaders and their policy agenda.<sup>37</sup> In the event a candidate on the official slate fails to receive the votes of half the deputies, the Presidium will propose another candidate. If this candidate fails to receive half the votes, the Presidium will propose a third candidate. If this proposed candidate fails again, no more election will be held for this position. The appointment of this cabinet member will be made at the second session of the NPC or by the NPC Standing Committee. In this way, the Politburo ensures all its proposed candidates to be "elected."<sup>38</sup>

The NPC deputies are not popularly elected, but are chosen by 34 "electoral units," which are categorized into four groups: (1) people's congresses of 31 provinces, municipalities directly under the central government, and autonomous regions; (2) the "military congresses" of the General Staff Department, the General Logistics Department, the General Political Department, various military regions, various military services, the Commission of the Defense and Scientific Industry, and the Defense University; (3) 100-odd members of the "consultatively selected conference" of "compatriots in Taiwan"; and (4) 424 members of the Hong Kong "election conference" approved by the NPC Standing Committee. The distribution of the number of deputies

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<sup>37</sup> Yan Jiaqi, "The Relations between the NPC and the Politburo," *China Spring*, no. 174, 1998, p. 20

<sup>38</sup> *People's Daily*, March 11, 1998, p. 1

among the “electoral units” is determined by the NPC Standing Committee accordingly, ultimately initiated and proved by the CCP Politburo. According to the Constitution and the Electoral Law, candidates of the NPC deputies are nominated and produced by the above four categories of “electoral units.” Such a political arrangement means that on the one hand, no one other than the “electoral units” has the right to nominate anyone to be a candidate for the NPC, while on the other hand, if the politburo of the CCP is worried that someone on the official slate of a certain “electoral units” might be voted down, it would arrange for this person to be nominated by another “electoral unit” as a candidate for the NPC. The reverse is also true: if the politburo of the CCP did not want someone to be “elected” as a NPC deputy, it could be arranged that he/she would simply not appear on the official slate of any “electoral unit.” The official slate of the NPC deputies in all parts of the country is determined by the Secretariat of the Central Committee, the Central Organization Department, the Central United Front Department, Provincial Party Committees and the CCP’s satellite “democratic parties.” In addition to the official slate of the NPC, candidates for the NPC can also be jointly proposed by more than 10 deputies of provincial people’s congresses, but in a limited number. Therefore, candidates for the 3000-odd NPC deputy positions are largely predetermined by the authorities prior to the opening session of the NPC.<sup>39</sup> Such an official slate system for the election of the NPC deputies is actually duplicated from the election of deputies for the CCP Congress. Such a system determines that the CCP authorities can easily manipulate the nomination process of the NPC deputies and do whatever they want.

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<sup>39</sup> Yan Jiaqi, “Abandoning the Official Slate System,” *Press Freedom Guardian*, January 16, 1998, p. 3



The “black box” operation of the Party Congress is also duplicated at the NPC. The 3000-odd deputies from all parts of the country are divided into 34 delegations by their “electoral units.” The largest delegation is the military delegation with 268 deputies, while the smallest delegation is the Taiwan delegation with 13 deputies. The Shanghai delegation has 67 deputies. Larger delegations are further divided into several “deputy groups.” The 3000-odd deputies of the NPC are divided into more than 100 “deputy groups.” It is officially arranged for all these “deputy groups” to stay at 24 hotels in Beijing, forming a “honeycomb-like structure,” a term introduced by Yan Jiaqi. Information cannot be exchanged between “deputy groups,” but can only be formally exchanged through “congress bulletins.” The staff who edit the “congress bulletins” are all carefully selected from various functional departments of the party and the state. They are sent to various “deputy groups” to do “recording” and “liaison” work. They must follow the directives of the Secretariat of the Congress, which is actually the control center of the 100-odd “honeycomb-like structure.” What can or cannot be put in “congress bulletins” must be approved by the Secretariat of the NPC. The “congress bulletin” serves the following three functions. (1) Since all deputies are divided into 100 groups that hold meetings or discussions separately in different locations or different rooms in the same hotel, deputies in one group can only get information about what other deputies say in other groups through this formal channel. (2) In the “bulletin,” the “emotional” or “negative” elements in the speeches of deputies can be screened and eliminated or revised, and the sharp criticisms can be “nullified” or “neutralized.” (3) The speeches of deputies are postponed for circulation among deputies one day after the group meetings. Such a political arrangement helps the CCP authority to control the

entire course of the congress. The NPC usually lasts two weeks or 15 days. 70 per cent of this time is used for the meetings of “deputy groups” to discuss the issues on the agenda, while 30 per cent of the time is used for the full session to pass the bills or resolutions. During the 70 per cent of the time, deputies can only use “mouths” to speak but not “hands” to vote, while during the 30 per cent period for the full session, deputies can only use “ears” to listen and “hands” to vote but not “mouths” to speak. The full session is a veritable “mute congress” or “dumb show.”<sup>40</sup>

People’s congresses at each level are not truly representative assemblies or political institutions in opposition to party power and governmental decisions. First, people’s congress deputies at each level are mainly politically reliable cadres, intellectuals, workers, peasants, officers, soldiers, and minority representatives who accept the contour of the CCP regime.<sup>41</sup> Second, about 4/5 of the legislative leaders are former cadres transferred from party or state organs.<sup>42</sup> Third, years of principle and practice dictate that “the party manages cadres,” and the party’s tightly controlled nomination procedures guarantee that even the lowest level, directly elected deputies are rarely firebrands. Fourth, about 60-80% of all deputies nationwide are CCP members, about 4 million, in a five-level system that includes the NPC, 29 provincial-level congresses, hundreds of municipal congresses, nearly 3,000 county-level congresses, and tens of thousands township congresses. Party members make up the majority of the

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<sup>40</sup> Yan Jiaqi, “The NPC’s ‘Honeycomb Structure’ and ‘Mute Congress’, ” *Press Freedom Guardian*, March 13, 1998, p. 2

<sup>41</sup> Kevin J. O’Brien, “Chinese People’s Congresses and Legislative Embeddedness, *Comparative Political Studies*, vol. 27, no. 1, 1994, p. 85

<sup>42</sup> Yu Shi, “Establishing county-level people’s congress standing committees is an important reform” (She xianji renda changweihui shi yixiang zhongyao gaige), *Neibu Wengao* (Beijing), vol. 23, 1988, pp. 12-14

congress deputies; they were 68.4 per cent of the total 8<sup>th</sup> NPC deputies and 71.5 per cent of the total 9<sup>th</sup> NPC deputies, for instance.<sup>43</sup> In the course of the congress, temporary party branches and party groups are always established to ensure the party control over the entire course of the NPC.<sup>44</sup> The web of party control is pervasive and effective. All such political arrangements mentioned above are largely duplicated at lower levels. Party leadership and domination of people's congresses ensure that people's congresses will carry out party policy.

Party-congress relations can be best characterized as "master-servant" relations, as is evident at each level. Although formally subordinate to congresses at the same level, the heads of the government, court, procurator, and public security are actually deputy secretaries of the party committee and they outrank any people's congress leaders at that level, who are in most cases members of party standing committees. In fact, people's congresses have sought greater attention and penetration by party committees. If party committee secretaries have harmonious relations with people's congress leaders, congress status will increase; if high-ranking party officials are in charge of people's congresses or more frequently attend people's congress sessions, greater attention will be drawn from party committees, and congress opinions will receive more attention. On the other hand, if a party committee regards the people's congress as a retirement home for aged cadres, the congress will be ignored. When party committees speak for people's congresses, congresses will enjoy more support and attention, and be allocated more competent staff,

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<sup>43</sup> Renmin University of China, *Research Report on Chinese Social Development (1994-1995): Chinese Society in Fast Transformation from Traditional to Modern Modes* (Beijing: China Renmin University Press, 1996), p. 65

<sup>44</sup> Yan Jiaqi, "The NPC's 'Honeycomb Structure' and 'Mute Congress'," *Press Freedom Guardian*, March 13, 1998, p. 2

adequate facilities and budgets. Where joint meetings or informal discussion meetings (*zuotanhui*) are held regularly, mutual reporting and document flows will improve, congress opinions will receive more attention, congress oversight power can be respected, factories can be spurred to comply with anti-pollution statutes, fines can be levied on markets that “illegally” increase prices, unjust court decisions can be overturned, and corrupt cadres can be brought to justice.<sup>45</sup>

The goals of people’s congresses and party committees are compatible and both strive to accomplish the yearly “central tasks” assigned by higher authorities and carry out the party basic policies. When inflation is the focus of national work, inflation is the focus of lawmaking and oversight; when “clean government” (*Lianzheng*) becomes the top priority, people’s congress priorities will change accordingly. Each province, city, or county also has its own “central tasks” (e.g., flood control, birth control, improving transportation and commodity circulation, reducing loss of farmland, encouraging foreign investment), and people’s congresses at each level will devote attention accordingly. Sometimes, legislative initiative could expand the list of priorities (e.g., improving production quality, encouraging technical transformation of enterprises), but party committees can always use people’s congresses to realize the party program. The primary role of people’s congresses is to transmit the “spirit” of higher levels and, by and large, they do so.<sup>46</sup> In short, people’s congresses are the instrument for realizing party policies and carrying out the “central tasks” assigned by higher authorities.

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<sup>45</sup> Kevin J. O’Brien, pp. 86-90

<sup>46</sup> Kevin J. O’Brien, pp. 90-91

## **(2) The CCP and other State Institutions**

The Chinese government has three branches – a legislature, an executive, and a judiciary – but in practice there are really two branches, since the Chinese judiciary functions more as a department of the executive than it does as an independent check on the other two arms of the government. Similarly, the legislature has only a nominal check on the executive, though more recently it has come to see itself as a potential check on the operations of the executive and the judiciary. The branches of the government are not equal partners and there is no provision in the Chinese Constitution for checks and balances to maintain equality. As a matter of fact, the CCP leaders have opposed check and balances as a Western style that does not fit China.<sup>47</sup>

The State Council is the executive branch of the government that carries out party policy as the NPC does. The State Council serves as an instrument of the party dictatorship, and functions as an administrative and bureaucratic apparatus for the party. The party leaders simultaneously hold positions in the governmental institutions. One leader could hold several positions. All powers are in the hands of party leaders. The party exercises “democratic centralism,” by which every party member has to abide. So the party totally dominates the policy-making process within these governmental institutions. The State Council, under the Constitution, is also authorized to issue administrative regulations (*xingzheng fagui*), which comprise the largest amount of the legislation. Because of the significant overlap in the membership of the State Council and

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<sup>47</sup> John Bryan Starr, p. 60

the Politburo of the CCP, the CCP controls the content of the various regulations that the State Council passes.

As is the case with respect to the NPC and the State Council, the CCP exercises direct control over the judicial process in China.<sup>48</sup> The people's Courts, the judicial organs of China, are divided into five levels – the Supreme People's Court, the Higher People's Courts, the Intermediate People's Courts, the Basic People's Courts, and the Special People's Courts. Each level of court has its own "original jurisdiction," serving as a trial court within its competence. The People's Procuratorates share the identical hierarchy of the People's Courts – Supreme, Higher, Intermediate, Basic, and Special. The Procuratorates are responsible for approving arrests and for investigating and initiating prosecution against defendants. Public Security Bureaus also exist parallel to the Procuratorates at each level; these police and surveillance units are responsible for arrests and detentions.<sup>49</sup>

A supreme Central Committee unit in charge of the judiciary – the potent weapon of the "dictatorship of the proletariat" – is called the Commission of Politics and Legal Affairs (CPLA), formerly headed by Qiao Shi, a Politburo Standing Committee member, and since late 1992, by Ren Jinxin, another Politburo standing member. The CPLA members include the heads of the Ministry of State Security, the Ministry of Public Security, the Justice Ministry, the Supreme People's Court, the Supreme People's Procuratorate, and a representative from the General Political Department of the PLA.<sup>50</sup>

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<sup>48</sup> James V. Feinerman, p. 70

<sup>49</sup> *China: Facts and Figures – Legal System* (Beijing: Foreign Languages Press, 1982), p. 3; Colin Mackerras, *The Cambridge Handbook of Contemporary China* (Cambridge: Cambridge University Press, 1990), p. 68

<sup>50</sup> *South China Morning Post*, December 16, 1992

Aside from laying down yardsticks for the protection of security, law enforcement, and measurement of penalty, the CPLA also meets to discuss major cases. For those cases that might have political significance or international repercussions, the CPLA often refers the files to the full Politburo Standing Committee meeting – and when Deng was alive, sometimes to Deng Xiaoping himself.

The politicization of justice, or the rule of personality, infringing upon the judicial field, has been a political tradition of Chinese communist totalitarianism. In other words, the Politburo of the CCP is in effect China's "court of final appeal," which goes back to the earliest days of the CCP.<sup>51</sup> At the lower level, courts or judges are required to report all cases to trial committees chaired by a member of the Party Standing Committee at each level, who is at the same time the head of Political-Legal Leading Group at each level. These committees in effect predetermine the results of the trials, thus making the actual trial a sham.<sup>52</sup>

Another critical sector of state institutions includes the PLA (*People's Liberation Army*) and other armed forces. The Chinese armed forces are subject to the absolute command of the CCP and the Central Military Commission (CMC). Under both Deng's regime and Jiang's regime, the CCP has always made it clear that China "must adhere to the leading power of the CCP over the military, guaranteeing that the army must be at conformity with the Party Central Committee in any time and on any occasion, and subject itself to the Party Central Committee and the Central Military Commission in its

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<sup>51</sup> Willy Wo-Lap Lam, *China after Deng Xiaoping* (New York: John Wiley & Sons, 1995), p. 269-270

<sup>52</sup> Zhou Hairong, "The Re-establishment of the Chinese Legal System: Achievements and Disappointments," *Civil Justice Quarterly* (London), vol. 10, 1991, pp. 44, 54-55

all actions.”<sup>53</sup> Jiang Zemin made a speech at a meeting of PLA deputies to the 9<sup>th</sup> National People’s Congress urging the whole army to subject itself to the command of the CCP Central Committee and the CMC: “All officers and soldiers of the army must heighten their sense of discipline, persistently subject themselves to the command of the Party Central Committee and the CMC, and always maintain a high degree of unity and stability of the troops, to accomplish excellently various tasks given by the Party and the people.” “Party committees at all levels in the armed forces should make persistent efforts to arm the minds of officers and soldiers with Deng Xiaoping Theory and the guidelines of the 15<sup>th</sup> CCP National Congress and carry out the Party’s line, principles and policies in an exemplary way,” he emphasized.<sup>54</sup>

Exactly the same as in Mao’s era, the PLA has extensive political, social and economic duties to serve as “the defender and the builder of the socialist system and modernization.” Receiving frequent and established indoctrination in Marxism-Leninism, Mao Zedong Thought, and Deng Xiaoping Theory as well as in policy guidelines of the current leadership and being involved in all political campaigns, political activities, and scheduled political studies, lessons, and training classes every week, the PLA is extremely politicized though the extent is less than in Mao’s era. The same as in Mao’s era, every military unit, higher than and including company, has an established political officer, assigned as “second-in-command” in the military unit, who is responsible for political and ideological work of the troops. Since every officer and soldier must follow the party’s lines and directives, all senior officers are members of the party committees

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<sup>53</sup> *People’s Daily*, July 30, 1997, p. 1

<sup>54</sup> *China Daily*, March 11, 1998, p. 1



established in every military unit, and the political officer or “political commissar” is usually the head of the party committee; he is actually the highest commander in the military unit. Even in some purely military situations, the political officer or “commissar” often has a decisive say in major military decisions. Only party members have great chances to be promoted to a higher position, and thus every senior officer is without exception a party member. Promotion in the armed forces continues to uphold the principle of “red and expert” – politically reliable and technically or professionally strong. All senior officers on the promotion plan must be sent to party schools at corresponding levels for advanced political and ideological training and education. The PLA leadership must commit itself to the communist ideology, the party’s basic line, guiding principles, and policies, and must be loyal and subjected to the “absolute” command of the Party Central Committee with Jiang Zemin as the core of leadership. The highest level officers are all appointed by the Politburo and the Central Military Commission.

### **(3) The CCP and Other “Democratic Parties”**

The post-Mao regime has re-instituted “multi-party cooperation” into its political operation, and emphasized the enhanced role of the CPPCC (the Chinese People’s Political Consultative Conference). The CPPCC serves as a political instrument of the post-Mao regime to recover and incorporate the eight so-called “democratic parties” that are a legacy of “new democratic revolution” led by the CCP during its power struggle against the Nationalist Party and during the CCP regime making.

These eight political “parties” officially exist but are actually subordinate satellites of the CCP. These so-called “parties” have no independence and must accept the leadership of the CCP. Although the CCP “consults” with these parties regularly, “the reality is that they survive on the sufferance of the CCP and could be immediately crushed if they refused to do the CCP’s bidding.”<sup>55</sup> There is no interaction among the eight existing nominal political parties or so-called “democratic parties,” which do not seek to control the government or vie against the CCP, for the CCP succeeded long ago in eliminating its rivals and has effectively prevented the emergence of any force that could even begin to be a nucleus for political opposition.<sup>56</sup>

In the 1990s the party has taken some major steps toward “inclusion” of the eight “democratic parties” into the polity and attempted to define and organize their activities around the leadership of the CCP. For example, the major document “On Upholding and Perfecting the System of Multi-party Cooperation and Political Consultation under the CCP Leadership” specifies that a certain proportion of the positions of the NPC and its Standing Committee as well as local-level people’s congresses should be “set aside” for members of the eight “democratic parties.” And when the State Council or local governments hold plenary sessions and other meetings to discuss policy, they can, according to needs and circumstances, invite some members of these parties to sit in.

However, the document has made it clear that “The CCP is the leading core of the socialist cause and the ruling party,” and “the democratic parties accept the leadership of the CCP and work closely with it at socialist projects.” “The political foundation of

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<sup>55</sup> Colin Mackerras, *The Cambridge Handbook of Contemporary China* (Cambridge: Cambridge University Press, 1990), p. 59

<sup>56</sup> John Bryan Starr, p. 61

cooperation between the CCP and the democratic parties is insistence on the CCP leadership and the Four Cardinal Principles,” the document adds.<sup>57</sup> As *People’s Daily* put it, the system of “multi-party cooperation” is a “creation born out of the synthesis of Marxism-Leninism and the Chinese revolution and socialist construction.”<sup>58</sup> At a national conference on the “united front and multi-party cooperation” in 1998, Hu Jintao stressed, “facing new situations, new tasks and new tests, the CCP, as well as all democratic parties, people’s organizations, and non-party individuals within the united front, must concentrate our attention on promoting the socialist modernization, carrying out the spirit of the 15<sup>th</sup> Party Congress and the 9<sup>th</sup> National People’s Congress, and implementing various major decisions.” However, Hu added, “most important is the adherence to Deng Xiaoping Theory in order to ensure the correct political direction of the democratic parties.”<sup>59</sup>

Jiang Zemin stated that the purpose of the CCP’s efforts to develop the “united front” was to preserve political stability and frustrate efforts by “hostile domestic and foreign forces” to subvert the socialist system and the CCP rule.<sup>60</sup> Deng Xiaoping had pointed to the essence of the “flower-vase politics” in early 1990: “We will never allow democratic parties to become opposition parties,” and “the ban on parties should be maintained.” “Why has the situation in Eastern Europe changed so rapidly?” he asked. “It happened first of all in Poland. As a result of the spread of the Solidarity Movement, a viable force of opposition took root. This quickly led to the loss of power of the Polish

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<sup>57</sup> *New China News Agency*, February 7, 1990, quoted from Willy Wo-Lap Lam, p. 297

<sup>58</sup> *People’s Daily*, February 8, 1990

<sup>59</sup> *People’s Daily*, March 31, 1998, p. 1

<sup>60</sup> *China News Service*, June 14, 1990, quoted from Willy Wo-Lap Lam, p. 297

Communist Party. We must draw a lesson from the Polish experience. We must absolutely not allow an opposition party to take shape in China.”<sup>61</sup>

The “flower-vase” parties are actually the CCP’s satellite political organizations that follow the CCP’s lead – “take the head of the general’s horse as guide” – and that are completely financed by the communist party-state. Whenever the CCP announces a policy change, the leaders of these flower-vase parties go through the ritual of putting up their hands in support. Aside from offering support, they also provide praise for the CCP, its goals, the socialist system, the people’s democratic dictatorship, Marxism-Leninism, Mao Zedong Thought, and Deng Xiaoping Theory. As Chairman of the China Democratic League Fei Xiaotong put it, multi-party cooperation suits Chinese conditions, whereas the multi-party system or two-party system in Western countries “would fundamentally not work in China.”<sup>62</sup> All so-called “democratic parties” make it clear in their work reports addressed to their national congress that their members “must conscientiously study and carry out the spirit of the 15<sup>th</sup> Party Congress and further seek the unity of thinking,” “unite more closely around the Party Central Committee with Jiang Zemin as the core, and go all out wholeheartedly to struggle for a strong, democratic, and civilized socialist modernized country, with the guidance of Deng Xiaoping Theory.”<sup>63</sup> What is the difference between these “democratic parties” and the CCP in goals, guiding ideologies, and central tasks? No difference!

The CPPCC status has been upgraded to a certain degree in the 1990s. By 1994, 65.6 per cent of the CPPCC Standing Committee members were either affiliates of the

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<sup>61</sup> *South China Morning Post*, January 5, 1990, quoted from Willy Wo-lap Lam, p. 298

<sup>62</sup> *China News Service*, June 1, 1991, quoted from Willy Wo-Lap Lam, p. 298

<sup>63</sup> *People’s Daily*, January 1, 1998, p. 2

eight so-called democratic parties or other non-communist members. A special “economic sector” was added to reserve seats for 100-odd economists, state-enterprise managers, and private-sector entrepreneurs. Rong Yiren, a non-communist affiliate, was appointed as the state Vice President (after all, a honorary position). About 16 such figures were appointed to senior positions, such as vice ministers in the State Council. Yet none was a full-fledged minister. Various regional administrations also set aside senior positions for non-communist members. For example, about 20 such figures were slated for posts at the bureau-level or above within the Beijing municipality in 1994. Various municipal governments also formed senior think-tanks for non-communist members to provide advice on governmental affairs and to air their views on policy making.<sup>64</sup>

However, the CPPCC is after all a window dressing for democracy and only serves as a “think-tank” or “talent bank” for the CCP.<sup>65</sup> Zhou Ciwu, head of the Shenzhen CPPCC, made it clear: “supervision [by the CPPCC and non-communist parties] does not mean singing rival tunes but channeling people’s opinion.”<sup>66</sup> Ye Xuanping, the Vice Chairman of the CPPCC, also pointed to the limits to the work of his consultative body. In a mid-1993 speech, in spite of his stress on the need for “letting a lot of people speak out” and ensuring that “they can say whatever they like,” Ye set the basic tune: “we should do our best but not go beyond our frame of reference. We should strengthen the unity of people from various sectors.” In other words, any talk and action contrary to the

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<sup>64</sup> *Wen Hui Bao*, June 23, 1993, February 14, 1994; *China News Service*, February 2, February 6, 1993, in Willy Wo-Lap Lam, pp. 300-301

<sup>65</sup> *New China News Agency*, May 17, 1993

<sup>66</sup> *Shenzhen Special Zone Daily*, January 31, 1993

overall interests of unity around the CCP and political stability under CCP rule will not be allowed.<sup>67</sup>

It has been shown that the Party is the locus of the operation of state institutions; the same will be shown later of social organizations. If any change within the system is considered necessary, it is the party leaders who decide whether such a change is tolerable or beneficial to the development of socialist system and modernization. The decision to revamp the government institutions or social organizations, or make any other reforms within the system, always comes from the party's ruling center – the Politburo or the individual paramount leader.

In short, the party continues to require the state, the military, society, and individuals to subject themselves to party leadership and policy. The party is “the core of leadership” of all state institutions and social organizations. At a national conference on the “united front and multi-party cooperation” held at the Central Party School in 1998, Hu Jintao, President of the Party School and the Politburo standing member in charge of party organizational work and united front work, emphasized, “Deng Xiaoping Theory is the guide for all work and action of the CCP, as well as the fundamental ideological base on which the socialist patriotic united front is developed and the multi-party cooperation and political consultation system under the leadership of the Chinese Communist Party is maintained and improved.”<sup>68</sup> During the period of the 9<sup>th</sup> NPC and CPPCC, *People's Daily* praised the 9<sup>th</sup> NPC as a highly unified congress and called for the whole party, the whole nation and the whole people to “hold high one banner,” “uphold one goal,”

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<sup>67</sup> *New China News Agency*, May 17, 1993, in Willy Wo-Lap Lam, p. 302

<sup>68</sup> *People's Daily*, March 31, 1998, p. 1

“promote one style,” “master one method,” “create one environment,” “adopt one strategy,” and “improve one system” under the leadership of the CCP with Jiang Zemin as the core in the coming 21<sup>st</sup> century.<sup>69</sup>

### III. CONCLUSION

This chapter has examined the political change in post-Mao China along the three most critical empirical dimensions and demonstrated that the post-Mao regime has remained in the fundamental sense communist totalitarianism.

The post-Mao regime has attempted to resurrect the political tradition and political theory of the mid-1950s and based the political doctrine of the post-Mao regime on the “Four Cardinal Principles,” which are proclaimed as defining the core elements of the post-Mao regime and as the fundamental prerequisite to the realization of the Four Modernizations. The Four Cardinal Principles have fundamentally prescribed the direction, scope, content, and limits of the post-Mao reform.

The post-Mao regime has continued to consolidate and institutionalize the totalitarian party-state apparatus that have come down from Mao’s era. There has been no genuine political liberalization, but “rationalization” of the government in many ways. It continues to be the party that decides – unilaterally and unaccountably – what should be done and what steps or measures should be taken. The state institutions and social

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<sup>69</sup> *People’s Daily*, March 2, 1998, p. 1; March 4, 1998, p. 1, 2, 4. “Hold high one banner” refers to Deng Xiaoping Theory; “uphold one goal” refers to the establishment of a socialist market economy; “promote one style” refers to socialist spiritual civilization; “master one method” refers to the party’s seeking truth and mass line; “create one environment” refers to stability, unity, forging ahead and initiative; “adopt one strategy” refers to the strategy of economic modernization laid down by Deng Xiaoping; “improve

organizations are established and institutionalized as an appendage of the party, which is consistent with the newly refined model of totalitarianism as well as the generally accepted “classical” definition of totalitarianism associated with Carl Friedrich and Zbigniew Brzezinski. State agencies are generally facades for corresponding party organizations wherein the real power lies. State institutions and social organizations act as party instruments in carrying out the wishes of the party leadership, while the totalitarian party acts to ensure its predominance in all aspects of the society – political, legal, economic, social, cultural, ideological, and military arenas. All state institutions, including the NPC or the CPPCC, are the instrument of the party, which the party either disregarded entirely (under Mao’s regime) or manipulates for its own ends (under the post-Mao regime). Moreover, in the post-Mao era, the security forces, synthesized with the military, are greatly strengthened and heavily politicized so that they can defend the party and its ruling order against real and imagined threat and opposition. The military and the security forces serve as sword and shield of the party.

It has been argued by many that “a single official party” also exists in some authoritarian regimes. However, this view fails to distinguish between two types of “single official party” under different regimes. While a single elitist party is common to both forms, the party in authoritarian regimes “generally lacks the militancy, political and ideological vanguard status reserved only for totalitarian parties and may compete with the state, military and private organizations rather than penetrating and dominating

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one system” refers to the multi-party cooperation and political consultative system under the leadership of the CCP.



them.” Moreover, “unlike totalitarian systems, authoritarian systems are content with taking over the government, not totally transforming and remolding society and man.”<sup>70</sup>

Therefore, the post-Mao regime retains the defining characteristics of all totalitarian regimes in the making and maintains a totalitarian party that is the locus or, to use the regime’s official terminology, “the core of leadership” or “the political nucleus” for all state institutions and social organizations. The findings based on fresh empirical evidence suggest that China has not made any significant political change from the communist totalitarian regime toward an authoritarian regime or a post-totalitarian regime in any of those fields despite the considerable economic change made in the past 20 years.

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<sup>70</sup> Paul Charles Sondrol, *Castro’s Cuba and Stroessner’s Paraguay: A Comparison of the Totalitarian/authoritarian taxonomy*, Doctoral Dissertation in Political Science, The University of Arizona, 1990, p. 14

#### I. INTRODUCTION

In post-Mao China, lawmaking is clearly the area of greatest achievement in the legal field. The number of laws has rapidly increased since 1978. From 1979-1993, a total of 1888 laws, statutes, and other legal documents were made, among which the NPC passed 210 laws. Provincial congresses enacted over 2,000 local regulations.<sup>1</sup> From 1993-1998, the NPC passed 118 laws and legal decisions, which add up to 328 laws in total.<sup>2</sup>

The post-Mao regime has experienced a change from rule by policy to rule by a combination of policy and law. During the "Cultural Revolution" from 1966 to 1978, the Chinese communist regime ruled primarily by all kinds of industrial policies, such as "70 Regulations of Industry," "60 Regulations of Agriculture," "60 Regulations of Higher Education," and "Regulations of Public Security," which in fact served as the law in regulating social, economic, and political life. Since 1979, a series of laws have been passed to replace those policies, such as Criminal Law (1979), Criminal Procedure Law (1979), Civil Procedure Law (1982), Constitution (1982), Civil Code (1986), Law of the Whole-People-Owned Industrial Enterprises (1988), Administrative Procedure Law (1989), Company Law (1993), Agriculture Law (1993), Law of Scientific and Technological Development (1993), Education Law (1995), and Law of Township and Village Enterprises (1996).

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<sup>1</sup> China Renmin University, *Research Report on Chinese Social Development (1994-1995): Chinese Society in Fast Transformation from Traditional to Modern Modes* (Beijing: China Renmin University Press, 1996), p. 50

<sup>2</sup> *People's Daily*, March 14, 1998, p. 4

The change is also evident in terms of the role of the People's Congress if compared to the period of "Cultural Revolution." The role of people's congresses has been comparatively extended and theoretically justified in terms of representation, regime support, law-making, institutional supervision or personnel oversight, and procedural rationalization.

Post-Mao legislative reform has rationalized the People's Congress in many other regards. Today's congresses employ secret ballots in elections, institutionalize cadre inspection procedures, and develop job descriptions and tests for assessing competence. People's congresses also play an enhanced role in personnel oversight and legislative investigation. Congress deputies are also sent to investigate and report instances of counterfeit pharmaceuticals, impure drinking water, unhygienic markets, polluting factories, illegal gold hoards, tax-evading entrepreneurs, price gouging, and land expropriation. On some isolated occasions, local congresses turn down party nominees to leadership posts, such as candidates for vice governors of provinces and heads of provincial or local courts and procuratorates.<sup>3</sup>

Post-Mao legislative reform has also brought about some organizational changes, including the strengthened NPC Standing Committee (NPCSC) and its expanded scope of action, increased specialization, procedural regularity, full-time staff, and improved internal organization. The NPCSC and its special committees have occasionally engaged in legislation drafting and revision. The Standing Committee, Law Committee, and Legislative Affairs Commission have assumed an active role in clarifying and elaborating

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<sup>3</sup> Kevin J. O'Brien, "Chinese People's Congresses and Legislative Embeddedness" *Comparative Political Studies*, vol.27, no.1, 1994, pp. 96-97; for some specific cases, see

general directives and policy changes of the CCP politburo and in making laws to ensure their implementation.<sup>4</sup>

Procedural rationalization aimed at improving work efficiency is another area of great achievement in post-Mao China. In the 1980s, deputies typically received draft government work reports several days before convening. Since the late 1980s, they have begun to receive all draft laws, personnel name lists, and the session's agenda one month before convening, in the hope that deputies would become more effective participants in discussions during the convening of sessions.<sup>5</sup> The Constitution (Article 74, 75) restores deputy immunities granted in 1954, forbids arrest or trial of NPC deputies without permission of the NPCSC, and guarantees that deputies will not be called to legal account for plenary speeches or votes.<sup>6</sup> The Constitution (Article 73) affirms the right of deputies to address inquires to the State Council and its ministries and commissions and require either written or oral responses.<sup>7</sup> However, all inquiries have to be written and presented by full delegations or groups of thirty or more deputies – “to guarantee that the inquiries had a definite mass base.”<sup>8</sup> Opinions, suggestions, and criticisms are submitted to the General Office of the NPCSC, which will refer them to concerned NPC committees and

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Chai Dingjian, *The People's Congress System of China* (Beijing: Legal Press, 1998), p.359 (table footnote)

<sup>4</sup> Kevin J. O'Brien, *Reform without Liberalization: China's National People's Congress and the Politics of Institutional Change* (Cambridge: Cambridge University Press, 1990), pp. 6-7

<sup>5</sup> Liu Jui-shao, “Beijing Keen on Improving Quality of NPC Sessions,” *FBIS-Daily Report, China* 39 (February 29, 1988)

<sup>6</sup> *The Constitution of the People's Republic of China* (Beijing: Legal Press, 1996), p. 26

<sup>7</sup> *Ibid.*, pp. 25-26

<sup>8</sup> Wang Dexiang, “Zhixunquan jianlun” [A brief explanation of the right to address inquires], in Zhongguo Faxuehui, ed., *Xianfalun Wenxuan* (Beijing: Law Press, 1983), pp. 198-199.

government departments. From June 1983 to April 1988, according to a Chinese official report, NPC committees and government departments handled 14, 215 deputy opinions, suggestions, and criticisms.<sup>9</sup>

The post-Mao regime has relaxed its leash to a certain degree on legal professions and their practices in civil law and business law, though their practices are subject to party-state direction and the party-state apparatus has always intervened as needed. Ordinary people and businessmen have begun to turn to the legal profession to resolve business and civil disputes more often than before. As a result, another area of great achievement is the increased number of law offices and legal advisors in post-Mao China. By 1996, there were total 90,000 legal workers or “legal advisors” in China, and 7200 law offices, among which are more than 5500 state-owned legal offices, 500 cooperatives, and 1200 partnership associates. The first Lawyer Law in Chinese communist history that was enacted by the NPC in 1996 regulates the different legal responsibilities of the three law offices.<sup>10</sup> Compared with the pre-1978 period, China has made substantial progress in terms of the increased role of legal advisors in economic and civil lawsuits.

Post-Mao legislative reforms and changes have led many China analysts to declare that the post-Mao regime has followed the model of some East Asian authoritarian countries and moved away from the totalitarian party rule toward authoritarianism based on the “rule of law.” Some analysts even argue that the change in post-Mao China or “creeping democratization” is “forming subtle but important checks

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<sup>9</sup> “Progress Made in Legal System,” *Beijing Review* 31 (April 18-24, 1988), p. 11

<sup>10</sup> *People's Daily*, July 8, 1996, p. 4

and balances against the ruling party's monopoly of power, strengthening the rule of law, and cultivating self-government at the grassroots level."<sup>11</sup>

However, a careful examination of the evidence will suggest that either "the rule of law" or "creeping democratization" is only an illusion or wishful thinking that contradicts the reality of the post-Mao legal system and misinterprets the change of the legal field in post-Mao China. The assessment of the development and achievement of a legal system should not depend on how many laws have passed, but on how these laws have operated within a certain legal framework, who defines the principles, norms, and rules of the legal framework, and who makes the law. The latter, rather than the former, determines the nature of the legal system, which actually constitutes one key aspect of the Chinese communist totalitarian regime. If China is found to have a truly independent judicial system which is not subjugated to the party, if the party no longer stipulates its own principles, norms, rules in the constitution, and if the party authority no longer overrides laws of government, we can arrive at the conclusion that a fundamental or systemic change of the political regime has occurred in post-Mao China.

## **II. ASSESSMENT**

### **1. The Rule of Law**

In the assessment of the legal change in terms of regime change in communist totalitarian states, one critical question is to what extent post-Mao China has moved toward "the rule of law." Many analysts use this term without clearly defining it while

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<sup>11</sup> Minxin Pei, " 'Creeping Democratization' in China," in Larry Diamond, et al., eds., *Consolidating the Third Wave Democracies: Regional Challenges* (Baltimore and London: The Johns Hopkins University Press, 1997), pp. 213-227

asserting the post-Mao transition to “the rule of law.” However, no sensible assessment can be made without defining and understanding the meaning of “rule of law.” Therefore, we must first define the term “rule of law” that can serve as a conceptual criteria for measuring the legal change in post-Mao China, in order to establish a plausible argument against such an arbitrary assertion.

“Rule of law” can be simply defined as the procedural due process in which the political game is played by rules, laws serve the important function of setting limits on the exercise of power, no one is above the law, and all citizens are equal before the law. However, for a country to have the rule of law, according to law professor Ralf Dahrendorf, it requires that laws are “prospective, clear, open, accessible, and noncontradictory, ... an independent and impartial judiciary, independent legal profession, and honest and apolitical law enforcement.” He added, “independence of the ‘judicial department’ may be indeed be regarded as the very definition of the ‘rule of law’: It is certainly an important part of it,” and an independent bar is necessary to assure access to the courts.<sup>12</sup> The historical development of this concept has shown that the focus is on the limitations of state power. All definitions of rule of law agree on the importance of the law’s function of setting limits on the exercise of power – constitutional limits on all branches of government, independent judicial review of the constitutionality of legislation, due process, including open and unbiased courts and fair hearing, and the like, and emphasize the fundamental human rights or the basic civil and political rights both at individual and collective levels that are guaranteed by the constitution – such as the principle of equality, the presumption of innocence in criminal

cases, freedoms of speech, press, assembly, and association, freedoms from unreasonable searches, arrest, seizures, torture, forced confessions, and imprisonment without going through courts, and the right to be tried before independent courts.<sup>13</sup>

However, by definition, there is no evidence that supports the assertion that post-Mao China is moving toward the “rule of law” or that the post-Mao government functions on the basis of “rule of law” rather than other supreme authorities. As we will discuss later, the post-Mao leadership shares a strongly instrumental view that law is a tool to extend control over a society, maintain the existing political and economic order, and achieve its policy goals. For post-Mao communist leaders, law is seen as an instrument to subjugate all persons and all governmental institutions to the rules defined and promulgated by the “supreme lawmaker” – the totalitarian communist party. Law, like state terror, party-state policy, mass mobilization and terror, state planning, administrative command, and the like, is only one of the action means that are applied selectively and are always subject to change accordingly, without much concern given to the basic principles of rule of law – for instance, that laws must be prospective, clear, open, accessible, and noncontradictory – or without any reference to an independent and impartial judiciary, independent legal profession and bar, and honest and apolitical law

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<sup>12</sup> Ralf Dahrendorf, “A Confusion of Powers: Politics and the Rule of Law,” *Modern Law Review*, no. 40, 1977, p. 9

<sup>13</sup> Ronald Dworkin, “Political Judges and the Rule of Law,” in Ronald Dworkin, *A Matter of Principle* (Cambridge: Harvard University Press, 1985), pp. 9-32; Ronald Dworkin, *Law’s Empire* (Cambridge: Harvard University Press, 1986), p. 93; Allan C. Hutchinson and Patrick Monahan, eds., *The Rule of Law: Ideal or Ideology* (Toronto: Carswell, 1987a), p. ix; Geoffrey Walker, *The Rule of Law* (Melbourne, Australia: Melbourne University Press, 1988), pp. 23-42; Andrew Altman, *Critical Legal Studies: A Liberal Critique* (Princeton: Princeton University Press, 1990); Thomas Buergenthal, “The CSCE Rights System,” *George Washington Journal of International Law and Economics*, no. 77, 1991, p. 356



enforcement. This is not “rule of law,” but a kind of instrumentality of law that serves the functions other than those of the “rule of law.”

The post-Mao legal change, such as enforcement of contracts to encourage market exchanges, enactment of criminal, tort, and property law to protect legally earned profits, and enactment of criminal and administrative law to curb corruption and arbitrary government intervention, reflects some aspects of legality that characterize the rule *by* law, which any authoritarian and totalitarian regime can claim to follow. The difference between the two regimes in terms of “rule by law” is who constitutes the “supreme lawmaker,” how law is actually made, and in what political context the law operates and is enforced.

In post-Mao China, it is the CCP who defines and promulgates the constitutional rules and gives orders or directives to the government organs to make the laws as needed. For Chinese communist totalitarians, constitutional principles and rules reflect the party’s ideology, norms, values and policy changes, and they are binding on all persons and all organs of the state, except that the supreme lawgiver – the communist party – has the power to change them. China’s constitution is identical with Stalin’s and Mao’s, which self-claimed the leading role of the Communist Party as the vanguard of the working class and all other working people in their struggle to build socialism and realize communist society. The Party is the leading force of Chinese society, the leading nucleus of its political system, and the core of all organizations of the working people, both state and social. The party-domination clause has been emphasized and carried over into the post-Mao constitutions. The primacy of one ruling party and its supreme authority are elevated to the status of a basic constitutional principle, which is certainly not the case in

any authoritarian state, where the supreme lawmaker could be the legislature, the government or a dictator.

The “leading role” of the CCP is actualized in such a way that the party officials are in a position to dictate important decisions in all governmental and public organs as well as to confine the parameters of other social, cultural and economic activities through the party-state apparatus. China still has no true separation between the party and the state, and the party holds all of the real power in its hands. As we will discuss in detail later, important legal decisions and laws are actually made by the party officials who fulfill all the important positions in the congress and the relevant governmental departments. It is not congress deputies but the party-state institutions that make laws. Party decisions or policy changes need not be formally justified by reference to legal rules. The party can manipulate law to further its own ends. In none of the authoritarian states or the non-communist countries does authoritarian regime involve such a ruling party that substitutes itself for the function of government, acts as the supreme lawmaker, and manipulates law to further its policy goals or define and institute changes as the Party does under Chinese communist rule.

Therefore, one key indicator of regime change in communist totalitarian states, with respect to the change in legal system, is “the development of some of the key institutions for implementing the rule of law, especially an independent judiciary, an independent private bar, and the special public law jurisdictions for review of administrative action and the constitutionality of legislation. Such institutional reform is

important because the rule of law is not possible without them”<sup>14</sup> Obviously, such institutional reform has not been attempted by the post-Mao leadership, as we will discuss later.

## 2. The Nature of the Chinese Law and Constitution

Lawmaking is the area of greatest achievement in the legal field in post-Mao China. Does the number of laws account for the nature of regime change? The answer is no. China had law (The Qing Codes) two hundred years ago. Even after the communist takeover in 1949, Mao’s regime made a great achievement in this regard. From 1949 to 1965, a total of 1709 laws, administrative regulations, and other legal documents were made, among which those made by the NPC totaled 122. From 1979 to 1993, a total of 1888 laws and legal documents were made, among which those made by the NPC totaled 210.<sup>15</sup> Table 5.1 presents a comparison of China’s lawmaking under the two regimes.

**Table 5. 1. China’s Lawmaking, 1949 – 1993**

Year	Legislation by the NPC	Legislation by the State Council	Sub-total
1949-1965	122	1587	1709
1966-1978	7	217	224
1979-1993	210	1678	1888

Sources:

*Chinese Law Almanac 1993* (Beijing: Chinese Law Almanac Press, 1994), pp. 47, 68

*Chinese Law Almanac 1994* (Beijing: Chinese Law Almanac Press, 1995), pp. 47, 73

*Report on Chinese Social Development 1994-1995* (Beijing: China People University Press, 1996), p. 50

Therefore, law is not something new to post-Mao China and the number of laws made does not account for the nature of regime change. Mao’s regime made 1709 laws between 1949 and 1965 in the making of a new communist regime, while the post-Mao

<sup>14</sup> John Reitz, “Constitutionalism and the Rule of Law: Theoretical Perspectives,” in Robert D. Grey, ed., *Democratic Theory and Post-Communist Change* (New Jersey: Prentice Hall, 197), p. 135

<sup>15</sup> China Renmin University, 1996, p. 50

regime made 1888 laws between 1979 and 1993 in the effort to redefine and revitalize the party-state apparatus, establish a “socialist market economy,” and pursue the intermediate goal of economic modernization. The difference in the number of laws is actually not sharp, only a slight difference in degree not one in kind. The key is who makes the law and defines the fundamental principles underlying it, how the law is made, and whether or not the party or the government is restrained by its own rules. Despite the fact that the post-Mao regime declares publicly that its ruling should be based on legal rules, or in their own term, the “rule *by* law,” China is not a state where government acts or party decisions need to be authorized by law to be valid. They are valid if they can actually be done to meet their needs or serve a certain policy orientation according to other supreme directives (party policy or directives of individual top leaders). In this sense, Mao’s regime and the post-Mao regime are similar regardless of the growth of legislation and associated institutions since 1978.<sup>16</sup>

Stalin’s regime was totalitarian regardless of the Stalin Constitution. A constitution is described as “the organic and fundamental law of a nation or state, which may be written or unwritten, establishing the character and conception of its government, laying the basic principles to which its internal life is to be conformed, organizing the government, and regulating, distributing, and limiting the functions of its different departments, and prescribing the extent and manner of the exercise of sovereign powers.”<sup>17</sup> Communist China has had several constitutions – in 1954, 1975, 1978, 1982, and 1993. All are claimed to be the fundamental law of the People’s Republic of China.

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<sup>16</sup> Donald C. Clarke, “Justice and the Legal System in China,” in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan, 1995), pp. 88-89

<sup>17</sup> *Black’s Law Dictionary* (St. Paul, Minnesota: West Publishing Co., 1979), p. 282

All define the composition and power of political structures of the communist regime and regulate the relations of the various institutions to one another and to the citizens. However, as it is observed, "the constitution seems to bear no relation to the actual government of China."<sup>18</sup> "The government has never been obliged to follow its precepts, and there is no mechanism for making it do so."<sup>19</sup> Each constitution has marked the ascendancy of a particular leading group and policy orientation. Each has contained a clear indication of the policy directions the government at the time intended to take. "The constitution does not function as a set of fixed principles against which specific laws and practices are measured and overturned if found to be at odds."<sup>20</sup> Changes to the constitution are often intended to be the final stamp of legitimation on already existing and approved practices. Land leasing, for example, was carried out experimentally at the local level, without being approved by the NPC but with central government approval, while the prohibition on it was written in the constitution. People's communes were largely abolished and replaced by the responsibility contract system while they remained in writing as one of the foundations of China's socialist economy. Although the government has never in practice allowed strikes, the right to strike was put in both the 1975 and the 1978 constitutions as appropriate to a workers' state. By 1982, however, the post-Mao regime had changed its mind about how far the constitution should reflect reality: the provision was removed.<sup>21</sup>

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<sup>18</sup> W. C. Jones, "The Constitution of the People's Republic of China," *Washington University Law Quarterly*, LXIII, 1985, p. 710

<sup>19</sup> Donald C. Clarke, p. 86

<sup>20</sup> John Bryan Starr, *Understanding China* (New York: Hill and Wang, 1997), p. 60

<sup>21</sup> Donald C. Clarke, p. 87

Amendments made to the 1982 Constitution at the first session of the 8<sup>th</sup> National People's Congress held in March 1993 include the following major revisions, though not exhaustive. First, the concept of the "Socialist Primary phase"<sup>22</sup> was incorporated into the preamble of the Constitution. Second, the concept of a state-owned economy replaced the old ambiguous concept of state economy, which actually means state-run economy. Third, the stipulation in the 1982 Constitution that "China practices a planned economy on the basis of socialist public ownership and that she ensures the growth of the national economy through overall economic planning with a supplementary role for market regulation" was replaced by the concept of "Socialist Market Economy."<sup>23</sup> Fourth, the 1982 Constitution stated that "state enterprises have decision-making power with regard to operation and management within the limits prescribed by law, on the condition that they submit to the state's unified leadership and fulfil all their obligations under the state plan." Now it becomes simply "state-owned enterprises have decision-making power in operation and management within the limits prescribed by law." Fifth, "the responsibility system, the main form of which is household contracts linking remuneration to output" has replaced "rural people's communes and agricultural producers' cooperatives."<sup>24</sup>

All these revisions were actually made as the final "stamp" of legitimation on already existing and officially approved practices according to other supreme authorities, particularly the paramount leader Deng Xiaoping. Amendments suggest that the

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<sup>22</sup> For the discussion of the concept, its essence and its significance, refer to the chapters on ideology, politics, and economics in the dissertation.

<sup>23</sup> For the discussion of the concept, its essence, and its significance, refer to the chapters on ideology, politics, and economics in the dissertation.

<sup>24</sup> "Constitution Amended to Advance Market Economy," *Beijing Review*, April 26-May 2, 1993, pp. 14-15

Constitution serves as the instrumental tool of a particular leading group and their policy orientation, rather than functioning as a set of fixed principles against which specific laws and practices are measured. The Party is identical with the government, the regime, and the state, and it molds the government, the state, and all the key aspects of political life along lines compatible with its own political ideology, norm, image, policy orientation, and need, and constructs laws and constitution in accordance with this particular political ideology, norm, image, policy orientation, and need. This has nothing to do with the "regime change," but is totalitarian in nature regardless of changes or revisions.

### **3. Law Serves as an Instrumentalist Tool.**

The post-Mao leadership takes an instrumentalist view of the role of law as promoting economic development rather than trying to promote the rule of law as an end in itself. Post-Mao politics since 1978 has shifted from a Maoist leadership style that was informal, pedagogical, and highly politicized to a Dengist style that is more formal, pragmatic, and technocratic. However, the leadership's view of law has remained primarily "instrumentalist," that is, "law is considered as a needed tool for achieving economic reform and modernization and it is useful and necessary only inasmuch as it promotes that goal."<sup>25</sup> The reason that the post-Mao regime has emphasized the importance of law is simply because of the new policy orientation in which centralized state planning, although still significant in the economy, is no longer considered as the primary regulator of Chinese economic activities, which have been largely based on

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<sup>25</sup> Mu Rui, "New Developments in China's Economic legislation," *Columbia Journal of Transnational Law* (New York), No.1, 1983, pp. 61-76

economic contracts and increasingly in response to such market mechanisms as price, credit and interest policies, and taxes. Law serves as a useful and necessary tool to regulate economic order while extensive state intervention remains commonplace in economic activities.<sup>26</sup>

The marketizing reform itself has also been carried out in such a manner as to indicate the leadership's view of law as a means of bringing about a certain economic and legal order rather than as a desirable end in itself. Examples of legal enactment designed to bring about a certain kind of economic order include the State Enterprise Law, the Equity Joint Venture Law, bankruptcy Law, Economic Contract Law, and various regulations regarding securities markets. Moreover, under this category, there are statutes that define the structure and operation of Chinese businesses. Although they are not formal pieces of legislation, the State Council's decisions guide much of China's economy.<sup>27</sup> Statutes made by the State Council exceed legislations by the NPC by a big margin: 1,678 legal regulations made by administration and 210 legislations made by the NPC from 1979 to 1993.<sup>28</sup>

The law and the legal system in China continue to serve a specific political agenda or the "work-focus-shift" (*gongzuo zhongxin zhuan yi*) of the CCP policy, which has been on economic modernization since 1978. It is evident that law reform and legislative activity have focused on economic change and regulation of economic activities, and that the pace of change in law is dictated to some extent by the speed with

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<sup>26</sup> For the discussion on the extensive state intervention and the fledging market in post-Mao China, refer to the chapter on economic transformation in the dissertation.

<sup>27</sup> James V. Feinerman, "Economic and Legal Reform in China, 1978-1991," *Problems of Communism*, vol. 40, Sept-Oct 1991, p. 68

<sup>28</sup> China Renmin University, p. 50



which economic reforms can be implemented. "China's domestic economy and the legislation regulating it illustrate an attempt to use law as a control upon the economy in the broadest possible sense."<sup>29</sup> In late 1993, the CCP began to emphasize the role of the law and the legal system in helping expedite the realization of the "socialist market economy." In a speech at a legal conference in 1993, Ren Jianxin stressed the principles of "equality before the law," "administration based on the law," "using the laws to promote and regulate competition," and "establishing the legal base of socialist market economy." He criticized the interference in legal work as a result of "regional protectionism and departmental protectionism," while continuing to maintain that the entire judicial and legal system must remain under the CCP leadership.<sup>30</sup>

Reforms in the economy have required extensive legislation and considerable expansion of the legal system since 1978. The content of legislation has been broadened.<sup>31</sup> However, a closer examination of the main aspects of the legislation in the past 20 years should suggest that laws and statutes are not used to check or limit the role of the CCP but to bring about the change that the regime expects or define the boundary of the change. According to the NPC Legislative Work Commission and the State Council Legal Bureau, (1) Laws are used to regulate the subjects of the market and define their conditions and legal status, such as Corporate Law and Commercial Bank Law. (2) Laws are used to adjust the relations between the subjects of the market and set rules for them to follow, such as Advertisement Law, Insurance Law, Bail Law, Accounting Law,

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<sup>29</sup> James V. Feinerman, p. 62

<sup>30</sup> *People's Daily*, December 31, 1993, p. 1

<sup>31</sup> Gary Watson, "Business Law in the People's Republic of China: 1978-1988," *American Business Law Journal* (Athens, GA), Fall 1989, pp. 315-375

Foreign Trade Law, and Urban Estate Law. (3) Laws are used to strengthen the state's macro-administrative and economic regulation and exercise control over the economy, such as Budget Law, People's Bank Law, Auditing Law, Income Tax Law, and Added-Value Tax Law. (4) Laws are used to promote the development of scientific technology, education, and agriculture, such as the Scientific Progress Law, Education Law, Teachers Law, Agriculture Law, and Land Protection Law. (5) Laws are used to strengthen the state apparatus, such as Judges Law, Procurators Law, People's Police Law, State Security Law, Prison Law, and Civil Service Law. (6) Laws are used to redefine the relations between state organs, such as the organic law of state organs at the central and local levels, and election laws.<sup>32</sup> However, few laws have been enacted for political reforms or to limit the role of the CCP in Chinese society, the state, and the government apparatus.

The legislative work in post-Mao China has mainly focused on economic, criminal, civil, and administrative lawmaking of the legal system, particularly with the economic legislation at the center of lawmaking.<sup>33</sup> Table 5.2 illustrates the major aspects of the law-making and the essence of the change in legal system.

**Table 5. 2. China's Legislation in Different Aspects of the Society, 1993-1997**

Economic laws and regulations	Administrative and institutional system	Criminal and civil lawsuit	Education, Science, Culture, Health, and Environmental Protection
54	25	28	18

Source: *Research Report on Chinese Social Development 1996-1997* (Beijing: China People University Press, 1998), p. 65

<sup>32</sup> *People's Daily*, October 17, 1995, p. 4

<sup>33</sup> China Renmin University, 1996, pp. 22-23, 49, 61, 65, 67

The same sources of the NPC Legislative Work Commission and the State Council Legal Bureau also point out some characteristics and guiding principles of the post-Mao legislation: “it must serve and subject itself to the whole situation of reform, development and stability”; “it must base itself on the legislation since the Third Plenary Session of the Eleventh Party Central Committee,” and “pay attention to the Chinese national character while incorporating foreign experience in order to safeguard the predominant position of the state economy and distribution according to work, and embody the essence of our socialist system while following the common law of a market economy.”<sup>34</sup> These guiding principles dictate the legislative activities and define the boundary of the change the post-Mao regime allows.

Law has been used as a tool of “the dictatorship of the proletariat” to maintain the monopolistic power of the CCP. Hundreds of new laws and legal documents have been introduced in the last 20 years. However, this is not meant to make the dictatorial party accept the implied constraint on its freedom of action, but to *legalize* the ruling order and the policy changes and, in practice, legally get rid of the civil and political rights on the part of the people. As Deng Xiaoping said, “More attention should be paid to the method of control, in particular, making the best use of the legal system, including those specific laws and regulations related to assembly and association, parade and demonstration, press and publication, and so forth. Violations will be accordingly banned.”<sup>35</sup> According to Deng’s directives, laws and legal regulations related to these activities have been

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<sup>34</sup> *People’s Daily*, October 17, 1995, p. 4

<sup>35</sup> Deng Xiaoping, *Selected Works of Deng Xiaoping – Vol. III* (Beijing: People’s Publishers, 1993), p. 286

introduced in the last years, not for the protection of the civil and political rights of Chinese citizens, but for the purpose of providing the legal prohibition against them.

More resort to the law also reflects the effort of the post-Mao regime to take more advantage of laws as the instrument for maintaining the party dictatorship, on the one hand, and as a means for regularizing relations where the party believes it no longer necessary to apply traditional coercive measures of control under new conditions, on the other hand. For example, the primary task of the Criminal Law introduced in the early 1980s, as stated in its preamble, is “to use punishment to combat all counterrevolutionary crimes,” and “to protect the dictatorship of the proletariat,” though the law is also applied to the punishment of real criminals. However, in many disputes among civilians and some personal and non-political disputes involving officials, it is no longer considered necessary for the regime to apply traditional measures of control; instead, these are resolved in court according to civil lawsuit code, intellectual property code, marriage law, etc., though the party and government authorities can always intervene if they want. One recent survey suggests that 66% of respondents do not trust the effectiveness of “administrative lawsuits” in protecting the civil rights of the Chinese citizens, and many judges, lawyers, and governmental functionaries believe that the system of administrative lawsuits designed to protect civil rights is only a matter of form, without much constraint on the government.<sup>36</sup>

The most common and most widely used penalty in China is the “administrative reeducation through labor” administered by the Public Security Bureaus. “Reeducation through labor” can be considered as the most typical model of “rule of law with Chinese

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<sup>36</sup> China Renmin University, 1996, p. 68

characteristics.” Such a system allows the police authorities to arrest and jail suspects without an arrest warrant and any trial process. It is a common practice that police authorities put a suspect in a detention house for several months or even several years before he or she receives an official arrest warrant from the authorities.<sup>37</sup> The scope of the administration of this system is all-embracing – anything can be put into this basket as the authorities please.<sup>38</sup>

The regime can do whatever they want accordingly. For example, the provision of “counterrevolutionary crime” in the Criminal Law was actually retained, but the expression of this crime is modified as “crime of jeopardizing state security” to avoid the condemnation of international society on the regime’s human rights violations and to meet the need for signing international human rights covenants, which might open the door for China to join the world trade organizations and enjoy many other beneficial trade terms. The modification of the expression of the crime neither changes any essential content of the original provision of the “counterrevolutionary crime” nor affects the implementation of the original provision and the treatment of domestic dissidents. For example, the specific charges, such as “counterrevolutionary propaganda and incitement,” and “organizing and leading counterrevolutionary groups and joining counterrevolutionary groups,” are modified as “inciting to split the nation and subvert the state power” and “organizing, plotting and implementing to subvert the state power and overturn the socialist system.”<sup>39</sup> It is very clear: “the same old stuff with a different label”

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<sup>37</sup> *China Spring*, no. 177, July 1998, p. 10; no. 178, August 1998, p. 35

<sup>38</sup> For a detailed description of the “all-embracing,” see an article by a former official from the Judicial Department of Guangdong province, Chen Guoxiang, “The Rule of Law with the Chinese Characteristics,” *China Spring*, vol. 171, 1997, p. 64

<sup>39</sup> *People’s Daily*, June 14, 1997, p. 5

or a change in form but not in content.

Moreover, the change adds some more new items to the provision of this charge to counter the tendency for dissidents or independent religious groups to receive financial support from domestic and international individuals and organizations. According to one of the newly-added items, “those organizations, individuals or groups within and outside the national boundary that provide financial support to those domestic organizations or individuals” who conduct the activities mentioned above “are responsible for the offence of financial support to jeopardizing state security, and the responsible person will be sentenced to five or more years in jail.”<sup>40</sup>

All the evidence suggests that the law and legal system under the post-Mao regime have remained primarily instrumentalist and served the ruling party’s specific political agenda and policy focus-shift. Moreover, law has continued to be used as a tool of “the dictatorship of the proletariat” to protect the monopolistic power of the CCP and maintain the communist totalitarian regime. Contrary to the argument that law has been used to provide checks and balances against the monopolistic power of the CCP, law has not been used to check or limit the monopolistic power of the CCP but to bring about the change that the regime expects or define the boundary of the change.

#### **4. Party Authority Overrides Legal Authority**

“In any country, laws do not exist in a social or political vacuum. Their enactment, enforcement, and evolution all take place in a social context that usually determines their efficacy. In the cases of China and other socialist countries, certain

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<sup>40</sup> *People’s Daily*, June 14, 1997, p. 5

institutions assume an unusual prominence, beyond the roles accorded to them in the legislative framework.”<sup>41</sup> In post-Mao China, party authority continues to be dominant and pervasive in every aspect of the state structure and continues to override legal authority. A closer examination of some practical aspects of the legal system may provide some insight into the nature of changes in the legal field.

### **(1) Party Policy Overrides Law**

The Marxist principle that law is the embodiment of the will of the ruling class, the dominance of the CCP in the institutional components of Chinese legal system, and the instrumentalist view that law is a means to implement current party policy all influence the interaction between economic and legal reforms. In neither area can reform proceed faster than the CCP is willing to allow. The purpose of legal reforms is to serve the change or the focus-shift of the party’s basic line and policy: from class struggle to economic modernization, from antagonism to the West to active cooperation and promotion of foreign investment. The evolution has suggested a change of policy, rather than a change of regime.

The Chinese legal system has never assumed true independence and has always remained subservient to the dictates of party policy. Party policy overrides law, and change in party policy predetermines the change in the legal system. Comparing the Chinese and American legal systems, “the fundamental difference between the two legal systems is that whereas Chinese law is primarily a tool of state power, American law

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<sup>41</sup> James. V. Feinerman, p. 69

protects a margin of relative social autonomy.”<sup>42</sup> The post-Mao regime has encouraged the spread of knowledge about laws, but only on its own terms: for example, the publication of statutory compilations without official authorization is illegal, news reports are subject to press discipline, and the mass media has the responsibility to carry out political and ideological education guidelines prescribed by party propaganda departments and to indoctrinate the public with the official norm of “socialist legality.”

The law enforcement record suggests the lack of law effectiveness: only half of the Chinese laws are enforced.<sup>43</sup> Although more and more people have turned to courts for the resolution of their civil and economic disputes, only 26% to 27% of the total court orders are executed every year. Withdrawal of the plaintiff, forced to drop the lawsuit under governmental pressure, was estimated at 41% – 52% of the total lawsuits in 1993.<sup>44</sup>

Table 5.3 reflects the low execution rate of court orders in civil and economic lawsuits.

**Table 5. 3. Court Orders and Executions, Selected Years (1992 – 1993)**

Year	Civil lawsuit			Economic lawsuit			Total volume		
	Court orders	Execution of orders	%	Court orders	Execution of orders	%	Court orders	Execution of orders	%
1992	1,948,949	453,172	23.3	648,018	273,127	42.1	3,049,959	825,405	27.1
1993	2,091,651	471,844	22.6	883,681	314,107	35.5	3,406,467	912,354	26.3

Sources:

*Chinese Law Almanac 1993* (Beijing: Chinese Law Almanac Press, 1994), p. 86

*Chinese Law Almanac 1994* (Beijing: Chinese Law Almanac Press, 1995), p. 102

The single most important reason, although not exhaustive, is party and government intervention in the execution of court orders and decisions, which is often

<sup>42</sup> Barrett McCormick, *Political Reform in Post-Mao China: Democracy and Bureaucracy in a Leninist State* (Berkeley and Los Angeles: University of California Press, 1990), p. 126

<sup>43</sup> Institute of Sociology of the Chinese Academy of Social Sciences, “A Comprehensive Analysis of Social Development during China’s Transition,” *Sociological Studies*, April 1991, p. 84

<sup>44</sup> China Renmin University, 1996, p. 68



labeled as “regional protectionism” and “departmental protectionism” or often expressed as the problem “where there is a law, it is not obeyed, and its enforcement is not strict” (*youfa buyi, zhifa buyan*). The essence of the problem is that “policy overrides law” (*zhengcedayufa*) or “party overrides law” (*dandayufa*).

## **(2) Legal Advisors and Their Practices**

Although the legal profession has been encouraged to develop, and the number of lawyers is increasing, the number of law firms and lawyers is still surprisingly small. In a country with a population of more than 1.2 billion, the availability of legal counsel is severely limited; for instance, only 18.7% of 3,699,784 cases in civil, economic, and administrative lawsuits handled in courts in 1993 involved lawyers. Graduates from law schools only amount to 1% - 2% of the total graduates from higher education institutions.<sup>45</sup>

As observed by many, lawyers also exist in authoritarian regimes. While this might be common to both forms (authoritarian and totalitarian regimes), in authoritarian regimes, lawyers and their practices are not required to follow party policy or to be loyal to the principles, norms, and rules defined by the party. Legal advisers and their practices in post-Mao China as well as in all totalitarian states have been obliged to follow party policy and required to be loyal to the totalitarian regime. The regulations governing the work of lawyers specify that legal advisors are “state legal workers” and must be “loyal to socialism.” In general, legal advisors cannot work as individuals or be paid directly by

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<sup>45</sup> *Ibid.*, pp. 58-59

clients. They must work in and be paid through a law office, and that office operates under the jurisdiction of the Ministry of Justice and its equivalents at the local level.<sup>46</sup>

Moreover, lawyers and all other legal workers are required to be subject to state direction. Lawyers are often required to report to and obtain the approval of local government justice bureaus before entering a plea of innocent.<sup>47</sup> This is particularly obvious in politically sensitive criminal cases. For example, lawyers defending persons charged with crimes related to the Tiananmen protests of 1989 were instructed to “do a good job of ideological work on the defendant and his family members, encouraging them to admit the crime and submit to the law.”<sup>48</sup> As the report pointed out in the same context: “defense is not a matter of victory or defeat, and the legal advisor is not competing with the procuratorial and court personnel to see who comes out on top; it is a propaganda effort, directed at the citizens, to condemn vice and praise justice.”<sup>49</sup>

The mid-1980s saw the growth of legal offices, and the late 1980s the establishment of “cooperative and partnership law offices which were financially self-supporting while still subject to the administrative control of the justice bureaus of local government, rather than operating independent of the state. The government has been clear that even legal advisors working in cooperatives and associates are expected to

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<sup>46</sup> Donald C. Clarke, p. 89

<sup>47</sup> T. Gelatt, “Lawyers in China: The Past Decade and Beyond,” *Occasional Papers/Reprints Series in Contemporary Asian Studies*, no. 6, University of Maryland School of Law, 1991, p. 12; Human Rights in China, *Going Through the Motions: The Role of Defense Counsel in the Trials of the 1989 Protesters* (New York: Human Rights in China, 1993), p. 8

<sup>48</sup> Human Rights in China, *Going Through the Motions: The Role of Defense Counsel in the Trials of the 1989 Protesters* (New York: Human Rights in China, 1993), p. 8

<sup>49</sup> *Ibid.*, p. 19

support the socialist system and are never to act as independent professionals.”<sup>50</sup> The government has attempted to hide and deny specific, concrete intervention in the work of legal advisors while continuing to maintain publicly that legal advisors must be loyal to socialism and not simply try to get the best deal for their clients. To regulate the activities of legal offices, the Ministry of Justice has issued a series of documents in the past few years, such as “Decision on Further Strengthening the Construction of Legal Workers,” “Circular on Criminal Defense,” “Circular on the Examination and Evaluation of Lawyers’ Work Ethics and Professional Discipline,” “Circular on Further Strengthening the Building of Party Organizations in Lawyers Ranks,” etc.<sup>51</sup> All these documents are used to limit and check the role of lawyers and subject their practices to party-state direction.

### **(3) The Courts**

The role and nature of the Chinese courts have remained unchanged from the perspective of regime change or systemic change. Judges and the courts play a limited role in the Chinese legal system, because courts are just one bureaucracy among many or a branch within a government bureaucracy. Courts at each level are subject to the leadership of party committees and governments at the corresponding level. Judges often receive party directives, documents, meetings, and even telephone calls instructing them how to decide politically sensitive cases and cases in which the party consider it

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<sup>50</sup> Donald C. Clarke, p. 90

<sup>51</sup> China Renmin University, *Research Report - 2 on Chinese Social Development (1996-1997): Chinese Society Advancing along the Course of All-round Development of Both Material Progress and Cultural and Ethical Progress* (Beijing: China Renmin University Press, 1998), p. 102

necessary to intervene. The judicial process, though claimed to be independent, is in fact subject to party control, policy, and discipline, and completely subservient to the executive power.

Judicial selection is relevant to the key element of the rule of law: judicial independence. In China, however, judges and all judicial officers are selected and appointed according to a political and ideological standard to ensure that only reliable communist party members come to the position of judge, although professional education and competence are more emphasized than before as in selection of cadres in other governmental and public organizations. Judges are politicized, bureaucratized, and placed in the category of "state cadres," and their rank of pay, housing, and other state welfare corresponds to their rank as state cadres in the bureaucratic administration, such as ministerial or vice-ministerial, provincial or vice-provincial, divisional or deputy-divisional, etc. In such a hierarchical structure, ordinary judges are subordinated to presiding judges who are subordinated to the presidents of courts. Different ranks not only mean different political status in the bureaucratic structure but also reflect hierarchical obedience of subordinates to superiors. Presidents of courts and presiding judges constitute judicial committees, which discuss and decide all major cases or law suits. Many discussions and decisions of judicial committees occur before a court hearing is held. Courts and procuratorial organs are also hierarchically established: lower levels are subject to higher levels.<sup>52</sup> Judges at lower levels must ask the higher authorities for instructions before decisions are made, and must handle the cases according the directives of higher authorities. Therefore, most of the time, appeals to higher courts do

not make a big difference. Such a hierarchical structure and decisionmaking process of the judicial system has remained unchanged since Deng's reform, and is conducive to the control and intervention of party-state power.<sup>53</sup>

An editorial of a Chinese official newspaper speaks for itself about the nature of the Chinese courts. The editorial of the *Legal Daily* entitled "A Call for Judicial Independence" said that free courts were essential for the development of a market economy. The editorial quoted an unnamed court official as saying, "The courts have been administrative tools of the government, and judicial powers and administrative powers are combined into one." The chief editor and the concerned editors of the *Legal Daily* were later in the year disciplined for its violation of the party's "press discipline" and for its advocating liberalism.<sup>54</sup>

China does have a set of legal institutions for the preservation of social order and governmental authority, and legal institutions exist in both authoritarian and totalitarian regimes, but these institutions under communist totalitarianism operate on very different principles from institutions usually called "legal" (party policies, directives, and discipline) and they are subject to substantial official influence, discipline, or party policy. This distinction is essential to understanding the Chinese legal system and its changes in post-Mao China, in terms of regime change. The governing principles of

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<sup>52</sup> see *Constitution of the People's Republic of China* (Beijing: Legal Press, 1998), Article 127, 132, pp. 39-40

<sup>53</sup> For a more detailed discussion of the problems of the Chinese judicial system, see *Xinhua Wenzhai*, no. 3, 1998, pp. 8-12

<sup>54</sup> *Legal Daily*, May 3, 1994

China's legal system are those of party ideology, discipline and policy, although the post-Mao regime has attempted to justify some of its actions in the language of legality.<sup>55</sup>

### 5. Legislative Reform

Kevin J. O'Brien examines the three options of legislative reform in post-Mao China: liberalization, rationalization, and inclusion. Liberalization in the legislature involves "diffusing power" and "allowing political competition and organized opposition," emphasizes "responsive government" and "electoral reform," and supports "close legislator-constituent ties and active representation of individual, partial, and national interests." Rationalization involves "routinizing and legalizing political power" and "institutionalizing political power," emphasizes "fixed legal codes, formal rules, and a rational division of labor among government organs," and clarifies "jurisdictions to prevent overconcentration of power and to increase government efficiency." Inclusion refers to "measures adopted by the leaders of a one-party Leninist state that institutionally acknowledge social diversity and grant limited access and influence to nonparty forces, but do not require functioning electoral machinery or imply any right to organized opposition." It attempts to increase the system's inclusiveness, broaden the united front for achieving the modernizing goal, institutionalize the party's legitimacy, and use the legislature to integrate the political community and organize it around one party rule.<sup>56</sup>

As alternatives to Mao's charismatic rule, the post-Mao regime attempted rationalization and limited inclusion, rather than liberalization. Over the past years, the

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<sup>55</sup> Donald C. Clarke, pp. 92-93

<sup>56</sup> Kevin J. O'Brien, 1990, pp. 4-5

legislative reform has been moving toward rationalization and limited inclusion, with continuing rejection of liberalization. The legislative reforms have done little to increase political competition or to institutionalize responsiveness. In the NPC, congress deputies can only discuss improving one-party rule, rather than challenging it. Long-standing ideological and structural obstacles to legislative liberalization (including the four cardinal principles, unfree elections, large chamber size, brief, and infrequent plenary sessions) have remained in place, while legislative functions (e.g., propaganda, education, socialization, mobilization) entrusted to the legislature under Mao's regime have continued to be embedded in the structure of the NPC and in the minds of political leaders. Reforms have not recast the NPC into a popular, representative assembly. Despite frequent proposals to increase accountability and reform nomination procedures, talk of contested elections or open campaigning has remained an "old forbidden zone." The post-Mao regime has continued to stress the differences between China and the former communist states and the impossibility of "mechanically copying another country's reforms."<sup>57</sup> The following will examine the post-Mao legislature in terms of representation, regime support, lawmaking, and supervision to determine if the post-Mao legislative reform has brought about any significant change in terms of regime change.

*Representation* has been theoretically claimed as one important function of the Chinese communist legislature. However, post-Mao legislative reforms have not brought about any significant change in terms of the representation of the legislature. The legislature continues to be unrepresentative. NPC deputies, as in the past, are not directly elected by the "constituents" whom they represent, but indirectly by the "electorate units"

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<sup>57</sup> *Ibid.*, pp. 6-7, 130

based on administrative districts and units, which are lower-level provincial congresses and various party, governmental and official organizations. Local, provincial, and central party committees control nomination lists and lead election committees. Ethnic, gender, party, and occupation quotas are used to manipulate the composition of NPC deputies accordingly. Almost all candidates are selected and nominated by party authorities, with limited quotas of “joint recommendation” (*lianming tuijian*) for incumbent deputies of provincial and local congresses. Nominees proposed by groups of deputies are discussed in small group meetings, and few are elected. Many deputies are actually selected or arranged by higher levels of party authorities.<sup>58</sup>

Selecting younger and better-educated deputies suggests an effort by the post-Mao regime to enhance deputy quality. But this does not mean the Maoist style of selection has been discarded. The post-Mao regime continues to emphasize the importance of “trailblazers” in modernization and reform and the political mix of scholars, scientists, “old comrades,” model workers, exemplary individuals, star athletes, heroic soldiers, poets, opera singers, inventors, sportscasters, and other “honorary deputies.” This selection consideration is claimed by the CCP as an important measure to broaden “representation.” However, these deputies have no “constituents” whom they represent, to whom they are responsible, but are officially selected according to some officially defined political standards and indirectly “elected” by the “electorate units” based on administrative districts and units. Whether one can become a congress deputy depends on his or her “advanced nature” and “representation” defined by party leadership

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<sup>58</sup> Pi Chunxie and Nian Xinyong, “Zhengzhi tizhi gaige de yixie zhongyao renwu – tantan jianquan renmin daibia dahui zhidu” [Some important tasks in the reform of political



and party ideology. In other words, these deputies are “elected” not for their political skills, legal knowledge, or experience and their competition with other candidates, but for their loyalty to the regime and their willingness to subjugate themselves to the one-party rule. “The only professional politicians among NPC deputies are full-time party and state functionaries who must follow the party discipline and policy line.”<sup>59</sup> Table 5.4 suggests little significant change in the composition of NPC deputies, but some substantial increase of NPC deputies in the categories of the CCP members and party-state cadres.

Political appointment of congress deputies and “specially invited deputies” in the NPC and the CPPCC (the Chinese People’s Political Consultative Conference) has been a common practice under the post-Mao regime. The quota for these “specially invited deputies” is decided by the CCP Politburo according to its actual political needs. The candidates for these seats will be arranged through the General Office of the NPCSC for provincial people’s congresses to nominate and elect. These deputies are usually assigned to the provincial people’s congresses where these special deputies used to work, or where they were born, or simply somewhere the Politburo top leaders think it appropriate. Therefore, these special deputies will not count toward the quotas of central governmental and official organizations, and the “central quota” is always guaranteed. The distribution of the quotas of deputies for 34 “electorate units” is determined on a random basis and designed to ensure party control rather than “representation” in the legislative process.<sup>60</sup> Although the quotas of deputies for urban and rural areas

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system – discussing perfecting the NPC system], *Zhongguo Zhengzhi*, no. 1 (January 1987), p. 28

<sup>59</sup> Kevin J. O’Brien, 1990, pp. 131-132

<sup>60</sup> For a more detailed discussion of “electoral units,” refer to the chapter on political change in the dissertation.

**Table 5. 4. The Composition of NPC Deputies from 6<sup>th</sup> NPC in 1983 to 9<sup>th</sup> NPC in 1998**

		6 <sup>th</sup> NPC (1983)		7 <sup>th</sup> NPC (1988)		8 <sup>th</sup> NPC (1993)		9 <sup>th</sup> NPC (1998)	
		2978 ( Total )		2970 ( Total )		297( Total )		2979 ( Total )	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Occupat ion of the NPC deputies	W/P	791	16.6	684	23	612	20.6	563	18.9
	INT	701	23.5	697	23.4	649	21.8	628	21.1
	CAD	636	21.4	733	24.7	842	28.3	988	33.2
	PLA	267	9.0	267	9.0	267	9.0	268	9.0
	O/C	40	1.3	49	1.6	36	1.2	37	1.25
Political status	CCP	1861	62.5	1986	66.8	2037	68.4	2130	71.5
	NON	543	18.2	540	18.2	572	19.1	460	15.4
	HON	574	19.3	444	15	369	12.5	389	13.1
Others	WOM	632	21.2	634	21.3	626	21	650	21.8
	MIN	404	13.6	445	15	439	14.8	428	14.4

Sources: Chai Dingjian, *The People's Congress System of China* (Beijing: Legal Press, 1998), p. 227

Notes: W/P = workers and peasants

INT = intellectuals

CAD = cadres or party-state functionaries

PLA = the People's Liberation Army and other armed forces

O/C = overseas Chinese

CCP = the CCP members

NON = the eight "democratic parties"

HON = honorary deputies

WOM = women

MIN = minorities

The status of deputies is cross-membership; for instance, cadres who receive higher education could be categorized into deputies of intellectuals, or directors of factories could be categorized into cadres or workers, depending on the political arrangement of the distribution of deputies across categories.

are nominally determined on the basis of population, the actual quotas for urban areas are more than four times those of rural areas and, moreover, the quotas of leading cadres for various state institutions and official organizations comprise the largest portion of the quotas for urban areas.<sup>61</sup> The “electorate units” of the PLA and the central government produce the largest number of deputies by quotas, which can be illustrated in Table 5.5. All this suggests that the representativeness of the post-Mao legislature is only an illusion for the Chinese citizens, and that selection process of congress deputies is totally under party control, and deputies play only a symbolic role in the decisionmaking.

**Table 5. 5. Quotas Distribution of the 9<sup>th</sup> NPC Deputies by the “Electorate Units”**

Electorate Units	9 <sup>th</sup> NPC		Electorate Units	9 <sup>th</sup> NPC	
	Total Population (Million)	Number of Deputies		Total Population (Million)	Number of Deputies
Beijing	1076	47	Guangxi	4502	85
Tienjing	898	37	Hainan	702	16
Hebei	6420	110	Chongqing	3002	51
Shanxi	3025	59	Sichuan	8160	142
Neimongu	2237	53	Guizhou	3419	61
Liaoning	4033	108	Yunnan	3873	86
Jilin	2550	66	Xizhang	235	17
Heilongjiang	3576	96	Shangxi	3431	63
Shanghai	1301	56	Gansu	2388	44
Jiangsu	6868	137	Qinghai	456	17
Zhejiang	4369	78	Ningxia	512	16
Anhui	5999	103	Xingjiang	1637	56
Fujian	3164	57	Taiwan		13
Jiangxi	3938	72	Hong Kong		36
Shandong	8701	173	Macao		5
Henan	9108	154	PLA		268
Hubei	5727	116	Central Gov't		225
Hunan	6356	111			
Guangdong	6788	147	Total		2981

Sources: Chai Dingjian, *The People's Congress System of China* (Beijing: Legal Press, 1998), p. 159

*Regime support* is another important function of the Chinese communist legislature. The NPC in post-Mao China plays an enhanced role in regime support based

<sup>61</sup> Chai Dingjian, *The People's Congress System of China* (Beijing: Legal Press, 1998), p. 158

on and guided by the "Four Cardinal Principles." The NPC has been established as a state institution based on the party line and principles to supply legitimacy for party rule and support for the party policy and its implementation. Change along this dimension is insignificant. Most government reports and legislative drafts are accepted without thorough deliberation and near unanimity is often achieved. Deputies' votes and speeches have rarely altered major policy or personnel decisions. Voting against a party or government proposal and candidate has remained insignificant despite the fact that more deputies begin to cast opposed votes or abstained from voting on party and state proposals and selected candidates for state leadership positions.<sup>62</sup> Deputies are instructed not to understand their responsibilities narrowly in terms of maintaining ties with their "constituency," which they actually do not have, but to "take the interests of the whole into account."<sup>63</sup>

NPC deputies consider important matters that involve the whole people and the whole nation; although they are elected by a certain district and certain voters, they represent the people of the whole nation and must think about the interests of the nation, not just their own district... Individual and partial interests follow the whole. Deputies must pay attention to their district but not fall prey to localism or departmentalism.<sup>64</sup>

This requirement is functional to party rule, which is used to justify party domination of the legislature and ensures the definitional identity of the party's will. "Electoral districts and units" exist primarily to elect deputies chosen by the party and expected to recognize the so-called "nation's highest interests," which the CCP self-

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<sup>62</sup> Kevin J. O'Brien, 1990, p. 143

<sup>63</sup> Du Xichuan, "Renda daibiao ying daibiao shui de liyi?" [Whose interests should people's deputies represent?] *Faxue Zazhi*, no. 1 (January 1989), pp. 19-20

<sup>64</sup> Zhang Youyu, "Lun renmin daibiao dahui daibiao de renwu, zhiquan he huodong fangshi wenti" [On the tasks, powers, functions, and activities of NPC deputies], *Faxue Yanjiu*, no. 2 (April 1985), p. 7

claims to represent. In the 1990s, NPC deputies engaged in activities designed to increase regime support. The goal is limited inclusion or to expand the "united front" to integrate and organize nonparty forces around the principle of totalitarian one-party rule or the "Four Cardinal Principles." The communist party "does not bow to opinions that renounce our principles or diminish our alliance. Democratic consultation is a method that positively influences and attracts other members to the united front and induces them to accept party principles."<sup>65</sup>

Deputies are often warned not to abuse their rights and reminded that immunity from prosecution stipulated in the constitution does not license "irresponsibility." However, these warnings are hardly necessary. Deputies are not willing to make their opposition known and attempt to avoid debating the substance of the proposed legislation.<sup>66</sup> Each deputy belongs to a delegation or a small group by province, business, circle, or governmental organization. In the small groups deputies discuss items on the agenda and voice their opinions not without fear. Deputies continue to act as a group rather than as individuals and offer consent rather than opposition. Heads of delegations or groups are the party secretaries, governors, or other government leaders of the "electoral districts and units" where individual deputies come from and they take the head of their leaders' horse as guide. They try to avoid confrontation with government departments and individual leaders. If someone dares to make his/her opposition known, he or she would be most likely to be dropped off the official candidate list in the deputy

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<sup>65</sup> Zhang Youyu, "Minzhu xieshang shi shixing renmin minzhu de youxiao fangshi" [Democratic consultation is an effective means to carry out people's democracy], *Jianghai Xuekan*, no. 4 (August 1984), p. 8

<sup>66</sup> Kevin J. O'Brien, 1990, p. 145

selection of the next term. Therefore, nobody wants to be a trouble maker.

*Lawmaking* is claimed by the post-Mao leadership as a third important role for the NPC to play. However, post-Mao legislative reforms have not made the NPC an effective working body in terms of law making. Legislative sessions continue to be brief, annual events, typically two weeks in duration, and deputies are not paid for their work, though subsidies for transportation, lodging, food, and entertainment are provided for deputies who attend the sessions, 100 yuan (US \$27) per day for each deputy.<sup>67</sup> At the legislative sessions, deputies file into the main auditorium of the People's Great Hall, where they sit by province or other electoral units in long rows, with special sections reserved for army representatives and government ministers. The NPCSC President, Vice President, party and state leaders, and members of the NPC Presidium sit at the front of the stage behind a speaker's podium. Leaders speak and deputies listen. When party-state leaders address the NPC full sessions, their speeches are rarely interrupted, except by warm applause of deputies. When the agenda is completed, if there are no small-group meetings scheduled, deputies will return to their hotels to go shopping, eating, and sightseeing. The People's Congress is often called "flower vase." Deputies are often called a "voting-machine."<sup>68</sup>

An assembly of 3,000 deputies can ratify decisions and fulfill symbolic tasks, but has no ability to initiate or revise. Strengthening the NPCSC and other NPC functioning committees becomes necessary for the NPC to be more efficient in law making. But it would not involve changing the mission of the NPC, but rather strengthening its working

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<sup>67</sup> Kevin J. O'Brien, 1990, p. 141 Zhang Yu-an, "Less Deputy Fanfare – Start of a Trend?" *China Daily*, April 5, 1989, p. 4

<sup>68</sup> Kevin J. O'Brien, 1990, p. 141

core. It would not challenge party control, but simply revitalize and rationalize specialized organs that are small enough to meet regularly and to conduct more meaningful discussions. A division of labor is obvious: the full NPC sessions for discussion, information gathering, and symbolic tasks, the NPCSC and other specialized committees for law making.<sup>69</sup> Moreover, the Standing Committee and other specialized committees are totally under party control and staffed by party officials and members. In practice, the NPC Standing Committee has been established as “a legislature within a legislature” – China’s second law-making body, which is to discuss and pass statutes that do not require NPC deliberation.<sup>70</sup>

A closer look at the institutional components of the legal system – who are the law-makers? – might provide more insight into the essence of Chinese lawmaking operation. It is not congress deputies who make laws, but the institutions that make laws. Party policies are always first implemented, and then laws follow, elaborating and clarifying these policies. In particular, four institutions are assigned a role in translating policies or decisions of the party leadership into specific legal norms and rules.<sup>71</sup>

First is the Communist Party itself. Direct party involvement in law making occurs at every stage of law-making – determining if an issue is ripe for legislation, drafting, reviewing, and approving a legislative proposal. The CCP may turn responsibility for drafting over to other institutions that are totally under party control.

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<sup>69</sup> Kevin J. O’Brien, 1990, p. 148

<sup>70</sup> Kevin J. O’Brien, 1990, p. 148; Wang Shuwen, “Jiaqiang shehuizhuyi he fazhi de liangzhong zhongda cuoshi” [Two important measures to strengthen socialist democracy and legal system], *Minzhu yu Fazhi*, no.7 (July 1982), pp. 7-8

<sup>71</sup> See Kevin J. O’Brien, 1990, pp. 158-164 for a more detailed discussion.

Party leading groups or committees set the law-making process in motion and check the results while state organs often do most of the actual work.

The State Council is a second bureaucratic complex involved in law making. The State Council's Legislative Affairs Bureau has become a prime institution in legal drafting, and ministries draft laws related to the industries under their jurisdiction, such as the fisheries law, the forestry law, the accounting law, the mining resources law, and the environmental protection law. The State Council also has the power to enact "empowered legislation" (*shouquan lifa*) on issues such as retirement policy, tax reform, economic restructuring, and open-door policy beyond the realm of administrative regulations.<sup>72</sup> As a matter of fact, "empowered legislation" of the State Council and its subordinate ministries comprises the bulk of the Chinese legislation under both Mao's regime and the post-Mao regime. For example, from 1979 to 1993, a total of 1888 laws were made, among which those made by the State Council totaled 1678 and those made by the NPC only 210.<sup>73</sup>

Provincial-level people's congresses comprise the third set of law-making bodies. From 1983 to 1989, provincial-level congresses and their standing committees passed over 1,000 local laws on topics ranging from regional minority affairs to province-wide

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<sup>72</sup> Zhang Youyu, "Guanyu woguo falu de lifa changxu he qicao gongzuo" [On our country's legislative procedures and legal drafting work], *Zhengzhixue Yanjiu*, no. 3 (August 1985), p. 3; Yao Dengkui and Deng Quangan, "Qianlun woguo lifa tizhi de tedian" [Discussing the features of our country's legislative system], *Faxue Jikan*, no. 2 (April 1985), p. 7; Huang Shuhai and Zhu Weijiu, "Shilun shouquan lifa" [On empowered legislation], *Faxue Yanjiu*, no. 1 (February 1986), p. 9;

<sup>73</sup> China Renmin University, 1996, p. 50



political, economic, and cultural life and constitutional enforcement. Provincial legislatures under Mao simply enforced laws; under Deng, they enacted them.<sup>74</sup>

The NPC and its committees are the fourth leg in the legislative complex. NPC formal involvement in law making begins with "legislative planning" (*Lifa guihua*), which is approved by the CCP Politburo. For example, the State Council Legal Research Center drew up a legislative plan for 1982-1986, including names of regulations, proposers, issuing organizations, and drafting conditions, while the NPCSC produced a work outline that provided a list of priorities and laws to be enacted.<sup>75</sup> There is no separation of power but only a division of labor between the legislative and the executive. Congress deputies in plenary sessions do not alter drafts. Changes are made in small working sessions of the NPCSC Legislative Affairs Commission or the Law Committee. The NPCSC and its specialized committees are the real lawmaking body within the legislature while the NPC serves as an agent of inclusion and rationalization.

*Supervision* is defined by the post-Mao regime as the fourth role for the NPC to play, in addition to representation, regime support, and law making as discussed above. However, the post-Mao legislative reforms have not made such a role significant in terms of regime change. The NPCSC organizes its members to carry out annual inspections of local units. Inspection tours last up to several weeks and cover a different topic each year, usually related to the implementation of laws or recent initiatives in economic or educational policy. Deputies visit schools, factories, and government offices in all thirty

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<sup>74</sup> Luo Yapei, "Shehuizhuyi minzhu zhengzhi jian she chutan" [Research on socialist democratic politics], *Faxue Yanjiu*, no. 3 (June 1988), p. 12; Li Maoguan, "Why Laws Go Unenforced," *Beijing Review*, vol. 32 (September 11-17, 1989), p. 17

<sup>75</sup> "NPC Standing Committee's Work Outline Adopted," *FBIS - Daily Report, China* 132 (July 11, 1988), pp. 35-36

provinces and write reports suggesting solutions to problems with fake and inferior pharmaceuticals, toxic food, and brand-name infringement, etc. However, supervision and inspection tours are often “swarming like troops” (*dadui renma yiyong*) and “treating inspections like pleasure trips” (*youshan wanshui*), and inspected units lavish deputies with banquets and gifts. Inspection and supervision, like law making, involve party-state institutions, some of which have considerably more power than the legislature. Although individual deputies may uncover problems, they do not have the authority to resolve problems and disputes outside their jurisdiction. Deputies can reflect the local situation and raise suggestions to governmental organs, but are not allowed to “meddle” in government and judicial work.<sup>76</sup>

According to the Chinese constitution, the NPC is empowered to modify or remove the legal decisions made by its Standing Committee (NPCSC), and the NPCSC has the power to repeal decrees or invalidate any legal decisions made by the State Council that are contrary to the Constitution or laws made by the legislature. However, up to now, no single legal decision or decree has been repealed, invalidated, or rejected by the legislature, suggesting that no such supervision power has been effectively exercised. The legislature’s role in supervision thus is “primarily that of a clearinghouse that gathers information on local officials and governmental departments that are not implementing party policies”<sup>77</sup> and confines its scope mainly to politically non-sensitive issues and areas. It would not be inappropriate to use a Chinese proverb to describe the supervision of the People’s Congress as “scratching an itchy foot with the boot on.”

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<sup>76</sup> See Kevin J. O’Brien, 1990, pp. 164-168 for a more detailed discussion

<sup>77</sup> Kevin J. O’Brien, 1990, p. 167

According to Article 3 of the Constitution, “democratic centralism” is stipulated as the fundamental political system of the People’s Republic of China and the organizational principle of the NPC and all other state institutions. “Democratic centralism” is one typical Leninist party principle applied universally across all former and existing communist states. The post-Mao regime has continued to apply this principle vigorously and universally in legislative practice and all other state activities.<sup>78</sup> On the other hand, the post-Mao “legislative work” must also adhere to the party’s “mass lines,” which is another of the most typical Maoist style practices. Congress meetings give leaders the chance to hear what delegates have to say, and delegates, in turn, can have policies explained to them by the central authorities. Rather than bringing a group of representatives together to *initiate* laws and policies, the NPC is a group of deputies who will *learn about* laws and policies. While this exercise may be educational, it is not legislative in the sense we use the term in political science.<sup>79</sup>

Li Peng, “newly-elected” President of the NPC, urged the legislature to adhere to the party’s “mass lines” in order to do a good job in the legislative work: “the 15<sup>th</sup> Party Congress sets up a higher goal of our legislative work and demands that a socialist legal system with Chinese characteristics must be established by the year 2010. To accomplish this goal, the legislative tasks we face within the term of the Ninth People’s Congress are arduous. To do a good job in the legislative work, we must adhere to the mass line.”<sup>80</sup> This speech suggests what type of legal systems the post-Mao regime wants to establish,

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<sup>78</sup> For the discussion of “democratic centralism,” refer to the chapters on political change in the dissertation.

<sup>79</sup> John Bryan Starr, p. 68

<sup>80</sup> *People’s Daily*, April 20, 1998, p. 1

who sets up the goal for the Chinese legislative work, and how it can be done under the post-Mao regime. Li added, "The building of socialism with Chinese characteristics is a brand new cause, which requires constant exploration and summation. Accordingly, laws have to be modified through legal procedures according to the changes in situations and practices."<sup>81</sup> What this suggests is that the regime can change the laws as it pleases because it is the communist totalitarian regime that sets up the legislative goals, makes the laws, interprets the changes in situations and practices, and decides what is to be changed to fit their needs.

In short, the post-Mao legislative reforms have not brought about any systemic or fundamental change in the people's congress and its legislative process, but have continued to oppose meaningful political competition and any measures of political liberalization. Reforms mean limited inclusion and procedural rationalization to promote economic modernization and economic marketization, enhance the role of law in regulating economic activities, improve government efficiency, rationalize civil service, and maintain the existing political order. The post-Mao legislature serves as a means to translate decisions of the party leadership into specific legal norms and codes, justify the post-Mao regime's new policy orientations and changes, and provide legitimacy for the totalitarian party rule.

### III. CONCLUSION

The post-Mao regime has experienced a change from the rule by policy to the rule by combination of policy and law. It has relaxed its leash to a certain degree on the legal

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<sup>81</sup> *People's Daily*, April 20, 1998, p. 1

profession and practices in civil law and business law, with an increased number of law offices, legal advisors and legal practices. Post-Mao legislative reform has rationalized the People's Congress in many regards and brought about some organizational changes, including the expanded role of the people's congresses, the strengthened NPC Standing Committee (NPCSC) and its expanded scope of action, increased specialization, more procedural regularity, full-time staff, and improved internal organization.

However, all these changes or adjustments of action means are functional for maintaining the hard core of the communist totalitarian regime and serving the purpose of policy change defined by the party line. As demonstrated, these changes are not significant enough to undermine the "hard core" elements or regime identity of totalitarianism that is essential to the nature of the post-Mao regime. The post-Mao legislative reform over the years has not given the Chinese people or their "representatives" remarkably more say over important matters of the state. Decision-making power has remained closely guarded, restricted to a handful. Some deputies may have spoken for the people, but not because they have an established and essential place in policy making. Reform has not recast the NPC into a liberal democratic legislature. Movement toward rationalization and inclusion has been arrested in the wake of the Tiananmen suppression, and the leadership has once again denounced liberalization and demanded a high level of loyalty for inclusion.<sup>82</sup> Even before the Tiananmen suppression, the leadership denied individuals the right to form and join groups that expressed dissatisfaction with party rule: independent student and worker associations were forbidden. The CCP's satellite parties, trade unions, and mass organizations were all

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<sup>82</sup> O'Brien, 1990, pp. 154-155

required to accept the leadership of the CCP and the party's political, economic, and social programs.

In the legislature, structural reforms such as free elections, campaigning, longer sessions, and meaningful votes were rejected and legislative checks and balances were discussed but never adopted.<sup>83</sup> The legislature, even at its strongest, was never more than a helpmate to the party, whose "correct leadership" was the key to successful NPC operation. The emphasis on the party leadership over the legislature has increased since the 1989 Tiananmen suppression, but has been present since the NPC's founding. The leadership's commitment to rationalization aims at procedural regularity to promote modernization and to improve government efficiency. The post-Mao regime has been trying to maintain a political order in which one-party rule is more formal, effective and stable, "as an alternative to Mao's class-based, charismatic style of rule."<sup>84</sup>

The essence of the legislative reform is rationalization, with limited inclusion, and therefore the reform itself has not significantly changed the core norms and principles of the regime and the fundamental purpose of the Chinese legislature and law. All the fundamentals of the constitution and the nature of the Chinese communist legal system remain unchanged despite the legal reform and law-making achievement in the past 20 years. The constitution is not one in the functional democratic sense of providing a system of effective and regularized restraints on powers, but one in the totalitarian sense of providing legitimacy for the party dictatorship, and a system of ideological claims and norms for the whole society to be subject to. Specifically speaking, the Communist

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<sup>83</sup> Jin Jian, "China Cannot Adopt the Balance of the Three Powers," *People's Daily*, August 11, 1989, p. 6

<sup>84</sup> O'Brien, 1990, pp. 177-178

constitution is, under the existing political structure, not only an instrument of the single one-party dictatorship, but also a kind of “democratic” window-dressing for the totalitarian reality.

The major features of the legal system remain the same as before: the CCP continues to dominate the legislative-initiation and law-making process; law-making and law implementation must comply with the “Four Cardinal Principles,” which constitute the framework and the foundation of the Constitution; although there is a functioning legal system, law administrations and bureaucracies, in practice, seldom respect it for its own value, but more often take the party policy and the directives of the party authorities as the guide for their legal actions, since the legal system is not independent of the party power, and courts are treated as arms of party and government authorities; law is used as a means of suppressing the discontented and the dissidents, and of preserving and protecting the monopolistic power of the party and the ruling class. The Chinese legal system and laws have provided “the legal prohibition against anything that might ‘sabotage ... the socialist system,’ ‘disrupt the socialist economy,’ ‘infringe upon the interests of the state,’ or incite ‘acts detrimental to the security, honor and interests of the motherland’.”<sup>85</sup>

So, the “socialist legality” has never changed its nature, or gone so far as to the reverse of its system, although law may have a more important role to play in the maintenance of legitimacy and operation of the Communist regime as well as in economic liberalization. In this way, the Communist totalitarian rulers can maintain and

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<sup>85</sup> *Constitution of the People's Republic of China*, articles 1, 28, 51, 54, as cited in Maria H. Chang, “What is Left of Mao Tse-tung Thought?” *Issues and Studies*, 28:1 (January 1992), p. 38

protect their monopolistic power, justify their goals and policies, not only in the name of the class, the people, and the state, but also in the name of “law and order”.



## Chapter VI

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### Assessment of the Post-Mao Social Change

#### I. INTRODUCTION

Post-Mao reforms have brought about some considerable changes in Chinese society, particularly in terms of state-society relations. Chinese society itself has become more pluralistic and complex, with a more variety of groups and interests, as a result of the market reform and economic modernization.

First, action means of state control over the society have been diversified. Instead of relying solely upon the traditional administrative command and central planning, the post-Mao regime has skillfully taken advantage of economic, legal, and other means of social control.

Second, decentralization has substantially affected not only the relations between the center and the provincial/local governments but also the state-society relations with respect to freedom of individuals in economic activities, daily life, and living styles.

Third, co-existence of multiple ownership forms rather than the domination of state- and collective ownership has resulted in great change in social stratification and interest differentiation. Chinese society has become more complex in terms of industrial structure, employment structure, urban-rural structure, and social stratum structure. Existing groups have become internally more complex as a consequence of diversification in economic sectors, forms of ownership, and levels of income.

Fourth, decollectivization of agriculture by dismantling the commune system and economic modernization have provided an enormous opportunity for over 100 million farmers to become industrial workers, which is paralleled by more social mobility in the

population and labor force. As a result, the traditional management system of urban residents based on permanent resident certificates and units is being watered down, though such a system is still effective and continues to serve important functions in social, economic and political life.

Fifth, post-Mao China has witnessed the proliferation of semi-official and popular (*minjian*) social organizations (not without rigid limitations by the state), such as the Individual Laborers and Private Enterprises Association, the Stamp Collecting Club, the *Qigong* Research Association, and the Old People's Exercise Association, while the party-state still contains their development and excludes their influence on politics.

These changes are clearly evident; but they are observed by many China analysts as the state's retreat from society, the emergence of a civil society, or "societal takeover" from state socialism, which leads to assertion that some fundamental changes in terms of regime change have occurred in post-Mao China.<sup>1</sup> According to this widespread view, a civil society generated by market reform has emerged in post-Mao China, consisted by an autonomous realm that is not defined by the party-state and free from the arbitrary interventions of the party-state and local officialdom.

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<sup>1</sup> Thomas B. Gold, "The Resurgence of Civil Society in China," *Journal of Democracy* (Winter 1990); Gordon White, *Riding the Tiger: The Politics of Economic Reform in Post-Mao China* (Stanford: Stanford University Press, 1993); Dorothy J. Solinger, *China's Transition from Socialism: Statist Legacies and Market Reforms* (Armonk, NY: M.E. Sharpe, 1993); Minxin Pei, *From Reform to Revolution* (Cambridge, MA: Harvard University Press, 1994); David S.G. Goodman and Beverly Hooper, eds., *China's Quiet Revolution: New Interactions between State and Society* (New York: St. Martin's Press, 1994); Deborah S. Davis et al., eds., *Urban Spaces in Contemporary China: The Potential for Autonomy and Community in Post-Mao China* (Cambridge: Woodrow Wilson Center Press/Cambridge University Press, 1995); Chen Weixing, "Economic Reform and Social Instability in Rural China," in Zhang Jie and Li Xiaobing, eds., *Social Transition in China* (Lanham, Maryland: University Press of America, 1998), p. 87

However, such an observation contradicts the fact that post-Mao market reform has given state bureaucracies and local officialdom substantial control over new resources such as market information, business licenses, fees and tax collection, creating new commercialized societal dependencies on state bureaucracies and local officialdom. Their power is redefined but not necessarily diminished, as in village politics where village committees now function as the board of directors of a village economy with the party secretaries as the boss.<sup>2</sup> Moreover, a “pluralistic society” and a “civil society” are two totally different concepts that cannot be treated interchangeably in the political analysis of regime change. *A more pluralistic society does not necessarily mean that the Chinese communist regime has developed into a pluralistic polity, if diverse economic interests, social groups, and specialists are all incorporated into the totalitarian political context and the governance structure of state socialism defined, controlled, and dominated by the party-state.* The role of these groups and interests is still so limited that in no way could they challenge and check the party’s dictatorial rule or become truly independent of the party-state establishment, though informal politics through personal networks and bargaining between the state and these groups may play a certain role in the decisionmaking process. Such contradictions require reassessment of post-Mao changes, and the assessment of these changes should enrich our understanding of post-Mao change.

The assessment must be based upon the general conceptual framework of regime change. One key indicator for the assessment of social change in terms of regime change

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<sup>2</sup> Jean C. Oi, “The Fate of the Commune after the Collective,” in Deborah S. Davis and Ezra F. Vogel, eds., *Chinese Society on the Eve of Tiananmen: The Impact of Reform* (Cambridge, MA: Harvard University Press for the Council on East Asian Studies, 1990)

or systemic change in communist totalitarian states is that a regime change or transition from totalitarianism must involve the party's substantial retreat not only from the state apparatus but also from the civil society. As Zbigniew Brzezinski put it, the emergence of an autonomous civil society is the point of departure for the eventual self-emancipation of society from communist totalitarian control, and the autonomous political dialogue thereby surfacing might contribute to the transformation of dissent into actual political opposition capable of challenging and negotiating with the ruling party and eventually, it might contribute to the transformation of communist totalitarianism into a defensive post-communist authoritarianism.<sup>3</sup> However, post-Mao development has not suggested that the totalitarian party has made a substantial retreat either from the state or from the civil society, though the party-state has relaxed its control over the daily life and economic activities of its citizens.

## II. ASSESSMENT

### 1. Chinese Society is far from being "Civil"

Civil society is the concept that has been commonly used in the study of democratic transition from authoritarianism/totalitarianism as well as social change in post-Mao China. Civil society is defined as the realm of organized social life that is voluntary, self-generating, self-supporting, and autonomous or independent of the state.<sup>4</sup>

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<sup>3</sup> Zbigniew Brzezinski, *The Grand Failure: the Birth and Death of Communism in the Twentieth Century* (New York: Collier Books, 1990), pp. 256-257

<sup>4</sup> Larry Diamond, et al., *Consolidating the Third Wave Democracies: Regional Challenges* (Baltimore and London: The Johns Hopkins University Press, 1997), p. xxx

Civil society is usually used in two senses. In the first sense, civil society stands in opposition to the state as a forum for setting limits to state power and checking excesses. There is no evidence that supports the existence of a civil society in this sense, except the temporal emergence of politically autonomous but illegal organizations such as the Capital Independent Workers' Union and the Autonomous Students' Union of Beijing Universities and Colleges during the June 4<sup>th</sup> political event in 1989. In the second sense, civil society refers to those social organizations or associations that are assumed to arise voluntarily outside the state and to operate autonomously from the state.

It seems that there is ample evidence of new social organizations in post-Mao China with the introduction of market reforms.<sup>5</sup> Some of the new social organizations seem to display certain features associated with a civil society: initiated from below with a voluntary membership, independent of the state, and occupying space outside the state. Associational life has flourished in post-Mao China. By the 1995, there were already 1460 registered national-level social organizations.<sup>6</sup> An American sinologist noted in a paper on the emergent civil society: "the expansion of market relations has ... enlarged the scope for the expression of individual and group interests in areas that may diverge from those sanctioned by the political establishment."<sup>7</sup> Another social scientist has stated that "a gradual shift in the balance of power between state and society has been under

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<sup>5</sup> Jude Howell, "Civil Society," in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan, 1995), p. 76-77

<sup>6</sup> *China's Yearbook of Law [Zhongguo falu nianjian]* (Beijing: Zhongguo falu nianjian she, 1996), p. 1049

<sup>7</sup> Dili L. Yang, "The State, Civil Society, and Uncivil Society," a paper presented at the Association for Asian Studies Annual Convention, Boston, March 24-27, 1994

way, which has provided greater opportunities for social forces to exert influence over party-state institutions, has opened up greater space for new socio-economic institutions and interests and led to increasingly open discontent and friction between the party-state and society.”<sup>8</sup> But the key question is: to what extent do we find civil society to exist in post-Mao China? In other words, to what extent are these social organizations independent from the state, voluntary or spontaneous? Assessment requires a clearer categorization and a closer examination of these organized social groups or social organizations based on the defining features of civil society.

Since there is no evidence that supports the existence of a civil society in the first sense, this study will focus on the post-Mao social change in the second sense. In the second sense of civil society, four broad categories of social organizations can be identified in Table 6.1 along a continuum in terms of their autonomy, voluntariness, and spontaneity. A social organization is autonomous if it is able to set its own goals, determine its own structure and rely upon its own financial resources. A social organization is voluntary if its members choose to participate in the organizational activity at their free will, rather than being compelled to do so. A social organization is spontaneous if its members found the organization of their own accord.<sup>9</sup> The four broad categories along this continuum are the official mass organizations, such as Youth League, Trade Union, Women’s Association; the new semi-official social organizations such as the Private Entrepreneurs’ Association; the new, popular social organizations

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<sup>8</sup> Gordon White, “Democratization and Economic Reform in China,” *Australian Journal of Chinese Affairs*, January 1994

<sup>9</sup> Jude Howell, p. 77

such as stamp clubs or Qigong societies; and the illegal organizations such as secret societies or underground political organizations.

**Table 6. 1. Four Broad Categories of Social Organizations in Post-Mao China**

Four categories of social organizations	Autonomous	Voluntary	Spontaneous
The official mass organizations	No	No	No
The new semi-official social organizations	Yes, but limited	No	No
The new popular social organizations	Yes	Yes	Yes
The illegal organizations	Yes	Yes	Yes

The official mass organizations, with more than hundred national organizations and tens of thousands of local subordinate branches, such as the Communist Youth League, China Young Pioneers, the Trade Union, the Women's Association, China Film Critics Society, the Writers' Association, the Artists' Association, Chinese Legal Consultant Center, Chinese Buddhist Association, Three-Self Patriotic Movement Committee of the Protestant Churches of China, Red Cross Society of China, and so many more, stand near the pole of no autonomy, no voluntariness and no spontaneity. They are vertically integrated into the top-down party-state institutions at all levels, and have functioned as "transmission belts" between the party-state and society. Their staff are officially appointed and paid by the state, and they basically serve as implementers of party-state policy. Their roles, functions, responsibilities, governing ideologies and norms have remained the same as before. These organizations and institutions also administer important functions of political and social administration on behalf of the state, for example, as responsible administrative units and agencies (*xingzheng zhuguan danwei*) for those registered social or popular organizations, in addition to fulfilling their own responsibilities, thus becoming an extension of the state apparatus. Their roles and influences are not weakened over the past twenty years, but remain effective, pervasive,

and predominant in almost all important fields of society – political, ideological, social, cultural and economic.

The new semi-official social or business organizations such as the Individual Industrial and Commercial Laborers Association, the Private Entrepreneurs' Association, the Self-Employed Workers' Association, and the Lawyers' Association enjoy greater autonomy than the old, official mass organizations, but less than the popular or illegal organizations. These semi-official organizations are not self-generating either. Private entrepreneurs and self-employed businessmen automatically become members of their respective organizations upon registering their business, though there may be some enterprises and individuals who fail to obey the state's call to join the organizations. They are mainly concerned with their economic, technical and professional issues and enjoy some degree of autonomy partly because it is in the interest of the state for them to do so. The economic reforms since 1979 have led to the emergence of many new economic sectors and activities. In this context, these new institutional forms provide their members additional official channels for communication and ideological education, supply a mechanism for linking individual economic actors with various state agencies, and help to maintain the official influence and control of the party-state in these new sectors of the economy and society. These organizations are allowed to benefit their own members by promoting their interests vis-à-vis the state agencies or local officialdom. At the same time, however, this also enables the state and local government to manage the sectoral policy and control these new sectors more effectively.

These new business organizations are semi-official because the state is involved in their goal-setting, organizational structure, management and funding. Leaders and staff



are drawn from related governmental departments or bureaus, though some of leaders may be chosen from private enterprises or other economic organizations. They are not organized voluntarily and spontaneously, or “self-generating,” but established compulsorily according to the need of party-state control and party policy in post-Mao reforms to “bridge the gap between the state and society.” Although they claim to represent the interests of the individual entrepreneur, they are established and directed by the State Administration of Industry and Commerce (SAIC), the state office in charge of licensing and policing both private and public enterprises. Thus, these new business organizations have become part of the Leninist or Maoist “transmission belt” organizations designed to gain control of independent activity, rather than present themselves as a challenge to the regime’s current policy and the basic ideological principles of communism. Some individual entrepreneurs may attempt to take advantage of these organizations to pursue their interests but many others view these organizations simply as another organ of the state trying to intervene in their affairs and keep their activities under control. Therefore, the development of new social or business organizations reveals “the strength and the power of the state socialist system” to structure the self-organizations of individual and private entrepreneurs and “the Leninist strategy used by the party-state to co-opt and control societal forces.”<sup>10</sup>

The new popular social organizations such as stamp clubs, chess clubs, poetry societies, or Qigong societies stand more toward the pole of greater autonomy, voluntariness and spontaneity. They rely upon their own fund-raising efforts, set their

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<sup>10</sup> Kristen Parris, “Local Initiative and National Reform: The Wenzhou Model of Development,” *The China Quarterly*, no. 134, June 1993, p. 260-261

own goals, and manage their organizations with voluntary employees. They are voluntarily created to bring together people who share similar cultural interests. They are not totally autonomous, however, because they are required to register with the state. As long as they operate within the confines of the state policy and the law and do not oppose the communist regime, they have considerable autonomy in their activities. Moreover, although the popular organizations have in general been founded by their members, their creation has been conditional upon party-state tolerance for such organizations and their activities have been confined within nonpolitical issues or contexts.

Illegal social organizations are the most autonomous, voluntary and spontaneous of all the four categories, precisely because they are not legally permitted. Examples include some secret societies, ethnic associations, and underground political groups. They set up their own goals, raise their own funds, and manage themselves. The Tiananmen event in 1989 was a warning to the party-state about the dangers of losing social control. In the aftermath, the party-state control of social life and the crackdown on dissent have been tightened to an unprecedented extent.<sup>11</sup>

Among the four broad categories, the last three social organizations are in effect marginalized in political life, and as a matter of fact, they have few channels to exercise their collective influence and checks on the party-state. The second and third categories are allowed to develop in non-political areas and organized in ways that enhance the power of government agencies that have jurisdiction over them. The last category is actually excluded from participation in political life, as well as has the lowest degree of institutionalization, because all organized activities not run or licensed by the party-state

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<sup>11</sup> For a more detailed discussion on all the four categories, see Jude Howell, pp. 77-80

are not legally permitted and will be smashed once discovered. Post-Mao reforms have brought about a more diversity of social organizations and a flourishing of associational life in China. But nothing suggests a fundamental change in this regard. Party-state dominance has remained in the social organizations of political and social significance; party-state control and penetration in the society and economy has remained in effect, and even more tightened than in the pre-1989 period. A civil society in both senses has remained largely disorganized and underdeveloped in post-Mao China. To establish a plausible argument for this, a closer examination is needed.

The presence or absence of a strong and organized civil society makes a significant difference in the transition from communist totalitarianism. Civil society, in the context of communist countries, refers primarily to the public realm between the state and the private sphere. Under the communist regime, this “intermediate” public sphere is party-led, government-controlled, or state-certified, since the party-state controls this sphere to a great extent. A total ban on free association and independent social organization is one of the essential defining features of totalitarianism. Typical for a civil society is its independence from the state, and the building of such a civil society with independent social institutions and organizations is an integral part of democratic transition. Such a civil society is a “proving ground” for democracy, for it is in this realm that the social forces act as checks on the ruler and can be well organized and prepared to provide a real challenge to the regime while citizens can develop a democratic attitude and mentality.<sup>12</sup> Therefore, whether or not the regime allows the civil society to develop

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<sup>12</sup> Bart van Steenbergen, “Transition from Authoritarian/Totalitarian Systems: Recent Developments in Central and Eastern Europe in a Comparative Perspective,” *Futures*, March 1992, p. 164

or to what extent it is permitted to develop will also determine the nature of regime change and the outcome of transition.

This is an overriding constraint during the transition that comes from the nature of state-civil society relations: will the party/state apparatus permit the development of civil society to undermine their monopoly on power and transfer substantial public assets to private persons?<sup>13</sup> Under communist regimes, economic reform or economic liberalization itself, without substantial privatization,<sup>14</sup> will not necessarily create a civil society, but only provides certain opportunities for the emergence of social or economic institutions, which may have little function of applying pressure and checks on the regime. Democratic transition requires real negotiations and talks between the ruling elites and the opposition groups. Such a dialogue can occur “only if the undemocratic regime is not totalitarian, showing limited toleration toward opposition groups.”<sup>15</sup>

Gary Marks uses game theory to model such a dialogue or a “strategic interaction” with two sets of scenarios: “nonstrategic” and “strategic” interactions between the ruling elites and the political opposition in a setting of transition from authoritarianism/totalitarianism. Each of the two groups has two strategic choices: the ruling elite may decide to suppress or tolerate the political opposition; the political

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<sup>13</sup> Terry Lynn Karl and Philippe C. Schmitter, “Modes of Transition in Latin America, Southern and Eastern Europe,” *International Social Science Journal*, vol. 43, no. 2, 1991, p. 272

<sup>14</sup> For the definition of “privatization” and the discussion of the actual situation in China, see Sujian Guo, “Totalitarianism: An Outdated Paradigm for Post-Mao China?” *Journal of Northeast Asian Studies*, vol. 14, no. 2, summer 1995, pp. 77-78

<sup>15</sup> Richard Rose, “Postcommunism and the Problem of Trust,” *Journal of Democracy*, vol. 199, p. 20

opposition may decide to abide by or challenge the imposed rules of the regime. The elite choice in the *nonstrategic scenario* is that the decision to suppress or tolerate does not involve the interaction between the ruling elite and the political opposition; the ruling elite chooses a particular course of action irrespective of the response of the political opposition, no matter what the political opposition does. The elite choice in the *strategic scenario* is that the decision to suppress or tolerate involves the interaction between the ruling elite and the political opposition, in which the ruling elite selects a particular course of action respective of the anticipated response of the political opposition. "Nonstrategic" suppression is most likely, e. g., the ruling elite decides to suppress no matter what the opposition does, if they calculate that the costs of toleration for the ruling elite are the costs of losing monopolistic control of the government multiplied by the probability of losing that monopoly as a result of liberalizing the regime.<sup>16</sup>

The "nonstrategic" suppression nicely fits the situation in China. For the post-Mao leadership, the regime would have risked losing monopolistic power if the regime had tolerated opposition. The nonstrategic suppression was actually prompted by the calculation of the costs of toleration of opposition. Therefore, opposition or dissidents were never tolerated and nonstrategic suppression was ruthless and brutal, from the suppression of the "China Spring" dissident movement in the early 1980s to the bloody crackdown on the 1989 Tiananmen student movement and the thereafter suppression of dissidents and religious activists.

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<sup>16</sup> Gary Marks, "Rational Sources of Chaos in Democratic Transition," *American Behavioral Scientist*, vol. 35, no. 4/5 (March/June 1992), pp. 398-405

However, the most important fact, often misinterpreted, is that China has no opposition party or group. While dissident and student activism was active prior to 1989, opposition parties and groups were never developed (they were illegal and rigorously banned), due to the narrow parameters in the public sphere in which they could move around and due to the lack of legitimate institutional base of which they could take advantage. Any attempt to register an independent political group or party would suffer political persecution and the activists would be charged with attempting to “sow social unrest” or “disturbing social stability and unity;” the members of any “underground” political groups would experience persecution and imprisonment. Those non-political professional groups, clubs, or associations had to register with the party/state institutions or the official mass organizations, and were severely hampered by government restrictions and prohibited from engaging in political activity. Therefore, dissidents and student activists, rather than “opposition,” would be more accurate terms for describing these social forces. “Dissidents” can be defined as freethinkers of various types, either within or outside the communist regime, such as Wei Jingsheng, Fang Lizhi, Wu Zuguang, Yan Jiaqi, and the like, who advance their political beliefs or opinions publicly, without a fixed organizational configuration.

Moreover, dissidents and student activists largely restricted themselves to the domain permitted by the party line, at times turning to street demonstration. Most of the activists basically took a moderate stand, in the sense that they abided by the imposed rules of the regime and even supported the regime-initiated reform, favoring a moderate strategy that China should move toward democracy gradually and peacefully. Where they

differed from the ruling elite in the strategic choice was that they requested a broader scope and faster pace of liberalization in the political sphere.

However, even such a moderate stand was never tolerated by the party hardliners and, therefore, the mode of transition by “transplacement” or “pact”<sup>17</sup> was impossible. “The lack of intermediary forces to serve as active partners in a transitional process”<sup>18</sup> put the softliners within the regime in difficulty and left them with little choice. While the prevailing of the hardliners determined the parameters of political action of the softliners on the one hand, on the other, “nonstrategic” suppression made the cost of opposition very high, thus making the development of a well-organized opposition impossible and the possibility of strategic interaction between the regime and the opposition remote. Such a political environment was particularly obstructive of a democratic transition. As Marks noted, in a nonstrategic scenario, “the ruling elite maintains a tight grip on the political arena, signaling its absolute preference for suppression by the decisiveness and brutality with which it deals with any brave enough to challenge it.”<sup>19</sup>

Geoffrey A. Hosking, et al., trace the evolution of independent political movements that emerged in the Soviet Union in 1986 and detail the major actions of

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<sup>17</sup> For a full discussion on modes of transition and their significance in transition, see Welsh, p. 379; Huntington, *The Third Wave*, p. 114; “How Countries Democratize,” pp. 582-583; Donald Share and Scott Mainwaring, “Transitions through Transaction: Democratization in Brazil and Spain,” in Wayne A. Selcher, ed., *Political Liberalization in Brazil: Dynamics, Dilemmas, and Future Prospects* (Boulder, CO: Westview Press, 1986), pp. 177-79; Terry Lynn Karl and Philippe C. Schmitter, “Modes of Transition in Latin America, Southern, and Eastern Europe,” *International Social Science Journal*, vol. 43, no. 2, 1991; Hermann Giliomee, “Democratization in South Africa,” *Political Science Quarterly*, vol. 110, no. 1, 1995, pp. 83-104

<sup>18</sup> Andrew Nathan, “China’s Path from Communism,” *Journal of Democracy*, vol. 4, no. 2, 1993, p. 41

<sup>19</sup> Gary Marks, p. 404

hundreds of political groups in the period of *perestroika* since 1986, particularly in such key events as the election of Boris Yeltsin to the presidency of Russia and the failure of the attempted coup in August 1991. It was these opposition groups and organizations that in 1988 started seriously to challenge the dominance of the Communist Party of the Soviet Union and the omnipotence of the party-state, inspired pluralism and pluralization both within and outside the party-state structure, and substantially contributed to the eventual downfall of the Soviet communist regime and to the breakup of the USSR at the end of 1991.<sup>20</sup> Facing the challenge, Gorbachev's regime kept trying to find a way to institutionalize the growing pluralization of society, and at the same time to ensure the civil rights of citizens through further democratic reform and legal actions.<sup>21</sup> This led to the acceleration of the democratizing transition in the Soviet Union.

In contrast, the Chinese communist regime never allowed any independent political organization or movement to develop in the Post-Mao reform. Dissident or student activism was suppressed. The existence of a powerful party-state apparatus, including an army that committed itself to the party's dictatorial rule, coupled with the absence of strong and independent social forces such as autonomous political groups and organizations, strongly limited the development of pluralism and the democratic movement, and contributed to an outcome different from that in the Soviet Union.

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<sup>20</sup> Geoffrey A. Hosking, Jonathan Aves and Peter J.S. Duncan, *The Road to Post-Communism: Independent Political Movements in the Soviet Union, 1985-1991* (New York: Printer, 1992); their study also contains an appendix, listing the USSR's major independent political organizations as of late 1991.

<sup>21</sup> Richard Sakwa, *Gorbachev and His Reforms 1985-1990* (New York: Philip Allan, 1990) p. 203



After the Communist takeover of power in PRC, the previously existing structures of civil society were destroyed and replaced by official “mass organizations” controlled by party-state apparatus. “Individuals are not directly related to one another in a variety of independent groups,” and the party-state excludes any social forces that could challenge the party-state and subjugate individuals to party-state domination.<sup>22</sup> The Post-Mao economic liberalization and rationalization did not bring about any substantial change in this regard. The lack of secondary, voluntary associations mediating between state and individual persisted during the Post-Mao reform. Any political dissent organizations were severely suppressed, and truly independent associations and non-state-penetrated organizations were not permitted. Chinese popular dissatisfaction could not be transformed into effective organized opposition, which was legally forbidden, and open challenges to the legitimacy of the party leadership and the political system were severely suppressed. Civil liberties and rights had been and continued to be neglected, abused, and often taken away. Dissidents were harassed, tortured, and imprisoned simply for holding or publicly advocating opinions and beliefs contrary to those that are officially forbidden. People’s demands to participate were selectively recognized and accommodated by party-state organizations, or official “mass organizations” that had in fact been institutionalized into bureaucratic organs, and did not represent the interests of social classes, communities, or individuals, but were subordinated to the party leadership. Student or popular dissatisfaction was therefore transformed into street demonstrations at times, which were officially declared “illegal” or “abnormal,” and forbidden. From 1986 to 1989, there were a number of student protests, largely directed against some specific policies or social phenomena, such as a food price

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<sup>22</sup> William Kornhauser, *The Politics of Mass Society* (Glencoe, IL: The Free Press, 1959),

rise in university student cafeterias, the influx of foreign consumer goods, or corruption, rather than against the party leadership or the political system itself. "There is little evidence to suggest that political dissenters have played the same role in China that they have played in the other communist states."<sup>23</sup>

In light of the critical role played by "informal groups" or "civil associations" in the Soviet Union and Eastern Europe, it is hardly accidental that Chinese dictators gave their highest priority during the 1989 crackdown on the democratic movement to smashing the independent labor organizations, student organizations, and newspapers that emerged during the two months of the 1989 movement. By crushing the incipient independent organizations, arresting their leaders, and intimidating their supporters, Deng Xiaoping effectively broke the back of the democratic movement.

However, studies on civil society in China have often been unsatisfactory. Some scholarly attention has been given to "democratic elites" in the "democratic reform" or "processes of democratization" in China, but these concepts are either misused or used without appropriate definition, and the studies are not well conducted, relying heavily on personal interviews with some Chinese dissidents or former members of Hu's intellectual network or are crafted from a simplistic account of Deng's reforms, in one case, supported by a questionnaire administered to a small, nonrandom sample of twenty Chinese citizens.<sup>24</sup> Others focus on the new classes in China and argue that these new

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p. 32

<sup>23</sup> Stephen White, John Gardner, and George Schopflin, *Communist Political Systems: An Introduction* (New York: St. Martin's Press, 1987), p. 267

<sup>24</sup> Merle Goldman, *Sowing the Seeds of Democracy in China: Political Reform in the Deng Xiaoping Era* (Cambridge, MA: Harvard University Press, 1994); Jing Lin, *The Opening of the Chinese Mind: Democratic Changes in China since 1978* (Westport, CT: Praeger, 1994)

classes have become aware of the need for democracy and legal protection against the state and that the younger generation rejects the Leninist communist regime.<sup>25</sup> However, little evidence can support this argument. On the contrary, so-called “democratic reform,” “political liberalization,” or “democratization” was never initiated and effected by the post-Mao communist regime. The bloody crackdown on the 1989 pro-democracy movement, continuing repression thereafter, severe violation of individual civil and political freedoms and rights, more austere political control of any tendency toward political liberalization both within and outside the party, and more conservative backlash in political reform were more evident in the post-Deng transitional politics than these studies have suggested.

The above discussion suggests that, among the existing four broad categories of social organizations in post-Mao China, the last three social organizations are in fact marginalized in political life and the last category is actually excluded from the participation in political life. A civil society in both senses, either acting in opposition to the state as a pressure group for checking state power or operating independent of the state, has remained underdeveloped and largely disorganized in post-Mao China. Post-Mao reforms have brought about more diversity of social organizations and a flourishing of associational life in China. But nothing has suggested a fundamental change in this area. Party-state dominance has remained in the social organizations of political and social significance, party-state control in the society and economy has remained in effect, and even more tightened than the pre-1989 period.

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<sup>25</sup> Ronald M. Glassman, *China in Transition: Communism, Capitalism, and Democracy*

## **2. Statization of Society through Administrative License System**

The totalitarian communist party attempts, though not able to reach out to its full measure, to exercise total control over the state as well as society. Over the past decades, the party has institutionalized its control over almost every sector of the state, including the state bureaucracy, the legislature, the judiciary, the military, the media, education, and culture. Moreover, the totalitarian party has penetrated almost every corner of society. Therefore, a regime change or transition from totalitarianism must involve the party's substantial retreat not only from the state apparatus but also from the civil society. The recent development in China has not suggested that the totalitarian party has made a substantial retreat either from the state or from the civil society.

One essential feature of totalitarianism is the statization of society, which refers to the totalization process by which state agencies and power relations penetrate almost every corner of the society, and party-state power is pervasive in almost every corner of the society. In communist totalitarian countries, since the communist party is identical with the state, government, and regime, party organizations and their control via the state apparatus are thus pervasive in the society. Such totalization process or statization of society involves two political aspects: statization of social organizations and penetration of state power relations into society.

In the process of the statization of society, since the party is completely intertwined with the state, all sectors of the state have turned into administrative agents of the ruling party as well as been institutionalized into a hierarchically controlled "administrative state" that administers a unified administrative command over the major

means of production and exchange, the key industries of the national economy, and major economic, social and cultural organizations and activities, including factories, enterprises, banks, schools, social organizations, and cultural, scientific, and academic institutions. These organizations and institutions also administer important political and social functions on behalf of the state in addition to fulfilling their own responsibilities, thus becoming an extension of the state apparatus. Although they are different from state institutions, they have almost become another version of the state apparatus because these organizations share many similarities with state institutions: they are all managed under their responsible administrative agencies (*duikou guanli*); they are not organized voluntarily and spontaneously; leaders are not elected by their members voluntarily and staff are paid by the state; they are hierarchically organized and act like state institutions; and so forth.

On the other hand, the statization of society has brought about substantial penetration of the party-state power in society, and the administrative state has extended into an “administrative society” in which individual citizens, through the “transmission belts” of official or state sanctioned social organizations and institutions, are deeply melded into and subject to the state power relations and the control of the administrative state. The state power has become the major means of transforming society and citizens in line with the party’s ideology and goal. “Democratic centralism” is the organizational principle of not only the ruling party but also state institutions and social organizations, thus guaranteeing the effective control of superiors over subordinates within the party-state institutions as well as the total control of the party-state over these organizations and the whole society.

Has the de-statization of society ever occurred in post-Mao China? Apparently not. The “administrative state” and “administrative society” of Chinese communist totalitarianism have remained fundamentally unchanged, and the state power has continued to perform comprehensive or all-embracing functions of administration: the economic function of organizing major economic activities, the social function of administering major means of production and exchange, the ideological function of cultural education, and the political/legal function of maintaining socialist political and legal system. Government penetration and control of mass communication, social and cultural organizations, and major economic activities are still significantly strong in post-Mao China.

In a mid-1991 address to senior cadres on the role of trade unions, youth leagues, and women organizations, Politburo member Ding Guangen called for “total party control” of all satellite organizations and associations of the party and government. He asked the party officials to step up vigilance against tendencies in such units to “veer away from or undermine” the party leadership. “We will resolutely not allow the existence of political organizations which oppose the Four Cardinal Principles and which pose threats to the government,” he said.<sup>26</sup> The control has also been extended to those social organizations that have nothing to do with politics. In 1990, a number of organizations of *qigong* were ordered to shut down because these *qigong* societies lent their support to the 1989 protests. In 1993, more than 1,000 martial arts schools in Fujian

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<sup>26</sup> *South China Morning Post*, July 13, 1991, cited from Willy Wo-Lap Lam, *China after Deng Xiaoping* (New York: John Wiley & Sons, 1995), p. 271

were required to re-register with the authorities because of their alleged threat to law and order.<sup>27</sup>

Although the state is beginning in principle to permit some new semi-official or popular social organizations to proliferate, but in practice, the state still contains their development and excludes their influence on politics. Any association must be registered and must restrict its activities to those for which the group has been formed and approved by party-state authorities. The State Administration for Industry and Commerce (SAIC) can refuse to register or expel any association on any legal or policy grounds, including affiliation with an overseas organization deemed contrary to socialist China or the Chinese government.

Of the 1460 officially registered national social organizations and 160,000 regional social organizations,<sup>28</sup> the official “mass organizations” such as trade unions, youth leagues, and women’s associations are predominant in political, cultural, ideological, economic and social life of the Chinese citizens. Almost all or most social organizations are “people-run” (*minban*) in name, but “officially-run” (*guanban*) and administrative in nature. China’s current “Rules of Registration and Regulations of Mass Organizations” (RRRSO)<sup>29</sup> is the world’s most austere regulation of restricting freedom of association; in fact it puts an end to freedom of association, which is only on paper – stipulated in the Chinese constitution. China’s regulation of “mass organizations” is a perfect example of the *rule by law with Chinese characteristics*, providing legal

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<sup>27</sup> *People’s Daily*, January 11, 1994, p.

<sup>28</sup> *China’s Yearbook of Law [Zhongguo falu nianjian]* (Beijing: Zhongguo falu nianjian she, 1996), p. 1049

<sup>29</sup> *Rules of Registration and Regulations of Mass Organizations* (Beijing: People’s Publishing House, 1989)

prohibition against the political and civil rights and liberties of its citizens rather than protection of them.

(1) License system. According to Article 2 of the RRRSO, "all mass organizations in the People's Republic of China must apply for registration following the rules. No activity is allowed without the approval of the application." Under this rule, freedom of association is a "freedom" with the approval of the government. It is the totalitarian government that determines who has access to the "freedom" and what type of association and activity is allowed under the communist totalitarian regime. More crucially, under Article 2, the registration authorities only accept applications for creating societies, associations, foundations, academic groups, and the like, but do not accept applications to create political parties. In other words, in practice, citizens' rights of association, which are theoretically stipulated in the Constitution, include only those social organizations defined and allowed by the government and exclude the right of creating new political parties. Any attempt to register a political party has no legal basis and any activity in the effort to form a political party without legal approval is illegal and will be charged as "a criminal offense" according to the new Criminal Law, and the activists will be arrested and sentenced as "criminal gangs."<sup>30</sup>

(2) Monopoly system. According to Article 16 of the RRRSO, "no two similar or identical mass organizations are allowed to establish in the same administrative areas." Under this rule, any "political" mass organizations other than officially run ones are not allowed. For example, according to the Law of Union, the All Federation of China Trade

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<sup>30</sup> Such cases have been widely reported. For full news coverage on such cases, see reports carried on almost every issue of the California-based Chinese newspaper *Press Freedom Guardian*.



Union (AFCTU) is the highest leading organ of all trade unions in China. The creation of any trade union must report to the AFCTU and its subordinate industrial and regional trade union leading organs in the same administrative areas. Thus, no trade union other than official ones will be approved and no such activity other than official ones will be allowed in China.

(3) "Hang-on" system. According to Articles 6, 8, and 9 of the RRRSO, all applicants for the registration of mass organizations must first of all obtain the review and approval of the concerned business or professional superiors or responsible departments or institutions (*youguan yewu zhuguang danwei*) before they may proceed to apply for registration. Moreover, the concerned superiors or responsible departments have the power to conduct daily supervision and management over the approved mass organizations. In this way, almost every social organization in China has to find a "hang-on" (*guakao*) superior within the scope of its own industrial, professional or business activity and becomes the "hang-on unit" (*guakao dangwei*) of this "responsible unit" (*zhuguan dangwei*) before the application for registration can be considered by the concerned authorities. Thus, all social organizations approved by the authorities are under the supervision and control of governmental institutions and become their satellite "mass organizations."

(4) Annual examination system. According to Article 24 of the RRRSO, "registration administrative organs conduct annual examination over the mass organizations, which must submit annual examination reports and related materials to the concerned organs in the first quarter of every year." This gives the authorities powers and opportunities to censor and censure these organizations and their associational activities.

Once something not in line with the party line and policy is found, it must be corrected immediately.

It is clear that the de-statization of society has not occurred in post-Mao China. Chinese society is a long way from being “civil.” The “administrative state” and “administrative society” of the Chinese communist totalitarianism have remained fundamentally unchanged, and the state power has continued to perform all-embracing functions of administration of all social organizations. China’s mass organizations are in essence formed in the associational administration system with the administrative authorities as the core. Under this system, all social organizations become party-led, state-licensed, or government-controlled, without real meaning of self-government, independence or autonomy. Furthermore, this is one perfect example of how laws have been employed by the post-Mao regime to fit its own purpose. We need to keep in mind that, whenever someone refers to the so-called “rule of law” or “rule by law” under the post-Mao regime, laws are used to protect and enhance the strength of the regime rather than the political and civil rights of its citizens.

### **3. No Political Liberalization Attempted**

One of the most meaningful or significant measures of opening “civil society” in the regime change from communist totalitarianism is political liberalization, which by definition means the process of establishing certain effective rights that protect both individuals and social groups from arbitrary interventions by the state power.<sup>31</sup> On the

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<sup>31</sup> Guillermo O’Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore and London: The Johns

level of individuals, these guarantees include habeas corpus, sanctity of private home and correspondence, the right to be defended in a fair trial, freedom of speech, press, assembly, and association, and so forth. On the level of collective action, these rights cover such things as freedom from punishment for expressions of collective dissent from government policy, freedom from censorship of the means of communication, freedom to associate voluntarily with other citizens, and so forth.<sup>32</sup> Political liberalization may precede democratization and become a feature of transition,<sup>33</sup> but liberalization will not always lead to democratization, and "liberalization does not involve a process essential to the transition to democracy: a transfer of power, the abdication of power, or the takeover of power by some groups willing to open the doors to democratic political processes, or ready to turn over power to those who would do so."<sup>34</sup>

However, the post-Mao leadership had not undertaken substantial measures to move China in a liberalizing direction while the country awaited the death of the paramount leader, and it has not attempted to do so since then. Tighter control and harsher suppression of labor unrest, dissidents, and religious activists are more evident after the June 4<sup>th</sup> event of 1989, particularly in the wake of the collapse of communism in the Soviet bloc. China just signed the two International Covenants on Human Rights.

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Hopkins University Press, 1986), p. 7; See also the definition in the chapter on political change in the dissertation.

<sup>32</sup> *Ibid.*

<sup>33</sup> Pietro Grilli di Cortona, "From Communism to Democracy: Rethinking Regime Change in Hungary and Czechoslovakia," *International Social Science Journal*, vol. 43, no. 2, p. 316

<sup>34</sup> Juan Linz, "Transitions to Democracy," *The Washington Quarterly*, vol. 13, (Summer 1993), p. 148

However, signing the documents is one thing, while following them is another. For example, since the Chinese government signed the “International Covenant on Economic, Social and Cultural Rights” in 1997, the Chinese legislative and legal institutions have not undertaken any substantial measures to ensure the legal protection of those rights regulated in the covenant, such as in Article 8, the right for everyone to organize trade unions on a voluntary and independent basis and participate in the trade unions as he or she chooses at his or her will. What has the Chinese government done to legalize this right or freedom established in the signed documents? Those citizens, such as Li Wensheng in Guangdong, who applied to register or attempted to organize independent trade unions, or those, such as Xu Wenli, Qin Yongmin and Wang Youcai, who applied to register or attempted to form political parties, have been arrested, sentenced, or jailed without trial. All Chinese constitutions since 1954 have clearly stipulated that Chinese citizens have the rights to assembly, speech, press, demonstration, and protest, etc. But all these rights are never protected and allowed in practice. Dissidents are harassed, arrested, jailed without going through the courts, or sentenced as criminals according to the new Criminal Law. Release from jail of some famous dissidents, such as Wan Juntao and Wang Dan, as a tactical means to exchange for better trade terms or achieve some other political or economic purpose, can not substitute itself for so many dissidents or religious activists who are secretly arrested, tortured, put under detention, sentenced, imprisoned, or sent to re-education camps. China has remained one of the least free countries in the world since Deng’s reform in 1978. A comparison of freedom under Mao’s regime and under the post-Mao regime can be illustrated in Table 6.2:

**Table 6. 2. A Comparison of Freedom under Mao's Regime and under Deng's Regime**

<b>Freedom</b>	<b>Under Mao's Regime</b>	<b>Under post-Mao Regime</b>
<b>to leave country</b>	No	Yes (with limits)
<b>to own or run business</b>	No	Yes (with limits)
<b>of peaceful political opposition</b>	No	No
<b>of peaceful assembly</b>	No	No
<b>of all courts to total independence</b>	No	No
<b>from compulsory state ideology in schools</b>	No	No
<b>from party/state control of artistic and academic works</b>	No	No
<b>from political press censorship</b>	No	No
<b>from political mail censorship</b>	No	No
<b>from police detention without charges</b>	No	No
<b>From torture</b>	No	No

Source: the dimensions of freedom are constructed with reference to Charles Humana, ed., *World Human Rights Guide* (London: Hutchinson and Co., Ltd., 1983), pp. 80-81

The post-Mao regime has never relaxed the tight leash on religious activities, though Chinese traditional religions and official “three- self-government” Christian churches have been revived, and churches newly registered and approved by the government have been allowed to practice since 1978. These revivals can be seen as more “tolerance” by the post-Mao regime compared with the Cultural Revolution under Mao. However, all religious activities must be sanctioned by the government and tightly controlled by the government’s Religious Affairs Bureau (RAB). Post-Mao religious policy features different treatment for different categories of religions: Chinese traditional religions are no longer considered as the “old social evils” but treated as preservation of the historical relic of Chinese traditional culture, while the Protestant Christian and Catholic religions are considered as hostile to the regime and disturbing to political stability, with tight control by the state. China’s “three-self-government” churches are state-sanctioned, with only the semblance of freedom. Hundreds of Chinese Christians, from evangelical house church members to Roman Catholic priests and bishops, are put

in “reeducation through labor” camps. Many have been threatened, arrested, sentenced, or jailed without trial for no reason other than their religious beliefs.

The post-Mao regime has periodically launched large-scale crackdowns on “illegal” home bible study groups and home worship services for practicing a proscribed faith, to maintain the authority of communist ideology in citizens’ belief system and eliminate any possible challenges to the stability of the regime. The most frequent charge is “the penetration of overseas religious activities” and “foreign interference with domestic religious activities” that have become “instability factor” in coastal areas of reform and open door. The State Public Bureau and the Administration Bureau of Religious Affairs have often undertaken joint actions to crack down those so-called “illegal” home bible study groups and home worship services that are truly independent of state control.

The Chinese official “three-self-government churches” are required to “love the party and the motherland” and are not independent of the state financially and politically. The Chinese government considers “love the party and the motherland” as a standard by which to distinguish between “legal” and “illegal” religious activities. Any voluntary religious activities without official approval are considered as ones not “loving the party and the motherland” and must be cracked down upon. A recent official document saw the increasing Christian and Catholic influences as “fierce floods and savage beasts,” in the wake of the collapse of communism in Eastern Europe, and warned that international religious organizations had taken advantage of religions to conduct ideological and political infiltration in order to “westernize” and “split” China. The document asked the party members and party cadres in all parts of the country to resist “foreign religious

infiltration” and punish those violations of the party-state discipline involved in “illegal” religious activities.<sup>35</sup>

According to a nationwide plan of the Party Central Committee and the State Council, governments in all parts of the country must set up a special leading group, led by a party committee secretary, jointly constituted by senior officials from more than 10 departments, including public security, united front, propaganda, procuratorate, court, judicial, civil affairs, education, religious affairs, youth leagues, and women associations. This special leading group will exercise unified leadership to counter the influence of “religious infiltration” and work out specific measures to crack down on non-official, independent religious activities, including spying and collecting materials of the believers participating in home bible study groups and home worship services, isolating and splitting up the believers, suppressing home worship or bible study gatherings, confiscating religious propaganda materials, stopping juvenile and party members from participating in religious activities, shutting down churches independent of official control, sending the believers to training classes, and arresting religious activists who are associated with foreign churches. All these measures have been undertaken nationwide to counter the attempt to “Gospelize China” and to prevent the recurrence of the “peaceful evolution” that occurred in Eastern Europe and the former Soviet Union from occurring in China.<sup>36</sup>

In all communist states, the major function of re-education programs or re-education camps is to re-mold human behavior and thought that are not within the

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<sup>35</sup> *Press Freedom Guardian*, January 2, 1998, p. 2; February 27, 1998, p. 2

<sup>36</sup> *Ibid.*, p. 2

parameters defined by the party-state, not simply to deny citizens civil and political liberty as practiced in authoritarian regimes. This has been a typical political tradition of communist totalitarian states and a prominent feature of the post-Mao regime.

#### **4. The State Police Apparatus Boosted**

An inescapable concomitant of more mature industrialization is increased functional differentiation and societal complexity. At this point the communist regime is forced to relax some of its clearly dysfunctional controls, such as the use of mass terror, the tight control over people's daily life and mobility, and all-embracing state planning, which appear to be no longer desirable and necessary, and begin experimenting with marketizing reforms.<sup>37</sup> However, post-Mao Chinese totalitarians have selectively relaxed control in some areas but tightened control in others.

Although the post-Mao regime has relaxed control on people's daily life and economic activities, it has never relaxed control over the key sectors of economy, the government, the ideology, cultural and artistic production, civil society, and any potential dissent threat to the regime. In the wake of the June 4<sup>th</sup> event in 1989 and the collapse of communism in the Eastern bloc, Chinese communist totalitarians have kept the Chinese society on a tighter leash and made an all-out effort to boost the muscle of the "dictatorship of the proletariat" – the police-state apparatus.

The security forces in the post-Mao regime, both regular police forces and armed police forces, have been greatly strengthened, armed with sophisticated electronic

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<sup>37</sup> Chalmers Johnson, "Comparing Communist Nations," in Chalmers Johnson, ed., *Change in Communist Systems* (Stanford, CA: Stanford University Press, 1970), pp. 23-24



surveillance equipment and specialized security equipment, heavily politicized, and put directly under the control of the Party Central Military Commission so that they can serve as a powerful party instrument intended to remove all political opposition, if formed, and to guard against any potential threat and dissent through both political and police terror. To accomplish the special policing task of defending the party and the socialist revolution – surveillance of state agencies and society, an internal secret political police organization, called “political defense branch,” organizationally distinct from foreign intelligence offices of the state security agency, has been established at every level of police forces, with all police powers of search, arrest and seizure either formally or in practice, to penetrate and investigate for disloyalty to the regime and the current leadership either within or outside the communist system. Based on the limited data, with less than one percent of the security forces, this special branch accounts for roughly 10 percent of the country’s total security expenditures.<sup>38</sup>

Identifying enemies and potential enemies of “the Dictatorship of Proletariat” and the socialist system is the main task of this special branch, and this very responsibility means that service personnel are involved in the penetration of every corner of the society as well as all government, social, and religious organizations and in the collection of information about suspicious speech and activity of individuals and groups. A nationwide monitoring network has been established at every level of the police forces. Agents in plainclothes (*bianyì jingchá*), for example, infiltrate church services and report on what is preached and the degree of support for the regime, or attend student meetings voluntarily organized on campus and report on attendance, topics discussed, and any dissenting

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<sup>38</sup> *Press Freedom Guardian*, August 28, 1997, p. 2

opinions voiced. "Agitators" and any supporters of "anti-revolutionary agitation" will be identified and promptly arrested. The political police branch acts not only as the eyes and ears of the totalitarian regime but also as the special force to crack down on the dissents and their organizations.

At the 18<sup>th</sup> National Public Security Conference held in November 1991, Public Security Minister Tao Sixun pointed out that the role of the police and other tools of the people's democratic dictatorship was to fight the enemies of the Four Cardinal Principles. "In the coming five to ten years, class struggle will manifest itself in the contention between those who uphold the Four Cardinal Principles and those who uphold values of bourgeois liberalization," Tao said. "The heart of the struggle will be whether to insist upon the dictatorship of the proletariat," he added. Aside from cracking down on crime, a key task of the police and other "law enforcement" units such as courts and procuratorates is to "wage resolute struggle against antagonistic elements" including advocates of "bourgeois liberalization" and "peaceful evolution."<sup>39</sup>

The role of the People's Armed Police (PAP) as a tool for the dictatorship was enhanced after the June 4<sup>th</sup> event of 1989. The PAP came under the direct control of the Central Military Commission of the CCP. The power of the PAP was specially strengthened and tens of thousands of PLA officers and soldiers were converted into PAP officers and soldiers. The apparatus of the PAP and the regular police was boosted nationwide. By late 1991, the national police force had doubled to 800,000 since the mid-1980s. At the same time, anti-riot, anti-terrorist, and other crack units were formed in

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<sup>39</sup> *Ming Bao*, November 6, 1991, cited from Willy Wo-Lap Lam, p. 256

major cities. They often held exercises in downtown areas to instill fear in the hearts of potential “troublemakers.”<sup>40</sup>

In late 1991, the Ministry of State Security – China’s equivalent of the KGB – also laid down plans to boost its network of spies both domestically and overseas. The decision was made at a national conference of the heads of central- and regional-level security units. The size and powers of the State Security agencies were expanded. China’s police-state apparatus grew to the extent that police, secret police, and other security officers made up 24 per cent of the personnel establishment of China’s provinces and center-directly-administered cities. The percentage in some major cities would be even higher. For instance, Beijing’s municipal administration employed 18,288 staff cadres, out of which 6,520 worked in police, 4,334 in national security, and 405 in reform-through-labor departments. In other words, 61.6 per cent of Beijing’s municipal personnel were “tools of the dictatorship of the proletariat.” These figures refer only to personnel with cadre or officer ranking employed by the provincial and municipal governments. They do not include the PAP or lower-level employees such as policemen as well as the agents working at the national headquarters of the Ministry of Public Security and State Security.<sup>41</sup>

The inter-departmental leading group – Central Commission for the Comprehensive Management of Social Order – was established in 1992 to coordinate the anti-crime and anti-subversion efforts of units including State Security, Public Security, fire prevention, drugs, customs and border patrol. The year 1993 witnessed a record

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<sup>40</sup> *South China Morning Post*, November 6, 1991, cited from Willy Wo-Lap Lam, p. 257

<sup>41</sup> *Reuters*, September 17, 1991, cited from Willy Wo-Lap Lam, pp. 257-258

number of national conferences targeting all aspects of security – crime, anti-espionage, as well as efforts to quell nationalistic movements. While the strength of the PAP surpassed the 800,000 mark in mid-1993, new units including patrol police in large urban areas and *anti-tufa* (“political emergency incidents”) squads sprang up like bamboo shoots in the spring. As Jiang Zemin said at a national conference, law-enforcement forces must do more in “maintaining political stability and national security.” “Officials of all levels must firmly rally around the main task of economic construction, realistically assess the influences of the destabilizing factors, and adopt powerful measures to preserve political and social stability.”<sup>42</sup>

The police-state apparatus also includes other tools of the “dictatorship of the proletariat” such as the judiciary and the courts. In the Chinese press as well as internal talks, top Chinese leaders made no secret of the fact that the courts, procuratorates and the prison system were primarily the CCP’s weapons to ensure the “dictatorship of the proletariat.” Ren Jianxin, the President of Supreme People’s Court, also a member of the Politburo, made very explicit the “political” nature of the practice of law in China: “judicial cadres” must abide by the instructions and policies of the party as much as legal codes. The chief judge pointed out that, in addition to the law books, judges had to study “Marxist-Leninist theories on the state and law, as well as Chairman Mao’s writings on class struggle.” He stressed that “courts at all levels must self-consciously follow party leadership.” “All the trials conducted in our country’s courts at various levels should be beneficial to ensuring social stability,” Ren added. He reminded judicial cadres that their task was to safeguard the party leadership and the “people’s democratic dictatorship,”

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<sup>42</sup> *People’s Daily*, December 15, 1993, p. 1

and it was wrong to forget that “within certain parameters, class struggle will exist for a long time.”<sup>43</sup> Ren’s talk was echoed by Liu Fuzhi, then head of the Supreme People’s Procuratorate and a former minister of public security. Liu pointed out that procuratorates, which are in charge of investigation and prosecution of crimes, must “take the initiative to fight for party leadership of judicial work.” “In important circumstances and difficult cases, we must report to the party and government leadership,” he said.<sup>44</sup> Cai Cheng, then head of Justice Ministry, stressed that “as a class tool, the law cannot be divorced from politics... Since our law is socialist law, it will without question serve the politics of the proletariat class, socialist construction, reform and the open door, as well as the consolidation of the dictatorship of the proletariat.”<sup>45</sup>

The courts serve as the regime’s weapon to stigmatize and lock away its vocal opponents. Cases of abuse are exhaustively catalogued by international human rights organizations such as the New York-based Human Rights Watch/Asia (formerly called Asia Watch) and the London-based Amnesty International. In its report “Trial and Punishments since 1989,” Amnesty International accused Beijing of mistrials and the overall travesty of justice. Trial proceedings in China ignore and even violate the basic rights for fair trial, “notably the right to have adequate time and facilities to prepare the defense, the right to be presumed innocent before being proven guilty, and the right to cross-examine prosecution witnesses and to call witnesses for the defense.” Amnesty International charged that “in practice, the verdict and the sentence are generally

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<sup>43</sup> *Ibid.*, February 4, 1990

<sup>44</sup> *Ibid.*, February 4, 1990

<sup>45</sup> *Ibid.*, November 12, 1991

determined by those in authority before the trial even takes place.”<sup>46</sup> Another study by Amnesty International reveals that “administrative punishment and detention” through means such as “shelter and investigation” and “re-education through labor” have been widely used to punish dissidents, anti-revolutionaries, anti-social behavior or activities, and suspects of any kinds. The number of people being held under various forms of extra-judicial detention was reported to run into millions.<sup>47</sup> In a release in early 1994, Asia Watch reiterated its early findings: “Guilt has been predetermined [before the trials] and the verdicts decided upon in advance.” “There is no meaningful independence of the judiciary in China, especially where political cases are concerned,” it added.<sup>48</sup> The politicization of justice is most evident in efforts by the Chinese communist regime to win Most Favored Nation and other trading privileges from the US and other Western countries through the manipulative release of big-name dissidents.<sup>49</sup>

The post-Mao regime continues to use mass movements to increase the efficiency of legal investigation or the crack down on criminals. The yearly *yanda* or “hit-them-hard” campaigns against felons, gangsters, drug traffickers, and other criminals have been administered since 1983 when Beijing authority kicked off its first *yanda* campaign. The police authorities rely heavily upon the masses to inform against the criminals in the form of letters of accusation or boxes provided for accusation letters. For instance, within a month of the campaign launched in mid-November 1989, more than 350,000 “criminals” were put under investigation. This is what Western jurists call “rough and ready justice.”

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<sup>46</sup> *Trial and Punishments Since 1989*, Amnesty International, April 1991, p. 3

<sup>47</sup> *Punishment without Crime: Administrative Detention*, Amnesty International, September 1991

<sup>48</sup> Quoted in Willy Wo-Lap Lam, pp. 265-266

<sup>49</sup> Willy Wo-Lap Lam, p. 267

Courts and procuratorates are also often instructed to “speed up” trials and convictions in order to ensure “efficiency in justice.” At the outset of the nationwide crack-down campaign on “anti-riots” and “anti-revolutionaries” after the June 4<sup>th</sup> event in 1989, Lin Zhun, Vice President of the Supreme People’s Court, instructed the judicial officials that, to facilitate prosecution and conviction, legal personnel need not be too squeamish about the fine points of the law. “Once the cases have reached the courts, the adjudication process should be expedited,” Lin said. “If the basic facts are clear, the basic pieces of evidence are correct, and criminal cases can be established, judgements according to the law should be made in good time.” “One should not be entangled by secondary matters which do not affect incrimination and the weighing of what punishment to mete out,” he said.<sup>50</sup> Such an approach is the same as in Mao’s era and not an isolated incident in the post-Mao legal practice. The same approach was addressed by Ren Jianxin, who was later appointed as Head of the Commission of Politics and Legal Affairs, in another yearly *yanda* campaign in late 1993. “We must certainly be swift and severe when weighing and issuing punishments... Our hands must not be allowed to be soft in the least,” Ren said. The judicial officials must “mobilize and organize the masses to enthusiastically take part in the comprehensive curing of law and order.”<sup>51</sup>

### 5. Party Control and Domination in Urban Areas

At the lowest level of the political system is the *danwei*, usually translated as “unit.” The *danwei* system is one unique feature of communist totalitarian states. Many

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<sup>50</sup> *People’s Daily*, November 18, 1989

<sup>51</sup> *People’s Daily*, February 2, 1994

analysts observe that this *danwei* system has been watered down, which has punched a hole in the whole communist system. This study will present a different view and evaluation of this “watered-down” situation. The fundamental issue here is whether party control and domination has been weakened or diminished in post-Mao China.

In its heyday in the 1960s, the unit was a key element in the CCP’s system of social control, and virtually every Chinese person was affiliated with a unit. The workplace was the unit for fully employed people; the school, for students; the neighborhood, for the unemployed. It was the job of the unit to keep tabs on the lives of its members and files on unit members contain biographical data, employment history, criminal records, and information on political attitudes. This is well known as the system of political dossiers (*dang’an*) – the files of individual employees kept by the personnel department. The employee has no right to see his or her dossier. The dossier goes with the employee through his or her life. Moving from one unit to another rarely happens, and when it does, approval in advance from both the old and the new units is required, and the person’s file is transferred as well. The dossiers are consulted when reviewing candidates for promotions or raises, and they can even influence applications for housing, transfer of a job, punishments for political offenses, or the selection of targets in political campaigns. A “black mark” recorded in one’s dossier can haunt an individual throughout his or her life. The work unit is therefore a unique controlling system for the communist totalitarian regime to mobilize and control the society.<sup>52</sup> According to Martin Whyte and William Parish:

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<sup>52</sup> John Bryan Starr, *Understanding China* (New York: Hill and Wang, 1997), p. 71



Work units may run nurseries, clinics, canteens and recreational facilities; they convene employees to hear government decrees and for political study; they organize campaigns for birth control and to send down youths; they approve marriages and divorces and mediate disputes; they hold meetings to discuss crimes and misbehavior off the job by their members; they distribute rations and carry out cleanliness campaigns; they supervise untrustworthy employees and organize patrols to guard the area; and they may employ family members of employees in subsidiary small workshops or vegetable farms.<sup>53</sup>

Andrew G. Walder observes that work units in China possess a dual status and operate as both economic and political organizations. Work units are not only responsible for controlling employees and performing a variety of sociopolitical services but also for material goods production, financial performance, and all other functional activities needed by all these organizations. The economic and political control of a work unit over its employees makes employees not only economically but also socially and politically dependent on their work units, which allows the regime to gain full control over employees' lives.<sup>54</sup> Walder's elaboration on the work unit is so precise and insightful that a substantial quote becomes necessary in our understanding of the organizational features of the communist party-state and its political implications on the maintenance of this system:

In a communist regime, the state has a double impact. Not only does it have the organized capacity to shape political relationships and activity more thoroughly than other types of authoritarian regimes; in China and the Soviet Union, the contemporary working class is itself a creation of the industrial drive directed by the party-state... They have in reality created their modern working classes and mobilized them into the political organizations that are grassroots extension of the party-state itself.<sup>55</sup>

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<sup>53</sup> Martin K. Whyte and William L. Parish, *Urban Life in Contemporary China* (Chicago: University of Chicago Press, 1984), p. 25

<sup>54</sup> Andrew G. Walder, "Organized Dependency and Cultures of Authority in Chinese Industry," *Journal of Asian Studies*, vol. 43, no. 1, pp. 51-76; Andrew G. Walder, *Communist Neo-Traditionalism: Work and Authority in Chinese Industry* (Berkeley: University of California Press, 1986)

<sup>55</sup> Andrew G. Walder, *Communist Neo-Traditionalism: Work and Authority in Chinese Industry* (Berkeley: University of California Press, 1986), p. 85

According to Walder, intolerance of independent unions is not a distinctive feature of communist regimes. Other authoritarian regimes have been able to suppress them in an organized fashion for long periods of time. The defining feature of an authoritarian corporatist regime is that the state charters private interest groups, "incorporates" them into a stable relationship with relevant branches of the state bureaucracy, while at the same time defining the legitimate means of pursuing interests to exclude independent and antagonistic political mobilization. All varieties of corporatism, however authoritarian or repressive they may be, differ from the communist state in one respect: they recognize as natural the existence of private interest groups.<sup>56</sup> However, *communism seeks to reorganize society in such a way that private interest groups cannot find organized expression or even a clear social identity.* The distinctive organizational features of the communist totalitarian party-state are that its cadres are present in every workshop and that they incorporate workers by mobilizing them into continuous political activity initiated by the party itself. Party control thus is pervasive in every workplace. *A communist totalitarian regime has an array of organizational structures that supplement government institutions right down to the bottom, which an authoritarian corporatist regime does not have.* The communist party is organized in every workplace, down to the very basic units, and its members and loyal activists dominate all the leading positions from top to bottom. No fundamental change has been found in this regard since 1978.

The post-Mao regime has proposed that nonparty members should be allowed to hold offices if they are technically qualified for the post as well as politically loyal to the communist regime. But this is an argument for flexibility, not for relinquishing party

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<sup>56</sup> *Ibid.*, p. 85-86

control and domination.<sup>57</sup> Communist party cells continue to be well organized and active in the workshop, and they penetrate every corner of the workplace. Rank-and-file members on the shop floor are organized into a party branch, usually divided into party groups (cells). The heads of these cells are members of the workplace party branch committees. The heads of these branch committees, party branch secretaries, are members of the workplace party committee. The secretary of the party committee is the top political official in the workplace. This interlocking network of committees and cells forms a hierarchy of communication, command, and discipline.

The work unit is also the place where the communist party educates, re-socializes, monitors, and transforms the thinking of the masses in accord with the party's definition of correct thought. This has become known as "brainwashing," in which every citizen, particularly enemies of the regime, must undergo an intensive, coercive process of ideological conversion. In Mao's era, small group political study and mutual criticism were the most frequent, long-standing forms of brainwashing in the work units. Individuals were required to place their commitments to the party and its cause above personal affections and obligations, and they were required to report their innermost feelings and criticize errant tendencies in others in group meetings. Interpersonal relations were fundamentally affected. In the post-Mao era, the "brainwashing" in the form of small group political study has *not* been abandoned and is still often used as needed, while its extent and frequency have been considerably reduced. The party still keeps abreast of the thinking of people in the units and indoctrinates them with the party's basic line, ideology, values, and new policy orientation. As central party

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<sup>57</sup> *Ibid.*, p. 85-89, 121

documents put it, "Party organizations at every level must keep abreast of the thinking of the masses in the enterprise, and concretely solve thought problems among the masses... The advanced workers and staff must be distinguished from the backward, in regard to both the level of their political consciousness and how well they complete their production tasks and work responsibilities." Every party member is part of an organization and must obey the organization. "Every party member should propagate the Party's view, thoroughly carry out the Party's directives, obey Party decisions, complete their responsibilities in an outstanding manner, and use their own model behavior to influence and spur on the masses."<sup>58</sup>

Communist youth league and union organizations continue to be under the direct control of the workplace's party branch in post-Mao China, and they help the party mobilize employees to participate in political activities designed by the party. Activists of these organizations are "backbones" who are positively oriented to the party and who actively do its bidding. They are also part of an organization that replicates, and is directly subordinate to, that of its parent organization which is under the leadership of the party committee in the workplace.<sup>59</sup> No evidence suggests that post-Mao reforms have brought about any fundamental change in this regard.

With the gradual emergence of a labor market, more and more Chinese find themselves cut loose from both the support and the watchful eyes of their units. Today

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<sup>58</sup> Party Central Committee, "Guoying gongye qiye gongzuo tiaoli" [Work regulations for state industrial enterprises], in *Zhongguo gongye guanli bufen tiaoli huibian* [A partial compendium of Chinese industrial management regulations], ed. by Industrial Economics Research Institute, Chinese Academy of Social Sciences, pp. 216-43 (Beijing: Dizhi Chubanshe, 1980), p. 240

<sup>59</sup> Andrew G. Walder, 1986, pp. 85-89, 121, 126-128

100 million or so floating workers are not affiliated with units, nor are the approximately 25 million who work in the private sector. The *Danwei* system seems to be watered down. This is a major reason for many observers feeling that the post-Mao government is less intrusive in people's daily lives than it once was. The party organization has also begun to alter its role in the factory. Party committees have been ordered not to interfere in the day-to-day operations of the factory. Party committees may no longer command the factory's professional management and the director's staffing decisions. The party organization has a new role to play in enterprises:

Party organizations in enterprises should actively support directors in exercising their authority in giving unified direction to production and operations, guarantee and supervise the implementation of the principles and policies of the party and the state, strengthen the party's ideological and organizational work in enterprises, improve their leadership over the trade unions and Communist Youth League organizations, and do effective ideological and political work among workers and staff.<sup>60</sup>

However, the form of party organization is virtually unchanged: it continues to staff its array of offices internally; it continues to cultivate loyal activists for positions of leadership in the shop hierarchy, youth league, union, and propaganda department; it continues to organize such study meetings as the party may order and such production campaigns as the factory directors may need; and it continues to play the role of the political core and supervise the implementation of the principles and policies of the party-state. Soon after the 1989 massacre, the CCP set about the task of "party construction." CCP cells and other party-satellite organizations were strengthened among local-administration units as well as in factories, farms, and colleges in the wake of the "misguided" attempts by Zhao Ziyang at "separating the party and government." Party

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<sup>60</sup> Xinhua News Agency, "Central Committee Decision on Reform of the Economic Structure," *FBIS -Daily Report, China*, October 22, 1984, pp. K1-K19

cells were also established even in joint-ventured enterprises. Party life meetings including indoctrination and “criticism and self-criticism” sessions were revived.

At a national seminar on the construction of party organizations in enterprises in Central Party School in 1996, Hu Jintao, a Politburo standing member in charge of party organizations, addressed the heads of provinces, major cities, central party-state organizations, and party secretaries, directors, and general managers of some large SOEs on the issue of party construction in enterprise and urged them to uphold the political leadership of the CCP in enterprises and give a full play to the leading core role of party cells in enterprises. The participants reached a consensus: “the leading core role of party cells is determined by the leading position of the CCP and the nature of our socialist enterprises, and inherently required by the modern enterprise system with Chinese characteristics.” Hu emphasized, “To play the leading core role of party cells in enterprises, we must concentrate on two fundamentals: one is that party organizations must participate in major decisionmaking in enterprises and ensure the full implementation of the party’s line, guiding principles and policies in enterprises; the other is to uphold the principle that the party must be responsible for the cadres in enterprises and ensure the implementation of the party’s line, guiding principles and policies of cadres.”<sup>61</sup>

Moreover, most of the directors and managers are actually communist party members, state functionaries, government administrators, or at least persons who can be trusted by the regime. In some other work units, such as schools, armies, and governmental organs, the party organization continues to play an active, significant role

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<sup>61</sup> *People’s Daily*, June 3, 1996, p. 4

as before. Despite all the changes in the factory, the most fundamental role played by the party – and the one that serves to distinguish communist totalitarian from authoritarian corporatist states – has been completely unaltered. The party organization still acts systematically to prevent organized group activity among workers independent of the party-state, except that promoted by the party itself. The organized capacity of the party-state to place workers in a politically and economically dependent position has not changed either, though the past years have witnessed a growing depoliticization and deideologization of the management of enterprises. “Chinese workers relate to factory officials as employees, but at the same time they relate to these state functionaries as citizens to their government. When workers routinely comply with party and managerial authority, they are also consenting to the political authority of the party-state.” Management control over mobility, residence, and the direct supply of a wide array of goods and services gives Chinese administrators powers that no American or Japanese managers can contemplate.<sup>62</sup>

The role of party organizations in the nonstate sector is greatly emphasized in the context of its greater development. The regime has repeatedly stressed the role of the party organizations as a “fighting stronghold” in the nonstate enterprises, with particular attention to the party building in the non-public sector, such as private enterprises, joint ventures, and even foreign enterprises. Party cells in the economic organizations of this sector are considered as an organizational guarantee to ensure the “healthy” development of the economy of non-public ownership. It is now required that party branches be also established in non-public enterprises, including foreign-funded enterprises with more

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<sup>62</sup> Andrew G. Walder, 1986, pp. 235-239, 246-247, 250

than three party members and a permanent work site, and these party cells should be reviewed, organized and led by the party leading groups in the department of industrial and business administration under their jurisdiction. According to Zhao Zongding, Vice-Chief of the Organization Department of the CCP, "in those joint ventures that do not have many party members, we should recruit more employees to join the CCP." This request was made at a conference on party work in foreign-funded firms held in Beijing in August 1991. An official document issued in mid-1991 stated that 20 per cent of the nation's 26,400-odd foreign-funded enterprises had party cells or other kinds of party organizations. In Guangdong, 41 per cent of the foreign-funded enterprises had party cells. The document pointed out that a key task of the party cells was to prevent the "infiltration" of capitalist ideology and lifestyle and to boost the Marxist consciousness of the workers.<sup>63</sup>

At the same time, establishment of official trade unions in all non-public enterprises has become the central task of the All-China Federation of Trade Unions since 1996. The major measures undertaken since then include the three simultaneous actions: incorporating the provision of trade unions into enterprise regulations at the time of signing contracts; preparing for the setting up of trade unions at the time of preparing for the setting up of enterprises; and establishing trade unions at the time of establishing enterprises. By 1998, 53,634 trade unions have been established in foreign enterprises and more than 23,000 trade unions in private enterprises.<sup>64</sup>

The 15<sup>th</sup> Party Congress further confirmed the necessity of strengthening "party

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<sup>63</sup> *Ming Bao*, June 13, 1991, cited from Willy Wo-Lap Lam, p. 246

<sup>64</sup> *People's Daily*, October 23, 1998, p. 2



construction” in the non-public sector. All-level party committees must incorporate the party construction work in private enterprises into their entire party work plan and strengthen the leadership in party construction in the non-public sector. The local party committees must select and send “concurrent political instructors” to those non-public enterprises without party members or those with party members but without party organizations to strengthen political and ideological work, and recruit new party members in those enterprises. <sup>65</sup> All this suggests that party control and domination in society have not been significantly weakened but are still effective and pervasive, though such control might be weakened during certain period of time in certain places or areas.

## 6. Party Control and Domination in Rural Areas

The traditional leftist approach based on ideological campaigns and mass mobilization is considered no longer workable in the changing countryside and even dysfunctional in rural economic reforms and growth. Rural residents are less interested and less involved in the politics and party ideology. The post-Mao regime has intended to encourage villagers to be involved in political, economic, and cultural activities defined by the regime policy through the “rural grassroots organizational build-up of the state” – Villagers Committees and “rural grassroots democratic elections.” <sup>66</sup> This is another important area we must look into in terms of regime change in post-Mao society.

According to Article 111 of *China Constitution*, “residential neighborhood committees in urban areas and villagers committees in rural areas should be respectively

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<sup>65</sup> *People's Daily*, July 1, 1998, p. 4

<sup>66</sup> John Dearlove, “Village Politics,” in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan Press, 1995), pp. 122-124

established as the grassroots mass self-government organizations.”<sup>67</sup> However, neither urban residential committees nor rural villagers committees are truly “self-government organizations.” Both serve the purpose of the communist regime to administer and control the general population in urban and rural areas. Villagers committees are established, under the leadership of the CCP, to help consolidate “the dictatorship of people’s democracy,” maintain stability and order in rural areas, and carry out the party-state current policy in agricultural economy and social public affairs in rural areas.<sup>68</sup> According to the directive of the Ministry of Civil Affairs, “the guiding idea of the construction of the villagers committees is: pursue the goal of building a socialist new countryside, with economic construction as the central work; ensure the implementation of the party’s basic line and the state’s law and policy; and exercise self-government, self-education, and self-service under the leadership of the party and within the scope of the state law and policy.”<sup>69</sup>

The mid-1980s saw the emergence of villagers committees in rural areas in response to the need for streamlining rural administration, compelling mass participation and strengthening local government in villages after the dismantling of the old production brigades. After the passing of *the Organic Law of Villagers’ Committees in the People’s Republic of China* in 1987, pilot projects were launched in selected villages in 1093

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<sup>67</sup> *Constitution of the People’s Republic of China* (Beijing: Legal Press, 1996), p. 36

<sup>68</sup> “Circular of the CCP Central Committee and the State Council on Strengthening the Construction of Rural Grassroots Government” [Documents of the Party Central Committee (*Zhongfa*), no. 22, 1986], in The Department of Civil Affairs of Jiangsu Province, ed., *Guideline in the Electoral Work of Villagers Committees (Cunweihui xuanju gongzuo zhinan)*, 1995, pp. 29, 30

<sup>69</sup> “Circular of Further strengthening the Construction of the Villagers Committees” [The Ministry of Civil Affairs, February 27, 1995], in The Department of Civil Affairs of

counties in 14 provinces and villagers' committees mushroomed. By 1990 the party leadership decided to establish "demonstration villages" that would introduce the new system and provide models for others to emulate. By mid-1992, it is reported that 18 provincial people's congresses had enacted implementing regulations and 80 per cent of China's villages had completed two rounds of elections. By late 1995, 24 provincial and centrally administered municipal people's congresses had passed local legal regulations and 90 per cent of villages had elections. However, it is still true that villagers' committees are dominated by township appointments and party members, although some unpopular cadres are removed from office.

*The Organic Law of Villagers' Committees* gives villagers' committees responsibility to "manage the public affairs and public welfare services of the village, mediate disputes among the villagers, and help to maintain public order;" "to support and organize the villagers in cooperative economic undertakings"; "to administer affairs concerning the land and other property owned collectively by the villagers"; and to draw up "rules and regulations for a village" covering all aspects of village life.<sup>70</sup>

Villagers' committees are theoretically classified as "non-governmental institutions." On the one hand, they are defined as "the primary mass organization of self-government, in which villagers educate themselves and manage their own affairs." On the other hand, however, they are supposed to assist township government and implement party-state policies in villagers' economic, cultural and political life.<sup>71</sup> In practice,

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Jiangsu Province, ed., *Guideline in the Electoral Work of Villagers Committees* (*Cunweihui xuanju gongzuo zhinan*), 1995, p. 45

<sup>70</sup> *The Organic Law of Villagers' Committees in the People's Republic of China* (Beijing, Legal Press, 1987), Articles 2, 3, 4, 5

<sup>71</sup> *Ibid.*, Article 2

villagers committees have never been considered as outside the state system. The Ministry of Civil Affairs is responsible for “the standardized construction of township and street basic governments as well as the construction of villagers committees and neighborhood mass organizations of self-government.”<sup>72</sup> The township government should “give guidance, support and help to the villagers’ committees,” while “the villagers’ committees must stand for the leadership of the Party.”<sup>73</sup> There is elasticity in interpreting the distinction between “leadership” and “guidance.” Those asserting the power of township and party control emphasize leadership, while those making the case for village autonomy argue for guidance of township and party organizations. In reality, within the general political framework of communist totalitarianism, villagers’ committees in effect do not enjoy real autonomy from either the township government or the local party branches as will be demonstrated later.

The post-Mao regime has been exploring the relationship between the party leadership and the villagers committees, and how to transform the will of the village party branches into the action of masses and how bring the role of villagers committees into full play according to the principle of the grassroots organizational construction with the party branches as the core of the leadership.<sup>74</sup> So far the regime does not see the necessity of all-embracing control in village life, but hope to increase the autonomy of villagers committees in “pursuing wealth” in their villages. However, the post-Mao regime has never intended to weaken the leading power of the village party branches while granting the villagers committees more autonomy in economic activities.

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<sup>72</sup> *People's Daily*, April 10, 1998, p. 1

<sup>73</sup> *The Organic Law of the Villagers Committees*, Articles 3 and 2

<sup>74</sup> *People's Daily*, February 28, 1998, p. 6

The party organizations at all levels are the organizers and leaders of the construction of villagers committees. "Strengthening the construction of villagers committees is an important work of party committees and governments at all levels, particularly of county party committees and governments."<sup>75</sup> Township party committees and governments are directly responsible for the leadership of the village-level organization construction. Nothing is more obvious than the following directives issued by the CCP Central Committee in regard to the relation between party-state and villagers committees. To ensure the implementation of the party's line in villagers committees, the CCP central committee issued directives: "village party branches must strengthen the leadership of villagers committees and support their work in accordance with the law, while villagers committees must voluntarily subject themselves to the leadership of the party branches and actively do a good job within the limits of their functions and responsibilities. Township governments should respect the legal status of villagers committees and support their work, while villagers committees should look for the guidance, support, and help of township governments, implement the functions of villagers' self-management, and actively accomplish the tasks assigned to them by township governments."<sup>76</sup>

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<sup>75</sup> "Circular of Further strengthening the Construction of the Villagers Committees" [The Ministry of Civil Affairs, February 27, 1995], in The Department of Civil Affairs of Jiangsu Province, ed., *Guideline in the Electoral Work of Villagers Committees (Cunweihui xuanju gongzuo zhinan)*, 1995, p. 47

<sup>76</sup> "Circular of the CCP Central Committee on Strengthening the Construction of Rural Grassroots Organizations" [Documents of the Party Central Committee (*Zhongfa*), no. 10, 1994], in The Department of Civil Affairs of Jiangsu Province, ed., *Guideline in the Electoral Work of Villagers Committees (Cunweihui xuanju gongzuo zhinan)*, 1995, p. 32

In practice, electoral leading groups in villages are established, usually with the party secretary as the head, to direct the election of villagers committees. Local party committees also regulate, in the official documents on villagers committees, that “villagers committees must obey the leadership and the nucleus status of the village party branch.”<sup>77</sup> Villagers committees usually determine the agenda, contents of discussion, and time and place for the meetings of the villagers council according to the proposals of village party branches. While the percentage of non-party members on villagers and committees has increased, the key decisions continue to be made by the village party branches. Central and local party and government organizations have also established unified regulations and criteria for such things as election slogans, villagers committees’ notices, work regulations, organizational structure, tenure goals, election registration, nomination forms, speech guidelines, criteria of candidates, candidate nomination, and determination, “village regulations and villagers agreements” (*cungui mingyue*), election propaganda guidelines, election regulations, stages and procedures, criteria for “demonstration villages” and check before acceptance.<sup>78</sup>

All this has suggested that villagers committees and villagers self-management are totally under the control of local party and government organizations and easily manipulated by local party-state officials according to their wishes. Those elected officials are the tools or legs of local party and government organizations and they exercise their authority only on the sufferance of and within constraints set by party-state authorities. Many recent field studies in China have provided hard evidence supporting

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<sup>77</sup> The Department of Civil Affairs of Jiangsu Province, pp. 156, 132

<sup>78</sup> *Ibid.*, pp. 109-163

the view that villagers' committees do not in reality enjoy much autonomy from the local township government and the local party branches as well as the view that "grass-roots participation in People's Republic of China differs in fundamental respects from that found in more open societies. The existence of powerful governmental and party organs, the thorough penetration of society by the state, the scarcity of independent advocacy groups and other mechanisms for interest articulation, a shackled mass media, and the long absence of free and competitive elections have supplied a different meaning to the construct of participation."<sup>79</sup>

Potter and Potteron, on the basis of their fieldwork in Zengbu village in Guangdong province near Hong Kong, note that although villagers' committees "have some autonomy in managing their village's affairs, they are still under the authority of the Zengbu *xiang* (township) Party Committee and the *xiang* government, which ensure that they follow general party policy." Candidates for the villagers' committees "had to be chosen from a slate approved by the party." They conclude that "all general policies of import to the countryside are made by members of higher party levels, or the center, and then transmitted to the local levels of the society, to be implemented by the rural cadre."<sup>80</sup> According to another report, the election of villagers committees is largely manipulated by the TVG and party organizations. "In the selection of village cadres, the nomination right and the final appointment right are actually in the hand of township or village party

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<sup>79</sup> M. Kent Jennings, "Political Participation in the Chinese Countryside," *American Political Science Review*, vol. 91, no. 1, June 1997, p. 361

<sup>80</sup> S. H. Potter and J.M. Potter, *China's Peasants* (Cambridge: Cambridge University Press, 1990) pp. 280, 271

branches,” although the process involves four types of nomination: nominated by the party branch, by villagers groups, jointly by villagers, and self-nominated.<sup>81</sup>

Chan, Madsen and Unger report that in Chen village, also near Hong Kong, “ostensibly there were village-wide elections to select the committee, but there were no nominations and the slate of five members was determined beforehand; only those five stood. Afterwards, the five formally decided among themselves how to divide up the posts, similarly to the procedure of previous decades.”<sup>82</sup>

Kelliher D. Kelliher observes that China’s recent change “leaves much of the former relationship between state and countryside intact. ... Villagers’ committees enforce state policies on family planning, health, and education. Villagers’ committees still wrestle with state directives and targets, mediate disputes, maintain public order, and provide welfare services, while economic reform has meant that these committees have come to involve themselves in a range of new economic tasks. Township leaders always seek to restrict the village autonomy because they fear that they will ‘lose their legs’ if they cannot rely on villagers’ committees to carry out party-state policies in the same way that production brigades followed commune instructions in the past under Mao’s regime.”<sup>83</sup>

Yang Zhong’s more recent field study has also shown that local governments and party organizations perform enormously important tasks for the central government in political, economic, social and many other areas. Political control by local governments is

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<sup>81</sup> *Press Freedom Guardian*, October 11, 1997, p. 4

<sup>82</sup> A. Chan, R. Madsen, and J. Unger, *Chen Village Under Mao and Deng* (Berkeley, University of California Press, 1992) p. 318

<sup>83</sup> Kelliher D. Kelliher, “Privatization and Politics in Rural China,” in G. White, ed., *The Chinese State in the Era of Economic Reform* (London: Macmillan, 1991) p. 333



strengthened rather than weakened, and party organizations at various levels are still the power center.<sup>84</sup> The local TVGs control village grassroots organizations in many ways, including personnel appointment, financial supervision, administrative intervention, penalty and reward, political, ideological and policy guidance, etc.<sup>85</sup>

Chinese scholars have also conducted their own field studies which confirm that the top-down party control system has remained effective and pervasive in rural grassroots organizations in the post-Mao economic transformation after the discontinuity of the People's Commune system, and has continued to play a role as the core of leadership of rural economic, political and cultural development. In many areas, a leadership system of "party-village-enterprises integration" (party branches, villagers committees, and village-run enterprises) has emerged as a dominant form of governance structure in rural grassroots society, in which the party branches occupy a dominant position in almost all aspects of village political and economic life, such as household contract, industrial development, village elections, villagers committees, village-run business and enterprises. For example, in the village-run shareholding cooperatives, party secretaries usually serve as the chairmen of the board of shareholding cooperatives, deputy secretaries as general managers, and members of party organizations and villagers committees as the board members. Thus, party secretaries actually make decisions, while villagers committees implement party decisions.<sup>86</sup>

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<sup>84</sup> Yang Zhong, "Withering Governmental Power in China? A View from Below" *Communist and Post-Communist studies*, vol. 29, no. 4, 1996, pp. 363-375; for another recent field study in China which supports the same view, see Weixing Chen, "The Political Economy of Rural Industrialization in China: Village Conglomerates in Shangdong Province," *Modern China*, vol.24, no.1, 1998, pp. 73-100

<sup>85</sup> *Xinhua Wenzhai*, no. 8, 1998, p. 23

<sup>86</sup> *Xinhua Wenzhai*, no. 8, 1998, p. 21

Diversity might exist from village to village, from coastal areas to interior areas, and from economically more advanced provinces to poor and more remote rural villages; but diversity does not prove a fundamental change in the party-state control over the village life. If those local power structures come to work against central intent, the party-state apparatus can easily reassert their power over village affairs. This no-fundamental-change picture of village politics is reinforced if we further look at how the post-Mao regime has strengthened the party control of rural grassroots organizations and the building of village party cells after the establishment of villagers committees in village politics.

Strengthening the village-level organizational building of the party branches as the leading core has been considered as the party's urgent task in China's rural political development.<sup>87</sup> There are more than 800,000 party grassroots organizations in the countryside. These rural party cells have never been abolished, but rather strengthened and consolidated particularly in the wake of the Tiananmen protest and the collapse of communism in the Soviet bloc. To ensure the leading power of the village party branch and build it into a fighting stronghold in village life, from the 14<sup>th</sup> Party Congress to the 15<sup>th</sup> Party Congress, the CCP has gone all out to strengthen the building of party cells in the countryside and undertake a large-scale rectification of those "backward" village party branches nationwide. It is reported that "after the Fourth Plenary Session of the Fourteenth Central Committee, according to the general disposition and goal requirements of the Central Committee, the rural grassroots organization build-up with

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<sup>87</sup> For a more detailed discussion of China's rural grassroots politics, see *Xinhua Wenzhai*, no. 6, 1998, pp. 8-13

the village party branch as the focus has been widely developed nationwide.”<sup>88</sup> Several measures have been taken to overhaul and consolidate the village party cells.

First, to strengthen the party’s leadership and control of rural grassroots organizations, provincial and local party-state organizations have incorporated “the construction of villagers committees” into the general framework of “unified planning, unified procedure, and unified check before acceptance.” Coordinating and leading groups of the construction of rural grassroots organizations and villagers self-management work are established at the provincial level, with a key responsible party secretary as the head, jointly constituted by leaders of various departments such as party organization, agriculture and industry, propaganda, civil affairs, and official mass organizations. Similar leading groups are also established at the municipality and county level, headed by the leaders of the party, government, and people’s congress.<sup>89</sup>

Second, party committees at all levels have undertaken measures to strengthen the leadership of the rectification of the village party cells. Party committees at all levels have made a three-year and an annual plan for the party rectification and also established the responsibility system of party rectification. Every key leader of party committees at all levels is responsible for some “networking villages” for the rectification of party cells. By 1997, the whole country had rectified 152,000 village party branches, which were

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<sup>88</sup> *People’s Daily*, June 27, 1997, p. 4

<sup>89</sup> “Report on Our Implementation of ‘Organic Law of Villagers Committees’ and Promotion of Villagers Self-Management Activities,” in Department of Civil Affairs of Jiangsu Province, pp. 2-3

considered “backward” or “weak” party branches – 21.3 per cent of the total village party branches. The “networking villages” for which leading cadres of party committees at all levels were responsible totaled 104,000.

Third, governmental cadres or functionaries at all levels are sent in a planned way to be “stationed” in those villages to help and guide their party rectification or hold key leading positions in the rectified village party branches. By 1997, 1,605,000 governmental functionaries were sent to help those rectified villages and 99,000 cadres were sent to the villages where help was most needed to hold leading positions of the party branches. About 80 per cent of the rectified village party branches have been greatly enhanced in many regards according to the goal requirements for party rectification and many of them have become “model” or “advanced” party branches.

Fourth, in the rectification of village party branches, great attention has been given to the effort to construct “a complete organizational system with the party branch as the leading core,” including party branches, villagers committees, village collective economic organizations, communist youth leagues, village militia, and women’s associations. All these organizations are united, in the “principle of democratic centralism,” around the grassroots organizational system with the party branch as the leading core.

Fifth, every year, rural party cadres are sent in turn for training by levels and are “armed with Deng Xiao-ping Theory.” Province, district, county and township party authorities are responsible for the training work by levels. In 1997 only, 20,146,000 rural party members and cadres were trained, of which township cadres were 1,055,000, village party secretaries and villagers committee directors were 1,156,000, and rural party

members were 17,934,000. Such a training program will continue for the long term. Township party committees are rectified and consolidated at the same time, with the ideological education and style of work as the focus and the grassroots organizational construction as the key link. All these measures are reported as "having greatly strengthened the fighting force of township party committees and rural party cells."<sup>90</sup>

Apparently, political control by local governments is not weakened but strengthened, and party organizations continue to be the power center. Party control and domination are pervasive and effective in village politics. Villagers committees and villagers self-management are confined by the principle of the grassroots organizational construction with the party organizations as the core of the leadership and totally under the control of local party and governmental organizations.

### III. CONCLUSION

Post-Mao reforms have brought about some considerable changes in Chinese society, particularly in terms of state-society relations, with respect to freedom of individuals in economic activities, daily life, and living styles. Chinese society itself has become more pluralistic and complex, with a greater variety of groups and interests, as a result of the market reform and economic modernization. The action means of the party-state control over society has been diversified. Grassroots government organizations in urban and rural areas have been restructured to correct the traditional dysfunctional controlling system.

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<sup>90</sup> *People's Daily*, September 1, 1997, p. 4

However, as demonstrated, the Chinese totalitarian regime has not made a substantial retreat from the state apparatus as well as from the civil society, though the regime has relaxed its control over the daily life and economic activities of its citizens. The party-state still defines the parameters of public spaces and shapes society in accordance with its own terms, norms, values, and ideologies, though admitting that society has attempted to emerge from its control. Public spaces are structured and defined in ways that strengthen the party-state domination rather than weaken or end it. Chinese society is a long way from being “civil,” while the “administrative” state and society of Chinese communist totalitarianism has remained fundamentally unchanged.

The post-Mao regime has not undertaken any meaningful or significant measures to open up the lid on “civil society,” allowing China to move in a liberalizing direction, protecting and enhancing the political and civil rights of its citizens. Tighter control and suppression on labor unrest, dissidents, and religious activists are more evident in post-Mao China particularly in the wake of the collapse of communism in the Soviet bloc. One typical practice of communist totalitarianism – re-education programs or re-education camps – has remained effective in post-Mao China. The muscle of state terror has been greatly boosted to keep the Chinese society on a tighter leash.

The totalitarian communist party has not given up its effort to exercise total control over the state institutions as well as society through the party-state establishment. The post-Mao regime has attempted to rationalize and institutionalize its control over every sector of the state and the society. Party control and domination, through party organizations, continues to be effective and pervasive in post-Mao society both in urban and rural areas. The form of party organizations is virtually unchanged, though the role of

party leadership in economic organizations and the countryside has been redefined. In practice, the post-Mao regime has repeatedly stressed the leading role of party organizations as a “fighting stronghold” in both state and non-state sectors. All this suggests that the nature of the communist totalitarian regime has not fundamentally changed in light of social change in post-Mao China.

## Chapter VII

### Assessment of the Post-Mao Economic Change

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#### I. INTRODUCTION

The most significant change in post-Mao China has occurred in the economic field. Since 1979 rapid and significant changes have occurred in the industrial structure, ownership structure, decisionmaking power, and administrative organization. The “weak” sectors in industrial structure have been strengthened while excessive expansion of the “bulky” sectors has been contained. Moreover, the economy has become more market- and outward-oriented. The ownership structure has become more mixed; while public ownership is still dominant, state ownership has shrunk. Local governments and basic economic units have been granted greater autonomy in economic decisionmaking. Emphasis has been on the importance of market forces and guidance plans in directing economic activities and on the importance of governmental laws and economic mechanisms in regulating economic activities while administrative means are also employed to a great degree if they are considered necessary. <sup>1</sup>

From 1978 into the 1980s, major changes were made: agricultural production was decollectivized in favor of a return to individual family farming under the “household responsibility system,” designed to improve rural productivity and increase agricultural output; enterprise management was given greater autonomy in production, pricing, and distribution of nonplanned output by the “separation of ownership and managership,” designed to stimulate enthusiasm for production and increase economic efficiency; the



planning system was restructured by reducing “mandatory planning” (the state direct administrative control, such as targets, quotas, and so on) and increasing “guidance planning” (the state indirect economic control, such as taxation, interest rates, price, etc.), aimed at rationalizing the state economic performance and policymaking; circulation of commodities through the marketplace and closer economic ties with the outside world were promoted.<sup>2</sup>

In the 1990s, the post-Mao regime has focused more on economic “liberalization,” which refers to a process of movement toward a market economy and all the efforts designed to bring the economy to be competitive and market-oriented, to reduce the level of government intervention in economic activity, to allow the market to set prices and direct material and manpower resources to move freely through market distribution channels, to allow the private sector to have more economic freedom, and to connect the economy closely with the world economy. While some aspects of economic liberalization have been effected at a fast pace, others, such as privatization, have not been introduced. However, the marketization in China has achieved considerable progress in the direction of economic liberalization, in comparison with the earlier stage of economic reform in 1980s. There are at least seven major changes that deserve our consideration:

*1. The industrial structure.* Between 1979 and 1997, one of the most spectacular changes has been the decrease in the share of heavy industry, and the rapid increase in the

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<sup>1</sup> Tien-tung Hsueh and Tun-oy Woo, “Reforms of the Economic Structure in the People’s Republic of China,” in Joseph Y.S. Cheng, ed., *China: Modernization in the 1980s* (New York: St. Martin’s Press, 1990), p. 231.

<sup>2</sup> Harry Harding, *China’s Second Revolution: Reform after Mao* (Washington, D.C.: The Brookings

importance of light industry, agriculture, construction, transport, and commerce. Thus, the sectoral disproportion in the socioeconomic infrastructure due to over-expansion of heavy industry and stagnant growth in light industry and agriculture has been greatly rectified. Statistics show that the proportion of heavy industries declined to 21.1%, whereas that of the second and the third industries increased to 78.8% by 1994.<sup>3</sup>

2. *Openness of the economy.* The extension of foreign economic relations has also proceeded rapidly. Most notable is the rapid growth of foreign trade and foreign capital and its significance in the growth of the national economy. There has been a dramatic upsurge in the share of foreign trade in GDP and in total utilized foreign capital as a percent of national capital accumulation. The ratio of imports and exports is more than 35% of China's GNP,<sup>4</sup> while the total utilized foreign capital accounts for 7.7% of national capital accumulation.<sup>5</sup>

3. *Marketization.* The most significant change in China's economic system is the change in the means of directing and regulating economic activities. The target model of marketization, in official terms, is that "the state regulates the market and the market coordinates enterprises." With the advent of the "socialist market economy" at the 14<sup>th</sup> Party Congress, the role of central planning has been drastically cut in terms of direct control over production and distribution. The scope and quantity of central planning's production quotas began to be whittled down. The share of planning has substantially decreased while the market mechanism has dramatically increased. The state planning is

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Institution, 1987), pp. 99-171

<sup>3</sup> *People's Daily*, May 12, 1994, p.3

<sup>4</sup> *People's Daily*, May 12, 1994, p.3

<sup>5</sup> *People's Daily*, March 10, 1998, p. 4

respectively 84% in industrial production and 16% in distribution, 87.5% and 12.5% in agricultural products.<sup>6</sup>

4. *Ownership structure.* The unitary structure of ownership has changed into a certain degree of “mixed economy” with various ownership forms and sectors, under which a huge and dominant public sector (*state-ownership and collective ownership*) is coexistent with individual, private, foreign-funded, and joint-ventured economic sectors. The share of the gross industrial output contributed by state enterprises dropped from 81% in 1979 to 34.0% in 1995, while collective-owned enterprises contributed 40.1%. In addition, since 1982, individual-owned, private-owned, foreign-owned, and joint-ventured enterprises have grown rapidly, and their shares have increased to 13.1% of the gross industrial output.<sup>7</sup> In commerce, such a change has occurred at an even faster pace. In particular, the collective and individual-owned enterprises have grown much faster. In agriculture, decollectivization has significantly changed the production relationship among the individual peasants and between the state and the private citizens. Although all land is still owned by the whole people, “*baochan daohu*” with the household as the basic economic unit has become a common practice in China. The custodial and usufruct rights, and their transfer with prior permission from the government authorities, have been largely exercised by households in rural areas. In short, pursuit of “large and public” (*yidaergong*) for the relations of production, as was the policy prior to 1979, has been dropped and replaced by the policy combining “common prosperity” and individual pursuit of wealth.

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<sup>6</sup> *People's Daily*, May 21, 1994, p.3

<sup>7</sup> *Almanac of the People's Republic of China 1997* (Beijing: China Almanac Press, 1997), p. 600

5. *Redistribution of decision-making.* The relation between the central government and local governments has shifted substantially in favor of the latter, as a result of further decentralization of administrative power, the decrease of centralized administrative power and central planning, and the greater achievement of administrative rationalization. In addition, basic economic units have acquired substantial autonomy in terms of decisionmaking in production, price, and distribution. One of the major reforms has been to restructure the administration system for the economic administration regions, with the "central cities" coordinating and regulating activities of all economic units within their jurisdiction. At the lowest level of administration, with the abolishment of the commune system, *xians* and *towns* are established and authorized to guide and coordinate economic activities within their jurisdiction. Each "central city" leads an economic administration region encompassing a number of medium-size cities, towns, and *xians*. The jurisdiction of some large "central cities" such as Beijing, Tianjin, Shanghai, and Chongqing spans over several different economic administration regions. The central government is responsible for regulating and coordinating the economic activities of the "central cities" with their administration regions. The structural changes in economic administration were the result of institutional rationalization preferred by the central government in order to improve the performance of the national economy.

6. *The Reform of Enterprises.* Enterprises reform can be summarized as an evolution from the traditional administrative command system (1956-1978) to the profit-retention system (1979-1982), the tax-for-profit system (1983-1986) and, finally, the contractual management system (1987-present), which is to "personify" enterprises, allowing their taking up of rights and duties. Managers are designated as the legal

representatives of enterprises and are responsible for the fulfillment of the tasks set in the contracts. The contractual management system has been characterized as clarifying the boundary of the interests of enterprises while leaving out the clarification of the property rights of individuals. It thus enables the adoption of a range of measures to restructure intra- and inter-firm organizations.

7. *Shareholding reform since 1992.* The aim of shareholding reform is to further restructure China's economic organizations and ultimately establish a "modern enterprise system" through the "corporatization" of SOEs into shareholding companies based on a new Company Law. Through this shareholding reform, the post-Mao leadership hopes to achieve a separation of the ownership functions of the state from the management functions of the enterprises within a framework of greater autonomy and accountability. Considerable progress has been made since then in extending and formalizing the shareholding system throughout the other economic sectors. At the same time, greater diversification has also taken place in the ownership structure of the economy over the years, while, however, the new phase of economic reform has emphasized the maintenance of public ownership as the cornerstone of the economy.<sup>8</sup>

The post-Mao economic reforms have led many China analysts to declare that post-Mao China has been moving toward capitalism or that "capitalist takeover" has occurred in post-Mao China.<sup>9</sup> Nicholas Kristof, Beijing bureau chief of *The New York*

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<sup>8</sup> Wanda Tseng, et al., *Economic Reform in China: A New Phase* (Washington, DC: International Monetary Fund, 1994), pp. 43-45

<sup>9</sup> Minxin Pei, *From Reform to Revolution* (Cambridge, MA: Harvard University Press, 1994)

*Times*, wrote that “China is no longer a Communist country in any meaningful sense,” because no Communist country “has ever so fully embraced stock markets ... In the 1990s the business of the party is business.”<sup>10</sup> Some others have observed that “the rapid rise of the capitalist and entrepreneurial class, accompanied by large-scale privatization and foreign investment in urban China, is undoubtedly one of the nation’s most important politicoeconomic developments today,”<sup>11</sup> and that “the dynamism of the market economy, including the rapid development of the stock market, private enterprises, and foreign investment, has been one of the most notable features of China in the 1990s.”<sup>12</sup> The massive shrinkage of the output share of SOEs in Chinese industry is often cited as hard evidence supporting the above argument.<sup>13</sup>

“Capitalist takeover” has been mainly referred to as the three empirical aspects of the economic change in post-Mao China: the existence of capitalist elements, the enlarged share of the non-state sector, and the enhanced role of the market in the economy. However, this argument fails to capture the central realities of post-Mao China and contradicts the fact that “private takeovers or buyouts,” if any, are negligible, while the public sector is still dominant in the post-Mao Chinese economy and, more crucially, the essential features of state socialism (soft budget constraint, government intervention, and the employment relationship) have remained intact.<sup>14</sup>

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<sup>10</sup> *New York Times*, September 6, 1993, p. 5

<sup>11</sup> Cheng Li, *Rediscovering China: Dynamics and Dilemmas of Reform* (Lanham, Maryland: Rowman & Littlefield Publishers, 1997), p. 53

<sup>12</sup> *Ibid.*, p. 54

<sup>13</sup> See the figure in Table X in Minxin Pei, 1994

<sup>14</sup> Dic Lo, *Market and Institutional Regulation in Chinese Industrialization, 1978-1994* (London: Macmillan Press, 1997), p. 90

Public ownership has been declared by all communist states as one core element of the fundamental principles and norms of communist ideology and the socialist economic system, which must be sustained to maintain the regime identity, though it is not necessarily displayed to the same degree all the time. This chapter is to revisit and reassess the economic transformation in post-Mao China to obtain a holistic understanding of the central reality in post-Mao China on the one side, while on the other to rebut the assertion of a “capitalist takeover” in post-Mao China. This chapter will examine the post-Mao economic transformation along the three key empirical dimensions in terms of systemic change: the existence of capitalist elements, the ownership structure, and the role of the market in the Chinese economy. The examination will allow us to evaluate the nature and significance of the post-Mao economic changes and determine if the post-Mao regime has abandoned the end-goal of communism and its economic reforms have fundamentally changed the “hard core” of its official ideology.

## **II. ASSESSMENT**

### **1. The Socialist Primary Phase: A Retreat to Lenin’s NEP**

The post-Mao regime has supplied a theoretical justification for its economic restructuring program by introducing two keystones for Chinese modernization and socialist construction: “the Socialist Primary Phase” and “the Socialist Market Economy.” The essential elements of the theoretical keystones, however, do not suggest any attempt by the post-Mao leadership to transform the Chinese economy into a capitalist one or to abandon its ultimate goal of communism.

The goal of the communist party is to eliminate private ownership and to accomplish communism. Complete public ownership, in whatever form, of the economy is clearly the goal of the Chinese communist revolution. In the context of the communist ruling, the fact that private enterprises are allowed to exist and develop contradicts the communist doctrine. However, this practice is not something new under the post-Mao regime, but recurrent in the history of communist states either in the former Soviet Union or in China. Such a practice of allowing and encouraging the development of private business was exercised during the period of Lenin's New Economic Policy (NEP) in the early 1920s when the Soviet Union encountered economic difficulties and political crisis. Almost all the forms of practice during the period of Lenin's NEP, such as leasing, contract, sell-off of some SOEs, private business, foreign direct investment, and foreign-owned enterprises, have been currently employed in post-Mao China. Such practices, however, were also exercised during the "three-year natural disaster" in 1960-62 under Mao's regime, and then repeated during Deng's economic reforms in 1978-89, both regimes tolerating the supplementing role of private business in the socialist economy. In more recent years, since 1992, the post-Mao regime has shifted its policy from "tolerance" to "encouragement" in order to resolve the difficulties of unemployment and social instability due to the SOEs restructuring and to achieve the immediate goal of "a socialist market economy." However, either "tolerance" or "encouragement" is only an expedient measure for overcoming economic difficulties, rather than a long-term goal of the Chinese Communist Party. The existence and development of private enterprises is a useful and controllable practice under the communist regime.



The post-Mao regime has hesitated to exercise complete state ownership and control of the economy not because it rejects this goal, but because it considers such a hesitation as a tactically expedient measure at the “socialist primary stage.” In this regard, the post-Mao economic policy and transformation can be compared to the example of Lenin’s New Economic Policy (NEP), which Lenin considered as a “tactical retreat” on the road toward communism. The coexistence of public and private ownership was considered a temporary concession. As Lenin pointed out, “we have learned an art that is indispensable to our revolution – pliability, the ability to alter our tactics quickly and abruptly... choosing a new road to our goal if the former road has proved to be inexpedient or impossible for the time being.”<sup>15</sup>

The post-Mao regime recognizes that Mao committed a serious mistake in handling the socialist economy; that is, Mao became impetuous in bringing about the transformation of rural cooperatives into “People’s Communes” and of urban collectives into “the whole people ownership” and pursuing “larger in size and a higher degree of public ownership” (*yidaergong*) than the cooperatives and collectives. Such a degree of public ownership at the “socialist primary phase” could not promote initiative and creativity of laborers and producers, and thus failed to promote the development of productivity.<sup>16</sup> The post-Mao leadership also recognizes that China’s economic modernization and the development of a requisite infrastructure can only come about with outside help through an “open-door policy.” Therefore, a transition period is needed in which state and nonstate ownership, public and nonpublic sectors, can exist side by

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<sup>15</sup> V. I. Lenin, *Selected Works*, vol. III (Moscow, 1975), p. 585

<sup>16</sup> *People’s Daily*, August 12, 1997, p. 1

side, with the former definitely dominant. This transition period for Chinese socialist economic construction is theoretically formulated as the "Socialist Primary Phase," during which the CCP retreats from Mao's strategy of pursuing "larger in size and a higher degree of public ownership" (*yidaergong*). Such a retreat is essentially the equivalent of Lenin's "NEP;" the existence of capitalist elements and the role of the market mechanism in the economy does not suggest a fundamental change of the economic system nor abandon the ultimate goal of communism.

Therefore, the analogy between Deng's economic reforms and Lenin's NEP derives from the similar fact that the former was advanced when a series of leftist policies such as the Three Red Banners and the Cultural Revolution proved to be ineffective, just as the latter was advanced in the Soviet Union when "military communism" proved to be a failure there. In other words, both Lenin's NEP and Deng's economic reforms were designed to avert an economic crisis and aimed at arming the socialist economy with advanced foreign capital and technology in their respective countries.<sup>17</sup>

The analogy between the post-Mao economy during the period of 1978-1989 and the Soviet economy during the period of Lenin's NEP not only derives from the similar forms of practice employed under the two communist regimes but also from a notable similarity in the ownership structure. During the period of the NEP, the Soviet economy was composed five sectors: (1) the patriarchal sector (consisting mainly of individual peasants); (2) the petty commodity sector (including most of the peasants who sold the grain they produced); (3) the private capitalist sector; (4) the state-capitalist sector

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<sup>17</sup> An-chia Wu, "Whither Mainland China: On the Theoretical Study Campaign," in Yuming Shaw, ed., *Changes and Continuities in Chinese Communism* (Boulder and London, Westview Press, 1988), p. 163

(consisting primarily of the enterprises leased out by the state and the joint ventured enterprises with foreign capital); and (5) the socialist public sector (consisting of socialist industry, Soviet state farms, collective farms, and state and cooperative trade firms). During the period of 1978-1989, the Chinese economy was also composed of five sectors: (1) the system of ownership by the whole people; (2) the system of collective ownership; (3) the system of individual ownership; (4) the system of ownership of the integrated complexes; and (5) the state capitalism characterized by the joint ventures. The five sectors are in the form of state enterprises run by the state, state enterprises run by the collective, collective enterprises run by the collective, collective enterprises run by individuals, individual enterprises run by individuals, joint ventures run by the integrated complexes of economic sectors, or jointly by Chinese and foreigners, cooperative enterprises, and enterprises run by foreigners. Obviously, capitalist elements exist in the economic sector in post-Mao China today as they existed in the Soviet economy during the NEP period.<sup>18</sup>

The more recent shareholding reform from 1992-98 is characterized by the diversification of the ownership structure and the forms of public ownership. In 1992, provisional regulations were issued for two types of shareholding experiments, namely, the limited liability companies and the limited joint-stock companies. In the former type of company, the capital of the company is not necessarily divided into equal shares, which are closely held among a small group of investors, and transfer of ownership rights is more restricted, while in the latter type of company, the equity of a company is divided into equal shares, which can be held by many owners, and ownership can be transferred.

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<sup>18</sup> *Ibid.*, pp. 163-164

The aim of this reform is to establish a “modern enterprise system,” which is to be achieved through the “corporatization” of SOEs, that is, the conversion of SOEs into shareholding companies based on public assets through the implementation of a new Company Law. The majority of the enterprises are to be converted to limited liability companies rather than joint-stock companies. Through this, the authorities hope to achieve a separation of the ownership functions of the state from the management functions of the enterprises within the framework of greater autonomy and accountability. A pilot project for this purpose was launched shortly after the Third Plenum of the Fourteenth Central Committee in November 1993, with 10,000 medium-sized and large SOEs involved. Considerable progress has been made since then in extending and formalizing the shareholding system. At the same time, greater diversification has also taken place in the ownership structure of the economy over the years, while, however, the new phase of enterprise reform has emphasized the maintenance of public ownership as the cornerstone of the economy.<sup>19</sup>

The transformation of SOEs into shareholding companies is essentially to delegate the power of state assets management to core enterprises of the concerns, rather than to “privatize” the state assets into “private enterprises.” The vast majority of these corporatized companies are member enterprises normally retaining the same ministerial or local-governmental affiliations, the same channels of tax-and-profit remittance, and the same ownership systems – so-called “three unchanges.” Even the wave of agglomerations, mergers and takeovers in 1990-2 took place mainly within these boundaries. Core members of the industrial concerns are the country’s financially most

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<sup>19</sup> Wanda Tseng, et al., *Economic Reform in China: A New Phase* (Washington, DC:

powerful and technologically most advanced enterprises. The industrial concerns are granted the autonomous power to adopt various forms of firm organization. Core members are however required to centralize decision-making, which covers major aspects of the activity of the industrial concerns: formulation of mid-term and annual development plans, concluding contracts with the state, dealing with the bank in borrowing for capital construction and technical renovation investment, imports and exports, the accumulation and transaction of state assets, and the appointment of the leaders of main member enterprises.

Therefore, "the delegation of power" to the most advanced sector of Chinese industry is to enhance the mobility of productive factors and assets across localities or ministerial affiliations, promote productivity growth through dynamic economics of scale, and to strengthen the international competitiveness of Chinese industry, rather than to implement a policy of privatization of Chinese industry. The essence of the reform is best captured by the term "rationalization." It implies that government intervention is more rational and more formal, or less *ad hoc*, because it is largely carried out through the unified contract-issuing committees rather than the industrial bureaus and other offices which are not mutually coordinated.<sup>20</sup>

Through a survey of Lenin's NEP, Deng's 1978-89 economic reform, and the more recent shareholding reform from 1992-97, we can find a shocking similarity in terms of the ownership structure, in which the existence of capitalist elements in the economy does not suggest any fundamental change of the economic system nor abandonment of its ultimate goal. Allowing the existence of capitalist elements in the

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International Monetary Fund, 1994), pp. 43-45

economy is a strategic retreat from a complete public ownership at the “socialist primary phase.”

The assertion that the post-Mao economic transformation has been accompanied by large-scale privatization is simply a misuse of the concept. Privatization is a process in which the government administers a privatizing program and policy for the purpose of the dramatic and fundamental transformation of the existing “public ownership,” by the use of state power. As Denis J. Sullivan stated, “privatization is a political process wherein the state initiates and directs its own economic restructuring.”<sup>21</sup> A contrasting process in modern history is the statization of the “private means of production” in Communist countries after Communist revolutions, and the nationalization of some private enterprises and industries in Western European countries in the postwar era. Therefore, privatization is different from the phenomenon that some private enterprises are allowed to be coexistent with the overwhelming public or government economy. Privatization, both in theory and in practice, has the broader meaning of economic marketization or liberalization.

Post-Mao China has not provided evidence to suggest that any single enterprise of state ownership or public sectors has been “privatized” in the economic liberalization, or that any “privatization” policy, measure, or program has been carried on either in documentary form or in actual fact. By contrast, “privatization” is still rejected in the exploration of the “socialist market economy,” and it has never been intentionally or unintentionally carried out under the post-Mao Communist regime. A certain number of

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<sup>20</sup> Dic Lo, pp. 106-115

<sup>21</sup> Iliya Harik and Denis J. Sullivan, *Privatization and Liberalization in the Middle East* (Bloomington and Indianapolis: Indiana University Press, 1992)

private enterprises, since they came into being, have been vying for existence within a narrow crack in the socialist “great wall,” elbowing their way for development in a place where they can “make good omissions and deficiencies” of the socialist public sectors, and confronting the discriminatory policy of the communist regime and the monopolistic power of the giant public sectors all the time.

## **2. The Ownership Structure: Public Sectors Dominate**

We must focus on the ownership system when we examine the change, because the ownership system, rather than the market mechanism, is fundamental to China’s economic transition. Moreover, it is in this most important domain of China’s economic reform that the dispute over the nature of China’s economic reform – capitalism or socialism – has centered in post-Mao political and ideological discourse.

A common flaw with the argument of “capitalist takeover” is to equate the market or marketization with capitalism or privatization, and consider the market as the defining feature of capitalism and planning as the defining feature of communism, which can be formulated as a dogmatic, simplistic definition: market = capitalism; state planning = communism. However, this equation contradicts the modern empirical reality that capitalism embraces state planning while socialism utilizes the market mechanism.

“Ownership” has been defined as the core of the relations of production, determining the nature of an economic system. Ordinary usage suggests that socialism and capitalism represent two contrasting economic systems. “An essential, though not exhaustive, trait of capitalism is private ownership of the means of production and exchange. From this standpoint, the core idea of socialism is that it is an economic

system based on public ownership of the means of production and exchange.”<sup>22</sup>

Therefore, there has been a simple but clear-cut distinction between socialism and capitalism: Socialism is an economic system in which the means of production and exchange is publicly owned and major economic activities are performed by governmental, societal, or public agencies, while capitalism is an economic system in which the means of production and exchange is privately owned and major economic activities are performed by private organizations.<sup>23</sup> However, as the history of modern socialist movements and communist practice has suggested, socialism does not presuppose public ownership of all the means of production and exchange, but is compatible with the existence of private ownership in some important fields, for instance in agriculture, handicrafts, retail trade and small and middle sized industries. Socialist countries not only differ on the method of socializing the economy but also vary greatly in the degree to which their economies are socialized.<sup>24</sup> There are significant differences in the operation and experience of these countries, because of the widely different political cultures of these countries. Even then, however, the single most essential trait of ownership is sufficient to allow these countries to be placed in a common classification.

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<sup>22</sup> Mark N. Hagopian, *Regimes, Movements, and Ideologies* (New York and London: Longman, 1978), pp. 436-437. According to Hagopian, the means of production include such things as energy resources, land, raw materials, tools, machines, and factories. The means of exchange include transportation and communication facilities, whole sale and retail outlets, banking and credit institutions, etc.

<sup>23</sup> Thomas M. Magstadt and Peter M. Schotten, *Understanding Politics: Ideas, Institutions, and Issues* (New York: St. Martin's Press, 1996), p. 367; Robert J. Jackson and Doreen Jackson, *A Comparative Introduction to Political Science* (New Jersey: Prentice Hall, 1997), p. 160; Jack C. Plato and Roy Olton, *The International Relations Dictionary* (Santa Barbara, CA: ABC, 1982), p. 81

<sup>24</sup> Leon P. Baradat, *Political Ideologies: Their Origins and Impact* (New Jersey: Prentice Hall, 1979), p. 186



“Market mechanisms” have been mainly defined as the means of allocation of resources, but can be applied in either of the two economic systems. Market mechanisms have been used in both socialist and capitalist economic systems. Capitalism embraced state planning as a means of allocation of resources as early as the Great Depression in the 1930s and it has been widespread in all capitalist states since WWII, while socialism embraced market mechanism as a means of allocation of resources in the earliest days of the world’s first socialist state – Lenin’s New Economic Policy (NEP).

The post-Mao regime has encouraged the development of the nonstate sector and emphasized the important role of this sector in economic growth. Over the last decade, nonstate-owned enterprises have been growing rapidly, and they have accounted for a larger share of the gross value of industrial output (GVIO) than have state-owned enterprises. However, the development of this sector can not prove the argument of “capitalist takeover” or any other argument that post-Mao China has moved from communism towards capitalism. The definition of the nonstate sector in the Chinese context needs to be clarified more specifically and clearly in order to assess the change in this sector and its significance in the economy.

### **(1) Categorization of the Chinese Economic Sectors**

According to the State Statistics Bureau and the State Administration Bureau of Industry and Commerce, the post-Mao Chinese economy has become a mixture of eight sectors: state-owned, collective-owned, private-owned, individual-owned, cooperative or joint-ventured, shareholding, foreign-owned, and others (Hong Kong, Macao, Taiwan

and other overseas Chinese invested).<sup>25</sup> There are five layers of government in China: central, provincial, municipal, district or county, and township. Enterprises that are under the direct authority of the central government or of provincial governments are considered as state-owned or SOEs, and all others are considered as nonstate sector. The nonstate sector includes collective enterprises, individual and private business, foreign-funded enterprises, and joint-ownership enterprises.

What needs to be clarified is the nature of the collective-owned enterprises, which comprise the largest portion of the non-state sector. In legal terms, title to the assets of a state-owned enterprise is vested in “the whole people” – all the citizens of the country (can be national, provincial, or municipal). Title to a collective’s assets is vested in its members who make up a danwei, a workplace or residential unit.<sup>26</sup> Collectives are public in nature, and can be urban or rural, depending on their affiliation. Urban collectives include urban “large collectives” (*dajiti*), “small collectives” (*xiaojiti*), and urban cooperatives. Enterprises affiliated with a district government under a municipality or a county are regarded as urban “large collectives.” Enterprises affiliated with a neighborhood (grassroots governmental organizations in urban areas) are labeled “small collectives.” Urban cooperatives are included in the category of urban collectives. Rural collectives include township and village enterprises (TVEs) and rural cooperatives. What distinguishes collectives from state-owned enterprises is that they are not managed by, nor do they report to, the industrial ministries/bureaus or any representatives thereof.

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<sup>25</sup> *Press Freedom Guardian* (USA), May 22, 1998, p. 4

<sup>26</sup> John Bryan Starr, *Understanding China: A Guide to China's Economy, History, and Political Structure* (New York: Hill and Wang, A Division of Farrar, Straus and Giroux, 1997), p. 81

They operate largely on their own in a more market-based environment. From the point view of ownership, collectives are regarded as publicly owned, because in principle their ownership is shared by the community. The remaining categories of the nonstate sector include individual businesses owned by a household or an individual that employs no more than seven people; private enterprises owned by a household or an individual that employs more than seven workers; foreign enterprises; and joint ventures.<sup>27</sup> *However, it is collectives that actually comprise the largest portion of the nonstate sector. SOEs and collectives together, as the public sector, comprise more than 70% of the economy in almost every key respect.* Table 7.1 illustrates the key point.

Now we have two pairs of figures: state sector vs. non-state sector and public sector vs. non-public sector. Which pair of figures approximates the reality of the post-Mao economic change or better reflects the essence of the post-Mao policy change?

The massive shrinkage of the output share of the state sector is often cited as hard evidence to support the argument that post-Mao China has been pursuing privatization and moving away from communism toward capitalism. As evidence to support the assumption that the “market adjustment” has played a dominant role in economic life and “capitalist takeover” has occurred in post-Mao China, it has been widely reported that non-state sectors have increased to a dominant position in the national economy, and that their output value has also prevailed over that of the state sectors.<sup>28</sup> But this does not mean that private sectors have made up the major part of the GNP or GVIO (gross value of industrial output), because the nature of the non-state enterprises is blurred.

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<sup>27</sup> Michael W. Bell, et al., *China at the Threshold of a Market Economy* (Washington, DC: International Monetary Fund, 1993), p. 13

<sup>28</sup> *World Daily*, August 8, 1994, p. 10

**Table 7. 1. Shares of Different Economic Sectors in Industry, Selected Years**

	Industrial Assets (%)		Labor Force (%)		Industrial Output Value (%)	
	1985	1995	1985	1995	1985	1995
<b>State sector</b>	74.6	53.7	41.1	31.6	64.9	34.0
<b>Non-state sector</b>	25.4	46.3	58.9	68.4	35.1	66.0
<b>Public sector</b>	98.6	82.5	90.6	73.1	97.0	74.1
<b>Non-public sector</b>	1.4	17.5	9.4	26.9	3.0	25.9
SOEs	74.6	53.7	41.1	31.6	64.9	34.0
COEs	24.0	28.8	49.5	41.5	32.1	40.1
IOEs	0.5	1.9	8.9	17.5	1.8	10.5
POEs	***	1.0	***	3.3	***	2.6
Others	0.9	14.6	0.5	6.1	1.2	12.8

Sources: Almanac of the People's Republic of China 1997 (Beijing: China Almanac Press, 1997), p. 600

Notes:

\*\*\* = negligible percentage

State sector includes state-owned enterprises (SOEs)

Non-state sector include all sectors but SOEs

Public sector includes state- and collective-owned enterprises

Non-public sector include individual, private, joint-ventured, foreign-owned enterprises

SOEs = state-owned enterprises

COEs = collective-owned enterprises, including urban collective enterprises and rural TVEs

IOEs = individual-owned enterprises

POEs = private-owned enterprises

Others = joint-ventured, foreign-owned, and public enterprises leased to private individuals

The figure for SOEs in 1995 will be more than 40 percent if the output share of enterprises of other ownership systems where SOEs have majority shareholding is included.

*The problem with the argument of “capitalist takeover” in its measurement of data is that it categorizes collective ownership, which is in its very nature public, into the “non-state sector” and then equates this entire sector with the “private sector” or “capitalist takeover” without specifying the nature of each element of the non-state sector. However, the non-state sector, which includes collective-owned enterprises that comprise the largest portion of the non-state sector, does not truly reflect the nature of the post-Mao economic change. For example, proponents of the argument of “capitalist takeover” generally categorize the townships and village enterprises (TVEs) into the non-state sector or simply into the private sector without specifying the nature of TVEs. However, “Chinese TVEs are by no means reducible to the canonical capitalist firm,”*

which is characterized by market-controlled, individualistic property rights – “they are collectives, not private.”<sup>29</sup>

Except for a small number of private enterprises, the “collective” enterprises, including urban collectives and rural TVEs, are “non-state” *in name*, but “public” *in nature*, and they are in reality not essentially different from the state enterprises in terms of their administrative jurisdiction and party bureaucratic control. Therefore, it is meaningless to argue that non-state sectors accounting for a certain amount of the GNP or GVIO provides evidence of any genetic or systemic change. If the private sector made up the major part of the GNP or GVIO, that would suggest an essential change in the economic system. However, the reality is different. The statistical figure in table 1 suggests that public sectors including state- and collective- owned enterprises account for 74.1% of the total industrial output value, with 82.5% of total industrial assets and 73.1% of the total labor forces engaged in public sectors. Moreover, public sectors also account for 90% of the GNP.<sup>30</sup>

## **(2) Collectives Comprise the Largest Portion of the Non-State Sector**

The largest number of collective enterprises are now owned by rural townships and villages, but collectives are also found in schools, neighborhoods, and even army units, though business was banned from the army in 1998. There are more than 25 million collective enterprises in China, with a workforce of about 500 million people. There are about 33,000 townships in China. The average township has about 750

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<sup>29</sup> Dic Lo, p. 6

<sup>30</sup> The figure for the share of public sector in the GNP is published in *People's Daily* on September 14, 1994, p. 2.

collective enterprises, 10 of which are involved in agricultural production, 300 or so in industrial production, a roughly equal number in the service sector, and the remainder in construction and transportation. More than 2 million collectively owned industrial enterprises are located in urban areas, and an equal number are engaged in service sector.<sup>31</sup>

About 75 per cent of the Chinese population, 900 million, live in the rural area. Of these 900 million people, there is a workforce of about 550 million, about 100 million of whom seek temporary work in the city. Of the 450 million who remain in the countryside, close to 70 percent are engaged in agriculture (including farming, forestry, fisheries, and animal husbandry). These 310 million agricultural workers are almost all under contract in the "household-responsibility system" and are thus part of the collective sector. There are now nearly 2 million Township and Village Enterprises (TVEs), employing a workforce of more than 125 million. The remainder work on state-owned farms.<sup>32</sup>

TVEs are the fastest-growing category of industry, and rural industrialization is an extension of the country's urban industrial program. Many new TVEs have emerged as a result of urban-industrial expansion. Factories in the large cities increasingly sub-contract activities to neighboring rural areas as a way around restrictions on their ability to hire more labor or to acquire more land for expansion.<sup>33</sup> However, TVEs can be traced back to the late 1950s as commune- and brigade-run enterprises under Mao's "walking on two

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<sup>31</sup> John Bryan Starr, pp. 81-83

<sup>32</sup> John Bryan Starr, p. 84

<sup>33</sup> Rupert Hodder, "State, Collective and Private Industry in China's Evolving Economy," in Denis Dwyer, ed., *China: The Next Decades* (Essex, England: Longman Group, 1994), p. 120

legs” policy, which anticipated the coexistence of labor-intensive small-sized rural industrial enterprises with medium- and large- sized urban industrial enterprises. These rural industrial enterprises were created to mobilize surplus labor and other local resources in the countryside to enhance local self-reliance and help rural industrialization. With the replacement of the commune system with the township-village system in the late 1970s, these enterprises were renamed TVEs. Therefore, TVEs are not something new under the post-Mao regime in terms of their origin, purpose of creation, and local controlling system.<sup>34</sup>

Questions have been raised regarding the nature of TVEs: are they private firms, collective-owned, or state-owned enterprises disguised under nominal collective ownership? The answer to this question is critical to the understanding of the nature of economic changes in post-Mao China. Some efforts have attempted to address this question.<sup>35</sup> Chang and Wang examine the ownership structure of the TVEs along two dimensions: the control right and the benefit right, and they conclude that the TVE is controlled by the Township-Village Government (TVG), not by its nominal owners, the local citizens, and the benefits produced by the TVE are shared between the TVG and the

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<sup>34</sup> Xu Yuanmin, et al., *New Explorations of Jiangsu TVEs* (Nanking: Jiangsu People's Publisher, 1997), pp. 1-5; C. Riskin, *China's Political Economy: The Quest for Development since 1949* (New York: Oxford University Press, 1987), pp. 213-218; Joseph C.H. Chai, *China: Transition to a Market Economy* (New York: Oxford University Press, 1997), p. 168

<sup>35</sup> William Byrd and Qingshong Lin, eds., *China's Rural Industry: Structure, Development, and Reform* (London and New York: Oxford University Press, 1990); Martin Weitzman and Chenggang Xu, "Chinese Township Village Enterprises as Vaguely Defined Cooperatives," *Journal of Comparative Economics*, vol. 18, 1994, pp. 121-145; Chun Chang and Yijiang Wang, "The Nature of the Township-Village Enterprise," *Journal of Comparative Economics*, vol. 19, 1994, pp. 434-452; Xun Wang and Douglas Hechathorn, "Tigers are Bound and Monkeys are Free: A Comparative

citizens. The ownership structure of the TVE is designed for two main purposes: one is that the existing political system must be maintained and the other is that local agents must be provided with economic incentives.<sup>36</sup>

In terms of the control right, the TVG can exercise direct and indirect control over the TVE. In the former, the TVG plays a direct managerial role in the TVE, which is called a "father-son" relationship between the TVG and the TVE. In the latter, the TVG may decide to delegate some authority to professional managers and not to interfere with the daily operations of the TVE. Even if a TVG delegates full operational responsibilities to management, this does not mean that the management has the control right in the TVE, independent of the control of the TVG. This is so because the TVG has a major influence in the determination of managerial personnel and employment. The appointed managers of the TVEs often find it in their own best interest to make major decisions according to the policies or directives of the TVG authorities. Their control over the TVE is derived from state power. This is similar to the case of SOEs in terms of official control, party organization, and nominal ownership of citizens. In general, the TVG is given a very broad power over local citizens' private, social, political, and economic lives as a means to implement the policies of the center and preserve political stability.

In terms of the benefit right, the right to derive benefits from property is not fully realized for local citizens, and the benefits produced by the TVE are shared between the TVG and the nominal owners (local citizens). Post-tax profits of the TVE are divided into three parts. The center requires that the largest portion, about 60% of the profit, be

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Study of State-Owned and Township/Village-Owned Enterprises in China," *Chinese Journal of Political Science*, vol. 1, no. 1, Spring 1995, pp. 7-42

<sup>36</sup> Chang and Wang, pp. 434-452



retained by the TVE for production expansion.<sup>37</sup> The distribution of the remaining 40% is not explicitly regulated by the center, nor can its division be found in available statistics. In many cases, however, a relatively small portion is used as bonuses for workers, while a larger portion is paid as fees to the TVG. Workers as property “owners” are actually nominal and receive a very limited amount of benefit from the property. The TVG as a government institution is in control of the TVE. The TVE in its very nature is “public” rather than “private.”

Therefore, the ownership structure of TVEs is not the result of free contracting among private agents as in a free market economy, but a product of an environment in which a monopolistic power plays a dominant role in economic life.<sup>38</sup> A more recent field study has also shown that local governments and party organizations perform enormously important tasks for the central government in political, economic, social and many other areas. Political control by local governments is strengthened rather than weakened, and party organizations at various levels are still the power center.<sup>39</sup> As many scholars of Chinese economic reforms point out, the collective sector, including the TVE,

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<sup>37</sup> Ministry of Agriculture of the People's Republic of China, ed., *The PRC Regulations of Rural Collectively-Owned Enterprises* [zhonghua renmin gongheguo xiangcun jiti suoyou zhi qiye tiaoli], (Beijing: Chinese Social Science, 1990); In 1990, for example, the TVEs' post-tax profit was 23 billion yuan, of which 12.8 billion, or more than 55%, was used for “production expansion.” See *A statistical Survey of China* (Beijing: The PRC Bureau of Statistics, 1991, p. 65)

<sup>38</sup> Chang and Wang, p. 450

<sup>39</sup> Yang Zhong, “Withering Governmental Power in China? A View from Below” *Communist and Post-Communist studies*, vol. 29, no. 4, 1996, pp. 363-375; for another recent field study in China which supports this view, see Weixing Chen, “The Political Economy of Rural Industrialization in China: Village Conglomerates in Shangdong Province,” *Modern China*, vol.24, no.1, 1998, pp. 73-100

is best regarded as the local government sector of the Chinese economy.<sup>40</sup> An article published in the *People's Daily* admitted that policies of TVEs are "often decided by one person, randomly modified or changed by one person, and many TVEs are victimized by such changeable policies and random fees and allotments."<sup>41</sup> At the TVE Work Conference of Jiangsu Province in May 1998, Xu Guoqiang, Party Secretary of Changshu City, also complained that "local governments have always seen the TVEs as their own appendage. Whenever there were instructions from above to develop the TVEs, our local governments would take immediate actions to become the subject of the development, taking on what ought to be done by the TVEs, consequently resulting in too much interference with the business of the TVEs, which can hardly become independent subjects of the market competition. The resolution of this problem requires our local governments to divest themselves of their power, separate government from business, and change government functions."<sup>42</sup> Therefore, from the viewpoint of either scholars, national newspapers, or local officials, TVEs in most areas of this country are best defined as "the local government sector of the Chinese economy" or "the collective sector," which is a constituent part of public ownership.

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<sup>40</sup> Kevin Lee, *Chinese Firms and the State in Transition: Property Rights and Agency Problems in the Reform Era* (New York: M.E. Sharpe, 1991); Victor Nee, "Organizational Dynamics of Market Transition: Hybrid Forms, Property Rights, and Mixed Economy in China," *Administration Science Quarterly*, vol. 37, no. 1; David S.G. Goodman, "Collectives and Connectives, Capitalism and Corporatism: Structural Change in China," *The Journal of Communist Studies and Transition Politics*, vol. 11, no. 1, March 1995, p. 12

<sup>41</sup> *People's Daily*, February 6, 1997, p. 2

<sup>42</sup> *Xinhua Daily*, May 10, 1998, 2

### **(3) Land is still Publicly Owned**

The ownership of land is another critical aspect of change in the ownership system since the reform. The formal ownership of land has changed little and remains almost exclusively under some form of public ownership, although a great change has occurred in land management systems. From 1949 through 1977, agricultural collectivization not only transformed the entire ownership of land into the hand of the state but also the management of land into a three-level system in which village households were organized into "production teams," which in turn were organized into "brigades" and ultimately into "communes." Private plots were tolerated on a limited scale. Under this system, land was collectively owned, and the basic production unit was the team, consisting of 20-30 households.<sup>43</sup>

The reform in rural areas since 1978 has changed the management system of land into a "household contract responsibility system," because arable land was distributed among village households based on family size and the availability of labor. Production decisions became the responsibility of the household governed by contracts with the relevant rural collective economic organization. However, although the old system of communes, brigades, and production teams was abolished, these entities were reconstituted as townships or villages, the government of which was charged with the responsibility for land management and the negotiation of contracts with the households. Moreover, land remains under public ownership.<sup>44</sup>

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<sup>43</sup> Michael W. Bell, et al., pp. 13, 15

<sup>44</sup> Michael W. Bell, et al., p. 15

Agricultural decollectivization is not an equivalent of “privatization,” as asserted by some China analysts, but only the transformation of the rural economy into “a new type of collective economy, characterized by combining public ownership of the land with totally individualized operations of production.”<sup>45</sup> To the post-Mao leadership, such an arrangement is defined as the “separation of land ownership rights and land use rights” by contracting land use rights to individual households, and thus it retains public ownership of the land as the main means of production while providing working incentives and productive freedom for peasants.<sup>46</sup> Land ownership rights are forbidden from sale while the transfer of contractual rights could be achieved through negotiations among involved parties and must be ratified by villagers committees or higher authorities. When land is owned by the state (one owner), it is not a commodity; what is on the market for exchange is not land ownership rights but land use rights.

Contracting use rights of the land to individual households has led to the problem in the use of land associated with small, fragmented land holdings. To solve this, another important reform has been introduced: the emergence of shareholding cooperative systems in various parts of the country, by which land or property under the direct control of the collective ownership is valued and divided into equal shares. Some shares are reserved for collective ownership and the rest are distributed among the village households. These shares for individual households cannot be traded but earn dividends. In this way, villagers in cooperative systems no longer cultivate small pieces of land but give their *contracted* land to the cooperative in return for shares upon which they earn

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<sup>45</sup> Feng Chen, *Economic Transition and Political Legitimacy in Post-Mao China* (New York: State University of New York Press, 1995), p. 82

<sup>46</sup> Feng Chen, p. 82-83, 87-88

dividends. The cooperative may cultivate the land or use it as a factory site, which must get the approval from higher government authorities, hiring labor from the households involved in the cooperative arrangement.<sup>47</sup>

However, such a practice has changed little of the ownership of land. The collective retains a dominant share in the cooperative and controls the decisionmaking power in the use of land, while the villagers actually do not own those shares distributed among them, nor can they trade those shares. Neither do individual households have the decisionmaking power in how to use the land since they have given their *contracted* land to the cooperative in return for shares upon which they earn dividends. Moreover, the use of land or trade of the usage of land is tightly controlled by the township, county, or provincial governments, depending on the government guidelines for the use of land and the administrative jurisdiction of the land. There are very strict administrative procedures for approving the use of arable land for purposes other than agricultural production.

#### **(4) State-Owned Enterprises are still Dominant**

While non-state sectors play a more significant role and diverse economic components are acknowledged, state sectors are still dominant. In the context of recognizing the primacy of market forces, the 14<sup>th</sup> Congress positively confirmed the role of the non-state sector and emphasized that diversified economic components can practice diversified forms of joint management on a voluntary basis. But Deng's "socialism with Chinese characteristics" – that the most important features of socialism are the predominance of public ownership and an ultimate common prosperity – was also

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<sup>47</sup> Michael W. Bell, et al., p. 15

reaffirmed at the 14<sup>th</sup> Congress. Jiang's political report interprets Deng's view that public ownership includes not only the state enterprises but also the rising collectives and the TVEs that have been largely responsible for the relative success of China's economic reforms. Stockholding companies are considered as publicly owned if the state has the majority of shares.<sup>48</sup>

SOEs are still dominant. SOEs are responsible for 60 per cent of the state revenue and 70 per cent of employment in urban areas. SOEs are dominant in basic industries, infrastructure industries and high-tech industries. The sales and profits of the 300 major SOEs are responsible for more than 50 per cent of the total SOEs sales and profits, although these major enterprises are only 1 per cent of the total SOEs.<sup>49</sup> "SOEs are still responsible for a substantial share of China's GDP, but the government's control of the economy goes far beyond those enterprises it directly owns. State-issued economic plans set policy on all ventures, including private and foreign-owned ones."<sup>50</sup> By 1996, the total value of the state assets, rather than decreasing, had actually doubled to 6589.46 billion Chinese *yuan*, among which large- and medium-sized enterprises had 75 per cent of the total state assets and small enterprises 25 per cent.<sup>51</sup> The state economy has not only increased in total value but also continues to control and monopolize the "commanding heights" or "economic lifelines" of the national economy, such as electric power, petroleum, natural gas, petroleum processing, metallurgy, transportation, assembly

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<sup>48</sup> Wei-wei Zhang, *Ideology and Economic Reform under Deng Xiaoping 1978-1993* (London and New York: Kegan Paul International, 1996), p. 216

<sup>49</sup> *People's Daily*, August 14, 1995, p. 1; May 27, 1997, p. 2

<sup>50</sup> Greg Mastel, *The Rise of the Chinese Economy: The Middle Kingdom Emerges* (New York: M.E. Sharpe, 1997), p. 71

<sup>51</sup> *People's Daily*, August 19, 1997, p. 1

machinery manufacturing, chemicals, telecommunication, railway, aviation, and finance.<sup>52</sup>

The large-and medium-scale enterprises (LMEs) in the Chinese SOEs are at the heart of China's traditional Soviet-type economy and the reforms of LMEs should represent the core of China's overall economic systemic transformation.<sup>53</sup> The same logic would be that the abandonment of the "Four Cardinal Principles" should represent the core of China's overall systemic transformation. Even after the wave of corporatization of SOEs into joint-stock companies, the majority of these corporatized firms have the state as the dominant owner and, more crucially, the essential features of their governance structure (soft budget constraint, government intervention, and the employment relationship) have remained intact.<sup>54</sup>

The reform of SOEs is to promote rather than to discourage their development. SOEs are experimenting with the reform of the joint share system, the joint stock co-operative system, leasing, and people's management of public-owned enterprises, and are implementing the policy of "seizing on the big and letting go the small" (*zhuada fangxiao*).<sup>55</sup> The state provides beneficial policies to these key enterprises and enterprise groups in such ways as the self-managing right of import and export, bank loans, technological renovation and restructuring of enterprises.<sup>56</sup> The 300 largest SOEs chosen by the central government and the 2500 large- and medium-sized SOEs chosen by the

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<sup>52</sup> *People's Daily*, August 12, 1997, p. 4

<sup>53</sup> Dic Lo, pp. 6, 89

<sup>54</sup> Dic Lo, p. 90

<sup>55</sup> For a detailed discussion of this policy, see the second section of chapter IV on ideological change in this dissertation.

<sup>56</sup> *People's Daily*, January 3, 1998, p. 1

provincial governments are to experiment with the reform of the joint share system and corporatize themselves into large enterprise groups or mother-son corporations.

According to Li Peng's Report on Work of Government to the 9<sup>th</sup> National People's Congress, "in implementing the joint stock cooperative system, shares should be prevented from being concentrated in the hands of a small number of people."<sup>57</sup>

Small SOEs are those non-key industries of the national economy, with poor technological equipment and low productivity. Losers or deficit enterprises of small SOEs are 90% of the total losers of SOEs, and have become a heavy burden on the government budget.<sup>58</sup> Therefore, the new policy of "seizing on the big and letting go the small" is to resolve this situation. Small SOEs are to be invigorated and transformed into new firms by way of reorganization, association, merger, administrative delegation, leasing, contract, shareholding cooperatives, and sell-off. These practices are considered as "exploring various new forms for realizing public ownership" and will not change the nature of public ownership.<sup>59</sup> Most of these enterprises will be reorganized or incorporated into public-owned large corporations. Selling some of the small SOEs to private owners will not affect the nature of the entire economic system, because the role of these SOEs losers is negligible in China's economy. At a national conference held in Beijing in July 1998, Jiang criticized some local governments for their misunderstanding the central policy and simply "dumping" (selling off) those small SOEs losers. He emphasized that the policy of "seizing on the big and letting go the small" (*zhuada fangxiao*) is to restructure and develop SOEs, not to do it in opposite directions. "Letting

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<sup>57</sup> *China Daily*, March 23, 1998, p. 7

<sup>58</sup> *Xinhua Wenzhai*, no. 4, 1998, pp. 52-53

<sup>59</sup> *People's Daily*, August 26, 1997, p. 4



go the small” is to “invigorate them” (*fanghuo*), not to give them away or abandon them. There are many ways to “let the small go,” such as reorganization, association, merger, administrative delegation, leasing, contract, shareholding cooperatives, and sell-off. Sell-off is only one of many forms of “letting go,” and the policy is not to sell all the small state enterprises or simply give them away. Many small SOEs can be invigorated and transformed into new firms without changing the nature of their public ownership.<sup>60</sup>

#### **(5) Shareholding Reform does not Change the Nature of State Socialism**

Shareholding reform is absolutely not equal to privatization. The distinction between “state-collective-private mergers” and “private takeovers or buyouts” is crucial in understanding the nature of the economic transformation in post-Mao China. The former is not a genetic or systemic change, but a developmental change; the latter is a systemic change. The reality of Chinese economic reforms is that “private takeovers or buyouts” are negligible. The shareholding reform, as clearly demonstrated in leaders’ policy speeches and party-state documents, must adhere to the basic principle of “the predominant position of public ownership with diversified forms of ownership” and ensure the majority shareholding of the state or collective corporations in the “state-collective-private mergers,” prohibiting private citizens from controlling the majority share.<sup>61</sup> The party-state policy statements and related legal documents regarding the shareholding reform have actually specified which industries or enterprises are allowed to practice the shareholding system and which are not, and also regulated, in those

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<sup>60</sup> *People’s Daily*, October 16, 1998, pp. 1-2

<sup>61</sup> Qi Guizhen and Wang Peirong, *Answers to the Questions in the Economic Restructuring* (Beijing: Tongxin Chubanshe, 1997), p. 97

enterprises where the shareholding system is allowed, what should be allowed for the private share and what should not be allowed for, and what percentage must be held for the public ownership. All these regulations are implemented to ensure the nature of the socialist public economy as a whole.<sup>62</sup> To equate the shareholding reform with privatization is a serious misunderstanding of the post-Mao regime's policy and practice.

The present various shareholding cooperatives and joint stock companies do not affect the nature of Chinese national economy, regardless of all kinds of mergers of state-collective, state-foreign, collective-foreign, collective-private, or joint-ventured cooperatives. If we look back to the early stage of the Chinese communist transformation of the Chinese national economy in the 1950s, it is not difficult to understand this. The Chinese "socialist transformation movement," with the public-private jointly ventured as the main form, nationalized the entire national economy within several years. The nationalization of the Chinese economy started in the early 1950s and was largely completed by 1956. The present post-Mao communist regime is capable of making another "socialist transformation movement" if it wants to do so. At present, the post-Mao regime is campaigning for modernization. To achieve this goal, it wants to encourage private business and foreign investment. The communist state has the ultimate power to determine the ownership structure of the national economy.

Since the 14<sup>th</sup> Party Congress in 1992, the regime has launched the shareholding reform and encouraged the development of shareholding companies to transform the Chinese enterprises into a modern enterprise system. In China's constitution, shareholding cooperatives are officially viewed as a new form of collective economy,

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<sup>62</sup> *Ibid.*, pp. 124-125

based on labor cooperation, incorporating some forms of shareholding companies, with the combination of labor cooperation and capital cooperation. Cooperative firms combine “the distribution according to work” and “the dividend distribution according to share.” The individual and collective share of workers must be predominant. The shareholding cooperatives are considered an effective form in the restructuring of small SOEs and collective enterprises.<sup>63</sup> The shareholding reform was further confirmed at the 15<sup>th</sup> Party Congress in 1997. However, as CPPCC member Yan Yaoqing noted, the shareholding reforms have so far failed to resolve such old problems as redundant employees, bad debts, all kinds of burdens and charges on enterprises. Furthermore, “the shareholding cooperative system does not clearly define the responsibilities and rights of shareholders. Egalitarianism has existed in many enterprises where workers hold equal number of shares, thus hampering flexible management of these enterprises.”<sup>64</sup>

It is true that the post-Mao regime has attempted to promote “diversity of ownership” and “diversity of forms for realizing public ownership.” However, diversification of ownership is experimented with on the basis of the predominant position of public ownership. The diversification of forms for realizing public ownership is not equal to the privatization of the state economy, but rather involves the transformation of operation forms of public-owned enterprises, which has not weakened the dominant position of public ownership and reduced the scope of its influence in socioeconomic life. For example, according to some Chinese economists, in implementing the joint share system and joint stock cooperative system, the state or

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<sup>63</sup> *People's Daily*, August 7, 1997, p. 1; October 13, 1997, p. 2

<sup>64</sup> *China Daily*, March 10, 1998, p. 4

“worker collectives” can control 100 per cent of enterprise capital by controlling 51 per cent of the total shares, thus expanding the scope of the state capital’s influence on the economy.<sup>65</sup> Both the joint share system and the joint stock cooperative system are not considered as the “patent” of capitalism but as the necessary result of the socialization of production in an advanced commodity economy. In other words, the shareholding system is an economic organization or an operation form of an advanced commodity economy related only to the development of production rather than to any specific economic system, which can be used both in capitalist societies and in socialist societies to aggregate floating capital, facilitate economic corporation, and improve the allocation of resources.<sup>66</sup> The shareholding system should not be equated with privatization of the state assets but considered as “new specific forms for realizing public ownership as a result of the self-reform and self-perfection of socialist public ownership”<sup>67</sup> The party organizational system and the state controlling system remain effective in all these reformed enterprises. The party-state apparatus still bosses them around as they please.

Some major preventive measures are considered necessary in the shareholding reform. Lui Jie, Vice President of China Academy for Social Sciences, Jiang Zemin’s think tank member, laid out a general framework for these measures as follows: First, the shareholding reform must be gradually promoted, and the joint share system must be one with the state- or collective-share dominant, or in joint stock cooperatives, with the

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<sup>65</sup> *People’s Daily*, August 18, 1997, p. 1

<sup>66</sup> Zhao Ziyang, *Political Report to the 13<sup>th</sup> National Congress of the Chinese Communist Party* (Beijing: People’s Publisher, 1987; Guo Zhengying, *Questions and Answers Regarding the Shareholding Economy under Socialism* (Beijing: Beijing Aeronautical Institute Press, 1986)

<sup>67</sup> *People’s Daily*, August 12, 1997, p. 4

state controlling a dominant share of the company and the rest of the shares owned by individuals, other institutions, or even foreigners, to ensure the actualization of the shareholding system of socialist public ownership. Shares are prohibited from being concentrated in the hands of a small number of people. Second, private enterprises are restricted from issuing shares in the stock market, or if necessary, private enterprises can be gradually transformed into joint stock cooperatives. This will prevent a private entrepreneur from becoming a big capitalist. Third, laws and statutes must regulate the share limit of individual or private corporations to prevent them from having dominant shares in corporations. Fourth, the state should levy high progressive individual income tax and a high inheritance tax to reduce the exploiting class or the dividend-eaters to the smallest number.<sup>68</sup>

#### **(6) Private Enterprises**

While the private sector is the fastest growing part of the Chinese economy in recent years, it is still small in terms both of number of workers or enterprises and of output. Private enterprises employ, on average, fewer than 15 workers each and hold less than 40,000 dollars in registered capital, though a few are much larger. The private sector in the countryside is less well developed than it is in the city. About 2 million rural residents are employed in privately owned enterprises. Another 8 million are self-employed, primarily in handicrafts and other sideline activities.<sup>69</sup>

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<sup>68</sup> *People's Daily (Renmin Ribao)*, November 22, 1997; *Press Freedom Guardian*, February 27, 1998, p. 4

<sup>69</sup> John Bryan Starr, pp. 83, 85

Many individual and private enterprises tend to merge with the local government economy (the collective enterprises), not only because they require political insurance but also because local government can offer access to land, labor, material, and even capital. Therefore, the mix of the individual, private, and collective sectors is a particular developmental feature of some areas, particularly of the Wenzhou economy, in Zhejiang province.

The Wenzhou model has been often used by some Chinese observers and analysts to support their argument of the “capitalist takeover” in the post-Mao economy. However, the Wenzhou model does not represent the overall economic practice of the post-Mao regime. Furthermore, if we look into the actual practice of the model, we will find that the distinguishing characteristic of the Wenzhou model is the mix of individual, private, and collective sectors and that it provides local government cadres with potentially greater administrative control over the operation of household or individual industrial and commercial firms.

One of the widespread forms which these firms take is known as the “hang-on household” (*guahu*). This form allows independent unofficial enterprises to become associated with public enterprises or the local government economy. *Guahu* enterprises attach themselves to an established collective or state unit, paying a fee for the use of its name, stationery, letters of introduction and, most important, bank account numbers and receipt books, as well as taxes paid on its profits.<sup>70</sup>

Other independent operators simply register as collectives with the neighborhood committee or village committee as their responsible administrative agencies (*zhuguan*

*bumen*), in return for which the administrative agencies collect a management fee. This practice is known as “wearing a red hat” (*dai hongmaozi*). By the mid-1980s, 80 per cent of neighborhood and district enterprises in Wenzhou were already “red hat” firms, and 62 per cent of household or individual enterprises were “*guahu*” firms, with the figure as high as 90 per cent in some areas.<sup>71</sup>

Such practices as “hang-on” and “red hat” enterprises can be seen as new hybrid forms of ownership that do not go far beyond the regime’s policy line; they are actually encouraged by the current policy and they are the controllable unofficial firms that the post-Mao regime allows. Therefore, such local practices do not mean “capitalist takeover” or “privatization” and they will not fundamentally alter the nature of the Chinese economic system. Such practices actually reflect the state socialism context. As Kristen Parris put it, these independent entrepreneurs operate an unofficial economy, but they pursue their interests “within the context of state socialism.” The relationship between state and society is being redefined, but this process is shaped by existing power structures and ideologies. Such practices illustrate how existing state institutions and ideologies can condition local and individual economic activities, even in areas that are remote from the center.<sup>72</sup>

In some regions of China, private entrepreneurs have become even more intimately connected to, and dependent on, the state through formal contracting arrangements which allow them to avoid market risks under the communist totalitarian

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<sup>70</sup> Kristen Parris, “Local Initiative and National Reform: The Wenzhou Model of Development,” *The China Quarterly*, no. 134, June 1993, pp. 245-246

<sup>71</sup> Huang Jiajin, “The Problem of Wenzhou’s Hang-on Firm Management,” *Zhejiang Xuekan (Zhejiang Studies)*, No. 5, 1986, p. 16;

<sup>72</sup> *Ibid.*, p. 258-259

regime by securing supplies and buyers for their products from the public sector.<sup>73</sup>

Therefore, such practices are no more than another version of the “state capitalism,” a Leninist strategy practiced in Soviet Russia during the period of Lenin’s New Economic Policy (NEP) in the 1920s. It is a practice that is allowed, designed, and controlled by the socialist state and operates as an economic element within the context of a socialist public economy. To illustrate the nature of the economic change, we can ask a question about

Table 7.2: Does this table suggest that Wenzhou is no longer part of Communist China?

**Table 7. 2. Shares of Different Economic Sectors in GVIO in Wenzhou (%)**

Year	State Firms	Collective Firms	Private Firms
1978	35.6	55.1	9.3
1980	32.9	54.3	10.2
1986	17.1	56.3	25.5
1988	11.7	52.3	32.5
1992	13.7	55.7	30.6

Source: Yuan Enzhen, *Zhongguo siying jingji xianzhuang fazhan yu pinggu* [Current situation, development, and assessment of China’s private economy] (Shanghai: Renmin Press, 1993), p. 120

Notes: GVIO = gross value of industrial output

### **(7) Provincial Variations in the structure of ownership**

Significant provincial variations in the structure of ownership are apparent in the national statistics. In 1994, Heilongjiang’s economy remained as dominated by its state sector as at any time since the establishment of the PRC, despite 18 years of reform.

Jiangsu had a very large collective sector, but almost no private sector, and only a very small foreign-funded sector. Guangdong’s economy was dominated by its foreign-funded and collective sectors. Guangxi had the largest private sector (as a proportion of provincial gross value of industrial output) even though industrial production remained

<sup>73</sup> Jean Oi, “Private and Local State Entrepreneurship: The Shangdong Case,” presented at the conference of the Association for Asian Studies, April 2-5, 1992, Washington, D.C.



dominated by the state sector. Table 7.3 provides data on GVIO by ownership sector, by province, for selected provinces. These provinces are selected because they broadly represent different geo-economic regions in China.

**Table 7.3. Provincial GVIO by Ownership, 1994 (% of Provincial GVIO)**

Province	State Sector	Collective Sector	Private Sector	Foreign-funded Sector
All provinces	34.1	40.9	11.5	13.6
Heilongjiang	69.3	17.4	6.2	7.2
Jiangsu	20.0	63.0	5.0	12.0
Zhejiang	16.1	56.4	17.7	9.9
Guangdong	21.7	33.4	7.3	37.7
Hainan	49.7	13.3	10.3	26.1
Guangxi	42.9	26.4	22.1	8.5
Shanxi	43.7	36.5	17.3	2.5

Source: Derived from Table 12-6: *Zhongguo tongji nianjian 1995* [China Statistical Yearbook 1995] (Beijing: Zhongguo tongji chubanshe, 1995), p. 379

Notes: GVIO = gross value of industrial output

The figures in Table 7.3 suggest that the public sector (including SOEs and collectives) continues to maintain a dominant position in all geo-economic regions in China, and the public sector for all provinces still comprises 75 per cent of total provincial GVIO. No hard evidence supports the argument of “capitalist takeover.”

Also noteworthy is the fact that private and individual entrepreneurs continue to face discrimination in obtaining bank loans, raw material, licenses, legal status, etc., and struggle for a place within the framework of state socialism. In shareholding reform, as CPPCC member Chen Hong complained, “the non-state economy is not treated in the same way as state-owned enterprises in acquiring property rights and merging with other enterprises.”<sup>74</sup> It is premature to assert a “capitalist takeover” in post-Mao China or declare that post-Mao China has been moved toward capitalism.

<sup>74</sup> *China Daily*, March 10, 1998, p. 4

### (8) Foreign-funded Enterprises

The inflow of foreign capital has greatly aided the post-Mao economic growth and constitutes a sector of the Chinese economy. However, from the perspective of the entire industrial sector, as shown in Table 7.4, foreign-owned enterprises actually account for a small proportion of the whole economy, in terms of their shares of the total added-value of industries, the total aggregate industrial assets, the total value of industrial output, and the total industrial labor force in China. Foreign direct investment or joint venture is one of the typical practices under Lenin's regime: *state capitalism*, which is useful and controllable under the communist regime within the basic framework of its political and economic structure.

**Table 7. 4. Shares of Foreign Enterprises and Hong Kong, Macao, and Taiwan Enterprises (%)**

	Added Value of Industries	Aggregate Industrial Assets	Value of Industrial Output	Industrial Work Force
Foreign	7.7	7.3		
Hong Kong, Macao, Taiwan	7.0	7.9		
Total	14.7	15.2	12.8	6.1

Source: *China Daily*, March 10, 1998, p. 4

### 3. The Socialist Market Economy: A Fledgling Market within State Socialism

The assertion that the dynamism of the market economy has been one of the most notable features of China in the 1990s is another serious misuse of the concept. What is meant by a market economy? A free market economy is the most efficient system in which the market is the invisible hand that ensures resources being allocated to their most productive uses in line with the principle of consumer choice and utility maximization.<sup>75</sup> The basic indicator of a free market economy is "the achievement of the conditions of a

<sup>75</sup> T. Rawski, "Chinese Industrial Reform: Accomplishments, Prospects, and Implications," *American Economic Review*, vol. 84, no. 2, 1994, pp. 271-275

competitive environment in which market prices reflect relative scarcities, and enterprises and individuals make decisions mainly in response to *undistorted* market signals.”<sup>76</sup> The very foundation of a free market economy is private ownership or “impersonalization” of property rights. According to Kornai, the state-owned enterprises in socialist countries are characterized by the “soft-budget constraint”; as the economic theory of property rights would put it, “the residual income that emerges as the difference between receipts and expenses does not pass into the pockets of natural persons, and the losses are not covered by the same natural party.”<sup>77</sup> This embraces the central thesis of the property rights approach: that it is only the natural-personal owners who control and direct production and distribution of residual income, and that it is only based on this condition that modern capitalist economies have developed. The impersonalization of property rights is the very foundation of the free market economy.<sup>78</sup> To what degree has a market economy been established in post-Mao China? To what degree has the Chinese economy been transformed in terms of the impersonalization of property rights? The following will examine the major theoretical and empirical aspects of the post-Mao economic transformation to see if a market economy has been established in post-Mao China.

### **(1) The Essence of the “Socialist Market Economy”**

The “Socialist Market Economy” is another keystone of this transition period of Chinese socialist economic construction, which is to restructure the Chinese economy at

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<sup>76</sup> E. Borensztein and M. Kumar, “Proposals for Privatization in Eastern Europe,” *IMF Staff Papers*, vol. 38, no. 2, 1991, p. 302

<sup>77</sup> J. Kornai, *The Road to a Free Economy: Shifting from a Socialist System, the Example of Hungary* (New York: W.W. Norton and Company, 1990) p. 57

<sup>78</sup> Dic Lo, p. 47, 49

the “socialist primary phase” with the enhanced role of the “market mechanism.” But the economy to be restructured must be “socialist” rather than “capitalist.” Therefore, the restructuring program is change within the system and does not affect the nature of the economy.

The 14<sup>th</sup> CCP Congress stressed the importance of establishing “a socialist market economy” and emphasized that market forces are value-neutral mechanisms that both socialism and capitalism can make use of. The concept contains two components: “socialism” and “market.” The relationship between the two components was interpreted by Premier Zhu Rongji as the interplay between “highly efficient resource allocation and productivity of labor” and “social justice and common prosperity.” Zhu maintained that “resource allocation under a market economy is more efficient than that of a planned economy,” but “maintaining a just society and working towards common prosperity of its people is a socialist ideal. Public ownership of property can better maintain social justice and increase common prosperity than systems which encourage private ownership.” Therefore, Zhu claimed that “China can establish a market economy while public ownership continues to predominate.”<sup>79</sup> Li Peng, President of the NPC, argued that planned and market economies each had their own strengths and weaknesses and that China needs to draw upon the strengths of both in order to build an integrated mixed economy.<sup>80</sup> Jiang Zeming, the party chief, also claimed that China should be able to establish a market economy under a socialist system, which “can and should operate better than one under the capitalist system.”<sup>81</sup>

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<sup>79</sup> *Beijing Review*, 24-30 May 1993, p. 14

<sup>80</sup> *Economist*, “Asia’s emerging economies,” 30 November, 1991, p. 67

<sup>81</sup> *International Herald Tribune*, 13 October 1992

Therefore, such an economy should be characterized by an enhanced role of the market and competition, but not necessarily by the replacement of public ownership with “private ownership” as in a capitalist system. The objective is to retain the predominance of public ownership supplemented by nonstate and private ownership, while achieving an effective separation between ownership and management of enterprises.<sup>82</sup> As Jiang Zemin pointed out, “We must continue to adhere to the policy with public ownership as the principal part of our economy while at the same time allowing the development of multiple economic sectors... however, the dominant position of public ownership must not be weakened or abandoned.”<sup>83</sup> Deng Xiaoping always emphasized the adherence to the “socialist basic system” while maintaining his pragmatic reform line in economic liberalization. Deng Xiaoping theory on the “socialist basic system” includes a series of essential elements, such as the dominant position of public ownership, the principle of distribution according to work, the dictatorship of the people’s democracy, the leadership of the Chinese Communist Party, the guiding ideology of Marxism-Leninism and Mao Zedong Thought, and the socialist road and direction.<sup>84</sup>

## **(2) A Fledgling Market with the Administrative Command System Predominant**

The post-Mao economic reform has made considerable progress since the 1990s in terms of economic marketization, but a limited achievement in terms of the communist

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<sup>82</sup> Michael W. Bell, et al., p. 11

<sup>83</sup> *Almanac of Socialism with the Chinese Characteristics 1997* (Beijing: China Legal Press, 1998), p. 367

<sup>84</sup> *Almanac of Socialism with the Chinese Characteristics 1997* (Beijing: China Legal Press, 1998), pp. 369

economic system. The traditional administrative command system<sup>85</sup> remains and continues to play a significant role, though the marketization has made considerable progress, and a free market and free enterprise system is far from being established. The co-existence of two systems has created new problems without solving old ones.

The establishment of a market economy must satisfy at least three prerequisites. First, a competitive market must be established, with “market adjustment” in common use. That is, the free play of the market forces and prices, of supply and demand, should really be enforced, market break-ups between enterprises, industries, and regions should be removed, price monopoly of regions and sectors should be dismissed, and administrative direct intervention with economic life should be eliminated. Second, a market economy must provide equal opportunity for everyone and every enterprise to compete with each other in the market, whatever ownership or status. Third, perhaps most importantly, private property rights under law should be established as *the dynamic and base of a market economy*. Privatization is the key to the reform of marketization, if the continuous and permanent dynamic of marketization is highly desired and required.

Of the above three major aspects of a market economy, however, the first has been relatively more substantially effected, but not without restrictions and limitations, while the other two aspects have experienced little substantial change. It is common knowledge in economics that private ownership or private property is the dynamic and base of a free market economy. This fundamental difference between communist systems

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<sup>85</sup> “an administrative command system” is the one in which state owns and controls the major means of production and exchange, state controls the major factors of production, state sets values attached to major resources and goods, and state dominates, controls and regulates major economic activities.

and other social systems is crucial for determining the different outcomes of their economic liberalization and industrialization.

The problem of privatization of the ownership system in any of the communist countries is more political than economic. The resolution of this fundamental problem will not only run into resistance and obstacles from the communist ideology but also into the difficulties caused by popular fear and doubt about privatization, due to the long tradition of socialist public ownership and ideological propaganda. More importantly, how to privatize such a huge estate of state ownership *within the framework of the existing political system and structure* is really problematic and technically unworkable. The experience of other former communist countries has shown that there is no single case of making privatization successful with the communist party remaining in power and the communist political system remaining intact.

It is true that China has witnessed an incremental and creeping headway of private enterprises in the last 20 years. However, as we have discussed, allowing private enterprises or capitalist elements to develop within the framework of the existing political and economic system is not equal to privatization, and there is no evidence to suggest either that China is on the journey toward privatization or that this small change will bring about a dramatic outcome in the future, as long as the monopolistic power of the communist party and the nature of the whole political and economic system remain unchanged. Since 1985, although the weight of SOEs in the total gross output value of industry has decreased from 64.9% in 1985 to 54.6% in 1990, 37.3% in 1994, and 34% in 1995, public ownership, including state and collective enterprises, continues to dominate, with 70.6% of the total output value of industry and 77.5% of the total value of capital

assets.<sup>86</sup> SOEs still dominate in the national economy and its governance structure and behavior remain intact.

SOEs continue to dominate in vast inland provinces, in the financial and banking system, in foreign trade and international economic cooperation, in the infrastructure industries such as energy, raw materials, and transportation, in the pillar industries such as mechanical and electrical industry, chemical industry, and building industry, in high tech industries such as information technology, biological technology, and new material technology, and in the other key industries regulating and adjusting the national economy such as the financial industry.<sup>87</sup> Therefore, some Chinese economists have pointed out that “dominant in the Chinese economy is the decentralized planned economy due to the unchanged operation mechanism of SOEs.”<sup>88</sup> According to the assessment by Chinese economists, “the market economy is still in its beginning stages, in which the planned economy still predominates while the market economy subordinates. The degree of marketization of the Chinese economy in terms of labor forces, finances, productions and prices is much lower than what the government propaganda has declared – less than 35%.”<sup>89</sup>

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<sup>86</sup> *Almanac of the People's Republic of China 1997* (Beijing: China Almanac Press, 1997), p. 600

<sup>87</sup> Some Chinese scholars call for more reduction of SOEs in national economy based on the argument that the nature of socialism would remain unchanged if SOEs could control these key industries and commanding heights of national economy, even if the share of SOEs would decrease to 20-odd %. But, it remains to be seen if Chinese government will accept this suggestion. See *Xinhua Wenzhai*, no. 7, 1998, pp. 48-49

<sup>88</sup> Yang Fan, “The First Anniversary of the Market Economy,” *Strategy and Management* [Zhanlue he Guanli], no. 1, 1993, pp. 25-30

<sup>89</sup> Gu Haibin, “Assessment of the Degree of Marketization of the Chinese Economy,” *Reform* [Gaige], no. 1, 1995, pp. 85-87



Post-Mao decentralization, though it has brought into play the initiative and the autonomy of local governments, has given more administrative power to local governments and caused more direct administrative interference with local economic life and enterprises' economic activities. The central authority in Beijing has declared, and the official media has reported, that the "market adjustment" has played a dominant role in the economic life of the country.<sup>90</sup> Although a greater achievement is evident, compared with the highly centralized administrative command 20 years ago, the reality is far from being what is officially propagated. The administrative command has continued to play a dominant role in carrying out important economic policies, though the elements of central economic planning have greatly declined. The existing financial system, just to mention one example, continues to reject autonomous choice through the market. When the loan policy is more flexible, an enterprise can apply for loans as much as it can regardless of its profits and loan worthiness; when the policy is tightened up, its application for loans is rejected without considering its economic returns and loan worthiness. Such administrative intervention with economic life is everywhere. While many SOEs have been pushed into the market and have obtained more autonomy in operation, they continue to operate within the scope of the administrative command system, because they are the state property and their operations can hardly be separated from government intervention.

By the logic of its doctrine, a socialist economic system is responsible for determining the direction and the pace of economic development, with a planning system as its traditional instrument. China is undergoing a transitional process, from direct

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<sup>90</sup> *People's Daily*, May 21, 1994, p. 3

central control over the economy to more indirect means of control (taxation, interest rates, prices, etc.), while maintaining its planning objectives. However, the nature of the communist economic system has remained unchanged, as means are always selectively applied and in varying degree, just as the welfare state or nationalization or any other state intervention in the economy has been widely applied in capitalist countries. Deng Xiaoping made it very clear that “we have not changed and will never change the policy of integrating the planned economy with the market adjustment. *We can adjust the degree accordingly in our practice, sometimes with more market functioning, and more planning performances in other cases.*”<sup>91</sup> Deng’s statement also suggests that post-Mao economic reform and policy change have largely been tactical rather than strategic in nature. In practice, the post-Mao regime has never attempted to dismantle but to rationalize and improve the state planning apparatus.

As a matter of fact, the state planning apparatus has remained in place. Since the communist takeover of China, the state planning apparatus has run the economy through an unbroken string of five-year economic plans, the ninth and latest of which was issued in the fall of 1995. These plans do not include specific details on the operation of all aspects of the economy; much of that was left to the sectoral economic plans tailored by the government ministries in the traditional planned economy. Right now, many of the specific details are left to policies tailored by the government ministries and the local governments. The original sectoral plans are not being abandoned outright, but rather replaced with specific, informal government policies and new industrial plans. Whether it is called an industrial policy or merely a policy on foreign investment, civilian aircraft,

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<sup>91</sup> Deng Xiaoping, *Selected Works of Deng Xiaoping* (Beijing, P.R.China: People’s

import and export, private enterprises, or SEZs, it has the same policy effect.<sup>92</sup> For example, policies and other directives of the Chinese government regarding foreign investment in China include a crucial policy device that requires foreign firms or joint-ventured firms operating in China to meet trade balancing provisions and other performance requirements on foreign investment. One of the most frequently imposed requirements is that a certain percentage of production must be exported. In other words, trade balancing provisions require these firms to export as much as they import or, more frequently, more than they import. Foreign joint ventures often face very high export performance requirements – sometimes as high as 100 percent. This ensures that foreign ventures will make a positive contribution to China's trade balance. Trade balancing requirements are one type of performance requirements, which are governmental measures required as a condition for investing in China. Another typical performance requirement involves transfer of technology. Both the United States and Europe have pressed China to abandon these requirements in WTO accession negotiations.<sup>93</sup> Broadly speaking, five-year plans provide a broad outline for government economic policy and indicate the direction of policy changes in the coming five years. "Five-year economic plans are the hallmark of the communist economic system. The continuing existence of a government planning structure does indicate an unwillingness to rely upon the market to make resource allocation and other economic decisions."<sup>94</sup> Most importantly, the stated goal of post-Mao reforms in any party-state policy statement and document is not to

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Publishing House, 1993), vol. III, p. 306 (emphasis added)

<sup>92</sup> Greg Mastel, pp. 71-73

<sup>93</sup> *Ibid.*, pp. 74-75

<sup>94</sup> *Ibid.*, pp. 71-72

move the economy to a capitalist system but to improve and strengthen the socialist system.

The concept of planning has also been renewed. Under the new ideological convention, the market mechanism is merely an instrument of economic development and not a defining characteristic of a social system; the socialist character of the economy is preserved by the predominant ownership of the means of production by the public sector (including the state and the collectives). The market system is therefore considered fully compatible with either capitalist or socialist systems. Therefore, the objective model of the post-Mao economic reform is to transform the economy from a predominantly central planning system to one in which market mechanisms play an important role.<sup>95</sup> The main task of planning will be to set rational strategic targets for national economic and social development, to forecast economic development, to control total supply and total demand, to readjust the geographical distribution of industries, and to master the financial and material resources necessary for the construction of important projects.<sup>96</sup> As Zheng Peiyan, the new Commissioner of the State Development and Planning Commission (SDPC), put it, "the government restructuring does not mean any weakening of the functions of the SDPC but brings the new functions of the SDPC in line with the requirements of the socialist market economic system, ... and enables us to make a flexible use of economic and legal means as well as the necessary administrative means."<sup>97</sup>

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<sup>95</sup> Michael W. Bell et al., p. 2

<sup>96</sup> *People's Daily*, October 21, 1993; Zhang, p. 215

<sup>97</sup> *People's Daily*, May 1, 1998, p. 1

In short, even though admitting the considerable economic changes, no one can conclude by saying that they are significant enough to deny that China still manifests the dominance of public sectors in the economy, the presence of administrative controls in economic daily life and administrative allocation of materials, the limitation of market mechanisms, and the maintenance of the communist economic system. It is true that economic activities are more responsive to the market today, but they are still deeply involved in and restrained by *the controlled interdependence* of economic, social, cultural, administrative, and political institutions. Compared with the situation in Mao's era or in the 1980s, the level of government intervention in economic activities has been significantly reduced. But the government intervention of all forms has not been removed. *The state is not withdrawing from its role in the economy, but merely redefining it.*

Most of China's enterprises and economic activities actually remain within the scope of government administrative or non-administrative intervention and adjustment, since the dominant position of the public sectors has remained unchanged. As far as the state ownership system and administrative control are concerned, post-Mao recent theory and practice have evolved without causing any fundamental change or structural transformation. A free market economy, with the system of free private enterprises as its base and the market forces as its constant regulator, is not at all established.

### **(3) Relationship between Government and Enterprises**

"Separation between government and enterprises" has remained an unsolved problem in the post-Mao economy. Several important measures that were introduced to draw a clear distinction between state administrative organs and individual state-run

enterprises include the distinction between profits and taxes, the right of enterprises to distribute wages and bonuses to their employees, and the right of enterprises to set ex-factory prices for certain commodities whose prices were previously fixed by the administration.<sup>98</sup>

However, while these measures allowed industrial enterprises greater independence from state administration, interference in the affairs of industrial enterprises has remained commonplace. For instance, the higher administrative levels can renege on any contract or agreement stipulating the share of the profits an enterprise can retain, or the percentage of commodities produced by that enterprise which the enterprise itself can market. The final arbiter on the disputes between enterprises is in most cases the industrial bureaus of the state administration or other higher administrative organs.<sup>99</sup>

An important goal of the pre-1989 economic reforms was to increase the decision-making power of industrial enterprises and to introduce a greater market element into the decision-making process. But success was limited.<sup>100</sup> In the urban economic sector, more decision-making power is placed in the hands of the enterprise manager than the party secretary, if the powers are given to separate persons. However, while party's powers are restricted to strengthening ideological and political work, the attempt to tighten party control in the enterprises has been made after 1989, particularly at the 14<sup>th</sup> Party Congress. *Dangzu* or party leading groups are revived in government, business,

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<sup>98</sup> Rupert Hodder, pp. 117-118

<sup>99</sup> *Ibid.*, p. 118

<sup>100</sup> *Ibid.*, p. 119

universities, and other work units. Party organizations had been also set up in joint-ventured enterprises by 1991.<sup>101</sup>

From 1993 onwards, a major development has been made in the principle of the fusion of party and business in order for the party to control the economy. As the party secretary of Guangzhou, Gao Qiren, put it in mid-1993: "In a shareholding company, we can experiment with the system of the party secretary doubling as chairman of the board and general manager. We must further rationalize the system of the party and political leadership of enterprises." He added, "it is all right for the factory director and the party secretary to be the same person."<sup>102</sup> Even in the special economic zone Shenzhen in 1994, a new generation of shareholding companies was structured in the fusion of the board of directors and the party committees. The rationale was claimed that a fair amount of overlapping would minimize internal bickering between the two major power organizations.<sup>103</sup>

#### **(4) Administrative Authorities Continue to Intervene in Economic Activities**

Extensive state intervention, which remains commonplace in post-Mao China, inhibits market efficiency and competition. Administrative authorities continue to intervene in enterprises' affairs in post-Mao China. Bureaucratic inspections and tedious appraisals and examinations still divert much of enterprise leaders' attention from their management work. Random policy changes, fees, fines and taxes imposed upon state

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<sup>101</sup> Tony Saich, "China's Political Structure," in Robert Benewick and Paul Wingrove, eds., *China in the 1990s* (London: Macmillan, 1995), pp. 39-40

<sup>102</sup> *Ming Bao*, May 14, 1993

<sup>103</sup> Willy Wo-Lap Lam, *China after Deng Xiaoping* (New York: John Wiley & Sons, 1995), p. 248

enterprises and other economic organizations under various pretexts also increase enterprises' production costs, and discourage their production initiative. At present, most public enterprise leaders, those in state-owned, collective-owned, and state- or collective-predominant cooperatives and shareholding companies, are appointed by their superiors, rather than being elected or chosen through modern employment mechanisms. Their promotion or demotion depends not on their performance, but on their superiors' likes and dislikes. Because of these old practices, most public enterprise leaders, particularly SOE directors, focus more on building good relations with their superiors than on improving the enterprises' efficiency and productivity. All such administrative interventions have greatly inhibited fair, free and efficient competition of the marketplace.<sup>104</sup>

According to Chen Xiaolong, who has conducted an in-depth examination of the current situation and the tendencies of China's economy, in the reality of the Chinese economy, the planning administration is weakening, while administrative intervention from the government and monopolistic state economic institutions has not been reduced, but rather strengthened and "randomized" along with the decentralization of administrative power to local governments. The post-Mao economy is not one dominated by the market but a "dual track" system, with half market exchange and half "randomized" administrative intervention. In socialist states, after the abdication of commanding planning, a commodity market could develop rapidly. But such a marketizing process of commodity exchange does not necessarily bring about the marketization of resources allocation. A non-market allocation of resources can coexist

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<sup>104</sup> *China Daily*, April 4, 1998, p. 4



with a commodity market, thus developing a “dual track allocation of resources” under a decentralized command economy.<sup>105</sup> Chen’s study also suggests that economic marketization has been developed in the context of a socialist sociopolitical structure and systemic culture and the two bases of China’s planning economy have remained: the organizational structure of the giant party-state apparatus and the monopolistic state economy has not disintegrated but only been rearranged or renamed, and its potential power of intervening in daily economic activities has never been abolished; more than ten million party-state cadres and twenty million employees in a monopolistic state economy continue to enjoy their political and social status, and their capacity for manoeuvre is enormous and goes even farther than before.<sup>106</sup>

Zhang Haoluo, Vice Director of the State Restructuring Commission, admitted that the “dual track” system was the major barrier to marketizing reform in China.<sup>107</sup> The combination of state socialism and a commodity market economy has randomized local administration intervention in daily economic activities and greatly expanded the space of “rent-seeking” in the form of “money-power exchange.” The “dual track” system with the combination of the fledgling market and the government intervention can hardly suggest the domination of the market mechanism in the economy. The expansion of non-state economic sectors has encountered various systemic barriers and heavy financial burdens, and their capacity for capital accumulation has been limited.

Administrative intervention is also extensive in business operations and bank

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<sup>105</sup> Chen Xiaolong, “Where does Prosperity come from?” *China Spring*, vol. 165, 1997, p. 12-13

<sup>106</sup> *Ibid.*, p. 12

<sup>107</sup> *People’s Daily*, October 13, 97, p. 2

financial activities. It is hence premature to conclude that the market economy has been established. Even the official press, as lately as April 1998, went so far as to admit that “although necessary business intermediaries, including accounting firms, law offices and exchange centers, have been established, they do not have the authority they need to do their work effectively. Nor have business credit systems and the laws of economics been given free room to develop.”<sup>108</sup> Even today, 20 years since the post-Mao reform and open-door policy of 1978, when business disputes occur, many of the concerned parties have not been turning to the law, but to administrative authorities for solution. Administrative authorities also encroach upon the normal business operation of commercial banks. Commercial banks sometimes grant loans, not according to the profit-maximizing principle, but in compliance with administrative orders from government organs. This is one of the main causes for the preponderance of bad debts in state commercial banks.<sup>109</sup> The People’s Bank of China exercises its administration over grassroots financial institutions through its branches at the provincial level, which could hardly be immune from the influence of local governments. Their financial activities are always motivated by the interests of local governments or departments, rather than governed by the economic laws of the marketplace.<sup>110</sup> In November 1998, the branches at the provincial level were abolished and replaced by nine cross-regional branches to re-centralize administrative power of the People’s Bank of China.<sup>111</sup>

Since the shareholding reform, China has issued “H” share of SOEs on the Hong

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<sup>108</sup> *China Daily*, April 4, 1998, p. 4

<sup>109</sup> *Ibid*

<sup>110</sup> *China Daily – Business Weekly*, March 30, 1998, p. 3

<sup>111</sup> *People’s Daily*, November 16, 1998, p. 1

Kong stock market. But its daily operation, including the figure of its profits and losses, is not a market behavior but rather a comprehensive consideration of the government's political and economic policies.<sup>112</sup> The Bureau of State Assets Administration of the State Council (BSAASC) is the highest power organ of the administration of the state assets and responsible for the following three major functions: (1) power to manage the state-controlled shareholding companies, including personnel appointment, performance assessment, and basic work management; (2) power to reallocate resources and profits; and (3) power to participate in the decisionmaking on investment of state assets.<sup>113</sup> State power is not weakened but enhanced.

The power of Chinese ministries to regulate economic activity goes beyond formal economic and industrial plans. For example, rather than letting demand for imports be determined by market forces, as is the case in true market economies, Chinese ministries determine demand themselves. The State Planning Agency, the State Economic and Trade Commission, and the Ministry of Foreign Trade and Economic Coordination jointly set import "demand." Quotas, import licenses, and other import controls are employed to ensure that the actual level of imports does not exceed "demand." Often these decisions are made behind closed doors for protectionism and discrimination against particular foreign companies.<sup>114</sup>

China does not have a free trade regime. Formal trade barriers, like tariffs, government procurement and subsidies, quotas, import licenses, and other restrictions,

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<sup>112</sup> *The China Times Magazine* (Hong Kong), vol. 196, October 1-7, 1995, p. 51

<sup>113</sup> *People's Daily*, October 7, 1995, p. 2

<sup>114</sup> World Bank, *China: Foreign Trade Reform* (Washington, DC: The World Bank, 1994), pp. 75-76

are the most visible impediment to free economic interchange with China. The entire Chinese trade regime is characterized by multiple layers of duplicative trade barriers. China claims that most of its direct export subsidies have been phased out. In late 1995, China even suspended the practice of rebating taxes paid on products that are exported. However, Chinese government subsidies go far beyond the government's narrow definition of export subsidy. SOEs are still responsible for a substantial share of the GDP and dominate foreign trade, though other sectors have just begun to receive foreign trade rights. They enjoy many benefits from the state, including loans at interest rates far below market rates and other financial subsidies, both direct and indirect. Moreover, subsidies are not limited to SOEs. The prices of energy, raw materials, and labor, in most sectors, are set by the government at much less than world market rates. Since the price of so many basic inputs are set by the government, it is fair to assume that only a very small percentage of goods have their prices set primarily by the market, even though Chinese officials are fond of claiming that 90 percent of the products in the Chinese economy have prices at least partly determined by the market. With energy, raw materials, and labor all subsidized by the government, the cost of production of goods in China often bears little resemblance to their actual market cost of production. In addition, as the World Bank has noted, China has often directed state trading companies, which export most Chinese-made goods, to export regardless of price to fill hard currency quotas.<sup>115</sup> Many China analysts take China's openness to foreign investment as a sign that it is pursuing a liberal trade strategy. However, this argument is seriously flawed. Deng's idea is to simply attract foreign capital and technology to achieve the goal of modernization.

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<sup>115</sup> *Ibid.*, pp. 103-115

The post-Mao leadership recognizes that foreign firms can provide a jump start for Chinese industry through capital, technology, and know-how gained in direct investment or joint ventures. <sup>116</sup>

Moreover, the post-Mao regime is campaigning for economic modernization, continuing to use many Maoist style administrative measures to push forward economic growth and resolve the economic problems, such as “rice bag” (*midaizi*) governor’s responsibility, “vegetable basket” (*cailanzi*) mayor’s responsibility, and “price big inspection” (*wujia dajiancha*). These administrative measures have become a frequent practice that has been institutionalized at all levels. One most recent example is the financing of the various sectors by the state banks to ensure the actualization of the goal of 8% economic growth rate established at the 15<sup>th</sup> Party Congress and the 9<sup>th</sup> NPC. China People’s Bank issued “Guidelines for Improving Financial Service to Support the Development of National Economy” and all financial institutions are required to carry out the financial policy. For example, industrial banks have provided direct loans of 75 billion *yuan* to major state projects as well as 30 billion *yuan* to small- and medium-sized enterprises. Agricultural banks have provided loans of 25 billion *yuan* to TVEs to encourage their development. China Bank has undertaken some special measures in financing small- and medium-sized business firms as well as major state programs in foreign trade. Construction banks have increased credit lines to 450 large- and medium-sized enterprises in the basic construction investment. Transportation banks have also taken financial measures to support the state major enterprises and projects. <sup>117</sup> All this

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<sup>116</sup> *Ibid.*, pp. 120-121

<sup>117</sup> *People’s Daily*, June 30, 1998, p. 2

financial support is provided according to the party's policy and administrative order, rather than the law of supply and demand of the market.

One of the recent major measures, taken by Premier Zhu Rongji after the 9<sup>th</sup> National People's Congress, is to establish a system of "specially-appointed inspectors" in which the inspectors are all minister-level cadres and sent by the State Council to inspect the SOEs on behalf of the central government. The purpose for the establishment of this system is to strengthen the supervision of the central government over SOEs since the separation of government and enterprises is enforced and the autonomy of enterprises is enhanced. These specially appointed inspectors would act as "imperial envoy" to administer appraisals of key leaders of SOEs in their implementing guidelines and policies of the Party Central Committees, state laws and regulations, and economic performances. One envoy, assisted by four special assistants, will form an inspector office responsible for the supervision of five large enterprises. The State Council will administer rewards and penalties to the key leaders of SOEs according to the appraisals and reports of these specially-appointed inspectors.<sup>118</sup>

##### **(5) The Weight of the Market in the Economy**

*China Daily*, China's official English newspaper, admits that the market role has not been sufficiently expanded in China's economy: "a larger part of China's economy should be freed from government administration so that a socialist market economy can be formed in the country."<sup>119</sup> According to the same report in *China Daily*, of the 600

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<sup>118</sup> *People's Daily*, May 11, 1998, p. 1

<sup>119</sup> *China Daily*, March 17, 1995, p. 4

million labor force nationwide, only about 30 per cent seek jobs in the labor market. The flow of the labor force between cities and the countryside is largely blocked because of the permanent residence registration system. In the capital market, only 40 per cent of transactions are conducted according to market supply and demand, and at market prices. More than 70 per cent of businesses in transportation, energy, and electricity industries are managed by the government, and less than 45 per cent of agricultural products are sold at market prices. Despite price reforms in past years, less than 60 per cent of prices are decided by market forces. Prices of 33 kinds of key commodities and materials, such as energy and construction materials, are decided by the government. Prices of many commodities directly affecting residents' lives, such as grains and meat, are supervised by the government. In the financial market, despite the establishment of some commercial banks, the four state banks specializing in agriculture, construction, commerce, and international business still hold more than 80 per cent of total business capital. Most of these banks are not market-oriented, but follow government directives. Many favorable loans for agricultural production, infrastructure construction, export ventures, and SOEs are granted at rates decided by government policy. Production in SOEs seldom adjusts to market demand. Twenty per cent of national industrial production still follows directives from the State Planning Commission, while part of the remaining 80 per cent of enterprises are controlled by local governments.<sup>120</sup> Therefore, it is really hard to assess what percentage of the economy is truly adjusted by the market force, since all the key aspects, industries, resources, production factors, and "commanding heights" of the national economy, which seriously affect the market

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<sup>120</sup> *Ibid.*

formation process, are still determined by the government and state agencies. Therefore, from this perspective, talk of a free market economy in post-Mao China is premature and misleading because so many of the essential elements of the old administrative command system and the governance structure of state socialism remain commonplace. One cannot conclude that a market economy has been established.

### CONCLUSION

Post-Mao economic reforms have not done away with the public ownership system, which is declared by all communist states as one core element of the fundamental principles and norms of communist ideology and a socialist economic system. Public ownership of the major means of production and exchange in the communist economic system must be sustained to maintain the regime identity, though it is not necessarily displayed to the same degree all the time. All hard evidence has suggested that no “privatization” policy, measure, or program has been proposed and implemented either in documentary form or in actual fact, SOEs and other public-sector enterprises have continued to dominate the economy, decollectivization has not led to privatization of land, SOEs have continued to dominate and control all the key aspects, industries, resources, production factors, and “commanding heights” of the national economy, the administrative command system has remained effective and powerful, and state intervention has been extensive and commonplace in the post-Mao policy and performance.

The goal of the post-Mao leadership is not to transform the entire political economic system into a capitalist one but to improve and strengthen the socialist system



and develop the Chinese economy as rapidly as possible within the basic framework of state socialism and its political governance structure. "A distinguishing feature of the Chinese reforms is the attempt by the leadership to preserve the socialist character of the economy. As such, the authorities have not pursued a strategy of mass privatization as in some of the transitional economies of Eastern Europe and the former Soviet Union."<sup>121</sup> The household responsibility system in agriculture serves as one example: although the use of land and its management are contracted out to individual households, land continues to be publicly owned. Some other examples are as follows: although the ownership system has become diversified, public ownership, including state- and collective- owned enterprises, continues to be dominant in the economy; although the forms for realizing public ownership have become diversified, the state sector continues to control and monopolize the key aspects or the "commanding heights" of the economy and the party organizations continue to oversee the operation of enterprises; although the market plays a more important role, the "dual track" system continues to exist and all kinds of administrative interventions have not been reduced but rather strengthened, "randomized" and direct at the local level; although the market plays a significant role in the commodity market, the marketization process has not achieved much in allocation of resources.

Post-Mao China has made a considerable change, compared with Mao's China, in terms of the non-public sector, enterprise autonomy, and economic marketization. But how far it will go still remains to be seen. Despite the considerable changes made in the past 20 years, compared with the economic transition of five Eastern European countries

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<sup>121</sup> Michael W. Bell, et al., p. 4

in terms of six key progress indicators (privatization laws, progress in privatization, output share of the private sector, price liberalization, quantitative restrictions on trade, and internal convertibility), China's progress still lags far behind in respect to most of these indicators, even though China's economic reform started 10 years earlier than these countries. "Thus, China's transition must be judged to be less advanced than that of its Eastern European counterparts."<sup>122</sup>

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<sup>122</sup> Joseph C.H. Chai, *China: Transition to a Market Economy* (New York: Oxford University Press, 1997), pp. 192-193

## Chapter VIII

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### Conclusion

This dissertation has argued that the complex components in the syndrome of traits of a political regime should be classified into two levels: a fundamental level or dynamic core, and an operative level or action means. By using Lakatos research programs and Collier and Mahon's work on categorization, a macro model of real-world totalitarianism has been theoretically refined and graphically illustrated to define and distinguish the "hard core" features of totalitarianism from other operative features. The refined totalitarian model serves as theoretical criteria or reference points which can be used to define what constitutes the hard core of a totalitarian regime in theoretical and comparative terms, examine what has changed or what has not between now and then, and explain what features of the totalitarian "syndrome" the regime can lose and still be totalitarian, or what degree of ideological, political, legal, social, and economic changes can occur and still leave the old regime's identity essentially unaffected. Philosophic absolutism, inevitable goals, official ideology and the single-party dictatorship are the most fundamental "hard core" features that account for the origins, dynamics, and essence of Chinese communist totalitarianism, while the "action means" or operative features largely account for the functioning of Chinese communist totalitarianism. The fundamental and core features of the model must be always there if the nature of totalitarianism is to be sustained; otherwise, it would have been transformed into something else. But the operative features are changeable, as they have been applied selectively and in varying degrees, and will not have a decisive effect on the nature of a totalitarian regime. In other words, the operative features serve as its "protective belt" or

a life belt, keeping the “hard core” afloat on an ocean of anomalies. As long as this belt can be adjusted, the totalitarian regime is in no danger of sinking. A change in the operative features does not mean that the regime is more or less totalitarian, because it occurs at the operative level and affects the elements not fundamental to the regime.

Accordingly, regime changes should be decomposed into two levels: systemic level and developmental level. The former occurs very rarely because it leads to a loss of identity, while the latter occurs more easily because the regime identifies itself with goals rather than with means. Changing operative action means does not suggest the substitution of the final goal and hard core or changing regime identity. Core features (e.g. principles, norms, and goals) should be assigned more value or more weight than operative features in maintaining “regime identity.” Principles, norms, and goals provide the basic defining characteristics of a political regime, while rules, procedures, and action means can be consistent or inconsistent with the same principles and norms. A “regime change” occurs only when those fundamental principles and norms change, while a “regime weakening” occurs when the relationship between norms, principles, rules, and procedures becomes less coherent or where actual practice becomes inconsistent with the values of the regime. Either “regime weakening” or “strength declining” is a “developmental” change in degree or *change within the regime*, rather than a “genetic” change in kind or *change of the regime*. In other words, only when core features are changed or completely lost can we be certain that a “regime change” or “change of regime” has occurred; that is, the change is so fundamental that the regime has ceased to exist or replaced by another regime type.

This dissertation has applied the refined model to the study of regime change in post-Mao China to test if the refined model can serve as conceptual reference points that can be used to observe, explain, and evaluate the regime change in post-Mao China. Through a systematic survey of leaders' speeches and policy statements, party documents and resolutions, official publications, published empirical data, and general academic studies on the post-Mao reform in English and Chinese, this dissertation has examined the five major aspects of change in post-Mao China and the most important dimensions of each of these aspects according to the selected measures of change derived from the refined theoretical model, evaluated their nature and significance in terms of regime change, and demonstrated that most essential or core elements of the idea, practice, and institution of totalitarianism that appeared in Hitler's Nazi Germany, Stalin's Soviet Russia, and Mao's China remain fundamentally unchanged in post-Mao China and significantly predominant in all major aspects of the post-Mao regime, though the post-Mao regime does suffer from certain degree of "regime weakening" or "political decay" in its adjustments of the action means or "protective belt" of defending the hard core of the communist totalitarian regime.

The practice of post-Mao reform remains not only rooted in but also committed to the "hard core" of communist totalitarianism, such as the "universal truths" of Marxist-Leninism, the ultimate goal or end-goal of communism, the ideological commitment to its fundamental principles, norms, and rules, the fundamental core of political, ideological, legal, social and economic systems of Chinese communist totalitarianism, and many typical totalitarian practices, which do not contradict the regime's commitment

to the intermediate goal of economic modernization, but only made adjustments to the action means of achieving them.

Post-Mao regime has never abdicated its totalitarian political tradition and practice to transform human nature and thinking. It has continued to control over the media and require the press uniformity and the public opinion uniformity. It has continued to stress the “pedagogical” role of the press in educating, transforming, and perfecting human nature to mould a new type of socialist citizens.

Post-Mao regime has attempted to resurrect the political tradition and political theory of the mid-1950s and placed the political doctrine and practice of the post-Mao regime on the basis of the “Four Cardinal Principles,” which are considered as defining the core elements of the post-Mao regime and the direction, scope, content and limits of its reform programs. Post-Mao has continued to consolidate and institutionalize the totalitarian party-state apparatus, which comes down from Mao’s era, as an appendage of the communist party who decides what should be done and what steps or measures should be undertaken. The totalitarian party has continued to control and dominate all sectors of the state and remained the locus or the “core of leadership” or “political nucleus” for all state institutions, public and social organizations.

Post-Mao regime has continued to define and promulgate the constitutional rules and give orders or directives to the governmental organs in the lawmaking and implementation. The party’s exercise of power is not limited by law. The party is the “supreme lawmaker” or “lawgiver.” Party decisions or policy changes need not be formally justified by reference to legal rules. There are no such institutions as independent judiciary, independent legal profession, independent private bar, and the

special public law jurisdictions for review of administrative action and constitutionality of legislation. Laws are not made clear, noncontradictory, and accessible. The party can manipulate law to further its own ends. Post-Mao legislative and legal reforms have not given the Chinese people and their “representatives” remarkably more say over important matters of the state. The communist constitution, laws, and legal system are as a matter of fact an instrument of the single one-party dictatorship to extend its control over society, maintain its political and economic order, and achieve its policy goals.

Post-Mao regime has not made any substantial retreat from either the state or the civil society, though the party-state has relaxed its control over its citizens’ daily life, economic activities, and social mobility to correct the traditional dysfunctional system of controlling society. The “administrative state” and “administrative society” of the Chinese communist totalitarianism have remained fundamentally unchanged, and the state power has continued to perform comprehensive or all-embracing functions of administration, such as the economic function of organizing major economic activities, the social function of administering major means of production and exchange, the ideological function of cultural education, and the political/legal function of maintaining socialist political and legal system. Under the world’s most austere license system, all social organizations become party-led, state-licensed, or government-controlled, without real meaning of self-government, independence, and autonomy. The muscle of the police apparatus has been greatly boosted to keep a tight leash on society, and party organizations have continued to penetrate and dominate almost every corner of society.

Post-Mao regime has attempted to preserve the socialist character of the economy over the past twenty years since Deng’s reform. The goal of post-Mao economic reforms

is to restructure state socialism and establish the “Socialist Market Economy,” which does not suggest any attempt by the post-Mao regime to transform the Chinese economy into a capitalist one or to abandon its ultimate goal of communism. Public ownership, the governance structure of state socialism, and the administrative command system have continued to dominate in the economy, while a fledgling or distorted market has just started to emerge within the general framework of state socialism and the political context of party-state power structure. The reforms have not changed the nature of economic system or gone so far as to the reverse of its system. All the fundamental or core features of communist totalitarianism have remained unchanged, only with the means of achieving ends being adjusted.

In short, this study has provided confirming evidence for the analytic utility of the paradigm of totalitarianism that captures the critical features of the system and central realities of post-Mao China, and established that the totalitarian model, rather than outmoded, is still useful and applicable to the study of the Chinese communist regime. The findings of this study support the major argument that, in spite of many considerable changes at the operative level and incoherence among the components of the regime or inconsistency between the regime and related behavior, the post-Mao regime has never abandoned the “hard core” of their absolutist philosophy, inevitable goals, fundamental principles and norms, and ideological commitment, but only made adjustments to the action means of achieving them. Therefore, the post-Mao communist regime has remained totalitarian rather than turning into “authoritarianism” or “soft



authoritarianism” or “evolving away from the authoritarian regime of the Deng era.”<sup>1</sup>

Both Mao’s regime and post-Mao’s regime are Communist totalitarianism *at the fundamental level*, though they do have many differences from each other *at the operative level*. We should not confuse the difference between changes *within* the system and the change *of* the totalitarian system.

The dissertation has argued that naïve falsification, lack of generally accepted theoretical criteria for defining “regime identity,” misuse of the conceptual categories in the study of regime change, and discretionary use of key terms or concepts without their being clearly defined all lead to the premature abandonment of a potentially useful model in Chinese area studies or comparative studies of communism and post-communism. Therefore, redefining the totalitarian model, distinguishing between totalitarianism and authoritarianism, defining and clarifying some key concepts, such as ideology, communist ideology, communist twin-goal culture, rule of law, civil society, socialism, capitalism, market economy, privatization, are extremely important and necessary in the assessment of the changing features of the Chinese communist totalitarian regime. For example, the assumption that the “marketized economy” has successfully led post-Mao China to the transition from totalitarianism toward “authoritarianism” or “evolving away” from authoritarianism has first misapplied the concepts of “totalitarianism” and “authoritarianism,” and then overstated what the post-Mao regime has achieved in terms of regime change, and thus come to the misjudgment about the changing features of the Chinese Communist system.

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<sup>1</sup> *Business Week*, June 6, 1994, p. 96; Jie Chen, *China since the Cultural Revolution: from Totalitarianism to Authoritarianism* (Westport, Conn: Praeger, 1995)

The attempt to reject the analytic utility of “totalitarianism” in political studies treats the term as a social reality rather than an ideal type of theoretical model. However, the term “totalitarianism” is itself a theoretical model that pictures reality. No term can find a perfect match in the real world. “Any reality symbolized by a term will change, but this change does not mean that the term becomes useless.”<sup>2</sup> In the real world, totalitarian regimes vary in degrees of totalitarianness, which refers to the “totalism” or “totalistic nature” of all major aspects of a totalitarian regime in ideology, politics, economy, society, law, communication, and organization, which are dominated and penetrated by the party ideology, organization, and party-state establishment, not simply the reality of “total control.” “Just as the real physical world only approximates the one described by mathematical physics, actual social reality, by the same token, will invariably fall short of the ideal type defined by social scientists.”<sup>3</sup>

Totalitarians are in nature utopians, whose ultimate goals and other claims are actually unachievable and therefore contain the limits of their realization. The attempt to discard the term “totalitarianism” overlooks the limits of totalitarian power, which leads to exaggerating the changes within the system and their reverse effects on the system. As Buchheim has pointed out, “it is of the totalitarian essence that the goal is never reached, ... the totalitarian claim to power is realized only in a diffused way, with varying intensity at different times in the different areas of life, and in the process, totalitarian traits are always mingled with non-totalitarian ones.”<sup>4</sup> The Communist totalitarian claim

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<sup>2</sup> Zhengyuan Fu, *China's Legalists: The Earliest Totalitarians and their Art of Ruling* (Armonk, NY: M.E. Sharpe, 1996), p. 163

<sup>3</sup> *Ibid.*, p. 152

<sup>4</sup> Hans Buchheim, *Totalitarian Rule: Its Nature and Characteristics* (Middletown, Connecticut: Wesleyan University Press, 1968), p. 38

to universal truths, historical destiny and monopolistic power is in effect unachievable and therefore contains within itself the limits of its realization, as it were. These limits will become visible whenever the regime has failed to achieve goals as planned, or wherever it has achieved effects that are not intended or go as far as to reverse itself. The Chinese communist totalitarian regime has found itself involved in contradictions: on the one hand, it has to make some reform to improve and strengthen itself, through rationalization and economic liberalization, in order to save its rule, on the other hand, it does not want to see the reverse effects of the reform on the system. As Carl J. Friedrich has pointed out, “the various changes and experiments suggest that there exists a certain balance in the totalitarian syndrome which, when upset, may lead to serious disturbances.”<sup>5</sup> That is why the Communist totalitarian regime has tried to enforce new ways and arrangements *at the operative level* to control the society – strengthening police force, laws and other legal weapons, media censorship, “party-ownership” parliamentary system, and economic liberalization policy, and so forth. The regime can always employ all these as tools to realize its aim, and as instruments of maintaining and protecting the party dictatorship, as long as the political structure of Communist totalitarianism remains essentially unchanged.

Chinese political and economic developments in the last 50 years have demonstrated that China, in essence, has just repeated the “dynastic cycle” of Chinese Communist totalitarianism from Mao’s regime to Deng’s regime, and now to Jiang’s regime. The experience has shown and will continue to show that democratization should be viewed as a synchronous motor with industrialization in the breaking of the chains of

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<sup>5</sup> Carl J. Friedrich, Michael Curtis and Benjamin R. Barber, *Totalitarianism in*

“dynastic cycle” of Chinese Communist totalitarianism, and play a more significant and decisive role in the structural transformation *at the fundamental level*.

Empirical evidence of the modern world has also suggested that industrialization is a necessary but not sufficient condition. In some cases, like in Nazis Germany or in the former Soviet Union, industrialization might decompose or crumble certain links of the chains, but without freeing it from the wrestling with the “dynastic cycle” of totalitarianism. Industrialization alone will not naturally lead to democratization and guarantee that a totalitarian state would turn into a non-totalitarian or democratic one. Communist China has not escaped and will not escape from the same dilemma only with a simple industrializing scheme.

The dynastic cycle of Communist totalitarianism is a comprehensive and systemic problem. The key to solve this problem lies in the systemic reform and structural transformation of the existing political system and structure that support the totalitarian rule and power. If the fundamental structure of Communist totalitarianism remains intact, there will be no essential change in political and economic systems *at the fundamental level*, no fundamental improvement in human rights system and legal system, no substantial breakthrough in liberalization, and then no prospect for the breaking of the vicious cycle of Chinese Communist totalitarianism. Even assuming that China’s industrialization did achieve success without any fundamental change in the totalitarian structure, another form of totalitarianism, whatever it might be, could be possible in the future China.

Finally, much further research needs to be done to test the applicability of the refined model developed in this dissertation across all other communist regimes and those potentially associated with totalitarian rule. The assessment of the post-Mao change is based on my personal research and experience. I nonetheless feel confident of the analytic utility of the refined model and the evidence used to support it. I hope that other researchers will seek to test, refine, or correct them with their own research.

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