

Democracy and the Governing Party (执政党): A Theoretical Perspective

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The Fourth Plenum of the Communist Party of China held in September 2004 outlined a course of reform aimed at establishing the Party as a permanent governing party (zhizheng dang 执政党). This aim shares some of the values and procedures of legislative democracy, but is fundamentally different in structure. There are no existing cases of party-state democracy as envisioned in the governing party idea, so the theoretical question is asked, is party-state democracy possible? The paper considers the course of development and the limitations of the theory of legislative democracy and contrasts it to the course of Chinese political development. It then presents the essential elements of a democratic system, concluding with a discussion of the feasibility of party-state democracy.

Key words: *Democracy, Party-state democracy, Three Represents, Chinese political development, Hu Jintao*

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

Restructuring the Party as a governing party is not considered an easy task. As the Resolution puts it, “It was not easy for a proletarian political party to achieve

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power, but to handle power over the long term—and especially to handle it well – is even more difficult.”² The task as described by the Resolution is not to continue the revolution, but to adapt the party-state structure created by revolution to a complex environment in which the only expected transformations are economic. Adaptation involves some features common in other forms of modern government, such as rule of law, encouragement of economic development and equity, and citizen institutions. However, the purpose of the Resolution is not to provide guidance for a transition to a modern government similar to other modern governments, but rather to preserve China’s unique form of party governance under modern conditions.

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

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

“It is not with forms of government, as with other artificial contrivances; where an old engine may be rejected, if we can discover another more accurate and commodious, or where trials may safely be made, even though the success be doubtful. An established government has an infinite advantage, by that very circumstance of its being established; the bulk of mankind being governed by authority, not reason, and never attributing authority to any thing that has not the recommendation of antiquity. To tamper, therefore, in this affair, or try experiments merely upon the credit of supposed argument and philosophy, can never be the part of a wise magistrate, who will bear a reverence to what carries the marks of age; and though he may attempt some improvements for the public good, yet will he adjust his innovations, as much as possible, to the ancient fabric, and preserve entire the chief pillars and supports of the constitution.”³

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

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

Regardless of whether party-state democracy is an achievable or sustainable goal, it could be argued that the governing party is the best feasible policy direction for the Party. Even if legislative democracy is the only stable form of democracy, the continued liberalization of the party-state might minimize the trauma of transition, and if no transition occurred then a soft authoritarian state could still be preferable to a less soft one. Lastly, it has been argued that China's most basic political need is the rule of law rather than democratic rule. The Three Represents contribute directly to the rule of law by stressing the importance of controlling corruption. More generally, the emphasis on a governing party rather than a revolutionary party puts greater emphasis on laws and their administration (*yi fa zhizheng* 以法执政). Thus it is possible to justify the measures suggested by the Fourth Plenum as a step forward without answering the question of a step towards what goal.

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

leadership. Another possibility is that the population can be too alienated from the party-state to utilize the new mechanisms of party-state democracy.

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

The argument for a governing party cannot be that party-state democracy is a new form of legislative democracy. It must be argued that modern democracy is a broader category than legislative democracy. As we will see, such an assertion contradicts the assumptions of a half-century of Western democratic theory, and there is at present no broader democratic theory that can encompass both legislative democracy and party-state democracy. In order to argue for the possibility of party-state democracy, one must also assert that legislative democracy is not the essence of democracy, but rather one path of democracy, and that there exists the possibility of other paths.

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

THE LIMITS OF LEGISLATIVE DEMOCRACY

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

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

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

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

Although the classic notions of democracy inspired the transition to legislative regimes in Europe and the extension of the franchise to the whole citizenry, by the end of the nineteenth century serious doubts had been raised concerning the capacity of legislative democracy to serve as the mouthpiece for the voice of the people. Besides the radical critiques of capitalist democracy offered by Marxists and

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

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

MacPherson being the most impressive)¹⁵ the critics did not expand the notion of democracy beyond legislative democracy.

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

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

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

Before concluding the discussion of legislative democracy, it should be noted that the process of transition to legislative democracy has been considerably more

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

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

Even though legislative democracy is a very interesting and impressive system of government, and many of its features might provide useful lessons for other forms of government, I think that it is important to bring the people back in to the definition of democracy. The question of the relationship of the people to government is too important and too complex to be reduced to a shopping list of legislative characteristics. Moreover, questions about democracy as “the power of the people” are most properly endogenous questions. They are about the power of this particular people in this particular state. All politics is local, and therefore democracy without Chinese characteristics is not Chinese democracy.

A CHINESE PATH?

Legislative democracy has never played a major role in Chinese politics. Ch’ien Tuan-sheng (Qian Duansheng 钱端升) provided the classic narration and critique of China’s constitutional history during the Republican period,¹⁶ and Mao Zedong in 1949 clearly affirmed a Marxist critique of bourgeois democracy and a party-state model of governance in “On the People’s Democratic Dictatorship,”

issued on the 28th anniversary of the founding of the CPC.¹⁷ Although laws, constitutions, and the system of People's Congresses have played a role in the politics of the PRC since 1949 and especially in the reform era, they do not play the central role that they enjoy in legislative democracy, and they do not operate in the institutional configuration of competitive political parties. Moreover, even with the political reforms of the past twenty years, a transition to legislative democracy would involve a political transformation more profound than anything China has experienced since 1949, and such a transformation is not envisioned in the idea of a governing party.

While legislative democracy may have been peripheral to China's politics over the past century, the power of the people was central to the success of the protracted rural revolution. As Mao argued in "Be Concerned with the Well-Being of the Masses," the only strength that the CPC could rely on against militarily superior enemies was the support of the people.¹⁸ Through trial and error Mao and the CPC developed the mass line and mass-regarding habits of leadership. The key mistake to be avoided was alienation from the masses, *tuoli qunzhong* 脱离群众.¹⁹ Because the rural revolution transformed the village structure and mobilized the masses, it created a political and military power that eventually overwhelmed the Guomindang and its allies. In effect, the rural revolution was a quasi-democratic system²⁰ because the CPC pursued mass-regarding policies without democratic institutions in the context of a life-and-death struggle with the Guomindang.

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

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

acknowledging contradictions among the people²¹ and argued for democratic centralism and self-criticism by leading cadres,²² he did not provide mechanisms that would protect individuals from possible abuse of power. Democratic centralism was a matter of the work style and moral responsibility of leading cadres.

Even if Mao had died before 1957 the Chinese party-state would still have faced major challenges of political structural reform. The problems of bureaucratism, of official corruption, and of unrealistic political demands would have been severe even without the catastrophes of the Great Leap Forward and Cultural Revolution. Indeed, it is possible that without Mao's leftism the party-state would have been less open to structural reform. The Cultural Revolution laid bare the structural problems of party-state dictatorship and united the people and the leadership behind the "second revolution" of the reform era.

In the 1980s Deng Xiaoping boldly addressed the substantive mistakes of the leftist period. The importance of material welfare, individual incentives, and markets were acknowledged, and the dogmatic inhibitions that had stifled the emergence of a modern economy were removed. The need for changes in the political system was also articulated and progress was made, but essentially the new direction of the second revolution was guaranteed by the Party's new general line and its improved work style rather than by major systemic changes. Individual freedoms expanded and the realm of public discussion improved, but only because the Party now permitted it. The Party did not adopt suggestions for political structural reform made in 1986-88 because it felt that they were unnecessary. The political structure of the second revolution remained similar to that of the first revolution, even if the content of the two revolutions was quite different.

The events of the spring of 1989 were profoundly traumatic for Chinese politics. Besides the vivid trauma of June 4, there was the more general question of how the party-state would relate to the new economy and society that arose in response to the reform era. Neither permissiveness nor control addressed the basic challenge of the integration of new societal forces into the political structure. After the death of Deng Xiaoping, Jiang Zemin articulated the political challenge facing the party-state as the "Three Represents."

The purpose of the Three Represents is to shape the CPC into a governing party that can maintain the current party-state system indefinitely by providing inclusive, effective and responsive political leadership. As Jiang Zemin put it,

"...all Party members should strengthen and improve the Party-building work according to the requirements of the "Three Represents" so that our Party can remain forever in an impregnable position with great support from the people of all ethnic groups and lead them to go forward steadily."²³

Jiang also emphasized the central importance of popular support:

“...our Party, as a party in power, must pay close attention to the relationship between the Party and the masses, and the feelings of the people. Whether the people are for or against it is the basic factor deciding the rise and fall of a political party or a political power.”²⁴

Jiang goes on to give the example of the Qin dynasty, which defeated itself through its unpopular policies.

The Three Represents is not a complete program of political reform, but it does address some fundamental problems facing the CPC today. The first of the Three Represents, that the Party should represent the advanced productive forces, addresses an important problem of inclusiveness. The second, that the Party should represent advanced culture, is possibly a commitment to cultural diversity, though it is most often interpreted to mean that the Party should inculcate socialist morality and Marxist ideology.²⁵ The third, that the Party should represent the fundamental interests of the overwhelming majority of the population, reiterates the most basic commitment of the CPC, but in the context of current politics it is used to emphasize anti-corruption measures and Party openness to mass concerns.

The Three Represents remain the theoretical banner of reform, but the measures suggested by the Fourth Plenum include greater attention to the rule of law and to inner-Party democracy. Perhaps the best authoritative statement of this trend is the following paragraph from President Hu Jintao’s address on the 110th anniversary of Mao Zedong’s birth:

“We must continue to actively and steadily promote reform of the political structure and vigorously build socialist political civilization. To build a well-off society in an all-around manner and open up new vistas for the cause of socialism with Chinese characteristics, we must develop socialist democracy; fully arouse the enthusiasm, initiative, and creativity of the broad masses of the people; enhance the vitality of the party and state; and consolidate and develop the political situation marked by ethnic unity, liveliness, dynamism, stability, and harmony. We must integrate adherence to the party's leadership, the people's status as the masters of their own affairs, and governance of the country according to law into the practice of reforming the political structure, building socialist democracy, and achieving socialist modernization; develop inner-party democracy to promote the development of democracy among the people; and systematize, standardize, and prescribe procedures for practicing socialist democracy. We must proceed from China's conditions; further improve the democratic system; focus on improving the system of people's congresses, the system of CPC-led multiparty cooperation and political consultation, the system of autonomy for ethnic minority regions, and the system of grassroots democracy; expand citizens' political participation in an orderly manner; promote scientific and democratic decision-making; and ensure that the people exercise their rights according to law in democratic elections, democratic decision-making, democratic management, and democratic supervision. We must bring into

play the characteristics and strengths of our country's socialist party system and increase cooperation and collaboration with democratic parties. We must comprehensively implement the party's policy of religious freedom, manage religious affairs according to law, uphold the principle of independent administration, and actively guide religion in adapting to the socialist society. We must further strengthen the socialist legal system, strengthen and improve legislative work, tighten supervision over law enforcement, do a better job in implementing the strategy of governing the country according to law, and build a law-governed socialist country. We must further reform and improve the party's style of leadership and governance, uphold the principle of putting the party in charge of the overall situation and having the party coordinate all areas of work, exercise the reins of government according to law, and improve the party's leadership over the country and society. We must further deepen reform of the administrative management system and reform of the judicial system, improve administrative efficiency, promote fairness and justice in all sectors of society, and do a better job in serving the people.”²⁶

If Hu Jintao's expectations regarding political reform are fulfilled, then the Chinese political path in the future will parallel modern legislative democracy in many respects. Representative institutions and the rule of law will be strengthened, popular participation will be encouraged, especially at the grassroots, and religious freedom will be respected. Just as important are the increasing similarities in political perspective, values and tasks between China and the non-communist world. The leadership's actions during the SARS epidemic in 2003 showed a pattern of response as well as a concern for public opinion and the media familiar in democratic states. Although China is much more goal-oriented in its policies than developed countries, policy content reflects common values. For instance, the “five balances” outlined by Premier Wen Jiabao in his Government Work Report to the Second Session of the Tenth National People's Congress,²⁷ balancing urban and rural development, balancing development among regions, balancing economic and social development, balancing development of man and nature, and balancing domestic development and opening wider to the outside world, would resonate with the concerns of the leadership of any developing country. Wen's general goal of “all-round, sustainable, and balanced socio-economic development” is one that no one could reasonably dispute, even if the concrete trade-offs involved in specific plans were open to question.

Likewise, although China's political path has been unique, it has not been a rut. No country's political path over the past 55 years has seen more fluctuation and changes in direction. Even though China's basic political structure has not changed since 1949, its politics has been determined more by the dynamic flux of policies than by institutional continuities. One of the ideological postulates of the idea of the governing party is that Marxism must adjust to changed circumstances, and that the world of a prosperous China requires theoretical reorientation.

Perhaps the most basic reorientation has been from a vanguard role of leading China from socialism to communism to a more complex leadership role. On the eve of victory in 1949, Mao Zedong was confident that a people's democratic dictatorship was necessary, that the Soviet Union provided a model for the transition to socialism, and that eventually the state would wither away as the goal of communism came closer. For Jiang Zemin, the fundamental challenge that gave rise to the Three Represents was how to preserve the Party's leadership position "forever" by including new societal forces and directions while remaining faithful to mass interests. Leadership is determined by present interests rather than by a future transformation. The path is now infinitely long, and the goal has faded away.

Despite the critique of leftism and the Cultural Revolution and profound differences from Mao's politics, China's present political horizons are still shaped by its past, and by a past different from that of the West. Three basic types of path dependency can be differentiated, one relating to the momentum of success, one relating to the correction of mistakes, and finally one relating to the context of leadership. The most obvious form of path dependency concerns previous successes. The CPC is justly proud of the success of the rural revolution, of China standing on its own feet, and of the amazing economic growth during the reform era. These accomplishments shape its identity and its internal sense of legitimacy. Insofar as future policies and leaders can be plausibly related to these past successes they will be preferred. There will of course be constant discussions of what policies were actually responsible for success and how the present situation has changed, but such discussions are themselves a blend of past and present, and thus are the essence of continuity.

Even the admission of past mistakes and their correction involves a kind of path dependency. Certainly a failure, if serious enough, can lead individuals to the complete rejection of their previous thinking and a sudden acceptance of a radical—and even a foreign—alternative. The best example might be the rejection of Confucianism after the fall of the Qing Dynasty and rise of radical ideologies among the "new youth." Even in such cases, however, a society cannot simply jump off of its own track and onto another. First, the failure usually creates a practical situation of chaos that must be dealt with. History is not a video tape. A society cannot simply back up, erase, and try again, it must cope with the ruins of its failures. Second, the attempted transfer of political institutions and ideas is at best a difficult process. Democracy in the West, for instance, grew slowly, and it emerged as an indigenous reaction to indigenous challenges. Transplanting democracy involves reducing its reality to a formula and then institutionalizing it in a traumatized society that is unfamiliar with it.

The last aspect of path dependency is leadership context. Leadership continuity is by no means absolute—new leaders feel constrained to distinguish themselves from their predecessors—however, especially in a political system in

which the new leadership is designated by the old, the prerequisites for becoming a successor preclude a dramatic shift. In contrast to Genghis Khan, who conquered China from the saddle, a new leader must now be adept at running along beside the stirrup of the current leader. And in contrast to Genghis Khan, who had to learn to get out of the saddle in order to rule China, a new leader faces the difficult task of getting into the saddle. To put the problem less metaphorically, the formal transfer of power is encumbered by continuing informal relationships.

None of these path dependencies prevent change, especially over time, and sometimes they can have the unexpected effect of encouraging radical initiatives. For example, the Guangxu Emperor's hundred days of reform in 1898 and Mikhail Gorbachev's perestroika and glasnost were radical precisely because the initiators were hemmed in by their governing structures. However, the outcome of both of these innovations suggests that the limitations imposed by the existing context of leadership are real.

PARTY-STATE DEMOCRACY

I use the term "party-state democracy" rather than "socialist democracy" with some hesitation, since "socialist democracy" is the official term and the one used by President Hu in the above quotation. However, from a broader perspective of world politics "socialist democracy" is an ambiguous term. Social democratic parties compete in many legislative democracies, and "socialist" is often used to refer to the public ownership of the means of production rather than to a state in which a revolutionary party has a leadership role. We could call party-state democracy "communist democracy," since all of the states so described are led by communist parties, but we must respect Marx's description of communist society as one that no longer needs politics and the state. The term "party-state democracy" highlights the chief characteristic of the political system, namely, that the communist party holds the prerogative of political leadership and the state is the administrative organ of public affairs. Political leadership and state administration can be distinguished but not separated, and therefore the hyphenated term "party-state" is appropriate. It would appear to fit all remaining communist countries, although only Vietnam is sufficiently similar to China in its current political situation for this discussion to be relevant.

Just as we have been cautious about the term "party-state," we need also to be cautious about the term "democracy." On the one hand, we have already argued that party-state democracy is fundamentally different from legislative democracy. On the other, it would be difficult to deny that the measures outlined by President Hu and detailed in the Resolution of the Fourth Plenum would make China more democratic rather than less democratic. If a party-state can move in a more democratic direction, then the criteria for more and less democracy must be broader than whether or not a system is or isn't a legislative democracy. If the influence of the people becomes

stronger and more effective in a party-state, one can say that it has become more democratic. If the influence of the people becomes less, then it has become less democratic.

We have not addressed the question of whether party-state democracy can be a stable democratic system, but before we do so, it is worth pausing to reflect on the significance of the trend of party-state democratization. Even if party-state democratization is only transitional to a legislative democracy, it could be considered an essential path to a feasible democracy. Moreover, even if rule of law rather than legislative democracy is considered more important for China,²⁸ party-state democratization may be a prerequisite for rule of law.²⁹ So regardless of whether Hu Jintao's goal of a permanent governing party can be attained, party-state democratization can be considered valuable in its own right.

Now the key theoretical question of the prerequisites for a stable party-state democracy can be addressed. Stability requires that party-state democracy be a democratic system rather than a temporary condition, and the requirements for a system are that it be complete, indifferent to its concrete content, and not self-destructive. By "complete" I mean that it is not a subsystem whose relevance is determined by external, higher considerations. If a democratic system is a tool for some other purpose, and it is suspended when it conflicts with the higher purpose, then its proper functioning would not determine its real functioning: it would be an incomplete system. Another important illustration of incompleteness would be a system that did not cover all citizens. It would be incomplete in the obvious sense of not including everyone, but it also would presuppose a higher authority with the power to exclude some and thereby limit the system.

Secondly, if a system is not indifferent to its concrete content, it is not functioning as an abstract procedure. If a system stipulates a specific requirement or right for a category, for instance "all employees," "all citizens," "all representatives," then everyone fitting that category should be treated equally. If not, there are either implicit subfunctions affecting the application of the democratic system, for instance "all employees (on good terms with their employers)", "all citizens (of acceptable class background)", "all representatives (of some groups but not others)," or the system is simply weak and ignored in practice. The requirements of completeness and indifference are complementary in that they require that the system have independent significance above and below, above towards restrictions by higher authorities and below towards inequalities and exceptions in application.

The third system criterion, non-self-destructiveness, is different from the first two in that it is oriented toward an internal problem rather than external ones. Basically, this criterion requires the definition of the system to be compatible with its abstractness. For instance, a system that stipulated "all those who get here first shall rule the world" is not really a system, because it self-destructs after the first person arrives. Similarly, if democracy permitted the redefinition of citizens by authorities

the system would lose its abstract identity over time. To be a system, democracy must be indifferent as to point in time.

It is also necessary to define “democracy” in terms more basic than the characteristics of legislative democracy. I propose that the most basic characteristic of democracy is consensus, that is, the unforced general acceptance of the legitimacy of the system. Consensus has three prerequisites, the expectation of benefit, the decisive influence of the majority, and the protection of the minority. If people do not expect to benefit from being in a system they will be indifferent to it regardless of its structure. Majority rule in some form is necessary, because any other system presumes a basic inequality. In any large state the number of people actually in power is small, but democratic legitimacy requires that the ultimate foundation of political power be majority rule. The leadership and its policies must be at risk to the interests and opinions of the majority. Protection of the basic interests of the minority is also necessary because any member of a current majority might at some time be a member of the minority, and in any case mistreatment of a minority is self-destructive for the system.

Can China’s party-state be a democratic system? Let us consider the democratic prerequisites first. The first, expectation of benefit, is obvious. The party-state has provided impressive benefits, from the basic ones of social order to rapid and broad-based economic growth. In general, party-states are executive political structures that are powerful in pursuing policy objectives. As long as the other prerequisites are met, the expectation of benefit is a strong point for party-state democracy.

Majority rule is more problematic. If democratic centralism in the party-state is understood as the unquestioned command of higher authorities, and the democratic moment of democratic centralism is only a matter of the work style of the leader, then there is no majority rule, but rather only a concern for majority interest on the part of the leadership. Of course, such concern is good, and it might be called a democratic sentiment, but it is not a democratic system. On the other hand, it would be naïve to think that decisions can always be questioned in a democracy. In any state binding decisions must be made, and leaders must be obeyed. The key question is whether the routines of the system allow the popularity or unpopularity of leaders and their policies to determine their fate.

But, outside of a legislative democracy, what would a majority be? Could the masses be a form of the majority? Certainly it would be a mistake to identify a majority with “fifty percent plus one;” that would be a sufficient but not necessary condition, a minimum definition of a majority. If the masses are the overwhelming majority of the population, they are certainly a majority. The problem is not with there being too many people, but rather with how their interests and opinions are known and articulated, and the mechanism for mass rule.

To what extent could inner-Party democracy serve as a link in majority rule? Certainly it would be meaningless to talk of party-state democracy without inner-Party democracy. The idea of the Party as the vanguard of the working class suggests that it might represent the majority, but majority rule implies control from below. If greater inner-Party democracy meant more transparency of leadership, more collegial decisionmaking, and a greater deliberative role for Party congresses, then inner-Party democracy could play a major role in party-state democracy. However, the Party itself would remain a minority of the population, and so its own comprehensiveness of membership and political openness would be essential to a broader democratic function. Moreover, the citizen institutions of the state, especially the people's congress system and the rule of law, would have priority.

The most difficult aspect of party-state democracy is the protection of the interests of the minority. At a minimum this requires recognition and protection of basic rights. The party-state's non-interference with the proper autonomy of individuals and groups cannot simply be a matter of current policy. Autonomy must exist in a law-based zone of immunity from improper interference, not in a fluctuating zone of indifference subject to policy changes and administrative style. Beyond the minimum, a culture of respect for diversity and for personal autonomy needs to be cultivated.

In order for party-state democracy to be a democratic system, the prerequisites of a system must also be addressed. The first system requirement is completeness, and here the first of the Three Represents is particularly important. The Party must be inclusive of all productive elements in society. If groups are excluded from the Party, then whatever rule is used to exclude them is higher than democracy, and so democracy cannot operate as a system. The second system requirement is indifference to content. In part the second of the Three Represents corresponds to this, since it implies an openness of policy content. More importantly, indifference implies rule of law. Rule of law is the operating system of any democratic system, because otherwise the discretion of the powerful is not controlled by public regulation. Corruption is one symptom of inadequate rule of law. The final system requirement, non-self-destruction, implies that the party-state cannot redefine itself in a way that excludes part of the public. An example of such exclusion would be class struggle.

The above discussion of party-state democracy as a democratic system is only a brief sketch of its theoretical possibility. There are many fundamental issues that are not addressed, such as the ethos and functioning of a non-competitive democracy, the role of state consultative institutions such as the people's congress system, the relationship of legal institutions to the Party, and so forth. The point here, however, is not to present a complete theory of party-state democracy, but to open up the question of its theoretical possibility in the context of contemporary Chinese politics.

THE FEASIBILITY OF PARTY-STATE DEMOCRACY

Even if the theoretical possibility of party-state democracy is accepted, the question of its feasibility remains to be addressed. Here the question of feasibility will be discussed only from a theoretical standpoint. The questions of what specific policies must be adopted, or whether or not the current political reforms associated with the Three Represents are adequate, are beyond the scope of this paper. The fundamental conditions of feasibility relate to the nature of democracy, that is, to the power of the people. Feasibility is not primarily a matter of the correct policies, in an abstract sense, but rather popular political consensus.

The first criterion of feasibility is that the process of party-state democratization has broad credibility. The people must consider the process as their own, rather than as top-down policy. This is particularly difficult for a party-state because the public's involvement in decision-making is consultative rather than deliberative. In legislative democracies many people disagree with the government's policies but accept the political system as their own. In party-states it is not uncommon for people to agree with policies and to have a high regard for the abilities of current leaders and yet to be alienated from the political system. A feeling of significant participation must be developed in the democratization process; otherwise, regardless of the policies, the people will not regard the system as their own. The processes of broad consultation in the writing of the 1954 and 1982 constitutions are good examples of public processes that help to establish a broader sense of policy ownership. By contrast, the process of developing the Resolution of the Fourth Plenum was extensive within leadership circles, but it was not public.³⁰ It is crucial, however, that popular involvement with democratization policies be more than window-dressing for Party decisions.

The second criterion is committed leadership by the Party. This might seem to be in some tension with the first criterion, but in fact they are complementary. If party-state democracy is to be achieved, then certainly the Party must act as the vanguard of the people in the democratization process. If it appears to act only as the rearguard of its own interests as an elite in power, then party-state democratization might serve as a transition to legislative democracy, but it would not be credible as a permanent system. If the Party responds only to crises and does not move toward democracy on its own, then the question can be raised of why it should have a special role in a democratic system. If the Party talks about democratization but makes slow and half-hearted practical moves in that direction, it would frustrate the public and alienate it from the eventual political outcomes. If the Party is to have a special role in a democratic system, it must earn that role not by defending its power but by leading China to democracy. It must be clear to all that public interest is more important than leadership convenience.

A final criterion is the emergence of what might be called domestic multipolarity. As the autonomy of individuals and groups receives more recognition

and encouragement, the diversity of Chinese society and culture will increase and will express itself. Just as in foreign affairs multipolarity requires respect for the autonomy of all states and criticizes unilateral action by the most powerful, democratization requires an increasing broad public sphere in which all feel at ease in expressing themselves. Democratization is not a narrow path, but an increasingly broad road, and, given the role of the Party in a party-state democracy, broadening must occur within the Party as well as in its tolerance of other views. Similarly, relations between the center and localities must respect the autonomy and situation of the localities. The creation of the Hong Kong SAR and the “one country, two systems” policies towards Taiwan are impressive steps in this direction.

Beyond the problems of the theoretical feasibility of party-state democracy are problems of practical and political feasibility that are beyond the scope of this paper. There is a long way to go between the present initiatives in political reform and the goal of party-state democracy. However, the CPC began as a small group of young urban revolutionaries, and it has traveled a long way in its time. One characteristic of the early CPC that is needed for democratization is the collective courage to take risks. Before 1949, participation in revolution was a risky business, and reliance on the masses was necessary for survival. At the present time, the need for political forms suitable to a modern and prosperous China presents the party with a new challenge, that of institutionalizing a close and interactive relationship with the people. As Mao Zedong said to his revolutionary comrades in 1927, the task is to march at their head and lead them.

Notes

¹ Xinhua Newsnet (新华网), Sept 26, 2004.

² Ibid.

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

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

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

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

⁷ John Stuart Mill, *Considerations on Representative Government*

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

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

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

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

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

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- ¹⁴ Robert Dahl, *Polyarchy: Participation and Opposition*, (New Haven: Yale University Press, 1971).
- ¹⁵ C. P. MacPherson, *The Real World of Democracy*, (New York: Oxford University Press, 1975).
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- ¹⁸ Mao, "Be Concerned with the Well-Being of the Masses," *Selected Works of Mao Tse-tung* (Beijing: Foreign Languages Press, 1967), vol. 1, pp. 147-252.
- ¹⁹ Brantly Womack, *Foundations of Mao Zedong's Political Thought, 1917-1935* (Honolulu: The University Press of Hawaii, 1982).
- ²⁰ Brantly Womack, "The Party and the People: Revolutionary and Post-Revolutionary Politics in China and Vietnam." *World Politics* 39:4 (July 1987), pp. 479-507.
- ²¹ Mao, "On the Correct Handling of Contradictions Among the People." *Selected Works of Mao Tse-tung* (Beijing: Foreign Languages Press, 1977), vol. 5, pp. 384-421.
- ²² Mao, "Speech at the 7000 Cadre Conference." *Peking Review*, July 1, 1977 (original 1962).
- ²³ Jiang Zemin, "Strengthen the Training of Cadres" (2000), in Jiang Zemin, *On the "Three Represents"* (Beijing: Foreign Languages Press, 2002), pp. 38-58.
- ²⁴ Jiang, "Promote the Building of a Clean Government" (2000), in *ibid*, pp. 119-147.
- ²⁵ Jiang, "Speech at the Publicity Directors' Conference" (2001), in *ibid.*, pp. 148-165.
- ²⁶ Hu Jintao, "Speech at a forum in commemoration of Comrade Mao Zedong's 110th birth anniversary" (2003), translated in *Foreign Broadcast Information Service*, December 26, 2003 (FBIS-CHI-2003-1226).
- ²⁷ Wen Jiabao, "Government Work Report." *People's Daily Online*, 5 March 2004.
- ²⁸ Pan Wei, "Toward a Consultative Rule of Law Regime in China," *Journal of Contemporary China* 12:34 (February 2003), pp. 3-44.
- ²⁹ Randy Peerenbohm, "A Government of Laws," *Journal of Contemporary China* 12:34 (February 2003), pp. 45-68.
- ³⁰ See "Zhong gong zhongyang guanyu jiaqiang dang de zhizheng nengli jianshe de jue ding' de yansheng ji" 中共中央关于加强党的执政能力建设的决定》诞生记 [A record of the emergence of the Resolution on Developing the Party's Governing Capacity], Remin wang 人民网 [People's Daily Online] September 28, 2004.