

Political Ideas and Guidelines of Democratic Elections in China

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本文阐述了在中国进行民主选举的政治理念以及选举所采用的基本策略和思路。作者认为中国的民主选举的政治理念在于实现中国共产党的政治选型，即通过选举使中国共产党从一个代表工农联盟的政党转变为代表全体人民的政党，从一个革命政党变为民主执政党。在这个背景下，民主选举要实现党的领导、人民民主和依法治国的统一。在此背景上，作者进一步指出，民主选举的具体制度安排要理顺党与国家的关系、党内民主和国家民主的关系，在此基础上，通过试点推动基层直选，并进而推动全国人大代表的直选，从而加强中央政府的政治权威。

At the turn of the 21st century, after more than two decades of its efforts in economic reforms, China has been undergoing a transition from a planned to a market economy. China's overall capability has in great measure been enhanced as well. Along with economic transformation, transformation of the political structure, to better adapt it to providing the economy with a superstructure, has emerged as an urgent need. On the one hand, the market helps diversify social interests and boosts stratification in the social structure. How this plurality of interests—in some cases competitive or conflicting political and social ones—is to reach a political consensus through an institutionalized mechanism so as to confirm and strengthen the political authority, has become a critical issue in guiding China from an economic to a political nation.¹ On the other hand, market development has led to increased polarization, which has placed social justice under a spotlight. Resolving this issue largely depends on open negotiation and compro-

mise among different social groups on the basis of a fair, reasonable procedural system.² All these problems are in one way or another reducible to that of China's political restructuring. In other words, with a view to handling all conflicts of social and political interest (and other potential disputes), through democratic procedure within a constitutional framework, and that Chinese political authority completes its transformation from a *traditional* to a *jurisprudent* mode, how may China's political structure be altered to be a market-compatible constitutional structure? The institutional key to such an enormous change of political structure lies in democratic elections.³ This study is intended to present an analysis of internal connections between democratic elections and China's political transformation, choices among democratic elections and models of political structure, and some basic strategies and steps for expanding democratic elections in China.

I. Political Ideas of Democratic Elec-

tions

At the outset of economic reforms in the 1980s, the issue of political structure reform was also placed on China's political agenda, with deepened reflections upon the undermining of democracy and rule of law by "The Great Cultural Revolution." In 1986, Deng Xiaoping suggested in his "On Reforms in Leadership Systems of the Party and State" that the Party should be separated from administration, and intra-Party democracy and people's democracy should be strengthened and promoted.⁴ China's political reforms then followed the guideline that intra-Party democracy and people's democracy are reinforced respectively at the higher and grassroots levels. However, as a result of social mutations evoked by radical economic reforms and the guidelines of political reforms, political structure reform remained largely stagnant in the pursuit of the country's political stability for focusing time and efforts upon economic reforms. Hence, in the 1990s "administration incorporating politics" prevailed.⁵ At the same time, grassroots democracy expanded on the basis of village elections with a lateral success during this period and legal construction made remarkable progress in both legislature and jurisdiction. An increasing community of legal elite and professionals provided a consistent drive for the political reform. Therefore, realizing democracy through rule of law has become a commonly accepted conception for the reform.⁶

In spite of all this, multiplied interests created by economic reforms made "administration incorporating politics" impossible. Legal construction cannot take over politics, either. Against this background, political structure reform was brought on China's political agenda. The objective of construct-

ing socialist political civilization put forward at the 16th National Congress of the Communist Party of China (CPC) called on the need to set political reform as an immediate priority.

At a meeting held on 4 December 2002 in honour of the 20th anniversary of promulgating the Constitution of People's Republic of China, General Secretary Hu Jintao formulated that upholding democracy within the framework of people's congresses requires a combination of three elements: "Party leadership," "grassroots democracy" and "governing the country by law," which is always cherished as an unchangeable principle by the CPC. It may be argued that in the process of constructing socialist political civilization, such ideas as Mr. Hu's ought to be translated to an institutional mechanism. In fact, the problem of how to achieve an organic combination of these three elements is closely connected with political restructuring. Democratic elections are believed as being a core of this institutional mechanism.

"Grassroots democracy" may be roughly explained by the usual saying that "people should be the master of the country." Yet the question remains: how could people be the master, or how should they behave as the master? In such a big country like China, it would be proper that they have their representatives elected through democratic elections to represent their interests, and exert supervision over their act of defending them. In this sense, democratic elections are a significant instrument for making of common people as the master of the country.

In the practices of democratic politics, how governance by people themselves could be realized remains a constant, sticky issue. It would be conceivable that people could carry out direct management of their political life in such a small scope of a face-to-

face society as that of an ancient Greek city-state. In a much larger country, however, direct management by people seems to be impractical. Therefore, what people could do is to select their own representatives through democratic elections to manage their political and cultural life on their behalf. And from this the fundamental idea of indirect democracy or representational democracy is derived.⁷

With the reform and opening-up programme well under way, the people's congress system was considerably strengthened in the process of righting so-called "extensive democracy" once prevailing during the "Cultural Revolution (1966-1976)." People could elect their own representatives to participate in management of national political, economic and cultural affairs. At the same time, direct democracy was further standardized and promoted in the area of village self-government. A critical problem in improvement of the people's congress system seemed to be how to mitigate the defect of indirect democracy: too many tiers hindering effective communication between the common people and their representatives. It is commonly accepted that only through democratic elections, either direct or indirect, can people become the master of the country in a real sense.

"Party leadership" and "people's democracy" should be combined with the principle of "governing the country by law." It follows that "Party leadership" and "people's democracy" should be fulfilled in compliance with rule of law and legal procedures, which are necessarily in consistency with requirements of the Constitution. That is, on the constitutional basis, political democratic rights of citizens ought to be combined with activities of state power institutions, for the purpose that "Party's leadership" and

"people's democracy" will be governed within the limits of the Constitution. Efforts should be made to establish the Constitution as the ultimate source of authority and enact constitutional democracy. In short, it may be argued that democratic elections are one of important ways to the implementation of the Constitution and realization of governance by law.

II. Basic Guidelines: Democratic Elections

On the premise that the democratic election plays an essential role in China's political transformation, we have to be more concerned with how to carry out the elections. Here, how to carry out the elections does not involve any technical procedures, but a model of political structure that determines the constitutional framework for these elections. Hence, to devise electoral patterns is virtually to design the national political structure. This design is supposed to fall in with China's current political beliefs, political resources and the model of political structure.

1. Readjusting the relations between the Party and the state via the electoral system

Nowadays it is the responsibility of political parties to run a modern state. The models for operating the machine of the state vary in different historical phases. The centralized leadership, once claimed and emphasized by Chinese Communist Party itself, was formulated in the 1975 Constitution as the Party dominating the political structure of the state: "National People's Congress acts as the highest organ of state power under the leadership of Chinese Communist Party" (Article 16, Constitution 1975).

Shortly after "The Great Cultural Revolution," paramount leader Deng

Xiaoping, with the intention of averting the disasters that might be brought upon the country by the faults of some Party leaders in the political structure, put forth his proposal, in his speech on reforms of the Party and state leadership, of separating Party from government functions. But applying the system with the Party set apart from the government encountered two critical difficulties. First, democracy in the state structure seems to be a big obstacle to the Party leadership. This difficulty has become a major concern in the elections of grassroots deputies and basic-level government administrators. While The Organic Law of Local People's Congresses and Local People's Governments stipulates that while people's deputies are in a position of jointly recommending their candidates for the election, Party organizations may also have right to recommend their own candidates with a view to strengthening Party leadership. What if the two recommendations are competing then? Second, if the functions of the Party were separated from those of the government, the state leaders would have definite power to make decisions on behalf of the country's sovereignty, as is a general practice in current international politics. That would obviously contradict the Party's political leadership. The problem tends to be stickier as far as the state presidency is concerned.

As a remedy for the defect of the Party-separated-from-government model, the Party-State model has been developed in practice. For instance, the state presidency is held by the general secretary of the Party. In this way conformity is achieved between Party leadership and political decision-making at the top on the part of the country's sovereignty.⁸ Now many provincial secretaries of the Party are also the chairmen of

Provincial People's Congresses. Here, however, another question appears: how could such kind of political model be held back from reverting to the old track of "fusing Party and government"?

In China's current political design, the problem of combining the Party and the government in a proper way has to be handled carefully, ensuring the Party's supervision over the state and mitigating to the minimum the harmful effects caused by possible errors of the Party. It could be argued that political elections are an effective solution to such problem.

2. Coordinating intra-Party democracy and national democracy

In the "ultra-left" era, the Party dominated the government and the intra-party undemocratic cult led to a series of nationwide disasters. Thus improving intra-Party democracy persists as a very significant concern in democratization of politics all the time since the start of reform and opening. This is especially the case when state political democratization is hindered and intra-Party democracy becomes one of the most important resources of democratic discourse. Hence, intra-party democracy, which ought to be strictly differentiated from state political democracy, needs clear-cut redefinition. Just as the principles for state political democracy cannot be presumed as those for intra-Party democracy, the latter may not be allowed to act for the former.

Here, a precise explanation of what we mean by democracy is needed. The term "democracy" in this study is referred as a process in which different groups of interests manage to obtain a uniform political will by coordinating their interests through legal procedures. In this sense, democracy may be properly understood in terms of a set of political procedures. One of the pre-assump-

tions for such kind of democracy may be that there actually exist different groups of interests (otherwise political democracy would not be necessary). That is why a civil society with differentiated interests is usually regarded as a presupposition for constituting political democracy. In modern politics, different factions represent different groups of interests that sometimes are conflicting. Disputes or struggles among these factions possibly result in the collapse of political authority. In a democracy, democratic elections function as a usual tool of coordinating these factions.

Such democratic politics, once adopted by the Party, will definitely produce a series of complex, even possibly harmful, political consequences, because it encourages factionalism within the Party. Prevailing factionalism will ultimately split the Party and weaken its political authority, which in turn undermine intra-Party democracy in the process of political authority strengthening. Thus a paradox appears between promoting intra-Party democracy and fortifying the Party's political authority. The only way to step out of this paradox is to underscore the distinction between intra-Party democracy and state political democracy. The objective of intra-Party democracy is that the Party can effectively lead the country on the basis of conformity and unity of the whole Party. Therefore, one mission of intra-Party democracy is eradicating factionalism rather than encouraging it. In contrast to the fact that competitions among different interest groups are unavoidable in the field of state democratic politics, intra-Party democracy is simply destined to restrain them. Traditionally it still highlights the role of political authority and lays stress on checking individual dictatorship and discourages open competition. Party's leaders are usually rec-

ommended and elected within the Party, rather than chosen in open political elections. On account of all these above, intra-Party democracy cannot be substitute for state political democracy, especially in a market economy.

Provided that intra-Party democracy and state political democracy are strictly differentiated, the criteria for the latter would not be unwisely applied to the former. The two forms of democracy can not be combined in an organic way unless a distinction is made between them. On the one hand, since democratization of state politics demands Party unity, such external competitive mechanism as democratic elections in state politics may forcefully enhance political unity of the Party and the status of the intra-Party authorities. On the other hand, intra-Party democracy will lend its support to selection of the Party elite, so as to ensure the Party's triumph in political democratic elections. In summary, intra-Party democracy and state political democracy deserves a systemic distinction. Intra-Party democracy should be strengthened in the efforts of democratizing state politics; in this way, intra-Party democracy and state political democracy can obtain reciprocal support and coordinated development.

III. Steps for Democratic Elections

The designing of any political structure ought to be of legitimacy in politics and necessity in terms of political situations; besides, it should be operable under the current circumstances. This is especially applicable to democratic elections as a core in political restructuring. Operability of a system comes from a serious analysis of current political conditions and resources. And what is more, it should be noted that oper-

ability means political reform is to strengthen the political authority, instead of undermining it. Political stability should be defended with care against possible political upheavals. Such reform is obviously a progressive process, not a radical one. Therefore, democratic elections preferably start from the simple, ensuring that key priorities will be reasonably dealt with.

1. Grassroots-level and higher-level democratic elections

In the 1980s, China's democratization was seen basically following Peng Zhen's proposal that democratization should start at two ends, i.e. intra-Party democracy at the higher level and people's democracy at the grassroots. In the 1990s, grassroots democratic elections achieved rapid expansion, in contrast to a much slower progress in top-level democracy. Admittedly grassroots democratic elections were largely limited to the scope of village self-governance instead of being practised in the whole country's political life. An institutional basis was not yet available for expansion of direct democratic elections, in spite of the fact that in some localities such kind of elections for selecting administrative chiefs of a town or township, or deputies for the local people's congress were held, tentatively in most cases. Nevertheless, a nation-wide consensus seems to have formed that this bottom-to-top strategy would be a right way to improve China's democratic electoral system

Indeed there are many advantages to bottom-to-top progressive democratization: experience accumulated for democratic elections, improved popular participation, and effective handling of governance difficulties encountered by local governments. Yet, it ought to be noted that democratic elections as systemic design, not upheld for the sake of democracy itself, aim to solve some

concrete problems rather than realize something abstract. So what kinds of problems democratic elections are expected to solve ought to be analyzed and decided.

In the case of grassroots democratic elections, especially the village elections that have already enjoyed great success, the concrete goal of the democratic election is to eliminate conflicts between cadres and masses fomented by widespread official corruption. Hence, making official affairs (especially financial affairs) known to the public will be the most important part of grassroots elections. However, only grassroots cadres and masses are involved in the direct interest relationship. The cadre-and-mass relations confronting the middle- or top-level political community, which are largely manifested as policies, guidelines and principles, are abstract in a strict sense. Because of this, the direct goal of the elections at the middle- or top-level will not be to establish a harmonic relationship between cadres and masses, but, as we have argued, to obtain legitimacy of political rule and constitute a government responsible to voters.

It is democratic political election that endows a political rule with legitimacy; that is to say, the political rule carried out through democratic elections possesses more authority than that without democratic elections. Following upon this, the progress of democratic election from the grassroots end up to the top end will be likely to evoke more risk of dangerous political instability rather than stability. Because a responsible local government constituted through the democratic election at the grassroots will be probably more concerned with the interests of local voters than with those of the whole country represented by the central government. And what is more, equipped with more legitimacy than the central government, it might have

more solid foundation of people's will and more powerful political authority. In this case, the relationship between central and local governments, one of the most sensitive issues in China's politics, has to be brought under scrutiny.

It could be argued that the political authority of the central government plays a critical role in safeguarding national unity and social stability in such a large country like China. But as the economic reform featuring "decentralization of power and profit" is furthered, accumulated enormous economic power tends to reside with the local government, which makes the central government more and more dependent upon local economic resources. As a consequence, a "local economy" is promoted, with an undesirable decline in state capacity. In other words, the authority of the central government is weakened while the power of local governments increases proportionally. Although the central government has adopted some measures like the system whereby central and local governments can share tax revenues so that the former's access to financial resources can be improved and strengthened, there is still a real danger that the power balance will be upset. Because it is always the central, not local, government that takes political responsibility for any tremendous nation-wide risks. The actions of the central government during the SARS crisis in 2003 may be the case in point. That is why the central government needs to possess much more political authority than any local government.

In a market economy, the central government will expectedly engage local governments in political (rather than economic) competitions; that is, the central government has to preserve its highest political authority by obtaining much more authority than the

local government through political elections, because it represents more people and more interests, even the interests of the whole country.⁹ Hence, China's democratic elections cannot follow the down-to-top electoral model; in other words, when grassroots democratic elections have already been extended to township and county authorities, the central-level election should be timely held to confirm the legitimacy of the central government and reinforce its political authority over local authorities, ensuring the political stability and unity of the whole country.

2. Elections of deputies to people's congress and elections of top leaders for the central government

Once democratic elections have expanded from village self-governance to the state political sector, elections ranging from the grassroots to the central level cannot avoid elections of deputies for people's congresses and leaders for the central government. Some researchers mix the two elections in their discussions of the grassroots election. Here a problem appears: if a democratic election takes place at the top level of the central government, will it start from the congressional election or the election of top leaders for the central government office? This problem actually implies a choice between the representative system and the presidential system. The choice would be reasonably made not merely in accordance with political views but on the basis of a proper analysis of political situation and resources available.

People's congress, as stated in the Constitution, is the fundamental political system of China. It originates from a wide range of practices and a long political tradition as well. So long as we follow the political tradition and make use of the resources of the existing political system, we ought to take

improvement of the people's congress system as the starting point for political reform. Within the constitutional framework, the top leader of the central government is merely the administrative chief, not the head of state. This suggests that the current constitutional framework itself disallows the presidential system. On account of this, the political election should begin with direct elections of deputies for the National People's Congress, whereby its political authority will be strengthened. And this enhanced authority will, in turn, increase the political authority of the Party.

When the authority of the central government is confirmed, the leaders of the central government could be elected through political negotiations among different parties or factions. In this way, direct elections and indirect elections could be both transformed into the election of deputies to people's congress and the election of top leaders for the central government. It means that the model of China's political structure can be designed in the form of the representative system instead of the presidential system.

3. *Experimenting and Expanding*

One of the most effective tactics for China's economic reform is to carry out experimental reforms in some chosen places and then expand them nationwide on the basis of the acquired experience. This tactic could also be applicable to China's political reform. Electoral reform experiment could be tried out in the political election at the higher level in the way that it has been in the grassroots democratic election. Specifically, the direct election of deputies to provincial

people's congress could be held first in some provinces with ripe conditions before it takes place in the National People's Congress. An effective model of direct election for the National People's Congress could be shaped right on this basis.

So far, it may be concluded that future democratic election in China, a result of a progressive process in company with China's economic, social and cultural development, may be achieved in four steps. First step, the democratic election, starting with the village election, is to translate into direct elections of deputies for township and county people's congresses and the indirect election of the chiefs for local governments. Second step, direct elections for provincial people's congresses are to be held in some provinces with ripe conditions. Third step, equipped with the experience obtained from the provincial elections, the direct election for the National People's Congress and the indirect election of leaders for the central government is to be undertaken. Fourth step, when the political authority of the central government has been established, elections are to be held nationwide for municipal and provincial people's congresses and for municipal and provincial administrative offices as well.

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Notes

1. In the background of differentiated interests

resulting from market economy, how does an

- economic nation shifts to a political nation by strengthening the leadership of political authority through political elections? See Max Weber, *Political Writings*, Peter Lessman (ed.), Cambridge University Press, 1994. Also see Gang Yang, “*Zouxiang zhengzhi minzu* (The Making of a Political Nation),” *Du Shu* (Book Reviews), June 2003.
2. In the background of differentiated interests resulting from market economy, how could a consensus be reached through a procedural mechanism? See Ji Weidong, “*Chengxubijiaolun* (On Procedure Comparisons)” in *Fazhi de Chengxu Jianguo* (Constructing Procedures for Rule of Law), China University of Political Science and Law Press, 2002.
 3. As to the transition of legitimate authority from the traditional model to the jurisperit model, see Max Weber, “The Types of Legitimate Domination” in *Economy and Society*, Guenther Roth and Claus Wittich (eds.), Berkeley: University of California Press, 1978.
 4. *Deng Xiaoping Wenxuan* (Selected Works of Deng Xiaoping), 3rd volume, People’s Publishing House, 1994.
 5. See Kang Xiaoguang, “*Jiushi niandai Zhongguo dalu zhengzhi wendingxing yanju* (Research on Political Stability of Chinese Mainland in the 1990s),” *Ershiyi Shiji* (21th Century), August 2002. For a critique of “administration incorporates politics” argued by Kang Xiaoguang, see Wu Zengding, “*Xingzhengde guixingzheng, zhengzhide gui zhengzhi* (The Administrative to Administration, the Political to politics),” *Ershiyi Shiji* (21th Century), November 2002.
 6. Ji Weidong, “*Zhongguo: Tongguo fazhi maixiang minzhu* (China Stepping forward to Democracy through Rule of Law),” *Zhanlueyu Guanli* (Strategy and Management), 1998, no. 4.
 7. For an analysis of democracy of large nations, see Alexander Hamilton, James Madison and John Jay, *Federalist Papers*.
 8. See Qiang Shigong, “*Xianzheng de Daolu* (Way to Constitutional Government),” *Ershiyi Shiji Jingji Baodao* (Economic Report in the 21th Century), 4 December 2003.
 9. For a detailed consideration of this topic, see Gan Yang, “*Gongmin geti wei ben, tongyi xianzheng li guo* (A Constitutional State Built on Citizens as Individuals),” in Gan Yang, *Jiangcuo Jiucuo* (Leaving a Mistake Uncorrected and Make the Best of It), SDX Joint Publishing Co., 2002.

— Translated by Zhang Dachuan
Revised by David Kelly

The debate over the definition and application of democracy to China has been one of the major ideological battlegrounds in Chinese politics since the 19th century. Modern Chinese leaders state that they run a "socialist democracy" where the Communist Party of China is a central authority that acts in the interest of the people. The Communist Party approves what political parties can run. International Electoral Standards. Guidelines for reviewing the legal framework of elections. Guidelines Series. This publication originated as a set of regional guidelines, applicable to the Organization for Security and Co-operation in Europe (OSCE) region, jointly developed by International IDEA and the Office for Democratic Institutions and Human Rights (ODIHR) of OSCE in Warsaw, which was published in 2001.Â International IDEA encourages dissemination of its work and will give permission promptly for reproduction or translation. This is an International IDEA publication. International IDEAâ€™s publications are not a reflection of specific national or political interests.