

Chapter 6: Practice of Socialist Democracy

What is the democracy that the Chinese people need today? The democracy that the Chinese people need today can only be socialist democracy or people's democracy, not bourgeois individualistic democracy (Deng 1979, 175).

The superstructural question of socialist democracy and governance has a number of features that are necessarily connected: electoral democracy; consultative democracy; grassroots democracy; nationalities policy; rule of law; human rights; and the leadership role of the Communist Party. Given that these are all necessary and integrated components of a larger whole, one may speak of a 'highly democratic [*gaodu minzhu*] socialist political system [*zhidu*]' (CPC Central Committee 1981, 17), albeit one that is constantly a work in progress.

What does 'democracy [*minzhu*]' mean in China? Historically, China's democratic struggle began with the anti-colonial Opium Wars and came to fruition with Liberation in 1949 (Fang Ning 2015, 14–15). The key term used to explicate democracy is 'people as masters of the country [*renmin dangjia zuozhu*]' – a longer explication of Chinese *minzhu*, the people in charge, as masters. In a little more detail, the phrase 'people as masters of the country' means more literally that the people (*renmin*) act as the master of (*zuozhu*), or take responsibility for, the affairs of the house (*dangjia*) – the 'house [*jia*]' in question being the country as whole. The term already appeared in the new constitution of 1954, although one can trace earlier variations on the idea at least back to Sima Qian (c.145– c.86 BCE) in his *Shiji*, or *Historical Records*, from the time of the Han Dynasty.¹ Of course, in a Marxist framework, the meaning of the phrase is quite distinct. A couple of other terms also relate to 'people as masters of the country', the first being 'people oriented' or 'putting people first [*yiren weiben*]' – literally being focused on the people as the basis, principle and priority.² A little later, the term was clarified in light the Marxist focus on concrete, flesh-and-blood people, rather than an abstract 'human being' (Zhao Jianying 2018, 12). From the CPC's eighteenth congress onward, we also find 'people centred [*yi renmin wei zhongxin*]', or 'according to the people as centre' (Hu Jintao 2012, 21; CPC Central Committee 2014, 6; Zhonggong zhongyang xuanchuanbu 2019, 40–48). While the reference of these terms concerns all aspects of the construction of socialism in China (Chen

¹ In relation to first emperor of the Qin Dynasty, who unified China, Sima Qian writes: 'Today, it has been decreed, the law is issued, the common people manage the house as peasants and workers [*baixing dangjia ze li nonggong*], and the scholars learn the laws and bans' (Sima 2014, Vol. 1, 325). The text may also be found in chapter 6, stanza 38 at ctext.org/shiji/qin-shi-huang-ben-ji/ens.

² This phrase initially appeared in a decision from the third plenary session of the sixteenth central committee of the CPC (2003, 2).

Xueming 2015, 2), they may also be seen further explications of the meaning of *demokratia*, *minzhu*, rule and mastery by the people.

In researching this chapter, I have delved deeply into Chinese Marxist scholarship.³ Socialist democracy in China is a subject of massive research, and each of the sub-topics is worthy of detailed study in its own right. Thus, the chapter is long and heavily referenced. Even so, I have had to exercise a strict discipline, by and large citing only the most important and influential works. The chapter is long for another reason: as China steps onto the centre of the world stage, there is greater international attention and scrutiny devoted to its political system (less so its economic system). Most of this attention is actually positive, given what the system has achieved, but those who are part of the relatively few countries that make up the ‘West’ do not view China’s political system so favourably, not least because they are quite misinformed and seek to see the world in their own image. This is a classic case of ‘*yixi jiaozhong*’, seeking to understand China according to a Western approach. Thus, Western European liberal democracy has become the myth of ‘democracy’ as such and continues to be used as a model to assess other and quite different forms (Li Shenming 2009, 266–78; Yang Guangbin 2009, 5–8). Examples include the authoritarian-democratic distinction, with any system that does not follow the model of capitalist democracy labelled as ‘undemocratic’ and ‘authoritarian’ (Lieberthal and Lampton 1992; Weatherley 2006; Wright 2010; Landry 2012; Huang Yasheng 2013; Nathan, Diamond, and Plattner 2013; Wu 2013; Lampton 2014; Miranda 2017). It should be no surprise that these misguided efforts are met with a well thought-through rejection by those subject to the propaganda (Ogden 2007, 50; Xie 2009). Another example concerns the ‘China doomers’, who periodically trot out variations on an apocalyptic ‘crisis’ facing China – much like religiously-inspired forecasts of the end of the world. With wearying frequency, they like to predict that China’s political system has not made the assumed transition to bourgeois liberalisation that is supposed to follow ‘capitalist’ reforms,⁴ and that as a result it will ‘collapse’ in the relatively near future (Dickson 2003; Tsai 2007; Fewsmith 2012, 52–55; Weller 2012; Huang Yasheng 2013; Wang Guohui 2014). None of these works are particularly helpful for understanding the realities of socialist democracy in China.⁵

3 For those unable to read Chinese and seeking a useful overview, see Fang Ning’s *China’s Democratic Path* (2015).

4 This hypothesis was initially proposed by Lipset (1959).

5 There is also a small group that suggests China is making a transition to a Confucian-inspired meritocracy, or a ‘nonliberal elitist democracy’ of the type found in other Asian societies (Bell 2006; Peerenboom 2007, 233–81). While these very Western approaches at least attempt to understand China, there is a glaring omission: the centrality of China’s socialist system.

For these reasons, objective and scientific information is needed, and those best placed to provide that information are Chinese scholars. This chapter primarily concerns the actual practice of socialist democracy in China; the next chapter focuses on the theoretical development of socialist democracy in the Marxist tradition.⁶ I have also allocated the topic of human rights to a separate chapter, given the extensive attention given to this subject outside China.

Electoral Democracy

China may now adopt a system of people's congresses, from the national people's congress down to the provincial, county, district and township people's congresses, with all levels electing their respective governmental bodies (Mao 1940b, 677; 1940a, 352).

As this statement from Mao Zedong in 1940 makes clear, such congresses were not only envisaged early in the process, but had already been practised in the Red Areas during the revolutionary struggle. The initial stipulation as to how they would work after Liberation appears with the Electoral Law of 1953, which has subsequently been revised on a number of occasions (National People's Congress 2015). The practice today has five levels of people's congresses: 1) the supreme legislative body of the National People's Congress, which first met on 15 September 1954 ; 2) people's congresses in provinces, autonomous regions, and municipalities directly administered by the Central Government; 3) people's congresses in sub-districts of larger cities and in autonomous prefectures; 4) people's congresses of cities not sub-divided, municipal districts, counties and autonomous counties; 5) people's congresses in villages, ethnic minority townships and towns.

This approach is called 'electoral democracy' in the sense that elections pertain to the people's congresses as representative legislative bodies (apart from intra-party elections). The crucial distinction is between direct and indirect elections. To return to the five levels of people's congresses, at levels 4 and 5 elections are direct. Every citizen over the age of 18 has the right to vote, and such a right is not restricted by any factor, whether ethnicity, sex, occupation, education, occupation, or religion. Further, every such citizen may stand for direct elections. Levels 1-3 of the people's congresses have indirect elections: this simply means that delegates are elected from the people's congresses at levels 4 and 5. All very well, but do people actually vote and stand for election? Here the further regulations are important: an election is valid only when more than 50 percent of eligible voters in a district actually vote, and the candidate who receives the majority of votes is elected. As for candidates, anyone may stand for election, and candidates may be

⁶ Since I have dealt with economic democracy in the chapter on Deng Xiaoping, I will not discuss this feature here (Xie 2009, 21–22).

nominated by all political parties and mass organisations. Further, a candidate may be nominated by ten eligible voters in direct elections and by ten delegates in indirect elections. The number of such candidates must be more than the number of delegates to be elected. In direct elections, the number of candidates must be 30-100 percent more than the number of delegates elected; in indirect elections, the excess of candidates to delegates elected should be 20-50 percent.

These are basic facts concerning China's electoral democracy, but they need to be reiterated since there is considerable ignorance outside China concerning such practices. The outcome of this system is that China has more elections every year than any capitalist democracy. But there is another feature of China's electoral democracy that reveals an even greater difference: the assumed need for constant reform and improvement of socialist democracy. In Chinese critical research, we find emphases on improving the system of elections to people's congresses, including the principle of the same vote in urban and rural areas; strengthening the role of the standing committees of the people's congresses so that they may carry on the work of the congresses when the latter are not meeting; the need for increased education in how the system works so that citizens can participate in a more informed manner; ensuring that all eligible voters can in fact vote, with a particular focus on migrant workers from the countryside; and the need for constantly improving the supervision of the organs of governance so that they can eliminate bribery and function more smoothly and efficiently (Yang Haijiao 2008, 20–21; Xiao and Yu 2012, 16–17).

Clearly, China's electoral democracy is not a given but a constant work in progress. One does not rely on a system established decades or even centuries ago, but constantly seeks improvements in light of practice and the need to resolve problems that have emerged. The reason for this constant need for criticism and improvement already appears in Mao Zedong's observation from 1940. Following the text quoted at the beginning of this section, Mao speaks of a 'genuinely democratic system [*zhengzheng demingzhu zhidu*]' in which there is 'really universal and equal suffrage, irrespective of sex, creed, property or education'. This democratic system, which fully expresses the 'will of all the revolutionary people' is none other than 'democratic centralism' (Mao 1940b, 677; 1940a, 532).

Consultative Democracy

Electoral democracy is usually paired with consultative democracy, which are seen as two distinct but complementary practices (Zhuang 2006, 81; Zhang Yi 2012; Xu Yaotong 2017, 11).⁷ Lin Shangli (2007, 18) explains the two approaches as follows:

One is the democratic form in which people in different regions participate in the country's political life at different levels through their representatives, namely the People's Congress system; the second is a democratic form in which people from different sectors participate in national political life through their functional representative organisations or representatives, namely, the system of the People's Political Consultative Conferences. The former is the system customised by national decision-making, while the latter is the system of social participation in the deliberation and administration of state affairs. Although these two systems are different in nature, their logical starting point is the same, that is, the organic unity of Party leadership and multi-class alliance.

Given that consultative democracy focuses on discussion and consensus, some readers may be reminded of Western proposals for 'deliberative democracy'. The latter has been promoted assiduously ever since Bessette (1981) coined the term, to the point where we now have the inevitable Oxford 'handbook' (Bächtiger et al. 2018). Chinese researchers have studied this development in detail, since it promotes rational, consensus-based decisions. However, they note that this Western research indicates clearly the profound shortcomings of antagonistic capitalist democracy, against which 'deliberative democracy' is seen as an antidote. This reality entails that 'deliberative democracy' in capitalist societies has a thin basis, precisely because it is reactive and has not been put into widespread and state-level practice (Han and Zhang 2015, 48–49). The contrast with Chinese consultative democracy is stark: the latter has a solid basis in China's cultural and socialist tradition, along with extensive experience in consultation from the revolutionary period onward (Ma Yide 2015, 9–12).⁸ Ultimately, the Chinese approach – with the givens of its socialist system and leadership of the Communist Party – is quite distinct from what is really a variation on capitalist democracy.

⁷ As a 2006 CPC document points out: 'The two important forms of socialist democracy in China are that the people exercise their rights through elections and voting, and that all sectors of the people engage in full consultation before making major decisions and reach as much consensus as possible on issues of common interest' (CPC Central Committee 2006, 1).

⁸ As is so often the case, Chinese analysis of Western 'deliberative democracy' far outweighs genuine efforts from foreign scholars to understand China's consultative democracy. When the latter on occasion mention China, they assume that China is 'learning from' this Western development, and try to fit China's path into a Western model (Fishkin 2009, 106–11; Dryzek 2011, 135–54).

The Chinese foundations are philosophical and historical. Philosophically, we need to recall the emphasis on non-antagonistic contradictions within a socialist system (see Chapter Two), with the result that the political system that arises from this situation must of necessity reflect the elimination of class conflict and non-antagonistic class relations. Contradiction analysis also applies to the paradigms of electoral and consultative democracy, in which the two are not in an either-or but in a both-and relation: they complement one another through their strengths and are able to resolve respective limitations (Qi 2013; Dong 2017, 57–58; Ma Yide 2017, 27; Zhang and Yi 2017). Votes in the elected NPC – the supreme legislative body – provide an excellent manifestation of the process. While ‘Western’ eyes superficially see the NPC as a ‘rubber stamp’ for the will of the CPC, the process for legislation to reach the NPC is long and arduous. Multiple consultations take place, with differences in public opinion aired, tensions and arguments presented and debated, until a broad consensus is reached by the time the legislation arrives at the NPC for a vote. Thus, the process entails the integration of electoral and consultative democratic practices (Lin Shangli 2007, 25).

Historically, some scholars point out that long-standing cultural assumptions of harmony, the common good (*tianxia wei gong*), and actual practices of governmental consultation, provide deep roots in China’s history (Zhuang 2006, 82; Wang Xuejian 2015; Yang Weimin 2017, 18–19; Zhou Xiulong 2017; Fang and Meng 2019, 31). In terms of communist roots, we may identify precursors in the ‘three-thirds’ principle during the War of Resistance Against Japan,⁹ and especially in the ‘mass line [*qunzhong luxian*]’ that was developed and honed during the long revolutionary struggle. While the former has been long surpassed due to historical developments, the latter continues to be a foundational feature of Chinese democracy (Lin Shangli 2007, 19; Jiangxi sheng shehuikexue xueyuan ketizu 2011; Ou and Wang 2013). Initially developed in the process of land reform in liberated areas before 1949, the mass line has the following features: ‘it is inclusive, as the opinions of the broad mobilized masses are listened to; it is guided by reason, as the views of the masses are studied and become the views of the central system; it achieves balance through reflection, as opinions are constantly tested through the actions of the masses; and it links consultation and decision-making, as the views of the masses are elevated into action’ (Ma Yide 2017, 27). Initially, the mass line provided the mechanism for turning the Communist Party’s project into a mass movement for liberation, with obvious historical success. But the mass line also provided the foundations of consultative democracy, understood in terms of constant process of consultation-based self-adjustment that

⁹ According to the ‘three-thirds principle’, the government was composed of one-third Communists, one-third Left progressives, and one-third middle-of-the-roaders and other elements.

ensures the government's decisions are based on mass participation.¹⁰ The mass line would in time need to be institutionalised into rule-of-law procedures appropriate for a socialist democratic system, but it also provides an insight into the term 'mass organisation'.¹¹ These are not simply social organisations, characteristic of bourgeois civil society and in opposition to the state,¹² but specific organisations bearing a 'mass character [*qunzhongxing*]'. They have deep political roots, going back in many cases to the period of revolutionary struggle, and are representative of public matters not directly connected with governance. Obviously, these mass organisations have a distinct role in consultative democracy, and they have in many cases become part of the structure of people's consultative conferences.

The clearest and earliest institutionalisation of consultative democracy was in the people's consultative conferences. Here we find the eight political parties apart from the CPC,¹³ as well as 'personages without party affiliation' (Li Changjian 2008, 8–10). The primary location of these parties is in the various levels of people's conferences, from regional to national levels, most notably in the country-wide Chinese People's Political Consultative Conference (CPPCC), which meets every year at the same time as the NPC. Why these eight political parties, most of which were established in the first half of the twentieth century? They embody the multi-party struggle against imperialism and feudalism, explicitly supporting the CPC in its struggle to establish a New China.¹⁴ Thus, they responded enthusiastically to the invitation to participate in the (new) CPPCC,¹⁵ which had its first plenary session on 21–30 September, 1949. Note the date: it was before the official declaration of the People's Republic on 1 October of the same year. It was at this inaugural meeting of the CPPCC that initial guidelines and organisational laws were passed for the New China, as well as choosing the new flag and the name, People's

10 As Xi Jinping observes (2014c, Vol. 1:82; 2014d, Vol. 1:109): 'Consultative democracy is a unique form and distinctive advantage of China's socialist democracy, and an important embodiment of the Party's mass line in the political field'.

11 The term 'masses [*qunzhong*]' has a rich semantic field in China, meaning the union of rural and urban workers who formed the bedrock of the Communist Party, but also overlapping significantly with 'people'. Thus, the phrase 'the Party leads the people' means 'the Party leads the masses'.

12 This means that the terminology of 'bourgeois civil society [*bürgerliche gesellschaft*]' in tension with the capitalist state is not appropriate in a Chinese context (Boer 2018).

13 The eight parties are: Revolutionary Committee of the Chinese Kuomintang (81,000 members); China Democratic League (181,000 members), China National Democratic Construction Association (108,000 members); China Association for Promoting Democracy (103,000 members); Chinese Peasants and Workers Democratic Party (99,000 members); China Zhi Gong Party (28,000 members); Jiusan Society (105,000 members); and the Taiwan Democratic Self-Government League (2,100 members) (State Council Information Office of the PRC 2007b, 9–10; 2007a, 16–18).

14 For a detailed history of this multi-party struggle, see the insightful account by Zhang Shiwei (2018).

15 On the 'old' and short-lived CPPCC of 1946, based on the CPC and Guomindang, see Fang Ning (2015, 95).

Republic of China. The implication should be obvious: the very shape of the People's Republic was formed not as a one-party state – which was attempted by the Guomindang – but as a cooperative multi-party political system (Yang Weimin 2017, 19; Zhang Shiwei 2018).

As regards the CPPCC's working methods in our time, consultation covers an ever-expanding range of topics, all the way from the Constitution and laws, through budgets and development projects, to social and cultural matters. And the process covers all aspects, including drafting of proposals, decision-making, implementation and assessment. More specifically, as the prime consultative body, all other organisations – including the CPC and NPC – submit topics to the CPPCC, which organises sessions for consultation and determines their scope and who will participate. Those involved must be sent all of the relevant documents one week beforehand, and at the consultation robust debate is encouraged and respected; no one is to hold back from expressing a position. After the consultation, those responsible – usually the CPPCC Standing Committee – writes a report of the meeting and, taking on board all relevant suggestions, presents a draft to all of the meeting participants for approval. The results of the decision are then submitted to the NPC and CPC. The responsibilities and expectations are high: 'CPPCC members should study hard, dig deep into the realities of life, engage in investigation and study, keep in close contact with the parties, organisations and people of relevant parties they represent, actively reflect the opinions and demands of the people, and better play their proper role in participating in and discussing state affairs' (CPPCC 1995, 2). The preceding description is actually drawn from a key document from 1995 that stipulates the range of involvement, topics to be covered, and processes for consultation for which the CPPCC is responsible.

However, restricting ourselves to the CPPCC, and even the lower levels of political consultative conferences, gives a somewhat limited presentation of the practice of consultative democracy. In order to gain a more comprehensive picture, I draw on the long and influential article by Han Fuguo and Zhang Kaiping (2015).¹⁶ They identify at least five levels of consultation: state, society, economy, administrative policy-making, and base-level or grassroots. Obviously, these concern all levels of Chinese society,¹⁷ although we should note the grassroots level for this is my concern in the next section. Han and

16 Many are the studies one may consult, with their assessments and proposals for improvements in consultative democracy. Due to the sheer number, I can provide only a sample of the more relevant (Zhuang 2006, 85; Li Changjian 2008, 16–19; Yang Haijiao 2008; Shi and Cui 2012; Xiao and Yu 2012; Han 2018).

17 This should be no surprise, since the 2015 decision of the CPC Central Committee on promoting the construction of consultative democracy indicates how extensive it has become (2015b). Other scholars distinguish between political, policy or administrative, and social consultation (Li and Yan 2018).

Zhang also identify participants in consultative democracy based on assessments of actual practice. These participants include mass and social organisations, multi-level people's congresses, Party organisations at all levels, which are also concerned with party building, rural and urban community self-government organisations, and – notably – migrant labourers from the countryside. To complete the picture, Han and Zhang write of the way consultative democracy has had an influence on the domains of urban and rural governance, on policy agendas (especially budgets, but also now with respect the national five-year plans), on the structure of direct elections at the grassroots level, and on the pressing question of labour-management relations, not least in terms of labour security. As is the way of Chinese research, constructive criticism concludes their study, with a notable emphasis on the need for a nation-wide approach that embraces the dialectic of unity in diversity – given that the vastly different contexts require specific forms of consultative democracy.

By now it should be obvious that consultative democracy is extraordinarily widespread in China, but let me close this section with the observation that consultation entails not only cooperation and co-existence, but also supervision – of the work of the CPC and state organs through investigation, suggestion and criticism (Zhuang 2006, 83).¹⁸ This is not supervision of, but supervision *by* the democratic process. Or rather, it entails what Wang Puqu (2013, 37) describes as the 'dialectical unity of democratic decision-making and democratic supervision'. Already in 1957, Zhou Enlai observed that the risks of being in power included becoming 'dizzy with success' and divorced from the masses, or even becoming individual careerists who betray the masses. How to deal with this problem? At one level, such supervision should be undertaken by the CPC itself, through 'criticism and self-criticism [*piping he ziwo piping*]', but this is not enough. External supervision is also needed, especially by the other democratic parties, but also by mass organisations and people in different walks of life, not least for the sake of curbing dominant groups and protecting the vulnerable. 'As long as we dare to face reality', Zhou Enlai observes, 'dare to expose, criticise and correct mistakes, we should not be afraid of supervision'. Zhou goes further, for ultimately it is the masses who provide the best supervision: 'without the people, what can the Communist Party do? ... If you do right, the people will support you. If you do wrong, the people will not support you' (Zhou Enlai 1957, 348–49; see also Mao 1956a, 278–80; 1956b, 296–97; Deng 1957a; 1957b). It is nothing

¹⁸ Initially, this was expressed in an eight-character saying, 'long-term coexistence, mutual supervision', but in 1989 this was expanded to a sixteen-character saying, 'long-term coexistence, mutual supervision, sincere treatment of one another, and sharing weal and woe [*changqi gongcun, huxiang jiandu, gandan xiangzhao, rongru yugong*]' (CPC Central Committee 1989, 1).

less than supervision by the ‘broad masses of the people [*guangda renmin qunzhong*]’ (CPC Central Committee 1989, 1).

Grassroots Democracy

A major subset of consultative democracy is base-level (*jiceng*) or grassroots democracy, or – in full – ‘grassroots consultative democracy’ (CPC Central Committee 2015b; 2015a). However, grassroots democracy has some features that give it distinct characteristics, most notably the integration with local governance structures of CPC committees, people’s congresses, political consultative conferences, mass organisations, and – importantly – a degree of autonomy in decision-making (Lin Xuefei 2017, 18–20). If we rely on foreign observers who became interested in the development of grassroots democracy over the last couple of decades, we may gain the impression that this form of democracy is a new phenomenon. Of course, these observers have tried to understand grassroots democracy in Western terms, vainly hoping that bourgeois liberalisation would follow, only to be flummoxed by the growth of grassroots democracy and its difference from Western models (Dryzek 2011, 135–54; Weller 2012; Wang Guohui 2014).

But did grassroots democracy suddenly emerge at some time in the early twenty-first century?¹⁹ Not at all. We may take two historical perspectives, one in terms of Marxist historiography in relation to political forms, and the other in terms of China’s own development. The first draws us back to the question of ‘baseline democracy’, which Engels was the first to identify in his studies of the state and socialist governance. Although the material permeates his research of the 1880s, the best expression appears in ‘The Mark’ (Engels 1882a; 1882b), which was addressed to German peasants and sought to recover the pre-state democratic practices of the ‘Mark association [*Markgenossenschaft*]’. Not merely recover, for Engels sought a dialectical transformation (*Aufhebung*) of this form of governance – in which the organs of governance stood in the midst of society – for the sake of communism. In this light, grassroots or base-level democracy is an old practice indeed.

When we turn to specifically Chinese studies, there is an emphasis of tracing the development of grassroots democracy to the period of revolutionary struggle and the political structures of the Red Areas, as well as the ‘small parliaments [*xiao yihui*]’ typical of rural areas and the mostly spontaneous urban committees in the 1950s. These developments had to be recalibrated with the introduction of the household responsibility

¹⁹ This is the unfortunate impression from the well-intentioned but ill-informed collection edited by Leib and He (2006).

system at the beginning of the Reform and Opening-Up, leading to a clear statement in the 1982 Constitution, which designated urban and rural committees as ‘mass organisations of self-governance at the grassroots level’ (National People’s Congress 1982, s. art. 111). The path from the ‘The Organic Law of the Villagers’ Committees of the People’s Republic of China (Trial)’ (National People’s Congress 1987), through Jiang Zemin’s proposals (1997a, 30; 1997b, 31), until the newer developments of the last two decades in light of the Reform and Opening-Up, has been long, full of trial and error, expansion and improvement (Bu 2015, 45–47; Zhao Xiuling 2016, 44–45; Fang and Meng 2019).

My main concern, however, is to provide an overview of a couple of examples of grassroots democracy in action. These case studies are now myriad and the research on them equally plentiful. Thus, the examples given here are not isolated occurrences but increasingly common across China.²⁰ Of the three main types – rural, urban, and enterprise (Xiao and Yu 2012, 17) – I draw on two examples, one from mountains of Yunnan and the other from the fertile plains of Henan. The first – from Miaoba township – is quite specific, focusing on the processes of participatory budgeting that were instituted in 2012 (Huang Junyao 2016, 109–10).

In Miaoba, they select a total of 50 people for terms of three years through recommendation from each village in the area. They also select household representatives and include a random pool of representatives. All of these people undergo training so they can get a grip on the budget, financial knowledge, and the needed reforms.

The process:

a) Budget draft. Representatives may propose budget items in the draft stage. If seven representatives jointly submit a proposal it must be included in the draft. This approach seeks to enhance the autonomy of representatives over the budget. Further, 30 percent of the draft budget must include costs for public participation.

b) Democratic consultation. Meetings are held twice a year to study and decide on the preparation and adjustment of next year’s budget. Before each meeting, 25 people are randomly selected from 50 people’s representatives to attend the meetings. The budget

²⁰ One may find studies of several districts, towns and villages in Wenling city (Zhejiang), Xinhe, Yueqing and Linhai cities (Zhejiang), Shangcheng and Yuhang districts of Hangzhou city (Zhejiang), Pengzhou city and Qionglai new village (Sichuan), Rizhao rural district (Shandong), Minhang district (Shanghai), Xinmi and Nanyang cities (Henan), Wuxi city (Jiangsu), Harbin city (Heilongjiang), Yanjin county (Yunnan), Shunde district in Foshan city (Guangdong), Chaoyang district (Beijing), Baodi district (Tianjin), Longkeng town (Guizhou). Given the sheer number of such studies, I can provide only a sample of references (Zhu Shengming 2014; Huang Junyao 2016; Li Yaoyao 2016, 125–26; Shen and Tan 2016, 24–26; Feng and Luo 2017; Han and Xiao 2017; Lin Xuefei 2017; Qian and Jiang 2017; Han 2018, 75–77; Ma and Zhang 2018; Wang and Tao 2018; Yan and Lui 2018).

preparation group is composed of the mayor, deputy mayors, and the finance director, and this group reports to the public representatives. Further, any representatives who have made proposals for the draft may speak, as well as the Party branch secretary of the village or community that benefits from the project. At the meetings, people's representatives put forward opinions, make suggestions and ask questions about the project.

c) Project evaluation. Each proposal arising from discussion is debated and put to the vote. If the vote is more than two-thirds of the participants, the item must be included in the budget. If the approved budget exceed available funds, items will be implemented according to the ranking of votes.

d) Approval by local People's Congress. The final step of the process is to submit the draft budget to the local People's Congress or its presidium. If it is approved, the budget will be implemented. Items not approved at this level may be held over and included in the following year's budget.

The second example comes from Dengzhou, a small county-level city in Henan province, with a focus on primary industries (Bu 2015, 48–49). Here the range of subjects for grassroots participation are impressive: long-term and annual work plans for rural construction; contract and lease of collective village lands; the raising and managing of funds for public welfare projects; establishment and contracting of collective economic projects and public welfare undertakings; purchase, construction and disposal of collective assets; collective lending and restructuring of collective enterprises; construction planning, land requisition and distribution of compensation; implementing policies on family planning, rural subsistence allowances, and rural cooperative medical care; distribution of funds and goods for disaster relief; and so on.

Participants for consultation are elected on the basis of reputations for honest and fair dealings, as well as political consciousness, and a quota system applies to ensure representation from new interest groups and emerging social organisations. Of particular note is that Dengzhou, and then Nanyang city as a whole (of which Dengzhou is a part), has developed since the early 2000s what is called the '4+2' approach: 'four meetings and two publications'. In more detail:

a) Preliminary proposals by the village Party branch (first meeting), based on listening widely to the masses, detailed investigations, and direct suggestions.

b) Discussion by the village's 'two committees' (which together comprise the second meeting). The preliminary opinions of the village Party branch are submitted to

the 'two committees' of the village for discussion, and the opinions are deliberated according to the principle that the minority submits to the majority.

c) Deliberation at the general meeting of Party members (third meeting). Agreed-upon opinions the village's 'two committees' are submitted to the meeting of all village Party members, who will solicit further opinions, discuss and deliberate.

d) Villagers' representative meeting or villagers' resolution meeting (fourth meeting). Opinions discussed and adopted by all Party members are submitted to the villagers' representative meeting for discussion and voting.

e) Disclosure of resolutions. Resolutions adopted by the villagers' meeting are made public for no less than seven days.

f) Disclosure of implementation results. The results of the implementation of the resolution are announced to all villagers in good time.

These two examples indicate the development of the working methods of grassroots democracy that have led to a significant increase not only in participation in decision-making on a wide range of matters, but have also enabled significantly higher levels of public supervision and accountability. Needless to say, it ensures a distinct sense of ownership of the whole process and its results.

Proposals for analysing these developments in grassroots democracy range from more practical matters such as improving the mechanisms to theoretical matters. Many are the proposals for improvements, especially in terms of the level of participation and inclusion of groups such as migrant workers, as well as the quality and decision-making input of participants, with resultant reforms in existing structures of local governance (Shen and Tan 2016; Zhao Xiuling 2016, 48–52; Feng and Luo 2017; Li and Du 2018; Xu and Zhu 2018). More theoretical issues concern the relations between unified leadership and multiple processes (democratic centralism), between top-down design and bottom-up initiative, CPC leadership and genuine mass participation, formal and informal processes of consultation, representation and consultation, rural and urban concerns, and the optimum democratic method for improving people's livelihoods (Bu 2015, 49–52; Han and Zhang 2015; Huang Junyao 2016; Tan 2018; Yin and Qiu 2018).

Out of these studies, I would like to emphasise three points. First, the very possibility for a new stage of grassroots democracy in the last couple of decades has a distinct material basis. As Zhao Xiuling (2016, 41–42) observes in an influential study, the vast bulk of rural residents have been lifted out of absolute poverty, which provides them the wherewithal to engage in local democratic practices. Yet, the process has generated a

series of new contradictions, with socialist market economy relations, complex chains of economic interests, and all that goes with fostering entrepreneurial endeavours in light of local conditions. These economic shifts have generated corresponding social changes, requiring thorough reforms of local governance and democratic practices. Second, while the recent uptick in grassroots democracy may be attributed to responses to pressure for accountability or even to the reality of social conflict (typically in cases of corrupt acquisition of collectively-owned village land),²¹ this is by no means always the case. As Li Yaoyao (2016) points out, the impetus for renewed local practices of grassroots democracy has also appeared incidentally (due to local initiative) and then developed by trial-and-error, or they have arisen through a process of absorbing local desires and appropriating practices from elsewhere, thereby enabling a fusion of local governance and democratic participation. Both impetuses are notable for an absence of any pressure for grassroots democracy, but are due to a desire to implement procedures. The third point concerns the nature of ‘pilot’ programs, or – better – targeted measures. Given the sheer diversity of China’s landscape, settlement patterns and economic activity, the forms of grassroots democracy must reflect the diversity of local conditions. For example, a measure that works in a sparsely populated rural area northwest of the Aihui-Tengchong line²² may not be appropriate for a residential district in Shanghai. Thus, each development needs to take into account local realities and be tailored in such a way that one may speak of a continuing series of targeted programs appropriate for each situation.

Minority Nationalities

Although the question of nationalities is a topic in its own right (Mackerras 2003; Boer 2019), I deal with it here as another important component of the overall system of socialist democracy. While the minorities nationalities policy is usually seen as part of consultative democracy, it has the specific focus of ensuring the incorporation of minorities within the very structures of governance (Li Changjian 2008, 12). That said, the

21 As Bu Wanhong (2015, 47) observes, by 2005 careful assessments had identified 30,000 ‘difficult villages [*nandian cun*]’, or six percent of villages country-wide. Judging by the level of complaints, a major problem was corruption at the local level – a relic of the ‘wild 90s’.

22 The Aihui-Tengchong line was initially proposed by Hu Huanyong (1935). On the basis of population data, Hu found that more than 90 percent of the Chinese population has historically flourished south-east of a line that runs from Aihui (Heilongjiang province in the northeast) to Tengchong (Yunnan province in the southwest). Political power too has historically been located in the same zone, but there is a problem: most of the mineral resources and headwaters of the major rivers are northwest of the line, as also are border regions such as Inner Mongolia, Xinjiang, and Tibet. The outcome: from earlier forms of the state until today, the focus remains on the unification of diverse areas (with wars fought only for securing such unification), state-directed redistribution of resources, stability and – especially – continuity (Fang Ning 2015, 42–46). With the Reform and Opening-Up, development took place first in the southeast, with the northwest lagging.

topic does require some background so as to understand how it fits within the socialist democratic framework.

To begin with, *minzu* is best translated as ‘nationality’ and not as ‘ethnic group’, for which *zuqun* is the proper term.²³ Why? A nationality is not determined by ethnicity.²⁴ A range of determining features play a role, such as cultural or regional commonality, religion, or the appropriation of an identity initially proposed by government agencies.²⁵ To give an example: the nationality now known as the Hui (a Muslim group) has its roots in the era of the Tang Dynasty more than a millennium ago (Dillon 1999). The Tang emperors began to invite Muslim peoples from further west to come to Chang’an (now Xi’an), due to their reputation for hard work and trade. Over time, especially with the later Song and Yuan dynasties, more were encouraged to come to China and they spread across the country. A long history of intermarriage with Han people, as well converts among the Han, in Tibet and on Hainan island, led eventually to a distinct nationality. Now for the twist: the Hui have become strongly conscious of being a distinct nationality. This means that the long history of the Hui, with migration, intermarriage, state decisions and policies, has led to, if not produced, a strong sense of a distinct identity (Gladney 1991, 323). The example can be multiplied across nationalities, which throughout China’s long and continuous history have developed through constant interaction with others (Ma Rong 2007, 26). But let me summarise with the point that a nationality is distinct group within a state, a group defined by language, location, cultural history, economic shape, and at times religion.²⁶

23 The semantic field of *zuqun* also includes ‘race’.

24 At this point a divergence appears with Western scholarship on ‘ethnicity’ and ‘nation’ (Ma Rong 2011, 16). While Chinese scholars are fully conversant with Western scholarship on such matters, seeking to draw insights where useful, they also emphasise the distinctness of China’s millennia-long cultural continuity. The difference may be captured by the contrast between a Western ‘multicultural’ state and a Chinese or indeed socialist ‘multinational’ state. As Wang Xi’en (2010a) argues, the latter is richer and stronger, in terms of both theory and practice.

25 The origin of *minzu* is complex. The *Cihai* (2009, 2734) observes that *minzu* first appeared in the Southern Song dynasty (420-79 CE), referring to different types of people in a crowd or a state, but not with the modern sense. In the modern period, the word has attained two meanings, one under influence from debates at the turn of the twentieth century and the Soviet Union, according to which a nationality is a distinct group within a state, and the other from the West and referring to a country as whole, as in *Zhongguo minzu* (Ma Rong 2007, 15). In terms of the first and dominant meaning, *minzu* translates Russian *natsional'nost'*, which designates a particular group within a state that has overlaid common characteristics. The Russian terminology was itself the result of long debates and deliberations – from the turn to the twentieth century – concerning what was called the ‘national question’ in countries with significant diversity, such as Austria and Russia (Suny 1993; 2001; Egry 2005; Boer 2017, 142–56).

26 The basis for such policies was Stalin’s (1913a, 164; 1913b, 307) much-studied definition of a nation or nationality: “A nation is a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life, and psychological storehouse manifested in a common culture’.

How do the ‘preferential policies [*youhui zhengce*]’ work in China? After an intense process of research and identification in the 1950s (Ma Rong 2012), the government eventually came to identify 56 official *minzu*, including the majority Han and 55 other groups, ranging in size from almost 20 million to a few thousand.²⁷ The policies are among the earliest enacted, since the realities of nationalities is one of the basic structural features of Chinese governance. Already in 1941 we find the establishment of the Mongolian and Hui autonomous regions within the Red Areas (Fang Ning 2015, 53–54).²⁸ By the time of the ‘Common Program’ in 1949, the emphasis was on the equality and unity of all nationalities, with the need to establish autonomous regions where nationalities are concentrated. Above all, note article 53 of the Common Program: ‘All minority nationalities have the freedom to develop their spoken and written languages, to maintain or reform their customs and religious beliefs. The people’s governments shall assist the people of the minority nationalities in developing the construction of their political, economic, cultural and educational institutions’ (CPPCC 1949, s. art. 53; see also National People’s Congress 2018, s. art. 4). As with the Soviet Union, nationalities have been an integral part of the political structure from the beginning – in contrast to Western liberal states and their ‘identity politics’.²⁹

Let us focus on four features: economic development; cultural autonomy, with a focus on language, customs and education; political autonomy; and the inviolability of China’s borders. I begin with economic development, since the underlying Marxist approach to minority nationalities policy focuses heavily on the economic base. Since most minority nationalities live west of the Aihui-Tengchong line (see above) and usually in mountainous areas, they have typically lagged behind in economic development, especially during the Reform and Opening-Up. To compensate, economic policies entail central government incentives and investment – especially in infrastructure and transport – along with encouraging targeted projects and enterprises suited to local conditions and

This was, of course, only a beginning, for much research has been undertaken since (Ma Rong 2000, 133; 2007, 14).

27 By far the best work in English on China’s nationalities is Mackerras (2003). One may also usefully consult Sautman (1998). In Chinese, the programmatic study by Ma Rong (2007) has set the agenda for a whole new level of research, but see also the lengthy interview from a few years later (Ma Rong 2013).

28 While acknowledging the influence of the Soviet Union’s model (Ma Rong 2007, 27–28; 2011, 18–19), as also on all subsequent socialist states, Chinese scholars also emphasise the distinctness of China’s path (Wang Xi’en 2010c), which is embodied Mao Zedong’s observation already in 1938: ‘give the Meng, Hui, Zang, Miao, Yao, Yi, Fan, and all the other nationalities equal rights with the Han. Under the principle of joint resistance to Japan, they have the right to manage their own affairs, while at the same time uniting with the Han to establish a unified state’ (Mao 1938a, 619; 1938b, 506).

29 Contrast the effort by Jiang Jieshi (Chiang Kai-shek) to see only ‘tribes’ or ‘clans [*zongzu*]’ apart from the Han (Chiang 1947, 39–40; in reply, see Mao 1945a, 1083–84; 1945b, 305).

proclivities. These two elements – central and local – are particularly notable in large-scale projects such as the Belt and Road Initiative (for which Xinjiang in particular has become a major hub) and in targeted poverty alleviation.

Culturally, local languages continue to be fostered, which entails media, education and literature. Local customs, rituals, festivals and especially religions are not merely permitted but actively supported, with temples, churches and mosques constructed and maintained with state funds – so much so that minority peoples are far more religious than the Han nationality. In terms of education, school children receive classes in their local language, alongside the obligatory classes in Mandarin – needed for communication across China and for work. At university level, not only are there *minzu* universities in all regions, but students are also assisted – through quotas and extra points – for the all-important university entrance examinations, or *gaokao*. While these cultural policies are well-established in China, with significant resources devoted to enhancing their effectiveness, they are not fixed and unchangeable. This is particularly so in light of the rapid changes brought about by the Reform and Opening-Up. Ma Rong (2010) puts the tension in terms of ‘protecting the traditional culture of minority nationalities’ and ‘realising the modernisation of ethnic minorities’, especially in terms of the mobility of labour and participation in the political, cultural, and economic life of China.

In light of this outline of the preferential policies for minority nationalities, we may return to the question of governance and socialist democracy. On the one hand, autonomous regions and prefectures now number almost 160 in China, with significant autonomy in policy development. On the other hand, all minority nationalities are represented in the CPPCC, along with delegates who may – through initial direct elections and then higher-level indirect elections – become delegates in the annual NPC. Thus, when issues arise relating directly to minority nationalities, the consultative role of the CPPCC comes into full force. I would add that minority membership of the CPC has been steadily growing: for example, in 1980 only three percent of the total number of members were from minority nationalities; at the time of writing, the percentage of members is drawing ever closer to the percentage of minority nationalities among the population as a whole, which is 8.14 percent (Mackerras 2003, 42).

It is precisely at the level of governance that a tension arises between autonomy and unity, concerning which three points are relevant. First, ever since the founding of the People’s Republic, there have been efforts – usually coming in waves – to break up the country, with a particular focus on autonomous regions. Already in 1949, Zhou Enlai observed that every country has the right to self-determination, so that the New China

should be on its guard: 'Today the imperialists want to split Tibet, Taiwan and even Xinjiang; in this case, we hope that all ethnic groups do not listen to the provocation of imperialists' (Zhou Enlai 1949, 140). Over the decades since 1949, we can see how these efforts have unfolded: the United States' occupation of Taiwan island and turning it into an 'unsinkable aircraft carrier' (Deng 1984b, 86; 1984a, 93); attempts to foster counter-revolutions in Tibet so as to undo its progress in economic improvement and democratic reform (State Council Information Office of the PRC 2019c; 2019a); funnelling arms, trained fighters and drugs into Xinjiang, while downplaying the real problems of terrorism promoted by such acts (Davis 2013, 102–3, 108; State Council Information Office of the PRC 2019d; 2019b); revising the old practice from the nineteenth century of trying to use Hong Kong SAR as a lever to destabilise the mainland.³⁰ All of these externally fostered efforts are of course framed in terms of the empty slogan of 'freedom and democracy', which is seen in China as a Western neo-imperialist agenda, all the while peddling a line that completely ignores the fact that such regions have been part of China for centuries, as well as China's minority nationalities policy and its significant achievements. In all of these cases, the observation of Mackerras (2003, 46), based on the experiences of those who actually live in such regions, is pertinent: 'what strikes me most forcefully about the period since 1980 or so is not how much the Chinese have harmed Tibetan culture, but how much they have allowed, even encouraged it to revive; not how weak it is, but how strong. The same can be said of Xinjiang and Hong Kong.'

Second, the approach to dealing with such problems draws heavily on a Marxist approach, with short-term and long-term solutions. In the short term, the need is to ensure safety, stability and harmony, which entails strict measures to clamp down on the 'three evils' of separatism, extremism, and terrorism – the three are on a continuum – and counter the waves of foreign and imperialist interference. In the long term, the underlying economic lag in development is the focus, with programs – all the way from education to economic incentives – focused on improving socioeconomic well-being. As we will see in a later chapter, this emphasis is also at the core of a Chinese Marxist approach to human rights.

The third point entails returning to contradiction analysis, specifically in terms of how to manage the contradiction of unity and diversity. On this matter, there is some debate, which is still influenced by the disintegration of the Soviet Union. Chinese assessments concluded that a significant part of the problem was that although the Soviet

³⁰ As far as English-language material is concerned, the best studies on Tibet and Xinjiang are by Sautman (1998; 2003; 2006; 2010), while one must consult Losurdo (2007, 249–50) in regard to Hong Kong SAR and Taiwan island. One may also usefully consult Norbu (2001) and Davis (2013).

Union pioneered preferential policies for nationalities, it was unable to continue reforming the system so as ensure the state's unity while fostering the diversity of nationalities. At a point of weakness, some of the Soviet Union's autonomous regions began to declare independence, spurred on and assisted by Western forces keen to break up the Soviet Union. The question arises: how to manage a unitary socialist republic with multinational diversity? Two of the answers are embodied in a difference of opinion between two leading scholars of minority nationalities: Ma Rong (2007; 2011; see also Zhang and Wei 2018) draws more on Western materials and argues that nationalities should have even greater support for economic, cultural, and linguistic development, but that political autonomy should be reserved for the state as a whole, for which the term 'nation' should be used. By contrast, Wang Xi'en (2009; 2010b) argues that China should continue to follow its own path, determined by Marxist approaches. Thus, the approach to managing this complex contradiction is not in terms of emphasising one element and playing down the other, not a delicate balance and constant readjustment, but rather a full dialectical move: the greater the autonomy, the greater the unity; the more people's lives are improved through the preferential policies, the more do they see themselves as part of the whole. To integrate means to diversify, and vice versa.³¹ A third approach brings us back to consultative democracy, going beyond the institutionalised role of minority nationalities in the political consultative conferences. As Lin Shangli (2007, 24) observes, safeguarding the rights of nationalities entails enabling them to express their interests and participate on an equal footing through consultation and interaction. Only when they are full able to do so, through the channels of democratic practice discussed earlier, will their rights be enhanced and so also China's unity.

Rule of Law

Rule of law is another necessary component of China's socialist democratic system (Xie 2009, 29), although it is also – like minority nationalities – a topic in its own right.³²

³¹ The approach of Wang Xi'en also embodies the spirit of Zhou Enlai, who emphasised that the People's Republic is not a federal state, but a republic that entails 'advocating regional nationalities autonomy and exercising the powers of national autonomy' (Zhou Enlai 1949, 140). Relevant here is the influential proposal of a leading anthropologist, Fei Xiaotong (1989), who coined the phrase '*duoyuan yiti*', stressing the dialectical notion of 'diversity in unity' as it has emerged in China's long history of multiple nationalities. Further, if we compare the initial law on Nationalities Autonomy of 1984 with the revised version of 2001, we find that autonomy at all levels has not been reduced but enhanced – economically, culturally, and politically (National People's Congress 1984; 2001; see also State Council Information Office of the PRC 2005). At the same time, the revised law stresses even more that the borders of the country are inviolable.

³² Many Chinese scholars also see rule of law as integral to the other major components of China's reform process, such as modernisation, *xiaokang* society, harmonious society, planned and market economies, and so on. The most comprehensive history of the development of rule of law in China is by Zhang Wenxian

Let us begin with a small but significant amendment to the Chinese Constitution. On the 11th of March, 2018, at the thirteenth National People's Congress, a specific phrase in the preamble to the Constitution was amended: 'improve the socialist legal system [*fazhi*]' became 'improve the socialist rule of law [*fazhi*]'. The change was only in the final character of the phrase, from 制 to 治 – although they have exactly the same pronunciation: *zhì*. The amendment may seem simple enough, but there was a long history – with intricate legal debate – of development to get to this point.³³

Legal System and Rule of Law

Three parallel debates influenced the change from 'legal system' to 'rule of law', the first of which concerned these two terms. Some background: 'legal system' is an ancient term in China, while 'rule of law' – in its modern sense – is a relatively recent term, appropriated from Western liberal discourse and sinified. In more detail, 'legal system' appears already in the *Yueling* chapter of the *Book of Rites*: 'restore the legal system [*xiu fazhi*]'.³⁴ Further, 'legal system' appears with two overlapping senses: a static meaning with reference to the existing laws and regulations of a country; a dynamic sense, which includes formulating legislation, revision, enforcement and supervision – all of which comprise components of the overall legal system.³⁵ In this light, 'legal system' seems like a neutral term, designating the reality that every country has a legal system, in both static and dynamic dimensions.

By contrast, 'rule of law' in its modern sense is not attested in the Chinese tradition,³⁶ and Chinese scholars acknowledge the influence of the Western liberal tradition in spurring the development of a distinct Chinese approach.³⁷ Further, the Reform and Opening-Up, with its myriad economic and social transformations, has

(2018).

33 For useful surveys, with copious references, of developments in Chinese jurisprudence since the beginning of the Reform and Opening-Up, see Liu, Li and Feng (2008), and Chen and Li (2018). One of the few English works that at least attempts to understand rule of law on Chinese terms is by Peerenboom (2002), although the work is notable for its complete misunderstanding of the central role of Marxism.

34 The Chinese text may be found at ctext.org/liji/yue-ling. For further examples, see He and Qi (2018, 7).

35 The *Cihai* (2009, 560) distinguishes three senses of 'legal system': the widest, which incorporates all the laws (written and unwritten) of a state and its various political, economic and cultural components; a medium sense, which incorporates legal system and legal order; and the narrowest, the legal system itself (*falü zhidu*). The narrowest is the most common usage.

36 The term itself appears in the Chinese tradition, but with the combined sense of 'law-and-governance'. A good example is the *Huainanzi* (compiled in the second century BCE), in the *Fanlun* chapter: 'If you understand from whence law-and-governance [法治] arise, then you can respond to the times and alter. If you do not understand the origin of law-and-governance [法治], even if you accord with antiquity, you will end up in disorder' (Liu An 2010, 611). The Chinese text may be found at ctext.org/huainanzi/fan-lun-xun. For further examples, see He and Qi (2018, 8).

generated the need for a robust rule of law to ensure the smooth working of the socialist market economy (Li Lin 2011, 75–77; Gong 2015, 36–39). However, Chinese scholars are very clear that the concept of ‘rule of law’ should not be appropriated in its liberal and capitalist sense, since this would be an ill fit indeed in China’s socialist system (Yao and Huang 2012, 11–13; Fu and Zhu 2015, 23–24, 27–28; Zhang Wenxian 2017b, 11). Instead, ‘rule of law’ needs to be sinified in two related ways. The first is China’s long legal tradition, specifically in terms of the intersections between the Legalist and Confucian traditions (see more below). The second type of sinification involves the Marxist tradition. This is where the full term ‘socialist rule of law [*shehuizhuyi fazhi*]’ comes into play, which entails not only in-depth research on Marxist jurisprudence all the way from the classics of the Marxist tradition to the implications of the sinification of Marxism in light of China’s concrete conditions and the Reform and Opening-Up, but also the insistence that a rule of law developed in China should arise from and undergird its socialist system (Fu and Zhu 2015, 19–21; Chen and Li 2018, 73).³⁸

In light of this brief exposition, it remains unclear why there was a distinct shift in the constitutional amendment of 2018, from ‘legal system’ to ‘rule of law’. On initial appearances, there appears to be little conflict between the two terms. ‘Legal system’ is ancient, with static and dynamic senses, while ‘rule of law’ is more recent, undergoing a full sinification in terms of Chinese Marxism. Why then make the shift? In the 1990s, there was considerable debate over the two terms, with positions taken falling into three main types (Sun Shoujuan 2006, 43–44). The first was that ‘legal system’ and ‘rule of law’ are identical, with the same basic sense of following or working according to the law. The second position was that the two terms are related but distinct: assuming that ‘legal system [*fazhi*]’ is an abbreviation of ‘a system of laws [*falü zhidu*]’, scholars argued that a legal system concerns the reality of an overall system with its components, such as constitution, laws, judiciary, enforcement, and legal profession, while rule of law concerns the underlying principles of the legal system, such as the supreme authority of law, justice, stability, universality, openness and equality of law, checks on political power and protection of human rights. It follows that while all countries have a legal system, they do not necessarily have the rule of law. The third position was that the two terms are dissimilar. In contrast to a legal system, rule of law entails that governance, society, economy, and ecology are all subject to the law, and that a country cannot develop a democratic system – of whatever type – without a rule of law in which everyone is equal.

³⁷ He Qinhu (2011; 2015, 34–36), a leading legal scholar, has particularly emphasised this aspect, albeit always with a need to ‘localise’ such an influence in light of Chinese conditions.

³⁸ For a detailed overview of scholarship on this emphasis, see Yao and Huang (2012, 5–9).

The outcome of these debates was a combination of the second and third positions: legal system and rule of law are different, in the sense that they concern distinct realms of meaning, but they relate to one another precisely through such a demarcation: rule of law provides the principled framework for the functioning of a concrete legal system (Liu and Li 1998).

Rule of Law and Rule of Virtue

This debate was by no means the end of the matter, for the distinctly sinified version of ‘rule of law’ was influenced by the Chinese tradition. Earlier, I mentioned that the term itself – in its modern sense – does not appear in the tradition. But Chinese scholars have been wary of simply appropriating the Western sense of the term, since that sense is a superstructural feature of a capitalist system.

On this matter, we need to go back to the intersections between Legalism (*fajia*) and Confucianism (*ruxue*). It is not my task here to delve into the vast complexities of these two lines of jurisprudence,³⁹ since my purpose is to draw out a dialectical point. Thus, He Qinhua (2015, 36–38) identifies two lines or emphases. The loose collection of pre-Qin legal scholars who later became known as the Legalists emphasised that governance should work ‘according to law as the basis [*yifaweiben*]’ and that all, from highest to lowest, should follow the law. This approach, however, was predicated on the assumption that ‘human nature is evil [*xing’elun*]’ and thus required strong punishments and appropriate rewards for the sake of social order. The Legalists are often maligned as instigating harsh punishments, and the adoption of Legalism by the initial dynasty that unified China – the Qin Dynasty – is often given as a reason for its relative brevity (221-206 BCE). The sheer harshness of the laws soon led to revolt and overthrowing of the dynasty. At the same time, scholars are keen to point out that whenever a government has needed to root out corruption and ensure stability for the sake of economic and social improvement, it has resorted to the Legalist tradition.

The other emphasis is Confucian, which sought ‘both hands [*liangshou*]’ of legal sanction and virtue, albeit with a distinct emphasis on the latter: benevolence, righteousness, ritual (propriety), wisdom and faithfulness (*renyilizhixin*) are the five key virtues, which would ensure stability and harmony – and indeed a concern with the common people’s livelihood (so Mencius). As the *Analects* (1993, 2.3) put it: ‘If the people are guided by law, and kept in order by punishment, they may try to avoid crime, but have no sense of shame. If they are guided by virtue, and kept in order by the rules of propriety,

³⁹ For an excellent overview in English, see Zhang Jinfan (2013), while one may also consult in Chinese the works of He Qinhua (2017; 2018).

they will have a sense of shame, and moreover will come to be good'. In short, the Confucian emphasis is both 'rule of virtue [*dezhi*]' and 'rule of propriety [*lizhi*]'. As we will see in a moment, there is a danger within this Confucian emphasis that virtue, as embodied in the ruler, would mean diminution of law. Indeed, it was precisely this risk that led to an explicit dialectical connection between law and virtue through the work of Dong Zhongshu (179-104 BCE), who was instrumental in establishing Confucianism as the state system for the Han Dynasty (202 BCE – 220 CE). He did so by drawing on the Daoist tradition of yin-yang: the two lines are inescapably connected in governance, in which the positive yang is virtue and the negative yin is punishment. The two are intimately related: while 'virtue is more vital than punishment [*rende bu renxing*]', it would be vain to imagine that one can do without the sanction of law.

In light of this tradition, there are those in recent debates who have argued that rule of virtue is a feature of feudal and patriarchal society and is thus not appropriate for modern China (Sun Li 2002; Sun Shoujuan 2006). Theirs was not the view by the majority of scholars, who argue not that the rule of law embodies the Legalist emphasis and that rule of virtue is a Confucian addition, but that in a Chinese context the modern sense of rule of law itself includes both law and virtue.

Rule of Law versus Rule of a Person

Yet, it was not the law-virtue debate that was the primary trigger for the 2018 constitutional amendment from 'legal system' to 'rule of law'. The key was a third debate – usually interwoven with the preceding two debates – concerning the rule of law and rule of a person (*renzhi*). This opposition was the main impetus for emphasising the rule of law, for specific historical reasons in relation to the Cultural Revolution. Chinese scholars generally agree that the initial foundations for China's modern 'legal revolution' go back to Liberation in 1949 (Gong 2015, 30–32; Zhang Wenxian 2017b, 6–7).⁴⁰ However, the deviation of the Cultural Revolution disrupted this process, with Mao Zedong raised to a whole new level as the leader who would keep matters on the correct path.⁴¹ The twist is that during the Cultural Revolution Mao unwittingly embodied a tendency in Confucianism to emphasise the virtuous ruler – the risk of pushing virtue too far. As the *Zhongyong* section of the *Book of Rites* puts it 'governance depends on a human being [*weizheng zairen*]'; indeed, 'if a person exists, the government will flourish; if a person dies,

⁴⁰ Article 17 of the 'Common Program' (1949) reads: 'Abolish all laws, decrees and judicial systems of the reactionary Guomindang government that oppress the people, enact laws and decrees to protect the people and establish the people's judicial system [*sifa zhidu*]'.
⁴¹ For a detailed account of struggles leading up the Cultural Revolution, in which 'rule of a person' gradually came to the forefront, see Hao Tiechuan (2015).

the government will cease'.⁴² This emphasis came to be known as 'a person of virtue rules the country [*xianren zhiguo*]'. In short, left to its own devices the emphasis on virtue can lead to the 'rule of a person', which may produce 'evil fruit [*eguo*]' (He and Qi 2018, 14).⁴³ It is this historical background that Deng Xiaoping (1986a, 177; 1986b, 179) had in mind when he observed: 'through the reform, we intend to straighten out the relationship between the rule of law [*fazhi*] and the rule of a person [*renzhi*]'.⁴⁴

But I have leapt ahead in the narrative, for Deng's usage of 'rule of law [*fazhi*]' appeared in 1986, in the midst of a significant debate. Back in 1978, he did not use such terminology, finding that reforming and strengthening the 'socialist legal system' was sufficient.⁴⁵ However, 'legal system' would soon prove to be insufficient in light of a debate that turned on the question of rule of law and rule of a person.⁴⁶ In this debate, which ran from 1978 to 1997, three main positions were argued (Chen and Li 2018, 67–68; Liu, Li, and Feng 2008, 15). First, laws are made and carried out by human beings, which in a Marxist framework entails the proletariat, Communist Party and people. Thus, all a socialist country needs is a legal system developed by human beings; it does not need rule of law. Second, the opposition between 'rule of law' and 'rule of a person' is a false one, for a country requires both. Third, the rule of law is clearly superior to the rule of a person. Thus, the rule of a person risks emphasising that it matters not whether the law is good or bad, but rather that the ruler is wise and virtuous. By contrast, the rule of law is inseparable from socialist democracy: democracy is the basis of rule of law and rule of law is the guarantee of socialist democracy.

42 The Chinese text may be found at cetxt.org/liji/zhong-yong.

43 Note also Deng Xiaoping's observation (1989b, 325; 1989a, 314–15) as he was planning retirement: 'I have never believed in exaggerating the role of any one individual, because that is dangerous and makes it difficult for others to carry on. The stability of a country and a party cannot be based merely on the prestige of one or two persons. That tends to create problems'.

44 See also Xi Jinping's (2015, 12) observation: 'The rule of law and the rule of a person is a basic problem in the history of human political civilisation, and also a major problem that all countries must face and solve in the process of modernisation. Looking at the modern history of the world, no country that has successfully realised modernisation has failed to solve the problems of the rule of law and the rule of a person. On the contrary, although some countries achieved rapid development for a time, they did not reach the threshold of modernisation smoothly, but fell into one or another "trap," resulting in stagnation or even retrogression in economic and social development. The latter situation is largely related to the lack of rule of law'.

45 For example, in the key document from the Third Plenary of the CPC's Eleventh Central Committee we find 'turn the socialist legal system into a powerful instrument for protecting the rights of the people' (CPC Central Committee 1981, 17).

46 A trigger for this debate was Deng's observation (1978b, 146; 1978a, 156): 'Democracy has to be institutionalised and written into law, so as to make sure that institutions and laws do not change whenever the leadership [*lingdaoren*] changes, or whenever the leaders change their views or shift the focus of their attention'

The third position came to be accepted by the end of the 1990s, but a question remains: what happened to ‘legal system’? It came to be seen as inadequate on its own. As mentioned earlier, it was agreed that every country may have a legal system, but not every country has a rule of law. Indeed, a legal system could be used by a few, or even one person, to advance their own agenda. ‘Legal system’ left to its own devices risks becoming ‘rule by law’ – a common translation of the term *fazhi* – in which the legal system becomes an instrument deployed in the rule of a person. This is not to say that a ‘legal system’ should be abandoned, but it needs a rule of law to prevent its deployment under rule by a person (He and Qi 2018, 11). Thus, the legal system requires rule of law to enable its improvement; at the same time, rule of law is meaningless without a legal system in which rule of law can be embodied. In other words, the legal system is the basis of the rule of law, but rule of law constitutes the goal and value of the legal system.

Governing the Country According to Law

Finally, we come to the practical implications of all this legal debate, which are embodied in the phrase ‘law-based governance’, or – better – ‘governing the country according to law [*yifazhiguo*]’. This phrase indicates the connection between theory and practice: the development of the theory of rule of law is inescapably related to the practice of governing the country according to law. The key moment came in Jiang Zemin’s (1997a, 28; 1997b, 29) report to the CPC’s Fifteenth National Congress: here he spoke for the first time of ‘governing the country according to law’ and building a – literally – ‘socialist rule of law country [*shehuizhuyi fazhi guojia*]’ – a phrase that was incorporated into the constitutional amendments of 1999. Over the next couple of decades, we find Hu Jintao (2012, 18) speaking of ‘the rule of law’ as the ‘fundamental way of ruling the country’, the Central Committee issuing a major statement on promoting the rule of law as one of the ‘four comprehensives [*si ge quanmian*]’ (2014),⁴⁷ and the constitutional amendment of 2018, which laid the foundation for a whole new stage of development.

This is all very well, but I have not yet addressed how it is a Marxist or socialist rule of law. On this matter, the leading Chinese legal scholars are keen to offer their perspectives,⁴⁸ so let me draw from their work the following key points. First, rule of law

47 The other three ‘comprehensives’ are building a *xiaokang* society, deepening reform, and strict Party discipline (Wang Yujue 2015). As Xi Jinping’s observations (2014b, 2–3) make clear, the decision by the Eighteenth Central Committee was based on extensive consultations and soliciting of opinions and proposals – as one would expect in terms of consultative democracy.

48 In drawing up the following points, I have consulted a number of leading scholars (Sun and Huang 1998; Li Lin 2011, 2015; Fu and Zhu 2015; Ma Yide 2015; Zhang Wenxian 2017a; 2017b; Chen and Li 2018; Hu Jianmiao 2018; Liu Shaojun 2018). See also the important decision on from the Fourth Plenary of the CPC’s 18th Central Committee (2014), along with Xi Jinping’s observations (2014b) on the decision.

ensures and promotes the people as masters of the country. This entails both rights before the law – understood in terms of the Chinese Marxist approach to human rights – and responsibilities, such as ensuring social fairness and justice, and promoting common prosperity. It also includes a transparent and well-administered legal system subject to high standards. Second, rule of law means equality before the law. It applies uniformly and strictly to everyone, from the Central Committee to the common person working hard for the advancement of China. As Xi Jinping (2017a, 16; 2017b, 35) points out in his major speech at the CPC’s Nineteenth Congress: ‘We must promote the rule of law and work to ensure sound lawmaking, strict law enforcement, impartial administration of justice, and the observance of law by everyone’.⁴⁹ Third, rule of law ensures not merely that every component of the socialist democratic system works, but also that electoral and consultative democracy (including grassroots democracy) have a substantive – rather than merely formal – influence on decisions. Fourth, rule of law functions as the most comprehensive level of checks on and supervision of the exercise of power CPC, but also of the NPC and CPPCC, so as to ensure transparency and institutionalised processes. Fifth, rule of law must include the rule of virtue.⁵⁰ Let us recall the earlier observations on the Chinese tradition and quote Xi Jinping (2014f, 141; 2014a, 170): ‘law is written morality [*daode*], while morality is inner [*neixin*] law. We should persist in combining the rule of law with the rule of virtue” – or, as the Chinese text puts it, ‘ruling the country according to law [*yifazhiguo*] and ruling the country according to virtue [*yidezhi*gou]’.⁵¹ Sixth, rule of law is forward-looking and dynamic. Not only does it release social vitality, maintain social fairness and justice, and promote social harmony and stability, but it is part and parcel of the whole process of socialist modernisation and Chinese rejuvenation. Finally, and most importantly, rule of law relies on and ensures the leadership of the CPC, which includes comprehensive legal structures within the Party.

Communist Party

It is precisely the leadership of the Communist Party as an inescapable feature of socialist democracy that provides one of the sharpest differences from capitalist democracy. ‘Democratic centralism’ is the shorthand for this reality, so what follows seeks to describe how it is practised. The next chapter will deal with the theory of democratic centralism.

49 We are by now far from any Western-derived notion of an ‘authoritarian regime’ using rule of law to further its agenda (Wang Yuhua 2014).

50 For significant debates concerning this pairing in a modern context, see Liu, Li and Feng (2008, 16–17).

51 The combination of rule of law and rule of virtue in the current context was initially made by Jiang Zemin (2000, 91). He came to deploy the combination on many occasions afterwards.

The CPC's leadership is predicated on the fact that it represents the vast majority of the people, initially rural and urban workers and now also the middle-income group that has arisen as a result of the thorough poverty alleviation program. But this basis is simply a beginning. To go further, Chinese scholars distinguish between founding and ruling.⁵² The initial reference is historical, in the sense that the foundation of the New China was impossible without the CPC, but also that Communist Party has become responsible for the construction of socialism and thus ruling the country. The technical Marxist term for the latter is the dictatorship of the proletariat and peasantry.

More substantially, the distinction between founding and ruling relates to the CPC's legitimacy: the CPC's core role in founding the New China provides it with historical legitimacy, while the shift to governing the country entails practical legitimacy.⁵³ Of course, any political system and indeed any political party requires legitimacy to function, let alone to rule. In this respect, the CPC is no different. But the question of legitimacy is raised to another level by the fact that the very definition of socialist democracy requires the Communist Party in question to be the ruling party. Two questions are relevant: how does a Communist Party enable the transition from historical to practical legitimacy? And how does practical legitimacy work? In answering these questions, I need to follow the sequential dictates of writing, but it should be remembered that they are closely entwined in the whole process. The transition from historical to practical legitimacy relies on the legitimacy generated by the inherent communist practice of consultation and the mass line. Initially, this consultative legitimacy provided the groundwork for Liberation and establishing the New China, but it also provided the necessary background for the transition to the practical legitimacy of ruling.

In regard to practical legitimacy, can the Communist Party simply enact its decisions and simultaneously maintain legitimacy among the people? Obviously, the answer is no.⁵⁴ Instead, the CPC's 'will is sublimated into that of the state through the state's organs of power by virtue of a specific logic and the systemic structure directed thereby' (Ma Yide 2015, 15; see also Guo 2009, 6). In other words, any proposal or decision by the CPC does not automatically and directly become law: it must go through a complete statutory procedure in order to become a decision of the state as such, finalised by the NPC. Thus, the CPC's leadership is indirect rather than direct. A shorthand for this statutory procedure is 'ruling the country according to law', but it actually includes all of

⁵² The following draws from two insightful and very useful articles by Ma Yide (2015; 2017).

⁵³ We may see this distinction in the preamble to the Constitution, with historical legitimacy emphasised in the first four paragraphs, and practical legitimacy in the tenth paragraph.

⁵⁴ At this point, Western observers abysmally fail to understand: deploying a Western bourgeois framework, they assume that the Communist Party arbitrarily imposes its will and therefore has no legitimacy.

the components of the socialist democratic system – electoral, consultative, and grassroots democracy, minority nationalities policy, rule of law, and human rights (see Chapter 8).

I have summarised some complex and detailed arguments, but the summary should show how the Communist Party's leadership is integrally connected with all of the features of China's socialist democratic system. Let me quote Ma Yide's insightful summary of the basic logic of China's system of governance:

First, the Party's leadership is political leadership, and the Party's views are a combination of historical and practical legitimacy based on multi-party cooperation and political consultation. Second, the Party's views, which have solid legitimacy, are transformed into the will of the state through people's congresses, and the concrete expression of the will of the state is democratic legislation. During this process, the people re-examine and substantiate the Party's views through the system of people's congresses. Third, as the legal procedure for transforming the will of the Party, democratic legislation constitutes the basis for governing the country according to law, and is the governance basis for the direct links between the modern state and citizens. Fourth, the leadership of the Party should advance with the times through consultations between the Party and the masses and social consultation, thereby entering the logical chain of direct governance consisting of legitimization of the Party's views and their transformation into the will of the state and thence into the rule of law, thus successfully coordinating state governance and social development (Ma Yide 2017, 31).

All of this leads to a dialectical point: it is precisely by means of the robust exercise of governance through socialist democracy that the CPC's leadership is strengthened, not weakened. Conversely, it is only through the Party's leadership that the institutions of socialist democracy are strengthened (Jiang Zemin 1996b, 112–13; 1996a, 107). Further, it is because of the CPC's founding and systemic role in socialist democracy that supervision, transparency, clean governance, and legitimacy are enhanced exponentially – far more than in capitalist democracy. Thus, inner-Party democracy must be even more rigorously practised by all members so that all views are aired and rigorous criticism exercised so as to ensure mistakes are not made, or, if they are made, they are corrected. Indeed, the CPC's inner-Party democracy functions as a vanguard for democratic practices in the country as a whole (CPC Central Committee 2009, 4; Ren Zhongping 2011, 20–22). That the CPC has not always lived up to this high calling is obvious. We may mention the 'Cultural Revolution' and its 'rule of a person', or the entrenched corruption that became evident during the 'wild 90s' and persisted for a decade later. To recall a distinction I mentioned in the chapter on the Reform and Opening-Up: these phases were not manifestations of a systemic problem, but incidental or cyclical. The fact that the excesses of the 'Cultural Revolution' could be corrected, and that the gap between Party and people that led to the problem of corruption has been addressed in the most-consistent anti-corruption

campaign since Mao Zedong, indicates a democratic self-correcting process that lives up to the high calling of 'governing the country according to law'. That the CPC's esteem is higher than it has been for a long time – as witnessed in one international survey after another – is clear testament to this reality (Yang Weimin 2017, 20).

It should be no surprise that a constituent feature of speeches and texts by CPC leaders typically conclude with a section dealing with improving the Party's functioning, mass line, unity and representativeness. This feature was already found in the Soviet Union, where it became part of the genre, so to speak. They may, depending on the circumstances, focus on improving inner-party democracy, dealing with excess and corruption, promoting clean living and hard work, or on Party unity (Xiao and Yu 2012, 18). Is all this merely window-dressing, a ritual invocation due to the tradition? At times this may have been the case, but they also require a leader who can 'thump the table', as they used to say of Deng Xiaoping, and who can ensure that the measures are enacted through systemic, law-based procedures. Ultimately, the point is that a Communist Party simply cannot continue to lead without a robust democratic system – democratic centralism.

Conclusion

People's democracy is the life of socialism. Without democracy, there can be no socialism, no socialist modernisation, and no great rejuvenation of the Chinese nation (Xi 2014e, 5).

By now it should be obvious that the 'unitary multinational People's Republic of China cannot be judged by the Western pattern of national states' (Jiang Liu 2011, 83). In the preceding material, I have described the background and practice of all but one of the components of China's socialist democratic system, beginning with electoral democracy, running through consultative and grassroots democracy, minority nationality policies, and ending with rule of law and democratic leadership by CPC. Given its importance in international debates, I have left the treatment of the Chinese Marxist approach to human rights – which is another crucial component of its democratic system – to another chapter.

By way of conclusion, I would like to address three points. The first is to pick up a point made a few times concerning the constant emphasis on socialist democracy as a work in progress, especially since the construction of a normative democratic system based on Marxist political philosophy is a massive project (Ren and Wang 2010, 108). Although there is a clear recognition that forms of the state in China predate those found in most other parts of the world, the development of socialist governance and democracy began in the mid-twentieth century from a distinctly 'backward' condition. Of course, this condition is inescapably connected with China's economic condition, which made it one

of the poorest countries in the world in 1949. Given the extraordinary development since that time, especially with the Reform and Opening-Up, it follows that forms of governance also need to develop according to the times, albeit in a way that ensures stability rather than chaos (Wei 2016, 68). Thus, socialist democracy is not a given in China, is not a complete form, but is recognisably incomplete and needs constant development and deepening of reform (Li Shenming 2009, 282; Li Junru 2013; Liu and Yang 2013, 33–34; Wang and Wei 2017, 16–17). Many are the pilot and targeted projects, the adjustments and refinements; ‘Step by step [*zhubu*]’ is a favoured phrase, or ‘crossing the stream by feeling the stones [*moshitou guohe*]’.

Second, a Western-style competitive capitalist democracy would simply not work in China. This reality is not due to a supposedly stubborn refusal of the CPC to adopt a system that would lead to its own destruction, but because such a system would not suit China’s historical and socialist conditions (Lin Shangli 2009, 7–9; Fang and Zhou 2010, 14; Wang Chuanzhi 2010). This is a specifically Marxist point, in that political systems arise from their socio-economic base, and are determined by the overall system in place (Zhu Jiamu 2016, 26–27).⁵⁵ Thus, to impose a competitive superstructural political system on a socialist system that functions with non-antagonistic contradictions would be an ill fit indeed, leading to chaos and disorder (Lu, Zhang, and Sun 2009, 14–16; Xie 2009, 28; Jiang and Zhao 2010, 4; Hou 2015, 7–9). In fact, this competitive capitalist democracy, which arose in specific conditions during the expansion of capitalism in Europe, is increasingly emerging as a crude and ineffective form of the state (Zhonggong zhongyang xuanchuanbu lilun ju 2009, 9–10; Qiu 2010; Yang Weimin 2017, 16).

A third theme is the superiority of the socialist system, and thus of its democratic approach (Fang and Zhou 2010; Sun Cunliang 2010; Jin and Tao 2018; Xin 2019). As the 2013 decision on deepening reform puts it, conditions should be established to give full play to or ‘fully bring out the latent potentialities [*chongfen fahui*] of the superiority [*youyuexing*] of the socialist political system in China’ (CPC Central Committee 2003, 5; 2013, 17). I must admit that I have always been wary of such a claim, especially since it was also common in the Soviet Union and in Eastern Europe. The risk is that the claim will lead people to expect not merely an adequate life, with the basics of food, shelter, work, medical care, and education, but that life will in fact be better under a socialist system in comparison to all other systems. If this claim turns out not to be the case, the task of explanation becomes so much more difficult. However, in China they are bold enough to make precisely this claim, seeking to overcome the lingering connotation of ‘the West [*xifang*]’

⁵⁵ As Li Lin (2017, 7) puts it, China’s democratic system is a ‘superstructure deeply rooted in China’s economic, social, and cultural soil’.

as 'better', and the results are beginning to show in terms of increasing 'cultural confidence', of the sense that China's socialist democracy is in fact superior to the antagonistic chaos of Western capitalist democracy. Indeed, in a detailed and comparative study, Yan Weimin (2017) argues not merely that China's political system is superior, but that it may and actually is providing an alternative model for those – particularly in developing countries where they have had more than their fill of Western impositions – seeking a more stable, disciplined and efficient form of governance. It goes without saying that such a model is not hegemonic, but needs to be adapted in light of local characteristics.

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