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## Beneath the Red Curtain: Intentions and Motivations Behind an Authoritarian Regime's Move Toward Democracy

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# Beneath the Red Curtain:

Intentions and Motivations behind an Authoritarian  
Regime's Move toward Democracy

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## Introduction:

Although Mao Zedong stated that people's democracy was the surest way to maintain the Chinese Communist Party's popular base<sup>1</sup>, the idea of implementing elections at the village level was unheard of during the Mao era. The post-Mao era, however, has brought monumental changes in China's political, economic, and social structures. These changes have increased rural instability among China's peasants who consist of nearly 75% of China's total population.<sup>2</sup> Indeed some of the most profound changes and instructive lessons in China's contemporary history have come from the countryside.<sup>3</sup>

The latest reform in China's near one million villages has resulted from the implementation of the 1998 Organic Law for Local People's Congresses and Government. In a historically groundbreaking decision, the National People's Congress (NPC) of China approved the Organic Law, which allows villagers throughout China to elect their own village leadership every three years. The law embodies the idea of self-government in two ways: Villagers can now elect their own government and village government has a defined sphere of autonomous activity.<sup>4</sup> In addition, the Organic Law gives village committees significant responsibilities such as public welfare, dispute resolution, and communicating villagers' views to the township government.<sup>5</sup> The Organic Law also gives village government committees key economic responsibilities including the management and allocation of village lands and collective property, as well as the duty to support cooperative economic undertakings and village production, all matters of direct concern to the villagers.<sup>6</sup>

The literature addressing the Organic Law is insufficient because scholars have neglected to fully link China's economic reform period beginning in the 1970s, periods of massive rebellion and unrest, and the Party's attempt to mobilize the countryside through socialist education campaigns to political decentralization and the village election system. Although an extensive amount has been written about the Organic Law, a more detailed analysis of the central government's true intentions is needed

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<sup>1</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 133)

<sup>2</sup> Chen, Weixing. "Peasant Challenge in Post-Communist China". *Journal of Contemporary China*, No. 6 Vol. 14 1997, pp. 101-115. (Page 101)

<sup>3</sup> Pastor, Robert A. and Qingshan Tan. "The Meaning of China's Village Elections". *The China Quarterly*. No. 162 June 2000, pp. 490-512. (Page 512)

<sup>4</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*, no 37, Jan. 1997, pp. 63-86. (Page 64)

<sup>5</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2-5, 2001, pp. 106-132. (Page 108)

<sup>6</sup> Ibid.

in order to further understand the government's efforts to improve inconsistent enforcement measures and to standardize election procedures. In addition, further analysis aids in determining how the central government has responded to current implementation problems and rural issues in the future. Indeed the countryside is entering a very fragile and unpredictable period, as the Chinese agricultural sector will be severely weakened due to China's accession into the World Trade Organization.

Despite numerous implementation problems such as the absence of localized enforcement mechanisms and the lack of standardized election procedures, the Organic Law is a significant piece of legislation that promotes self-governance and democratic consciousness among China's rural masses. Elections are the most effective instrument for assuring China's stability whether the economy does well or poorly<sup>7</sup> by allowing the central government to devolve its authority to lower branches of government in the countryside. Elections are designed to increase mass support for the Party. In addition, elections represent a mechanism to produce leaders who can seize control and generate a better means for getting villagers to do what the state wants<sup>8</sup>, and grassroots democracy is understood to be fully compatible with strong state control.<sup>9</sup> In this context, the village self-government program is an effort to rejuvenate village leadership by cleaning out incompetent, corrupt, and high-handed cadres, all for the purpose of consolidating the current regime.<sup>10</sup>

Evidence suggests that the central government's primary aim behind its approval of the Organic Law was to shed itself of the risk and responsibility of directly addressing a problem that is far too out of control to solve, the Chinese countryside. The Chinese government's current efforts to implement necessary enforcement measures to strengthen the integrity and fairness of elections are weak. Rural China was a bomb waiting to explode during the debate over self-governance in the late 1990's. The situation in the Chinese countryside today is also extremely fragile and unpredictable. The Organic Law has allowed the central government to pass the responsibility of attending to the bomb along to someone else before it exploded on the front door step of the Great Hall of the People in Beijing.

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<sup>7</sup> Chen, Weixing, "Peasant Challenge in Post-Communist China". *Journal of Contemporary China*. No. 6 Vol. 14 1997, pp. 101-115. (Page 101)

<sup>8</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*. no 37, Jan. 1997, p. 63-86. (Page 70) and O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000. (Page 489)

<sup>9</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000. (Page 489)

## Literature Review:

Many scholars have contemplated the meaning of the Organic Law through qualitative and quantitative analysis. The existing literature regarding the Organic Law addresses two themes. One set of sources uses an institutionalist perspective by examining the National People's Congress and the Ministry of Civil Affairs' motives and actions to establish the village electoral system<sup>11</sup>. The other standing works examine the effects of the Organic Law by measuring the accountability of village officials under the election system and establishing an argument as to whether or not democracy, in some form or another, is founding the base for self-governance and the rule of law.<sup>12</sup>

Kevin O'Brien and Lianjiang Li describe village self-government as an effort to exchange limited democratic rights for popular compliance with unpopular state policies such as grain procurement, taxes, and birth control.<sup>13</sup> Similarly, Daniel Kelliher suggests that village elections are designed to improve the quality of village leadership and are regarded, even by their proponents, as a way to implicate villagers in the execution of unpopular state policies.<sup>14</sup> David Zweig comments on the process of decentralization and argues that an alliance between farmers and reformers pushed the process of developing the countryside forward toward decentralization.<sup>15</sup> He indicates that the alliance between farmers and reformers took place due to the farmers' desire to escape the institutional confines of collective poverty while loosing opportunity costs as the reformers sought to protect farmers as they experimented with decollectivization.<sup>16</sup> Barrington Moore states that when elites divide, causing a checks and balances system of sorts, the probability of democratic outcomes increase substantially.<sup>17</sup> Samuel Huntington further argues that divided elites move authoritarian regimes into a zone of expanded political choice.<sup>18</sup> This is indeed the case in China where officials from Beijing down to the smallest village remain split on the meaning of the village election system

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<sup>10</sup> Ibid.

<sup>11</sup> (Jacobs 1991; Shi, 1999; O'Brien 1998)

<sup>12</sup> (Tsai, 2000; Kelliher, 1997; Yang and Su 2000; Li and O'Brien 1996, 1998; Horsely 2000; Kennedy 2000; Li 2000; Ogden 2000; Zweig and Chung 2000; Gadsen 2000)

<sup>13</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 130)

<sup>14</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*, no 37, Jan. 1997, pp. 63-86 and O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 130)

<sup>15</sup> Zweig, David. "Rural People, the Politicians, and Power". *The China Journal*, No. 38, July 1997. (Page 156)

<sup>16</sup> Ibid.

<sup>17</sup> Moore, Barrington. "Social Origins of Dictatorship and Democracy", 1966. Bunce, Valerie. "Comparative democratization: big and bounded generalizations". *Comparative Political Studies*, v. 33 no6/7, Aug./Sep. 2000, pp. 703-34.

<sup>18</sup> Huntington, Samuel. "The Third Wave", 1991. Bunce, Valerie. "Comparative democratization: big and bounded

on whether an election system should exist at all, which has allowed village governments and villagers to play a leading role in addressing local issues. In fact, Tianjin Shi's analysis of the role of the Ministry of Civil Affairs in passing the legislation and implementing village elections follows Moore's thesis as the Ministry of Civil Affairs gained influence and political freedom among national government organs.<sup>19</sup>

Valerie Bunce states that new democracies often exhibit a considerable gap between formal institutions, which meet democratic standards, and informal practices, which do not, and concludes that democracy cannot be fully realized without the rule of law.<sup>20</sup> Although, China may not be considered a new democracy it appears to be moving toward experimental democratic practices. Thus it is important to understand the central government's reasons for adopting the Organic Law and self-government to understand the extent unto which the CCP is pursuing the universal implementation of the Organic Law rather than just its legislative passage.

A few scholars have mentioned that elections are a form of an escape valve for the government allowing villagers to release their tensions.<sup>21</sup> Robert Pastor and Qingshan Tan state, "Fortunately, the best mechanism for dealing with both economic success and economic failure is the same: a free, competitive election. If such a mechanism does not exist when there is a downturn, however, the pressures for change might be so compelling that the only alternatives would be repression or violent revolution."<sup>22</sup> Pastor and Qingshan Tan suggest that the central government perceived rural China as a serious threat to its ability to stay in power. The central government's cautious attitude toward a threatening and unruly peasantry is certainly reflected in the Party's negotiations, passage, and implementation of the village election system.

Kelliher clarifies that self-government does not permit people to alter the state's demands; it only allows them to determine how to meet those demands.<sup>23</sup> By voting for the local government and

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generalizations". *Comparative Political Studies*, v. 33 no6/7, Aug./Sep. 2000, pp. 703-34.

<sup>19</sup> The MCA was allowed to pursue liberal reformist policies due debate within the CCP.

<sup>20</sup> Bunce, Valerie. "Comparative democratization: big and bounded generalizations". *Comparative Political Studies*, v. 33 no6/7, Aug./Sep. 2000, pp. 703-34.

<sup>21</sup> Pastor, Robert A. and Qingshan Tan. "The Meaning of China's Village Elections". *The China Quarterly*, No. 162 June 2000, pp. 490-512. (Page 512).

<sup>22</sup> Ibid.

<sup>23</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*, no 37, Jan. 1997, pp. 63-86. (Page 73)

therein creating it, villagers become enshared in the responsibility for the government's actions.<sup>24</sup> Thus blame is taken off the shoulders of the central government and put onto local government bodies. The decentralization process sheds all direct developmental responsibilities from the central government to local government bodies; making elected local officials fully accountable. Before the Organic Law the CCP shared in the responsibility of minor local development schemes due to its sponsorship and participation in a system in which local cadres were appointed and in some cases imported from other areas.<sup>25</sup>

### **Research Design:**

A detailed analysis of the drafting process of the 1998 Organic Law preceding the implementation is necessary in order to determine the regime's motivations and intent. A number of catalysts initiating reform and debate such as fiscal decollectivization; the introduction of the household responsibility system (HRS) and the death of the commune system; increased rural unrest due to corruption, economic stagnation and a growing income gap; the decline of the Party's legitimacy; a poor human rights international reputation after 1989; and numerous failed socialist education campaigns reveals the intent of the National People's Congress for supporting the notion of self-governance after a twenty-year period and answers the basic question of why the notion of village self-governance ever emerged in an authoritarian state.

The role of the Ministry of Civil Affairs (MCA) in the drafting process is particularly interesting and deserves attention. Tianjian Shi believes the MCA was quite subversive and strategic when employing tactics and methods to go about gaining approval from political elites.<sup>26</sup> He suggests that the MCA's desire for grassroots democracy is far stronger than that of the central government.<sup>27</sup> The negotiation process also discloses how Peng Zhen, the vice chairman of the National People's Congress Standing Committee (NPCSC) and primary supporter of grassroots democracy through the

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<sup>24</sup> Ibid.

<sup>25</sup> Hei Tao Yuan, Yunnan (one of my case study villages) had a village director brought in from a completely different area of Yunnan by the CCP for a number of years until he was voted out of office during an election in 2000. The villager I spoke with said that the imported leader didn't really know how the village operated and was treated as an outsider. The villager attributed the appointed villager's defeat to his troublesome and talkative wife. Once relieved of his duties, the former cadre quietly removed himself from the village political scene.

<sup>26</sup> Tianjin Shi, "Village Committee Elections in China: Institutional Tactics for Democracy", *World Politics* 51 (April 1999), 385-412.

<sup>27</sup> Ibid.

formulation of villager's committees, gained necessary ideological support through advocating that the Organic Law would ensure political stability.<sup>28</sup>

After presenting the main events throughout the drafting process of the Organic Law, the regime's current efforts to strengthen the Organic Law and local governments are better understood. The central government's policies regarding township elections, financial support for local salaries, legal enforcement measures, Party-controlled local political infrastructure, neo-liberal marketization, and media control further suggest the regime's desire to drastically decrease its involvement and responsibility in the countryside through installing a village election system.

### **Institutional Responses to the Death of Maoist/Socialist Thought in the Countryside, the Threat of Rural Unrest, and Decollectivization:**

#### *- The transformation of the Chinese countryside*

The earliest purpose of the promotion of self-government was to address a decline in social order and a broader political crisis that became apparent as family farming under the household responsibility system (HRS) evolved and the brigades and production teams of the Mao era ceased to function.<sup>29</sup> In 1979 Deng Xiaoping stated that "we have practiced democracy enough, and our systems and institutions leave much to be desired"<sup>30</sup>. Just a year later Deng called for "practicing people's democracy to the full", particularly at the grassroots.<sup>31</sup> Pressures and radical change in the countryside are responsible for Deng's promotion of grassroots democracy. The dismantling of the rural communes and the birth of the HRS following the Cultural Revolution left a vacuum in political and community organization in China's vast and impoverished countryside below the township level, as well as a legacy of mistrust between farmers and Party cadres.<sup>32</sup> According to Bernstein, perceptions of threat helped HRS gain a foothold in the countryside.<sup>33</sup> The regime's efforts during this time (1978-1983) were unusually helpful to peasant interest due to the threat of unrest and its

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<sup>28</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 134)

<sup>29</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*, No. 162 June 2000, pp. 465-489. (Page 465)

<sup>30</sup> Ibid. (Page 467) Deng Xiaoping. *Selected Works 1975-1982*. Beijing: Foreign Languages Press, 1984, p. 183.

<sup>31</sup> Ibid. (Page 467) Hinton, Harold C. *The People's Republic of China 1979-1984*. Wilmington: Scholarly Resources, 1986, p. 108.

<sup>32</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2-5, 2001, pp. 106-132. (Page 107)

<sup>33</sup> Bernstein, Thomas P. "Farmer Discontent and Regime Responses". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. Policymakers moved from outright rejection of the HRS at the Third Plenum to at first highly restricted and ultimately full acceptance of the HRS, that is, of family contract farming, despite its earlier harsh repudiation as capitalist by Mao in 1962 (204). (Page 205)



responsiveness during this period was high as the regime allocated necessary new resources to the agricultural sector and came to support the abolition of the commune system.<sup>34</sup>

The simultaneous spread of the rural household contract responsibility system with wages linked to production output, first initiated by the peasants themselves, revitalized their desire for autonomy.<sup>35</sup> As the commune system fell apart, peasants slowly took control of their economic lives.<sup>36</sup> In early 1978, a few farmers in a village in Anhui province took an oath of mutual loyalty and divided the land among households in the villages.<sup>37</sup> The farmers were willing to risk a severe response from the CCP due to their destitute living conditions.<sup>38</sup> Villagers organized the first village committees in several places to manage communal properties and agricultural production by 1980. Horsely comments on the creation of village committees, "It made sense that the imperial system of relative village autonomy should be revived in some form to fill the political vacuum and help ensure stability in the countryside".<sup>39</sup> Party leaders endorsed the development, hoping that the committees would promote stability and economic prosperity by allowing villagers to choose leaders they trusted and making those leaders directly accountable to their constituents".<sup>40</sup>

The regime also hoped the village committees would aid in repairing the strained relationship between villagers and the state and the Party.<sup>41</sup> Originally village committees were freestanding and relatively autonomous non-governmental bodies that did not take part in the allocation of state resources such as land or quotas.<sup>42</sup> Rather typical undertakings included enacting codes of conduct banning gambling and theft, maintaining irrigation ditches, paving roads and repairing bridges, and mediating disputes.<sup>43</sup> At this point in time, village committees were not expected to help the

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<sup>34</sup> Ibid. (Page 199)

<sup>35</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2–5, 2001, pp. 106–132. (Page 107)

<sup>36</sup> Rural areas were the forerunners in the movement away from a strictly controlled public sector economy toward a more privately owned one beginning in the 80s. The upsurge in surplus labor, the proliferation of private markets, the switch to the household responsibility system, and the burgeoning of local industries created new sets of demands, expectations, skills, and relationships at the local level.

<sup>37</sup> Zweig, David. "Rural People, the Politicians, and Power". *The China Journal*. No. 38, July 1997. (Page 155)

<sup>38</sup> Ibid. (Page 155) Many farmers during this time period were faced with poverty, draught, and hunger.

<sup>39</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2–5, 2001, pp. 106–132. (Page 107)

<sup>40</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2–5, 2001, pp. 106–132. (Page 107)

<sup>41</sup> Ibid. (Page 107)

<sup>42</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465–489. (page 466)

<sup>43</sup> Ibid. (Page 466)

township enforce state policies as village committees are responsible to do so under the 1998 Organic Law today.<sup>44</sup>

The central government does not recognize that rural reforms were highly influenced by the threat of an unruly peasant class. However, the fact that HRS spread far more rapidly than did the loosening of official restrictions (village committees were not mentioned in the Constitution until 1982)<sup>45</sup>, indicates that strong peasant demand played a major role in the initial stages of decollectivization.<sup>46</sup> Government reports, on the other hand, focused less on peasant demand but rather on the efficacy of HRS in increasing grain output.<sup>47</sup> HRS became more acceptable among the elite because the output of grain and cotton continued to be planned and subject to state procurement. This was particularly important to leaders such as Chen Yun, who insisted that peasants not be permitted to adopt practices that “happen to be . . . in their interest” but were in conflict with the state plan.<sup>48</sup>

#### - *The birth of the first Organic Law*

Work began in September 1980 on drafting a new Constitution to document and legitimize the economic and limited political changes that China was undergoing.<sup>49</sup> By 1982 a revision of the Chinese Constitution was completed and mentioned a grass-roots organ called the “villager’s committee”, which would be elected by villagers to manage public affairs at the local level.<sup>50</sup> This change in village governance, however, only took place on paper. The new villagers’ committees barely had any autonomous functions and no elections were held.<sup>51</sup> Shortly afterward, legal drafters within the MCA defended the Constitution by calling for autonomy and the status of village committees to be elected mass organizations by 1983.<sup>52</sup> By 1984, the MCA, under the guidance of Peng Zhen, had drafted the first Organic Law. As the year 1984 came to a close 700,000 brigades had

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<sup>44</sup> Ibid. (Page 466)

<sup>45</sup> Horsely, Jamie P. “Villager Self-Governance and Rule of Law in China”. *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2 –5, 2001, pp. 106- 132. (Page 107)

<sup>46</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 205)

<sup>47</sup> Ibid. (Page 206) Reform leaders became convinced of the efficacy of household contracting as a generally applicable method for raising output, productivity, incomes, and diversification, thereby laying the foundation for all-round rural development (206).

<sup>48</sup> Ibid. (Page 206) Chen Yun, December 22, 1981 in *Sanzhong quanhui yilai*, vol. 2, pp. 1057-1058.

<sup>49</sup> Horsely, Jamie P. “Villager Self-Governance and Rule of Law in China”. *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2 –5, 2001, pp. 106- 132. (Page 107)

<sup>50</sup> Kelliher, David. “The Chinese Debate Over Village Self-Government”. *The China Journal*. no 37, Jan. 1997, pp. 63-86. (Page 64)

<sup>51</sup> Ibid. (Page 64)

<sup>52</sup> O’Brien, Kevin and Lianjiang Li. “Accommodating ‘Democracy’ in a One Party State: Introducing Village Elections in China”. *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 472)

been transformed into nearly 950,000 villager committees.<sup>53</sup> The transition was met with little opposition and was carried out quite easily because at this point in time it was little more than a change in the name from brigade to villager committee due to the absence of elections.<sup>54</sup>

Although the first Organic Law was drafted in 1984 it did not draw attention or debate until 1987. In fact the MCA revised the law forty times from 1984-1987.<sup>55</sup> The 1987 Organic Law stipulated that village committees were to be directly elected by villagers.<sup>56</sup> Prior to 1987, village committees were merely extensions of the township government and were not “mass autonomous organizations” as they were described in the law.<sup>57</sup>

Opposition to villager's self-government turned out to be unexpectedly strong when the MCA submitted the 13th draft of the Organic Law to the NPC in 1987. The fact that villagers no longer adopted Chinese socialist/Maoist thought and became more interested in individual progress after the failure and break-up of Mao's collective system fueled the opposition. A number of legislators rose to argue that the time was not “ripe” for a full-fledged law to be passed.<sup>58</sup> Many deputies said that Chinese villagers lacked the “democratic consciousness” to govern themselves and openly doubted whether township guidance of village committees would be enough to ensure state interests in the countryside.<sup>59</sup>

Opponents' concerns whether the time was “ripe” for village elections are certainly understood when one examines the situation in the countryside after 1984. During this period, a large amount of peasants complained that farming was not generating enough income. Grain output failed to reach the peak level attained in 1984 and rural per capita incomes, which had doubled between 1978 and 1984, largely stagnated in real terms during the remainder of the decade.<sup>60</sup> Local officials “emphasized industry and neglected agriculture” as industrial profits and taxes became the primary source of local

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<sup>53</sup> Ibid. (Page 472)

<sup>54</sup> Ibid. (Page 472)

<sup>55</sup> Ogden, Suzanne. “May the Best Villager Win!”. *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2 –5, 2001, pp. 167-178. (Page 169)

<sup>56</sup> Oi, Jean C and Scott Rozelle. “Elections and Power: The Locus of Decision-Making in Chinese Villages”. *The China Quarterly*. No. 162 June 2000, pp. 513-539. (Page 522)

<sup>57</sup> O'Brien, Kevin and Lianjiang Li. “Accommodating ‘Democracy’ in a One Party State: Introducing Village Elections in China”. *The China Quarterly*. No. 162 June 2000, pp. 465-489. (470)

<sup>58</sup> Ibid. (Page 475)

<sup>59</sup> Ibid. (Page 472)

<sup>60</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 208)

prosperity.<sup>61</sup> As a result, the proportion of all local state spending devoted to agriculture reportedly decreased from about 6 percent in the 1981-1985 period to .8 percent by 1994.<sup>62</sup>

In response, the government tied the supply of low-priced inputs such as diesel oil and chemical fertilizer to the amount of grain sales to the state in order to raise incentives.<sup>63</sup> The system was certainly far from perfect. Local officials found it easy to make money by selling the inputs on the free market, which put farmers at a severe disadvantage.<sup>64</sup> Cadres also diverted state procurement funds toward profitable investment, usually in township-village enterprises (TVE's).<sup>65</sup> Since villages and townships without TVE's had no sources of funding other than farm households, these fiscal burdens took a disproportionate toll in agriculture-dependent villages.<sup>66</sup>

Enforcing these policies and practices required local officials to resort to extensive coercive and threatening measures. Local governments issued large-scale IOU's to farm households beginning in 1988 as a result of the aforementioned policies.<sup>67</sup> This practice created a tremendous amount of anger and protest in rural areas and more importantly made the peasant class aware of its exploitative relationship with the state. Adversely affected farm incomes due to unpredictable variable fees, fines, and apportionments exacted by local and higher-level authorities only added fuel to the fire.<sup>68</sup> Eventually the central government turned its attention toward the countryside in 1993 due to a wave of rural disturbances and adopted the Law of Agriculture.<sup>69</sup>

Realizing the volatile situation in the countryside those opposed to the MCA's draft of the Organic Law feared that villagers would elect members to the village committees that would not respond to state interests, resulting in a loss of state control in the countryside. Opponents argued that elected village committee members might be inclined to take their orders from villagers rather than the state, which would interfere with the state's enforcement of its three unpopular state policies: tax collection, grain procurement, and birth control.<sup>70</sup> This would ultimately erode the township's ability

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<sup>61</sup> Ibid. (Page 208) Once villages had become rich from industrialization, however, they were in a position to subsidize agriculture, including the incomes of households still dependent on farming.

<sup>62</sup> Ibid. (Page 208) NMRB, May 15, 1996, FBIS, no. 147, July 30, 1996, p.39.

<sup>63</sup> Ibid. (Page 209)

<sup>64</sup> Ibid. (Page 209)

<sup>65</sup> Ibid. (Page 209)

<sup>66</sup> Ibid. (Page 209)

<sup>67</sup> Ibid. (Page 209)

<sup>68</sup> Ibid. (Page 209)

<sup>69</sup> Ibid. (Page 209)

<sup>70</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections

to enforce state policies.<sup>71</sup> In fact, most opponents recommended that the 1987 draft be revised; some, echoing the anxiety of detractors outside the legislature, went so far as to advise that the Constitution be amended so that village committees were converted into government organs led by appointed directors.<sup>72</sup> Several deputies argued that cadres who followed the instructions from the township government would be defeated in an election.

Those advocating for direct elections agreed that township leaders had to execute policies that villagers did not understand and fully accept. They stressed, however, that this did not justify resorting to tactics such as threats of coercion. According to self-government advocates, even the least popular measures could be implemented through persuasion and the mass line. They argued that elected village committee members would be more inclined to enforce unpopular state policies than township appointed village leaders.<sup>73</sup> Supporters ensured NPC deputies that villagers would not turn self-government into anarchy. One MCA official who participated in the drafting the Organic Law commented "It would make the Party appear weak if we had to place this mass organization under Party branch leadership".<sup>74</sup>

Despite the MCA's support for experimental self-government at the village level, no mention was made about specific elections.<sup>75</sup> This is perhaps due to the fact that the MCA realized that the political climate of the period was not suitable for a debate about elections. On the other hand, little is known about the MCA's intent on implementing elections. The MCA recommended that the NPC approve the Organic Law in principle and authorize the Standing Committee to make further revisions before pronouncing the law.<sup>76</sup> Thus in November 1987 the Trial Organic Law was legalized. The 1987 Trial Organic Law passed despite large opposition due to Peng Zhen's support and the inability of appointed investigation teams from the Ministry of Personnel to reach a consensus on the performance of village political organizations. The fact that the MCA decided to make popular elections the heart of self-government in 1987 was, ironically, occasioned by a conservative attempt to kill of the reform.<sup>77</sup> In order to determine whether or not the Organic Law and the idea of self government should be essentially dismissed the NPC, the Central Organizational

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in China". *The China Quarterly*, No. 162 June 2000, pp. 465-489. (Page 470)

<sup>71</sup> Ibid. (Page 469)

<sup>72</sup> Ibid. (Page 472)

<sup>73</sup> Ibid. (Page 472)

<sup>74</sup> Ibid. (Page 472) O'Brien and Lianjiang Li Interviews, Beijing, September 1993

<sup>75</sup> Ibid. (Page 477)

<sup>76</sup> Ibid. (Page 473)

Department, the MCA and the Ministry of Personnel assembled a team of investigators to report on the performance on village political organizations.<sup>78</sup> The appointed investigation team was not able to reach a consensus thus resulting in the NPC's decision to instruct the MCA to prepare a second report of its own<sup>79</sup>. In fact, the NPC actually advised the MCA what should be done.

When Guangxi's report on village committees reached Beijing, Peng Zhen, then vice chairman of the National People's Congress Standing Committee praised the villager's committees as the perfect vehicle for practicing grassroots democracy.<sup>80</sup> As a result, Peng instructed the NPC and the MCA to send investigators to Guangxi to learn more about village committees. Peng's support encouraged experiments with village committees elsewhere as well.<sup>81</sup>

O'Brien and Lianjiang Li describe that Peng felt elections were not only compatible with Party rule; they were the right instruments for tightening the Party's grip in areas where its dominance was still uncertain.<sup>82</sup> Peng felt that elections would generate support for the Party's mission to strengthen socialist ideology while serving its state-building aspirations; thus "democracy" and government power could develop together.<sup>83</sup> Peng desired to boost China's democratic consciousness as his concern of worsening relations between cadres and farmers might cripple the Party's ability to rule.<sup>84</sup> He believed that village democracy was a matter of "life or death" for the Party and warned that rural rebellion was possible if self-government was put off.<sup>85</sup> Peng asked, "Who supervises rural cadres? Can we supervise them? No, not even if we had 48 hours a day."<sup>86</sup> Peng's comments were made at a time when concerns of worsening relations between cadres and farmers might cripple the Party's ability to rule.<sup>87</sup>

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<sup>77</sup> Ibid. (Page 477)

<sup>78</sup> Ibid. (Page 478)

<sup>79</sup> Ibid. (Page 478)

<sup>80</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 467)

<sup>81</sup> Ibid. (Page 467)

<sup>82</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 132)

<sup>83</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 469)

<sup>84</sup> Ibid. (Page 131)

<sup>85</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 474)

<sup>86</sup> Ibid (page 474)

<sup>87</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 131)

Peng originally stated that village committees would primarily be responsible for improving public welfare, popularizing policies and laws, mobilizing participation in state-sponsored activities, and reflecting opinions to grassroots officials.<sup>88</sup> Interestingly, Peng's commentary on the Organic Law was usually centered on how villagers' autonomy would improve public order by curbing gambling, preventing theft, and reforming idlers, and how it would enhance self-service by enabling cadres to extract sums required for paving roads, building schools, and maintaining irrigation systems until the law drew heated attention in the NPC in 1987.<sup>89</sup> In other words, Peng argued that the existence of elected village committees would regenerate a commitment to the state and overall social order. Only when NPC deputies insisted that self-rule would interfere with policy implementation and lead to rural unrest did Peng shift to arguing that village elections were precisely what were needed to reinvigorate grass-roots governance and ward off political stability.<sup>90</sup> He attempted to reason with the opposition by assuring that democratically elected village committees would not produce chaos because "the masses accept what is reasonable".<sup>91</sup>

#### - *The attempted murder and recovery of self-government*

Due to Peng's persistence and the mere fluke of the appointed investigation team's inability to establish a clear consensus on the village committee system, the execution of the Trial Organic Law was slated to begin in 1988. The law, however, was not fully implemented nationally once the democracy protests of 1989, the most famous taking place in Tiananmen Square in June, rocked the Party in Beijing.<sup>92</sup> For the first time, the debate on village self-government spilled into the Chinese press due to intensified criticism.<sup>93</sup> Following the suppression of the 1989 democracy protests, opponents of villagers' autonomy demanded that the law be scrapped, arguing that it was an example of the "bourgeois liberalization" condoned by fallen party general secretary Zhao Ziyang.<sup>94</sup> By late 1990, supporters of tighter Party control and other skeptics were extremely concerned with social

<sup>88</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 467)

<sup>89</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 134)

<sup>90</sup> *Ibid.* (Page 134)

<sup>91</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 474)

<sup>92</sup> Peasants earned merit from not participating in Tiananmen according to NMRB (Page 215) Bernstein, Thomas P. "Farmer Discontent and Regime Responses". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219.

<sup>93</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*. no 37, Jan. 1997, pp. 63-86. (Page 65)

<sup>94</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 132)

instability and remained unconvinced that villagers would vote for cadres who enforced unpopular state policies.<sup>95</sup>

Peng, knowing that his vision of self-government was in danger, successfully gained the support of influential leaders within the Party in late 1990, namely Vice Premier Bo Yibo and Song Ping (a member of the Politburo Standing Committee).<sup>96</sup> Both leaders realized that relations between cadres and villagers had worsened in many places as villagers became more aware of their exploitation and less dependent upon their village cadres after the communes were totally abolished in the mid-1980s.<sup>97</sup> Song Ping put the controversy over the Organic Law to a conclusion by the end of the year.

The Central Committee followed Song Ping's suit and decreed that each of China's counties should establish "demonstration villages" in areas that had "good working conditions" thereby seconding a 1989 MCA decision to focus on better-off communities where mass-cadre relations were presumably reasonably harmonious.<sup>98</sup> The implementation of "demonstration villages" was not entirely successful as the MCA encountered institutional difficulties from the Central Organizational Department (COD) at the local level. The COD was not sold on the idea of the Organic Law resulting in a considerable amount of local resistance from rural cadres due to the COD's control over rural cadres' promotion and performance evaluations.<sup>99</sup> Rural cadres were obviously more concerned with their own promotion rather than supporting efforts toward self-government. In fact, a notable number of officials who adopted village elections early had peaked in their careers and were not longer concerned with the COD's opinions.<sup>100</sup>

The implementation of "demonstration villages" was also impeded by the massive size of China. Rural infrastructures were and remain extremely weak, resulting in poor government communication and enforcement. MCA officials first worked with provinces closer to Beijing and gradually fanned out to other provinces. As a result, the provinces of Yunnan and Guangdong were two of the last

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<sup>95</sup> Ibid. (Page 133)

<sup>96</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 477)

<sup>97</sup> O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144. (Page 133)

<sup>98</sup> O'Brien, Kevin and Lianjiang Li. "Accommodating 'Democracy' in a One Party State: Introducing Village Elections in China". *The China Quarterly*. No. 162 June 2000, pp. 465-489. (Page 478)

<sup>99</sup> Ibid. (Page 478)

<sup>100</sup> Ibid. (Page 480)



provinces to jump on the bandwagon of popular village elections.<sup>101</sup> In fact, Yunnan did not begin holding elections until 2000 even though the Organic Law was implemented in 1998.<sup>102</sup> Throughout the difficult implementation process the central government learned of the increasing difficulty of converging the interests of such a wide and contrasting geographic area.

### **Motivations and events behind the 1998 Organic Law:**

Throughout the initial phases of the drafting process the central government feared rural instability. Those who supported the Organic Law argued that village elections would decrease the probability of rural unrest whereas opponents believed that village elections would only hinder the central government's ability to universally enforce its policies due to the removal of cadres who enforced unpopular state policies. The shift of socialist ideals in the countryside once the HRS was adopted certainly made decision-makers cautious and fueled the debate on self-government as they realized that the peasantry was no longer willing to be exploited and work for the good of the motherland. Although Peng was eventually successful in 1990, the MCA had extreme difficulty in implementing village elections in "demonstration villages". If the "demonstration villages" didn't turn out as well as expected then how and why did the NPC pass the Organic Law in 1998? What took place in order for the central government to finally join with the MCA and other reformers? These two questions must be answered in order to determine the true motivations behind the regime's decision to implement elections at the village level.

### **The Ministry of Civil Affairs:**

Throughout the drafting process supporters and opponents consistently cited the possibility of increased rural instability as a key reason for or against the Organic Law. Although Peng's active sponsorship was essential to launching reforms that would open up the system, national leaders had little influence over the implementation of the Organic Law.<sup>103</sup> By the time implementation began in 1990, the leading opponent of the reform, Zhao Ziyang<sup>104</sup>, had been purged, leaving most national

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<sup>101</sup> Yang, Dali L. and Fubing Su. "Local Elections, Governance, and Accountability". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2 –5, 2001, pp. 229-243. (Page 231)

<sup>102</sup> Ibid. (Page 231)

<sup>103</sup> Shi, Tianjian. "Village committee elections in China: institutionalist tactics for democracy". *World Politics*. v. 51 no.3, Apr. 1999, pp. 385-412. (Page 393)

<sup>104</sup> Ibid. Premier Zhao Ziyang stood with the conservatives on the issue of village election reform, fearing that such reform would make it impossible for township officials to enforce government policy. To cope with the changes in rural areas, he proposed establishing government offices in villages to fill the power vacuum created by dissolution of the people's communes. Many provincial leaders supported Zhao's proposals (392).

leaders indifferent.<sup>105</sup> The MCA was extremely influential in garnering support from elite decision-makers within the regime to adopt the Organic Law in the 1990's. The colleagues of Wang Zhenyao, the deputy director of the Department of Grassroots Administration in the MCA, claimed in an interview with Tianjin Shi in 1989 that an "incremental or Fabian approach" toward self-government would be the ideal model for China.<sup>106</sup> They argued that, "According to Huntington, the foot-in-the door approach for concealing aims, separating the reforms from each other, and pushing for only one change at a time" was the only way for the MCA to bring about any meaningful political reforms in China.<sup>107</sup> As a result, reformers in China did not advocate Western ideas such as liberty and democracy because they understood the constraints created by Chinese official ideology and realized that China was hostile to free expression and popular sovereignty.<sup>108</sup>

This particular claim suggests that the MCA's methods were tactically subversive as they aimed to undermine a political system through working from within the system. Tianjin Shi remarks, "Since institutions themselves are objects of contention in incremental reform, reformers can win political advantage by relying on time to transform structural parameters – that is, by waiting."<sup>109</sup> When the implementation process formally began after June 4, 1989, instability in the countryside was one of the regime's primary concerns. The MCA and reformers played on the central government's vulnerability and made suggestions that helped the regime resolve practical problems in the countryside.<sup>110</sup>

No coherent strategy or long-term planned existed during the late 1970s and 1980s; however, once the central government was opened, the reform process allowed each step taken by the MCA to appear to be a natural response to the unforeseen consequences of the initial reform.<sup>111</sup> With this strategy in mind, Wang Zhenyao stressed in his public speeches that introducing village elections in rural China would significantly reduce peasant dissatisfaction and head off local rebellions and argued that village elections was an application of socialist principles.<sup>112</sup> In study materials

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<sup>105</sup> Ibid (Page 393).

<sup>106</sup> Ibid. (Page 396)

<sup>107</sup> Ibid. (Page 396)

<sup>108</sup> Ibid. (Page 397 and 399)

<sup>109</sup> Ibid. (Page 399)

<sup>110</sup> Ibid. (Page 399)

<sup>111</sup> Ibid. (Page 398)

<sup>112</sup> Ibid. (Page 399)

distributed to local election officials, the MCA described elections as a cure for all that ailed the Chinese village and a guarantee of long-term stability.<sup>113</sup>

Clearly the MCA wanted to encourage more democratic procedures and thereby increase local self-governance; however, they may have really wanted to help the CCP consolidate its power and avert foreign criticism, rather than trying to change the nature regime from within.<sup>114</sup> China's terrible human rights record is certainly a motivation behind the implementation of village elections. A year after the Organic Law was enacted China concluded its bilateral trade negotiations with the United States; forging China closer to accession into the World Trade Organization. Throughout the bilateral negotiations, the United States expressed concern over China's suspect human rights record. Perhaps the Organic Law strengthened China's claim that human rights were a top priority.

When the MCA arranges for foreign researchers to visit models of self-government, it promotes a specific positive human rights image for China.<sup>115</sup> One minister within the MCA is perfectly clear about the usefulness of foreigners writing about village elections: "Their reports and commentaries help the international community to understand the reality of democracy and human rights in China. Objectively, they serve the function of aiding our propaganda".<sup>116</sup> The internal newspaper of the Ministry of Civil Affairs emphasizes that the key for positive foreign publicity is elections.<sup>117</sup> It must be noted, however, that the MCA may be seeking foreign publicity in order to push the regime towards further reform no matter what the reason. It indeed appears this way as the MCA continues to push for improved implementation procedures.

### **Rebellion in the 1990s:**

Despite the MCA's true objectives, one thing is for certain; a shockwave of rural rebellion in the 1990s put the fear into reformers and opponents alike. Both advocates and opponents of self-government agreed that authority had broken down in China's countryside since the mid-1980s<sup>118</sup>; however, not too many could imagine how disintegrated the regime's authority would become until the 1990s.

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<sup>113</sup> Ibid. (Page 399)

<sup>114</sup> Ibid. (Page 402).

<sup>115</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*. no 37, Jan. 1997, pp. 63-86. (Page 76)

<sup>116</sup> Ibid. (Page 77)

<sup>117</sup> Ibid. (Page 77)

<sup>118</sup> Kelliher, David. "The Chinese Debate Over Village Self-Government". *The China Journal*. no 37, Jan. 1997, pp. 63-

In late April 1989, when the Tiananmen demonstrations were gaining momentum, Deng Xiaoping assured Li Peng and Yang Shangkun that there “is no problem with the peasants” and assured them that the urban sector was the source of instability.<sup>119</sup> He couldn’t have been more wrong. Deng backtracked and changed his mind in 1991 and stated that China’s stability relied on whether or not the lives of peasants improved.<sup>120</sup> Deng’s reversal was due to a failed rural socialist education campaign<sup>121</sup> carried out in 1990 that was issued to rid the peasantry of “clannish thinking, feudal superstition, corrupt capitalist thinking, and other backward ideas” that they believed was tremendously affecting rural stability.<sup>122</sup> The campaign failed due to the fact that peasants had repeatedly been offered the same sort of dissatisfying “education” many times before. In addition, the campaigns failed to recognize modern realities and cultural norms and practices in the countryside.

By 1992 and 1993 a major wave of hundreds of protests, demonstrations, and riots in rural areas heavily dependent upon agriculture erupted. Cash-strapped local governments put heavy financial burdens on farmers due to the failure of state procurement agencies to pay the farmers in cash, resulting in the distribution of IOU’s and widespread rural unrest.<sup>123</sup> According to Chinese press reports, at least 830 incidents of rural rebellion involving more than 500 people each were recorded in 1993, including 21 cases involving crowds of more than 5,000<sup>124</sup>. The most publicized case took

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86. (Page 86)

<sup>119</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 212). See “Text of Document Circulated among Senior Party and Government Officials Earlier this Month”. *South China Morning Post*, May 31, 1989, FBIS, no. 103, p. 35.

<sup>120</sup> Ibid. (Page 213) Wang Hsiao-chun, “Looking Forward to the 14<sup>th</sup> Congress,” *Kuang chiao ching*, no. 231, December 16, 1991, FBIS, no. 234, p. 25.

<sup>121</sup> The objective of the campaign was to educate both the peasants and the rural cadres of socialist thinking. As Song Ping indicated, “We must raise their socialist and patriotic consciousness and their love for the collective” (Page 496). County as well as township party committees were to send competent cadres to the villages where party organizations were weak. They should stay there for a period of time. “During the time they conduct the investigation, find out the situation, and seek the deepest reason, they should suit the remedy to the case, formulate the plan, and conduct rectification. In the case where the leadership squad have a lot of problems, they should begin by problem solving” *South China Morning Post*, 16 August 1990. Wibowo, Ignatius. “Rural Party Rectification in China in the 1990s: rectification or reification?”. *Journal of Contemporary China*. No. 7 Vol. 19 1998, pp. 493-506. Saich, Tony. *Governance and Politics of China*. New York: PALGRAVE 2001. (Page 187)

<sup>122</sup> Wibowo, Ignatius. “Rural Party Rectification in China in the 1990s: rectification or reification?”. *Journal of Contemporary China*. No. 7 Vol. 19 1998, pp. 493-506.. This is very much in line with the speech delivered by Jiang Zemin at the Seminar of Agricultural Work, convened by the Organization Department on 19 June 1990. Jiang pointed out that “in the last couple of years, in several villages the power of clans has surfaced, feudal superstition spread out, gambling, prostitution, rape, stealing, and other criminal activities have occurred. They have seriously affected the peace of villages” (Page 497). *SSI*, p. 1166.

<sup>123</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 213)

<sup>124</sup> Chen, Weixing. “Peasant Challenge in Post-Communist China”. *Journal of Contemporary China*. No. 6 Vol. 14 1997, pp. 101-115 (Page 107). Given the nature of controlled media and press in China, there should be more incidents of this kind that were not reported. “A survey from China”, *The Economist*, 18 March 1995, p. 19.

place in Renshou County, Sichuan, where villagers rioted in January and again in June 1993 to protest against assessments for road construction.<sup>125</sup> When the Renshou village authorities asked for money, the peasants demanded that they should have the right to participate in the decision-making process in exchange for money. The riots stunned central leaders. Vice Premier Tian Jiyun reportedly told Tianjin NPC deputies at the 1993 session: “If there are problems in the villages, no one in the present regime can hold on to power” and the consequences would be “unimaginable”.<sup>126</sup>

In response to the rural explosion, an intense campaign was launched to eliminate “unreasonable” burdens and resources were mobilized to redeem farmer’s IOUs.<sup>127</sup> Beijing canceled 37 fees charged by administrative agencies and 43 “target-setting” programs such as “building educationally advanced counties”, the expenses of which were apportioned among villagers.<sup>128</sup> The enactment of the Law of Agriculture in the summer of 1993 was clearly a response to the disturbances. It gave farmers the “right to refuse” or to reject payment of improperly authorized fees, fines, apportionments, and compulsory fund-raising. The regime, however, failed to eliminate the burden problem. The central government’s ambiguous formulation indicates an unwillingness to make a binding commitment to the HRS.<sup>129</sup>

The CCP decided to embark upon another socialist education campaign in 1994 entitled “Strengthening the construction of grass-root party organization in the countryside” in hopes to improve the quickly declining situation in rural areas.<sup>130</sup> The campaign was monumental because for the first time in the CCP’s history, a rectification campaign was directed at a particular level of organization and at a particular area, namely party branches in the countryside.<sup>131</sup> Work teams were assigned to “go deep into villages and townships to directly hear the opinions of grass-root cadres

<sup>125</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219.. (Page 213)

<sup>126</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 213) SCMP, Hong Kong, March 23, 1993, FBIS, no. 54, p. 46, and Xinhua, Beijing, March 17, 1993, FBIS, no. 51, pp. 15-26.

<sup>127</sup> Ibid. (Page 214) In late 1992 General Secretary Jiang Zemin issued an urgent call to action, explaining that “problems in the rural areas have provoked the peasant’s discontent and anger”.

<sup>128</sup> Ibid. (Page 214)

<sup>129</sup> Ibid. (Page 214)

<sup>130</sup> The document of the Fourth Plenum (1994) simply states that party branches were confronting problems or “maladjustment”. No definition is given. Wibowo states that “Maladjustment” apparently refers to the inability of the party branches to tackle various social problems in the countryside, namely “civil disputes”, “problems affecting public security”, “feudal and superstitious ideas”, gambling, crime, and clan activities. Failure in agriculture was seen as another “maladjustment” related to the performance of party branches (Page 499). Wibowo, Ignatius. “Rural Party Rectification in China in the 1990s: rectification or reification?”. *Journal of Contemporary China*. No. 7 Vol. 19 1998, pp. 493-506.

<sup>131</sup> Ibid. The party branches and their secretaries became the primary target, in order to make them loyal to the central leadership. (Page 498)

and the masses, obtain firsthand materials, and study the new situation”<sup>132</sup>. The Central Committee proclaimed that the campaign was to last for three years until 1997.<sup>133</sup> Aside from publicly committing to a lengthy campaign, the regime had the media report on the progress of work teams in the villages.

The socialist education campaign came as a shock to many peasants. The campaign of strengthening party construction in late 1994 was preceded by a campaign to alleviate the peasants’ burden in 1993, which had vast political repercussions.<sup>134</sup> Peasants resisted the work teams in a wide array of locations and were mobilized and organized by village cadres and party members. Demonstrations and petitions were carried out and, in some places, the offices and houses of work teams were set on fire.<sup>135</sup> Ke Xianlong’s article in the journal *Xiangzhen Luntan* (Discussion forum on Township) specifically reveals the villagers’ reactions to the campaign when he describes that peasants feel “tired of it, disgusted, or afraid”.<sup>136</sup> In a Hong Kong journal *Zheng Ming* journalist Guan Chuan wrote that peasants not only complained, but also became angry, and on several occasions they resisted the arrival of the work teams.<sup>137</sup> “Peasants work on land to feed the lords of the cities” wrote Guan Chuan.<sup>138</sup>

The CCP not only targeted peasants but cadres who were drawn to ally with peasants.<sup>139</sup> This occurrence was the regime’s most disturbing during the campaign as the work teams tried to remedy cadres whose corruption was negatively affecting the village. The CCP had hoped to improve the behavior of rural cadres but instead found rural cadres uniting with villagers against the work teams. To add insult to injury the campaign was not taken seriously by the party committees as well as the party branches in the countryside.<sup>140</sup>

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<sup>132</sup> Ibid. (Page 498)

<sup>133</sup> Ibid. (Page 499)

<sup>134</sup> Ibid. (Page 504-5)

<sup>135</sup> Ibid. (Page 501)

<sup>136</sup> Ibid. (Page 501)

<sup>137</sup> Ibid. (Page 501) Ke Xianlong, “*Nongcun shejiao de zhuolidian zai nali?*” (Where should the effort of village socialist education be concentrated?), *Xian-zheng luntan* 12, 1991, p. 13.

<sup>138</sup> Ibid. (Page 501) Guan Chuan, “Nongcun heping yanbian chong ‘shejiao’” (Village peaceful evolution attacks ‘socialist education’), *Zheng Ming* 171, 1992, pp. 24-25.

<sup>139</sup> Ibid. In Jiangxi, Hubei, and Hunan, there were incidents in which village cadres led several hundred peasants to county party committees for sit-ins; they demanded the immediate withdrawal of the “socialist education” work teams, or else they would not work their fields or sell vegetables (Page 501)

<sup>140</sup> Ibid. (Page 503)

The CCP intended to make rural cadres more loyal and responsible to the central leadership. “Some cadres lack sufficient understanding of the purpose of rural socialist ideological training” which meant a tendency for some grassroots cadres to ask for money, materials and projects for development, while they care very little about ideological education and “some work teams members are wavering their attitudes and their work is just so-so”.<sup>141</sup> Liu Junlin related to the reporter of *Liaowang* “They simply engage in window dressing, without doing deep and detailed work. Some others are in a war-weary condition, in slack mood, or are afraid of difficulty, such that they are just hastily winding up the matter”<sup>142</sup>.

Despite a three year effort, the campaign led nowhere as situations of conflict with the higher authorities in terms of policy, rural cadres, including the party secretaries, continued to take sides with their fellow villagers.<sup>143</sup> This is evident in their participation in rural violence in 1995 in villages in Shanxi, Henan, and Hunan.<sup>144</sup> Masses and leaders went hand in hand to the government and attacked the officials who were suspected of having caused and unbearable “peasant burden”!<sup>145</sup> The rural party cadres did not hesitate to go along with their fellow villagers, adopting and voicing slogans. “All the riches of the land belong to the peasants! Stop the exploitation and oppression of the peasant class! Long live the union of the peasant class!”<sup>146</sup> Meanwhile, in some townships and villages they set up “Committees of Peasant Union”, “Revolutionary Committees of the Peasants”, and “Autonomous Government of the Salvation of Peasants”, and “Committees for Directing the Peasant Revolt”.<sup>147</sup>

Arbitrary expenses only worsened the CCP’s campaign effort; they sparked the most intense rural anger while the regime neglected to act in the interest of villagers. In May 1996, three years after the adoption of the Agriculture Law and the campaign against financial burdens, the Central Committee and State Council issued another harshly worded edict against burdens, which had provoked “extremely intense” reactions from the masses.<sup>148</sup> In the autumn of 1996, new outbreaks of rural protest against arbitrary financial extractions exploded. Once again, central leaders issued another

<sup>141</sup> Ibid. (Page 501)

<sup>142</sup> Ibid. (Page 503) “*Nongcun jiceng dangjian: zhi tan, zhi ruan, zhi qiong*”, *Liaowang* 44, (28 October 1996), p. 11.

<sup>143</sup> Ibid. (Page 504)

<sup>144</sup> Ibid. (Page 504)

<sup>145</sup> Ibid. (Page 504)

<sup>146</sup> Ibid. (Page 504) “*Tiandi caifu yiqie gui nongmin! Jieshu dui nongmin jieji de boxue he yapu! Nongmin gongchandang wansui! Nonmin jieji tuan jie wansui!*”

<sup>147</sup> Ibid. (Page 504)

<sup>148</sup> Bernstein, Thomas P. “Farmer Discontent and Regime Responses”. *The Paradox of China’s Post-Mao Reforms*. Edited by

major edict to strongly advise local governments to abide by the rules and reduce burdens on farmers.<sup>149</sup>

By mid-May in 1997, more than 500,000 peasants assembled, staged parades and demonstrations, and filed petitions in over 50 counties in Hunan, Hubei, Anhui, and Jiangxi provinces.<sup>150</sup> In some areas in Hunan and Jiangxi, such activities turned into violent riots. Beijing authorities immediately became panic-stricken. In response, they issued a total of six documents and sent out over 70 work teams to investigate the situation within one month.<sup>151</sup> Just before the implementation of the Organic Law in November 1998, a large peasant revolt broke out in Yizhang county, Hunan province during July 1998 where villagers appealed to the villagers' committee director to lead their protest against burdensome taxes.<sup>152</sup>

Throughout the drafting process the Party faced one failure after another, the Party's inability to enforce its demands leading to revolt and the failed socialist education campaigns in the mid to late 90s signaled the regime's last attempt at restoring order in the countryside. It is at this point that the regime realized that it could not survive if it continued to be fully responsible for developing the countryside, as it no longer enjoyed the legitimacy of the peasantry and their local leaders. The regime's capacity to police the countryside was highly dependent upon its limited fiscal revenue.<sup>153</sup> A survey revealed that only one-third of the nation's townships had police stations and judiciary assistants with one-quarter of the police stations having only one or two agents.<sup>154</sup> A bomb had exploded in Beijing and the Party realized it had to take any measure necessary in shedding itself the responsibility of making local leaders accountable to peasant demands due to its limited resources in order to prevent the peasantry from becoming upset with the regime.

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Merle Goldman and Roderick MacFarquhar. Cambridge: Harvard University Press 1999, pp. 197-219. (Page 217)

<sup>149</sup> Ibid. (Page 217)

<sup>150</sup> Li Zijiang, "A Half Million Peasants Plunge Into Rebellion in Four Provinces". *Hong Kong Cheng Ming* No. 238, 1 August 1997, pp. 19-21. <http://www.hartford-hwp.com/archive/55/022.html>.

<sup>151</sup> Ibid.

<sup>152</sup> Chen, Weixing. "Peasant Challenge in Post-Communist China". *Journal of Contemporary China*. No. 6 Vol. 14 1997, pp. 101-115. (Page 152).

<sup>153</sup> Saich, Tony. *Governance and Politics of China*. New York: PALGRAVE 2001. (Page 187)

<sup>154</sup> Zhang, Houan and Xu, Yong. *Zhongguo nongcun zhengzhi wending yu fazhan* (The Stabilization and Development of Chinese Village Politics) Wuhan: Wuhan chubanshe 1995. Saich, Tony. *Governance and Politics of China*. New York: PALGRAVE 2001. (Page 187)



## Conclusions:

Although rural instability in the 90s pushed the central government to decentralize its authority structure, the MCA has had an extremely difficult time implementing fair and open village elections universally in rural China for a number of reasons. However, a number of these difficulties could be better solved with more support from the central government. The regime's unwillingness to attack the roadblocks inhibiting the successful implementation of the Organic Law is a clear indication that the regime is no longer willing to risk direct involvement in rural political affairs.

### - *A wise investment?*

The Chinese government is well aware of the fact that the countryside is well beyond reasonable repair. Since the Deng reforms, China has enjoyed economic success and development among its urban areas. Many in the West perceive China as the next economic superpower, so it makes perfectly good sense why the Party would choose to invest its resources on urban projects that are more likely to turn a profit and become successful. This only aids the Party in portraying an image of success amongst its upper and middle classes and the rest of the international business community. However, by nearly exclusively investing almost all of its political and economic resources, the Party runs the risk of severe unrest amongst three-fourths of its population.

China certainly favors the urban sector over the rural sector politically and economically. China's current electoral malapportionment favors urban areas. All three post-Mao election laws have mandated that each rural people's congress member should represent four times as many people as each urban people's congress member at the county level (Article 5), five times as many people at the provincial level (Article 12) and eight times as many people at the national level (Article 14).<sup>155</sup> Bruce Jacobs states three reasons explain this malapportionment: "First, owing to the overwhelmingly peasant nature of Chinese society, many interests would lack representation without such a malapportionment. Secondly, this malapportionment 'guarantees the leadership of the working class'. Many others believe the people's congress members must be 'competent' for the people's congresses to function effectively and fear a preponderance of poorly educated peasants would only further reduce the already low vitality of these bodies".<sup>156</sup> The Chinese base this arrangement on the assumption that a legislator can only represent one interest.<sup>157</sup>

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<sup>155</sup> Jacobs, J. Bruce. "Elections in China". *The Australian Journal of Chinese Affairs*, no. 25, Jan. 1991, pp. 171-199. (Page 177)

<sup>156</sup> *Ibid.* (Page 177)

<sup>157</sup> *Ibid.* (Page 180)

The growing gap between rural and urban residents in China has been illustrated by a recent calculation of the Gini co-efficient, an internationally used means of measuring income disparity. The income gap in China continues to skyrocket as Mainland scholars and policymakers obsessed with neo-liberal marketization and World Trade Organization membership, continue to neglect the severity of the problem. Statistics gathered by the central government reveal that the Gini co-efficient between rural and urban incomes recently reached 0.59.<sup>158</sup> 0.4 is considered a dangerous level<sup>159</sup>, so the high figure has significant ramifications for social stability in China's future regardless of the existence of fair and open elections. In addition, research analysts' reports suggest that the actual debt incurred by rural government's totals 800 billion yuan (US \$100 billion), several times higher than the 200 billion yuan figure put forth by the central government.<sup>160</sup>

Despite being the overwhelming majority of the Chinese population, peasants have frequently been exploited by the CCP as their interests often go ignored. Weixing Chen remarks, "Peasants were forced to sacrifice their own interests to support industry and urban residents. They were forced to sell goods and products to the state at discount prices, to plant grain instead of profitable economic crops; and to submit to a set of exchanged that built relative prosperity in the cities while confining peasants to the penurious countryside. Chinese peasant hardly ever enjoyed the same kind of services and benefits provided by the state as urban residents and state employees, such a health insurance, pensions, subsidies, housing, and other state provided services".<sup>161</sup>

As a result, village directors are responsible for allocating public goods to villagers such as health clinics, roads, irrigation systems, and schools under the Organic Law further removing the central government from any sort of concrete development obligations. This requires the village director to develop some sort of strategy to obtain money whether it is collecting from door to door or simply resorting to threats and coercion. The current situation also forces the village directors to court the township and county governments for funds. The township and county government officials aren't directly elected by villagers and are known to handpick village director candidates.

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<sup>158</sup> Mittenthal, Laurel. "Rural Cash Squeezes Slows Reforms". *Chinese National Digest*. 8 January 2002 <http://www.hartford-hwp.com/archive/55/332.html>.

<sup>159</sup> Ibid.

<sup>160</sup> Ibid.

<sup>161</sup> Chen, Weixing. "Peasant Challenge in Post-Communist China". *Journal of Contemporary China*. No. 6 Vol. 14

The allocation of public goods in each village is drastically different and is very dependent upon local conditions. In the small poor village of Long Quan Cun, Lijiang Prefecture, Yunnan the village director collects a flat fee from every family in the village for any sort of village project.<sup>162</sup> The only health care provided is through an American NGO and the villagers reconstructed the main road into Lijiang, the urban center, by hand themselves. The village of Caicun, Dali Prefecture, Yunnan is completely a different situation despite its similar distance from an urban center.<sup>163</sup> Caicun has an elaborate government building that houses the Party Secretary located on the main road into Dali, which was fully provided by the prefecture government. The village director of Caicun is a young career politician with Party connections and the village director of Long Quan Cun is an old farmer barely reaching subsistence.

Local government personnel all over China are compensated extremely differently because the central government only offers financial resources for salaried positions as low as the township level<sup>164</sup>. For example, the village director of Long Quan Cun earns a mere 480 rmb a year whereas village directors of poor Mongol villages in Xingmeng County<sup>165</sup>, Yunnan earn 300 rmb a month compared to the Party Secretary's 1,000 rmb a month salary and the average Mongol villagers yearly income of 2,614 rmb! The village director's pay all depends on the village's taxes and their guanxi with influential decision-makers in the bureaucracy. As a result, almost half of local governments are unable to pay local officials' salaries. To make up the difference, the officials often extort money from impoverished local farmers.

Local governments can also garner sufficient funding from TVE's. The seven village directors within Najiaying Township<sup>166</sup>, the wealthiest township in Yunnan and located within 7-10 miles of Xingmeng County, all work in one of the township's 400 privately owned factories. In fact, according to the Vice Party Secretary, the village directors are strictly volunteers. The Vice Party Secretary briefly mentioned that businesses were preparing to meet the demands of WTO reforms. Privately owned factories and TVE's are becoming more and more vulnerable as China braces itself

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1997, pp. 101-115. (Page 106)

<sup>162</sup> Bai Zhen. Interviewed by author in Long Quan Cun on April 4, 2002 and April 23, 2002. The interview was translated by Liu Rui. The interview was translated by Alys Spensley.

<sup>163</sup> Dong Li Bao. Interview conducted by author in Caicun on April 19, 2002. The interview was translated by Liu Rui.

<sup>164</sup> Ogden, Suzanne. "May the Best Villager Win!". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2-5, 2001, pp. 167-178. (Page 170)

<sup>165</sup> Cheng, Mr. Interview conducted by author on May 18, 2002 in Xingmeng County. The interview was translated by Liu Rui.

<sup>166</sup> Ma Li Fang. Interview was conducted by author on May 18, 2002 in Najiaying Township. The interview was translated by Liu Rui.

for WTO reforms. Only time will tell how villages who rely on funding from privately owned factories and TVE's will be able to sustain their treasury.

#### - Township Elections

Aforementioned in the previous section, the Party only pays salaries for township<sup>167</sup> and higher-level officials, thus not recognizing village directors as official government employees. The Party certainly perceives localized village government as much lower priority than higher rural government organs. The Party's interest in free elections, however, might not be so impartial if the elections move up the ladder of government.<sup>168</sup>

In 1998 President Jiang Zemin reaffirmed his support: "Expanding basic-level democracy and guaranteeing the democratic rights of the peasants are not only the most extensive realization of socialist democracy in the countryside but also the utmost important policy that would return the initiative to the peasants and ensure long-term prosperity and security".<sup>169</sup> Li Peng praised the passage of the new electoral law and reconfirmed that "democracy starts with grassroots in China because for an ordinary villager, the person who is of direct concern to him is not the provincial governor or the county magistrate or even the head of the township but the chairman of the village committee".<sup>170</sup> On the other hand, in their interviews both men made points that are less encouraging. Jiang stressed the importance of strengthening the Party in the countryside, and Li Peng declared that the government would not permit opposition parties.<sup>171</sup>

Various developments in 1997 and 1998 encouraged the regime to consider extending direct elections from villages to the township level.<sup>172</sup> Villagers becoming accustomed to more open and

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<sup>167</sup> Township leaders rely on village cadres to carry out unpopular policies and they fear that elections may cost them their most dependable agents (Page 136). Township governments have dozens of ongoing responsibilities, including arduous, time-consuming jobs, such as enforcing birth control, procuring grain, and collecting taxes and fees. They are also assigned many extraordinary tasks such as conducting the "strike hard", anticrime campaign (Page 136). O'Brien, Kevin and Lianjiang Li. "The Struggle over Village Elections". *The Paradox of China's Post-Mao Reforms*. Edited by Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press 1999), pp. 129-144.

<sup>168</sup> Pastor, Robert A. and Qingshan Tan. "The Meaning of China's Village Elections". *The China Quarterly*. No. 162 June 2000, pp. 490-512.

<sup>169</sup> Ibid. (Page 510) Cited in *Renmin Ribao* (People's Daily), Beijing, 28 September 1998.

<sup>170</sup> Ibid. (Page 510) Li Peng's interview with Peter Seidlitz of *Hendelsblatt* (Germany), 2 December 1998.

<sup>171</sup> Ibid. (Page 510)

<sup>172</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2-5, 2001, pp. 106-132. (Page 116)

competitive election procedures at the village level will most likely begin to demand a similar degree of choice for direct township and county elections.<sup>173</sup>

In December 1998, a small township within Buyan County quietly went beyond the “public election” model and held a direct, popular election for magistrate.<sup>174</sup> The central government’s reaction was mixed. On January 19, 1999 The Legal System Daily faulted the election for overstepping the law, and violating the principle of governing the county in accordance with the law, by not having Buyan Township People’s Congress actually elect the magistrate.<sup>175</sup> However, they praised the democratic spirit in Buyun indicating that experiments and pilot projects for township elections were a possibility. The people of Buyun were very proud of their democratic initiative and the government allowed the initiative to go forward.<sup>176</sup> The Party, however, quickly changed its tone when the first open election of a township head was immediately deemed unconstitutional despite positive reports. The system still remains open to only one party and strongly plays on the Party’s fears of increasing election procedures at high rural-level posts. For example, a group of individuals attempted to register as the Democratic Party in 1998 and were eventually arrested by a somewhat hesitant government.<sup>177</sup>

- *Low enforcement efforts and loose laws*

The implementation of fair and open village elections outlined the Organic Law is of little concern to the central government, which further suggests that the Party used the Organic Law to shed itself of the responsibility of developing the countryside. Although the Chinese leadership supports grassroots democracy, there are numerous signs that village elections remain a low priority to them. This is the case for a number of reasons. The central government realizes that its investments in the urban sector mature quickly and are generally financially successful. The central government also understands that under the current situation, it has the ability to manipulate affairs at the village level more easily without taking the blame from the peasantry and finding itself responsible for failing to bring about much needed change. The central government is not strongly supportive of the MCA, despite its near impossible task. Although the MCA upgraded the Basic-Level Government Division to a Department in 1988 to implement the provisional law, in Beijing, only six people were assigned to work full-time

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<sup>173</sup> Ibid. (Page 113)

<sup>174</sup> Ibid. (Page 117)

<sup>175</sup> Ibid. (Page 117)

<sup>176</sup> Ibid. (Page 117)

<sup>177</sup> Pastor, Robert A. and Qingshan Tan. “The Meaning of China’s Village Elections”. *The China Quarterly*. No. 162 June

on village election and 11 to work part-time. In 1998-99, the MCA, like the rest of the government, has to reduce its professional staff by half, and it did so from 470 to 215. Although the group devoted to village elections remained at roughly the same level; they were assigned additional responsibilities (such as registering divorces).<sup>178</sup> Only 5% of the workers were involved in basic-level government.<sup>179</sup> A group this small will not be able to educate and supervise all 930,000 villages!

Villagers also have difficulty in bringing unlawful cadres to justice. In April 2000, the NPC Standing Committee in a significant and rare exercise of power, issued an opinion stating that village committee members and other personnel of village grassroots organizations fall under the definition of “state personnel” in Article 93 of China’s Criminal Law if they commit certain crimes of graft, corruption and abuse of power when assisting the people’s governments to carry out specified work.<sup>180</sup> Unfortunately, this interpretation only extends to village committee members when higher-level government bodies are involved and not in respect to acts taken when fulfilling their work as village committee members.<sup>181</sup> In addition, the NPC’s interpretation does not extend the Criminal Law provisions to election fraud and abuse. Certainly, further interpretations need to be made that hold village committee members accountable for their activities and election fraud.<sup>182</sup>

Villagers may have recourse under the 1989 Administrative Litigation Law and 1999 Administrative Reconsideration Law, when “administrative authorities” interfere with the exercise of their rights.<sup>183</sup> Unfortunately, these laws do not specifically cover complaints of interference or other irregularities in village (or other) elections, and the penalties for obstructing implementation of the 1998 Organic Law are not clearly spelled out in that law anywhere else. MCA officials accuse the courts and even administrative agencies as reluctant to accept cases involving the Organic Law, thereby weakening its impact and often forcing villagers to resort to appeals to the press and protest actions.<sup>184</sup>

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2000, pp. 490-512. (Page 511)

<sup>178</sup> Ibid. (Page 511)

<sup>179</sup> Ibid. (Page 511) The figures on the number of officials in Beijing before and after the reduction of 1998 and the number working directly and indirectly on village elections are from interviews in the ministry with the vice-minister and the director of the Office of Basic-Level Government (Beijing, June-July 1998). The figures on the overall numbers of officials in the ministry on a nation-wide basis in 1996 are from Jude Howell, “Prospects for village self-governance in China”, *Journal of Peasant Studies*, Vol. 25, No. 3 (April 1999), p. 106.

<sup>180</sup> Horsely, Jamie P. “Villager Self-Governance and Rule of Law in China”. *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2 –5, 2001, pp. 106- 132.(Page 112)

<sup>181</sup> Ibid. (Page 112)

<sup>182</sup> Ibid. (Page 112)

<sup>183</sup> Ibid. (Page 112)

<sup>184</sup> Ibid. (Page 112) “Beijing also wants to better educate its 700 million farmers about their rights, but it is wary of empowering them with the means to defend themselves in court. Last July 29, for example, a government-run magazine in Jiangxi published a handbook on rural taxes that included public statements, collected from official newspapers, on how much should be paid, and

- *Media*

Despite the regime's poor efforts at improving enforcement mechanisms and improving localized rural infrastructure, it goes to great efforts to publicize the Organic Law and promote the image of democratic practice in China. Posters, newspaper articles, television programs, training sessions and other means are used by the government to publicize the Organic Law.<sup>185</sup> The CCTV soap-opera series entitled *Big Official Hou* is packed with Party propaganda encouraging recalcitrant activity. The twenty-two part series aired for one hour every weekday morning in the spring of 2001.<sup>186</sup> The show, for the most part, is an entertaining Party-sponsored tutorial enlightening villagers how to combat village corruption using the rules, rights, and regulations outlined in the Organic Law. The show particularly emphasizes methods and strategies villagers can employ to combat corruption carried out by the village leadership.

The Party's efforts to educate via the media, however, are nowhere near perfect. Wu Fang and Jiang Yan, both employees of Yunnan TV, have encountered a number of stories regarding low-level and provincial level government corruption that they were not permitted to report.<sup>187</sup> The provincial government regulates the television industry in China and must approve of all news stories before they are aired on the nightly news. Generally, local and provincial media outlets report detailed stories about government corruption in cases where high-level officials are not directly involved. Wu Fang, a documentary journalist for Yunnan TV, has encountered a number of stories that he has not been permitted to report due to the involvement of high-level government officials. He has worked on a number of stories about villagers being displaced by their local village leader that were not

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what was legal and what was not. Farmers flocked to buy it, and within 12 days, the handbook had sold 12,000 copies. But local governments complained that it would cause instability; 10 days after it was published, provincial officials banned it. In mid-August, 20,000 farmers from five Jiangxi villages rioted against tax burdens, citing the handbook as their inspiration. Police were dispatched province-wide to buy it back, offering several dollars more than the selling price. Gui Xiaoqi, who ran *Commentaries for Rural Development*, the magazine that published the handbook, was removed from his post. Trouble has also come to lawyers who support farmers' causes. In 1999, authorities in the northern province of Shaanxi sentenced Ma Wenlin to five years in jail for representing 5,000 farmers fighting both high taxes and government officials who beat the farmers if they did not pay. Despite a petition drive that collected 20,000 signatures for his release, Ma is still in jail. 'These local officials don't believe in communism, they just want power and money. But Beijing understands, and we will continue to fight until Beijing hears our call.' Poinfret, John. "Seeds of Revolt in Rural China: Farmers' Heroes give a voice to besieged taxpayers". *The Washington Post*, Tuesday 8 May 2001; Page A01 <http://www.hartford-hwp.com/archive/55/334.html>.

<sup>185</sup> Horsely, Jamie P. "Villager Self-Governance and Rule of Law in China". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2–5, 2001, pp. 106–132. (Page 119)

<sup>186</sup> *Big Official Hou* aired at around 10 a.m. when most villagers are fulfilling farming duties. There are plans to re-run *Big Official Hou* at a more convenient time. Gray, Robert P. "Cadre Corruption, Village Elections, and Chinese Soap Operas: The Communist Party's New Conception of Rural Citizenship". *Villager Self-government and Rural Social Development Conference Papers*. Beijing: September 2–5, 2001.

<sup>187</sup> Jiang Yan. Interviewed by author on March 25, 2002 in Kunming. Wu Fang. Interviewed by author on March 23, 2002 in Kunming. Translator Lu Yuan.

reported to the public. The local village leader confiscates the villagers' land and sells it to higher-level government officials who in turn sell the land to real estate companies. The villagers hold demonstrations in response to the government's actions. According to Wu Fang, villager demonstrations and displacement are particularly bad in villages right outside of Kunming's city limits. Jiang Yan, who works in the Yunnan TV Newscenter, says that when the former governor of Yunnan was ousted and thrown into jail for taking money illegally from businessmen, Yunnan TV only briefly mentioned the story while the centrally run government television station, CCTV, covered the story in more detail.

Wu Fang feels that corruption cases involving improper election procedures and the misuse of village funds by village directors are frequent all throughout Yunnan's villages. He specifically recalls one case in the Yi nationality village of Piqimo in Yuxi Prefecture. Piqimo is one of the poorest villages in China. Despite the village's destitute economy, the village leader and the Party Secretary each owned a car. They obtained the money to buy their cars through selfish and illegal means. Their low salaries were not even close to high enough to afford a car. Ironically, the cars couldn't be driven because the roads in the village are in extremely poor condition. "The local leaders didn't care about the villagers' needs. This is very common" says Wu Fang. Like Wu Fang, Jiang Yan believes that "most officials are corrupt". A few months ago she came across a story where more than ten low-level government officials were arrested for taking money from a group of individuals attempting to influence policy.

Scandals frequently occur in most villages, but very few are ever reported on Yunnan TV or to the general public through other media outlets. Each county in Yunnan has a newscenter that sends news to the senior station newscenter at Yunnan TV where Jiang Yan and many others sort through the reports to find unique and interesting stories to be broadcasted. If the county never learns of village or township corruption stories or if the county is involved in corrupt activity, the senior station will never be informed of corruption cases. This is also the case in other Chinese provinces. Only five scandals were reported to Yunnan TV during the last election cycle according to Jiang Yan.

### **Conclusion:**

From 1978 to the present, the Party has attempted to lead peasants by sponsoring a modernization program and relaxing its control over the countryside, but in doing so the Party has created a dilemma for itself. Realizing that in order to promote economic growth, the CCP relaxed its control



over the peasants and rejected one of its most used political vehicle – mobilization.<sup>188</sup> The failed socialist campaigns of the 90s were the death of Party mobilization and pushed the regime toward the idea of self-government and the Organic Law. As a result, the CCP might well be overwhelmed by the consequences of the empowerment of peasants particularly if the countryside is hit hard by the WTO reforms. Importantly, however, the CCP has given itself the perfect escape valve if a given scenario like this arises, the villagers can vent their blame and frustrations on the one's responsible for allocating public goods and development, the local government. In other words, the regime has implemented a cosmetic change to rural power structures. Village elections allow villagers to hold their village committee's accountable; allowing the central government to focus its resources in areas where it can come out on top while village elections allows the Party to influence rural politics without taking heavy responsibility for underdevelopment, corruption, and general unrest.

It is increasingly important to understand the intentions and motivations behind the Party's implementation of the Organic Law. The effects of the Organic Law will ultimately determine how problems such as environmental degradation, healthcare, education, and urbanization will be addressed in the near future. Studies have already shown that the Organic Law is not successfully implemented throughout the countryside and that the regime has done little to assist the MCA in tightening laws and enforcement mechanisms to improve the reputation of village elections.

Too much evidence exists suggesting that the regime is more concerned with developing the urban sector and perceives the countryside a threatening and costly cause. Thus the central government passed the Organic Law as a means to rid itself of the responsibility to directly involve itself in the troublesome affairs of rural local government structures. Importantly, the Organic Law does not directly threaten the Party's ability to rule in the countryside due to the Party's influence and presence at the township and county levels. This allows the Party to still dictate rural political and development initiatives without fearing a direct threat to its authoritarian rule.

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<sup>188</sup> Chen, Weixing. "Peasant Challenge in Post-Communist China". *Journal of Contemporary China*. No. 6 Vol. 14, 1997, pp. 101-115. (Page 105)

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