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Transcript

Chinese Grassroots Democracy and What it Means for China's Future

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Jonathan Fenby:

My name is Jonathan Fenby. I also write books on China as well as running the China service at a research service called Trusted Sources.

The question of democracy in China is one which of course is always with us. It generates a great deal of heat and fury and sometimes, if I may say so, the debate seems to be at a rhetorical level which goes round and round in circles without advancing very far and that makes the kind of work that Kerry has been doing and will be talking about today all the more valuable because it actually looks at what is really happening, both for good and for less good, and I think the more practical knowledge and analysis and experience of China that can be brought into writing about China, outside China in particular, the more valuable it is.

Dr Kerry Brown:

I'll just talk for about 25 minutes about the material that I cover in this book, a sort of modest offering really on a kind of massive and, I think, increasingly important subject, and really looking at it in terms of what's happened already in China in trying to allow participation in public decision making at an absolute fundamental level, the level of villages in China and that seems a pretty unsexy subject. What happens in villages in the UK has not a great deal of impact on what happens nationally but of course on the other hand in China the experiments that have happened in villages I think have been under researched and I think they are significant and I'll try and explain that.

I'll deal with this in three sections basically talking about very practical stories, of the story of Chinese democracy as it exists in villages, and then really talking about the situation as it is at the moment and we are of course aware of a big clampdown in Beijing with lawyers and civil society activists and NGOs at the moment and something that's quite confusing I think for those looking at what is happening to a very dynamic economy but one that seems to be politically very, very vexed and then really talking a little bit about the future and where perhaps things may be going despite this period of confusion.

In July and August 2009 I went and did the field research for this book to do a report on democratisation in China and really foreign support for democratisation and I talked to activists, I talked to international NGOs and in fact the day I arrived, in late July 2009, a very celebrated academic legal activist, Xu Zhiyong of Open Constitution – an organization called Gongmeng which is supported by the Yale-China law project – was detained by the

Beijing municipal police almost out of the blue and Open Constitution, which had then largely been allowed to do its work in Beijing, was really closed down.

We didn't know at the time that that was going to be the beginning of a particularly long and sustained and highly strategic onslaught by central government agents and almost certainly by the political elite on activists in this area.

Indeed one of the people that I went to see, a very large international non-government organisation representative, the senior representative in Beijing, the day that I went to talk to him about this subject, when I walked into the rather plush office in a well air-conditioned office in the middle of Beijing, said to me that I couldn't have been in Beijing at a worse time to talk about this issue because of the sensitivities and in fact it has got far worse. So we are talking really about a very dynamic situation and one where we don't really know where things are going to end up.

One of the meetings that I really remember well and which I write about in this book because I think it's a very symbolic case is that of a businessman called Mr Wang. Mr Wang was from the central province of [inaudible] from a fairly remote area, a village there in which he had been a businessman and indeed he gave me a great deal of material showing that he had supported the big relief effort in Wenchuan during the earthquake in early 2008, he'd been given a lot of public kudos because of his support for philanthropy which is quite an unusual thing in contemporary China – business people, on the whole, their knowledge and involvement in philanthropy is relatively undeveloped. He had been very active in supporting local projects and he had therefore decided in late 2007 that he would stand in a local election and the story that he told me over the next hour was a pretty sobering one.

He had stood against a man called Mr Phan who was the local village committee leader and who'd won the previous election. Mr Phan was well regarded by the township which was above the village committee, the village level, and Mr Phan was the favoured candidate.

Unfortunately Mr Phan lost the election, that was known, that was absolutely recognised by the local authorities but that didn't matter. The night that Mr Wang was the victor he was taken by the local public security bureau for tea and invited to drop his candidacy because this was an embarrassment and he was not the best person qualified to have won this election.

Mr Wang did not become a wealthy man in a very tough area of China for nothing and he told these agents that he wasn't going to listen to them, that

he would continue with his election, that he would go for the second round because he hadn't quite got 50 percent in the first round to be an outright victor.

This caused all sorts of problems. Mr Wang described them to me: how he had been beaten up badly by local police; how he had had a mysterious accident one night coming back from a restaurant; and then finally how he had delivered to him on the day in which he was to stand for the second round a notice from the local township saying that no-one over the age of 55 could stand in elections. He was of course 56.

He pointed out that the local and municipal and county and prefectural [inaudible] and provincial and national laws said that anyone under the age of 60 could stand but this was no good. They said that the law was the law of the local municipality, that it had just been passed and that he would have to stick by this.

He continued. He did in fact stand very courageously for the second round and he won, he won handsomely, but it didn't matter. He was finally told by the head of the local county authority which is above the village authority that he would not be able to take up his position.

Therefore several months later he had ended up in Beijing with a lawyer who was the person I was talking to trying to get some kind of help. The lawyer in front of me told Mr Wang his case was far too common; there was no real reason to think that he would ever be able to overturn it and this was a very very common problem. It existed almost throughout China and it was the result of the significant powers in fact that village committees, the things that people are elected onto have actually been given in the last 10 decades and the most significant of all is the power to get property sold, the power to basically divest property that is left by migrant workers, the 200 million who have gone to the cities to work who, if they don't come back after five years, relinquish their property rights and in China property rights are a pretty vexed issue but you cannot hold leases I think for more than 35 years and certainly this rule is a very ambiguous rule and seems to be a cause of the great deal of problems but at the heart of it it is that village committees in the end have powers to get rid, to sell, to use for different purposes local land and therefore the powers that they have are pretty significant.

Indeed Mr Wang's plight is shared by many many tens of thousands of people who've tried to stand in village committee elections and these elections in fact have in the last few years created a great deal of contention.

When one looks at the history of village democracy, in fact the reason why it exists, why it was established, one has to in fact go back to the devastating impact on the state, on the apparatus of the state, on the failure of the central state during the Cultural Revolution when from 1966 many of the fundamental institutions from the basic structures of the state were absolutely destroyed by factionism, by violence, at local, at national level, and by an absolute collapse in the countryside of central state authority.

This was recognised in 1978 when the economic reforms started and in fact was at the back of the minds of the central leadership when they looked at the truly lamentable situation in the countryside, a countryside in fact in which many of the central leaders who had suffered during the culture revolution, in particular Deng Xiao Ping who had been sent down to Jiangxi Province working in a factory there – they had actually direct experience of the absolute lack of capacity and the failure of institutions in village China – and therefore they knew that there had to be some mechanism in which to deliver a legitimate, stable, rules-based governance in the most basic levels of society in China.

The Village Election Law, the first Organic Village Election Law which was passed in 1987 was in fact sponsored by [inaudible] who had previously been a mayor of Beijing, who'd been felled during the Cultural Revolution, one of the great sort of immortal Communist warriors and who had become a great supporter of this process because he, along with some leaders around him, felt that it would at least stabilise the situation in the countryside. It wasn't a national law and in the early 1990s it was pretty piecemeal but in fact the central leadership 1997 decided that they would pass a national second Organic Village Election Law and that is the law which exists to this day.

According to that law, if one looks at the statistics which I do in my book, there have been something like 3.5 million officials voted through these elections, they have been held in China's 800,000 villages, they have on the whole been successful in some areas, maybe 50 percent have been achieved without any violence or instability and 50 percent have created huge problems. And so one can see that this is an extremely contentious process and one that has created a great deal of controversy and the outcomes of it are still very, very unclear.

What's been achieved in many ways is that they have, at least in some of the most difficult, most economically deprived, most conflicted areas of China, delivered some kind of accountability by local officials.

In 2008 a magazine rather fetchingly called *Middle Income Society* or *Moderately Prosperous China Society* – it sounds better in Chinese [inaudible]. This magazine had done a survey actually of the trust in China and it had gone through social groups and professions and people and asked Chinese citizens in villages and elsewhere who they most trusted. It's an interesting list; in fact it's certainly one that we should look up, I think it's actually been repeated since then. The most trusted were farmers. The second most trusted astonishingly were lawyers. The third most trusted were teachers. Maybe a somewhat disturbing anomaly but the fourth most trusted were sex workers. The most distrusted were local officials. Central government officials were relatively untrusted but not as bad as local officials.

In fact village committees are the most local of the local officials. These are the people at the battlefront. They're the people who really have to implement some of the most unpopular central government and provincial government rules. They were the people that implemented the one child policies because there was never an overall one child policy but the variations at local level of these policies in the 1980s and 1990s, they were the people that had to implement some of the big tax reforms, the tax receipts that were collected over the 1990s and into the 2000s which were supposedly lifted under the Hu-Wen leadership in the mid-2000s and these officials have been the people who have actually borne the brunt of most of the dissatisfaction amongst the most contentious group in contemporary Chinese society, farmers.

If you look at the taxonomy of contemporary China, if you look at the way in which the Communist Party has achieved accommodations with specific social classes, in fact membership amongst entrepreneurs of the Communist Party is about a third. Even the urban poor have been relatively well looked after up to a point. They have some access to social security, a thing called [inaudible]. Even professionals, although they are bearing a great onslaught at the moment, at least those who are involved in rights laws or other contentious areas, they have been relatively pleased with the economic benefits that the Communist Party says it has bought. Farmers remain a very contentious group and farmers are the ones who deal with local officials at the village level and therefore local officials are a despised group.

Having talked to some of them during this research you have a certain amount of sympathy. They are after all doing a pretty impossible job and they take their pleasure where they can. It's absolutely true that they're involved in rent seeking, it's absolutely true that they are fabulously corrupt. On the other hand they are also doing an absolutely impossible job with a constituency which is permanently dissatisfied and with rules and regulations passed from

above them where they are given very little power but they have certainly lots and lots of scope of irritating the hell out of people round them.

Famously a book called *The Agricultural Report* – actually it's translated rather curiously as *Will the Boat Rock the Water* or something - this is a report by two journalists from central [inaudible] in the early 2000s did a very powerful exposé of some of the local officials and the problems that they had encountered, the violence that they had visited on villages around them and this has historic roots.

I look in the book at the Great Leap Forward and the impact of that on the economy and the famines in the early 1960s and the fact that local officials were also those who had to implement pretty shocking policies then, some of them very, very zealously, some of them with great, great reluctance and the impact this had on them. Many of them were savagely persecuted during the Cultural Revolution and therefore during the good times certainly local officials live a very protected life but when things get bad they suffer extraordinarily.

Really looking therefore at the kind of positives that village elections have delivered in the areas in which they have been taken seriously there's a kind of quite interesting controversy over whether this is the more wealthy areas along the coast, provinces like [inaudible] with a very high proportion of businesses and private sector economy, places like [inaudible] or [inaudible]. These are relatively wealthy or indeed very wealthy provinces and elections there are claimed sometimes to have been much more closely followed. There's a much greater amount of public participation and they seem to be genuinely competitive. The principle, according to the Organic Law in 1997 of these elections, is that they have to have a choice of candidates, of course not a choice of political parties – that wouldn't be acceptable at the moment, they have to be by secret ballot and there's a sort of certain formal mechanism in which they are declared much as it is elsewhere in other political cultures.

And so in these places elections have been kind of relatively successful. Ironically, also in the most impoverished areas in the western regions, elections there have been taken seriously. It's very unclear according to Chinese analysts that I talk to, particularly at the Chinese Academy of Social Sciences, over why this is the case but it's certainly because probably at least in the western regions, the very poor regions [inaudible], elections matters – the outcome matters, it's a real choice and therefore people focus their minds.

That doesn't mean, however, that in other areas – largely the great central provinces – [inaudible] these provinces in their holding of elections have been a fantastic problem, a big big zoo basically. [inaudible] in particular is a classic case of one of the most contentious provinces, the most populous province, a province with massive environmental problems and I think Jonathan Watts in his very good book, *When A Billion Chinese Jump*, I think he has actually a chapter called 'Why Does Everyone Hate People from [inaudible]'. And it's true [inaudible] suffer from great prejudice because there are so many from [inaudible] who are migrant labourers and they suffer from great prejudice when they go to cities. [Inaudible]'s elections have been extremely difficult and indeed in some areas have not been held since the 1997 law because they created so much violence.

One extremely lively activist that I talked to had been told by his advisory team [inaudible], by the local police, that it was okay for him to employ a number of bodyguards around him as long as he didn't get wound up and start smacking the hell out of everyone and having stood in an election he managed to keep himself under control until someone obviously lit the fuse wire, he managed to completely deck every single one of his bodyguards and then managed to break beyond them and start smashing up the whole place. This seemed to me to be a kind of political activist that we could probably do in the coalition here. He was not an easy man to keep down.

Elections in other places have led to, literally, murder. So some groups have actually been able to stitch up their electoral process to try and get their candidates in and it's been an enormously violent process.

And finally elections have been a way for local elites, particularly business elites, to try and control the political process in their areas, the tribal elites for Wangs or Lis or Sus or Sungs to try and get everyone with the same surname to vote for them and absolutely impossible to get any kind of democratic change at this level and indeed very good research by one Swedish academic on elections in areas with ethnic minorities – Yunnan in particular and Sichuan, where in fact there had been arguments that these elections have created even greater ethnic tensions because of the ways in which once candidates were allowed in, they favoured particular groups over others and created a great deal of contention.

When one looks at this whole process and as one stands now, certainly in the last two years, it is a very, very mixed picture. There's been a huge amount of what we would call low level democracy though with one party and not with a choice of parties and there has been a great deal of activism and the impacts

of this on social stability and the impacts in different areas with the kind of socio-economic changes that are happening in contemporary China have been very, very profound. They in some ways show a map of what is happening right at the grassroots of contemporary China and they show fascinating kinds of pictures of how China is developing, of how Chinese people in particular communities see their interests, of how they are trying to engage with a political process in which there is often very little choice.

However, certainly the hopes that one reads a decade ago about the processes of village democracy from people like the Carter Center who were one of the earliest to monitor this, the Ford Foundation and indeed the European Union who were involved in supporting village democracy projects in western China – these have not really been fulfilled.

There was a great expectation in the early 2000s that having successfully launched village elections in most of China that these would then migrate to the township level. Now in the 1982 Constitution of China, which has been revised several times since but is still the basic legal document, townships are the lowest level of governance: villages are considered to be autonomous, a kind of legal nicety really because of course they're still involved in the whole legal infrastructure but they have an amount of self-governance which townships don't. And, therefore, were elections to be held at the townships, of which there are about 40,000 in the whole of China, then this would be very very significant.

Indeed under the current head of the Organization Department in the Central Government, Li Yuanchao, when he was Party Secretary of Jiangsu in the early- to mid-2000s, he did pilot township elections and there was some hope that these would indeed go across the country. That didn't happen, however. There have been experiments in other cities, in other areas, in other entities of governance but these have not led to anything and there is a very simple reason for that that. It's something one can see, a decision made at a particular time because it froze the whole process at the village level and that's where it stayed. Under the Hu Jintao-Wen Jiabao leadership, since 2002 suddenly the talk that was popular before of democratising villages grows very, very tepid and there is much more talk of this mysterious concept of intraparty democracy and indeed the absolutely dominant discourse from about 2004/2005 is to concentrate on governance within the Communist Party itself to look at the ways in which the governance of the Communist Party is able to deliver good, efficient decision-making within the Communist Party: accountability, transparency, all these kinds of things without actually going

beyond that to civil forms of governance, the governance side of things rather than the party side of things.

There's probably a very good rationale behind this. Obviously Hu Jintao and Wen Jiabao wanted the Communist Party to have a great deal of credibility to be able to demonstrate to the wider population, beyond the 78 million-strong membership, that it was able to govern its own affairs and without doing that how could it therefore role out elections in other parts of society? But it does mean that there is a sense of great stagnation and an extraordinary sense of a sort of political project that was literally stopped at a particular moment and has never really been moved forward.

Every now and again extremely tantalizing glimpses of a decision to restart the whole process appear and one of these was in fact last year when one of the officials in Shenzhen [inaudible] talked about maybe having elections at mayoral level there. I think Shenzhen, opposite Hong Kong, one of the original special economic regions and now a city of about 10 million people, has something like 7 municipal areas and there was talk of maybe one of these having elections at a mayoral level which would be very very significant, significant because Shenzhen is economically very significant and significant because it would have been one of the first times in which Party officials certainly with significant powers over resources would possibly have been elected. But that was stopped or it wasn't talked about any further and even though there was discussion at the end of the year and then during the National People's Congress which has just been held in the draft of the 12th Five Year Plan programme of maybe trying to introduce more accountability, the language of this accountability actually being introduced in elections of some sort at the township level is very very ambiguous.

There have been activists who have stood in Congresses. Congresses exist on four levels and certainly at municipal level Congresses have been places where activists for consumer issues or for citizens' issues have stood and some of these have been successful but they have very different powers to the kind of powers one talks about in electing officials.

Therefore this really raises a whole number of big, big problems, big, big issues which go way way from the kind of rural areas in which after all half of Chinese still live and I think this is really where village democracy becomes much more meaningful than many people would think.

I think for the final 5 minutes I'll just explain maybe why this issue is important for China's political future and why the village elections do have quite a big significance for the future path that the People's Republic may take.

Firstly, really villages and the governance of villages have always been a big battleground and a lot of the state legitimacy relies on stable governance at this level and therefore if the Communist Party fails to deliver stability in these areas it is in big problems. This is something in fact that elite leaders from 2002 have been very aware of. They have tried to do something about the tax burden on peasants, they have tried to do something about the inequalities that exist in the countryside, they have tried to give money to build infrastructure and create greater prosperity. Indeed in 2007 Hu Jintao talked greatly about the socialist countryside, and yet the countryside is still an area of a great deal of discontent. We can tell this by the number of petitions that start there and by the fact that many of the courts are clogged up, to provincial and sometimes at national level, by cases that start right at the grassroots level.

A book issued in 2009 just after the Olympics called *China is Unhappy*, [inaudible], seems to be largely a complaint about the interference of foreigners and a nationalistic rant. In fact if you read it attentively it is a very very cynical and bitter complaint about elites within China, elites at local, at national level, who have stitched up large areas of the economy, who have destroyed much of China's economic development because of their own greed and who have created an extraordinary kind of area of vested interest which is pretty well defended. And indeed the authors of *China is Unhappy* say pretty directly that they don't care whether democracy or another system is introduced to China: the main thing is that it does something about the greed, the lack of care, the absolute larceny of these elites.

It's extraordinary that they are able to walk around China now without any major problem, however Liu Xiaobo, the Nobel Peace Prize winner wrote a sort of somewhat more elegant, maybe intellectualised version of this argument really about the importance of holding powers in the Party to account and he's now, as we well know, serving 11 years for subversion in jail.

Village elections therefore, in conclusion, I think touch on three major issues for political development in China and ones which will be hugely contentious and very significant after what we call the era of great GDP productivity which has been very successful.

One sees an elite in Beijing now who are wrestling really with what I think John Maynard Keynes called 'the life after GDP.' After delivering enormous amounts of productivity since entry to WTO, China is now in fact quicker, more accelerated than it ever thought having to deal with the political

outcomes of this – a contentious society in which many want different things, in which their vision of their lives and of how they are treated in their society are all very different and in which social infrastructure is needed to deal with the very different kinds of demands and burdens that this creates and at the moment in fact one can see signs all over the place that this is creaking and groaning.

The fact that the Central Government thinks that it is an acceptable process to simply bang up those who are arguing against the system, that it has imprisoned rights' lawyers, that it has taken in activists recently and NGO people who were able to operate pretty freely before, is a sign I think of the anxiety and the fundamental lack of political will amongst the elite.

These issues, however, won't go away and my guess is that in fact the very passionate nature of the debate about village democracy that existed in the last two decades is now going to migrate higher and higher up the system.

There is going to be some attempt to deal with this great conundrum of how one delivers accountability to the Communist Party while resisting any kind of threat to its monopoly on power. Village democracy has offered at least some clues to that but the blueprint is very very unclear.

Finally, looking really at an absolutely perfectly blueprint for the political future of China produced by the Party School in a book called *Fortress Besieged*, or *The Barricades* – [inaudible] – a book by some writers at the Party School in 2007, this has an absolutely rational programme for strengthening the rule of law, for strengthening the independence of judges, for doing something about the legal basis of civil society, all these things, and it exists there and it has been obviously deeply discussed in the Central Party School but finally the problem is that we have a political elite who have absolute desire for control, absolute dislike of instability, absolute fear of any kinds of possibility of them dealing with a big eruption because of disruptive change and so far their view seems to be that these kind of somewhat restrained and limited elections at village level are more of a threat and a problem than they are a solution. Thank you.