

The Tortuous Road to Democracy in China

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Abstract

The democratic system based on political consultation and the people's congress in PRC belongs to the category of indirect democracy, in which the key is to guarantee those in power represent the people's interests. China realized a democracy based on morals in 1950s. The Cultural Revolution gave Chinese people a chance to experience some practices of mass democracy, but it turned out to be a national disaster. With lessons learned, the Chinese leadership recognized the importance of the legal system for democracy. In the last 30 years, China has been exploring the road to democracy, but there is still a long way to go. Now China needs to take substantial and practical measures to guarantee people's rights for democracy, including the right to know, the right to speak, and the right to vote.

Keywords

Democracy, Election, Supervision, Culture Revolution, Rule of Law

1. Introduction

Democracy is a general trend in human society, and as such is where Chinese society shall be heading. China's economic trajectory has been witnessed over the past three decades. The Chinese people are living much better lives, compared with those in 1960s and 1970s, and accordingly, the need for democracy is growing. For a country that had long been cut off from the outside world, once the open-door policy took effect, Western democratic ideologies represented by American model, along with all kinds of technologies and merchandize, flooded into China in 1980s. However, enlightened by mounting external information and growing internal experience in the last 30 years, more and more Chinese people began to gain a better understanding of American model democracy, and to seek a route better suited to China's situation. Chinese policy makers responded actively or passively to the people's appeal for democracy.

Thus, driven by national self-confidence and cemented by economic power, Chinese model democracy has become a buzz word, and attracted the attention of Chinese and foreign scholars¹. However, there is much controversy, ambiguity, and even preconception over what Chinese model democracy means.

In September 2017, the 5th Athens Democracy Forum, which was co-founded by the New York Times, the United Nations Foundation for Democracy, and the Athens City Council, was held in Athens, Greece. Speakers of the Forum included Greek President Prokopis Pavlopoulos, former UN Secretary-General Kofi Annan, former Australian Prime Minister Kevin Rudd, Athens Mayor Kamenis, the foreign ministers of Sweden and Kenya, as well as experts and scholars from all over the world. This author was invited to Athens as a keynote speaker for the Forum.

September 15th is the International Democracy Day. In the morning of that day, I gave a talk in the session of Rethinking Democracy in the Changing World, sharing my perspectives on the developing road to democracy in China, including the concept of democracy in Chinese, the early developments of democracy, the lessons of the Culture Revolution, and the present situation and the problems of democracy in China. I said that China shall learn from other countries, however, democracy can be imported, but cannot be exported. It was my personal perspective, but was agreed upon by some participants to the Athens Democracy Forum².

2. The Early Developments of Democracy in the New China (1949-1966)

At the turn of the 20th century, western democratic thoughts began to exert an influence on Chinese scholars and politicians. After learning the foreign terminology for a century, the Chinese people are now accustomed to translating “democracy” into *Minzhu* in Chinese and *Minzhu* into “democracy” in English. However, *Minzhu* is not an absolute equivalent word for “democracy.” In Chinese, *Minzhu* means people masters, meaning that the people should be masters of the country.

In fact, *Minzhu* is a word with a longer history in Chinese that experienced radical semantic evolution. In the ancient Chinese language, *Minzhu* meant “the master of the people”, referring specifically to kings or emperors. In the modern Chinese language, *Minzhu* means the people are masters of the country. These two meanings are entirely contrary to each other. The old term means the offi-

¹Some scholars in China already made comparisons between Chinese model and American model, for example, Su Changhe (2014), A Comparison between Chinese Model Democracy and American Model Democracy”, *Qiushi*, Issue 8.

²On 22 September 2017, a week later from the Forum, I received an email from Mr. Achilles Tsaltas, Vice President of International Conferences, the New York Times. He wrote to me: “Same time last week you made your valuable remarks in Athens and now you are quoted online and please see our special report that covers the conference and its themes (see attached World Review). I agree with you saying that democracy cannot be exported but it can be imported. Thank you so much for being part of Athens Democracy Forum and enriching the experience of our audience. We hope you found it as valuable as we did”.

cials are the masters of the people, while the new term denotes the opposite, and implies a path to democracy. However, some government officials in modern China may inherit subconsciously the old meaning while using the word of *Minzhu* in new context. In other words, when they use the term, they may still consider themselves as the masters of the people. Anyway, this author shall use democracy for *Minzhu* in this paper.

The Communist Party of China (CPC) has pursued democracy as its doctrine from the outset. Chen Duxiu, the first-generation leader of the party, said “Only democracy and science can save China” in 1910s. In criticizing the government of the old China in 1940s, Mao Zedong, who was then the Chairman of CPC and became the first President of the People’s Republic of China (PRC) later, said “In a nutshell, all of China’s problems have their root in the absence of democracy. Chinese people need democracy badly and desperately” (Yu, 2013).

The CPC established a democratic system based on political consultation and the people’s congress when founding the New China (PRC) in 1949. The first plenary session of the Chinese People’s Political Consultative Conference (CPPCC) was held in Beijing in September 1949, which established the basic guidelines for the CPC and other democratic parties, the principle of “long-term coexistence, mutual oversight, treating each other with sincerity and shared weal or woe”. Other democratic parties participate in governance of the nation on equal footing under the leadership of the CPC, through the political consultation regime. The first general election took place in China in 1953. Top-down election created local people’s congresses at each level. In 1954, as a result of indirect election, the first National People’s Congress (NPC) had its maiden session in Beijing, marking the country-wide rollout of the people’s congress system (Yu, 2018: pp. 8-17).

PRC should be a state of democracy. Article 2 of the PRC Constitution, promulgated in 1954, clearly stipulates: “All power in the People’s Republic of China belongs to the people”. In 1950s, the Chinese people were familiar with such statements that the people are masters of the country, while the officials are public servants. In other words, the people are masters of the government officials.

China is a country with a vast territory and a large population, and significant regional imbalances and differences make it difficult to apply a direct democracy model throughout. A political system with people’s congresses at its core, supported by multi-party cooperation and political consultation under the leadership of the CPC, falls under the indirect democracy category. The key and also the challenge of realizing democracy lie in appropriate representation; that is, how to make sure those in power which represent the general public’s interests. In this respect, there are two guarantees. The first is ex-ante guarantee, that is, a democratic election that is run to pick out deputies who are trusted by the people to decide on state affairs. The second is ex-post guarantee, or democratic supervision that enables the people to check whether the decisions made by the deputies are in the people’s best interests.

The CPC came out with the slogan “Election is the foremost part of democracy” back when it was holding power only in a small part of the northwestern China, with the center in the City of Yan’an in 1940s. At that time, the people there voted for the leaders, using soy beans to exercise their rights (Zhuo, 2018: p. 110). After the founding of the PRC, the CPC established a system of democratic elections. As provided for in the Election Law of PRC, deputies to the people’s congresses at county and township levels are elected directly by the people, while deputies to the people’s congresses at upper levels are elected indirectly by the people’s congresses at the next lower level. To be more specific, deputies to the people’s congresses of cities are elected by those to counties (or districts); those to provinces by those to cities; and those to the NPC by those to provinces. Besides, key government officials at each level are elected indirectly by deputies to the people’s congresses at the same level. For example, the President and Vice President of the PRC are elected by deputies to the NPC; while governors and mayors are elected by the deputies to the provincial and municipal people’s congresses. As the ruling party, the CPC played a leading role in election activities at each level, including the introduction of policies, the recommendation of candidates, the organization of elections, and the making of election rules, etc. (Yu, 2018: pp. 91-95).

Democracy is about more than just election; it also requires the presence of continued constraints on the elected candidates’ conduct. History has proven that the democratically elected public officials may not all good persons, and that a good public official may become a bad man over time. If election is relied upon as the single cornerstone of democracy without effective supervision over the power, some democratically elected state leaders might turn against democracy in the end.

The leadership of the CPC has attached great importance to the democratic supervision. Right before the founding of the PRC, Chairman Mao Zedong said that the people must be able to oversee the regime in order to avoid the “corruption cycle” that repeatedly occurred in history, and to prevent effectively the change of political power as caused by corruption³. Article 3 of the PRC Constitution reads “All administrative, judicial, and procuratorial organs of the state are created by the people’s congresses to which they are responsible and by which they are supervised”. For this purpose, several channels of democratic supervision have been put in place in China, including supervision by democratic parties, supervision by social groups, supervision by individual citizens, and supervision by the media and the press. However, these channels of supervision do not always work properly owing to the absence of an effective supporting sys-

³In the long history of China, the replacement of feudal regimes was often driven by corruption. A new dynasty born out of the corrupted old dynasty was clean, and the ruler and the officials showed integrity and incorruptibility at the beginning. After several generations, however, the regime became increasingly corrupted and was overthrown eventually. Corruption, anti-corruption, corruption again, and change of political power became somewhat a recurring pattern, referred to as the Evil Cycle of Corruption.

tem. As such, democratic supervision somehow belies its name, and democracy therefore relies on the moral restraint of public officials.

The CPC is a party that shares a common faith in communism. The ultimate aim of communism is to foster good morals predicated upon a superabundance of material wealth and to create an ideal society wherein all human beings are equal, are able to do what they can, and to take what they need. This is a beautiful dream and that faith is lofty. And beautiful dreams and lofty faith can raise men's moral standards. In this sense, the CPC is supposed to be a virtuous party. Every member of the party should be a moral paragon who values justice above material gains and acts for public interests rather than personal ones. Over the course of fighting for power from 1921 to 1949, many members of the CPC were inspired and motivated by their aspirations and faith; they gave up their personal interests, joined the revolution, and even sacrificed their lives.

After coming to the state power, the CPC continued to uphold its aspiration and faith, demanding the high moral standards from its officials. All officials were required to "serve the people heart and soul" and selfless behavior was promoted. For a period of time after the founding of the PRC, the moral standards-based the aspiration and faith did succeed in making officials behave properly and foster good morals in the whole society. A person promoted to a leading role was usually a man of virtue who would continue to behave in line with high moral standards. Hence, elites with state power in their hands would act in the people's best interests, while the people could feel they were masters of the country. That is, to some extent, China realized a democracy based on morals in 1950s.

However, power is highly corruptive. The material interests attached to power are extremely appealing. They may undermine one's aspirations and faith and slacken men's moral constraints. The faith in communism has gradually faded away over time and become an illusionary slogan. Many people joined the CPC for a better career rather than to devote themselves to the communism. It is true that there are selfless righteous persons who pursue commonweal wholeheartedly, but such persons are rare in any society. With the time passed, the effectiveness of moral constraints on the public officials has weakened, and many public servants have forgotten the true meaning of the word *people*⁴. In their eyes, the leaders were paramount, while the people were not important, because their powers were given by the leaders, not by the people. This is consistent with a truth in politics that officials are responsible for those who delegate power to them. So, some officials unconsciously took a side opposite from the people, bullying and domineering them. Some officials often talked about serving the people, but in their minds was the idea of serving themselves.

⁴In contemporary China, "people" is a widely used and very important word. All names beginning with the people are often the best or the most important ones, for example, the People's Government, the Peoples' Court, the People's Procuratorate, the People's Liberation Army, the Great Hall of the People, the People's Bank, the People's Money (RMB), and the People's University of China, for which I have been working. All these names were designed to assert that the people are masters of the country, but the result has not been satisfactory.

Apparently, the moral restraint is not sufficient to guarantee democracy in a state, and the legal system is even more important for this purpose. In fact, the CPC started the legislation work after coming to power, but the progress was quite slow. The reasons were multiple, including the lack of relevant theory and experience, as well as some leaders' personal factors.

In 1956, the Eighth National Congress of the CPC decided to focus on socialist construction and made it clear that "one of our top priorities currently is to create a relatively complete legal system and to improve the rule by law". However, the top leadership headed by Mao Zedong unexpectedly started a political campaign against the right-wing in the summer of 1957. This large-scale political movement not only wronged many intellectuals, but also led to a retrogression of legal construction in China. For example, the Ministry of Justice was dismissed, and the lawyering system was abolished. On August 21, 1958, Chairman Mao said frankly in his address to an executive meeting at Beidaihe: "Law, well, we need it, but we will have our own way. The civil law and the criminal law have so many clauses, but who can remember all of them? I was involved in making the Constitution, and I cannot remember it now. We seldom rely on the law, but mainly rely on resolutions and meetings which were held four times a year. We must not rely on the civil law and the criminal law to maintain order. Every resolution we made is a law, and every meeting we had is a law. ...We should rule by men, not by law. An editorial on *The People's Daily* is followed by the whole country. Why do we need the law?" (Cui, 2012: p. 81).

In 1959, Liu Shaoqi was elected President of PRC by the Second NPC and Mao Zedong was elected Chairman of the CPC Central Committee. In doing his job, President Liu became aware of the importance of the legal work, and especially the work of the courts, reflected on the lessons learned from the practice of having the police, the procuratorate and the court work in the same house since 1958.

In May 1962, President Liu gave a speech at the meeting of the central leadership group for political and legal work. He stated: "It is right that the court should try and adjudicate cases independently. The Constitution requires that. Neither the party nor the government shall intervene. We should never say that the legal organs should be absolutely obedient to leaders of the party at all levels. If the leaders go against the law, the courts shall not obey".

In the respect of legal construction, Chairmen Mao did not have much to say, but he wanted to control the decision-making power, and so he needed to draw the party's attention to the issue of political struggle, for which he was much better. In August 1962, Chairman Mao reiterated the importance of class struggle, and emphasized that "it should be repeated every year, every month, and every day" (Cui, 2012: pp. 86-87).

Then the political work became premier for the Party again, and the legal construction was slow down till the Cultural Revolution that devastated the legal system.

3. The Turmoil of the Mass Democracy in the Culture Revolution (1966-1976)

In May 1966, an enlarged session of the Political Bureau of CPC was held in Beijing, and the *Notice from the CPC Central Committee* (or The May 16th Notice) was issued. The leaders headed by Chairman Mao believed that revisionism was rising in the central organ of the party, and that the party and the country were threatened by the restoration of capitalism. Therefore, anti-actions must be taken to mobilize the masses in an open, widespread, and bottom-up manner to uncover the ugly fact of the central governing body of the Party, which was headed by President Liu Shaoqi at the time. In August, the Eleventh Plenary Session of the Eighth CPC Central Committee was held, and the *Decision of the CPC Central Committee on the Great Proletarian Cultural Revolution* (or the Sixteen Rules) was issued, which officially kick started the full-scale Cultural Revolution in China ([The Cultural Revolution Entry at Baidu Encyclopedia, 2016](#)).

In a sense, the Cultural Revolution was an attempt at achieving socialist democracy and gave citizens a chance to experience some practices of mass democracy, such as democratic Supervision in the form of mass criticism, democratic governance in the form of rebellion and usurping, and democratic participation in the form of trinity.

The Cultural Revolution started with mass criticism with the use of big-character posters, which were wall posters written in big characters. Anyone could write such a poster and put it up on any wall in a public space. Those posters were composed mainly for two purposes: disclosing and criticizing. The former could satisfy the people's need to know, while the latter satisfied the people's need to speak. The action was indeed instrumental in public supervision of the officials. In that social environment, abuse of power and corruption were rarely seen among officials. There was a popular saying that the big posters and big criticism realized the big democracy. However, there was no control over how those posters were written and where they were placed. As a result, some people could easily use this tool for rumor-mongering, disgracing, and frame-up purposes, while others could deliberately misinterpret the text and lodge groundless and exaggerated charges. During the Cultural Revolution, the abuse of posters created numerous wrong and unjust cases and stirred up social turmoil.

When the Cultural Revolution started, some college and middle school students in Beijing spontaneously formed Red Guard groups and attacked "capitalists in power" in all organizations and entities in a violent revolution. With the encouragement of Chairman Mao, the campus violence escalated quickly and spread on a mass scale across the country. The Red Guard groups, and then the rebellious groups formed by workers, took over the leadership of their organizations and form "revolutionary committees" by themselves. The struggle for power escalated, even to the provincial government level ([The Cultural Revolution Entry at Baidu Encyclopedia, 2016](#)).

That seemed to be the democratic model of holding powers by the masses.

Meanwhile, different Red Guard groups and rebellious gangs fought against each other for power, even resorted to large-scale violence and armed confrontation. With “the Red Glory sweeping the country”, many government organs were shut down totally or partially; society was in turmoil, and mass democracy degraded into a country-wide unrest.

Facing such a problem of social turmoil, the central leadership decided to send military officers to the schools and factories to support the left-wing people and to suppress the turmoil. Thus, the pro-left-wing military officers became members of local Revolutionary Committees. This contingency measure led to the Trinity model of state organizational structure; that is, a governing body made up of heads of mass revolution groups, heads of local military forces, and pro-revolution officials of the government and the Party. The Trinity leadership bringing representatives of the people on board was a product of mass movements under special historical conditions, but it was after all an expedient by-product of the fight for power and might not be institutionalized as a pattern of democracy.

The Cultural Revolution once inspired the world because it was a revolution launched by the top leader of a state against the government under his leadership. This was indeed unprecedented! The Cultural Revolution was an attempt to socialize a special form of mass democracy, one that encouraged the general public to fulfill their right to speak, to participate, and to supervise by uttering and venting their thoughts and feelings, writing big-character posters, and engaging in open debates. However, this model of mass democracy went unchecked and unfettered and ultimately devastated the whole society.

The Revolution originating in the cultural circle caused particularly serious damage to and had far-reaching impact on Chinese culture. Culture dislocation, science and technology dislocation, and talent dislocation occurred as a result. Society’s cultural heritages were wrecked; schools and institutes were abused; and cultural retrogression resulted. More than 230 million persons, or one-fourth of the total population, were illiterate or semi-illiterate, according to a census conducted in 1982 ([The Cultural Revolution Entry at Baidu Encyclopedia, 2016](#))!

Moreover, as a result of the Cultural Revolution, the Chinese nation lost faith, was ideologically confused, and became morally corrupt. As a matter of fact, after the founding of the PRC, good morals and rightful conduct had dominated, and mutual help and benefit were valued. But the bloody Cultural Revolution distorted the Chinese people’s behavior. Many people developed habits of cheating and hurting each other amidst merciless and heartless fights. Even now, its negative impact lingers. In a word, the Culture Revolution was a national disaster for China.

4. The Rethinking of Democracy with the Reform and Opening up Policy (1976-1989)

December 1978 witnessed the convening of the Third Plenary Session of the

Eleventh CPC Central Committee, a milestone in its history. According to the Communiqué of the session, its agenda contained the topics of democracy and rule of law, and both were given serious consideration. “Over the past period of time, the principle of democratic centralism was not put into effect. Centralism was all being talked about, while democracy was undervalued or ignored. At the moment, it is particularly important to underscore democracy, and highlight the dialectical relationship between democracy and centralism, so that central leadership by the party and effective command of all production organizations could be built on the mass line”. It was emphasized that “To protect democracy, the rule of law must be enforced, and democracy must be institutionalized and legislated to deliver stability, continuity and supreme authority of the institution and law and make sure the law is available and strictly observed and enforced and law breakers are punished” (Zhuo, 2018: p. 70). Following this session, the party and the government began to shift their focus from class struggle to economic development and resumed their pursuit of modernization. In the political vocabulary of China, *Reform* replaced *Revolution* as a buzz word. Unlike revolution, reform is intended to optimize the existing system rather than destroy it. The Party adopted “the reform and opening up” policy, and China walked into a new era.

In March 1980, *Several Principles Governing the Political Life in the Party* was passed at the Fifth Plenary Session of the Eleventh CPC Central Committee to reinforce democracy combining collective leadership with individual accountability in the party. In June 1981, the *Resolution on Several Historical Issues of the Party Since the Founding of the PRC*, adopted at the Sixth Plenary Session of the Eleventh CPC Central Committee, pointed out: “During the Cultural Revolution that took place between May 1966 and October 1976, the party, the country and the people suffered the worst setback and loss ever since the founding of the PRC. The Cultural Revolution was a civil riot started by the top leader by mistake and taken advantage of by the counter-revolutionary gang, a major catastrophe suffered by the party, the country and the people of all ethnic groups”. Deng Xiaoping stated: “We are totally negative about the Cultural Revolution, but it did make one single positive contribution, teaching us a lesson. But for the lesson learned from the Cultural Revolution, we could not have possibly mapped out the ideological, political and organization routes and a series of policies after the Third Plenary Session of the Eleventh CPC Central Committee” (*The Cultural Revolution Entry at Baidu Encyclopedia*, 2016).

The lesson learned from the Cultural Revolution made the Chinese keenly aware of the importance of democracy. Democracy is the surest way to revive the great Chinese nation and is a responsibility the CPC has for the Chinese nation. The level of democracy is closely related to the level of economic and cultural development of the society. Democracy should neither lag behind advancement of the economy and the culture, nor be divorced from real-world economic and cultural conditions. Therefore, to drive democracy in China, it is necessary to draw upon other countries’ successful experiences and to take the reality in

China into consideration; that is, it should be a progressive process. China must not engage in democratic reform as if it were shock treatment; rather, it should make breakthroughs and improvements in the existing democracy so as to keep it growing.

During the Cultural Revolution, the Chinese also identified the peril associated with mass democracy. From this, they learned that elite democracy should be the fundamental approach and one that is best suited to China. The people are masters of the country, but if everyone is trying to hold the power, the country might be a mess. The only way to avoid this is to enable a few people to exercise power on behalf of the general public.

With lessons learned from the Cultural Revolution, the leadership group of the CPC recognized the importance of a legal system. Then, at the Third Plenary Session of the Eleventh CPC Central Committee, this proposal was made: “The rule of law must be enforced in order to protect democracy”. Deng Xiaoping emphatically said: “Democracy must be institutionalized and legislated for, so that the institution and law will not change with leaders or with leaders’ viewpoints and attention” (Liu, 2012: p. 165). Democracy should be governed, protected, and realized by the legal system. This is the most important political heritage Deng Xiaoping left to the Chinese people and should be a guiding principle for the improvement and advancement of socialist democracy in China.

Since the late 1970s, China has made significant achievements in its legal system and there are now more laws to rely on. Seven laws were promulgated at the Second Session of the Fifth NPC in 1979⁵. The revised Constitution was adopted at the Fifth Session of the Fifth NPC in 1982. Article 79 of it provides: “The president and vice president of the People’s Republic of China shall serve the same term as that of the National People’s Congress, and the successive serving shall be no more than two terms”. It was a breakthrough in law regarding the life term for state leaders in China.

Some breakthroughs were seen in grass-roots democratic elections following the launch of the “reform and opening up” policy in the 1980s. For example, after the Election Law was promulgated in 1979, the election of deputies to the people’s congresses at the level of districts and counties was run in the form of contest⁶.

For a country that had long been cut off from the outside world, once the open-door policy took effect, Western democratic ideologies flooded into China. Some intellectuals and university students who had worshiped American model democracy launched the so-called “democratic movements”, which promoted the awareness of democracy among Chinese people but also caused

⁵The Criminal Law, The Criminal Procedure Law, The Organization Law for Local People’s Congresses and Local People’s Governments at All Levels, The Election Law for the National People’s Congress and Local People’s Congresses at All Levels, The Organization law of the People’s Court, The Organization Law of the People’s Procuratorate, and The Law on Sino-Foreign Equity Joint Ventures.

⁶This author, during his college years (1979-1983), witnessed some student who was competing for deputy to the district people’s congress with the president of the university giving a campaign speech in a classroom.

some termoids and riots in Chinese society.

5. The Exploration for Democracy with Chinese Characteristics (1990-)

As mentioned above, the democratic system of China falls in the category of indirect democracy. According to the relevant provisions of the Constitution, the people's congress is the fundamental political system of China, and it derives its authority from the people. The congress is elected by the people, responsible to the people, and subject to the people's supervision (Yu, 2018: pp. 15-17). The power of the state belongs to the people, but it can only be exercised by the people's congress. The people can control the congress through two ways: election and supervision.

There is no doubt that China's current election system has some shortcomings, such as the lack of directness and competitiveness. As mentioned above, deputies to the National People's Congress are elected by deputies to the provincial level people's congresses. In turn, the provincial level deputies are elected by the municipal level deputies, and the municipal level deputies are elected by county level deputies. Although the deputies to the county level people's congresses are directly elected by the people, after these three levels of "progressive" indirect elections, the "representative relationship" between deputies to the NPC and the people disappears. In this sense, the election of NPC deputies is a "super indirect mode".

On the other hand, leaders of the government at all levels are elected by deputies to the congress at the same level with non-competitive elections. In other words, for each vacancy to be filled, including those of the President and Vice President, there is only one candidate for whom the deputies shall vote. An election is supposed to provide choices. Democratic elections should vest real decision-making power in the voters, and such decision-making power should be based on the availability of options. Having only one candidate to vote for actually deprives the voters of their decision-making power. Of course, they may vote against or abstain from voting, or even vote for another person, but that is meaningless. Such voting is just a formality. It is true that those candidates are selected through democratic consultation, but that process is often dominated by a small number of leaders, rather than being open to the public. Hence, this kind of elections fails to be recognized by the public.

The CPC leadership is the basic feature of China's political system. It is clearly stipulated in the Constitution and is a prerequisite for China's democratic system now. Therefore, there can be no two-party or multi-party elections in China, nor is it suitable for all citizens to directly vote for national leaders and deputies to the NPC. However, in order to ensure that the people are masters of the country, China should reform the election system to promote the directness of elections and to enhance the competitiveness of the elections. In fact, China had made some progresses in this respect since 1990s.

According to the Organization Law of Village Committees of 1998, the heads of village committees were directly elected by the villagers. Then, Sichuan and some other provinces experimented with direct election for township heads. The Organization Law of Village Committees was revised in 2010, and the Regulations for Election of Village Committees was issued three years later, which clarified the procedures for village committee elections. By December 2015, more than 98% of the villages in eight provinces (autonomous regions and municipalities directly under the central government) had conducted direct elections for village heads, with an average participation rate of more than 95%. However, there were some problems in those direct elections, such as vote-buying and clan forces interference (Yu, 2018: pp. 91-95).

China introduced competitive elections for local government heads in the 1980s. The Local People's Congress and the Local People's Government Organization Law amended in 1982 stipulated that "competitive election" was a key principle for the election of local government leaders. In some provinces, the experiments of competitive elections were conducted for the heads of the standing committees of the people's congresses, as well as for the county chiefs, the mayors, and even the governors. For example, at the 1st Session of the 8th People's Congress of Zhejiang Province on January 15th 1993, Mr. Ge, the candidate who was "internally determined" to be governor of Zhejiang, was defeated in a competitive election by Mr. Wan, who was the "co-candidate" for the election but became the governor of Zhejiang. On the same day, in the provincial governor election of Guizhou Provincial People's Congress, the "internally determined" candidate Mr. Wang was defeated by the "co-candidate" Mr. Chen, who became the governor of Guizhou. In addition, in the competitive elections of municipal and county government leaders in some areas, candidates determined by superior leaders have also been defeated by "co-candidates" (Wang, 2014: pp. 37-39). Perhaps due to those "democratic accidents", competitive elections for local heads of government and congress have existed in name only. Now but the members of the standing committees of the people's congresses are still subject to competitive elections.

As for the democratic supervision, the first and foremost thing to do is to guarantee people's right to know and to speak. In this regard, the right to know is the first pillar for democratic supervision. State affairs are decided by the government, and relevant information is under the government's control. Hence, the people's right to know corresponds with the government's obligation to disclose information. In other words, the government must show its respect for the people's right to know by promoting the transparency of the government administration.

In fact, the Chinese government has made some efforts to improve information disclosure by government administration and the transparency of politics since the 1990s. In 1997, the 15th National Congress of the CPC explicitly requested that the principles of fairness, justice, and openness be incorporated into every aspect of political life. In 2005, the General Office of the CPC Central

Committee and the General Office of the State Council jointly issued the *Opinions on Driving Transparent Governance* (the *Opinions*), which outlined the framework for transparent governance practices. In 2007, the State Council issued the *Rules on Disclosure of Government Information* (the *Rules*), which came into effect in 2008. In 2016, the General Office of the CPC Central Committee and the General Office of the State Council worked together again to unveil *Opinions on Full Implementation of Transparent Governance*, which characterized a government built on the Rule of Law by openness and transparency. In the meantime, the CPC was working on transparency of the party's work. On November 30th, 2017, the Political Bureau of the CPC Central Committee adopted the Rules on Information Disclosure of Party Affairs (For Trial Implementation) (Yu, 2018: pp. 154-155).

Although the Chinese government has made some progress in achieving transparency over the last 30 years, but many problems remain to be solved. The *Rules* and the *Opinions* contain mostly general principles and statements on information disclosure, while specific and clear requirements and supporting laws are absent. Their effectiveness in enforcement is therefore unsatisfactory. The *Rules* states that the government is duty bound to disclose government information, saying "disclosure is compulsory unless there is an exception". The *Rules* were intended to protect the people's right to know, but the results did not turn out as expected. Following the *Rules*, the General Office of the State Council issued more documents, urging the administrations at all levels and in all regions to act accordingly and improve information disclosure. However, "some local authorities fail to perform information disclosure actively and timely, and even refuse to respond to public concerns. As a result, the government is very slow in response in terms of Internet-based services". Many provisions of the *Rules* "do not work or are not applicable" (Zhu, 2015: pp. 428-429). The reason is that some officials are accustomed to the black-box style policy-making. The policy-making procedure is kept secret, while only the results are made known to the public. Other officials are not politically motivated to disclose information because they believe the results of doing so cannot be converted into political assets and may even pose political risks for them.

The second pillar of democratic supervision is the people's right to speak. The right to speak is a part of the freedom of speech; that is, it is a right that citizens may freely exercise. Speech and the press are the main format and carrier of citizens' expression of their views. In any democratic country, the right to speak is one of a citizen's basic rights. As masters of the country, the people have the right to comment on state affairs.

Chinese citizens should enjoy the right to speak according to the provisions in the PRC Constitution. Article 35 of the Constitution reads: "Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration". Article 41 of the Constitution reads: "Citizens of the People's Republic of China have the right to criticize and make suggestions to any state organs or functionary; citizens have the right to

make known to relevant state organs complaints and charges against, or exposures of, violation of the law or dereliction of duty by any state organ or functionary; but fabrication or distortion of facts with the intention of libel or frame-up is prohibited. In case of complaints, charges or exposures made by citizens, the state organ concerned must deal with them in a responsible manner after ascertaining the facts. No one may suppress such complaints, charges and exposures, or retaliate against the citizens making them". Article 51 of the Constitution reads: "The exercise by citizens of the People's Republic of China of their freedoms and rights may not infringe upon the interests of the state, of society and of the collective, or upon the lawful freedoms and rights of other citizens".

The freedom of speech is explicitly specified in the Constitution, but a gap exists between the law in writing and the law in reality. Article 35 of the Constitution is quite general, while Article 51 provides for abstract and general constraints. How do we judge whether the speech of a citizen has infringed upon the interests of the state, of society, and/or of the collective? How do we balance citizens' freedom of speech and the interests of the state, of society, and of the collective? All of these issues may have a bearing on the exercise of the right to speak in reality. Owing to the absence of specific rules, some authorities or organizations may scrutinize and restrict citizens' right to speak in accordance with their internal policies or rules. And some local officials would rather go toward the left-wing than the right-wing and tend to tighten these policies or rules in enforcement. As a result, citizens' right to speak is subject to inappropriate and undue restriction and suppression. Some normal speeches might be alleged to be smears or nonsense. Some justified words might be tagged as "taboo words" or "sensitive words." Moreover, when a citizen's right to speak is hampered or infringed upon, he or she hardly has access to legal remedy.

At present, China's limitations on the right to speak are mainly performed via prior administrative and departmental review. This practice helps prevent the dissemination and reduce the harm of malicious comments. However, it also may cause the expansion of speech control and limitation on the freedom of speech. The practice of prior review may significantly limit citizens' freedom of speech particularly when the limitation standards are primarily internal regulations of a political nature.

6. Conclusion

Countries across the world vary in their histories, cultural traditions, social regimes, and environments. Democracy needs to be rooted within a given social environment. Hence, different countries are exploring different approaches and choosing different models of democracy. In view of China's history, cultural traditions, and existing social regime, China's political system should follow a model of democracy with people's congresses at its core, supported by multi-party cooperation and political consultation under the leadership of the CPC.

Under such a system, China may explore a practical road to democracy based on the protection of the people's rights, including the right to know, the right to speak, and the right to vote.

In conclusion, political democratization should be the main goal for China's development. Over the 70 years of the PRC, Chinese people have gained experience and learned lessons in exploring the road to democracy, with ups and downs. Some achievements have been made, but there is still a long way to go. Now we need to take substantial and practical measures to guarantee people's rights for democracy. It can be taken as three steps: from the right to know to the right to speak and to the right to vote. I have published some articles in China to elaborate on my viewpoints and to make specific suggestions⁷. I hope that my articles would make some influence for the policy making in China. Now it would not be proper for China to take rapid and radical measures for political reform, but we should go forward continually. Even if it will take ten years to go forward for just one step, China shall reach the goal of democracy when the People's Republic celebrates its centenary in 2049.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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