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What If China Doesn't Democratize?
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Chapter 3

China's Evolution Toward Soft Authoritarianism

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There is a consensus that China's economic system has undergone dramatic transformation since the end of the Cultural Revolution, but there is widespread disagreement about the extent of change in the political system. Many China watchers have detected signs of "creeping democratization" in China, citing the examples of an increasingly assertive National People's Congress, legal reforms, village elections, and growth of civil society.¹ However, the influential mainstream Western media are dominated by a very different view of China—one which insists that China's political system has experienced remarkably little change despite revolutionary economic progress, questioning the positive relationship between market-led economic development and political liberalization that has been observed elsewhere in the world, especially in East Asia. Skepticism about the prospects of democratization in China has even legitimated a harder line in dealing with Beijing.²

Actually, the empirical data provide substantial evidence on considerable political change in China since 1976. The one-party regime has undergone important, albeit slow-paced, institutional changes that have laid a basis for future political pluralism. Since the late 1970s, the political system has been evolving into soft authoritarianism with real potential for democratic transition, perhaps in the second decade of the twenty-first century. Therefore, policies toward China that further en-

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hance and accelerate this process of political evolution will most likely succeed in peacefully facilitating China's rise as a world power in the next century. The real challenge to foreign policymakers is not just to engage China but to defend such a policy from increasingly strong domestic opposition. To do so, policymakers must understand both China's declining level of political repression and increasing level of political pluralism, as well as the causes and implications of China's slow political evolution.

China's Political Evolution: Transition to Soft Authoritarianism

Despite the absence of dramatic political liberalization, China's political system has made a decisive break with its totalitarian past and begun to move, however slowly, toward a form of soft authoritarianism. This transition is most evident in, first, the steady decline of the level of political repression and, second, the emergence of rudimentary institutions of separation of power, rule of law, popular participation, and civil society.

Declining Political Repression

A hallmark of the transition from totalitarianism or hard authoritarianism to soft authoritarianism is the steady decline of political repression. Regimes undergoing this transition typically adopt a strategy of focusing their limited resources on a small number of committed political dissidents while granting a high level of personal freedom to those who do not openly challenge the ruling elite. Although this policy has allowed the expansion of public space and individual freedoms in these soft authoritarian systems, it ironically receives little credit from the international community because of the regimes' selective repression of high-profile dissidents, which is widely publicized by the international media and creates a false impression of unrestrained political repression. In China, the level of political repression can be reasonably measured by two statistics: (1) the percentage of political prisoners (classified as "counter-revolutionaries") in Chinese jails since 1978, and (2) the number of counter-revolutionaries arrested and tried annually in the same period.³

The Deng era saw several brief waves of conservative backlash against reform. In the fall of 1983, the conservatives launched an "antispiritual pollution" campaign in an attempt to roll back the then-fragile reform movement. This campaign cracked down especially hard on the arts,

literature, and popular culture. In early 1987, in a direct response to the student-led pro-democracy movement that sparked street demonstrations in several major cities and caused the resignation of Hu Yaobang, then the general secretary of the Chinese Communist Party (CCP), the government carried out a campaign against bourgeois liberalization aimed at stemming liberal influence in Chinese society. The post-Tiananmen democracy movement crackdown of 1989–90 represented the strongest backlash against the forces of reform, resulting in the imprisonment of perhaps several thousand political dissidents and two years of suspension of economic reform. The mid-1990s saw another round of repression against political dissent. The government rearrested dozens of dissidents, including the country's two most famous pro-democracy advocates, Wei Jingsheng and Wang Dan. Both were sentenced to lengthy prison terms despite strong international protest. But the crackdown in the mid-1990s was a narrowly focused operation and did not have any negative impact on economic reform or lead to an overall reduction of personal freedom for the majority of the people.

Despite these episodes of conservative counterattacks, the post-Mao government in Beijing has not opted for a return to totalitarian rule. Unlike the Maoist regime that attempted to rely on mass terror for a radical social transformation, the Deng regime treated state-controlled means of violence mainly as defensive instruments against those who dared to challenge the government publicly. This essentially reactive strategy resulted in a decline in the overall level of political repression. The regime's use of brute force became more selective, as the state's security apparatus directed most of its resources to the suppression of a small group of vocal dissidents. The implicit social and political contract between the regime and the Chinese people is that the regime will permit a high degree of personal and economic freedoms in exchange for a tacit acceptance of its rule. In this regard, the ruling elite in Beijing today is perhaps no different from its counterparts in Seoul and Taipei in the late 1970s and early 1980s, a period in which little open opposition was tolerated by the soft authoritarian regimes while most personal and economic liberties were permitted.

The falling level of political repression during the Deng era is especially dramatic when compared with the totalitarian Mao era. Although a lack of data makes it impossible to measure precisely political repression in either the Deng era or the Mao era, three sets of figures provide clues as to the differences between these two periods. Table 3.1 contains

Table 3.1

Percentage of Counter-revolutionaries in the Prison Population in Shaanxi Province, 1953–83

Year	Percentage	Year	Percentage
1953	39.1	1968	34.3
1955	37.9	1975	26.1
1957	34.5	1979	11.5
1959	32.5	1980	6.8
1961	34.8	1981	5.2
1963	30.5	1982	3.0
1965	31.7	1983	1.9

Source: Lu Xueyi and Li Peilin, eds. *Zhongguo shehui fazhan baogao* (China's social development report) (Shenyang: Liaoning renmin chubanshe, 1991), p. 379.

data on the percentage of counter-revolutionaries in the prison population in Shaanxi province during a thirty-year period (1953–83) that spanned the Mao and Deng eras. Since many political offenses were prosecuted as “counter-revolutionary” crimes, a large percentage of counter-revolutionaries could be political prisoners.⁴ Their share of the prison population could be a proxy of political repression. It indicates that the overall level of political repression—if the Shaanxi sample is representative—was extremely high in the Mao era, with nearly one out of three prison inmates a political prisoner. The level of repression began to fall toward the end of the Cultural Revolution. But the real dramatic plunge occurred in 1979, a year marking Deng's rise to political supremacy. Throughout the early 1980s, the level of repression continued to fall.

Table 3.2 provides some data on the percentage of political prisoners in the entire country in the 1980s. The national data are roughly in line with the provincial data from Shaanxi and indicate a steady downward trend in political repression during the Deng era. For instance, in 1980, about 13 percent of all prisoners were counter-revolutionaries, but ten years later, only 0.5 percent of all prisoners were counter-revolutionaries. The data in Table 3.3 show that the current level of repression, measured by the number of counter-revolutionaries prosecuted each year during the late 1980s and early 1990s, displays an inverted-U curve. Although government statistics do not provide information on the number of counter-revolutionaries prosecuted each year before 1987, Table 3.3 suggests that fewer counter-revolutionary cases were being pros-

Table 3.2

Percentage of Counter-revolutionaries in the Prison Population in China, 1980–1989

Year	Percentage
1980	13.35
1981	4.3
1984	1.19
1985	1.13
1989	0.51

Source: Lu Xueyi and Li Peilin, eds. *Zhongguo shehui fazhan baogao* (China's social development report) (Shenyang: Liaoning renmin chubanshe, 1991), p. 379.

Table 3.3

Counter-revolutionary Cases Prosecuted in China, 1987–1997

Year	Cases accepted by the court	Cases prosecuted by the court
1987	372	358
1988	214	208
1989	572	448
1990	716	728
1991	354	413
1992	231	253
1993	192	187
1994	180	180
1995	208	208
1997	280	271
Total	3,111	3,046

Source: *Zhongguo falu nianjian* (Law yearbook of China) (Beijing: Zhongguo falu nianjian chubanshe, various years).

ecuted in the late 1980s. The rise in the number of prosecutions in 1989 was the result of the post-Tiananmen Square movement crackdown. The increase of political repression was temporary. In 1992, the number of counter-revolutionary cases prosecuted fell significantly. By 1995, it fell to the same level as in 1988, generally considered a year of relative political openness.

If the overall level of repression in China has declined significantly since the late 1970s, why has China been routinely singled out as one of

the most repressive countries in the post-Cold War world? Has the bar been raised in ways that hide China's similarity to Taiwan and South Korea in the 1970s? In the early 1990s, there was a general improvement in human rights as despotic regimes made a transition to democratic rule (especially in the former Soviet bloc and parts of Latin America and East Asia). Compared to these, the improvement in China did not seem all that impressive.

Building Internal Norms of the Regime

A second characteristic of a soft authoritarian regime—again based on the experience of other East Asian newly industrializing countries (NICs)—is a high degree of institutionalization of the rules and norms governing intra-elite competition for power and distribution of rewards. In post-Mao China norms and rules have gained increasing constraining power. In the two most critical power struggles in the Deng era, the removal of Hu Yaobang and the dismissal of Zhao Ziyang, the ruling elite consciously avoided a massive purge. Although Hu and Zhao lost power, their followers were gradually incorporated by reformist elements among the ruling elite.⁵ A recent study of the mobility of the Chinese provincial leadership shows that while massive purges of provincial leaders routinely accompanied power struggles at the top prior to the 1980s, the provincial leadership has remained very stable during the Deng era, indicating greater security of China's ruling elite.⁶ Moreover, the exit of disgraced leaders (both hardliners and reformers) has been made less painful. Instead of public humiliation and physical abuse, they were given sufficient material amenities to ensure their physical comfort. Under Deng, not a single top leader (a member of the Politburo or the Central Committee Secretariat) was stripped of his or her party membership and publicly denounced.⁷

Three institutional mechanisms installed by Deng have contributed to the relative stability and cohesion of China's ruling elite: (1) elections, some *pro forma* and some semicompetitive, for many leadership positions in the party and the government; (2) mandatory retirement of all officials; (3) promotion based on educational qualifications. Elections were initially instituted to give some substance to the notion of "democratic centralism." While such elections may not fully create a limited "democracy," they have a homogenizing effect on elite cohesion because these elections prevent the rise of radical conservatives

and liberals alike. The arch conservative Deng Liqun, for example, did not receive enough votes to become a member of the Central Committee because he was viewed as too conservative. Even in situations where such elections are not competitive, the CCP leadership is constrained by this procedure. If nominees do not have a credible record of administration and cannot demonstrate leadership, they may not get an overwhelming endorsement or receive half of the vote (for delegates can spoil their tickets or refuse to vote). This procedure forces the CCP leadership to exercise caution in selecting candidates for major offices, thus insuring the promotion of relatively competent administrators while screening out less capable careerists.

The mandatory retirement system has increased the circulation of elite within the regime and opened the door for ambitious Young Turks.⁸ One official figure shows that about 5.5 million government officials had been retired by the end of 1989. In 1989, of all the government officials, only 1 percent were older than 60 while 80 percent were younger than 50.⁹ An important lesson the post-Mao regime learned from the Cultural Revolution was that introducing mandatory retirement would increase the stability of the political system. Previously, many ambitious and capable officials saw their paths to higher positions blocked by the first-generation revolutionaries occupying those offices.¹⁰ Mao mobilized these frustrated young and middle-aged elements in the lower echelons of the CCP in making the Cultural Revolution. As mandatory retirement reduces the uncertainty of upward mobility (everything else being equal), this lessens the incentive for resorting to political intrigue in seeking personal advancement. Another unanticipated benefit of the mandatory retirement system is the strengthening of the People's Congress and the Political Consultative Conference (PCC). Most officials who are forced to retire from the CCP and government positions are eased into positions in the People's Congress and the PCC. Their prestige and connections have strengthened these institutions as counterweights to the CCP's monopoly of power and laid rudimentary foundations for institutional pluralism.

The emphasis on educational qualifications as a key criterion for promotion has brought about a fundamental transformation within China's ruling elite.¹¹ This change is reflected in the increasing share of government officials who have received higher education. According to official sources, of the 4.55 million government officials in 1989, 23 percent had received a higher education and 25 percent had been educated in

vocational schools. The educational requirements seem to be higher for the upper echelons. The same official sources show that nearly 60 percent of government officials in the State Council and its ministries have received a higher education, mostly in natural science and engineering.¹² The effect of this system of merit-based promotion has been similar to that of limited intraparty elections and mandatory retirement: it serves to homogenize the ruling elite. Although these new institutional features put into place in the Deng era cannot eliminate personal rivalries and policy differences, they seem to have greatly reduced ideological conflicts. Indeed, it is hard to identify a hardline ideologue among the younger generation of leaders who has been promoted through this process.¹³

Emerging Institutional Pluralism

A third characteristic of soft authoritarianism is institutional pluralism. The dominant political force in control of the state—whether a one-party or dominant party regime or a military regime—faces limited political competition from the legislative and judiciary branches of the government. Although the independence of these institutions may not be fully guaranteed and protected, they exert a moderating influence on the government, especially concerning routine, secondary matters of governance. The current Chinese regime's progress in this direction is more limited than its progress toward internal cohesion and stability. Nevertheless, evidence suggests a trend toward institutional pluralism. This trend is noticeable in four areas: (1) the emergence of the National People's Congress and provincial People's Congress; (2) progress in legal reforms; (3) grassroots democratic experiments, such as village elections; and (4) the growing strength of civil society.

The National People's Congress. The Deng era saw a gradual emergence of the National People's Congress (NPC), the country's constitutionally supreme lawmaking body, as a potential source of rivalry to the monopoly of power by the Chinese Communist Party. The strengthening of the NPC is especially visible in such areas as the drafting of legislation, negotiation with the CCP and the bureaucracy over proposed laws, debate on national policy, and expression of popular discontent with regard to certain government policies.¹⁴

Several factors were responsible for the rise of the NPC. First, the general decentralization of power allowed this revived political institution to assume some functions formerly completely under the purview

Table 3.4

Composition of Deputies of the National People's Congress, 1978–88*
(sociopolitical background of deputies; in percentages)

	1978 (5th Congress)	1983 (6th Congress)	1993 (8th Congress)
Workers & Peasants	47.3	26.6	20.55
Cadres	13.38	21.4	28.27
PLA	14.38	8.97	8.96
Intellectuals	14.96	23.5	21.8
Returned overseas Chinese	1	1.3	1.21
Ethnic minorities	10.9	13.6	14.75

Source: *Zhongguo falu nianjian* (Law yearbook of China) 1992, (Beijing: Zhongguo falu nianjian chubanshe, 1992), p. 851.

*Figures do not add up to 100 percent.

of the CCP. An American researcher explicitly attributed the relocation of the day-to-day control of lawmaking from the CCP to the NPC as the most important cause of the rise of the NPC.¹⁵ Second, the increasing autonomy of the NPC flowed from the appointment of several CCP heavyweights as its chairmen: Ye Jianying, Peng Zhen, Wan Li, and Qiao Shi. Their presence in the NPC gave the body considerable bargaining power. Third, the NPC has a higher degree of representation from the intelligentsia, government officials, and ethnic minorities. Correspondingly, there has been a decline in the presence of workers, peasants, and the People's Liberation Army (PLA). Table 3.4 provides some information on the social background of NPC deputies in the 1980s. The data show that the representation of intellectuals in the NPC increased by 56 percent from 1978 to 1993 while that of workers and peasants fell by more than half. The gains in the representation of the intellectuals allowed this more liberal social group a stronger voice in the NPC.

Although the NPC has not openly challenged the CCP's monopoly of power, it has begun to assert its influence subtly.¹⁶ NPC deputies propose new legislation, debate and amend proposed legislation, and, on occasion, openly vote against some top-priority laws the passage of which was eagerly sought by the government.¹⁷ The Enterprise Bankruptcy Law was held up in the NPC in the early 1980s because many deputies were skeptical about its efficacy in solving the problems of the state-

owned enterprises (although the law was eventually passed in 1986). At the NPC annual session in 1995, deputies heatedly debated the proposed Central Banking Law and the Education Law. More than a third of the deputies in the end voted against the banking law and a quarter voted against the education law.

A second area where the NPC has begun to act on its constitutional prerogatives is the process of confirmation of senior government officials. In a few provinces, deputies in local people's congresses rejected the nominations of senior provincial officials and selected candidates not originally endorsed by the local CCP leadership. At the national level, such open display of dissatisfaction with the top CCP leadership has become more frequent. At the March 1995 session of the NPC, a third of the deputies voted against the nomination of a CCP Politburo member to be a vice premier. Twenty percent of the deputies voted against the nomination of another Politburo member to be a vice premier. Moreover, the NPC deputies symbolically expressed their discontent with the government's policy performance by voting against the annual reports of key government institutions. At the 1996 session, 30 percent of the NPC deputies publicly refused to endorse the report given by China's top prosecutor on law enforcement and anticorruption. Twenty percent of the deputies voted against the report given by the chief judge of the Supreme Court. At the March 1997 session of the NPC, to demonstrate their dissatisfaction with the government's ineffectiveness in combating official corruption and rising crime, 848 deputies (32 percent of all deputies) voted against or refused to support the annual report of the Supreme Court, and 1,065 (about 40 percent) of the deputies voted against the annual report of the Supreme Procurator.

Finally, the NPC is slowly gaining visibility as a public forum for expressing popular sentiment and redressing grievances. A poll conducted in late 1994 showed that an increasing proportion of the public views the NPC and the media as important channels to voice their views and seek justice. While the same poll showed that about 43 percent of the respondents said that they would go to the "relevant authorities" (i.e., party and state officials) to lodge complaints in 1988, that fell to 38 percent in 1994. In contrast, the media and the People's Congress gained influence as forums to air private grievances, with nearly a quarter of the respondents saying that they would choose the media to voice their complaints (compared with only 9 percent in 1988). Twenty-two percent said that they would lodge their complaints with the deputies of the

People's Congress (compared with 13 percent in 1988).¹⁸ The image of the NPC as an institution that can provide solutions to problems prompts more than 100,000 private citizens to write requesting assistance each year. Influential NPC members have sometimes intervened in cases of miscarriages of justice by government officials.

Legal Reforms. China's legal reforms since the end of the Cultural Revolution have received intensive coverage.¹⁹ These limited reforms may have laid some foundations for the rule of law. Recognizing the connections between a market economy and a sound legal system, the CCP identified the building of such a system as a top priority. Consequently, the NPC received a CCP mandate to push through a comprehensive program of legal reforms. Between 1979 and 1992, the NPC enacted more than 600 laws; provincial and local people's congresses passed 2,300 laws during the same period.²⁰ Given China's lack of legal expertise, Western legal doctrines, concepts, frameworks, and technical terms have exerted enormous influence in the drafting of Chinese laws. Enforcement, however, remains difficult and haphazard. The office of research of the Supreme Court disclosed that, of the 302,497 commercial cases adjudicated by the courts in 1993, 146,801 (about 50 percent) had not been enforced at the end of the year.²¹

However, even the poor rate of enforcement of laws and court decisions has not discouraged the Chinese public from using the law to protect its interests, especially commercial interests. Indeed, China's legal reforms have had a most visible impact on the country's commercial activities. As China gradually moved toward a market economy, the demand for legal enforcement of contracts increased rapidly despite the difficulties in enforcing contracts and lack of autonomy of the court. Table 3.5 shows the rapid increase in the number of commercial litigation cases tried in China's courts of first instance between 1986 and 1997. The 480 percent increase in the ten-year period (from 308,000 in 1986 to 1.48 million in 1997) indicates that the legal system is providing some real benefits to litigants who seek protection of their property and contract rights.

Two decades of legal reform seem to have raised the public's awareness of rights. This is evident in the increase in the number of cases filed against the government. The government promoted the development of an administrative litigation system that provides a limited form of judicial relief to citizens and "legal persons." The centerpiece of this system is the Administrative Litigation Law (ALL), which was passed by the

Table 3.5

Number of Commercial Litigation Cases Tried in Chinese Courts of First Instance, 1986–97

Year	Number of Cases	Change
1986	308,393	—
1987	365,848	18.6
1988	486,483	33.0
1989	669,443	37.6
1990	598,314	-10.6
1991	583,771	-2.4
1992	648,018	11.0
1993	883,681	36.4
1994	1,045,440	18.3
1995	1,271,434	21.6
1996	1,504,494	18.3
1997	1,483,356	-1.4

Source: *Zhongguo falu nianjian* (Law yearbook of China) (Beijing: Zhongguo falu nianjian chubanshe, various years).

NPC in 1989 and fully implemented in October 1990. Before the passage of the ALL, victims of abusive government agencies and officials had no recourse to judicial relief. Occasionally, a handful had tried to take the government to court for violations of their constitutional rights. Official figures show that about 44,000 such lawsuits had been filed by ordinary citizens and "legal persons" between 1983 and 1990 (averaging about 10,000 a year at the end of the 1980s). After the ALL was implemented, lawsuits against the government exploded, reaching 25,600 in 1991. Official figures indicate that between 1991 and 1995, citizens won about 20 percent of such suits and, in addition, obtained favorable out-of-court settlements in about 17 percent to 22 percent of the suits.²² That the new system of administrative litigation could allow plaintiffs judicial relief in about 40 percent of the cases filed encouraged more citizens to rely on the ALL to protect their rights. As a result, the number of suits against the government rose to 90,000 at the end of 1997 (Table 3.6).

Another powerful force promoting China's legal reform is the emerging professional legal community. Table 3.7 provides a glimpse into its rapid growth. Lawyers rose from 31,000 in 1988 to nearly 100,000 in 1997, and should have exceeded 150,000 by the end of this century. Moreover, as shown by the rapid growth of nonstate (mostly private) law firms, China's legal community may be acquiring some measure of autonomy

Table 3.6

Number of Administrative Litigation Cases Accepted (*shouli*) and Tried (*shenli*) by the Court, 1986–97

Year	Accepted	Change (%)	Tried	Change (%)
1986	632	—	—	—
1987	5,240	729	4,677	—
1988	9,273	77	8,751	88
1989	9,934	7	9,742	11
1990	13,006	31	12,040	24
1991	25,667	97	25,202	109
1992	27,125	6	27,116	8
1993	27,911	3	27,958	3
1994	35,083	26	34,567	24
1995	52,596	50	51,370	49
1996	79,966	52	79,537	55
1997	90,557	13	88,542	11

Source: *Zhongguo falu nianjian* (Law yearbook of China), various years; figure for 1986 was obtained from *Falu yu shenghuo* (Law and life), no. 82 (October 1990), p. 19. Figure for 1996 was obtained from *Renmin Ribao*, March 21, 1997, p. 2.

Table 3.7

The Growth of the Legal Profession in China: The Number of Law Firms and Lawyers at Year-end, 1988–97

Year	Law firms	Non-state law firms ^a	Lawyers
1988	3,473	—	31,410
1989	3,653	—	43,533
1990	3,653	—	38,769
1991	3,706	73	46,850
1992	4,176	198	45,666
1993	5,129	505	68,834
1994	6,619	1,193	83,619
1995	7,247	1,625	90,602
1996	8,265	2,655	100,198
1997	8,441	2,957	98,902

Source: *Zhongguo falu nianjian* (Law yearbook of China), various years.

^aThese are predominantly private partnerships; the total number of law firms includes these partnerships.

from the state. Such autonomy was first demonstrated in 1995, when members of the All-China Lawyers Association voted out the officials of the association who had been appointed by the Ministry of Justice,

and elected a new slate chosen by the members.²³ There have also been reports of Chinese lawyers' support for various social causes. The Law School of Wuhan University, for instance, is known for its Center for the Protection of the Rights of the Weak, which has more than 40 volunteers from the school's faculty and student body. They perform pro bono legal work for citizens who cannot afford professional legal representation.

Before the launch of a full-scale democratization transition, the emerging economic interests and political forces will most likely wage their battles against the monopoly of power by the CCP in the legal system. It will thus be the "backdoor" through which the process of democratic transition can be quietly initiated. Compared with other forms of political reform that directly challenge the CCP's rule (such as open elections and a multiparty system), gradual legal reforms present no imminent threat to the one-party dictatorship and, in the short term, may even serve some of the interests of the ruling elite. However, in the long run, as legal norms become consolidated and acquire constraining power on the government, China's current experiment with the establishment of a *system of law* may evolve into a *rule of law*.

Village Elections. Village elections in China began as the part of the regime's efforts to forestall the rapid erosion of its authority and organizational integrity in rural areas following the dismantling of the communes in the early years of the reform. According to the Organization Department of the CCP, there were 730,000 party branches in villages in the mid-1990s. In terms of their effectiveness and organizational cohesion, the department considered about a quarter of these branches "good," 60 percent "so-so," 7 percent "backward," and 8 percent "paralyzed."²⁴ A power vacuum alarmed top CCP leaders, who opted for limited experiments in rural self-government. Some senior CCP leaders (chiefly Peng Zhen, the head of the NPC in the early 1980s), later became strong supporters. In 1982, the amended Chinese Constitution granted legal recognition to village committees as a form of local civic organization. Peng was the driving force behind the 1987 passage of The Organic Law of the Village Committees of the PRC, which solidified the legal status and administrative functions of village committees. Initially, villagers elected only a village committee with five to seven members; later, they also elected a villagers' representative assembly (with about 30 members). These two elections are held concurrently. By 1994, the government reported that about half of Chinese villages had elected such assemblies.²⁵

The elected village committee manages the day-to-day affairs of the village. When these committees, which function like executive councils, are confronted with difficult decisions that they lack the necessary authority to make, such decisions are turned over to the villagers' representative assembly. These assemblies decide issues such as the budget and major public works expenditures, and also monitor and evaluate the work and performance of the village committees.

With official encouragement, village self-government spread nationwide. Between the second half of 1988 and 1989, fourteen provinces held a first round of village elections. Although the Tiananmen crackdown temporarily halted this reform, village elections were resumed in 1992 after Deng's famous southern tour reignited economic reform. By the end of 1995, twenty-four provinces (out of thirty) had passed local legislation on village committees. According to Wang Zhenyao, an official in the Ministry of Civil Affairs who oversaw village elections until 1997, between 1988 and the beginning of 1997, three rounds of village elections had been held in eighteen provinces; in addition, Heilongjiang and Fujian had held four rounds of village elections; other provinces had held two rounds of village elections.²⁶ To gain technical expertise in conducting elections and developing models for the entire country, the central government had selected sixty-three counties (comprising 3,917 towns and 82,266 villages) between 1990–95 as "demonstration sites." These villages—about 8 percent of the total number of villages—were given more technical help and supervision from the Ministry of Civil Affairs.²⁷

Given the brief history of village elections and the huge regional variations in the openness and fairness of such elections, it is premature to draw conclusions as to their impact.²⁸ However, there are indications that the experiment is consequential. Two surveys report a high degree of villagers' interest in these elections. A 1990 survey of 4,418 villagers showed that 88 percent of the respondents said they were "concerned" with the election of the head of the village committee. A 1996 survey of 5,000 villagers reported that 80 percent were "concerned" with the election of the members of the village committee, and 91 percent were concerned with the management of village affairs, especially its budget.²⁹

In villages where experimental self-government has been successful, voter turnout was high. One official study reported a turnout rate of 90 percent in seven provinces.³⁰ The degree of competition differed. Elections were highly competitive in only some villages. One survey showed that non-CCP candidates won about 30 percent of the elections for chair

Table 3.8

The Number of Registered Civic Organizations at Year-end, 1991–96

Year	Total	Provincial	Prefecture	County
1991	115,738	9,518	36,306	69,914
1992	154,502	13,652	45,791	93,789
1993	167,506	16,314	53,085	97,725
1994	174,060	17,792	56,555	99,605
1995	180,538	19,001	59,309	102,215
1996	186,666	20,058	61,239	103,524

Source: *Zhongguo falu nianjian* (Law yearbook of China), various years.

of village committees in demonstration jurisdictions in three provinces.³¹ Many CCP incumbents have failed to be reelected. In the 1991 elections in Fujian, 51 percent of the 11,930 chairmen of village committees were members of the CCP.³² Surprisingly, the Chinese government was also receptive to Western technical assistance in conducting experimental rural self-government and in monitoring these elections. Both the European Union and the United States provided financial and technical help. According to an assessment by an American organization with close ties to the Republican Party, Chinese elections officials had implemented, fully or partially, most of the suggestions made by the organization aimed at making village elections fairer.³³

To be sure, village elections represent only a small and tentative step toward democratization. Progress has been slow and difficult. However, this experiment may have started an important process of political participation. If this experiment continues and gains full legitimacy, it could replace the monopoly of power by the CCP in rural China, where three-quarters of the population live.

Emerging Civil Society. The nascent trend of institutional pluralism described and analyzed above has been accompanied by the emergence of an embryonic civil society.³⁴ Table 3.8 shows that there were 180,000 registered civic organizations in 1995. The growth rate was about 4 percent in the early 1990s. The data in Table 3.9, based on the changes in the number and structure of civic organizations in Shanghai, show that the number of civic organizations in the five urban districts and five suburban counties in Shanghai rose by more than 1,300 percent in 15 years—from only 57 in 1978 to 745 in 1992. These grassroots civic organizations also became more diverse. In 1978, three categories ac-

Table 3.9

Distribution of County and District Social Organizations in Shanghai, 1978 and 1992*

Type	Number in 1978	%	Number in 1992	%
Arts, health, and education	23	41	149	20
Natural science, technology, and engineering	20	35	161	22
Charitable, religious, and public affairs groups	11	19	41	5
Recreational and friendship groups	3	5	195	26
Business and trade	0	0	86	12
Social science, humanities, and management studies assoc.	0	0	75	10
Professional and managerial	0	0	38	5
Total	57	100	745	100

Source: Based on the original data in Ma Yili and Liu Hanbang, eds., *Shanghai shehui tuanti gailan* (A look at Shanghai's social organizations) (Shanghai: Shanghai renmin chubanshe, 1993).

*Five urban districts and five suburban counties are included here.

counted for 95 percent of the registered civic groups. In 1992, the top three categories accounted for 68 percent.

Several factors facilitated the rapid growth of civic organizations. China's economic reform has led to a revolutionary transformation of its economic institutions and structure, as well as a considerable decline of the state's role in the economy. The diminishing presence of the state has eroded the system that had stifled local initiatives and prevented the accumulation of social capital. The most striking example has been the decline of the so-called *danwei* (unit) system that used to severely limit social and physical mobility of Chinese citizens. In China's transition to a market economy, two forces hasten the decline of the *danwei* system. First, as the state's share of national wealth began to fall, it had fewer resources to maintain the *danwei* system. Second, the rise of market forces, especially in the housing, health care, and labor markets, has considerably reduced the *danwei*'s control over its employees (even though in the state-controlled sector, the *danwei* remains most important).

The slow evolution of China's political system from totalitarianism to soft authoritarianism has provided momentum for the growth of a nascent civil society. The Deng era was marked by a gradual and voluntary withdrawal by the state from areas of social control. Firm bound-

aries between the state and society began to emerge. This is evident in the amount of leisure time available. Scholars of civic organizations have identified the amount of leisure time as an important factor in the accumulation of social capital, because less leisure time (or leisure time devoted to activities not directly contributing to the accumulation of social capital) has a negative impact on the growth and health of civic organizations. The state had a near-total claim on a citizen's leisure time in the Mao era. The Deng era saw a significant expansion of leisure time, from 2 hours and 21 minutes in 1980 to 4 hours and 48 minutes in 1991.³⁵

The emergence of civic groups has also been driven by rapid economic development. The accumulation of material resources is crucial to the construction of a civil society. One study comparing the density of civic groups in various regions shows that it is positively correlated with the level of wealth: provinces with higher per capita income have more civic associations.³⁶ Clearly, rising wealth enables Chinese citizens to pursue civic activities that would have been otherwise impossible. Finally, China's new civic organizations have benefited from the country's increasing openness to the international community. Foreign foundations, universities, and civic groups have created many exchange programs with China and contributed to the growth of many nongovernment organizations. American foundations alone provide millions of U.S. dollars in grants to fund their programs in China each year. Most of the financial support goes to Chinese civic organizations and academic institutions.

The rise of a nascent civil society, if it continues, may have profound implications for the evolution of the Chinese political system. In the not-too-distant future, one may expect to see relatively autonomous civic organizations play a more visible role in public affairs and defend ordinary citizens from the intrusive state. Eventually, these organizations will help determine whether China can make the transition to democratic rule.

Causes and Implications of China's Slow Evolution

The Chinese political system has undergone considerable change since the end of the Mao era. Although the pace of this transformation is slow, the impact is real. The Chinese political system has acquired many of the characteristics associated with the soft authoritarian regimes that dominated East Asia in the late 1980s (South Korea, Taiwan, Indonesia,

Thailand, Malaysia, and Singapore). However, the Chinese political system in the late 1990s lacked strong institutional foundations (such as relatively developed legal systems, electoral systems, and representative bodies) and organizational support (especially corporatist organizations), and relied more on political repression and less on other indirect and more subtle means of political control to maintain power. The level of political repression, although much reduced since the totalitarian era of Mao, remains relatively high in China.

The regime has strongly resisted semifree elections at all levels but the village. By contrast, such elections were a hallmark of soft authoritarian regimes in East and Southeast Asia in the 1980s. In these regimes, semicompetitive elections were held for many practical reasons, such as obtaining a level of political legitimacy, institutionalizing local political autonomy, gauging public mood and policy preferences, and channeling political opposition into a controlled arena. Moreover, state corporatist arrangements prevalent in many soft authoritarian regimes also helped the ruling elite win elections, thus obviating the need to rely on a more naked use of force to stay in power.

The failure by the CCP to institutionalize a semiopen process of political participation has made it difficult for Beijing to govern state-society relations, manage new social conflicts generated by fast-paced socioeconomic changes, and deal with China's small but active political opposition. Nonetheless, the political system has changed. In the Mao era, most major political catastrophes originated from intraregime conflicts as Mao's dictatorial rule precluded the functioning of the norms of regulating intra-elite struggles.³⁷ In the post-Deng era, the emergence and strengthening of such norms will make similar political eruptions less likely. However, the weakness in the institutions governing state-society relations means that future political instability will originate from social discontent and conflicts between the state and social groups.

Why, then, has the ruling elite in Beijing not opted for semifree elections as an alternative, given the apparent attractiveness and effectiveness of this institution in many East and Southeast Asian countries? Beijing's strong resistance seems to have stemmed from the regime's insecurity, which is deep despite an impressive economic performance. Beijing is anxious about new regional and social tensions because the economic gains have been unevenly distributed among different social groups and regions. Some sectors have gained, but others have not, at least in relative terms. There has been a considerable reduction in the

state's effectiveness in maintaining law and order, raising questions about its competence. Also, rapid economic progress has reduced the influence of the communist ideology as an instrument of mobilizing political support. At the same time, the regime has not fully confronted the legacies of Maoism, such as the Anti-Rightist Movement in 1957–58, the Great Leap Forward famine, and the tragedies of the Cultural Revolution, creating the danger that a small political opening may trigger a Soviet-style *glasnost* which could devastate the legitimacy of the CCP. Finally, integration into the international system has increased the regime's sensitivity and vulnerability to outside influence and pressure.

The Chinese leadership's fear of loss of control is a direct consequence of its lagging efforts in constructing the three key institutions of soft authoritarianism—semicompetitive elections, limited institutional pluralism, and state-corporatist organizations.³⁸ Such institutions, when well established, can insulate the regime from uncontrolled social discontent. While the regime may be forced to cede considerable autonomy and power to these institutions and processes, it will also gain significant benefits. Robust soft authoritarian institutions can insure the regime's stability through nonviolent means. In their stead, Beijing's ruling elite has no alternative other than reliance on its repressive apparatus to ward off challenges from new political and social forces.

Why, then, has Beijing not been able to establish such soft authoritarian institutions? There are many answers to this difficult question. Deng was not committed to the limited political reforms that would move the political system further along the soft authoritarian path. The Chinese leadership, which was deeply scarred by the Cultural Revolution and then shocked by the turmoil in Eastern Europe and the former Soviet Union, is leery of initiatives that might unleash powerful social forces threatening its rule.

In addition, in the more effective soft authoritarian regimes in East Asia, each had a strong central institution—either a dominant party (the PAP in Singapore, the KMT in Taiwan, and the UMNO in Malaysia) or a strong military (South Korea and Indonesia). In China, however, the Cultural Revolution severely weakened the CCP as the central ruling institution. Its internal norms were nearly totally destroyed under Mao's rule; its members were demoralized; its elites were divided on ideological and personal grounds; its organizations were in disarray; its ties to the population were strained; its reputation was in tatters. It lacked the self-confidence to institute limited political reforms. It was afraid that it

would not be able to control the new political process if it did not renew itself first. Therefore, the first priority of the post-Mao leadership was the restrengthening of the CCP. Although it has made some progress in this respect (such as reimposing some internal norms), the process of restrengthening faced new challenges created by economic reform. Society became less dependent on the state and the party. The influx of new values competed with the values of communism and further reduced the ideological appeal of the CCP. More economic opportunities attracted the talented away from careers in the party, especially in the countryside. Economic reform also produced more temptations and opportunities for CCP members to engage in corrupt practices, thus further sullyng the party's reputation. Greater personal liberties promoted by a market economy allowed more direct criticisms of the CCP and increased the reach and impact of such criticisms. The CCP's withdrawal from economic management has also led to its organizational decline in villages and factory workshops.

These changes severely eroded the CCP's organizational capabilities. It has gained no new function or mission that might reinvigorate the party. Like firms, political parties must be subject to constant challenges and competitive pressures to maintain a minimal degree of organizational capacity and effectiveness. A dominant party atrophies its organizational muscles if it does not constantly engage in electoral campaigns and mobilization of political support. Without the challenges of electoral campaigns, a dominant party degenerates into a huge patronage machine, as the CCP is today.

The initial weakness of the CCP left it unable to maintain credible control of a semiopen political system. This led the CCP leadership to postpone major political reforms in order to build up the CCP first. However, without competitive pressures and activities from a semiopen political system, the CCP is unlikely to renew itself and enhance its capacity, which further increases the risks of a political opening for the CCP.

The post-Deng leadership faces different choices. The status quo is not sustainable indefinitely. Only limited political reforms will help maintain China's stability. To reduce the risks of runaway reforms, the post-Deng leadership could heed the lessons of other East Asian countries. Despite its numerous flaws, the CCP remains the most powerful political force in China and enjoys strong competitive advantages vis-à-vis other political forces. If the CCP can complement its own strength with the growth of state-corporatist institutions to back up the CCP in

future electoral and political competitions, its political dominance will be nearly unassailable in the near and medium term, without frequent resort to repression. Such a change would move the Chinese political system a step closer to mature soft authoritarianism and help insure political stability into the next century.

It remains unclear whether the post-Deng leadership under Jiang Zemin will be up to this monumental task. A major foreign policy implication of this study is that economic reform and integration with the international community can indirectly promote political liberalization, as shown by the extent of political change, however slow and partial, documented in this chapter. For those seeking to advance human rights and democracy in China, the most workable policy is to encourage the growth and development of the internal forces of political change in China while avoiding confrontational tactics aimed at pleasing disparate domestic pressure groups. Experience during two decades of economic reform has vindicated such a strategy. The combination of domestic reformist forces and international support has significantly opened up Chinese society and the economy and reduced the influence of the CCP. Indeed, the foes of reform inside the CCP have repeatedly warned against the danger of the trends of political evolution discussed in this chapter. A hardline policy toward China will only serve the interests of the conservative forces in the regime and effectively halt the slow but steady process of political evolution in China.

The challenge to America is thus twofold. On the one hand, Americans should work hard to foster a new domestic consensus on China and prevent the hijacking of its China policy by various interest groups. Such a consensus may be achieved, in part, by more educational efforts aimed at better informing the public about the enormous social and economic progress in China since 1978 and the real potential for democratization. On the other hand, the United States and its allies in East Asia must devote more resources to the acceleration of the trends of political opening in China. More specifically, they should encourage and support China's program of legal reform, provide technical assistance to China's national and provincial legislature and village elections, and forge ties with nongovernmental organizations (NGOs). Such a program of comprehensive engagement is more likely to prevent the rise of ultra-nationalism while giving a considerable impetus to the continuation of the political opening in China.

Notes

1. See Kevin O'Brien, "Implementing Political Reform in China's Villages," *Australian Journal of Chinese Affairs*, no. 32 (July 1994), pp. 33–67; O'Brien, "Agents and Remonstrators: Role Accumulation by Chinese People's Congress Deputies," *The China Quarterly*, no. 138 (June 1994), pp. 359–80; M. Kent Jennings, "Political Participation in the Chinese Countryside," *American Political Science Review*, vol. 91, no. 2 (June 1997), pp. 361–72; Minxin Pei, "Creeping Democratization in China," *Journal of Democracy*, vol. 6, no. 4 (October 1995), pp. 64–79; Murray Scot Tanner, "The Erosion of Communist Party Control over Law-making in China," *The China Quarterly*, no. 138 (June 1994), pp. 381–403; Pitman Potter, ed. *Domestic Law Reforms in Post-Mao China* (Armonk, NY: M.E. Sharpe, 1994); Stanley Lubman, ed., *China's Legal Reforms* (New York: Oxford University Press, 1996); Gordon White, Jude Howell, and Xiaoyuan Shang, *In Search of Civil Society: Market Reform and Social Change in Contemporary China* (Oxford: Clarendon Press, 1996).

2. See Richard Bernstein and Ross Munro, *The Coming Conflict with China* (New York: Knopf, 1997); Special Issue on China of *The Weekly Standard*, February 3, 1997; Robert Kagan, "What China Knows That We Don't: The Case for a New Strategy of Containment," *The Weekly Standard*, January 20, 1997, pp. 22–27; "Dancing with the Dragon," *The New Republic*, March 10, 1997, pp. 9, 15–26.

3. There is some concern about the reliability of official Chinese data. Some skeptics argue that dissidents may be tried under categories other than "counter-revolutionary" crimes, thus reducing the number of political dissidents charged with counter-revolutionary crimes. Although such practices may exist in China, Western human rights watch groups have not reported or documented cases in which political dissidents were charged with ordinary crimes.

4. Espionage and sabotage were also prosecuted as counter-revolutionary crimes.

5. The only exception in the Deng era was the case of Bao Tong, a close aide to Zhao Ziyang. After the Tiananmen crackdown, Bao was imprisoned for seven years, reportedly at the insistence of Deng Xiaoping himself.

6. Zhiyue Bo, "Economic Performance and Political Mobility: Chinese Provincial Leaders," *Journal of Contemporary China*, vol. 5, no. 12 (July 1996), pp. 135–54. However, the stability of the ruling elite did not result in ossification of the leadership in post-Mao China because of the mandatory retirement system established under Deng (to be discussed later).

7. Chen Xitong's case was special. A former Politburo member and party chief of Beijing, Chen was involved in a massive corruption scandal and dismissed from the Politburo in 1996. On the eve of the fifteenth party congress in September 1997, Chen was formally expelled from the party and placed under criminal investigation.

8. For a study of the implementation of this system, see Melanie Manion, *Retirement of Revolutionaries in China: Public Policies, Social Norms, Private Interests* (Princeton: Princeton University Press, 1993).

9. These included 1.13 million officials in the government's administrative agencies, 2.56 million in state-owned enterprises, and 1.81 million in nonprofit government institutions. The figure also included about 500,000 officials retired in 1989. To put this number in perspective, the total number of officials in various government agencies at all levels in 1989 was 4.55 million. *Zhongguo renshi nianjian*

(China's personnel almanac) 1988–89 (Beijing: Zhongguo Renshi Chubanshe, 1991), pp. 738, 742.

10. This was caused largely by a historic accident. The Communist revolution in China succeeded in a relatively short period of time (less than 30 years). As a result, most of the leaders and their followers came to power in the 1940s and 1950s. The relative "youth" of China's "founding fathers" later became a major factor in the low mobility of the aspiring elite of the post-revolutionary generation.

11. See Li Cheng and Lynn White III, "Elite Transformation and Modern Change in Mainland China and Taiwan: Empirical Data and the Theory of Technocracy," *The China Quarterly*, no. 121 (March 1990), pp. 1–35.

12. *Zhongguo renshi nianjian 1988–89*, p. 738.

13. In theory, level of education should not have a definitive impact on the formation of ideological views. However, it has often been observed that those trained in engineering are pragmatic "problem solvers" and less ideological. This appears to be the case in China since no newly elevated ministers and provincial leaders were identified as hardliners. Of course, there were a few exceptions, such as Premier Li Peng, an engineer by training. But Li's rapid rise was mainly due to his close connection to the conservatives in the CCP and his status as "adopted child" of the late Premier Zhou Enlai.

14. See Murray Scot Tanner, *The Politics of Lawmaking in China* (Oxford: Oxford University Press, 1998).

15. Tanner, "The Erosion of Communist Party Control over Lawmaking in China," p. 387.

16. For an account of the NPC's increasing political assertiveness, see Michael Dowdle, "Realizing Constitutional Potential," *The China Business Review* (November–December 1996), pp. 30–37.

17. In 1993, after the NPC rejected five drafts of a company law written by the ministries under the State Council, it then wrote its own version and approved it in December 1993. This marked a milestone in the NPC history because this was the first law exclusively written by the NPC, and not by the CCP or the State Council.

18. *Far Eastern Economic Review*, December 7, 1995, p. 35.

19. See Pitman B. Potter, ed., *Domestic Law Reforms in Post-Mao China* and Stanley Lubman, ed., *China's Legal Reforms*.

20. *Liaowang*, no. 10, March 8, 1993, p. 13.

21. *Liaowang*, no. 5, February 2, 1994, p. 20.

22. *Zhongguo falu nianjian* (Law yearbook of China), various years.

23. *Far Eastern Economic Review*, March 7, 1996, p. 28.

24. Yu Yongyao, "Jiaqiang nongcun jiceng dangzuzhi jianshe" (Strengthening the building of grassroots party organizations in rural areas), *Zhongyang dangxiao baogaoxuan* (Selected reports to the Central Party School), no. 19, 1995, pp. 26–27.

25. Research Group on the System of Village Self-Government in Rural China, *The Report on Villagers' Representative Assemblies in China* (Beijing: 1994), pp. 9–13.

26. *World Journal*, April 12, 1997, p. A12; Wang himself was transferred to a different division within the ministry in 1997, a move some interpreted as a negative signal, but others saw it as a routine bureaucratic reshuffling.

27. *Beijing Review*, vol. 39, no. 1, March 11–17, 1996, p. 14.

28. Several scholars have studied village elections, see Kevin O'Brien, "Implementing Political Reform in China's Villages" and M. Kent Jennings, "Political

Participation in the Chinese Countryside"; Melanie Manion, "The Electoral Connection in the Chinese Countryside," *American Political Science Review*, vol. 90, no. 4, December 1996, pp. 741-65; Daniel Kelliher, "The Chinese Debate over Village Self-Government," *The China Journal*, no. 37, January 1997, pp. 63-86.

29. Mi Youlu, "Cunmin dui zizhi de canyu ji pingjia" (Villagers' participation in and evaluation of self-government), paper presented at Duke University, April 1997, p. 3.

30. China Rural Villagers' Self-Government Research Group and the Chinese Research Society of Grassroots Government, *Study on the Election of Villagers' Committees in Rural China: Main Report* (Beijing: Chinese Social Science Publishing, 1993), pp. 88-90.

31. *Democracy and Law*, November 1992, p. 40; *Main Report*, p. 76.

32. International Republican Institute, *People's Republic of China: Election Observation Report* (Washington, DC: International Republican Institute, 1995), p. 9.

33. International Republican Institute, *Village Committee Elections in the People's Republic of China* (Washington, DC: International Republican Institute, January 1997).

34. For a fine study of Chinese civil society, see Gordon White, Jude Howell, and Xiaoyuan Shang, *In Search of Civil Society*.

35. Shaoguang Wang, "Siren shijian yu zhengzhi" (Private free time and politics), *Chinese Social Sciences Quarterly (HK)*, no. 11 (Summer 1995), p. 113.

36. Minxin Pei, "The Growth of China's Civil Society," paper presented to the Cato Conference, China as a Global Economic Power, Shanghai, June 16-19, 1997.

37. The Anti-Rightist Movement was different, however. In this case, the absence of an institutional mechanism mediating state-society conflicts contributed to the event's tragic outcome.

38. Although the trends of institutional pluralism are visible in China, progress has been very limited, as discussed in this chapter.

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