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On the day the United States went to the polls and the whole world was holding its breath to see if an African American could become the next President, a group of Chinese officials gathered together in a small meeting room in the cavernous Great Hall of the People. Their purpose was to celebrate the 10<sup>th</sup> anniversary of the promulgation of the

. It is this law that made direct village committee elections mandatory in China. The same law also raised hope that China's long-overdue democratization through grassroots elections would eventually move from the village level upwards to higher echelons of government. The media report of the event was entitled "Ten Years of Villager Self-government: 900 Million Chinese Farmers' Real Democratic Exercise".

According to this report, as of December 2007, there were 610,000 villager committees in a nation where 2.41 million members were directly elected by the voters. Mr. Li Xueju, Minister of Civil Affairs, who guides and supervises this largest election in the world, declared that in the past 10 years there were three great accomplishments. First of all, provincial governments have supplemented the national law with provincial ordinances guaranteeing farmers' democratic rights. Secondly, under the strong leadership of village party branches, three rounds of elections were held and 85% of the villager committees have set up villager representative assemblies. Thirdly, village democracy has established a solid foundation for the political development of Chinese characteristics delineated by the 17<sup>th</sup> National Congress of the Chinese Communist Party. This report also made public that the revision of the Organic Law is now being listed into the five-year legislative agenda of the Standing Committee of the National People's Congress.

No prominent leader from the Chinese Communist Party or the government appeared at this occasion and the rhetoric from both Minister Li Xueju and the media seemed to be drastically subdued from what was said about this so-called silent revolution back in 1998 when the provisional Organic Law became official. It was more hushed even than the attention it received in 1987 when Peng Zhen, the then chairman of the Standing Committee of the National People's Congress, tried to convince a suspicious Standing Committee to adopt the Organic Law on a provisional basis. What is the current status of village elections in China? Are they still meaningful? Are they still a seminar through which a new culture of democratic procedures can be introduced into a system that does not possess anything remotely similar to "one man, one vote"? Do Chinese leaders and the Chinese elite still believe in elections as a way to launch political reform, reinvent the CCP's legitimacy, curtail corruption and introduce a new governance of choice and accountability?

These are the questions this first issue of the is designed to answer. We welcome contributions from our readers for the next issue of this online report, which will be on China's recent experiments concerning elections at higher levels. Please send submissions no later than March 2009 to [cc.chinascope@gmail.com](mailto:cc.chinascope@gmail.com).

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## A. . E. . . D. ?

*By Yawei Liu*



In 1988, China began allowing villagers to elect their leaders in an experiment that democracy advocates hoped would eventually lead to more pluralism throughout the political system. Today, the Communist Party still is in firm command of the high ground and villages are still holding elections. So, what has the experiment accomplished?

This paper will offer an assessment, first looking at the various discourses on villager self-government and trying to determine if there is a consensus on the significance of this undertaking. It will then examine how this political act is transforming the political language, culture and landscape in China and aim to decide if villager self-government indeed constitutes an opening crucial for China's long overdue political reform. Thirdly, it will dwell on the questions of 1) what is democracy, 2) what is democracy of Chinese characteristics, and 3) will the current village democracy lead to a fundamental transformation from one of choice and accountability at the lowest rung and to one of choice and accountability at each and every level secured by institutions, not by moral coercion and ideological purification.

While it is hard to separate the past, present and future of a development that

is so young, this paper will focus more on the years from November 1998 when the Organic Law was amended to September 2005 when Premier Wen Jiabao repeated Peng Zhen's famous remarks to visiting foreign dignitaries: when villagers learned how to manage the village affairs they would then try to manage the township affairs.

When the NPC was debating the Organic Law, Peng Zhen, chairman of its Standing Committee, remarked that introducing villager self-government was in line with the Chinese Communist Party's goal of making common people the masters of their own affairs. It was a very effective way to conduct a democracy seminar for the peasants. When they learned how to govern their own affairs, they would then try to learn how to manage the township and county affairs. In 1989, there was a coordinated effort to discredit the Organic Law and to label it as a sinister plot derived from the Western ideas of democratization. Peng Zhen and his supporters withstood the assault and stuck firm to the need of rule of law and said that a way must be found to allow peasants to hold local officials accountable. With almost a decade-long of persistent effort by the

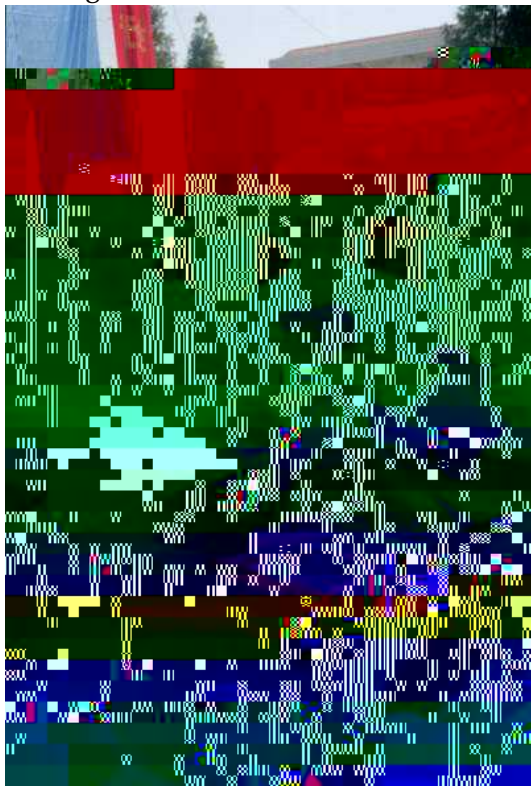
officials of the civil affairs apparatus, the Organic Law was finally amended significantly and adopted officially. Another eight years have passed and what is the current discourse on villager self-government?

There seems to be little change among the top leadership of the Chinese Communist Party (CCP) in their view of the nature of villager self-government although there is a detectable shift of emphasis and priority. Jiang Zeming called villager self-government one of the three crucial reforms in China's countryside, as important as the beginning of the household responsibility system and the launch of village and town enterprises. In the political reports of both the 15th and 16th CCP National Congresses, Jiang identified villager self-government as the point of breakthrough for China's political reform. Since the ushering of the Hu-Wen New Deal in late 2002, growing attention was given to the solution of economic woes of the peasants and social instability in the countryside. From the campaign to promote open administration of village affairs to the elimination of taxes and fees, from the emphasis on increasing the income of the peasants to the call to build a new socialist countryside, we see a pattern of devaluating rural democracy and accelerating pragmatic measures to create better condi-

tions for peasants' access to education, healthcare and wealth.

This shift of emphasis on the top is indicative of which arguments among the watchers of villager self-government have found more responsive ears among the national leaders. As the current divergent assessments of reform and opening up, the views of villager self-government are also sharply divisive. There are those who perceive villager self-government as a miracle prescription to the chronic diseases of the Chinese countryside and the stepping-stone to the eventual modernization and democruo[(the elim85lucrypttpo thdo(-0.00Tw T84 .willa theT\*[(f6ed (ing rur-(-0.00Tw )T]-0.0090 Tc 0.40cy,increaseion)-5( imT

This dichotomy of different perceptions of villager self-government has been in existence when the debate on what to do with the peasants in the wake of the abolition of the communes in the early 1980s. The discussion on whether villager self-government is empowering the rural residents or emasculating the Party's leadership and on whether it will make peasants feel happier or create obstacles for economic development will continue in the foreseeable future and have a significant impact on the sustainability of villager self-government.



The renewal of the direct election of local people's congress deputies in 1978 and particularly the introduction of the direct election of village committees in 1988 have introduced a new sense of political ownership and a new awareness of what constitutes political legitimacy. Real competition at the village level in places where local officials felt direct nomination of candidates and direct election of village committee members with multiple candi-

dates were the most cost-efficient way of providing "guidance" have led the residents there to overcome the initial suspicion if their votes would make a difference and begin to play the political game more and more seriously.

Political scientists who study this new rural political development began to paint a very rosy picture of this undertaking and have even hatched a new field of study. They call villager self-government a "silent revolution" that will lead to the destruction of old feudalistic heritage and the birth of new civic virtues and political activism; they feel villager self-government is the beginning of a new wave of the encirclement of the urban centers by the vast countryside; and they wonder if the least informed and educated group of the Chinese were given the right to directly elect those who make decisions for themselves, the better prepared residents in the cities should be offered more.

The echoes of the Chinese scholars have not only reverberated in the capitals and classrooms of European countries and the United States but also been heard by the top leaders inside the Forbidden City. This new language has not only crept into the speeches of the China watchers in the West but also been melded into the political jargon of the Chinese leaders. While the image-makers of China have achieved the goal of using villager self-government to prove the nascent rise of a political reform in China, the praise of it by the top Chinese leaders in 1998 at the 15th CCP National Congress led to the unprecedented experiment of a direct election of a township magistrate in Buyun, Sichuan.

If we use Robert Dahl's two attributes of democracy, 1) contestation or compilation and 2) participation or inclusion, to meas-

ure up villager self-government, it seems we may call it a curtailed democracy in a restricted geographical area that is always subject to outside forces with no capacity to resist. Villager self-government also seems to possess the feature of both internal and external efficacy. But, if we use other criteria to determine if villager self-government is democracy with other universally recognized and accepted components, the answer becomes more uncertain and even doubtful.

But, in the context of Chinese political system, both ancient and present, villager self-government can be described as meaningful democracy with Chinese characteristics, or at least, it is an embryonic form of a unique democratic practice that is different from other forms of democracy. First, it calls citizens' attention to the serious problem of the Chinese political system, i.e. the justice of the systemic design and the injustice of procedures. This injustice is caused by the woeful lack of executable procedures in choice and accountability matters and the gross manipulation of those procedures that are on the paper.

Second, villager self-government is operating in the context of a Chinese system whose center of gravity is located with the Party. The fact that a significant number of Party officials feel the cost of governance is so much lower when the right to choose their immediate leaders and make decisions on things of significant impact on their life is given to the peasants may lead to a reorientation of the belief that the Party always knows better and makes wiser decisions. In fact, practice of villager self-government has already trickled upwards and led to many trials of choice and accountability at higher levels.

Thirdly, direct village elections, its competitiveness and its real impact on political legitimacy, governance and the initiatives of those who run and get elected by the ordinary voters is a reminder to those who are contemplating political reform in China that real reform does not have to be wholesale adoption of the Western system of multiple political parties and parliamentary supremacy. The Chinese system on the paper is sufficient if the Party superstructure does not interfere with direct elections of township and county people's congress deputies and indirect elections of local officials such as township and county magistrates by the directly elected people's deputies.

Lastly, it appears villager self-government is conducive to the firming of the Party's legitimacy and likeability in the countryside. This may reduce the fear that is constantly on the lips of Chinese officials: allowing the lowly common Chinese people to engage in democratic elections and decision-making at higher levels will lead to chaos and eventually break the back of the Party.

Also by Dr. Yawei Liu





*A Case Study by Jens Kolhammar*

In an area of China where the village self-governance reform has been the least implemented, Yunnan province is a region where many villagers seem unaware of the responsibilities of their village committee (VC). This study examines a VC in Yunnan province that, at the time when the fieldwork was conducted, had held only one election. The quality of the VC is a reflection of the degree of village self governance as well as a study of whether VC election laws are sufficiently established.

The study found several indications that the village election and village committee elections were far from fair and democratic. The quality of village elections was assessed as "inconsistent" and a greater effort should be done to improve the self-governance of the Chinese countryside. The below exemplifies the aforementioned "inconsistencies":

In an interview with the chair of the VC, it became apparent that the chair and the vice chair were the only influential members out of the five members sitting on the committee.

None of the members of the VC, with the exception of the chair and vice chair, knew the express duties of their positions.

Lack of a clear nomination process had the government at the township level giving one explanation of procedures while the chair of the VC gave another.

A number of indications from different sources suggested that the election of the chair had not been conducted in a fair manner. Reports on the requirements for candidates up for nominations, electing officials, and official duties were skewed to party members' advantages.

The local party branch and the ruling members of the VC used a manner of enforcing laws in name only to circumvent new legislation to remain in power. Issues concerning the VC and its election seemed superficial – the confusing nomination procedure, the scant number of VC meetings, and the powerless lower VC members – all enforce that the power holders were skilled in the manipulating of within the institution for the benefit of their own interests. Those in power in the VCs preside over not only their formal duties; in addition, they take on informal duties not specifically given to them by law without scrutiny from the levels of higher Chinese government. Although many villagers were interested in the process of electing officials, no one, including the already elected officials knew of the precise rights that organic law guaranteed. This lack of transparency allowed for local officials to remain in control. Consequently, the equalization of power that the village self-governance reform could have brought forth did not materialize in any substantial degree in the villages that they were supposed to reform.



Research has revealed that when VC elections are undemocratic and do not bring any real effects, villagers become uninterested in these elections. Moreover, the analysis of the VC in the villages within the study illuminates that there are a number of obstacles in the way for genuine village self-governance which need to be considered. The organic law itself creates by outlining that the VC is under the rule of the party, and leaving out election procedures to be specified and carried through at the discretion of the local provinces or, as discovered in this study, by the local elite on the village level. Some of these issues could be resolved, as discussed above, by clearly formulating the procedure on how the candidates should be nominated, how and by whom the votes should be counted, how the VC meetings should be conducted, and by removing the article that states that the VC is under the rule of the party. However, a shift in power away from the corrupt party leaders towards villagers may still be able to materialize. Since its inception, the reform law has led elections in numerous locations in the Chinese countryside where old corrupt cadres have been voted out of office as well provoking instances where unfair elections have been revoked. Time itself could perhaps work in favour of more democratic VC elections.

These changes may be far in the future yet, as the Ministry of Civil Affairs has purposely taken the reform of village elec-

tions slowly, for there are still many opponents to the VC election law. Reaching for too much, too soon could jeopardize the whole undertaking of villager self-governance. Contrastingly, a watered-down organic law might only, as in the case of the first election in the villages under study, create elections that are only for the sake of appearance. These cases will continue to enforce to villagers that elections have no practical use, thus undermining the original idea of self-governance.

*Reaching for too much, too soon could jeopardize the whole undertaking of villager self-governance*

Village dwellers are seen as the important factors that strengthen the reform of self governance in the Chinese countryside. As long as no concrete values can be demonstrated to the villagers, they will not be influential in bringing forth organic law. This essay argues that increased knowledge of organic law and a presentation of the differences in opinion with the Chinese state would give villagers a vested interest in the elections as they will become more familiar with its practical use. Research is lacking in how knowledge can be spread in places where rightful resistance has materialized and in places where the old disliked regime has managed to stay in power. Researchers must focus on how the upper-echelons of the Chinese state, grant makers and non-governmental organizations could work to give villagers insight into their new rights given by organic law.



# D A C E C

*By Xinsong Wang*



While China has continually impressed the world with its flourishing economy, it has yet to show any sign of political liberalization. Although political experiments were tested on the local level, none of them were sustained or applied to a large geographic area. Perhaps the only prominent political reform in post-Mao China that has been formally institutionalized is the village elections. In the 1980s, confronted by the political vacuum after the collapse of the people's commune system and worried by the increased tension between peasants and local cadres, the Chinese Communist Party established the autonomous Villager Committees (VCs) in rural areas and permitted peasants to elect VC members every three years. Now, after 20 years of practice, village elections are entrenched in rural political dynamics and significantly influence the daily lives of Chinese peasants. Based on the data from a nationwide survey\* and this author's field research, this article will assess the current state of village elections and discuss the emerging issues of democratic governance in today's rural China.

China has approximately 610,000 Villager Committees (VCs). Each VC is composed of three to seven members. VCs are not an independent level of state administration, instead assisting township governments to implement state and local policies while also handling village level affairs such as the allocation of land, economic policy, provision of public goods, and resolution of family conflicts.

Villager Representatives (VRs) are selected by local voters at the villager small group ( ) meetings or by household representatives. The number of VRs selected depends on the size of a village. Typically every 5 to 15 households have one VR.

How are elected officials to be held accountable and responsive? This question became relevant in the mid-1990s when corruption and other

\*The Carter Center and the Ministry of Civil Affairs of China sponsored a nationwide survey on villager self-government in 2005. The survey was implemented by the Sociology Institute of the China Academy of Social Sciences and the Beijing Center for Policy Research. The survey sample covered 3,498 peasants in 27 provinces.

illicit acts were seen among some elected village leaders, exacerbating the already tense relations between cadres and peasants. In the late 1990s, the Chinese government called for additional oversight institutions in rural China to constrain the

respondents reported not voting.

The survey indicates that turnout was higher among males than among females: 67% of male villagers voted in the last election compared to 60% of females. Moreover, between the age of 18 and 55, older male and female peasants were more likely to vote than younger peasants. Female turnout rate in the two oldest age groups was lower than their younger counterparts because older females became less interested in politics or because of their poor physical conditions. Male turnout rate was slightly higher in older age groups (Figure 1). As many young people are looking outside for economic opportunities or have left the countryside,

education levels are less likely to vote than less educated peasants. This result mirrors trends in other studies of Chinese voter turnout (Figure 2). The result holds true when other conditions such as individual wealth and level of election's competitiveness are held constant.

According to the Ministry of Civil Affairs (MCA), the education level of village ca-

dres has gradually increased, with a

older peasants became the center pillar of village politics. Since they have higher stakes in village elections, they are more likely to vote than younger peasants. This is further proved by the fact that 88% of the elected VC chairs are between 36 and 56 years old.

Whereas more educated voters are more likely to vote in Western societies, in Chinese countryside, peasants with higher

mains male-dominated, with only 2% of the sample villages having a female chair and 44% having no women on the committee. Similarly, only about 4% of VPB secretaries are females and only 38% of VPBs have one or more female members.

Both the Organic Law and the CCP's national circular require that VC and VPB consult with and obtain approval from the VRA before any decisions on substantial issues are made. In many villages, any public expense over 5,000 (¥694.44) needs to be approved in advance by the VRA. In 15% of the surveyed villages, the VRA had ever vetoed VC proposals. Due to the fact that VRs are unpaid, the motivation for fulfilling their jobs is not always high. In fact, in order to encourage VRs to attend meetings<sup>1</sup>, some VCs pay each VR 5-20 (¥0.70-¥2.78) per meeting. Also, since there is little supervision by fellow villagers, VRs have the potential to be co-opted by village cadres to approve budget or bills that are against the peasants' interests.

The major task of the DFMT is to make sure that public money is not misused or embezzled by VC and VPB cadres. A DFMT consists of five members who are selected among VRs. The DFMT members meet once a month to go through the public expenditure and make judgment on whether any line items are reasonable and permissible. They can be as meticulous as pinpointing a dinner bill paid by village

cadres and demanding an explanation. Should they decide that the dinner was unnecessary, they may decline to impress the DFMT's seal. Since the township government can check village accounts regularly and villagers also can inspect public accounts at any time, an unsigned monthly ledger book would not only reflect poorly on the cadres, but also may cost them their jobs. With DFMT checking and monitoring public expenditures regularly, cadres are less likely to engage in abusive spending or appropriating public money.

However, DFMTs are flawed due to the fact that peasants have little control over them. For example, although 70% of the villages in the survey had DFMTs, 74% of the interviewed peasants said that they did not know anything about the village financial conditions. The power of DFMT is further foiled by its internal conflicts. There is not a set procedure to resolve member disagreement on financial inspection results. Voting is a seemingly legitimate solution but not always effective and fair, especially since members of the DFMT could be bought out by village cadres. An extremely indigenous resolution was seen in a mountainous village in Guizhou, in which the DFMT seal was cut into five pieces. Each DFMT member held one piece and, when they agree on financial inspection results, they would piece together the seal and authorize their approval<sup>2</sup>. Since each DFMT member held effective veto power, the "Five Piece Seal" method could prevent the circum-

<sup>1</sup> Any resolution to be passed at VRA meetings has to be approved by at least half of VRs.

<sup>2</sup> Wang Yuanbai, Wang Yongquan and Wang Bin, " " , November 3, 2007.



of leadership conflicts and the mess they









nancial transactions, regular VC work reports to villagers, and frequent use of public board to disclose village management information, were all pushed forward by the government to hold elected cadres accountable.

At the same time, due to insufficient legal protection, these institutions have suffered from some degrees of dysfunction. For example, election bribery has seriously affected the fairness of village elections.



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the state structure: from the county, township, and village officials. Since they could be voted out of office, village cadres had natural objections to elections.

The MCA used “a foot-in-the door approach of concealing aims, separating the reforms from each other, and pushing for only one change at the time.” They applied a two-step approach to change institutions and cement village elections in the countryside. The first stage focused on convincing local officials to agree to conduct the elections. The importance of whether the elections were democratic was deliberately understated by MCA officials. Wang Zhenyao, an MCA official, described the reasoning behind this approach:

“We knew there were strong incentives for the local bureaucrats to manipulate the elections. But no matter what we did at that time, there was no way for us to prevent such manipulation from occurring. [...] If the standard were set too high, there would be open confrontation between officials in the civil affairs system and leaders in prefectural and county government who could always veto the proposed reforms. [...] We were confident that ordinary peasants would be mobilized by the electoral reform to defend their own interests. We therefore instructed our local bureaus to do only two things. The first was to make sure to organize elections and the second was to honor the results of those elections”.

*As village elections were more widely accepted, it became harder for opponents to protest the process*

Although many local cadres and peasants did not take the elections very seriously, in some elections corrupt officials were voted out and new leaders took power. Stories about these occurrences spread, peaking peasants’ interest and changing local cadres’ opinions on elections. When they saw that it was easier to govern the previously unruly countryside, local cadres began to see that this benefit outweighed the new vulnerability of their elected positions.

As the village elections were more widely accepted, it became harder for opponents to protest the process. Strengthened by this fact, the MCA started the second stage of implementation: to act for widespread functioning of village elections and stress that they are held in a fair manner. They began to underline that there should be more candidates than the number of positions and that the candidates should be nominated by villagers instead of by the government. Tianjian Shi argues that the “approach pursued by the reformers has succeeded up to now, and the power of their opponents has been diminished.”

The 1987 experimental version of the Organic Law contained 21 articles. In 1998, the law became permanent and was extended to 30 articles. Although a number of improvements were made, the law is still lacking in several respects.





On the election day, they either excuse themselves from polling centers, or ask someone else to cast the ballot for them; their preference may be easily manipulated, sometimes by just a casual dinner or a pack of cheap cigarettes. When their own democratic rights are violated, they often choose to compromise instead of fighting back because they do not want to be seen as troublemakers. In every village committee where the authorities received letters from the villagers complaining about illegal manipulation of the election results, when these complaints were mishandled, villagers chose to leave the issue unsettled rather than turn to legal channels.

Certainly, the lack of awareness of democracy and rule of law has its cultural and historical roots. Nevertheless, it is undeniable that as supervisors and organizers of village committee elections, we have done too little in educating the villagers, and have not shown seriousness and sincerity.

b) Human and financial resources dedicated to village committee elections are unguaranteed. A national project involving a large population, sufficient funding and human resources is crucial to the successful implementation of village committee elections. However, the status quo is that many villages are experiencing a signifi-

cant shortage of capable election organizers. According to the Organic Law, village cadres are the immediate organizers of elections, but they often lack the appropriate education and experience; township officials are responsible for supervising the elections, but these officials are disinterested in village committee elections (many even show a strong resistance). Even if the officials do “supervise” the elections, the primary focus would be on how to manipulate the election so that its result satisfies “the intention of the organization”. In regard to county leadership and those leaders above the county level, it is even more difficult to designate personnel to the organization and supervision of village committee elections.

In terms of funding, it has become clear that many villages simply can't afford elections. In most cases, a village committee election requires approximately 3000 RMB (750 US dollars). Although this is not a great deal of money, it remains a tremendous difficulty for many villages that are in debt or do not have any collective economy. As a result, elections in these villages are conducted in a poor manner with simplified procedures and the minimum requirements. While the Organic Law does ask local governments to provide financial support to villages that lack funding, the reality is that almost





township leader once sullenly complained to the author: “Now you are holding these elections which made it impossible for me to even manage a few village cadres. What power do I have left? Why the heck would I still want to be a leader?”

c) Township leaders worry that the existing interest ties between the village cadres and them may be disrupted. As discussed above, in villages where self-governance is not thoroughly implemented, the appointment of village cadres is determined solely by “the intention of the organization”, namely the intention of township leaders, who themselves are also appointed based on the preference of the higher leadership. Such a system has created shared interests between township and village officials. In order to secure their own position, village cadres give monetary contributions, in many cases out



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