

2014

# BioTechnology

*An Indian Journal*

FULL PAPER

BTAIJ, 10(18), 2014 [09895-09900]

## On the intrinsic constitution of Chinese-style democracy

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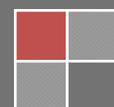
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### ABSTRACT

Chinese-style democracy has turned out to be a systematic democracy with very special highlights according to its own theoretical, historical and practical reasons. As for its intrinsic constitution, three features have been exposed clearly: unification of competitive elective and cooperative consultative democracies, core expansion from Party's democracy to people's democracy, and interaction between democratic government and civilian society. Just because of the joint promotion by these three highlights, good points and strong vitality of Chinese-style democracy can be shown out in China.

### KEYWORDS

Chinese-style democracy; Intrinsic constitution; Bright highlights.



Chinese-style democracy has turned out to be a systematic democracy with some special highlights according to its own theoretical, historical and practical reasons. However, some western scholars don't accept it, much less various democratic features of different countries in the world. In fact, we agree to basic democratic regulations in common, even have a great faith in a good arrangement of relation between unity and diversity, and in a strong focus on relation between rationality and reality in democracy specialty. Going deep into the intrinsic constitution of Chinese-style democracy, the unification of competitive elective and cooperative consultative democracies, the core expansion from Party's democracy to people's democracy, and the interaction between democratic government to civilian society can all be exhibited with an inner specialty of Chinese-style democracy.

### UNIFICATION OF COMPETITIVE AND COOPERATIVE DEMOCRACY

The elective and consultative democracies are two essential forms of Chinese-style democracy, in which their unification of both competition and cooperation has approved to be a unique trait that the Chinese-style democracy practically develops in a long time.

Democratically, elective democracy is a wide-accepted basic political system. In Cohen's opinion, "Democracy is a kind of management by way of large civilian participation that is achieved with representation system."<sup>1</sup> Marx on the one hand affirmed the importance of the election of representative democracy, and believed that "the representation system has made a major progress because it is an open, real, thorough performance of modern states."<sup>2</sup> But on the other hand, he also pointed out that the elective democracy in western countries "is only a tool of ruling classes controlled by parliament system just because people can exercise the right to vote once every few years."<sup>3</sup> The people's perfect elective democracy is a necessary socialist requirement, what people's congress system can embody is really such a democracy, so it has been developed into a political form in which the elective democracy in China can be realized.

Just as a demonstration of China's elective democracy, there is quite a distinctive feature in the National People's Congress (NPC) system, which is much different from western countries in essence. First of all, the NPC system varies its from western parliaments in nature. In China, "NPC representatives of both county and township are directly elected in their electoral district, NPC representatives higher than a county level come from a lower-level NPC, and they must form themselves into a delegation according to their electoral units in order to attend congress. There is no parliamentary group in the congress, nor is constituency activity. Whether it is in the Congress, or in the standing committee or in a special committee, there is no seat distribution according to different partisans. NPC representatives, together with Standing Committee members and special committee members, whether they are members of the Communist Party of China or members of democratic partisans, even independents, all carry heavy trust of Chinese people on their shoulders, they all perform their duties in accordance with law and serve the people under the CPC leadership, so there is no different essential interests for them." Secondly, the relation between NPC and "one government and two courts" is quite different in nature from that of state organs of western countries. In China, NPC exercises state power uniformly, "one government and two courts", which are not the same as the separation of three powers of western countries, are elected supervised by, and responsible for NPC. Thirdly, NPC representatives are essentially different from western congress persons. "NPC representatives come from every district, every nationality, and every aspect. Even there is also at least one representative for a nationality with the least population, which can be a broad representation. They are not like western congress persons who stand only for a certain party or section. NPC representatives live among the people, keep a close touch with the people because they have their own jobs to do, so they can understand most profoundly the implementation of the Party and state policies, constitution and law, and they can also understand most profoundly practical problems in real life. NPC representatives collectively exercise their rights legally by means of meeting, each representative cannot individually settle down any problems. Offices of all-level NPC standing committees are the representative's staff assistants and service teams."<sup>4</sup>

The 18<sup>th</sup> Central Committee of the Communist Party of China (CPC) stressed that "the people are supported and ensured to exercise state power through NPC", and more clearly presented that it is absolutely by NPC statutory procedures that the Party's preposition can become national will. The committee also supports NPC and NPC Standing Committee in accordance with law to fully exercise their rights of legislation, supervision, decisions, appointment and powers removal. In addition, it supports NPC to strengthen the supervision of "one government and two houses" and the full-bore review and supervision of government budget. And so, Chinese electoral democracy system can be further consolidated and developed. Besides the NPC system, the Grass-roots self-government election systems of village committee, urban community committee, and workers congress are totally origins of Chinese democratic policy. Therefore, the grass-roots election system and the NPC system have built up a systematic organ of Chinese election democracy.

The concept of Consultative Democracy was first used in the 1980s in the West to correct some shortcomings of representative democracy. However, such a democracy, as an excellent tradition of Chinese-style democracy, was put into political practice in China much earlier than in the West.

Back to the revolutionary period of new democracy, there formed a tradition of Chinese consultative democracy, and then there further formed a system of multi-party cooperation and political consultation under CPC leadership. It actually played an important role in different periods of revolution, construction and reform. Not until 2006 had the CPC formally documented this consultative democracy as one of the two systems of China's socialist democracy. "Through election and vote people exercise their rights, and before key decision-making, people of all aspects, when fully consulting with each other, can agree on some issues as far as possible, which are two forms of China's socialist democracy"<sup>5</sup>.

The 18<sup>th</sup> CPCCC first brought about a new concept of “socialist consultative democracy,” and attached much importance to the “promotion of its wide, multi-level, Institutionalized development”, which greatly expands the connotation and denotation about Chinese traditional consultative democracy. It has been seen clearly that the socialist consultative democracy concerns not only the democratic system of traditional consultation between political parties, of the Chinese People’s Political Consultative Conference (CPPCC) session; but also a large range of democratic content. There should be a consultation of some serious programs about society and economy, and a consultation of some practical problems about vital interests of the masses. At different levels of consultative democracy, there should be a high-level political consultation between organs of state power, between CPPCC organizations, and between political parties and agencies, and a middle-level consultation of special programs, counterparts, constituencies and proposals, and even a low-level consultation of grass-roots democracy. Additionally, in the practice of consultative democracy the consultation has been made into decision-making procedure, namely, there is the consultation before and during decision-making. For this, socialist consultative democracy system has been established totally.

The Chinese consultative democracy is also quite different than that of the west world. First of all, the former began at its very early time with a self-conscious practice and development of Marxist-Leninist united front theory, party theory and democratic political theory; and with advanced traits of social classes, common masses, and practical consciousness in China. When the period of new democracy came, the CPC had already consciously put Marxist-Leninist theory into a good operation of the consultative democracy, and carried it out all over the country as soon as new China was founded. Meanwhile, the theory about the latter was built on the reflection and introspection of some corrupt practices of representative system, so that it could try to meet the most greatest desires of citizen with public reasons of multiple social conflicts. Then, both democracies are different in the political process. The west consultative democracy can just perform some local repair or mending of congress electoral democracy, not being developed into a large-scale range of democratic practice. As one of two Chinese democratic systems, the Chinese consultative democracy has kept going on and on after the foundation of new China. And after the the 18<sup>th</sup> CPCCC, it will turn out to be a complete set of democratic politics. And then, all social circles can play their own different roles in the consultative democracy. As for the west consultative democracy, it is a reasonable agreement that different interest groups finally come to by mutual disputing, gambling and bargaining. Due to the complexity of conflicting interests, and the divergence of each interest group, the reasonable agreement is very hard to make more often than not. But quite contrarily, there is basically an interest consistency between the CPC and every democratic party in the process of the Chinese-style democracy.

Electoral democracy is a competitive democracy while consultative democracy is a compromising democracy. If the electoral democracy embodies the basic characteristics of Chinese-style democracy, the consultative democracy is to show the unique advantages of the Chinese-style democracy. In the system of the Chinese-style democracy, the electoral democracy both converges fundamental will of the masses and reveals Democratic commonality. The consultative democracy both accommodates specific will of the masses and reflects diversity of the democracy. When these two democracies match with each other, there has already highlighted a colorful and highly unity of the people's sovereignty. On the other hand, the electoral democracy affirms the mass’s wide participation in state politics, exposing the width of democracy; the consultative democracy guarantees the mass’s full argument of state policy, embodying the depth of democracy. When these two democracies are complementary to each other, there has definitely ensured scientific validity of the people's democracy. Additionally, the electoral democracy observes a ruling principle of democratic majority, which presents an opportunity fairness on the democratic process; the consultative democracy follows a submissive principle of democratic minority, which overcomes a shortcoming from the very beginning with an elective elimination of some representatives. Therefore, when these two democracies complement each other, there has totally protected the fair justice of a democratic operation. After all, there has preformed a competitive and cooperative unity between electoral and consultative democracies, which keep going onward in harmony, and have got into two parallel-moving wheels of the Chinese-style democracy.

### **CORE EXPANSION FROM PARTY’S DEMOCRACY TO PEOPLE’S ONE**

If both electoral and consultative democracies are two bases of Chinese-style democracy, as a unification of their competition and cooperation, both the Party’s democracy and the people's democracy interact from top to bottom mutually, and radiate from the former, a core; which can be regarded as a fundamental advantage of Chinese-style democracy.

The Chinese-style democracy is the one that expands from a core, which is only the CPC. From the construction of socialist modernization, it needs the CPC leadership politically, ideologically and organizationally. From the construction of the post development of a modernized country, it needs a strong political system in the process of the true large-scale modernization; which is the CPC just in China. It is just under the CPC leadership that China has seen a social transition from a half-colonial and half-feudal society to a new society where people are the masters; a systematic transition from a new democracy to socialism, and a economic transition from a planned economy, traditionally closed and half-closed, to a market one, unconventionally modernized and open.

The CPC is the pioneer of Chinese nation, the pioneer of Chinese people, and the leading core of socialist enterprise with Chinese characteristics, so its own democracy must guide and move forward people’s democracy by taking the road from elite democracy to social democracy. Just for this reason, it was pointed out by the resolution made from the Fourth Plenary Session of the 17<sup>th</sup> CPCCC that “there must be a strong adherence to what the Party’s democracy directs the people’s one; to what the Party’s formidable solidarity guarantees the great unity of all the peoples in China.” which is affirmed as an

classical expression about what the core democracy leads the people's democracy. As a matter of fact, it has opened up a new road to an establishment of the Chinese-style democracy. Still, a fundamental principle of building the Party's democracy was brought about by the resolution, that is, "there must be an adherence to a democracy-based centralism and a centralism-guiding democracy, to the essence of protecting the fundamental democratic rights of Party members, to the essential of strengthening the establishment of the Party's grass-roots democracy, to the effective implementation of inside-party democracy, to the extensive cohesion of the whole party's wishes and ideas, so that both party agencies of all levels and majority of party members can carry out the positivism, initiative and creativity the most and, so that they can safeguard the Party's centralized unification resolutely." the 18<sup>th</sup> CPCCC made a requirement that "the inside-party democratic system should be made perfect on the base of democratic centralism", and worked out seven important measures including protection system on the democratic rights of party members, the party's congress system, the inside-party electoral system, the Standing Committee's regulations on discussion and decision-making, the local party committee's voting system on an important discussion and decision-making, and an important appointment, the system or others on party member's regular review of grass-roots leadership and, on party member's visit to grass-roots party conference, the system on the Party Congress representative's attending the meetings of the same-level party committee, and so forth, all by which the inside-party democratic system can be created and improved<sup>6</sup>.

The people's democracy is a final goal that the CPC endure the most to struggle for. The essential fact that the CPC must be in power lies in standing for the working class and the overwhelming majority of the people, in which only the realization of a thorough and wide range of the people's democracy can agree with socialist natural properties and inner requirements. The CPC led the Chinese people to a revolutionary victory of the new democracy and, of the establishment of the socialist system. Then, the socialist country of people's democratic dictatorship rose up in the east. The year of 1954 saw the construction of people's congress system and, the birth of the first socialist constitution of the kind in Chinese history, which laid a solid foundation on the development of socialist democratic politics for new China. During the reform and opening-up, Deng Xiaoping further noted: "the more developed socialism is, the more developed the democracy is", "the democracy that the Chinese people need today can be only the socialist democracy or the people's democracy, but not the one of bourgeois individualism", it is "the democracy that workers, peasants, intellectuals and other laborers can enjoy commonly, the most extensive democracy in history."<sup>7</sup> Just for this, "the people's democracy must be fully carried on politically in order to guarantee all the people to really enjoy the rights to manage the state by all kinds of means, especially manage grass-roots local governments and enterprise units of all kinds, and really enjoy civil rights of all kinds."<sup>8</sup> Later on, the Party Central Committee noted many times that the people's democracy is the vital life of the socialism. the 18<sup>th</sup> CPCCC lifted up the flag of the people's democracy, and required that "the spirit of people's hosts must be carried on, following laws to ruling the country has been regulated as a basic strategy for the CPC to lead the people to improving the country, the people must be mobilized and organized most widely to manage state and social affairs according to laws, manage economic and cultural enterprise, and to positively devote themselves to the construction of socialist modernization, so that people's rights can be ensured most, and so that the truth that people are their own masters can be guaranteed most." Meanwhile, it is stressed that "the people's democracy should be developed more widely, extensive, and perfectly", that "the rights of people to implement the democratic election, democratic decision-making, democratic management and democratic supervision according to laws must be warranted", and that "the people must be protected to legally have wide-range rights and freedom"<sup>9</sup>.

On the bases of the systems of both democratic state power and grass-roots democracy, the 18<sup>th</sup> CPCCC promotes the construction of the people's democracy. In the aspect of the democratic state power, it is required that the Party's opinions must be changed into a national will only through relevant statutory procedures, and that the proportion of grass-roots representatives in the People's Congress, especially forefront workers, peasants and intellectuals must be increased while that of the Party's and governmental cadres decreased, and that some representative liaison agencies must be set up in the People's Congress so as to improve the system that representatives keep in touch with the masses, and so on. At the same time, the 18<sup>th</sup> CPCCC notes that "the rights of information, participation, expression and supervision must be protected", "the operation of state power must be supervised by the people, and performed in the sun", and so forth. In the aspect of grass-roots democracy, the 18<sup>th</sup> CPCCC has expanded the systematic connotation and denotation of China's grass-roots democracy. As to the connotation, there are some new regulations of grass-roots democracy, advocating that "the implementation of self-government, self-service, self-education and self-supervision of the masses" is "an important means by which the people directly carry out their democratic rights by law." As for the denotation, the three-in-one grass-roots self-governing system, inclusive of the past rural villagers committee, urban residents committee and factory workers congress, must be turned into a new four-in-one governing system, including a self-government of urban-rural community, a masses self-government of grass-roots public affairs, a masses self-government of social welfare, and enterprises staff congress. What's more, the 18<sup>th</sup> CPCCC also advances a new idea of developing grass-roots democracy, namely, there must carry out as a focus the expansion of orderly participation, the promotion of information publication, the reinforcement of discussion and consultation, and the strengthening of power supervision, in addition to both the extension of scales, approaches and the enrichment of contents and forms, so that the people can enjoy more actual democratic rights.

The inside-party democracy is the base and core of the Chinese-style democracy, the people's democracy is a thorough revelation of the Chinese-style democracy. In the system of the Chinese-style democracy, the inside-party democracy is what the Party, as a pioneer of the people, takes the lead in performing its own democracy so as to condense a core strength of the people's democracy and, guide the people's democracy, too. The people's democracy, as a striven-for goal of Marxist parties, turns out to be a final destination that the inside-party democracy continues to struggle for; a political

foundation on which the CPC in power can survive; and a social base on which the inside-party democracy can be made stronger. In short, the fact that both the party's democracy and the people's democracy interact up and down, inside and outside, by which the former activates the latter and, the former stretches toward the latter, has proved to be an essential trait of the Chinese-style democracy.

### INTERACTION BETWEEN DEMOCRATIC GOVERNMENT AND CIVILIAN SOCIETY

There has showed a four-in-one trait of Chinese-style democracy, the elective and the consultative combining together from inside to outside, the Party's and the people's interacting up and down, in which the operation of such a four-in-one democracy comes into a total practice in a close interaction between democratic governments and civilian society.

Not the same as the separate and contradictory form of civil societies and state organizations in the west, the Chinese-style democracy largely presents an interactive feature of between democratic governments and civilian society. Both governments and civilian society need an interact, just as what Russel, a western scholar, says: "A sound and progressive society requires a kind of centralized control, but also needs the enthusiasm of individuals and collective. Without control, there will be anarchy. Without enthusiasm, there will be stagnation."<sup>10</sup> However, due to the opposite classes in the western society, the civilian society and the state organizations are subject to a unity with their common bourgeois, in fact. Surely, such a unity has sealed their mutual contradiction. Therefore, Marx noted: "Although all the classes in the civilian society haven't enjoyed the right to formulate any political rules, yet they have the ability to regulate a political state because they will change their own specialty into a whole decisive strength."<sup>11</sup> "If 'the unity between civilian and political classes has revealed a true essence of a thing, it is now a natural revelation of a separation between the civilian society and the political society!'"<sup>12</sup> Only thanks to such a separation, there appears a dual conflict between bureaucratic agencies and interest groups as far as the organizational relation between civilian society and state organizations is concerned. To Marxist mind, only if political liberation comes true, the people can come to know their "own 'primeval force' which can be turned into a social force, for there is no more need to take away such a social force, as a kind of political power, from its own." In the socialist system with Chinese characteristics, the relation between civilian society and state organizations turns out to be a harmonious interaction.

Democratic government is an important element of democratic mode. "Democracy means a government of the people, or at least, a government that need to be ruled by representatives who are responsible for the people."<sup>13</sup> Rousseau says: "Government is only sovereign executor", "Its mission is to enforce the law and defend the freedom, both to maintain the freedom of a society, but also the freedom of politics."<sup>14</sup> So, governmental democracy is an important part of modern democracy system. "Only democratic government can give an individual the most biggest opportunity, which enable the individual to make a full use of its freedom right of self-decision, that is, to enable itself to make a living according to its own rules."<sup>15</sup> Since the socialist system has made an essential precondition for the true realization of the governmental democracy, governmental agencies are not bureaucratic machines of the old system any more, but are a real government by which the people can exercise their rights.

Government transformation is a prerequisite of a democratic government. In the construction of the Chinese-style democracy, the 18<sup>th</sup> CPCCC proposed a set of programs for building China's democratic governments. To begin with, it formally sets an aim to establish "the socialist administration system with Chinese characteristics", namely, "deepening the separation of enterprises, capital, welfare, society from administrative leadership, so as to set up service-oriented governments, scientifically functional, optionally structural, highly clean and efficient, and satisfactory." Under the guidance of the construction of the socialist administration system with Chinese characteristics, the 18<sup>th</sup> CPCCC also proposed a six-in-one reform program, that is, to reform administrative approval system, to organize larger departments, to regrade administrative units, to redivide administrative districts, to reconstruct administrative managements, to restructure authorized organizations and, to reclassify institutes.

The establishment of power restriction and supervision mechanism is an essential property of an democratic government. The 16<sup>th</sup> CPCCC made a proposal of "reinforcing the restriction and supervision of political power", the 17<sup>th</sup> CPCCC also made a proposal of "improving the restriction and supervision of political power", and further on, the 18<sup>th</sup> CPCCC, as used to do, made a proposal of "perfecting the restriction and supervision of political power". And thus, from the execution of these proposals there has proved to be a brand new construction of political power restriction and supervision in operation in the Chinese-style democracy. On the one hand, there should be a system that decision-making power must account for its errors, inclusive of inquiry, accountability, economic audit, resignation, and dismissal. "All those who make any decision affecting the vital interests of the masses must fully listen to the masses, all those which harm the vital interests of the masses must be decisively prevented and corrected." On the other hand, there should also be a system to make open the operation of political power, inclusive of opening up Party affairs, administrative affairs, judiciary and handling procedure. "Making the people supervise the power, and making the power work in the sun." This is quite different than the mode of the western three-power separation. The system of China's power restriction has been built on a system of the democratic centralization, which guarantees both the restriction and the maximum of the restriction function, and embodies as a whole an essential interest consistency of the Chinese people. And especially, the People's Congress, as the highest authority of China, exercises the rights of the highest legislative power, decision-making and supervision, which totally shows that the people's rights are higher than any others.

Democratic governments are built on a fully-developed society, so the CPC has to focus on the development of socialist civilian society. In September, 2004, the Fourth Plenary Session of the 16<sup>th</sup> CPCCC noted for the first time that

“Associations, industry organizations and intermediary agencies should play a role in providing social services, reflecting the demands of the masses, and normalizing social behavior.”<sup>16</sup> In 2009, “Strengthening the construction and management of social organizations” was written on the first Act Program of National Human Rights, pointing out: “Social organizations should play a positive role in expanding the mass’s political democratic participation, mirroring the mass’s appeal, so as to enhance social self-governing functions. In the CPPCC of all levels, the representative proportion of social organizations should be increased. Governments of all levels, when making important laws, regulations and public policies, should hear the opinions and suggestions from the social organizations. Both industry associations and trade societies should collect the opinions and suggestions from industries and businesses. Both academic organizations and research institutes should go into the calls from the social masses. Both fund organizations and nonprofit agencies should reflect the interest appeal and need of weak masses. Urban-rural community agencies should know social situations and public opinions, so as to direct the masses to a reasonable expression of their requirements, an orderly participation in the management of public affairs.” And further, the 18<sup>th</sup> CPMCC advocated that: “The means that governments provide public services should be improved, the construction of grass-roots management and service system should be reinforced, the community service functions should be lifted up, the duty that enterprises, institutes, and the people’s organizations carry out in the social management and service should be enhanced, the healthy and orderly development of social organizations should be guided, and the basic role fully played by the masses in participating in the social management should be encouraged.” and that: “the channels through which the masses make their appeal to, their coordination of interest, and their protection of rights should be unblocked and normalized.”<sup>17</sup>

Democratic governments embody an important element and an essential revelation of the Chinese-style democracy, which is regarded as a key sign of democratic politics because it can effectively ensure the development and operation of civilian society. Mature and perfect civilian society is a social base of democratic governments. In the system of the Chinese-style democracy, governments, as the people’s governments, can transform their functions according to the developing laws of socialist civilian society, and in return, the orderly development of the socialist civilian society help governments operate in good condition. To sum up, what democratic governments and civilian society can interact to move forward mutually has laid a solid and practical foundation for the Chinese-style democracy, which has become another feature of such a democracy.

From the above-discussed reasons, it has been clearly concluded that the competitive and cooperative unity of between elective and consultative democracies, the unified core expansion from core democracy to the people’s one, the unified interaction between democratic governments and civilian society, are all integrated into a whole, forming a full set of the Chinese-style democracy systems, and mirroring a creation and invention of the democracy in the historical inheritance and the summary of democratic experiences. It has been proved that the Chinese-style democracy in the process of the world democratic politics mirrors Chinese history and national situations, reveals its own personalities and good points and demonstrates its own energetic vitality, in addition to the so-called “universal values” that take freedom as the supreme only in the west.

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