

Legitimacy with Chinese Characteristics: ‘two increases, one reduction’

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Over the last 20 years, an increasing number of villagers have experienced free and fair elections, and this has contributed to the legitimacy of local democratic practices as well as the authoritarian regime. Yet, these improvements in election procedures can only occur when township officials are removed from the village leader selection process. As a result, the increase in regime legitimacy is closely tied to reduction in the authority of mid-level officials to directly select subordinates. This process, where it has occurred, has generated a bottom-up institutionalization of democratic practices, and suggests that researchers should not dismiss the importance of election procedures too quickly.

Kevin O’Brien and Rongbin Han provide the clearest assessment of the *Organic Law of Villager Committees* and village election literature to date.¹ They conclude that election quality has improved steadily over the last 20 years, but that most research conducted so far overemphasizes procedural aspects of democracy. They propose a new focus that highlights the post-election relationship between local leaders and villagers. This implies a closer examination of political outcomes, including how cadres exercise power, and also the effects of elections on regime legitimacy and support for local institutions.

Village elections reflect both a top-down and bottom-up process of legitimation. One bottom-up result of two decades of elections has been the institutionalization of democratic practices.² Operating in what Gunter Schubert has called a ‘zone of legitimacy’, village elections, when fully implemented, can be the building blocks for institutional legitimacy in China.³ The irony is that village elections can legitimize local democratic practices as well as the authoritarian regime.

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1. Kevin J. O’Brien and Rongbin Han, ‘Path to democracy? Assessing village elections in China’, *Journal of Contemporary China* 18(60), (June 2009).

2. This is similar to Melanie Manion’s ‘pocket of institutional change’ within a single party system. See Melanie Manion, ‘How to assess village elections in China’, *Journal of Contemporary China* 18(60), (June 2009).

3. Gunther Schubert, ‘One-party rule and the question of legitimacy in contemporary China: preliminary thoughts on setting up a new research agenda’, *Journal of Contemporary China* 17(54), (February 2008), pp. 191–204; also see Gunther Schubert, ‘Studying “democratic” governance in contemporary China: looking at the village is not enough’, *Journal of Contemporary China* 18(60), (June 2009).

Recognizing these potential legitimation effects may require identifying zones of legitimacy where top-down political reforms have been carried out and bottom-up institutionalization can be observed. Given the gradual unfolding of local democratic reforms, both domestic and foreign researchers should not dismiss the import of village elections too quickly. Rather we might begin by looking for the evolution of legitimate representative institutions that are responsive to citizen demands and emphasize institutions over individual cadre qualities.

Direct grassroots elections in an authoritarian regime can have three outcomes that indicate steps toward greater legitimacy for both local institutions and the regime. One is an increase in citizen support for local electoral institutions. This means villagers may be dissatisfied with election results, but still embrace a fair election process. Second is a reduction in the authority of mid-level officials to choose subordinates. Fair elections should remove township officials from the village leader selection process. Third is an increased connection with the regime. Many villagers view local elections as a central government attempt to offer citizens the right to monitor and sanction local cadres. This links a local zone of legitimacy to regime support. A paradox for central leaders is that generating regime legitimacy this way is tied to reducing the authority of mid-level officials. As a whole, this process suggests two increases in support and one reduction in authority.

Increase in institutional support

Village elections at times generate greater support for institutional procedures than for individual cadres. Although elections can make leaders more accountable to their constituents, villagers may still not be satisfied with a given leader's performance. Legitimacy for local institutions, in other words, sometimes rests on villagers making a distinction between support for an elected cadre and the procedures which put him or her in office.

In his report to the 16th Party Congress, Jiang Zemin reiterated the view that the country should be run by combining rule of law with rule of virtue.⁴ The CCP claims moral authority and stresses the importance of virtuous leaders. At the village level, attention to both law and virtue means that villagers should elect high-quality cadres. Jean Oi suggests that one possible outcome of the *Organic Law* is more efficient policy implementation as well as greater support for elected leaders.⁵ Villagers may be more willing to accept unpopular policies, such as family planning and revenue collection, if these are administered by someone they selected rather than a person appointed from above. This suggests that villagers are more likely to support elected (rather than appointed) leaders.

Yet, according to a number of studies, there is almost universal dissatisfaction with elected village cadres. Surveys conducted by Tony Saich, Lianjiang Li and myself, asked rural respondents to rank their level of satisfaction with national, provincial,

4. 'Jiang Zemin delivers report to the 16th CPC National Congress', available at: <http://www.chinese-embassy.no/eng/dtxw/t110238.htm> (accessed 2 April 2008).

5. Jean C. Oi, 'Economic development, stability and democratic village self-governance', in Maurice Brousseau *et al.*, eds, *China Review 1996* (Hong Kong: The Chinese University Press, 1996), pp. 125–144.

county, township, and village leadership.⁶ Township officials and elected village cadres received the lowest satisfaction and support scores in all three studies. This suggests that the *Organic Law*, even when fully implemented, has done little to improve villagers' view of local cadres. However, dissatisfaction with elected leaders can, contrary to what one might think, be interpreted as positive for legitimation. This is because villagers tend to have considerable faith in the laws and procedures that surround elections. Jie Chen's 2000 survey of 84 villagers in Jiangsu, for example, found significant diffuse support for elections coupled with low evaluation of the performance of elected leaders.⁷ Despite widespread dissatisfaction with elected cadres, Ethan Michelson's 2002 survey of 36 villages in six provinces demonstrated that when local leaders make fair decisions concerning disputes, villagers are satisfied with the process, if not always the outcome.⁸ In my own 2004 survey of 18 villages in Shaanxi, villagers generally disapproved of elected leaders, but in villages with free and fair elections, rural people still exhibited strong support for the electoral process. This is similar to citizen attitudes found in industrialized democracies where the approval ratings of elected officials are unstable and typically low, but confidence in the process by which leaders are chosen is high.

Reduction in mid-level authority

Although many studies have demonstrated continued township resistance to the *Organic Law*, there is also evidence of decreasing township interference in the election process. Moreover, fair elections can also improve the working relationship between elected leaders and township officials.

O'Brien and Han show that township officials continue to resist the *Organic Law* and often try to manipulate the election process and maintain control over elected leaders. This can produce clashes between township officials and elected leaders in which village cadres usually come out on the losing side. When this occurs, it certainly reduces the legitimacy of the election process and a cadre's ability to represent his or her constituents.

However, a number of studies also find minimal township involvement in the election process beyond basic preparation.⁹ In these villages, local autonomy tends to be strong and elected leaders have a good working relationship with township officials. Although elected leaders have a dual responsibility to the township and villagers, they can best serve their constituents when they work well with the township government. Thus, manipulation is not needed when popularly elected cadres also do a good job carrying out orders from above.

6. Lianjiang Li, 'Political trust in rural China', *Modern China* 30(2), (April 2004), pp. 228–258; Tony Saich, 'Citizens' perceptions of governance in rural and urban China', *Journal of Chinese Political Science* 12(1), (Spring 2007), pp. 1–28.

7. Jie Chen, 'Popular support for village self-government in China', *Asian Survey* 45(6), (November/December 2005), pp. 865–885.

8. Ethan Michelson, 'Justice from above or justice from below? Popular strategies for resolving grievances in rural China', *China Quarterly* 193, (March 2008), pp. 43–64.

9. Jamie P. Horsley, 'Village elections: training ground for democracy', *The China Business Review*, (March–April 2001); Xu Wang, *Mutual Empowerment of State and Peasantry: Village Self-Government in Rural China* (New York: Nova Science Publishers, 2003), pp. 119–124; Baogang He, *Rural Democracy in China: The Role of Village Elections* (New York, NY: Palgrave, 2007).

Vote buying, oddly enough, may also be an indicator of township non-interference in elections. When township officials manipulate elections, candidates must curry favor with them in order to get elected. In this situation, election outcomes are decided by officials, and votes are not worth a penny. However, when elections are free from official interference voters determine the outcome, and the value of a vote increases. Thus, in some villages, ambitious, better-off candidates have turned to buying votes. Although vote-buying presents a new set of challenges, it is a problem that exists only because of reduced township interference and a fairer election process.

An essential feature of free and fair elections is uncertain outcomes.¹⁰ Township officials manipulate elections in order to decrease this uncertainty, but this can also erode the legitimacy of local government. Therefore the legitimation of local governance is closely tied to reduction in the authority of mid-level officials to hand-pick their subordinates.

Increased connection with the regime

Although township officials are responsible for many election details, such as scheduling and voter registration, the national leadership has been the main force behind successful implementation. This leaves townships to take the blame for poor-quality elections, and in many cases, this is well deserved. Lianjiang Li has demonstrated that villagers can further distinguish between central leaders' intent and capacity to enforce the *Organic Law*.¹¹ Therefore, some villagers view the *Organic Law* as a worthy, if not always successful, attempt to protect them from abusive local cadres and to extend political rights. Moreover, when some people use the law to confront cadre misdeeds or when villagers participate in fair elections, the experience can increase their connection with the central government.¹²

Although the *Organic Law* was largely a top-down initiative, regime legitimacy originates below. Villagers now increasingly exercise the rights spelled out in the *Organic Law*, such as recalling an elected leader or demanding open accounting of public investment.¹³ Even if the majority of villagers do not know the letter of the law and have never confronted a village committee member, they can still observe how others in the community use these laws. Villagers also see how elections can reduce corrupt behavior and increase accountability of village committee members. Even lower quality elections can provide incentives for leaders to be more responsive to their constituents.¹⁴ These observations and experiences at the village level enhance the legitimacy of the central government.

10. Adam Przeworski, *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America* (New York: Cambridge University Press, 1991), p. 14.

11. Lianjiang Li, 'Political trust in rural China', p. 238.

12. Kevin J. O'Brien, 'Villagers, elections, and citizenship in contemporary China', *Modern China* 27(4), (October 2001), pp. 407–435.

13. Björn Alpermann shows that a number of provincial level implementation regulations for the 1998 *Organic Law* focus on public accounting and transparency in village financial matters. See Björn Alpermann, 'Institutionalizing village governance in China', *Journal of Contemporary China* 18(60), (June 2009).

14. Loren Brandt and Matthew A. Turner, 'The usefulness of imperfect elections: the case of village elections in rural China', *Economic and Politics* 19(3), (November 2007), pp. 453–479.

Observation and participation locally are not the only factors that increase regime legitimacy; citizens also connect village democratic experiences with national policies and laws that they hear about through the mass media. For example, 'building a new socialist countryside' has been publicized in every form of media from television and newspapers to rural billboards and roadside walls. This policy involves many aspects of rural life, but it stresses the importance of democratic elections and decision-making. When villagers participate in fair elections they can make a direct connection between national propaganda and village experience. This can legitimize local elections as well as the authoritarian regime.

Conclusion

Although uneven implementation persists, O'Brien and Han show that election quality has been improving over the last two decades with no imminent signs of reversal. Indeed, it is widely agreed that democratic practices have become more widespread and institutionalized. This means that villagers are not just demanding their rights; they are supporting democratic institutions and are involved in democratic practices, such as voting or resolving local disputes through elected village committees. This has resulted in a bottom-up institutionalization of democratic practices.

This suggests that two increases and one reduction is generating legitimacy for the authoritarian regime and local democratic practices *before* the establishment of national democratic institutions. Legitimizing political institutions from the bottom up, however, can put pressure on the central leadership to expand political reform. Indeed, the authoritarian leadership has created a situation where political legitimacy is tied to more electoral reforms. Of course, central leaders can always choose to slow down reforms and even end local democratization efforts, but this will eat away at regime legitimacy. In order to prevent this, top leaders may choose policies and laws that unintentionally erode their monopoly on political power. That is, they may accept losing some power in order to stay in power. This is not what was originally planned. However, unintended consequences and reforms that take on a momentum of their own may lead to 'democratization with Chinese characteristics' or in more general terms 'front-end' democratization within a single party system.

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