

Organisation and (Lack of) Democracy in the Chinese Communist Party: A Critical Reading of the Successive Iterations of the Party Constitution

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Abstract

There has always been a lack of democratic life in the Chinese Communist Party (CCP). Former CCP Secretary General Hu Jintao attempted in the first decade of the twenty-first century to promote reform, including a revision of the party constitution, aimed at enhancing “intra-party democracy” (党内民主, dangnei minzhu). However, Xi Jinping has put on hold this plan, fully restoring the verticality of the institution where it may have been weakened. This article has three objectives. First, it compares the successive versions or iterations of the CCP constitution in the last 100 years and analyses all the changes related to democratic centralism, elections, and democracy that have been introduced. Then, it assesses Hu’s reforms and their failure. Finally, it explains why the CCP cannot reform and democratise as long as it remains a party-state and China remains a one-party system.

Keywords: Chinese Communist Party, democratic centralism, election, intra-party democracy, party constitution

Introduction

According to the Chinese Communist Party (CCP) constitution (章程, zhangcheng), all decisions are democratically made whatever their nature. Cadres and leaders are elected and other decisions as policies or regulations are adopted on the basis of a vote after a large consultation of party members and party grassroots organisations has been completed. These procedures have been confirmed and detailed in December 2021 China’s White Paper that presents China’s democracy as a “whole-process people’s democracy” (全过程人民民主, quanguocheng renmin minzhu) (The State Council Information Office of the People’s Republic of China, 2021). But does the CCP operate on the basis of democratic principles?

Actually, as other ruling communist parties, the CCP is a highly top-down and secretive organisation. Secrecy, opacity, and the need to keep party secrets are structural, closely intertwined with “democratic centralism” (民主集中制, minzhu jizhongzhi), a principle introduced by Vladimir Lenin in the Bolshevik party at the beginning of the twentieth century.

In order to move away from this entrenched opacity and verticality, former CCP Secretary General Hu Jintao attempted in 2007–2009, to enhance “intra-party democracy” (党内民主, dangnei minzhu). This was not the first time that the CCP tried to instil more democracy. Earlier attempts had been made. But this was the most ambitious one. After he came to power in 2012, instead of intra-party democracy, Xi Jinping’s CCP has given priority to “consultative democracy” (协商民主, xieshang minzhu), a new form of socialist democracy aimed at consulting more often the society at large, while strengthening at the same time the leading role of the party.

Since its foundation, the CCP has faced two major organisational contradictions: on the one hand, the contradiction between top-down leadership and intra-party democracy; and on the other hand, the contradiction between the leading role of the party and the principle of democracy (Cabestan, 2019c).

Neither Hu Jintao nor Xi Jinping has been able, and even willing, to overcome these contradictions. The party has adapted to the new economic and social environment that it created. It has also kept relying on and expanded informal institutions which have introduced more flexibility in the actual operation of the CCP (Tsai, 2006; 2007). But this is not the focus of this article which rather explores the CCP’s formal rules. It attempts in particular to demonstrate that the CCP has remained strongly attached to its Leninist principles, because they have, in its view, demonstrated their efficacy as the best tools to develop the economy, keep the society stable and under control, empower the nation, as well as protect the country and the party from any unwelcomed external influence.

Yet, this reality raises a lot of questions about the CCP’s own definition of democracy, what it means by democratic centralism or, since 1949, people’s democratic dictatorship and today’s whole-process people’s democracy? In order to fully understand these concepts and address the unsolvable contradictions mentioned, the most appropriate method is to start by going back to the original documents. Among them, the successive party constitutions adopted by the CCP since its establishment in 1921 are some of the best indicators of these tensions. The first objective of this article therefore is to compare the successive iterations of the CCP constitution in the last 100 years and analyse all the changes related to organisation and democracy that have been gradually introduced. But this is not enough. This is the reason why this work has been complemented by an analysis of the various attempts, especially Hu Jintao’s, to introduce more “intra-party democracy”: this is the second objective of this article. Finally, it is important to comprehend why Xi Jinping overturned Hu’s reforms. This is our final objective: explaining why the CCP cannot reform and democratise as long as it remains a party-state and China remains a one-party system.

The Successive Iterations of the CCP Constitution

There is vast literature on the CCP and its history, prior to and after 1949 (Brødsgaard, 2020; Saich, 2021; Saich and Nancy, 2017). Nonetheless, save a few exceptions (Brødsgaard and Chen, 2018; Brødsgaard and Zheng, 2004; Lam, 2020; Li, 2011a, 2011b; Saich, 1996), most authors have not put much emphasis on the party constitution, the rationale for its successive changes and the way it has been implemented. This article aims at contributing to filling up this gap in the analysis.

The party constitution only includes the CCP's basic ideology, major objectives, and selected formal organisation rules. It does not tell us much about how actually the party operates, members are recruited, leaders are appointed, policies are adopted, and decisions are made. Its length and content have much varied over the years. The first constitution adopted at the Second Party Congress in 1922 included only twenty-nine short articles while the latest one adopted at the Nineteenth Congress in 2017, in contrast, is much longer and formalised, made of a long introduction called "general programme," eleven chapters and fifty-five articles, and going as far as defining the party's emblem and flag. However, a brief overview of the successive CCP constitutions and the changes introduced over the years can inform us about the gradual establishment of institutions and adoption of concepts that the party want to prioritise and publicise. All the used documents can be found in Communist Party Member Net (n.d.).

The Party Constitutions Before 1949

At the First Party Congress in July 1921 only a party programme (纲领, gangling) was adopted by two-third of the Congress members (全国代表大会, quanguo daibiao dahui) (CCP Programme (Translated from Russian), 1921). Then the CCP included only fifty-seven members and joined the "Third International" or Lenin's Comintern (Communist International) created in 1919 and led by the Russian Communist Party. While it adopted the "Soviet management system" (soviet means committee in Russian), neither the concept of democracy nor the notion of election could be found in this document. Its objective was to establish a "dictatorship of the proletariat," a concept introduced by Marx to describe the political organisation of the socialist transition from capitalism to communism and later adopted by Lenin to justify the leading role of the communist party as the vanguard of the proletariat. This notion would not be enshrined in the party constitution later except during the Cultural Revolution (see below). The importance of keeping party secrets was already emphasised (Point 6). Power was then exercised by "executive committees" (执行委员会, zhixing weiyuanhui), a structure borrowed from the Kuomintang (KMT), both at the central and the local levels. These bodies were chosen (选, xuan) rather than properly elected by party members, although today's

official report about this congress refers to elections, including the election of Chen Duxiu as secretary (书记, shuji) (CCP National Congresses Database, n.d.). The word “election” appeared in 1922 in the first party constitution or to be more accurate “statutes” (章程, zhangcheng) adopted at the Second CCP Congress (Constitution of the CCP, 1922). But at the same time, the constitution gave much power to the Central Executive Committee (CEC) in which five members and three alternate members were elected for just one year, a short term that would altogether disappear in 1927 when the party had to hide or move to the countryside. The following congresses (third and fourth held in 1923 and 1925) kept empowering the CEC without extending its term.

It was only in 1927 that the CCP fully adopted the Leninist model. Then, the concept of “democratic centralism” was formally introduced in the party constitution endorsed by a meeting of newly created Politburo (政治局, zhenzhiju, PB) held in June 1927, two months after the Fifth CCP Congress. Summarised by Lenin (1965) as “freedom in discussions, unity in action,” democratic centralism includes the principle of party leaders’ election and accountability to the people, a conception of democracy that on the surface is not different from liberal democracy. But since 1921, the Bolshevik party and as a result, other communist parties had banned factions and clearly privileged discipline and subordination to the higher level over democracy. At the same time were instituted a Central Committee, a Politburo, and a Central Standing Committee (中央常务委员会, zhongyang changwu weiyuanhui), also called in English “Secretariat” in article 27 of the constitution, as well as a network of central and provincial control commissions (监察委员会, jianchaweyuanhui) (articles 61–64) (Resolution on the third revision of the CCP Constitution, 1927). The CCP was clearly moving another step forward towards centralisation and formalisation.

The Sixth CCP Congress held in Moscow in 1928 introduced several changes in the constitution which were not very consequential since the CCP was then divided and had two centres, the second one being formed around Mao Zedong and Zhu De in Hunan and later in the Jiangxi Soviet Republic (1931–1934). Nonetheless, it is worth mentioning that then, as the CCP decided to refer to its constitution as dangzhang (党章), the principle of election became more deeply enshrined into the party constitution (it appeared twenty-three times) (Constitution of the CCP, 1928). However, as in all other CCP constitutions, this text did not spell out any election procedures, giving in reality much discretionary power to the leadership to manipulate elections. This document also consolidated the relationship between the CCP and the Comintern of which the CCP was now a branch (see Constitution of the CCP [1928], article 1: 中国共产党为共产国际之一部, zhong-guo gongchandang wei gongchan guoji zhi yi bufen). More importantly, it fleshed

out “democratic centralism” (see Constitution of the CCP [1928], article 7: 组织原则: 中国共产党与共产国际的其他支部一样, 其组织原则为民主集中制, zuzhi yuanze: zhongguo gongchandang yu gongchan guoji de qita zhibu yiyang, qi zuzhi yuanze wei minzhu jizhong zhi), compelling all party members to implement instructions coming from the top of the CCP or the Comintern, even if they disagreed with them. The notion of democracy as such was mentioned for the first time in the party constitution adopted at the Seventh Congress in 1945 four years before the CCP came to power. It was then often associated with the “new democracy system” (新民主主义制度, xin min- zhuzhuyi zhidu), the anti-KMT alliance “led by the proletariat,” actually the CCP, which gave the illusion to many “third force” groupings and individuals – non-communists critical of the KMT government – that the later was more democratic than the former. Then, theorised by Mao (Schram, 2005), the concept of democracy referred to the CCP’s ambition to build an “independent, free, democratic, united, prosperous and strong... republic” together with many other forces including the “small bourgeoisie and other democrats” (Constitution of the CCP, 1945). In addition, the new constitution enhanced what would later be called “intra-party democracy” in introducing for the first time rules on party member’s rights and obligations, especially protections to the exercise of their democratic rights, as the principles of election and eligibility or the right to “criticise other party members” (see Constitution of the CCP [1945], article 3: 凡党员均有下列权利, 在党的会议上批评党的任何工作人员, fan dangyuan jun you xialie quanli, zai dang de huiyi shang piping dang de renhe gongzuo ren yuan). At the same time, as it is well-known, then controlled by Mao and his followers, the CCP enshrined in its constitution “Mao Zedong Thought” (毛泽东思想, maozedong sixiang) not as its guiding ideology, which remained Marxism–Leninism, but as its “working compass” (工作的指针, gongzuo de zhizhen). It also gave Mao much more power in creating for him the position of chairman (主席, zhuxi) of the Central Committee, and in making sure that the leader who held this position was also chairman of the PB and of the newly created Central Secretariat (书记处, shujichu), different in name in Chinese from the one set up in 1927 (see Constitution of the CCP [1945], article 34, 中央委员会主席即为中央政治局主席与中央书记处主席, zhongyang weiyuanhui zhuxi jiwei zhongyang zhengzhiju zhuxi yu zhongyang shujichu zhuxi). While the Central Committee was supposed to meet at least once every three years, the PB met only every six months, transferring most of its competencies to the five-member secretariat headed by Mao (the other members were Zhu De, Liu Shaoqi, Ren Bishi, and Chen Yun).

It was also in the 1945 constitution that “democratic centralism” was fully defined: “democratic centralism is centralism based on democracy and democracy under centralised leadership” (民主的集中制, 即是在民主基础上的集中和在集中领导下的民主, *minzhu de jizhongzhi, jishi zai minzhu jichu shang de jizhong he zai jizhong lingdao xia de minzhu*). Repeated in all subsequent CCP constitutions, this approach to democracy within the party is fundamental because it clearly indicates that centralised leadership prevails upon democracy, or to be more accurate defines what is democracy as well as its limits, and that, in no circumstances, members’ democratic rights can challenge the party leadership.

Like the previous ones, the 1945 CCP constitution did not tell much in practical terms about how decisions were made. For example, in this constitution, there was no mention of the Central Military Commission (CMC), a crucial power locus, which Mao took control of from Zhou Enlai at the famous Zunyi conference in 1935, a power locus that allowed him to sideline more easily his rivals, especially the pro-Moscow faction (Wang Ming, Li Lisan, etc.) (Guillermaz, 1968).

All in all, before coming to power and becoming a party-state, the CCP was already very secretive and undemocratic. Fighting against the KMT government and later the Japanese occupation army, it needed, for the sake of survival, to protect itself from spies and possible infiltrations. That was the rationale of the 1942 “rectification movement,” a campaign that ironically was presented as promoting intra-party democracy, at least in its initial stage, and more importantly Mao’s “mass line,” but also a campaign which already highlighted the repressive side of the CCP, especially the role of the Social Affairs Office and its then head, Kang Sheng, who will come back to the fore during the Cultural Revolution (Gao, 2019). How could intra-party democracy have flourished in such circumstances?

Changes in the Constitution After the Party Becomes the State in 1949

In 1949, the CCP took over the state. Party secrets then turned into state secrets and the need for opacity became much stronger, to protect the newly established People’s Republic of China (PRC) against its enemies, first the KMT and the “imperialist” camp led by the United States, and then the Soviet Union and all the “revisionist” forces, both outside and inside the country and the party.

The first party constitution issued after the CCP came to power was adopted by its Eighth Congress in September 1956. Its Chinese name moved back to *zhangcheng* (章程) or statutes, a more formal term used until today. While the document did not reactivate the concept of “dictatorship of proletariat,” it did confirm what the state constitution had stated two years earlier: the PRC is a “people’s democratic dictatorship” “led by the

working class and based on the alliance between the workers and the peasants” (Diamant, 2022). Kept until today except during the Cultural Revolution, this very notion highlights the basic contradiction on which the regime has been based. How can a dictatorship be democratic?

Yet, thanks to de-Stalinisation in the Soviet Union and the socialist camp as a whole, the CCP constitution promoted if not more transparency at least a more collective approach to leadership and a willingness to normalise the party’s modus operandi (MacFarquhar, 1974). The well-known formula borrowed from Leninist handbooks and included in the party constitution was then: “collective leadership and individual responsibility” (集体领导和个人负责, *jiti lingdao he geren fuze*). Mao Zedong’s thoughts disappeared from the party constitution. The Central Committee was elected for a five-year term, met once a year as a rule and could be convened any time if one-third of the party congress delegates or one-third of the provincial level organisations required it (see Constitution of the CCP [1956], article 31: 如果有三分之一的代表的要求, 或者有三分之一的省一级组织的要, 中央委员会必须召开全国代表大会会议, *ruguo you sanfenzhiyi de daibiao de yaoqiu, huozhe you sanfenzhiyi de shengyiji zuzhi de yaoqiu, zhongyang weiyuanhui bixu zhaokai quanguo daibiao dahui huiyi*). Borrowed from Khrushchev’s Soviet Union but never used in practice, this rule would only be partly restored in 1982. A Politburo Standing Committee (PBSC) chaired by Mao and CCP Vice-Chairman positions (including Liu Shaoqi and Zhou Enlai) were then instituted with the Central Secretariat, headed by a General Secretary (总书记, *zongshuji*), then Deng Xiaoping, now in charge of the party’s “daily work” (日常工作, *richang gongzuo*) under the leadership of the PB and the PBSC (Constitution of the CCP, 1956). Decision-making at the top of the CCP was clearly becoming more collective even if Mao kept the last word (Teiwes, 2015). Aligning here again with the Soviet model, the constitution was moving power, especially regarding domestic policies, to the Secretariat and its members, to the detriment of the PB and the State Council (the central government) headed by Zhou Enlai. Moreover, the constitution introduced the possibility for the Central Committee of creating the position of “honorary chairman” (名誉主席, *mingyu zhuxi*), clearly preparing for Mao’s retirement. All this would rapidly become a source of friction which would intensify after the launching of the Great Leap Forward in 1958. Actually, this new power organisation was one of the causes of the Cultural Revolution and Mao’s decision to purge Liu and Deng (MacFarquhar, 1999). Nonetheless, not every rule became formal: chaired until his death by Mao, the CMC did not get into the constitution.

As a direct outcome of the Cultural Revolution launched by Mao in 1966, the Party Constitution adopted at the Ninth CCP Congress in 1969 was much shorter (twelve instead of sixty articles in 1956). It was highly centred around Mao Zedong, both the

leader and the thought, as well as his designated successor, Lin Biao, whose name was mentioned in it. The Marxist concept of “dictatorship of the proletariat” replaced the PRC’s people’s democratic dictatorship. This clearly signalled a return to Marxist–Leninist ideological purity and a power concentration in the party to the detriment of the state. But this constitution tells us very little about how power was exerted, let alone about members’ rights. Under the leadership of the CCP Chairman, Vice-Chairman, and PBSC, it planned to “establish a number of necessary and capable organs to handle party, government and military daily work in a unified manner” (see Constitution of the CCP [1969], article 9, paragraph 4: 在主席、副主席和中央政治局常务委员会领导下，设立若干必要的精干的机构，统一处理党、政、军的日常工作, *zai zhuxi, fuzhuxi he zhongyang zhengzhi ju changwu weiyuanhui lingdao xia, sheli ruogan biyao de jinggan de jigou, tongyi chuli dang, zheng, jun de richang gongzuo*). Party members’ main duty was to study and implement Marxism–Leninism and Mao Zedong Thought. Holding a meeting of party central congress delegates every five years and local congress delegates every three years were the only rules kept in the constitution (Constitution of the CCP, 1969).

Very close to the previous document, the party constitution (twelve articles) adopted at the Tenth CCP Congress in 1973 just got rid of Lin Biao and the idea of designating a successor to Mao (Constitution of the CCP, 1973).

Changes in the Party Constitution Since 1977

Things started to change after Mao’s death in 1976, but only gradually. The party constitution (nineteen articles only) adopted by the Eleventh CCP Congress in August 1977 was still influenced by the Cultural Revolution, declaring its successful completion but keeping a reference to the dictatorship of the proletariat and the continuation of the revolution. Despite Deng Xiaoping’s recent return to power, the party was still dominated by Hua Guofeng, Mao’s handpicked successor, and the so-called “Whateverist” faction (凡是派, *fanshipai*) which were portrayed by their detractors as defending whatever Mao had said or done (Teiwes, 1984; Teiwes and Sun, 2011). At the same time, the constitution started to restore some of the norms challenged by Mao and his closest followers, especially the principle of “collective leadership and individual working responsibility” (集体领导和个人分工负责, *jiti lingdao he geren fengong fuze*) (see Constitution of the CCP [1977], article 11, paragraph 1: 党的各级委员会实行集体领导和个人分工负责相结合的原则。要依靠集体的政治经验和集体的智慧，一切重要问题都由集体决定，同时使个人发挥应有的作用, *dang de geji weiyuanhui shixing jiti lingdao he geren fengong fuze xiangjiehe de yuanze. yao yikao jiti de zhengzhi jingyan he jiti de zhihui, yiqie zhongyao wenti douyou jiti jue ding, tongshi shi geren fahui yingyou de zuoyong*) and the role of the party committees at each level (see Constitution of the CCP [1977], article

12, paragraph 1: 党的各级委员会要定期向代表大会或党员大会报告工作, 经常听取党内外群众的意, 接受监督, dang de geji weiyuanhui yao dingqi xiang daibiao dahui huo dangyuan dahui baogao gongzuo, jingchang tingqu dang neiwai qunzhong de yijian, jieshou jiandu). It also established local discipline inspection commissions (DICs) at the county level and above (Constitution of the CCP, 1977). The Central DIC first chaired by Chen Yun, would be set up at the famous third plenum of the Eleventh Central Committee in December 1978.

The third plenum of December 1978 was a turning point in the history of the CCP. Then the party decided to abandon class struggle, rehabilitate (平反, pingfan) many victims of the Maoist campaigns, reform the economy and open up the country to the outside world. As a result, the CCP fundamentally changed its modus operandi, laying the ground for the adoption of a deeply revised party constitution in 1982. In late 1978, the consensus was not only to restore the institutions set up in the sixth decade of the twentieth century, a party organisation close to one that presided after 1956 and a state constitution similar to the 1954 one but to go further than that in order to prevent the return of a strong man with unlimited powers and personality cult.

As early as the third plenum in December 1978, reformist leader Hu Yaobang became in charge of the party apparatus with the title of Central Committee Secretary General (秘书长, mishuzhang). Fourteen months later, as Liu Shaoqi was post-mortem rehabilitated, the Central Secretariat was fully restored and Hu became General Secretary of the Central Committee. The ambition was then to put into place a central power organisation similar to the one set up by the Eighth Congress, moving responsibilities in a number of sectors (ideology, economy, industry, and foreign trade) to the Secretariat. But this reform rapidly led to gridlocks and tensions; consequently, the role of the Secretariat was down-graded in 1987 (Cabestan, 2014: 147–150).

Yet, the party constitution adopted at the Twelfth CCP Congress in 1982 heralded an important organisational change (Constitution of the CCP, 1982). Much longer (fifty articles) and more comprehensive, it aimed first at restoring the prestige of the party by turning party members into “ordinary members of the working people” (劳动人民的普通一员, laodong renmin de putong yiyuan) and party cadres into “servants of the people” (人民的公仆, renmin de gongpu). Held for one year by Hu Yaobang after Hua Guofeng was forced to step down in June 1981, the position of party chairman was abolished; the official top leader of the party was to be the General Secretary, but his power stemmed from the six-member PBSC (including four elderly leaders). For the first time, the CMC was mentioned, its chair, then Deng Xiaoping, being required to be a member of the PBSC (see Constitution of the CCP, [1982], article 21); but this latter rule was dropped

in 1987 to accommodate Deng who was then retiring from the PBSC but not the CMC. This power distribution clearly weakened Hu's status and laid the ground for Hu's dismissal in January 1987 and later the Tiananmen crisis.

Yet, many new rules moved the party towards reform. Collective leadership was even more emphasised and the cult of personality was openly denounced; leaders were asked to avoid arbitrariness (个人专断, *geren zhuanduan*) and submit themselves to the organisation. Meeting every year, the Central Committee could be exceptionally convened if one-third of provincial level organisations required it (then article 18, today article 19). To date, this procedure has never been used. An important article was added (then article 37, today article 38) according to which "Party leading cadres at every level, whether elected through democratic procedures or appointed by a leading body, do not hold posts for life and can be transferred from or relieved of their posts." Party members and party committee's democratic rights, particularly minority and election rights, were also strengthened. Elder party leaders were invited to retire and join the newly created central or local advisory committees (顾问委员会, *guwen weiyuanhui*). More importantly, the party leadership was then conceived as "mainly political, ideological and organisational," delegating more economic and social responsibilities to the government. This formula will be dropped from the constitution only in 2017 (see below); in previous constitutions, the approach to party leadership was much more holistic, for example, still "leading the proletarian and revolutionary masses" in 1977. Moreover, in 1977, the party was asked to operate within the boundaries of the state constitution and laws. The priority was to restore state institutions, introduce a new division of labour between the party and the state (党政分工, *dangzheng fengong*), and establish a "highly democratic socialist country" (高度民主的社会主义国家, *gaodu minzhu de shehuizhuyi guojia*).

Partly inspired by reformist thinkers such as Liao Gailong and his 1980 reform ideas, this evolution opened the door in 1986 to the debate about reforming political structures (政治体制改革, *zhengzhi tizhi gaige*). Supported by Deng, this debate led to a reform plan that was adopted by the Thirteenth Party Congress in September 1987, despite the purge, a few months before, of Hu Yaobang, accused of liberal tendencies (Wu, 2013).

Presided by then General Secretary Zhao Ziyang, the Thirteenth Party Congress is remembered for its ambitious and courageous political reform plan aimed at not only separating the party and the government (党政分开, *dangzheng fenkai*) but also at establishing a professional civil service and expanding the powers and the representativeness of the state's elected bodies, for example, the people's congresses. At the same time, some articles of the party constitution were amended, mainly aimed at expanding intra-party democracy (Amendments to some articles of the Constitution

of the CCP, 1987). The introduction of a competitive election of local and national delegations to party congresses, namely with a number of candidates higher than the number of positions to be filled and known as “差额选举” (cha'e xuanju) in Chinese, was authorised. In case of disagreements within a party organ, a vote was required on major issues. The other change worth mentioning was related to the role of the Central Secretariat, which was reduced from being responsible of “central daily work” (中央日常工作, zhongyang richang gongzuo) under the leadership of the PBSC to a working organ of the PBSC (办事机构, banshi jigou), concentrating only on party affairs, and political-ideological work in other institutions such as the military. But a key problem for Zhao and the reformists was then that the real power holders were elder retired or “semi-retired” (半退休, ban tuixiu) leaders, such as Deng Xiaoping, then still CMC Chairman, and Chen Yun, who would take back power and transfer it to more obedient leaders such as Jiang Zemin after the Tiananmen crisis.

The Tiananmen massacre sounded also as the death knell to all attempts at transparency and intra-party democracy. After 1989, the party abandoned any attempt to open its “black box” and returned to its old-entrenched penchant for secrecy, especially as far as decision-making processes and intra-party mechanisms were concerned. In the 1992 party constitution adopted at the Fourteenth Congress, the plan to establish a “highly democratic socialist country” was abandoned. Lessons had been drawn from the collapse of the Soviet Union (Constitution of the CCP, 1992).

Yet, there are few differences between the 1987 and the 1992 party constitution in terms of power organisation, procedures and members' rights. For example, the principle of competitive elections was kept and would be kept in all future constitutions, including the current one. Similarly, fixed terms of office for leading cadres were maintained. And more duties were imposed on leading cadres, now required to “attend democratic meetings held by the party committee or leading party member's groups” (党员领导干部还必须参加党委、党组的民主生活会, dangyuan lingdao ganbu hai bixu canjia dangwei, dangzu de minzhu shenhuihui). This addition to article 8 is still in place today (Constitution of the CCP, 2017).

The major changes to the constitution introduced at the Fourteenth Party Congress had to do with recognising that China was still in the “early stage of socialism” and abolishing the central and local advisory commissions after ten years of operation, many of their members, most of them retired leaders, having already died. This was also part of Deng's plan to clear the way for Jiang Zemin and allow him to consolidate his power as General Secretary chairing the (probably weekly) PBSC meetings and deciding about their agenda, CCP (and state) CMC Chairman, a position that Deng transferred to him in November 1989, as well as President of the Republic after March 1993.

This “three powers in one person” (三位一体, sanweiyiti) formula (Xinhua, 2018) has been in place since then, with the known exception of the 2002–2004 period, when Jiang remained CMC Chairman after having stepped down from and transferred his two other posts (CCP Secretary General and head of state) to Hu Jintao. But it remains an informal rule: the party constitution has never stated that the General Secretary should also be the CMC Chairman, let alone the President of the Republic (see Constitution of the CCP [1992], article 22 and 23; Constitution of the CCP [2017], article 23 and 24).

The next two congresses, the Fifteenth in 1997 and the Sixteenth in 2002, did not change much the party constitution either, except to add to the ideological tenets of the CCP, respectively, “Deng Xiaoping Theory” and Jiang Zemin’s “Three Represents,” a coded formula allowing the party to recruit capitalists. In 2002, party members’ duties and DICS’ powers were strengthened but these measures did not have a big impact on the CCP operation: corruption kept growing (Ang, 2020).

It is true that it was at the Sixteenth CCP Congress in 2002 that the concept of “intra-party democracy” was resurrected. In his report, Jiang Zemin qualified it as the “lifeblood of the party” (党的生命, dang de shengming) (Xinhua, 2002). Nonetheless, it is only at its 2007 Congress, once Hu Jintao had consolidated his power that the CCP decided to move forward. Then the party constitution’s general programme declared that “the Party must fully expand intra-Party democracy and safeguard democratic rights of its members,” adding that “the Party must practice democratic and scientific decision-making” (Xinhua, 2007). Article 30 was revised in order to open the door to the competitive election of party committee leaders (Resolution of the 17th Congress on the revision of the CCP Constitution, 2007). Then the CCP leadership showed a more general intention to improve the country’s socialist democracy, especially “people’s democracy” and “grassroots democracy” (Yu, 2009). These three forms of democracy all operate under the uncontested leadership of the CCP (Cabestan, 2019c). People’s democracy refers to elections of the people’s congresses, and grassroots democracy to village and urban community elections. What was proposed was based on various experiments launched in a few localities as early as in the last decade of the twentieth century and more often the first decade of the twenty-first century. But as it will be shown below, it did not really democratise the internal operation of the CCP. Instead, Hu’s reforms contributed to deepening party cadres’ corruption and fragmenting the CCP leadership, especially the divided and ill-coordinated nine-member PBSC, feeding Xi Jinping’s plan as soon as he took power in 2012 to recentralise power and rein in intra-party democracy experiments.

As such, the party constitution has not changed much since 2007. In 2012, at the Eighteenth Congress, Hu Jintao’s “scientific outlook of development” and the “theory of

socialism with Chinese characteristics” were added. The most important change was not and did not have to be included in the constitution: it was the decision made at the time by the party leadership to cut from nine to seven the membership of the PBSC, facilitating Xi’s subsequent plan to concentrate power in his own hands in creating new CCP leading small groups and central commissions (Cabestan, 2019a).

The major amendments to the CCP constitution at the Nineteenth Congress in 2017 had to do with the role of the party and Xi. Instead of limiting its leadership to political, ideological, and organisational work, today the party, presented as “the most essential attribute of socialism with Chinese characteristics,” must keep strengthening its power and overall leadership position, by supervising and managing more directly and more tightly the economy and the society. Moreover, not only “Xi Jinping Thought on Socialism with Chinese characteristics for the new era” became the party’s major ideology but Xi as a leader was elevated in the constitution to the status of “core of the Party leadership” (Constitution of The Communist Party of China, 2017). A few months later, in March 2018, Xi managed to revise the state constitution to remain President of the Republic beyond the ten-year limit. But it should be indicated here that top CCP leaders’ term in office, especially PB and PBSC membership, has to date never been limited by any party constitution.

Yet, in many respects, especially in terms of leading bodies and members’ rights, the current party constitution remains very much based on the 1982–1987 ones, save the few additions introduced later and mentioned above.

What do these successive iterations of the party constitution tell us about the CCP’s genuine *modus operandi*? Actually, very little and probably less today, under Xi Jinping, than yesterday, in the Hu era, let alone in the ninth decade of the twentieth century, as the level of secrecy surrounding the CCP internal operation has arguably intensified; debates within the party have been almost totally silenced; the unity of the party and the unity of truth have been prioritised.

Yet, these constitutions are good indicators of the party’s founding principles and changing priorities. Firstly, they reflect the 100-year history of a party modelled on Lenin’s and even more Stalin’s Soviet Communist Party, paying lip service to elections and democracy but not practising them. Secondly, they tell us the story of a party that has turned into a party-state and stuck all along to the same organisational principles of democratic centralism and secrecy. Thirdly, these constitutions highlight the story of a party-state that, in order to avoid atrophy (Shambaugh, 2008), has tried hard to adapt itself to the new economic and social environment it has created, adding new layers to the ideological *mille-feuille*, and normalising its mechanisms, for example, holding regular congresses, every five years since 1977, and Central Committee meetings,

every year since then, and stabilising its leadership bodies, rarely changed between two congresses. Finally, these various versions of the constitution also underscore the hesitations of the CCP, particularly after the beginning of the reform era, in terms of leading bodies' organisation and internal democracy.

Hu Jintao's Failed Attempt to Expand Intra-Party Democracy

Hu Jintao's intention to develop intra-party democracy signalled a willingness to both take stock of the experiments conducted by some local party committees in the late last decade of the twentieth century and move the reform forward. In the early first decade of the twenty-first century, more localities tested this reform. As a result, when Hu Jintao announced in 2007 his plan to expand intra-party democracy it was positively received by many observers (Xinhua, 2007; Li, 2009). Hu's report to the party congress as well as the new CCP constitution gave even some reasons to be optimistic about China's gradual democratisation. As a matter of fact, in his report, Hu stated:

Intra-Party democracy provides an important guarantee for improving the Party's creativity and reinforcing its solidarity and unity. We will expand intra-Party democracy to develop people's democracy and increase intra-Party harmony to promote social harmony. (Xinhua 2007)

Then, the development of intra-party democracy was conceived as the first step towards an expansion of people's democracy: both reforms were closely linked to each other. These three forms of democracy all operate under the uncontested leadership of the CCP (Cabestan, 2019c). People's democracy refers to elections of the people's congresses, and grassroots democracy to village and urban community elections. Nonetheless, Hu's report and the CCP new constitution did not give much detail about the content of the reform. The plan was fleshed out only two years later in a resolution adopted in September 2009 by the Fourth Plenum of the Seventeenth Central Committee (China News, 2009; Communiqué of the 4th Plenary Session of the 17th Central Committee of the CCP, 2009).

In this resolution, developing intra-party democracy was understood as expanding competitive elections of party leading cadres, increasing the number of decisions based on a vote (票决制, piaojuetzhi) and enhancing transparency. The reform also aimed at expanding on the more restrictive rules regarding the tenure, transfer, and regional allocation of major leading cadres introduced in 1993 by Jiang Zemin, in generalising the avoidance system (回避制度, huibi zhidu) according to which officials cannot serve in their province of origin, and enhancing the fight against corruption in introducing a more comprehensive supervision system.

It is probably the expansion of competitive elections of local CCP leaders by party committees that was the most visible development of intra-party democracy. Based on some genuine experiments conducted in the late last decade of the twentieth century and early first decade of the twenty-first century in Sichuan (Fewsmith, 2010), by Li Yuanchao in Jiangsu before he became director of the Central Organisation Department in 2007 (Li, 2007) or later by Wang Yang in Guangdong (Li, 2008), it introduced here and there a certain degree of uncertainty all the way to the election of the central committee. It also increased the level of information of the public since local candidates for promotion, at least in Shenzhen, were asked to submit statements of purpose and to take part in public debates (Li, 2009).

However, the list of candidates remained established by the higher level in a totally opaque manner. The degree of publicity of the “election campaigns” was questionable. Most often, the higher level voted to select lower-level officials. For example, in Nanjing, it was up to the thirty-four municipal CCP committee members to choose four district heads out of eight candidates (Li, 2007). And in most cases, the chances of not being elected remained very low. This was even truer at the central level where not much change has taken place under Hu. While *cha'e xuanju* of central committee members by the 2000-plus party delegates to the Congress started in 1987, the margin of choice has always remained very small even after the Seventh Congress: 5 per cent in 1987, 10 per cent in 1992 and 1997, 5.1 per cent in 2002, 8.3 per cent in 2007, and 9.3 per cent in 2012 and 2017. In 1987, because of this new rule, Deng Liqun, the arch-conservative former head of the Propaganda Department failed to get elected to the Central Committee. For alternate members, it is a little bit higher, but not much: 11.1 per cent in 2012 and 9.6 per cent in 2007 against 5.7 per cent in 2002. And delegates to the congress, then as today, have always been selected on the basis of a “large consultation” that included some 33,500 cadres in 2007 (Cabestan, 2014: 110–113; Cabestan, 2019b: 20; Fewsmith, 2018). Consultation is not election and the centre together with the leading organs at each level have always remained in control of the selection of delegates to party congresses.

It was reported in 2007 that Central Committee members were asked to choose future PB members on a list of 200 candidates of ministerial rank established by the “centre,” probably by Hu Jintao and the PBSC. And in 2012, they were also able to elect PBSC members. But the detail of these elections was never made public. And in 2017, Xi Jinping put an end to this innovation. He himself consulted around 300 retired or in-office leaders before selecting the PB and PBSC members. In other words, the principle of co-optation was then fully restored, a principle that was never really questioned for selecting the key leaders of the party and allowing its major factions to negotiate

behind closed doors their share of power (Brødsgaard, 2018; Cabestan, 2019b: 20; Fewsmith, 2021).

One of the reasons invoked by Xi to put an end to this “democratic” experiment was the Sun Zhengcai affair. Sun was close to Hu and a member of the sixth generation of leaders promoted to the PB in 2012 and later to the position of Chongqing secretary. He was suddenly purged and jailed in July 2017 after having been accused of buying votes and rigging his election to the PB in 2012 (Cabestan, 2019b: 20–21). It is very likely that this case was also utilised by Xi to sideline Hu’s reforms. But it also raises a fundamental issue or contradiction.

The issue is that generalising CCP leading cadres’ election would have questioned a deeply entrenched “principle” according to which “the party manages the cadres” (党管干部的原则, *dang guan ganbu de yuanze*), meaning recommend (推荐, *tuijian*) and appoint (任命, *renming*) them, in other words the nomenklatura system (Cabestan, 2014: 75–83). In such an organisational setting, an election is a formality which pays lip service to the principle of democracy but cannot challenge the principle of centralism, let alone the nomenklatura system. Underscoring this tension, Fewsmith (2010) noted: “the Fourth Plenum decision is clear that cadres should be selected with regard to both ‘integrity and ability, with priority for integrity’” (德才兼备, 以德为先, *decai jianbei, yide weixian*), integrity meaning, of course, political alignment with the party leadership of the time.

Submitting important decisions made by party leaders at every level to a vote has been more difficult. The intention was to reduce the discretionary powers of the party secretary or No. 1 leader (第一把手, *diyibashou*) of each jurisdiction or constituency and promote collective leadership, giving more say to party committees or at least their standing committee (常委会, *changweihui*). The main problem is that there are very few records of this reform’s achievements, except for instance in Zhejiang (Li, 2009). Moreover, given career imperatives – the secretary would be considered responsible for all the achievements and misdeeds of his jurisdiction before promotion – there was not much incentive to implement the reform. And after he came to power, Xi moved in the opposite direction: power concentration in his own hands at the top was imitated by the whole apparatus, giving even more power to the party secretaries at each level and in every constituency (Doyon, 2018).

Enhancing the transparency of party affairs (党务公开, *dangwu gongkai*) was the third major objective of Hu’s reforms (Communiqué of the 4th Plenary Session of the 17th Central Committee of the CCP, 2009). It included the right of ordinary CCP members to access information and to know better what the party was doing (知情权, *zhiqingquan*).

For one thing, this objective underlined how badly informed the ranks and files of the party were and what was mainly expected from them: getting mobilised and propagating the party's instructions (see below).

True, the reform was supposed to facilitate the evaluation of leading cadres of the higher level by grassroots (or lower level) party organisations as well as the organisation of "democratic consultation meetings" (民主恳谈会, minzhu kentanhui) between leading cadres and ordinary party members. But this has not really materialised: consultation taking place, for example, in Wenling municipality (Zhejiang), were only organised between the government or the party and the society. Nor has much materialised the proposal to give delegates to party congresses at various levels a five-year tenure (常任制, changren zhi) allowing them to continue to exert a role after the congress for which they had been chosen to represent their constituency, except perhaps at the local level, for instance in Shenzhen (Guo, 2014).

Actually, what the party only managed to achieve was to improve communication at each level of the apparatus about its policies and decisions not only vis-à-vis its members but the public in general. As a result, local party committees have appointed spokespersons and started to issue annual work reports.

In any event, the unrealistic idea that the ranks and files of the party would help the central leadership supervise cadres and ferret out corruption was rapidly killed after Xi came to power. Instead, since 2012 to successfully catch both corrupt "flies and tigers," Xi has relied on a more centralised party DIC network headed until 2017 in Beijing by his then-close ally Wang Qishan (Ang, 2020).

The problem with Hu's reform plan was that it pursued two contradictory objectives: on the one hand, expanding democratic mechanisms, and on the other hand, introducing appointment rules of leading cadres aimed at promoting the ablest of them, ameliorating their performance and reducing the temptation of corruption. Consequently, it could only fail.

It is true that some CCP leaders, such as Prime Minister Wen Jiabao, a former aide of Zhao Ziyang, then seemed inclined to revive political reform, emphasising the importance of elections, judicial independence, and supervision based on checks and balances (Li, 2009). But these good intentions bumped directly against the basic principles of any ruling communist party: its leading role, democratic centralism, and opacity.

Besides, contrary to what Li (2009) expected, it is hard to believe that any CCP leadership would have accepted and legalised the very existence of factional competition.

The Bo Xilai affair and Xi's decision to recentralise the party under his leadership have shown that, if such a danger did exist, the party could not tolerate its perpetuation.

Xi Questions Hu's Reforms

Xi Jinping did not put an end altogether to the development of intra-party democracy. He still believes that a small dose of competition can help the party promote more competent leading cadres and as a result improve governance (Brødsgaard and Chen, 2018: 17). Village elections had tested this system since the late ninth decade of the twentieth century. Nonetheless, the formula encouraged and recently generalised by the CCP since Xi came to power has been a much more hands-on method of candidates' selection by the township or town party committee. Now the CCP wants to make sure, with a lot of arm's twisting, that villagers will vote for the position of both party committee secretary and village chief that it has selected (Ma, 2021). At a higher level, organisation departments do rely on opinion surveys before making recommendations for promotion (Zeng, 2016). However, competition is minimal. Party committee members do vote, but the range of choice for principal positions tend to remain inexistent while for deputy position it is still very limited and uneven. Likewise, in the 2015 CCP resolution on some problems within the party (Communist Party Member Net, 2015), a cautious expansion of the scope of election of leading bodies of grassroots party organisations was still promoted. Nevertheless, emphasis is now clearly put on the CCP leadership, its centralisation, and the verticality of power.

Instead, since 2012, a new form of socialist democracy has been particularly promoted: "consultative democracy" within as well as outside the CCP (Communist Party Member Net, 2019). According to the authoritative 2021 White Paper titled "China: Democracy that Works" (The State Council Information Office of the People's Republic of China, 2021), "whole-process people's democracy is a complete system with supporting mechanisms and procedures, and has been fully tested through wide participation. It integrates two major democratic models – electoral democracy and consultative democracy." This 2021 White Paper offers multiple examples of consultations by the party or various government organs: consultations can take on the society at the national or the local level or based on opinion surveys; it can be related to government decisions, specific reforms or law drafts. Consultative democracy is aimed at better reaching out, not so much Party members, but the society at large, particularly its co-opted elites, e.g. people's congresses and people's consultative political conferences' members. It therefore does not threaten the party leadership (Cabestan, 2019c). In other words, "socialist democracy" remains a democracy under the sole and comprehensive leadership of the CCP, or to be more accurate, of the party-state that has controlled mainland China since 1949. More importantly for this analysis, intra-party consultations' procedures and outcomes have remained particularly opaque. More

generally, the climate of fear that Xi has instilled with his anti-corruption campaign and his request for “political discipline” has not been conducive to a more animated and pluralistic democratic life in the party.

Among the ninety-five million CCP members, only around 650,000 leading cadres of the departmental level and above (处级以上, *chujishi yishang*) may claim to have a say in decision-making (Shih, 2017). The rest are foot soldiers mobilised to propagate the party’s gospel and keep an eye on the society. As the COVID-19 crisis has demonstrated, party members can be activated to help the government carry out national decisions, for example, localised lockdown and health checks. But their power and access to confidential intra-party information are closely related to their position and status in the organisation.

Conclusions: Why the CCP Cannot Democratise?

In such an organisational and ideological environment, can the CCP democratise? Can its democratisation lead to China’s democratisation? The answer is no to both questions, for the following reasons.

The first issue is CCP’s opacity. It is true that its level of secrecy is intimately linked to the existence and the number of enemies that it needs to fight against. In the reform era, the CCP has been more open about its rules, its congresses, and its official functions. Nonetheless, on many issues related to its internal mechanisms and operation, it has remained what I have called elsewhere a “secret society” (Cabestan, 2019b). The political culture that has fed this penchant for secrecy and opacity goes back to its Soviet heritage and the civil war but it is deeper: it is closely linked to the stability and the legitimacy of the regime. Without these rules, the CCP would collapse: *jianguangsi* (见光死) or “see the light would make it die,” the Chinese would say. And it is clear that the level of secrecy has increased under Xi Jinping, because of the party’s centralisation drive but also its higher degree of paranoia in the context of an intensified ideological and geostrategic rivalry, and to some extent Cold War, between China and the United States (and the West).

With such constraints, can intra-party democracy develop? Can it become the first step towards China’s democratisation? Probably not, unless a top-down political reform plan is imposed on the apparatus by a party leadership that, in its majority, is ready to take the risk to democratise the country and is able to keep the military and the security organs on its side.

Otherwise, how can any slow progress of intra-party democracy be of interest to the rest of the society? Although CCP membership has gradually increased in the last two

decades to reach nearly 7 per cent of the population (against less than 5 per cent in 2000), 93 per cent of the Chinese society is out and reduced to being passive spectators of the political life that the CCP puts on stage every day (Xinhua, 2021).

This brings us to the last point: “socialist democracy” is the opposite of democracy (Cabestan, 2019c). Indeed, how can a “people’s democratic dictatorship” led by the CCP turn into a democracy without jeopardising the foundation of the political regime? The party has kept arguing that this concept means democracy within the “people” and dictatorship on the enemies of the people, echoing Mao’s famous distinction between non-antagonistic and antagonistic contradictions. As we know, only the party can delineate the contours of the “people”; only the party has the power to identify and target the enemies of the “people,” which are actually just the enemies of the party. And today, under Xi, the CCP has more enemies than under Hu.

All in all, to stay in power, the CCP needs to remain Leninist, opaque, and undemocratic. And the analysis of the successive iterations of the party constitution has also shown that it needs to keep a low degree of institutionalisation to survive.

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