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VILLAGE-BY-VILLAGE DEMOCRACY IN CHINA



WHAT SEEDS FOR FREEDOM?

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“Almost all princes who have destroyed freedom, from Augustus to our day, have tried to maintain its outer forms: they thus flatter themselves that they can combine the moral force that public approval always gives and the conveniences that absolute power alone can provide.”

—Alexis de Tocqueville,
The Old Regime and the Revolution

Despite the aftershocks of a natural disaster, the economy of the region's most populous nation still manages to produce unprecedented prosperity for its citizens. Its government is omnipresent, fueling this growth by building roads, canals, and new manufacturing plants, while seeking to eradicate collective constraints of a bygone era. Individuals respond to the new economic opportunities by becoming more industrious, more inventive, more acquisitive, more bourgeois, more capitalist. In the midst of such sudden economic transformation, the government struggles to maintain political stability. When protests erupt in the countryside, it suppresses them or co-opts their leaders. In an effort to reduce political tension, it allows a measure of personal liberty and speaks frequently of the need for reforms. It recognizes the importance of public opinion, doing everything it can to cultivate, manage, and control its expanding influence, especially in times of crisis and when the nation finds itself on the world stage. It frequently remodels administrative rules and habits applying to the whole nation, issuing edicts from the center that are routinely ignored in the provinces. And to the surprise of all, it launches a new system for the whole nation of local assemblies chosen by local voters, while inviting all residents to express and address local grievances in each of even its tiniest far-flung villages.

In *The Old Regime and the Revolution*, published in 1856, Alexis de Tocqueville identified these features of late-eighteenth-century France as the “particular and more recent facts which determined finally the locality, origin, and character” of the French Revolution of 1789. The revolution, he argued, exploded in

a nation of rising income, rising equality, decreasing feudal exactions, increasing government benevolence, and suddenly expanding popular participation after decades of its suppression. In “all the history of the world,” Tocqueville famously claimed, governments face their gravest threats not when they tyrannize their citizens but “when they begin to become less oppressive.” What counts in revolutions are people's expectations, and these may be inflamed rather than doused by measures that increase participation and alleviate hardship.

Having specified the contours of such a combustible mix, Tocqueville proceeded in his revolutionary studies to highlight one feature above all others as determinative of the French Revolution's outbreak and eventual course: “local freedom.” Local freedom for Tocqueville meant local elections, local enactment of laws, and local budget oversight. It comprised a complementary second track that helped make possible stable governance and what he called “great freedom” at the first or national level. Trained in the “primary schools” of local democracy, citizens who were politically astute, confident, enlightened, and independent served as a bulwark against the central government's frequent depredations, occasional violence, and inveterate propensity to insinuate its tentacles into every citizen's and every community's everyday life. Such primary schools and such locally empowered citizens flourished in America, as Tocqueville recounted in *Democracy in America*, but were nowhere to be found in the France of prerevolutionary, revolutionary, Napoleonic, or Restoration times. In *The Old Regime*, Tocqueville recounted how he had discovered to his surprise that it was the monarchy itself that had stripped the countryside of their presence during the eighteenth century, first by luring to Paris the nobles traditionally positioned there and then by filling the resulting village vacuum with its own agents, who manipulated, managed, and controlled all local village life. But this monarchic myopia backfired, Tocqueville claimed, for it eliminated potential centers of counter-revolutionary resistance, facilitated the Terror's excesses, and paved the way for fifty subsequent

years of peasant infatuation with despotic rulers, especially those named Napoleon. In Tocqueville's eyes, France's rising national democracy was flawed from the start by virtue of its collapsed local one.

Today's entrenched leaders of the Chinese Communist Party (CCP)—raised to power by one revolution and determined to avoid a second one—have apparently taken to heart the lessons of their despotic and deposed French monarchic forebears. Buoyed by their own economic prosperity and rising expectations but confronted by their own village vacuum produced by Mao Zedong's Cultural Revolution, the CCP has launched the world's most ambitious local governance project to date to fill that vacuum. In 1987, the Party mandated the creation of new local governments by democratic election in China's approximately 930,000 villages. A decade later, more than 905,000 elected committees and 3.7 million elected officials were reportedly in place. This total dwarfs France's proud modern-day contingent of almost 37,000 popularly elected *commune* governments—tops in all of Europe—and the United States' own crazy quilt hybrid of 85,000 elected county, municipal, town, and special district local governments. Consciously designing their system so as never to “copy any models of the political system of the West,”¹ China's leaders have set in motion a veritable tsunami of local governments, threatening to swamp our whole notion of a “third wave” of democratic transitions while forcing us to rethink how democracy might emerge in the developing world.

In this paper, I will portray the elements of China's local village governments that either promote democracy (the first section) or subvert it (the second section). My chief thesis here is a variant of Tocqueville's own in *The Old Regime*: village government can plant the seeds of national freedom—but only if its emerging democratic citizens learn to protect themselves from national-level attempts to coerce, co-opt, or compromise their efforts. In the third section, I will examine imperial, Republican, and Maoist contributions to shaping the character of Chinese villagers as prospective democratic citizens.

I will conclude by arguing that Chinese villagers are using village democracy to gain democratic skills and that, in the process, they are proving Tocqueville wrong in his own assessment of their worthiness for citizenship.

China's 930,000 Village Democracies

According to America's premier authority on the topic, Frank Bryan of the University of Vermont, town-meeting democracy has rested since the time of the Greeks on two essential pillars: face-to-face deliberation and the authority of those participating to arrive at a decision.² The ideal town size for such deliberation and decision-making is 250–1,500 residents, but the system can work with populations of up to five thousand. Beyond that, towns must move to a new model of representative town meeting, Bryan says, as developed for the first time in several Massachusetts towns in the late nineteenth century and then adopted in Brattleboro, Vermont, in 1960. Why, in Bryan's view, is town-meeting democracy “real democracy”? Town meetings allow participants to make better and more informed decisions. They cultivate civility and respect among residents—essential but evanescent democratic characteristics in America's political and cultural wars. They serve as testing grounds for the forging of democratic skills and mores in the population as a whole. They whet the appetites of participants for engagement at country, state, and national levels, thus transporting the benefits of local experience to new venues. And town meetings reward societies that encourage local stability, a vanishing quality in the West since the advent of the Industrial Revolution but one that may be making a comeback with the dawning Internet age. Bryan echoes Tocqueville in trumpeting such traits and provides grist for the CCP's leaders as they make their own case for their own version of “real democracy.”

On November 23–24, 1987, Peng Zhen, the chairman of the Standing Committee of China's National People's Congress (NPC), made the decisive

arguments for the passage of a provisional Organic Law specifying the rights, responsibilities, and procedures of the fledgling Village Committees (VCs) established in Article 111 of the 1982 constitution. Facing staunch resistance from newly minted township officials, Peng fought back with three speeches that stressed the benefits of “implementing direct democracy at the grass-roots level through people’s self-government.” Peng possessed an ideal pedigree for his role as local democratic advocate: he had participated in early CCP experiments with village assemblies in border regions prior to 1949 and had subsequently proposed and helped create “residents’ committees” in urban China as mayor of Beijing in 1953. In 1987, then, he urged the Standing Committee members to take seriously the constitution’s stipulation that “all power in the People’s Republic of China belongs to the people.”³ The proposed Organic Law would take this principle, he argued, and apply it to the country’s 800 million peasants.

Why might this work? The central tenet of Peng’s winning argument was that advanced by all great proponents of local democracy, from Thomas Jefferson to Tocqueville to Saul Alinsky: trust the people and their ability to learn from experience. “As for the people’s ability to participate in political affairs,” Peng argued, “it is just a matter of learning and making advances through practice.” Peng proceeded to mirror Bryan in arguing for decision-making authority and face-to-face deliberation as the twin pillars of China’s new system. “To act or not to act, to determine priorities, all such matters are to be determined by the villagers,” he began, and then added:

This is the practice of democracy in its fullest sense. Once the villagers know how to manage the affairs of a village, they gradually learn how to manage the affairs of a township/town; once they know how to manage the affairs of a township/town, they gradually learn how to manage the affairs of a county. This gradual training will increase their ability to participate in political decision-making. For 800 million peasants to be the real masters of

their own affairs through self-management, self-education, and self-service is an incredible feat in the history of this country.⁴

Having granted villagers the proper authority to make decisions in their own sphere, Peng emphasized the need for universal village involvement in assemblies throughout the countryside:

We should encourage villagers to administer their own affairs in accordance with the law, to reconcile disputes among themselves, to maintain public order, to present their opinions and requests to the government, and to offer suggestions. In a nutshell, the villagers themselves should administer all village affairs in accordance with law.⁵

Peng’s arguments won the day and the provisional Organic Law on the Villager Committees of the People’s Republic of China was passed on November 24. It is a remarkable document, forged over six years by the persistent efforts of the Ministry of Civil Affairs (MCA), a once-powerful but then weak and marginalized ministry under Mao that was resurrected by Deng Xiaoping and charged with running local elections and delivering emergency social services. In comments before and after the passage of the law, the deputy director general of MCA’s Department of Basic-Level Governance, Bai Yihua, clearly articulated the obstacles to any effort to chart a meaningful democratic course at the village level for China’s peasants.⁶ With no legal system to protect the rights of local peasants or the procedures of their fledgling VCs, Bai and his colleagues did their best in the Organic Law to protect them from the whims of government officials at all levels who might seek to obstruct, co-opt, or crush them. The law granted villagers control of local resources to bolster their independence and self-sufficiency, including the creation of cooperative village businesses and management of village land, encompassing homesteads, arable land, and forests.⁷ It provided political autonomy for the villagers, freeing them from direct governmental

control,⁸ and it insisted upon political accountability within the villages, making each VC responsible to a Villager Assembly consisting of all residents eighteen years of age or older.⁹ One-fifth of all villagers could convene that Villager Assembly by petition; the Assembly itself possessed the power to recall VC members who failed to respect the residents' wishes. The law also empowered villagers to enact civic regulations in the form of village charters or compacts.¹⁰ These could be used to maintain public order, establish sanctions against bullies or criminals, or provide aid to the needy by insisting, for example, that children provide medical care and domestic help for their elderly parents. With the passage of the law, MCA officials thus sought to encourage consensus and synergy throughout the countryside, with decision-making authority vested in the majority of peasants in each village. "When people act in unison," Bai insisted, "even Mount Tai can be moved."¹¹

Implementation of village democracy proceeded fitfully, especially after the Tiananmen Square crackdown of June 4, 1989. But the diligence of MCA officials, now encouraged by another deputy director of the local government project, Wang Zhenyao, combined with international assistance from such groups as the Carter Center and the International Republican Institute (IRI), led during the next decade to steady improvements in each of four rounds of mandated triennial village elections. The improvements were principally in electoral procedures and village governance. Efforts took place across China to make elections free, fair, and competitive and to break the ability of established groups—especially the CCP—to dominate or manipulate them. Some provinces insisted, for example, that candidate assemblies take place before the elections, with candidates expected to make speeches and explain their platforms for village improvements. Other provinces ensured competition by requiring that at least one more candidate run for every village office than the number of positions to be filled. Yet other provinces banned all forms of CCP or other organizational nomination, with village residents in the northeastern

province of Jilin pioneering *haixuan*, or "sea nomination," after a Chinese proverb "to fish a needle out of the sea."¹² Through *haixuan*, villagers alone possessed the right to nominate all candidates for office, thus enabling them to discover and promote those neighbors with unique talents to represent them. IRI sought to mandate anonymous ballots and secret voting booths. In the area of village governance, comparable efforts were made to ensure transparency of village finances and to require that key issues—such as tax collection, village employee compensation, village land use for housing construction, and plans and contracts for village collective enterprises—be brought for resolution before the full Villager Assembly (or Villager Representative Assembly in villages of sizable or scattered populations).

These were heady times for supporters of village democracy in China, even though progress in elections and governance varied across China's thirty-one province-level bodies (twenty-two provinces, four metropolises, and five autonomous regions). Then, in early 1998, to the surprise of all, the CCP itself inaugurated a major revision of the Organic Law so as to remove its provisional status and incorporate many of the provisions that the MCA had been promoting, including *haixuan*, requirements for multiple candidacies, anonymous ballots, secret voting booths,¹³ VC financial transparency,¹⁴ and Villager Assembly responsibility for all key economic and planning decisions.¹⁵ The new law even provided recourse for villagers who thought their electoral rights had been violated.¹⁶ On June 29, 1998, coincident with a highly publicized visit from President Bill Clinton, all major Chinese newspapers published the full text of the revised law, which was then debated in the third plenary session of the CCP's Fifteenth National Congress and adopted by the NPC Standing Committee on November 4. If the provisional Organic Law of 1987 had unveiled a novel Chinese vision for local village democracy, the amended law of 1998 infused that vision with a decade of hard-won lessons to strengthen the villagers' democratic hands.

The Activation of 30 Million Rural CCP Members

Despite the excitement generated both at home and among foreign observers by the passage of the Organic Law in 1998, and despite the subsequent propitious sign of China's first direct election of a township head in Buyun in Sichuan province in December 1998, the progress of local village democracy has stalled in the past decade. In China's world of "fragmented authoritarianism,"¹⁷ we may never know all of the reasons for such recoil, but we can imagine several possible ones. With the advent of new market reforms, village enterprises leapt in value, padding town officials' incomes with extra profits from potentially dozens of local collectives engaged in land development, various types of light industry, or the sale of village produce. This dramatically increased the stakes of the local elections—and the incentive for CCP members, clans, and special interests to seek to manipulate their results. Fortified by Article 15, villagers responded by lodging protests against such electoral abuses, with reports to higher authorities of threats, bribes, forged ballots, and other offenses jumping exponentially. Pressure escalated at town, county, provincial, and national levels, even as the Chinese court system ducked the controversy by refusing even to consider the flood of lawsuits filed by angry villagers. As the household registration system of 1978 collapsed, a huge "floating population" of 70 million migrant villagers left for jobs in the cities: they soon found themselves doubly excluded, denied both the right to vote in their home villages and the right to receive social security, urban services, and other legal protections in their new locales. In these ways, personal interest injected itself into a political system long accustomed to ignoring, concealing, or denying its existence.

Confronted by waves of village activism and unrest, skittish Chinese authorities came face to face with what Tocqueville called "one of the most invariable rules that govern societies": "As one rolls back the limit on voting rights, one feels the need to roll it back still further; for after each new concession,

the forces of democracy are strengthened, and its demands increase with its new power."¹⁸ CCP leaders perceived democracy's new power and blinked, applying an electoral brake to the system as a whole. At the national level, in 1998, they jailed the leaders of China's first independent competitive political party, the China Democracy Party, amplified as a threat by successful national elections held two years before in Taiwan. On democracy's second local track, the central CCP alerted local CCP branches to the need to manage village elections in a more muscular fashion. In concert with CCP township officials, CCP village leaders quickly moved to reassert the party's local influence, fueling an "invisible war" across China which, in the eyes of one expert observer, "suck[ed] up villager self-government into a black hole."¹⁹

The CCP served notice of its intent to increase its local influence in the 1998 Organic Law's notorious Article 3: "The rural grass-roots units of the Chinese Communist Party (CCP) shall abide by the CCP Charter in its work and play a core role in leadership. They shall, in accordance with the Constitution and other laws, support and guarantee villagers the right to carry out self-governing activities and directly exercise their democratic rights."²⁰ Energized by this first explicit reference in village election law to the Communist Party, the CCP Central Committee's Organization Department lost no time in spelling out the practical ramifications of this article, issuing on March 30, 1999, its "Working Measures for Rural Grass-roots Organizations of the Chinese Communist Party."²¹ The document identified the two key components of these grass-roots organizations: the township/town CCP committee and the village CCP branch, to be set up when there were more than three CCP members in any given village. If a village lacked the requisite three members, it could combine with other villages to institute a branch, thereby ensuring blanket coverage of the countryside as a whole. When CCP members exceeded fifty, they could establish a general party branch. When they exceeded one hundred, they could establish a party committee of their own, provided they received

approval of the county-level party committee and acted in direct subservience to the leadership of the township/town committee.

To add insult to village democracy injury, branches and committees in the village were instructed to hold their own elections “at the plenary meeting of all Party members” in each village and town. Elite party members were thus expected to form “sturdy fortresses” in their villages, committed through mutual reflection, discipline, evaluation, and rectification of wayward members to “nurture a new-type of peasant” and “a new-type of socialism in the countryside with Chinese characteristics.”²² With such instruction to its 30 million rural members, the CCP formally introduced into the center of the village democracy movement the elephant that had previously been sitting in its vestibule.

The pendulum now swung. Whereas before it was village members as a whole who made collective decisions, worked in a democratic manner, and developed skills that would foster both village teamwork and individual responsibility, now it was the CCP branch that instituted these characteristics internally at its elite private meetings²³ and then communicated its wishes to the village as a whole. Leaving nothing to chance, the CCP spelled out the precise ways in which rural units should “play a core role in leadership.” The CCP branch must “deliberate and decide major issues concerning the economic development and social progress in the village.” It must “provide leadership for the villager committee, the village collective enterprises, and such nongovernmental organizations as the Communist Youth League, women’s representative associations, and the militia.” And it must “educate, manage, and supervise Villager Committee members, Villager Small Group heads, and management in the village enterprises.”²⁴

These provisions created a crisis of authority at the heart of the village democracy movement, producing the mixed record of achievement and results since the passage of the 1998 Organic Law. On the positive side, the law’s many procedural clarifications have indeed led to a range of continuing improvements both for the nomination of candidates and

their election, as again documented by groups such as the Carter Center and IRI.²⁵ Secret voting booths are now standard in many provinces, and practices that previously invited abuse, such as proxies and roving ballot boxes, have received greater scrutiny or been eliminated entirely. MCA deputy director Wang Jinhua reported on August 3, 2008, the existence of 611,234 VCs at the end of 2007 with more than 2.4 million members, 56 percent of whom were members of the CCP and 21 percent of whom were female.²⁶ Voter turnout in the village elections averaged 80 percent, Wang said. *Haixuan* is widely practiced across China, Wang reported, meaning that candidates were nominated by the villagers themselves and not by superior CCP or governmental units. President Hu Jintao’s political report to the Seventeenth CCP Congress in August 2008 reconfirmed the party’s public commitment to local elections.²⁷ And, in his September 25, 2008, speech to the United Nations High-Level Meeting on the Millennium Development Goals, Premier Wen Jiabao boasted, “We have set up the system of village and community self-governance for rural and urban residents and introduced government transparency, democratic oversight, and direct election at the community level.”²⁸

On the negative side, such purported progress has been compromised by the mandated shift in the role of the CCP branch leadership. Henceforth, all village election claims and counterclaims must be evaluated village-by-village on two levels: appearance and reality. Two opinions from village leaders—one a properly elected VC chairman and the other a properly loyal CCP village branch secretary—encapsulate this new gray area:

I do not mean to oppose the leadership of the Party branch. . . . But [the law] stipulates that the VC chairman is the legal representative of the village economic collective and is supposed to take charge of village accounts, money, and personnel. Furthermore, if there is any mistake with village affairs, the villagers will not accuse your VPB [Village Party

Branch] but the VC. How can it be possible that you wield the “big power” and I bear the responsibility?²⁹

There are always some troublemakers (*pingtan gaoshou*) in the village, who are not satisfied with whatever cadres do and constantly look for pretexts to find fault with them. They like to file complaints with higher-level authorities even though they don't have evidence of wrongdoing and inflict great pain on the cadres. . . . Troublemakers make a storm out of a teacup. Does the law on village organization entitle them to take illegal actions and ignore Party leadership?³⁰

The CCP's Central Committee “clarified” the evident confusion with a notice of July 14, 2002, that further eroded the authority and independence of the village democracy movement.³¹ Henceforth, the committee urged that “leading members of the village party branches be nominated as candidates for the new villagers' committees according to established procedures.” It recommended as well that party members be elected as village small group heads and as representatives for these small groups to the Villager Representative Assemblies. Before the elections, CCP organizations were urged to propagandize and mobilize the villagers. During the elections, they were to “control the[ir] correct orientation.” After the elections, they were to recruit successful VC candidates into the party, “thereby continuously injecting fresh forces into the rural grassroots Party organizations.”

The most important provision of the July 2002 notice required candidates for CCP branch secretary to run for VC chair, with the understanding that if they did not win as chair, they could not serve as CCP branch secretary. This provision for concurrent office holding made the CCP branch accountable for the first time to the village as a whole. But in doing so, it “in effect merg[ed] the two institutions,”³² diminishing the independence and potential contributions to freedom of the village democracy movement. As Hou

Wenzhuo, director of the Empowerment and Rights Institute in Beijing, said in 2005, “[T]here has been a big move backwards [in the government's handling of VC elections]. Lots of non-Party members were being elected and the Communist Party felt threatened,” leading to the major changes in official policy investing ultimate control of the elected VCs in the CCP branches.²³

The Legacies of Imperial and Republican China and Chairman Mao for Today's Village Democracies

Tocqueville shared his nineteenth-century countrymen's fascination with China, taking its measure through a European lens throughout his lifetime. His reading of travelers' accounts and Chinese novels led him to formulate in *Democracy in America* an early version of what we now call the “Needham Question”: why—after seven hundred years of extraordinary scientific innovation and progress that produced the world's first printing press, magnetic compass, chain drive, gunpowder, and blast furnace—did China's ingenuity suddenly dry up before the arrival of Europeans in the early sixteenth century? Tocqueville provides his own answer to the question: while imperial China's rational, centralized, soft administrative despotism could produce peace, harmonious order, and material prosperity, it could never generate freedom and its fruits: initiative, imagination, a practical eye, and an entrepreneurial spirit.³⁴ In light of his railing in *Democracy* at “the type of strange immobility in which [the first Europeans] found the mind of this people,” we are not surprised to find Tocqueville in 1840 applauding the arrival of British troops in China for the First Opium War: “In my capacity as a beneficent but disinterested spectator, I can only greatly rejoice in the thought of an invasion of the Celestial Empire by a European army. So at last the mobility of Europe has come to grips with Chinese immobility!”³⁵

Tocqueville's cool dispassion turned to hot disdain, however, when he discovered in his 1853 archival studies for *The Old Regime and the Revolution* that China's perfected version of soft despotism had been

covertly imported by France, a discovery he reported in his book:

I do not exaggerate when I affirm that there is not one of [the French physiocrats in the late 1700s] who did not write in some part of his work an emphatic eulogy of China. . . . This imbecile and barbarous government, which a handful of Europeans master at their pleasure, seems to [the physiocrats] the most perfect model that all the nations of the world can copy. . . . They are filled with emotion and enraptured at the sight of a country in which the absolute but unprejudiced sovereign plows the ground once a year with his own hands to honor the useful arts, where all offices are obtained in literary competitions, and which has for religion but a philosophy and for an aristocracy only men of letters.³⁶

It was the French version of such governmental absolutism, Tocqueville believed, that had consigned his country during his lifetime to its own recurring cycles of revolution and despotism and the sacrifice of its own freedom.

Despite Tocqueville's scorn, the Qing dynasty (1644–1911) did attempt dramatic local political reform during the final fifty years of its rule in an effort to invigorate the Chinese citizenry and stave off foreign domination. In January 1909, its court issued formal regulations for a system of local elections and assemblies as part of its “local self-government” program. Five thousand elected councils were reportedly in place at the time of the 1911 revolution. During the ensuing republican era, Sun Yat-sen and his successors in the Nationalist Party also assigned important responsibilities to local assemblies as part of their commitment to his vague notions of “democracy.” Most often, however, these assemblies failed to achieve local empowerment owing to both the Nationalists’ and local elites’ reluctance to embrace popular rule fully.

In their account of the evolution of one Chinese village during the Republican, Maoist, and Reform

eras from 1920 to 2000, Edward Friedman, Paul Pickowicz, and Mark Selden chronicle the extraordinary political, social, and economic vicissitudes experienced by its residents. During this period, Wugong village—in Raoyang county in Hengshui prefecture in Hebei province, located approximately 120 miles south of Beijing—never experienced a formal village election. Indeed, after the provisional Organic Law was passed in 1987, Hengshui prefectural officials simply refused access to national and regional MCA officials who sought to organize elections in their villages since “democracy was seen by Hengshui officials as non-Chinese.”³⁷ But Wugong did convene village meetings, make community-wide decisions, experiment with new economic models (both locally inspired and nationally imposed), hold village leaders accountable, and negotiate with county, prefectural, provincial, and national officials to extract economic benefits and maintain a measure of village independence. Thus, Wugong surely demonstrates a new hybrid of democratic citizen: civically engaged; feisty; antiauthoritarian; adept at forging a village agenda; and adept as well at resisting or accommodating during three generations the harsh economic policies, sweeping political directives, and shifting ideological molds of China's central absolutist regimes.

Wugong took the first steps to forge an independent path for itself in 1943 when four village households comprising twenty-two individuals formed a voluntary cooperative to pool land, resources, tools, and animals as a survival strategy in the face of North China's deadliest drought. Working in the fields by day and making rope as a sideline by night, the group established its own regulations and charter, a simple banking system, and a work points system to reward private initiative. When Mao issued later that same year his famous injunction to his followers to “get organized,” Communist Party officials were surprised to find that Wugong residents had already taken their own steps in this direction. They rewarded Wugong's cooperative with a gift of three hundred bricks and its first farm animal, a donkey seized from the Japanese. In 1944, thirteen new

households joined. In the early 1950s, Wugong transformed its coop into a village-wide mechanized collective in response to the victorious Mao's importation of a Stalinist economic model.

At times in the years to come, the village expanded these early models of private initiative and voluntary participation. In late 1965, for example, after the Great Leap Forward but before the Cultural Revolution, villagers met in a village-wide meeting to evaluate and approve plans for new homes with private walled courtyards, all based on the CCP-approved Dazhai model. The building of the homes themselves would be undertaken as it always had been: as cooperative ventures engaging as many as fifty family members and friends.

At other times, especially during the "Four Cleanups" campaign of 1964 and the Cultural Revolution of 1966–70, a different, darker side of civic engagement emerged in Wugong that eroded rather than enhanced social trust. On a half-dozen occasions during these periods, teams of CCP officials—100,000 of whom had been dispatched to the local villages in Hebei province alone—arrived in Wugong to uncover corruption, root out capitalist backsliding, and destroy the "Four Olds" (old ideas, old culture, old customs, and old habits). During this cleansing furor, these officials burned Confucian classics, destroyed images of Buddhist and Daoist deities, and terminated private rituals such as weddings and funerals, which they then redefined as collective village events. Their campaign reached its apex in Wugong at another, quite different village-wide meeting on New Year's Eve, February 8, 1967, at which urban Red Guards sought to force the village as a whole to denounce its principal leader, Geng Changsuo. Using informants' stories and fanning age-old lineage, neighborhood, and patronage tensions, the Red Guard unit attacked Geng's leadership and credibility, even proposing that he be outfitted with a dunce cap and paraded before the entire village in a ritual of shame on New Year's Day. The majority of villagers rejected this assault, however, rising to Geng's defense, repudiating the scapegoating and lies—and risking the central government's wrath.

The Four Cleanups, the campaign to learn from Dazhai, the Cultural Revolution, the Four Olds, the campaign to criticize Confucius—for better and worse, the Chinese peasantry at the end of the Mao era possessed an altogether different set of mores and habits shaped by their experiences than did their French peasant confreres of 1789. Wugong villagers, subjected to constant central scrutiny and periodic bouts of central brutality and forcible incursion, still managed to take bold initiatives to confront economic famine and political abuse. By contrast, France's prerevolutionary villagers succumbed to suffocating soft monarchic despotism by gradually surrendering economic and political initiative to well-intentioned central planners and officials, allowing themselves to be trapped in a web of phony agricultural societies, phony information gazettes, and phony village assemblies. In *The Old Regime and the Revolution*, Tocqueville presents peasants as languishing in their villages, memorably described by Louis XVI's minister Turgot as "collection[s] of huts and of inhabitants not less passive than them."³⁸ In his reading notes on Turgot, Tocqueville added his belief that the same peasant passivity prevailed sixty-five years later in Louis-Napoléon's time.³⁹ Tocqueville deplored such soft despotism since it desiccated and shriveled the seeds of freedom while, as he argued in another reading note, physical and psychological tyranny could potentially lead to a quite different result: "It's not tyranny but tutelage that makes us what we are. Freedom can take root and grow in the first. It knows neither how to be born nor how to develop itself in the second. The former can give rise to free nations, the latter can produce only revolutionary and servile peoples."⁴⁰

Tocqueville's Lessons for the Chinese Communist Party

China's village democracies are neither Frank Bryan's New England towns nor Alexis de Tocqueville's townships. They are indigenous sprouts of freedom in China's otherwise infertile soil. China's version of village freedom took root because the CCP's reform

leaders made a calculated gamble in the late 1970s when Deng Xiaoping ascended to power. To save their political regime, they liberalized their economy, integrated it globally, and turned their citizens into aspiring capitalists. During the 1980s, as incomes jumped and expectations rose, Deng and his associates came face-to-face with Tocqueville's insight that they now entered the most dangerous period of their tyrannical regime. Ever mindful of any threat to its monopoly position, the CCP shrewdly responded by ceding village democracy as a safety valve to temper the twin crises of legitimacy and governance in the countryside. Local competition for office and the financial transparency and accountability it encouraged could help curb the flagrant corruption and autocratic arrogance of local elites.

For a time, economic growth and village democracy were mutually reinforcing, hewing to Tocqueville's prediction that elected village leaders would promote local economic development as part of their campaigns to gain electoral support from their neighbors. But after releasing some of the pressure in China's insulated political system through the establishment of rudimentary village democracy, CCP leaders tightened the valve after the passage of the 1998 Organic Law, first with the Central Committee's 1999 working measures and then with the 2002 notice, which clarified and enforced Article 3's partisan intent. In place of legitimate village democracy, the CCP instituted a range of phony alternatives in order to maintain "[freedom's] outer forms . . . and the conveniences that absolute power alone can provide": "deliberative polling," "inner party democracy," "democratic heart-to-heart talks," and "consultative rule of law," all well-chronicled by Mark Leonard.⁴¹

But Chinese rural residents have tasted local freedom, liked it, and learned from it. Thanks to very shrewd MCA officials and very brave villagers, they have secured a foothold for freedom. While the outside world has beaten the drum for elections as the *sine qua non* of democracy, China's rural residents have used village elections as just one of freedom's tools, developing other forms of practical engagement to

supplement the triennial elections on a daily basis. Referring to strikes, demonstrations, sit-ins, traffic-blocking, and building seizures, Leonard recounts the tenfold jump in "mass incidents" from 8,700 in 1993 to 87,000 in 2005, with the average number of protesters increasing from ten in the mid-1990s to fifty today. In the first half of 2005, he adds, seventeen protests each drew more than ten thousand demonstrators.⁴² In his own paper in this series, Perry Link cites the prevalence of unofficial forms of protest—"anticorruption" novels, blogs, and *shunkouliu*, popular sayings used to mock the powerful.⁴³ Villagers have filed lawsuits and collective complaints. They have launched VC election recalls, often leading to their own beating and arrest at the hands of the authorities. But with increasing savvy and sophistication, they have used their ostensible rights on paper to argue for their actual rights, pioneering a new form of protest termed "rightful resistance" by Kevin J. O'Brien and Lianjiang Li.⁴⁴ As activist Huang Qi explained in May 2008: "It mainly depends on how we make the cases. We make sure to follow the law of the People's Republic of China, and we make certain we present our cases objectively and truthfully. . . . We've been doing this for over 10 years. It's nothing new. And we consider it our God-given duty to criticize and to bring attention to this."⁴⁵

And no one can doubt the effect of such resistance in China today after viewing the photograph flashed around the world in May 2008 of Mianzhu CCP secretary Jiang Guohua on his knees pleading with grief-stricken parents of earthquake victims not to take their protests against shoddy school construction and the collapse of Fuxin No. 2 Primary School to higher party officials.⁴⁶

In *The Old Regime and the Revolution*, Tocqueville argued that the pursuit of freedom must be undertaken for its own sake rather than for any instrumental attraction or material benefit it might bring. Some peoples—not the Chinese, in Tocqueville's opinion—possess "a taste for freedom" and are peculiarly suited to this quest.⁴⁷

Through village democracy and the activism it has inspired and informed, Chinese villagers are in

the process of proving Tocqueville wrong about their own credentials for freedom.

Notes

1. Jiang Zemin, "Report at the Sixteenth Party Congress," in Kenneth Lieberthal, *Governing China: From Revolution through Reform*, 2nd ed. (New York: W. W. Norton, 2004), 369.

2. Frank Bryan provided a pithy summation of his arguments in a commencement address at Marlboro College in Vermont on May 18, 2008, from which I have drawn this synopsis. For a fuller statement, see Frank M. Bryan, *Real Democracy: The New England Town Meeting and How It Works* (Chicago: University of Chicago Press, 2004).

3. Peng Zhen, "Implementing Direct Democracy at the Grass-Roots Level Through People's Self-Government," *Chinese Law and Government* 34, no. 4 (July/August 2001): 28.

4. *Ibid.*, 29.

5. *Ibid.*, 31.

6. Bai Yihua, "On Issues Related to the Organic Regulations on the Villager Committees (March 1986)" and "On the Basic Principles of the Organic Law on the Villager Committees (Excerpts) (April 1988)," *Chinese Law and Government* 34, no. 4 (July/August 2001): 22–25, 39–48.

7. *Organic Law of the Villagers Committees of the People's Republic of China*, adopted by the Twenty-Third Meeting of the Standing Committee of the Sixth National People's Congress, November 24, 1987, articles 4, 8, 17, available at www.civillaw.com.cn/Article/default.asp?id=41476 (accessed March 18, 2009).

8. *Ibid.*, articles 2, 19.

9. *Ibid.*, articles 7, 10–11, 16–17.

10. *Ibid.*, article 16.

11. Bai Yihua, "On the Basic Principles of the Organic Law on the Villager Committees," 47. Mount Tai, or Tai Shan, is located in Shandong province in eastern China. It is considered the most sacred of the Five Great Mountains of Taoism.

12. Sylvia Chan, "Research Notes on Villagers' Committee Election: Chinese-Style democracy," *Journal of Contemporary China* 7, no. 9 (November 1998): 511.

13. *Organic Law of the Villagers Committees of the People's*

Republic of China, adopted by the Fifth Meeting of the Standing Committee of the Ninth National People's Congress, November 4, 1998, article 14, available at www.china.org.cn/english/government/207279.htm (accessed March 18, 2009).

14. *Ibid.*, article 22.

15. *Ibid.*, article 19.

16. *Ibid.*, article 15.

17. Kenneth Lieberthal, *Governing China: From Revolution through Reform*, 82.

18. Alexis de Tocqueville, *Democracy in America*, trans. and ed. Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000), 55.

19. Yawei Liu, "Guest Editor's Introduction," *Chinese Law and Government* 34, no. 6 (November/December 2001): 19–20.

20. *Organic Law of the Villagers Committees of the People's Republic of China*, 1998, article 3.

21. "Working Measures for Rural Grass-roots Organizations of the Chinese Communist Party (March 30, 1999)," *Chinese Law and Government* 34, no. 6 (November/December 2001): 54–62.

22. *Organic Law of the Villagers Committees of the People's Republic of China*, 1998, articles 3, 13.

23. *Ibid.*, article 21.

24. *Ibid.*, article 9.

25. See, for example, Paul C. Grove, "The Roles of Foreign Non-Governmental Organizations in the Development and Promotion of Village Elections in China," *American Asian Review* 18, no. 3 (Fall 2000): 111–26.

26. I do not have a clear explanation for this precipitous drop in the number of VCs and their elected members from MCA's June 25, 1998, figures of 905,804 VCs and 3.79 million VC members. I assume, however, that the earlier figures were simply inflated in conjunction with President Clinton's visit.

27. See Jingjing Wu, "Grassroots Democracy and Local Governance in China," ChinaElections.net, August 8, 2008.

28. Wen Jiabao, speech, United Nations High-Level Meeting on Millennium Development Goals, New York, September 25, 2008, available at http://news.xinhuanet.com/english/2008-09/26/content_10116246.htm (accessed November 29, 2008).

29. Statement of VC chairman in Daling village, Huoju town, Zhongshan city, Guangdong province, in Guo Zhenglin and Thomas P. Bernstein, "The Impact of Elections on the Village Structure of Power: The Relations between the Village Committees and the Party Branches," *Journal of Contemporary China* 13, no. 39 (May 2004): 262–63.
30. Statement of CCP secretary, Shabian village, Zhongshan city, in Guo Zhenglin and Thomas P. Bernstein, "The Impact of Elections on the Village Structure of Power," 264.
31. "Full Text of Circular Issued by the General Offices of the CPC Central Committee and the State Council on Doing a Better Job in Arranging Elections of New Villagers' Committees," July 14, 2002, translated version available through the Foreign Broadcast Information Service's text of Xinhua, August 18, 2002.
32. Guo Zhenglin and Thomas P. Bernstein, "The Impact of Elections on the Village Structure of Power," 257.
33. Tim Luard, "China Village Democracy Skin Deep," BBC News, October 10, 2005.
34. Alexis de Tocqueville, *Democracy in America*, 438–39.
35. Alexis de Tocqueville to Henry Reeve, letter of April 12, 1840, in *Alexis de Tocqueville: Selected Letters on Politics and Society*, ed. Roger Boesche, trans. James Toupin and Roger Boesche (Berkeley, CA: University of California Press, 1985), 141.
36. Alexis de Tocqueville, *The Old Regime and the Revolution*, ed. François Furet and Françoise Mélonio, trans. Alan S. Kahan (Chicago: University of Chicago Press, 1998, 2001), 1:213.
37. Edward Friedman, Paul G. Pickowicz, and Mark Selden, *Revolution, Resistance, and Reform in Village China* (New Haven, CT: Yale University Press, 2005), 270. This work culminates the authors' twenty-five-year study, which produced an earlier volume as well. (Edward Friedman, Paul G. Pickowicz, Mark Selden, and Kay Ann Johnson, *Chinese Village, Socialist State* [New Haven, CT: Yale University Press, 1991].)
38. Alexis de Tocqueville, *The Old Regime and the Revolution*, 1:130.
39. *Ibid.*, 2:335.
40. Robert T. Gannett Jr., *Tocqueville Unveiled: The Historian and His Sources for The Old Regime and the Revolution* (Chicago: University of Chicago Press, 2003), 86.
41. Mark Leonard, *What Does China Think?* (New York: PublicAffairs, 2008).
42. *Ibid.*, 72–73.
43. Perry Link, "Corruption and Indignation: Windows into Popular Chinese Views of Right and Wrong" (Tocqueville on China Paper 1, American Enterprise Institute, Washington, DC, February 2008), available at www.aei.org/publication27763.
44. Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (Cambridge, England: Cambridge University Press, 2006).
45. Huang Qi, interviewed on *All Things Considered*, NPR, May 21, 2008.
46. See, for example, the photograph by the *New York Times*' Shiho Fukuda, which accompanied "Parents' Grief Turns to Fury in China," *International Herald Tribune*, May 27, 2008.
47. Alexis de Tocqueville, *The Old Regime and the Revolution*, 1:216–17.

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This paper was commissioned by the American Enterprise Institute in conjunction with its Tocqueville on China project. Directed by AEI's Gary J. Schmitt and Dan Blumenthal, the project examines topics and issues designed to provide greater insight and an enhanced understanding of contemporary Chinese civic culture. For more, see www.aei.org/tocqueville.