1 Introduction: China’s Party Congress as the theater of power

Politics is often compared to a drama; this book will examine a theater in which dramas of political power are performed for the purpose of fabricating, ritualizing, and displaying the legitimacy of undemocratic leaderships. The chapters that follow provide an institutional analysis of how this theater stages, operates, and crystalizes the drama while, simultaneously and even more significantly, various behind-the-scenes manipulations drive, craft, and define the performance in every aspect, including, to continue the use of theatrical metaphor, personas, plots, tones, gestures, and even audiences. Together these create a hypocrisy called legitimacy, in which political power is readily accepted by all who are involved and, to a lesser degree, by those who are engaged to watch. This is the story of the National Congress of the Chinese Communist Party; an investigation of its politics and institutions shall be the focus of this book.

The subject under this investigation may cause some confusion for nonspecialist readers at first glance, but it is easy to explain: the political system in China, often correctly termed the party-state, has a parallel structure between the Communist Party and the state, both having its National Congress. For the state, the People’s Republic of China (PRC), there is a parliament-like organization called the National People’s Congress (NPC), which has recently received profound attention in China studies; by the same token, the ruling party, known as the Chinese Communist Party (CCP), also has its own national congress, usually referred to as the Party Congress, which is what this book examines. The NPC has been increasingly important in national legislation, but it is still far from altering the supremacy of the Party over the state in authority and power under such a political system.1 Despite all the reforms and changes that

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China has experienced, a sentence published decades ago to describe the Soviet Communist Party Congress still applies perfectly to its Chinese counterpart: “According to party rules, the [party] congress is the ultimate authority within the party, and given the relationship between the party and governmental institutions, it is, therefore, the ultimate authority in the entire political system.”

The Party Congress, according to the CCP’s Party Charter (or the Party Constitution, as it is commonly called in the CCP) in various editions over its long history, is the “highest decision-making body” of the entire CCP; meetings of the Party Congress, as a leading American scholar on Chinese politics has observed, are always “major events.” In this alleged constitutional position, the Party Congress decides the Party’s political platform, which is always in principle incorporated into the PRC’s state Constitution; it makes, remakes, and amends the Party Charter, which the state Constitution also follows wherever the clauses are applicable in state affairs; and it appoints the Party leadership, which is concurrently the highest leadership of China as a nation and a state. Nobody would doubt the significance in Chinese politics of the CCP, a political party founded in 1921 as a Leninist revolutionary organization which has continuously been China’s single ruling party since 1949 and boasts a membership of 86.686 million as of the end of 2013; the importance of the Party Congress thus seems a logical extension beyond dispute. In November 2012 the CCP had its 18th Party Congress, the most recent to date, which received wide attention and coverage from national and international media.


3 It is “constitutional” in the context of the CCP, as the CCP interchangeably uses the terms of the Party Charter and Party constitution to describe the document as its “fundamental law”; also, it functions as “constitutional” in the context of the PRC, because, in perception, the Party Charter is placed parallel, but often prior, to the PRC constitution and, in practice, the latter follows the former in both spirit and, when applicable, its clauses.


5 Even though its omnipresence has been shrinking with the marketization reform of the recent thirty-plus years, as analyzed in Merle Goldman and Roderick MacFarquhar, eds., The Paradox of China’s Post-Mao Reforms, Cambridge, MA: Harvard University Press, 1999, especially the Introduction.


7 According to a delegate to the CCP’s 16th Party Congress in 2002, 201 television stations from all over the world broadcast live the opening ceremony of that Congress, and on the first two days
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Such attention usually looks upon the Party Congress as an event while focusing on its policy and personnel outcomes; this book, by contrast, takes the Party Congress as an institution by investigating how it operates. A challenge immediately emerges, however, in doing so: all of the pivotal missions stated above are run at the Party Congress nominally, as everyone with even superficial knowledge of Chinese politics knows well. The Party Congress has never had an opportunity to fulfill its constitutional authority as stipulated by the Party’s own Charter; in reality it often does not make its own decisions over those significant matters of platform-making, Charter amendment, and leadership appointments, but rather it endorses the incumbent Party leadership’s pertinent resolutions. It is this very challenge that presents the central myth that the book attempts to explore: how can the Party Congress that constitutionally enjoys the status of “the highest decision-making body” be managed and, so to speak, tamed to work only in a nominal, ostensible, and titular way? And how, by the same token, can the Party Congress as such still be able to consistently maintain its institutional prominence and formal significance? In other words, why is the Party Congress so important even though it cannot become authoritative in the way defined by the Party Charter? What is the source of its political magnificence and institutional significance despite its not being able to fulfill its constitutional role? How is it operated to perform its functions in such a way that reduces its authority to a nominal state that, however, simultaneously allows it to shine with notability?

For this project, the fascinating secret of the Party Congress lies in its strange combination of political hollowness and institutional holiness; it is such institutional duality, incongruity, and self-contradiction that all rest at the center of both the empirical and the theoretical inquiries of this monograph. It shall highlight the institutional inconsistency of politics between norms and games, between principles and practices, and between constitutional stipulations and power operations. By investigating the institutional details within the running of the Party Congress, the book argues that institutional manipulations are manifested in a variety of ways, specifically by arising within this institutional inconsistency; by harnessing and maneuvering various norms, rules, and procedures; by actualizing power dominance of “puppet” participations; and by demanding the pompous display of so-called “confirmative legitimacy” in which elite consensus and the political loyalty of those who are involved overwhelm the

after the opening the Congress received 2,956 congratulatory telegrams from within China and overseas. Leng Rong, “Xin shijii juyou zhongda er shenyuan yiyi de shenghui: canjia Zhonggong shiliuda de ganshou” (A Magnificent Meeting in the New Century with Significant and Far-Reaching Implications: Impressions from Participating in the CCP’s 16th Party Congress), Dang de wenxian (Party Literature), 6 (2002), 6. As the world has been watching the rise of China, there is no reason to assume that such concern about and attention to the CCP’s Party Congress has since declined, if it has not increased.
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participants’ autonomous articulation of various interests and substantial representation of constituencies. Conceptually, it suggests a theory of authoritarian legitimization that focuses on power domination, institutional manipulation, and symbolic performance in a political and institutional context that differs greatly from a democratic one but “steals the beauty,” so to speak, from democracy in order to legitimize contemporary authoritarianism. The book, therefore, shall decode and explain the myth of China’s Party Congress by revealing its institutional hypocrisy in the form of its blending of political rehearsals and public display together for the purpose of legitimizing the leaders who have already come to power as well as those who are designated to come into power to the degree that their well-tailored political platforms and personnel plans are well accepted, adopted, and applauded.

Focusing on institutional inconsistency: the political and epistemological puzzle

This book will discuss China’s Party Congress in a context that highlights a gap between norms and practices. Social-science observers have for a long time noticed incongruities between principles, norms, and organizational procedures on one hand and, under these very institutional rules, the real-life exercise of political power on the other, as the latter often deviates from manifested rules to various degrees. This happens across regime types, although democracy in general has clearer rules for its political game than authoritarianism, and its leaders are much more rule-bound than the rulers in nondemocratic politics. About a century ago, Robert Michels had already found that democracy as a legal principle does not fully correspond to actual existing facts in a democratic polity, a phenomenon he labeled the “iron law of oligarchy.” For the modern presidency of the United States, which works under a mature democracy, Stephen Skowronek draws our attention to the distinction between presidential...
“authority” and “power” and, in general, between “structure” and “action,” by concluding that not every president is equally at liberty to be “as big a man as he can” due to the interactions between structural authority and the actions of leaders with various characters and skills. In Latin America of the 1980s, Alain Rouquie noted that political life there “is played on two levels” in the following way:

The juridical inspiration and the manifest ideology are representative and formally egalitarian. The concentration of social power and the modes of domination that flow from them are largely incompatible, or more incompatible than in the older democracies, with the official sources of legitimacy. The appropriation of economic and political resources by a minority on the one hand, and the despoiling of the masses in a cumulative situation of inferiority on the other, demonstrates the essential dichotomy between words and actions.

“Behind the ‘public stage’ of popular sovereignty,” Rouquie continues, “there is a ‘private stage’ based on relations of domination.”

“Informal politics” are what scholars often refer to when discussing the political conduct “behind the public stage” and the deviations of the exercise of power from institutional rules. Also in Latin America, decades after Rouquie’s report, during which time regime changes of redemocratization swept the region bringing participatory institutions to virtually every country, students of comparative politics find, still, that “informal rules coexist with formal institutions throughout Latin America” and that it is “informal rules” that “shape how democratic institutions work.” In a similar vein, but with a different geographical focus, experts have noted that “informal politics remains a prominent, pervasive feature of political life throughout contemporary East Asia” under a variety of regime types, from industrialized democracies to Asian authoritarianism, in which behind-the-scenes politics confront political rhetoric, public performance of power, and mass politics. China is, of course, a prominent case in studies of informal politics, as a recent focus of inquiries has been shifting to the connections and interactions between the informal conduct of politics and formal institutional rules, with the informal aspect gaining emphasis over

13 Ibid., p. 34. Rouquie thinks, nevertheless, “These asymmetrical relations may not otherwise be obvious in the most modernized societies.”
A trend has emerged in political studies to look to informal politics for a better comprehension of institutional arrangements, their political and policy outcomes, and institutional changes. This dichotomy of informal politics versus formal institutions is quite often understood in three fashions which can be termed, respectively, approaches which are “linear,” “parallel and antagonistic,” and “one way of the informal dominating the formal,” all concerned with the relations and connections between the two sides, dimensions, or, in Rouquie’s word, “stages” of politics. The “linear” approach sees an evolving, developmental, or progressive trend from informal politics to institutional politics. At the center of this trend stands the concept of “institutionalization,” which can be used to measure such political development when political stability and effective governance are achieved, with, or in spite of, more and more citizens being involved in public affairs. Democracy is superior to authoritarianism because rules of the political game are clearer and more transparent for both politicians and for ordinary citizens, and the rule of law is often associated with a democracy rather than with a dictatorship. This concept is virtually correct for describing history in the long run because, as many classic political thinkers highlight, human societies have, over centuries, developed from “jungle politics” with few declared rules to “civil society” where the art of association gains prominence. It underestimates, however, the possible detours, distractions, and even dead ends in this evolution and their institutional implications. It also ignores the conceptual and structural synchronism of the informal and institutional dimensions of the same polity and the importance of such synchrony to politics, an aspect that this research will emphasize.

By contrast, the “parallel and antagonistic” perspective moves to the other side of the same token by emphasizing the distinction and difference between informal politics and formal institutions against the same historical and institutional background, often confronting them as separate spheres of political conduct in which one mode prevails against another. This conception is so popular as a fundamental presumption for the discussion of the informal aspects of politics that many who have focused their research primarily on informal politics are more or less tainted by it. The undeclared principle of this presumption seems to be that informal politics and formal institutions are running at each other’s expense, not only diachronically, as assumed by the “linear” approach,

16 In Dittmer, Fukui, and Lee, Informal Politics in East Asia, five empirical chapters of the total eleven are devoted to contemporary China. Also see Jonathan Unger, ed., The Nature of Chinese Politics: From Mao to Jiang, Armonk, NY: M. E. Sharpe, 2002.
but in every sense, including their conceptual natures, structural characteristics, and political utilities, all falling into distinctions between the two, which are regarded as having little overlapping or mutual reinforcement.

When interactions between the two sides of informal and formal politics are brought into the foreground and their complimentary natures are recognized, recent studies often find that informal politics carries more weight than formal institutions in understanding the political phenomena under a variety of regimes across the spectrum from democracy to authoritarianism. This “informal-politics-dominates” approach correctly highlights the significance of informal conduct in all political orchestration, and particularly in working towards a better, more realistic comprehension of democracy, while, more often than not, it attributes the essence of authoritarian politics to the impotence of formal institutions. In the sense of interpreting the politics of authoritarianism, this perspective shares the “linear” approach’s moral attitude, which paints a “backward” portrait of a nondemocracy, but it is much more skeptical than the “linear” concept in seeing little progress in the democratic conduct of politics, where informal politics is deemed just as decisive as it is under authoritarianism. In comparison with the “parallel” conception, it emphasizes the overlap between informal politics and formal institutions, but it often adopts the same “antagonistic” approach in outlining their interactions. Informal–formal, or political–institutional, interconnectedness is often viewed through a one-way lens, which, even for scholars who admit the “complementary” relationship between the two sides, usually neglects, or at least lacks research on, the aspect of how formal institutions work to influence informal politics. It is especially so for politics with a low degree of institutionalization, authoritarian politics included.

Chinese politics is obviously such a field where politics takes command over institutions. After the early wave of research interested in the leadership, party-state structures, and political organizations, scholarly attention to institutions has been much weaker than attention to other dimensions of Chinese political

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life, especially to informal politics. As a certain renewed curiosity in institutions and institutionalizations has recently increased, scholars still often take one of the three conceptual approaches discussed above. This makes the picture of Chinese politics quite distorted, to the degree that it cannot be fairly compared with what Skowronek and Rouquie have observed in the US or Latin America: it is a picture lacking the Janus duality of institutions and politics, due to the politics and institutions often being investigated separately. Of course, there are significant differences between Chinese politics and, say, democratic politics in the United States in terms of political–institutional interconnections and interactions, but these relationships exist in polities everywhere and often determine how a polity runs, as there might not be an authoritarian politics with little or no institutional forms or such a democratic system with little politics.

A gap can be observed, as observers cited above point out, between institutional constraints and political conduct in polities everywhere, to varying degrees, and it is this gap that roused the research interest leading to the present book. For a better grasp of the issue, this study suggests the term “institutional inconsistency” to conceptualize the gap between the political operations of institutions and the institutional regulations of politics, or, in other words, the complicated relationship between the two facets which are variously termed “public” and “private” stages, formal and informal politics, authority and power, or structure and action. It presents an effort to bridge informal politics and formal institutions into one intellectual landscape that is simultaneously political and institutional, where both informal politics and formal institutions have to be understood in their interconnected, interactive, and even integrated ways. The two elements of informal and formal can either be combative or reinforcing of one another, or both at the same time; they can be historically progressive toward a greater degree of institutionalization, or they can be structurally crystalized into a specific combination, and such a combination can be viewed as one in which an informal politics dominates the polity while formal institutions also frame the polity in their specific ways of interconfiguration. In other words, the gap between formal institutions and informal politics can be conceptually well defined to allow for mutual confrontation, but both formal institutions and informal politics are simply two interconnected and interactive dimensions of real political life in any given circumstance from which they emerge. It is in the gap that there can be found the secrecy of politics which operates concurrently with both informal conduct and formal rules.

This research, therefore, emphasizes synchronism between politics and institutions, their mutual reinforcement, and the possible utility of formal institutions for politics when, particularly in authoritarian politics, informal conduct prevails. Its inquiry is particularly inspired by the question of why formal institutions are still created and operated where an informal politics prevails, and it emphasizes how formal institutions are innovated and manipulated in real
Politics and institutions pay equal attention to the other side of the equation, however, which concerns the utility of formal institutions for informal politics. In other words, this book continues scholarly explorations on the interactions between political institutions and the conduct of power, but does so from an angle that looks at why and how the conduct of power needs formal rules while it simultaneously often has the strong inclination whenever possible to neglect, overstep, and even break the rules. The issue of the incongruity between formal institutions and informal politics, therefore, is presented and examined in this monograph mainly as the issue of their institutional interweaving, their political interaction, and their conceptual interdependence.

The politics and institutions of China’s Party Congress: the empirical ground

Nobel Prize-winning economist R. H. Coase once complained that in his field people keep talking about how important institutions are, but ignore concrete institutions that work, such as the firm.22 It does not seem to be difficult to find similar ignorance in the field of China studies, though efforts to overcome it have begun to emerge recently.23 This book joins these efforts by devoting its entire investigation to the exploration of how a concrete institution works. This institution is the Party Congress, which presents institutional inconsistency in a dialectical way: it enjoys constitutional prestige while suffering from practical impuissance, but its institutional shallowness has never reduced its political significance. In the institutional sense, the CCP Charter, through frequent revisions and amendments, never fails to confirm the Party Congress’s role as the “highest organ of authority”; it constantly assigns to the Party Congress decision-making roles which can be summarized as the trinity of deciding the Party’s platform, making and amending the Party’s Constitution, and appointing the Party’s national leadership. Yet any such statement could immediately prompt a protest clarifying that it never exercises such authority in practice, and that its power to rule the Party, and through the Party to rule China, is simply nominal rather than substantial. This clarification is true and significant, but,

for the research presented in this book, it simply raises further questions about the gap between constitutional norms and political reality, rather than rendering any possible conclusion that the Party Congress is meaningless in understanding Chinese politics.

The most striking fact concerning China’s Party Congress is that, in practice, it has never attained the significance assigned to it by the Party Charter in any of the three decision-making roles. In terms of platform-making and Charter amendments, either the Party Congress does not make the most important decisions, or congressional decisions are overthrown without a follow-up Congress meeting. In selecting the Party’s leadership, the Party Congress has been in an even more embarrassing position, as it is difficult to make the claim that the Party Congress is a functioning electorate to decide the Central Committee, in accordance with the Party Charter. 24 Though it has never failed to perform the task of appointing a new, or renewed, leadership, such a leadership can be reshuffled without any congressional authorization; such reorganizations of the leadership were actually frequent and “normal” (in the sense of being never questioned by the Party Congress) throughout CCP history until the 1980s. Until very recently it was not even qualified to serve as the institutional occasion upon which the new leadership, particularly Party chief, was inaugurated, nor did it bless a Party chief’s graceful stepping down.25 Moreover, a person can

24 Constitutionally the Party Congress elects the Central Committee, as well as other central leadership committees such as the Central Discipline Inspection Committee, and subsequently the Central Committee elects the top leadership of the Party that usually consists of the Politburo and its Standing Committee. In practice the Central Committee newly elected at the Party Congress always organizes the top leadership bodies immediately following the Party Congress. Besides, being elected a full member of the Central Committee is, with few exceptions, a constitutional qualification for being later elected to the leadership bodies.

25 The CCP’s Party chief took different titles in history, as “Party chief” in this monograph refers to the formal number-one position of the central leadership body – usually the Central Committee but in the early years it was once the Central Executive Committee. In the years before 1925, this position was called “chairman” (weiyuanzhang) or “secretary” (shuji); it then evolved to “general secretary” (zongshuji). It once changed to “chairman” (zhu), but this title didn’t become formalized or prevail before Mao Zedong came to dominate the leadership. The 12th Party Congress in 1982 changed it back to “general secretary,” which is still carried now. For historical investigations of the issue, see, for example, Tony Saich, ed., The Rise to Power of the Chinese Communist Party: Documents and Analysis, Armonk, NY: M. E. Sharpe, 1996; Zhang Heng and Jian Fei, Zhonggong zhongyang zhi rensi jianming tupu (Concise Tables of the CCP Central Organizations and Personnel), Beijing: Zhongguo guangbo dianshi chubanshe, 2003; Wang Jianying, Zhonggong zhongyang jiguanshi liishi yanbian kaoshi. 1921–1949 (Investigation of the Historical Changes of the CCP’s Central Organs, 1921–1949), Beijing: Zhonggong dangshi chubanshe, 2005; Chen Lifeng, Zhonggong gonganding dangdai liishi de lishi kaocha, 1921–2006 (The Historical Examination of the Chinese Communist Party’s Leadership Institutions, 1921–2006), Shanghai renmin chubanshe, 2008. Roughly there have been thirteen Party chiefs over history, who are Chen Duxiu, Qu Qiubai, Xiang Zhongfa, Wang Ming (who was briefly in de facto charge of the Party’s central leadership in 1931 after General Secretary Xiang Zhongfa was put into Kuomintang jail; this situation is different from that of Li Lisan, who at one time in the early 1930s was in real charge of the central leadership although General Secretary