

Anti-corruption in China and CCP's legitimacy

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Abstract—This article is trying to analysis the anti-corruption actions in China. The author argues that the primary cause of the corruption in CCP (Chinese Communist Party) is the China's political structure, particularly due to the elite election. In other words, China's political structure feeds corruption. The corrupt practices, however, challenge the legitimacy of CCP, which makes the occasional anti-corruption behaviors necessary. And when some corruption is punished, it can have the effect of legitimizing the structure overall.

This article will use structural functionalism, structuration theory from Giddens and Marxian approach to prove that the current anti-corruption actions cannot fight against corruption thoroughly. On the contrary, it is utilized to legitimize the CCP's leadership and protect the party's collective interest.

Keywords—Anti-corruption, political structure, elite selection, CCP's legitimacy.

I. INTRODUCTION

CHINA suffers from widespread corruption. This article aims to answer the question about why anti-corruption actions in China are not effective. First, I will introduce three theories, structural functionalism, structuration theory from Giddens and Marxian approach; then, try to figure out the relationship between structure and agent; and how to change a structure.

Based on the theoretical analysis, the next part focuses on the relationship between China's political structure and CCP (Chinese Communist Party). Besides, the elite selection is regarded as a particular function of China's political structure, which on one hand leads to corruption; on the other hand prevents revolution.

In addition, the author then argues that CCP members or the elites practice in collective actions, including both the actions of corruption and the actions of anti-corruption. On one hand, they do not want to eliminate corruption altogether, because they want to gain some benefit from their position. On the other hand, they occasionally practice anti-corruption to legitimize the CCP's leadership.

Therefore, the current anti-corruption actions cannot fight against corruption thoroughly because of the stability of the political structure. Moreover, the goal of anti-corruption is not to fight against corruption thoroughly. On the contrary, it is utilized to legitimize the CCP's leadership and protect the party's collective interest.

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II. THE STRUCTURE, AGENT AND REVOLUTION

A. Structural functionalism and the structure

“Structure” in this article refers to the “social structure” from the structural functionalism. Structural functionalism, is a framework for building theory that sees society as a complex system whose parts work together to promote solidarity and stability[1]. (Macionis and Gerber, 2010) This approach looks at society through a macro-level orientation, which is a broad focus on the social structures that shape society as a whole, and believes that society has evolved like organisms [2]. (DeRosso, 2003) Comte and Spensor hold that the role of individuals, groups and institutions to the entire society is the same as the role of those organs to an organism, which means the social structure is formed by many components and each component has its role to make it function. Besides, when the particular function changes or becomes not functional, a structure change will happen.

The central concern of structural functionalism is social structure, which is a holistic entity. In other words, this approach pays little attention on an individual or an institution, but focus on the structure as a whole entity and how it works. Differ from institution which can be observed, structure is unobservable and can be understood as the underlining relationship that links different institutions together to form the particular function of a whole entity. Accordingly, individuals are shaped and constrained by unobservable structures, so that they have very limited choice.

In this article, the Chinese political regime is regarded as a social structure, and the structural functionalism will be used to analysis how Chinese political regime shapes and constrains the behavior of CCP.

B. Giddens and the agent

Anthony Giddens developed the theory of structuration, an analysis of agency and structure, in which primacy is granted to neither. Differ from other scholars who study about how to act; Giddens studies how to understand action. His theory of structuration is based on both functionalism and hermeneutics. Functionalists, as introduced above, focus on structure or the social forces external to the actors, while hermeneutics scholars regard individuals as subject and focus on their subjective experience of the world. However, what Giddens concerns about is the relationship between structure and individual. According to Giddens, structures are defined as consisting of rules and resources involving human action: the rules constrain the actions, and the resources make it possible. Giddens argues that the connection between structure and action is a fundamental element of social theory, structure and agency are

a duality that cannot be conceived of apart from one another and his main argument is contained in his expression "duality of structure", which means that agents create structure, but are at the same time constrained by it. In Giddens own words, "social structures are both constituted by human agency, and yet at the same time are the very medium of this constitution [3]". (Giddens, 1976)

Therefore, on one hand, Giddens agrees with the Structural functionalism, which emphasis on that individuals are not entirely free to choose their own actions because of structure; on the other hand, he made a supplement to it, which argues that nonetheless the agents can reproduces the social structure and leads to social change.

Specially, according to Giddens, agents (including individual, group, etc.) are a reflective or self-aware subject that, through their behavior, has an impact on the world around them. When practice behavior, agents use power. Besides, there are two 'faces' of power, "the capability of actors to enact decisions which they favour on the one hand and the 'mobilization of bias' that is built into institutions on the other [4]". (Giddens, 1986) It means power refers to both use of resources and reproduction of structure. Agents and power create rules and structure through practice and institutions. In other words, agents exists in structures, reproduce them by practice an impacted by institutions.

In this article, the CCP is regarded as an agent, and I will try to interpret how this agent impact or reproduce the social structure.

C. Marx and revolution

The purport of this part is to answer the question- when a structure will change. According to structural functionalism, a structure is very stable, hard to be totally changed because of the existence of deep-root interest. This means in the status quo, the agents who have vested interests pay attention on the configuration of power; and they do not what to change the structure, because change means the loss of interest. Besides, change needs very strong force.

Karl Marx is a structuralist, who focuses on class, and he defined by the relations of production to means of production. Accordingly, since 1949, the CCP has become the biggest bourgeoisie in China. Besides, Marx believes the only way to change a structure is through revolution. However, he argues that, revolution is totally different from rebellion. Revolution means change the social structure, such as from the Capitalism to the socialism. However, rebellion means replace the power rulers without changing the structure. According to Marx, only the revolution launched and leded by proletarian class and fight against the bourgeoisie can effectively contribute to a structure change.

In the following chapter it will be proved that the Chinese political structure has a deep connection with the corruption, and the achievement of a thorough anti corruption is impossible, except through changing the structure.

III. CHINA'S POLITICAL STRUCTURE, ELITE SELECTION, AND CORRUPTION

A. China's political structure and CCP

According to Jin Guantao and Liu Qingfeng, China's political structure is a super-stabilizing structure which has several components, including unitary political system, local autonomy of gentry's class and landlords and the kinship system. As shown in figure 1, the upper class is the unitary political system, which refers to the bureaucracy; the middle class is the local autonomy of gentry's class and landlords; and the patriarchal clan system is the lower class [5]. (Jin Guantao and Liu Qingfeng, 1993) In the history of China, according to Marxian approach, here is no revolution, but rebellion. Because the peasants revolution only fight against the middle class-local autonomy of gentry's class, not the upper class-the bureaucracy. Therefore, the political structure has never been challenged.

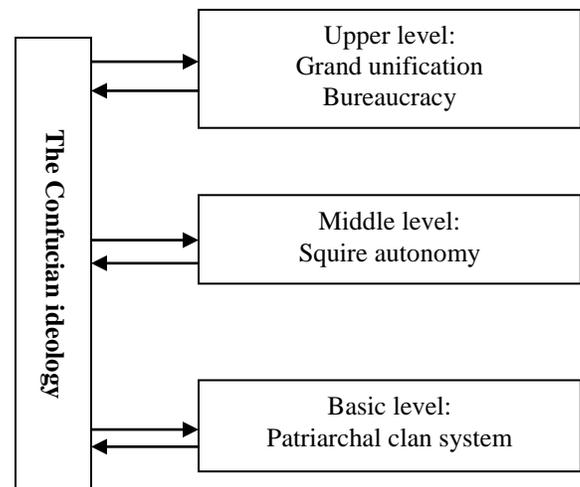


Fig. 1 3levels of Chinese traditional social structure

Resource from: Guantang Jin, Qingfeng Liu, *The Transformation of Chinese Society (1840-1956): The Fate of Its Ultrastable Structure in Modern Times*, HongKong Chinese University, 1993

In present China, it is a framework of a single-party socialist republic. CCP is one important agent in the political structure of China. State power within the state is exercised through the CCP, the Central People's Government and their provincial and local counterparts. The upper class- unitary political system can be regarded as the CCP, which assumed power in 1949 by means of a civil war victory over the forces of Chiang Kai-shek's Nationalists, who moved the seat of their Republic of China government to the island of Taiwan. The Communists named their new regime the People's Republic of China (PRC). Besides, many analysts, both in China and abroad, have questioned the long-term viability of China's current political system, in which the Party remains above the law, leadership politics is a black box, and civil society and the right to free speech and association are severely constrained [6].

B. Elite selection

According to Giddens who agrees with the structural functionalists on one hand, arguing agents have limited choice because of structure; on the other hand, he made a supplement

that argues nonetheless the agents can reproduce the social structure and leads to social change. (One thing should be emphasized here is “the reproduction of social structure and the social change” do not change the function of a structure, therefore, do not mean a completely change of a structure.) “Elite selection” is one particular function of Chinese people to reproduce the social structure. It means through the elite selection method, an individual can improve himself from the lower class- the unitary political system to the middle class- the local autonomy of gentry’s class, and even to the upper class- the kinship system. Noah Feldman mentioned in a talk that in the history of political thought, despite the world’s cultural diversity and the many existing methods of governance, there are essentially two methods of elite selection: heredity and meritocracy; and China combines both of these styles into a mixed system. There are “princelings,”(太子) such as children of senior figures in the party and the military, and there are people who come up through a meritocratic organization, such as the Communist Youth League.¹ As a result, there are two characteristics of China’s elite selection.

Such elite selection bases on the ideology in China. According to Jin Guantao and Liu Qingfeng, “In general social, scientists define the ideology as a system of concepts(观念体系), which can be the basis of legality of the existed political power and provide the principles and strategies for its operation” Besides, Jin Guantao and Liu Qingfeng added one point on this definition, which emphasis ideology as a holistic system of thoughts[6].(Jin Guantao and Liu Qingfeng, 1992) Accordingly, the Chinese political structure depends on the Confucianism which is a holistic system of thoughts, including three important political philosophers- Confucius, Menci, Xuncius; and this ideology has been the basis of legality of the existed political power from Han dynasty until now. More importantly, the Confucianism is the ideologically based legitimacy of CCP and also provides the principles and strategies for CCP’s political operation. In details, the core of Confucianism is “benevolence”. Confucius argues “it is every man’s duty for the rise and fall of a state”, and he emphasis the filial piety for father and the loyal for Monarch. Besides, Menci advices a benevolent government and a policy to “appoint people on their moral integrity and professional competence(贤能者治国)”. In addition, Xunci suggests to governance people by the bureaucracy. The elite selection method in China is based on the Confucianism ideology.

Shortly, Confucianism provides ideological based legitimacy for CCP, which refers to moral and merit; and it also be used as means or strategies for CCP’s political leadership and also achieving some other ends.

C. Meritocracy, heredity, corruption, and anti-corruption

In China, the county level People’s Congresses have the responsibility of oversight of local government, and elect members to the Provincial (or Municipal in the case of independent municipalities) People’s Congress. The

Provincial People’s Congress in turn elects members to the National People’s Congress that meets each year in March in Beijing.² The ruling Communist Party committee at each level plays a large role in the selection of appropriate candidates for election to the local congress and to the higher levels.

As introduced above, China combines both of meritocracy and heredity into a mixed system. The first characteristic of China’s elite selection is meritocracy which means “appoint people on their merit”(任人唯贤). Lawrence and Martin believe that “an important element of the Communist Party’s bid for ideologically based legitimacy is the notion that people rise within the Party or State hierarchy based on what the Party constitution describes as ‘their moral integrity and their professional competence,’ and ‘on their merits without regard to their origins.’[7]” Besides, The Party, which manages personnel appointments across the Chinese political system, the military, and all public institutions, argues that this arrangement helps make China’s political system superior to the political systems of countries that elect their leaders in competitive, multi-party elections [7]. (Lawrence and Martin, 2013) Therefore, it can be concluded that, merits and moral, which are two important concepts inherited from Confucianism, are the ideological based legitimacy for CCP. In return, this legitimacy requires that the appointed leaders should be the ones with “moral integrity.”

In addition, the second characteristic of China’s elite selection is heredity. CCP awarded promotions based on factional ties, familial ties to senior leaders, and educational qualifications. The children of high-level officials, dubbed “princelings” (太子) in colloquial Chinese, are particularly prominent at the highest levels of the Chinese political system, with four of the seven members of the current Politburo Standing Committee meeting that description. China’s most prominent “princeling” is Communist Party General Secretary Xi Jinping, the son of revered early revolutionary Xi Zhongxun [7]. This characteristic of China’s elite selection is one of the main reasons leading to corruption. Because when the upper class knows their children will remain in power, they will have incentives to maintain the structure; and due to such one-party autocracy structure, dictators have the power to rob the state in order to pass on its wealth to their children. Therefore, the agents will have both the motive and power to practice corruption.

Meritocracy, however, has the benefit of placing qualified people in power. On one hand, it keeps the legitimacy of CCP; on the other hand, it also helps prevent revolution which will challenge the CCP’s rule. Because if the lower class people are excluded from power and political institutions and will never have the chance to improve their position, the function of exist political structure will have no function; therefore, the lower class will be incentivized to fight against the upper class (CCP) and try to completely change the structure.

However, under the China’s authoritarian structure, the elites appointed through both heredity and meritocracy, do not want

¹ http://www.law.harvard.edu/news/2013/03/11_feldman-corruption-political-legitimacy-china.html

² <http://www.china.org.cn/english/chuangye/55414.htm> National People’s Congress system overview on China.org.cn

to eliminate corruption altogether, because they have the agency including both the motive and the power to gain some benefit from their position.

All in all, elite selection, on one hand, is the primary cause of corruption; on the other hand, effectively prevent revolution. Besides, the elite selection is a particular function in China's political structure; and according to functionalism, the structure will change when its function changes. The unique way to achieve a thorough anti-corruption is change the structure because the function of the structure is the root. However, according to Marxian approach, structure change is very difficult, which needs a very strong force named revolution, and that revolution defined by Marx never happened in China. Therefore, it can be explained that why the corruption problem in China cannot be completely solved up to now.

IV. COLLECTIVE ACTION: CORRUPTION AND ANTI-CORRUPTION

A. Collective action of CCP

CCP is the upper class of China's political structure. As an agent, CCP practices collective action. Collective action includes both the action of corruption and the action of anti-corruption.

On one hand, the elites do not want to eliminate corruption altogether, because they have the agency including both the motive and the power to gain some benefit from their position.

However, on the other hand, CCP has an interest in managing corruption in order to maintain its legitimacy and pass benefits on to the next generation. Therefore, occasionally, they punish corrupt officials. The purpose for the occasional punishment is keeping CCP's legitimacy which is about "moral and merit" determined ideologically by Confucianism. If the CCP's claim about appointing leaders with "moral integrity" or "serve the people whole-heartedly" undermined by their corruption behaviors, they will face political risks. Therefore, CCP has to punish corrupt officials occasionally and enjoy benefits from such action. Just as Feldman argues, "Even if you're a hereditary leader, a "princeling", you have to do something to qualify yourself. You can't be completely incompetent and end up in a very senior position."³

B. Structure and collective action

According to structural functionalism, a structure is very stable, hard to be totally changed because of the existence of deep-root interest. First, under such structure, the upper class can gain benefits through corruption. Besides, the people from middle class and lower class can improve their positions through elite selection. In addition, the authority of CCP rests primarily on growth; as a result, people are willing to tolerate some level of corruption, as long as growth continues.

On one hand, social structure shapes and constrains the agents' action. Accordingly, the collective action of CCP is shaped by China's political structure,

more straightforward to say instead, such structure gives the opportunity for corruption. On the other hand, according to Giddens, agents can reproduce the structure. Therefore, the occasional anti-corruption behaviors are necessary to maintain and also reproduce the structure. Moreover, when someone's corruption becomes evident, that person is punished and that can have the effect of legitimizing the structure overall.

C. Anti-corruption

According to Marxian approach, revolution means change the structural. Karl Mark argues that the best way to change a structure is the proletarian revolution. Along with believing in the inevitability of socialism and communism, Marx actively fought for the former's implementation, arguing that social theorists and underprivileged people alike should carry out organized revolutionary action to topple capitalism and bring about socio-economic change [8]. Marxian approach focuses on class struggle, and argues the revolution should be launched and led by proletarian class and fight against the bourgeoisie class.

Accordingly, CCP is the biggest bourgeoisie in China and the anti-corruption actions in China is not a revolution, but a punishment within one class-the bourgeoisie. Therefore, the anti-corruption action cannot change the structure.

However, here is another question: if the corruption is a widespread phenomenon in the party, then how to choose the ones to be punished? There might be two main ways. Firstly, when an incident of corruption is publicized, that person will be punished. For instance, in one incident, the son of a Chinese official crashed his Ferrari, killing him and seriously injuring the two women in the car with him. His father was soon removed from his government post.

Secondly, the ones who lost in political struggles always been purged in name of corruption, such as Bo Xilai. As a result, when someone's corruption becomes evident, that person is punished and that can have the effect of legitimizing the structure overall.

V. CONCLUSION

This article aimed to answer the question: why anti-corruption actions are not effective in China?

First, the primary cause of the corruption in CCP is the China's political structure, particularly due to the elite election. Therefore, for fighting corruption thoroughly, the structure should be changed first.

Second, according to the revolution theory from Marxian approach, the anti-corruption behavior is not a revolution, but a punishment within one class-the bourgeoisie. The anti-corruption action cannot change the structure.

Third, according to functionalism, social structure shapes and constrains the agents' action; and according to Giddens, agents can reproduce the structure. Therefore, China's political structure feeds corruption. The corrupt practices, however, challenge the legitimacy of CCP, which makes the occasional anti-corruption behaviors necessary. And when someone's corruption is punished, it can have the effect of legitimizing the structure overall.

Therefore, the current anti-corruption actions cannot fight

³ http://www.law.harvard.edu/news/2013/03/11_feldman-corruption-political-legitimacy-china.html

against corruption thoroughly. On the contrary, it is utilized to legitimize the CCP's leadership and protect the party's collective interest.

ACKNOWLEDGMENT

I would like to express my warmest and most sincere thanks to Prof. Ngo, Tak-Wing, who led me into the field of political science and stimulate my interest in political theories. His teaching and some conversations with him clarity and structure my thinking and left me with a deep, lasting appreciation for how to understand political culture comprehensively and thoroughly.

My thanks also go to my respected graduate advisor Prof. Wang Jianwei. His warm-heart encouragement and most valuable advice has been a source of strength and inspiration without which this paper could not have been completed.

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