

Inherent Nature & Dynamics of Political Stability in China

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Abstract

For any society to progress, there must be sensitive leadership that is willing to stir the affairs of the country towards the right direction, the provision of a good life, security, opportunity to exist peacefully, a functioning legal system, responsive government, economic prosperity are all fundamental elements for stability and progress in any society. With a strong leadership in China, it has grown to become the newest and emerging super economic power bloc of the 21st century. Government adoption of philosophies such as the Mandate of Heaven, putting the people first, rule by virtue and deep economic reforms has not only bolstered its authority to rule but has fortified the ruling party position as the only legitimate ruler of the greatest populated country in the world. This article develops a perception that Stability of any society can only be achieved when it is deeply rooted in the philosophical ideology of that society and pursuing the core interests of the people. This work sets out to explain and examine the nature of the Chinese Communist Party dynamics in ensuring political stability in China over the decades of its inception into the political stream of the nation state.

Keywords: Legitimacy, Civil order, Efficiency, Chinese Communist Party

Introduction

Every government's core interest is maintaining the stability within their societies, with stability a government can formulate and implement policies that can propel the nation into greater heights, China is not an exemption. Understanding China would be based on the imminent answers to some questions that arise in the course of this research work, they are; what factors have shaped the current stability in China? How has the Chinese Communist Party being able to plan and implement its policies in face of teeming challenges? How has the government transformed the lives of the people? What measure of approach did the government adopt to rule, control and gather a wide support from the people? Understanding these fundamental questions would unlock the knowledge to the quest we seek from the dynamics of Political stability from China.

China with a one-party rule policy has created an institution that has impacted upon social processes and human action; they inherently have a stabilizing effect on the society. Political scientists in understanding the concept of stability tried to understand it within the framework of a political system. Stability can be thus defined as an outcome of sound structures on one part but also can connote the positive function-ability and political performance. Indicators of stability therefore include efficiency, legitimacy, civil order and consistency. Samuel Huntington from a modernist perspective explains stability as the ability of a strong political party to integrate the masses, to represent a broad variety of economic, social and political interests and to successfully produce legitimacy. Wolfgang Merkel a German political scientist exemplifies the challenges a political system can have in its quest for stability; he states Political and Social integration, Mobilization of resources, maintenance of peaceful and orderly relations with other countries, political participation of the population, and a fair distribution of GNP by state intervention as factors that can mitigate against political stability of a country. He states that a political system can only uphold stability if it can respond to these challenges and modify its structures and modes of operation according to the necessary changes that evolves in the society.¹ Political system stability can be seen as the inherent absence of political adversaries and a high level of a constant unchanging nature surrounded with a high predictability in the domestic and international affairs of a state's affairs. Stability is an important tool to uphold all political regimes and an important indicator that can facilitate the development of a country; however stability does not imply a policy for peace. Researchers from the World Bank have tried to measure political stability; they developed Political Stability Indicators (PSI) using a number of factors to measure the degree of stability of each country. The PSI indicator was one of six indices developed to measure overall governance in a country. The researchers developed 194 different measures from 17 different sources of subjective governance data constructed by 15 different organizations.² The Worldwide governance indicators uses individuals variables from each data sources to measure Political Stability and Absence of Violence/Terrorism while measuring perceptions of the likelihood that the government will be stabilized or overthrown by unconstitutional or violent means, including politically-motivated violence and terrorism. Accordingly its reports shows in 1996 Political Stability and absence of violence in China was 40% from an aggregate of 100%, however from that period till 2012, it has fluctuated slightly between 30% and 34% having an aggregate of 29% in 2012.³ China has seen a surge of protests and consequently a break down of law and order in recent years some of which is due to the rampant nonpayment of wages, pension defaults, and the collapse of the enterprise welfare system which has triggered this trend of increasing labor strife among China's massive laid-off and retired proletariats. There are a lot of agitations from the people towards the fulfillment of their needs in the society, while some of them come in form of protests others come in form of consultation and requests towards the central government. Protests can be seen in the form of "protests of desperation" which is based on workers staking their claims on moral and legal grounds by taking their grievances to the street, leveraging on political bargaining by shaming local officials and disrupting traffic and public order and make only occasional and individual forays into the legal system. The workers draw on political discourses of class, Maoism, legality and citizenship, it's a survival strategy protest that relies on the socialist entitlements of allocated welfare housing and informal

¹ Heberer Thomas & Schubert (2009): Regime Legitimacy in Contemporary China: Institutional change and stability, Routledge

² Guo Sujian (2006) China's "Peaceful Rise" in the 21st century, Domestic and International conditions, Ash gate publishing limited, pp41-44

³ info.worldbank.org: Worldwide Governance Indicators, <http://info.worldbank.org/governance/wgi/index.aspx#home>

employment. Another kind of protest we have in China is that called “protests against discrimination” a situation that shows the unfair treatment of migrant workers as second class citizens by their employers that warrants them to seek legal activism. They file petitions and lawsuits for collective labor arbitration, mediation and litigation and when these channels fail they resort to public disruption.⁴ Despite this civil strife, understanding how China has survived over the years in the wake of Communism crisis around the globe are core issues Scholars have tried to comprehend. China’s stability framework is based on what Scholars have viewed as its inherent nature of its authoritarianism, Nathan views China as “resilient”, Chen perceives it as “Contentious” and Shambaugh and Chen both see China’s success as “adaptive”.⁵ Therefore scrutinizing the features that ensure stability of a political entity and the approach of the Chinese Communist Party to adopt to a stable society will proffer greater insights into the knowledge of China’s stratagem. Samuel Huntington’s Indicators of stability would be the framework for the understanding the concept of political stability in China. Huntington used four indicators that a society should have before it can be understood to be stable; they are efficiency, legitimacy, civil order and consistency.

2. Indicators of Political Stability in Chinese Context

Seymour Lipset broadly defines Legitimacy from the macro level of political systems, he sees it as the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for the society. Douglass North believes that political legitimacy has to be constantly reproduced as a result of the fact that institutions have to adapt to an ever changing environment. He sees legitimacy as a necessity for the conceptualization of institutional change. David Beetham proposes three factors that are applicable to all societies before regimes in them can be seen to be legitimate. Power that seeks legitimacy should be guided upon these principles, the adherence to the established rules, a concept he called Conformity of rules, the acceptance that the rules can be justified by reference to shared beliefs, a concept he called Justifiability of rules, the evidence of consent by the subordinate to the particular power relation, a concept he called Legitimizing through expressed consent.⁶ The bases of political legitimacy upon which a regime is founded will shape state behaviors, and it’s upon this political legitimacy that we would understand China's stability and its inherent state actions. Legitimacy in China is constructed first and foremost as a function of trust; the attribute of trustworthiness must be perceived from the people towards its rulers has been influenced by a complex cognitive system of legitimization. The approach was conceived during the Pre-Qin era, canonized during the Spring-Autumn period, and institutionalized in the Han dynasty. It is a core conceptualization of the Confucian ideas of virtue and reinforced by the two vital pillars, the prescriptive justice and substantive justice justifications which are rooted in a set of key values that imminent leaders of the Chinese polity find necessary to fulfill. The two-dimensional view of political legitimacy provides both normative and substantive principles towards good governance; it draws its original justification on four

⁴ Lee, C. K. (2007): *Against the law: labor protests in China's rustbelt and sunbelt*. Univ of California Press

⁵ Lee, C. K., & Zhang, Y. (2013) The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China 1. *American Journal of Sociology*, 118(6), 1475-1508.

⁶ Heberer Thomas & Schubert (2009): *Regime Legitimacy in Contemporary China: Institutional change and stability*, Routledge

Prescriptive values towards good governance that were considered to be self-evident and truthful: Mandate of Heaven '*tian ming*', rule by virtue '*ren zhi*', put people first '*ren ben*', and legality and ritual '*fa li*'. The idea of putting the people first '*ren ben*' is especially of importance in any nation of the world. The utilitarian justification says that individuals will approve or disapprove of a ruler's actions based on whether or not they increase or decrease the amount of happiness of the party whose interest is in question. Therefore, a legitimate ruler needs to have the Mandate of Heaven, possess the virtue quality, shows respects to his subjects, follows the rules of the ancestors, always puts the people's interest first and tries to win the hearts and minds of the people.⁷

The Mandate of Heaven

In the Chou Dynasty, (1122-211 B.C.E), the Chou emperors developed a powerful idea to legitimize their power, the instantaneous result was the Chou Kings whose chief deity was heaven, called themselves "sons of heaven", From this time on, Chinese rulers were given the title and assumed as the "sons of heaven" while the Chinese Empire was called the "celestial empire". The transfer of power from one dynasty to the next one was based on the mandate of Heaven. The Chou defined the Emperor as an intermediary between heaven and earth and he is also seen as an appointee of Heaven to see to the welfare of the people and meet the human needs. This is seen as the "decree or the mandate" of heaven. When the Emperor fails to perform this task due to his selfishness or corruption, then heaven withdraws its mandate and invests it in another. The only way to know that the mandate has passed is the overthrow of the king or Emperor, when the usurpation succeeds, then the mandate has passed to another, but if it fails then the mandate still resides with the king. The mandate of heaven is an important social and political concept in Chinese culture and it asserts that government is based on the selfless dedication of the ruler to the benefit of the general population. The Emperor was seen as an agent of heaven and a force that regulates the moral universe. The Emperor is supposed to act on behalf of the Tao of Heaven '*ti-tian-xong-dao*'. The Emperor was seen as both a human being and a heavenly deity. His ego fueled enormously by his religious persona and autocratic monarchy, the result was often authoritarian and capricious use of power.⁸ The conception of Heaven as the supreme being is based on a vivid notion of Heaven as an embodiment of a set of moral principles '*yili zhi tian*', they are basic tenets of Confucian doctrines: Heaven is supreme due to the fact that it is a source of moral values and with Heaven one can develop humans illustrious virtues because it is the ultimate principle of its transcendence. The path of heaven lies primarily in the moral path which people lead in their life, heaven endows humans with a mandate, by which a ruler can rule justly. A ruler can achieve this just rule with the contentment of the people in a moral way. Thus, in Confucian politics, the Mandate of Heaven connotes the will of the people, by which the legitimacy of a government is given and confirmed.⁹ The initial source of legitimacy for the Chinese communist government after 1949 was the successful Chinese Communist Party's revolution and the lofty goals of Socialism. A core difference from the Russian Communist Revolution which was founded through a coup that occurred in October 1917, the Chinese Communist revolution was a hard fought struggle that lasted for more than two decades. The success they acquired was astonishing based on the fact that the Chinese Communist Party defeated the Nationalist which had one of the

⁷ Guo Sujian (2006) China's "Peaceful Rise" in the 21st century, Domestic and International conditions, Ash gate publishing limited, pp41-44

⁸ Chia Mantak & Huang Tao (2002): The Secret Teachings of the Tao Te Ching, Destiny Books, p.160

⁹ Yao Xinzong (2000): An Introduction to Confucianism, The Press Syndicate of the University of Cambridge, pp147-148

largest armies in the world despite being supported by the United States. This success is spectacular and it provided the Chinese Communist Party with its initial legitimacy because of the traditional Chinese belief that only successful revolts are legitimate revolts. The successful conclusion of the Chinese Communist Revolution gave the new regime a "mandate of heaven" which had come to eliminate all social ills of the society such as corruption, gambling and prostitution and had come to provide economic and social benefits by the installation of a Socialist regime. The promise of a egalitarian society, provision of food and shelter, provision of free education, affordable medical care, job security, price stability, the liberation of women and ensuring a social stability in the society.¹⁰

Philosophical Moral Ideology

The moral teaching of Confucius had profound influence on Chinese rulers; Confucius believed that the ruler's virtue and the contentment of the people, rather than power, should be the true measure of a ruler's political success. In the Confucian paradise of the Great Harmony '*da tong*', there was a system of moral hierarchy in which an emperor is supposed to be the virtuous man on earth. Since virtue can be nurtured through education, all government officials should be recruited from "gentlemen" '*jun zi*', or learned scholars. Mencius pushed this virtue based political idealism even further by believing that government was primarily an exercise of ethics. The rule of a truly moral king, according to him, was characterized by his benevolence toward his people.¹¹ The first requirement of a benevolent government is the rule of virtue, as a Teacher of political morality, Confucius emphasizes the point that government is subject to the same ethical rules that apply to individuals. He does not separate ethics from politics, nor does he advocate the theory that the end justifies the means. Confucius declares that the rule of virtue is the safest means of achieving the good social life, saying: "The people need virtue more than either fire or water." I have seen men die for treading on water and fire, but I have never seen a man die from pursuing the course of virtue". The philosopher Chu comments on this in these words: "The want of fire and water is hurtful only to man's body, but without virtue is to lose one's mind and so it is more necessary to man than water and fire." Furthermore, the rule of virtue is the easiest means of achieving the proper end of the state because virtue is closest to man, Confucius says, "Is Virtue a thing remote? I wish to be virtuous, and lo! Virtue is at hand". That is, a government of virtue is one that approaches perfect harmony with human nature, and there is nothing easier than to develop the natural faculties of man. "The path of virtue, says the Great Learning, "is not far from man. When men try to pursue a course, which is far from the common indications of consciousness, this course cannot be considered the path of virtue. The Great Learning maintains that the rule of virtue is dynamic, it always achieves and still remains, and it undergoes no degeneration or corruption. In a state where the rule of virtue prevails the people are always happy and eager to work, and they are optimistic and active. In other words they are progressive; this is possible because the people enjoy their life. They see the brilliant results of their work, and consequently they have renewed spirit and achieve. At the same time, government of virtue prevents restlessness on the part of the people, under the rule of virtue; there is a realization of rectification and the application of '*li*', whereby the people know definitely what their individual status is in the state and what they should do in their daily life. This definiteness prevents on the one hand, individual and social disorganization and uncertainty of public opinion and on the other hand, it promotes unity and

¹⁰ Yang Zhong (2012): Political Culture and Participation in Rural China: China Policy Series, Routledge

¹¹ Dittmer Lowell & Liu Guoli (2006): Domestic Politics in Transition, China's Deep Reform, Rowman & Littlefield Publishers, Inc, p.151

order. Finally, a government of virtue is the happiest rule; it is the only form of government that can develop the greatest possible social harmony. Affection exists between the governor and the governed; the achievements of the government would be appreciated by the people and the government would likewise appreciate the goodwill of the people. All persons will incline toward a virtuous and harmonious life.¹² After the inception of the Chinese Communist Party, they engaged in a series of reform to win the hearts of the people, the Land reforms which were one of the ultimate ones touched the lives of the commonest people; furthermore reforms were set out in Economic aspects to move forward the country and industrialized the nation using the Maoist-Marxist-Lenin ideology. Legitimacy through Eudemonic appeal was one of the ways the Communist Party was able to gain popular support in the early 1950s because of the achievements it made in the “liberation battle” and the planning process it made towards improving the Chinese Economy. A major reform which was launched across the country was the Land Reform which favored over 300 million peasants, an estimate a total of 700million mu approximately about 1.15 million acres of farm land with farming tools changed ownership. Ownership was transferred to peasants for free; it was a remarkable landmark that made Equality in Land ownership was realizable. This strategy generated wide support and legitimacy for the Chinese Communist Party.¹³ The Land reform ‘*tudi gai*ge’ was a reform that benefited the rural poor; it included the reduction in rents and the interest rates on loans that the Chinese Communist Party compelled landlords and money lenders to accept during the 1946 to 1949 Civil War. The economic rationale of the compulsory redistribution of the land was that most of it was underused and a release of them to the poor would enable them to feed themselves. The political rationale was that this could guarantee the support of the lowest socio-economic group in the countryside for the Chinese Communist Party. With the establishment of the People's Republic of China (PRC) in October 1949, one of the first pieces of legislation enacted by the new government was the Agrarian Reform Law which came into force on 28th June 1950. From the time onward, land reform was carried out throughout the whole of China and the law set out precise regulations for methods of confiscation and redistribution.¹⁴ The policies the government embarked on after the wake of the revolution was one that set them in the realm of a virtuous government that was set to ensure fairness, harmony and ensure that a sense of ethics was used to govern the people. The Agrarian reforms ensured majority of the Chinese had a meaningful source of livelihood and freed them from oppression, inequality and suppression they had earlier encountered by their Landlords and the upper class.

People Ideology: Put people first ‘*ren ben*’

The central idea of putting people first can be dated back to the ideas of the early sages of China. Mencius said, ‘*Jie*’ and ‘*Zhou*’ lost the world because they lost the people and they lost the people because they lost the hearts of the people. He further said that one approach to obtain the world was by simply gaining the people, when one has the people on his side, then one can gain the world. For him, he postulated that for one to gain the people, he must gain their hearts, gather for them the things that you desire; one must not impose on them what one dislikes. For him, to make the people turn towards humaneness is like the water flowing downward or just like the wild animals heading

¹² Hsu Shihilien Leonard (2013): The political philosophy of Confucianism: An interpretation of the Social and political ideas of Confucius, his forerunners and his early disciples, Routledge, pp. 111-113

¹³ Guo Sujian (2006) China's "Peaceful Rise" in the 21st century, Domestic and International conditions, Ash gate publishing limited, pp41-44

¹⁴ Dillon Micheal(2009) : Contemporary China- An Introduction, Routledge p.30

for the wilds. Thus, as the otter drives the fish towards the deep and the sparrow hawk drives the smaller bird toward the thicket, 'Jie' and 'Zhou' drove the people toward 'Tang' and 'Wu'. Mencius further said, if in this world, there is a ruler who loved humaneness, the lords will drive all the people towards him, and though he might not wish to become a king, he could not help but do so.¹⁵ In Mencius Moral Theory, the emphasis is based more than simply regulating the people, it aspires to motivate the ruler to conceive and treat the people as family, for he believes that when the people are treated as a family they will show familial and warm feelings towards the ruler and towards each other. He develops a concept of maternal relations, one which there is a strong affection between a mother and a child and who always puts the love and pleasure of her child first.¹⁶ The concept of putting the people first dates back to the dynastic era but it became more prominent and was adopted as an official policy after the events in Russia. After the news of the Russian Revolution many radical students had different opinions on the concept of Socialism, they viewed Socialism as a more progressive form of democracy. In 1919, the Journal of the New Society was founded by a group of students who expressed their aim in their speech; "our aim is to build a new, democratic society, and this is a society in which there is neither class division nor threat of war; this is a society in which liberty, equality, happiness and peace prevail". In 1919, Mao Zedong propagated "the doctrine of the common people" '*pingmin zhuyi*'- a term with socialist overtones associated with democracy, a concept a group of intellectuals saw was necessary for all humans in their society to become real humans and obtain happiness. This doctrine of the common people can further be explained as the respect for the dignity of human life, the guarantee of a safe environment for the people to make their own contribution to the progress of the society and further enjoy the benefits that come therein from it.¹⁷

Authority Ideology in China

Thomas Hobbes claimed that if the state of nature is the social condition without law, the government would be "a war of all against all" in which life would be "solitary, poore, nasty, brutish, and short". Without a recognized authority for settling disputes, with each person acting as a judge, jury, and executioner, conflict and competition for scarce resources would constantly threaten to erupt in violence. Hobbes understood the state of nature to be a largely fictional construct, at no time had everyone lived entirely outside of the law, although he thought some civilized peoples had emerged from the state of nature. Hobbes view was that life was intolerable without the law, people who were fortunate enough to live under stable governments, even tyrannical ones, should not attempt to overthrow them; on the contrary they should obey their leaders in almost all circumstances.¹⁸ After the founding of the PRC, the CCP began to establish its own legal and judicial systems to consolidate and maintain its rule in the country. The first step was to abolish the laws left over from the previous regime. The Common Program of September 1949 provided that: "All laws, decrees and judicial systems of the *Kuomintang* reactionary Government that oppress the people shall be abolished. Laws and decrees protecting the people shall be enacted and the people's judicial system shall be established". Prior to that on the 22 February 1949, the CCP issued the "Instructions for Abolishing the '*Kuomintang's*' Book of Six Laws and Determining Judicial Principles for Liberated Areas", which rendered

¹⁵ Bloom Irene: Mencius [1983] 4A9, Columbia University Press Publishers

¹⁶ Birdwhistell, Joanne (2007): Mencius and Masculinities; Dynamics of Power, Morality and Maternal Thinking, p.72

¹⁷ Hung-yok Ip (2005): Intellectuals in Revolutionary China, 1921-1949 (Leaders, heroes and sophisticates) Routledge, 2005, p.32

¹⁸ Scott Shapiro (2011): Legality, p.35

ineffective all existing laws enacted by the former Nationalist government and more remarkably the Instructions requested courts to have regard to party policies and other programs in determining cases pending the enactment of new laws. The rationale behind that was that law, developed under a bourgeois system could not be inherited by a socialist system in accordance with Marxist theory. However, the abolishment of all existing laws by the CCP was most likely the only one among all communist parties in the world. The Socialist System of China therefore was established with the adoption of the first Constitution in 1954. However, the Cultural Revolution (1966-1976), a political and social catastrophe destroyed the young legal system which led to a rethinking and a rebuilding of a new legal system by post Mao communist leaders to maintain social order and safeguard economic reform. The Communiqué of the 3rd Plenum of the 11th Central Committee of the CCP held in December 1978 set the goals of the construction and re-establishment of the legal system in China.¹⁹ The Communiqué stated that:

"to safeguard people's democracy, it is imperative to strengthen the socialist legal system so that democracy is systematized and written into law in such a way as to ensure the stability, continuity, and full authority of this democratic system and these laws; there must be laws for people to follow, these laws must be observed, their enforcement must be strict, and law breakers must be dealt with 'youfakēyi, youfabiyi, zhifabiyān, weifabijiu'. From now on, legislative work should have an important place on the agenda of the National People's Congress (NPC) and its Standing Committee. Procuratorial and judicial organizations must maintain their independence as is appropriate; they must faithfully abide by the laws, rules, and regulations, serve the people's interests, and keep to the facts, they must guarantee the equality of all people before the people's law and deny anyone the privilege of being above the law." Since then these statements have become the guidelines for the legal reform in the PRC.²⁰ The CCP is more than the traditional notion of a party; it controls society and social life in every aspect from top to bottom through its organizational cells, the influence of the Party in the society is immense and its role critical. Since law is used to govern social life, it is inevitable that it is influenced or more precisely directed by the Party.²¹ Formally established in Shanghai on July 20, 1921, the CCP began as an underground, Marxist Lenin party organized into smaller groups that operated on the principle of "democratic centralism". In Theory the CCP's democratic centralism allows for debate and discussion of policy among Party Members, but requires unquestioning support of policy once a decision is made. In practice, democratic centralism has created a hierarchical political dynamic where senior Party officials expect disciplined compliance from junior officials, but junior officials are allowed to comment on policy proposals before decisions have been made. The Party's most powerful policy and decision making entity is the Politburo and its Standing Committee, comprised of the Party's two dozen or so most powerful senior officials. The rest of the Party's formal structure consists of layers of local, municipal and provincial party congresses and committees. The most important body in this structure of congresses is the National Party Congress, a key meeting that the Party convenes in Beijing once every five years to set the country's overall policy direction and choose the members of the Party's Political Bureau (Politburo) and other senior Party Officials. Lower party organizations are subordinate to higher organizations but the members of higher party congresses are selected by lower party committees. The

¹⁹ Keyuan Zou (2006): China's Legal Reform: Towards the Rule of Law, Martinus Nijhoff Publishers, 2006, p.46

²⁰ Kjeld Erik Brodsgaard & Zheng Yongnia (2006): The Chinese Communist Party in Reform, Routledge, p.78

²¹ Keyuan Zou (2006): China's Legal Reform: Towards the Rule of Law, Martinus Nijhoff Publishers, 2006, p.46

result is an interactive relationship where senior party officials obtain and retain political power by maintaining the loyalty or support of lower party organizations. The Contemporary CCP is organized into an expansive, hierarchal network of organizations that reach into many aspects of the society, their presence exist in universities, schools, think tanks, state-owned enterprises, private corporations and foreign owned companies.²² Chinese Politics is characterized by a fusion of the Official ideologies of Marxism-Leninism-Maoism and Chinese Imperial ideological orthodoxy, it also emphasizes Military power. Its structure shows a high correspondence with that of the traditional imperial state in which power is concentrated in the hands of a few persons without institutional constraints on that power such that the domination of the Party State over all in China is immerse and comprehensive. It therefore uses the Law as a penal tool of the rule for the governance of the populace and maintenance of his power.²³ Despite these characteristics of the CCP on the PRC politics and Law which is a major tool of control of the polity, the CCP has engaged in legal reforms to make the interpretation and the implementation of the Law much easier for the people. In line with legal reforms and constitutional changes the CCP plays a major role in this area since China is a one party state, they try to harmonize the state constitution and the party constitution. The present State Constitution was adopted in 1982, its main objective being to incorporate the new policies of economic reform and openness so as to stabilize such policies and guarantee their future by means of their legal form. Subsequently on September 10, 1980, the 3rd Session of the 5th NPC accepted the CCP's advice and established the Committee of the Constitution Revision. The Party document, the Resolution of the CCP on Certain Historical Issues since the Founding of the PRC, approved in the 6th Plenary Session of the 11th Party Congress in June 1981, and the documents resulting from the 12th National Congress of the CCP in 1982 formed the basis of the new State Constitution. The 1982 constitution inherited and developed the basic principles embodied in the 1954 constitution. The provision that "all citizens are equal before the law" in the 1954 constitution was reinstalled. From time to time it can be seen that the constitutional changes just follow changes in the Party Constitution, each constitutional change happened just after the CCP National Congress, each proposal for constitutional change was put forward by the CCP, and each constitutional change was closely related to a change in the CCP constitution. The Party's dominance of the law-making process is reflected not only in the constitutional changes, but also in the process of making other laws, essentially those related to the political field such as those concerning the rights of citizens.²⁴

Legitimacy Ideology in China

As regimes rises conflict or war, every state institution have to act quickly to avert dangers, every state and polity needs to have a competent political leadership and government agencies which are able to act efficiently. The relationship between efficiency and legitimacy is a complicated one, but one fact is that efficiency means that the political system is working in a quick and effective way; legitimacy means that the members of the state recognize the right of their rulers to govern, to exercise state power and to demand obedience.²⁵ Mann's view of the state elite's power over the civil society is that of despotic nature which sometimes might be ineffective and counterproductive, however he proffers that power authoritarian regime and government's stratagem of penetrating

²² Dumbaugh Kerry & Martin Michael (2009): Understanding China's Political System; Congressional Research Service, pp2-3

²³ Zhengyuan Fu (1993): Autocratic Tradition and Chinese Politics, Cambridge University Press, p.1

²⁴ Keyuan Zou (2006): China's Legal Reform: Towards the Rule of Law, Martinus Nijhoff Publishers, 2006, p.46

²⁵ Guiseppe Caforio (2007): Social Sciences and the Military: An interdisciplinary overview, Routledge, p.261

the civil society and implementing their decision throughout the society, he called it “Infrastructural State Power”. Slater and Fenner identified four infrastructural mechanisms that sustain and stabilize authoritarian regimes: coercing rivals, extracting revenues, registering citizens and cultivating independence. The stronghold of infrastructural power is that it zeroes in on state practices to achieve staying in power rather than inferring power from demographic pressures, income gaps, economic underdevelopment or external political intervention. Andrew Walder’s Communist Neo-traditionalism perspective dispels a theory of patron-clientelism as the underpinning of Chinese State authority; he explains that the Chinese Communist Party penetrated the society through its numerous party branches and officials by meshing economic and political control. In achieving political stability the CCP attempts to induce and activate compliance and assistance through a mix of material and symbolic rewards, it also engages in a series of hidden bargaining a concept Charles Sable and David Stark called “Shop floor games” a relationship that exists between the party-state and the working class.²⁶ Slater and Fenner’s view of infrastructural power by zeroing in on state practices for the Chinese Communist Party can be seen in a lot of effort at institutional reforms which they consider as an approach to achieve and propel a purposeful change since the inception of the party into the power politics of China in 1949. As a result the Chinese society has been engaged in dramatic transformations which can be seen through policies launched on its national macro-economy. These transformations are not only limited to the economy alone it has been experienced in its rural developments as well. Invariably, the economic development of China can be grouped into three major phases; The Socialist Economy Central plan of land reforms and transformation from 1949 to 1957, The Social Equality plan of communization and collective economy from 1958 to 1978 and The Economic efficiency plan of the planned economy to a market economy from 1978 till date.²⁷ The pre-reform period was characterized by China transforming itself from a feudalist system which was controlled by private ownership to a socialist system which was dominated by collectivization and the People’s Commune. Another characteristic was that there was numerous political movements that were closely associated with the transformation from a feudalistic society to a socialist society, the land reforms and the Great Leap Forward Era. One important fact to mention in the pre-reform era was that the Economic achievement was very noble despite the fact that it had some shortcomings and problems. After the 1949 establishment of the Peoples Republic of China, two factors were imminent. One China was the most populous nation in the world and also one of the poorest nations in the world. 22 percent of the world’s populations were living on 5 percent of its arable land. Thus the country launched a three-year economic rehabilitation period; the Land Reform Period. At this period the government was concerned about economic recovery after the war as a result land was taken up by the state and this land was divided into plots to be used by individual farmers. Persecution was melted out for the Landlords and the rich peasants who were seen to be exploitive in nature. By 1952, agriculture land therefore was distributed to farmers according to household size. This land reform stimulated production incentives among the poor and the semi poor peasants. For China, the land reform was the most institutional radical change in its 5,000 years of civilization.²⁸

²⁶ Lee, C. K., & Zhang, Y. (2013) The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China 1. *American Journal of Sociology*, 118(6), 1475-1508.

²⁷ Weiguo Zhang (2002): Economic reforms and Fertility Behavior: A Study of a North China Village, China Library, pp 27-28

²⁸ Yao Shujie (2005): Economic Growth, Income distribution and Poverty Reduction in Contemporary China, Routledge Curzon, p.22

Another approach towards bolstering the legitimacy of the CCP was the use of coercion. Opposition to the revolution was met with a magnitude of punishments and force, during this particular period close to a million of intellectuals called the “anti-party” rightists were purged and sent to the countryside for a reformation process.²⁹ In 1956, a group of Hungarian intellectuals formed the Petofi Circle, which held forums and debates critical of the Hungarian government. The groups sparked a nationwide revolution in Hungary, which was crushed by Soviet soldiers. Mao Zedong took lessons from this Hungarian incident and in 1957; he called on the Chinese intellectuals and other people to "help the CCP rectify itself." This movement known as the Hundred Flowers Movement with a slogan of "letting a hundred flowers blossom and a hundred schools of thoughts contend" Mao's agenda was to lure out anti-party elements among the people. In his letter to the provincial party chiefs in 1957, he spoke of his intention of "luring the snakes out of their holes" by letting them air their views freely in the name of freedom of thought and rectifying the Chinese Communist Party. Slogans at the time encouraged people to speak up and promised no reprisals, the Party would not "grab pigtails, strike with sticks, issue hats, or settle accounts after the autumn," meaning the party would not find fault, make attacks, place labels, or seek to retaliate. However, soon after the initiation of the Anti-Rightist Movement, declaring 540,000 of the people who dared to speak up as "rightists". Among them, 270,000 lost their jobs and 230,000 were labeled medium rightists or anti-CCP, anti-socialist elements.³⁰ Another radical change that was mounted in the new formed country was the Economic plan which was meant to plunge the country into a highly industrialized country within the shortest imaginable time. China's first Five Year Plan stemmed from 1953 to 1957, the situations of the adoption quite differed from the Soviet Union, a country China heavily relied on the adaption of policies and plans for his economy. The Soviet nationalized all its means of production before the adoption of the five year plan however China launched its first five year plan when a huge bulk of the productive assets remained in the private sector. The first plan therefore, ranked the socialization of productive means in industry, agriculture, commerce, and handicraft industries among the highest priorities, however, neither planned investment allocation nor production target for consumer goods validated the plan's claimed intent. The plan's focus was on rapid industrialization and increasing productivity via capital accumulation, especially in the industrial sector. It reflected the weight of Chairman Mao's assertion that the following factors such as adequate national defense, improved welfare, economic prosperity all hinges on the blocks of industrialization. Parallel with accelerated industrial buildup was the expansion of the energy sector, accentuating growth in coal, oil and power generation industries. The plan acknowledged the importance of maintaining appropriate balances between heavy and light industries.³¹ The Five Year Plan serves a number of important purposes, not the least of which is that it forces the leaders and the bureaucratic apparatus to look at medium term economic trends and goals in a serious, operational way. Projects that are planned could be delayed or dropped, as unforeseen circumstances force cutbacks or the reallocation of resources. The five year cycle leaves considerable room for decision making on an annual basis for some major projects. Some of these decisions concern questions of timing, as circumstances force significant modifications in the longer term plan. Others deal with actual project approvals themselves. Only the very largest projects are actually listed as separate items in the Five Year Plan. Otherwise, the plan specifies

²⁹ Guo Sujian (2006) China's "Peaceful Rise" in the 21st century, Domestic and International conditions, Ash gate publishing limited, pp41-44

³⁰ The Epoch Times (2004): Nine Commentaries on the Communist Party, Broad Press Inc Company Ltd, p. 72

³¹ Shen Raphael (2000): China's Economic Reform: An Experiment in Pragmatic Socialism, Greenwood Publishing Group Inc, p.20

overall targets and figures on investment levels and the sectoral distribution of planned investments.³² Finally, this FYP was also renamed a "guideline" rather than a "plan" to emphasize the broad nature of the policy goals and to allow other organizational bodies and planning documents. The most recent plan, the 12th Five Year Plan, from 2011 to 2015, is one of the most reliable documents published globally on how China's economic, social, political and technological progress will occur.³³

Societal Order Ideology in China

Authoritarian governments are highly sensitive to popular resistance because they are more committed to the settlement of collective action than their counterparts in democracies and because such disruptive measures can signal the weakness of a government. The Chinese government both at the central level and the local level adapt different measures to deal with popular resistance, some of which are concessions a situation whereby the citizens demands are met, concessions with discipline, a situation in which the citizens demands are met and some or all of the participants are punished, tolerance a situation whereby the citizens demands are ignored but the government tolerates their resistance and finally dispels a repression stratagem, a situation where the citizens demands are ignored and all the participants are punished.³⁴ Since the reform-era people in China have used different forms to claim their rights, workers right include "labor and subsistence", pensioners right include the "sacred right not to have to labor", migrants claim the right to organize unions, farmers right refusal emanates from grain tax evasion, excessive fee enforcement and when township authorities breaches on its responsibilities. The populace efforts to claim rights have increased disruptive protests and as such by 2003 "right-defense activities" '*weiquan huodong*' such as petitioning and demonstrating has become popular elements within the state that warrants commentaries to call this significant shift "the Year of Citizenship Rights". Merle Goldman asserts that peoples demand for popular rights "indicates a bottom up claim to citizenship" which may precipitate "a fundamental breakthrough in state-society relations". Elizabeth Perry perceives right consciousness as having familiar and historical tenets with "rules consciousness". Perry's position is that popular contention driven by rules consciousness implies no major challenge to the party-state and can "undergird rather than undermine" the political system by providing "an effective check on the misbehavior of state authorities". When conflicts exists between the people and the local authorities over laws made by the center and not implemented at the local level, the centers ability to intervene in such matters reinforces the centers legitimacy to rule and govern the people. The term Rule Consciousness was used to describe a demand to halt abusive rule-enforcement without the challenge to existing rules, no demand for new rules, and no demand for participation in rule-making. Perry asserts that rule consciousness can be a force that serves political and regime stability.³⁵ With right consciousness and rule consciousness it connotes that grievances of the people remains the priority of the state. Grievances in China come in different forms, they are not only centered on individual matters

³² Lieberthal Kenneth & Oksenberg Michel (1988): Policy Making in China: Leaders, Structures and Processes, Princeton University Press, p.129

³³ Inch Jason (2012): China's Economic Super trends: How China is changing from the inside out to become the World's next Economic Superpower. China Publishing, p.87

³⁴ Cai, Y. (2010). *Collective resistance in China: Why popular protests succeed or fail*. Stanford University Press

³⁵ Li, L. (2010). Rights consciousness and rules consciousness in contemporary China, *The China Journal*, 47-68

but they also have family and regional undertones which are shaped by contextual characteristics. Michelson offers that the mainstay popular tactic of grievances comes in which the people make a direct complaint to the administrative government representatives to seek redress and intervention. Approaches such as the “letters and visits” “*xinfang*” system which makes the official complaint system tactic is no longer popular among the people, people seek greater and faster government intervention in redressing their grievances therefore they make direct appeals to the government outside the complaint system. These system “visiting higher levels” “*shangfang*” has become a widely accepted form for people to seek redress in China. Government strategy therefore includes the development and the increase of channels of redress to maintain and contain different form of popular contentions in China.³⁶ China after pursuing two decades of economic reforms, it has exhibited tentative signs of institutional pluralism, tolerance of limited public space and the emergence of democratic grassroots participation. The Post-Mao regime put an end to mass terror and with that personal freedom and social mobility have expanded substantially, channels of political participation has opened up, autonomous civic organizations are allowed to exist and function outside the political sphere. At the elite level, the Post- Mao leadership has also restored the basic institutional norms and procedures that require a stable government which has contributed to relative elite cohesiveness and political stability during the reform era. The growing role and the strengthening of the National People’s congress (The National Legislature) and local legislatures in policy making has become increasingly assertive. Modest progress has been made in the area of democratic participation as political reform under the rule of the CCP can only occur within the strict limits imposed by the party. These strict limits have stunted the development of an effective legal system, constrained the constitutional role of the legislative branch, obstructed the growth of rural self government and restricted the emergence of a civil society.³⁷ China’s autocratic tradition is embodied in a social order in which society is almost totally subordinate to the state. Such a social order was installed when China was unified under one centralized political authority in 221 B.C with the establishment of the Qin Dynasty. After that, China was no longer feudal but became a bureaucratic empire, and its political structure was transformed from a dispersed pluralist pattern to a centralized monist pattern. Politics in the PRC cannot be and has not been detached from this autocratic imperial tradition. Although the CCP leadership brought new political styles and rhetoric in terms of organization and ideology, more and more evidence appeared showing the persistence of traditional values underlying institutional and behavioral patterns. Furthermore, the structure of the PRC state, which was erected by the CCP, has a centralized hierarchical authority pattern similar to the traditional Chinese imperial political system.³⁸ The main political structure is comprised of two vertically integrated but interlocking institutions, the Chinese Communist Party (CCP or Party) headed by the Party Politburo and its standing Committee, and the state government(State or Government) apparatus, headed by the Premier who presides over the State Council, a de-facto cabinet. Throughout China, Party and Government structures closely parallel one another, with Party committee and representatives present not only in government agencies but also in most organizations and institutions including universities and foreign owned enterprises. The nominal leader of the CCP is the General Secretary but control of

³⁶ Michelson, E. (2007): Climbing the dispute pagoda: grievances and appeals to the official justice system in rural China. *American Sociological Review*, 72(3), 459-485.

³⁷ Minxin, P., & Pei, M. (2009) .*China trapped transition: The limits of developmental autocracy*. Harvard University Press

³⁸ Zhengyuan Fu (1993): *Autocratic Tradition and Chinese Politics*, Cambridge University Press, p.1

the Party is held collectively by its Standing Committee. China's government is managed by the State Council, which is headed by the Premier. Two major institutions play a role in Chinese Politics. One is the National People's Congress (NPC). According to Article 57 of the Chinese Constitution, "The National People's Congress of the People's Republic of China is the highest organ of state power," its highest officers are the President and Vice-President of the NPC, which are directly elected by the members of the NPC. Articles 85 and 92 of China's constitution state that the State council is the executive arm of the government and reports to the NPC.³⁹ The National People's Congress (NPC) is a fundamental political system in which the Chinese people are masters of their own affairs, the NPC supervises and is responsible for several lower branches of government, including the national administrative branch, the adjudication branch and the procurator branch. The administrative branch is responsible for carrying out the laws, resolutions and the decisions approved by the NPC. The court and the procurator organs exercise judicial authority according to the Law. The Chinese Constitution states that the NPC and all local levels of government personnel have five-year terms, the conference of the NPC and a separate conference of all local levels of government are held annually. The electoral law of China also states that members of the NPC shall not surpass 3,000 people. Another provision of the Chinese Constitution is that the NPC may nominate a committee to hold power in lieu of itself during the annual meeting. The NPC Standing Committee generally holds a conference once every two months. The NPC standing committee is comprised of a chairman, several vice-chairmen, a secretary general and several committee members. All local levels of the NPC set up their own standing committees, the members of which are produced through election by the NPC. The tenure of each term is also five years. The authority of the NPC can be divided into four core areas: Legislative duties, surveillance duties, appointment duties, dismissal of personnel functions and significant matters decisions.⁴⁰

Imaging Political Stability from China

What factors are underpinning the development and the success of China's political stability and success? Some inherent yet fundamental factors arises which are built on its state institutions and policies.

The first key factor is Revolutionary leadership, with the establishment of the People's Republic of China (PRC) on October 1, 1949; the revolutionary leaders faced imminent and glaring problems on their hands. The economy was battered with inflation and great unemployment, public order and moral had declined greatly, the backwardness of the military hindered and created monumental successes to the goals elite of national power and wealth with a fragmented polity and state. However by 1957 the Chinese Communist Party (CCP) had created a strong centralized state after decades of unity, it had also created a strong national pride and international prestige by engaging itself in the Korean War, it had also taken significant steps towards industrialization and economic growth had increased with a minimal transformation of the life of the people. Marxist ideologies became a key theme for the transformation of the nation's social system despite limited divisions within the party elite.⁴¹ At the Eight National Congress of the Communist Party of China, Chairman Mao Zedong rekindled the spirit of the party elites when he

³⁹ Dumbaugh Kerry & Martin Michael (2009): Understanding China's Political System; Congressional Research Service, pp2-3

⁴⁰ Lin Li et al (2008): The China Legal Development Yearbook, Volume 1: On the Development of Rule of Law in China : edited by Lin Li, Jun Feng, Minyuan Wang, Yuwen W. Li, Yuzhang Wu, Guangxin Zhang, Hailin Zou, Koninklijke Publishers, p.4

⁴¹ Roderick Macfarquhar (ed), The Politics of China: The Eras of Mao and Deng, Cambridge University Press, Jan 13, 1997

summoned all and sundry to unite with all those forces at home and abroad so that together they can build a great united Socialist China, he reaffirmed the legitimacy of the CCP by connoting the completion of the bourgeois-democratic revolution and the victory they have gained in the socialist revolution. The imminent status of the Party, a Party of unity with a lot of consolidations from the past and which has become a core tool that is uniting the vast people in the country for the socialist construction. ⁴²The approach to maintaining political unity became an important feature for Chairman Mao Zedong based on the organizational core of the party, he states:

“Unity within the Chinese Communist Party is the fundamental prerequisite for uniting the whole nation to win the War of Resistance and build a new China. Seventeen years of tempering have taught the Chinese Communist party many ways of attaining internal unity, and ours is a much more seasoned Party. Thus we are able to form a powerful nucleus for the whole people in the struggle to win victory, Comrades, so long we are united, and we can certainly reach this goal.” For him a disciplined party came to be seen as the core of this unity, unity grows from a shared sense of outrage at exploitation and injustice, seventeen years of tempering in the struggle of domestic revolution can be seen as a basic concept of Mao’s approach for political motivation. The dynamic aspect of Mao’s approach to building a unity of revolutionary forces drives from his belief that people are sustained in their political involvement through the tension of conflict with their oppressors: “Struggle is the means to unity and unity is the aim of struggle. If unity is sought through struggle it will live, if unity is sought through yielding, it will perish.”⁴³The Chinese Communist Party’s victory in 1949 brought political unity to the Chinese Mainland; it was formally the formulation of a government that was the recognized political authority throughout China. One crucial factor to show that the Communist party was ready for leadership was it brought with it a set of political principles that it had tested for several years in rural areas of China under Communist control. The Republican era had been marked by confusion and competition among a multitude of ideas and by gross discrepancies between political ideals, as stated in various constitutions, laws and party programs and political realities. The CCP itself was not immune to this atmosphere. In the first twenty years of its existence, it experienced internal ideological conflicts and ignored political moods and realities. By 1949, however Party had unified its rank under Chairman Mao Zedong leadership, it had furthered developed its theory of what government under the CCP control ought to be and had shown that this theory could be applicable in all spheres of the polity. Since 1949, political unity in China has meant de facto control by a single government, plus the existence and conscious application of a single, systematic body of political theory.⁴⁴

The Second key factor that has ensured stability in China is a Concept called “bureaucratic absorption”, an ideology to show how the state has used a set of semi legal and bureaucratic institutions to resolve conflicts. Chinese justice system allows for state intervention in conflicts to ensure that the outcome suits the state objectives.

The Third key factor the Chinese Government has used to maintain stability is the ideology which is founded in the creation of the basic-level ‘*jiceng*’ state; “A thousand threads from above, one needle point below.” The Basic-level ‘*jiceng*’ state exists to ensure that there is an interaction of aggrieved citizens with the government and affirm deep roots in the local community it manages to ensure “stability maintenance”. By “stability maintenance” ‘*weiwen*’ Xu and Li explains how the notion has changed since the 80’s and 90’s from strike hard campaigns to the concept of

⁴² Mao Tse-tung (1956): Opening Address at the Eighth National Congress of the Communist Party of China, Foreign Languages Press, Peking

⁴³ Solomon Richard (1971): Mao’s revolution and the Chinese Political Culture, p.238

⁴⁴ Townsend James (1969): Political Participation in Communist China, University of California Press Ltd, p36

“Social Management”. Fewsmith calls this approach of the CCP as an encircling strategy to build a “people-centered” and “services-centered” government to deal and resolve “the masses” legitimate and rational appeals. The stability maintenance model engages three strategies to achieve its objective, first it uses a Non-Zero Sum Protest Bargaining Strategy, which focuses on “paying cash for peace” ‘*huaqian mai pingan*’, a stratagem the CCP has used to settle its populace aggrieved in labor, land rights and property disputes. It also focuses on turning confrontations ‘*jiao feng*’ into dialogues ‘*jiao liu*’ and personal understanding ‘*liao jie*’ into cognitive alignment ‘*li jie*’. Second, it also uses a Rapid Response System to attend to the people’s unrest and emotional needs that might disrupt government activities, this system, and collects information, work on peoples’ psychology and emotion to ensure stability at the grassroots level. The Third Strategy is what Hirschman views as Channeling passions and emotions into rational discussion of interest, the concept of Fragmentation and cooptation. A Model devised to collect the aggrieved interests of the people through their representatives to the state.⁴⁵ Despite these successes Chinese political successes is afflicted with some fundamental problems, most inherent is the Legal system. Legal reform in China has been affected by two major contradictions besetting the Chinese regime:

1. The Contradiction between the local state’s imperative for accumulation and the central authorities concern with using the law to legitimate political authoritarianism
2. The contradiction between the need to maintain the political monopoly of the communist part and the binding authority of the law over state agents.

And as Jiang Zemin said for China to foster good order in the socialist economy it needs to have a sound socialist legal system. Kevin O’Brien and Lianjiang Li contends that the Chinese state suffers from a monitoring problem that induces mis-implementation of central policies at the local level and thereby creates both grievances and the opportunities for people to pursue “rightful resistance”. The term “rightful resistance” was used to mean popular contention that operates near the boundary of authorized channels, employs the rhetoric and commitments of the powerful to curb the exercise of power, hinges on locating and exploiting divisions within the state and relies on mobilizing support from the wider public. Minxin Pei on social unrest in China offers four institutional factors that might account for it by the state, the decentralization of property rights, declining monitoring capacity, the availability of new exit options and the erosion of ideological norms. The unavoidable consequence of declining state capacity and appeal of the ruling party is the rising level of rural and urban discontent.⁴⁶

⁴⁵ Lee, C. K., & Zhang, Y. (2013): The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China 1. *American Journal of Sociology*, 118(6), 1475-1508.

⁴⁶ Lee, C. K. (2007): *Against the law: labor protests in China's rustbelt and sunbelt*. Univ of California Press

Conclusions

Governments' adoption of ideologies such as the Mandate of Heaven has indeed legitimized their power over the populace; this legitimacy comes from the divine power from above over the citizenry to perform basic functions of selfless service and meeting their enormous needs. These selfless services are enshrined in providing the basic needs of the society for the people; it includes the state ideology of putting the people first, and a rule of virtue from the moral philosophies of the past. China's political culture encourages and empowers protesters to rise up from the ranks of the society and challenge state leaders. Consequently, political stability cannot be achieved under the currents of popular protest, therefore government adopt strategic, aggressive, tactical, concessional and swift policies to condemn such popular activities. Government strategic and tactic policy towards ensuring a stable society is imminent in China as it's a unique country that over the years has had a vibrant history of rebellion and revolution. Historically the Chen She Rebellion of 209 B.C.E that deposed the Mighty Qin Empire and gave birth to the Han Dynasty is a starting point; China's political history is bequeathed with popular protest among the citizenry. Its nature is rooted in China's political nature 'Mandate of Heaven' which have encouraged such protests because this concept confers legitimacy upon successful rebel leaders.⁴⁷ Managing conflicts and avoiding rebellions invariably is one of the key official goals of legal reforms so as to avoid an insurgence that can spill over into the streets in a spontaneous unofficial expression, governments key strategy for managing such conflicts is to channel discontents among the citizenry into the official justice system.⁴⁸ As a result government efforts in managing such conflicts, its performance and action towards selfless dedication towards the people has ensured that the Mandate of Heaven resides with the present party, its virtuous role towards the populace in a key element that has further sustained its mandate. The Chinese Constitution reaffirms the rule of virtue of the Communist Party of China in leading the people of the country towards advancing the socialist culture. Under this rule of virtue it intends to improve the standard of the people through advancements in scientific, moral, ideological and educational policies. Its virtue is embedded in ensuring that the people of the People Republic of China have a sense of national dignity, self confidence, self –reliance, moral integrity and high education.⁴⁹ The role the Chinese government places on fulfilling its fundamental responsibility to the people is indeed enormous, it constantly reminds party cadres its core duty and obligation towards the people, it asserts: "The Party's basis lies in the people, its blood vessels lie in the people and its strength lies in the people", "the core issue is strengthening and improving the Party's work style construction is maintaining the flesh-and –blood relationship of the Party with the popular masses." The Party Leadership reiterated this at the 18th Party Congress of the Party's Mass Line education and Practice Movement with serving the people. Serving the people and fulfilling the needs of the people comes at a great price, it comes with a determined leadership, a fast, fair and effective legal system, it comes with a closer and responsive local and central government, it comes with the fundamental rights and consciousness of the people to be heard, it comes with

⁴⁷ Perry, Elizabeth (2001), "Challenging the Mandate of Heaven: Popular Protest in Modern China", *Critical Asian Studies*, Vol.33, No.2, pp 163-180

⁴⁸ Michelson, E. (2007): *Climbing the dispute pagoda: grievances and appeals to the official justice system in rural China. American Sociological Review*, 72(3), 459-485.

⁴⁹ China.org.cn: **Constitution of Communist Party of China:** <http://www.china.org.cn/english/congress/229722.htm>

fulfilling the core issues spelt out in the document of the 18th Party Congress. Such core issues include the establishment of a guiding ideology of honesty, pragmatism, deeply rooted service of the people, effective management, scientific development, fulfilment of the people's expectations with high discipline of the leadership.⁵⁰ It is on this basis that China's political stability can be sustained and maintained over the next millennium.

Conflicts of Interest

“The author declares no conflict of interest”.

References and Notes

- Birdwhistell, Joanne (2007): *Mencius and Masculinities; Dynamics of Power, Morality and Maternal Thinking*, p.72
Bloom Irene: *Mencius [1983] 4A9*, Columbia University Press Publishers
- Cai, Y. (2010): *Collective resistance in China: Why popular protests succeed or fail*. Stanford University Press
- Chia Mantak & Huang Tao (2002): *The Secret Teachings of the Tao Te Ching*, Destiny Books, p.160
- Dillon Micheal(2009) : *Contemporary China- An Introduction*, Routledge p.30
- Dittmer Lowell & Liu Guoli (2006): *Domestic Politics in Transition, China's Deep Reform*, Rowman & Littlefield Publishers, Inc, p.151
- Dumbaugh Kerry & Martin Michael (2009): *Understanding China's Political System*; Congressional Research Service, pp2-3
- Guissepe Caforio (2007): *Social Sciences and the Military: An interdisciplinary overview*, Routledge, p.261
- Guo Sujian (2006) *China's "Peaceful Rise" in the 21st century, Domestic and International conditions*, Ash gate publishing limited, pp41-44
- Heberer Thomas & Schubert (2009): *Regime Legitimacy in Contemporary China: Institutional change and stability*, Routledge
- Hsu Shihilien Leonard (2013): *The political philosophy of Confucianism: An interpretation of the Social and political ideas of Confucius, his forerunners and his early disciples*, Routledge, pp. 111-113
- Hung-yok Ip (2005): *Intellectuals in Revolutionary China, 1921-1949 (Leaders, heroes and sophisticates)* Routledge, 2005, p.32
- info.worldbank.org: *Political Stability and Absence of Violence Index in China from 1996-2012*, <http://info.worldbank.org/governance/wgi/index.aspx#home>
- Inch Jason (2012): *China's Economic Super trends: How China is changing from the inside out to become the World's next Economic Superpower*. China Publishing, p.87
- Keyuan Zou (2006): *China's Legal Reform: Towards the Rule of Law*, Martinus Nijhoff Publishers, 2006, p.46
- Kjeld Erik Brodsgaard & Zheng Yongnia (2006): *The Chinese Communist Party in Reform*, Routledge, p.78

⁵⁰Chinacopyrightandmedia.wordpress.com: Always Maintain the Flesh and Blood Relationship with the People, People's Daily Editorial, 18th June 2013, <https://chinacopyrightandmedia.wordpress.com/2013/06/19/always-maintain-the-flesh-and-blood-relationship-with-the-people/#more-2766>

- Lee, C. K. (2007): *Against the law: labor protests in China's rustbelt and sunbelt*. Univ of California Press
- Lee, C. K., & Zhang, Y. (2013) The Power of Instability: Unraveling the Microfoundations of Bargained Authoritarianism in China 1. *American Journal of Sociology*, 118(6), 1475-1508.
- Li, L. (2010). Rights consciousness and rules consciousness in contemporary China, *The China Journal*, 47-68
- Lieberthal Kenneth & Oksenberg Michel (1988): *Policy Making in China: Leaders, Structures and Processes*, Princeton University Press, p.129
- Lin Li et al (2008): *The China Legal Development Yearbook, Volume 1: On the Development of Rule of Law in China* : edited by Lin Li, Jun Feng, Minyuan Wang, Yuwen W. Li, Yuzhang Wu, Guangxin Zhang, Hailin Zou, Koninklijke Publishers, p.4
- Mao Tse-tung (1956): *Opening Address at the Eighth National Congress of the Communist Party of China*, Foreign Languages Press, Peking
- Michelson, E. (2007): Climbing the dispute pagoda: grievances and appeals to the official justice system in rural China. *American Sociological Review*, 72(3), 459-485.
- Minxin, P., & Pei, M. (2009): *China trapped transition: The limits of developmental autocracy*. Harvard University Press
- Roderick Macfarquhar (ed), *The Politics of China: The Eras of Mao and Deng*, Cambridge University Press, Jan 13, 1997
- Scott Shapiro (2011): *Legality*, p.35
- Shen Raphael (2000): *China's Economic Reform: An Experiment in Pragmatic Socialism*, Greenwood Publishing Group Inc, p.20
- Solomon Richard (1971): *Mao's revolution and the Chinese Political Culture*, p.238
- The Epoch Times (2004): *Nine Commentaries on the Communist Party*, Broad Press Inc Company Ltd, p. 72
- Townsend James (1969): *Political Participation in Communist China*, University of California Press Ltd, p36
- Weiguo Zhang (2002): *Economic reforms and Fertility Behavior: A Study of a North China Village*, China Library, pp 27-28
- Yang Zhong (2012): *Political Culture and Participation in Rural China: China Policy Series*, Routledge
- Yao Shujie (2005): *Economic Growth, Income distribution and Poverty Reduction in Contemporary China*, Routledge Curzon, p.22
- Yao Xinzong (2000): *An Introduction to Confucianism*, The Press Syndicate of the University of Cambridge, pp147-148
- Zhengyuan Fu (1993): *Autocratic Tradition and Chinese Politics*, Cambridge University Press, p.1