

A Study of the Structure of Consultative Democracy in China's Political System

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Abstract

China's national system includes the fundamental system, basic system, and important systems, covering all aspects including politics, economy, and society. China's socialist consultative democracy is characterized by various forms, including people's congress consultation in China's fundamental political system; Chinese People's Political Consultative Conference (CPPCC) consultation, party consultation, and community-level consultation in China's basic political system; and people's groups as well as social organization consultations in China's important systems. Consultative democracy runs through China's entire national governance system. It represents a form of democratic practice with Chinese characteristics as well as one typical manifestation of Chinese people's democracy.

Keywords: Chinese politics; consultative democracy; China's political systems

1. Introduction

China's national system includes the fundamental system, basic systems, and important systems. The institutional form of consultative democracy can be widely found in the Chinese political systems. Consultative democracy is an important form of democracy under the leadership of the Communist Party of China (CPC) where people from various fields can participate in the consultation regarding major issues on reform, development, stability, as well as practical issues related to the immediate interests of the people before and during the process of decision-making. In *the Opinions on Strengthening the Construction of Socialist Consultative Democracy* (hereinafter referred to as *Opinions*), the Communist Party of China clearly classifies socialist consultation democracy into seven forms. They are consultations carried out by political parties, people's congresses, government departments, CPPCC committees, people's organizations, communities, and social organizations. These seven forms of consultative democracy do not come out of air but are deeply rooted in China's current political system. Incorporated into China's entire national governance system, they represent a form of democratic practice with Chinese characteristics, as well as an expression of Chinese people's democracy.

2. Consultative Democracy in China's Fundamental Political System

The people's congress system is China's fundamental political system. It is a political system that allows the Chinese people to implement the basic principles of democratic centralism, democratically elect people's congresses at all levels in accordance with the procedures and principles prescribed by law, jointly exercise state power, and actively play their role as masters of the country under the leadership of the Communist Party of China. The *1954 Constitution of the People's Republic of China* provides that all power belongs to the people, and the organs in which the people exercise state power are the National People's Congress (NPC) and local people's congresses at various levels. It stipulates that the National People's Congress is endowed with fifteen functions and powers, which can be summarized into the following aspects: (1) amend the constitution and supervise the implementation of the constitution; (2) formulate and modify criminal laws, civil laws, state institution laws and other basic laws; (3) elect, decide and remove leaders of the state organs; (4) decide on major national issues; (5) hold the highest power of supervision. People's congress consultation is the application of consultative democracy mechanism in the framework as well as the specific work of the people's congress. Specifically, it refers to the introduction and application of consultative democracy mechanism during the work of deputy election in the people's congress, as well as the exercise of legislative power, decision-making, personnel appointment and removal, and supervision by the people's congress. The *Opinions* promulgated in 2015, while clarifying the people's congress consultation as an important channel of consultation, also emphasized in-depth consultation in legislative work and giving full play to the role of NPC representatives in legislative consultation. Therefore, the conduct of consultation by the people's congress by executing legislative power is in

line with the practical reality of the application of consultative democracy in the work of the people's congress.

The so-called legislative consultation, in a broad sense, refers to various forms of consultation activities centered on issues related to legislation conducted by personnel from relevant units and the general public. In a narrow sense, it mainly means consultation activities using certain methods including consultation, communication, dialogue, discussion, hearing, assessment, comment, suggestion and feedback on relevant matters, conducted by institutions or departments with legislative function based on certain procedures, and faced to relevant parties, departments, personages, or the public (Hu Zhaozhou, 2014). In the legislative consultations, the democratic parties, the Federation of Industry and Commerce, non-partisans, members of the CPPCC, experts and scholars, and the general public who engage in consultations with the legislative body or personnel can act as main participants of the consultation. Article 34 of the *Legislative Law of the People's Republic of China* states: For bill of act included in the agenda of the Standing Committee, the Legal Committee, relevant special committees, and the operation office of the Standing Committee shall listen to opinions from various quarters (the *Legislative Law of the People's Republic of China*, 2005). Accordingly, a variety of methods could be adopted including forums, demonstration meetings, hearings, etc. This provision fully demonstrates the basic meaning of legislative consultation from subjects and methods to requirements. In recent years, people's congresses at all levels have gradually implemented open-door legislation policy, which include the following aspects: make full use of the mass media to solicit citizens' opinions and suggestions on the legislation draft; establish a legislative hearing system to allow citizens to participate in the legislative process; give questionnaires and hold seminars or symposiums to solicit extensive opinions on laws or certain provisions of law. All these practices ensure the opinions of both relevant experts and ordinary citizens, broadening the way for citizens to participate in legislation in an orderly manner, and improving the process of seeking public opinions on drafts of laws and regulations as well as the feedback mechanism regarding the adoption of public opinions, so as to reflect and express the interests and requirements of all strata to the most, and make it possible to fully integrate the various methods of consultative democracy into the legislative consultation of the people's congress.

3. Consultative Democracy in China's Basic Political System

The multi-party cooperation and political consultation system led by the Communist Party of China, the system of regional ethnic autonomy and the grassroots mass autonomy system are the basic political systems in China. Consultative democracy also can be widely found in China's basic political system. In the practice of these basic political systems, consultative democracy has played a huge role in promoting the sound development of China's political practice. The CPPCC consultations, party consultations, and grassroots consultations are established on the basis of the political consultation system and the community-level self-governance system.

3.1 Consultative Democracy in the Political Consultation System

The multi-party cooperation and political consultation system led by the Communist Party of China is a basic political system in China and an important institutional form of democratic consultation in China. This system originated from Marxist theory on party and politics, democratic theory, and the united front theory. It gradually formed and developed in the course of China's democratic revolution, implying interpretation in three levels: the leadership of the Communist Party of China, multi-party cooperation, and the People's Political Consultative Conference system formed by the participation of various parties and all sectors. Generally speaking, it consists of three sections: leadership, cooperation, and consultation. The Communist Party of China, based on China's national conditions and specific realities, has successively practiced through the Anti-Japanese National United Front and the People's Democratic United Front, and has explored and developed a form of consultative democracy that suits China's national conditions. One typical form of this practice is the *Triangular Organization*^① during the War of Resistance Against Japan, which opened the door for political consultation. On the eve of the founding of the People's Republic of China in 1949, the Chinese People's Political Consultative Conference was convened. The Communist Party of China consulted and discussed with multi-parties, various groups and delegates from different walk of life, and then they jointly approved the historical documents such as the *Common Program of the Chinese People's Political Consultative Conference*, which thereafter has served as the provisional Constitution of China. The conference marks the formal establishment of a multi-party cooperation and political consultation system led by the Communist Party of China. This method of founding a country through consultation not only created a classic example of consultative democracy at a practical level, but also laid a solid foundation for the political legitimacy of the state at a procedural level, while still reserving space for the development of socialist democratic politics with Chinese characteristics. *White paper on Chinese Political Party System* (the State Council Information Office, 2007) states: After many years of practice, political consultation in the Chinese multi-party cooperation system has explored two basic ways: one is the consultation between the Communist Party of China and various democratic parties; the other is the consultation held by the Communist Party of China with various democratic parties and representatives from all walks of life through people's political consultation. Regarding the multi-party cooperation and political consultation system established by the People's Republic of China as a starting point, China's consultative democracy divides the consultation between the Communist Party of China and the democratic parties into two sections: one is the Chinese People's Political Consultative Conference, abbreviated as CPPCC; the second is the consultation with the democratic parties through various forums, which is the subsequent party consultation.

^①During the War of Resistance Against Japan, the Communist Party of China implemented a system of personnel distribution when establishing a democratic regime in the Anti-Japanese Base Area. That is, the Communist Party of China, democratic parties and the non-partisans each account for one-third of the staff in the political institutions.

3.1.1 The CPPCC Consultation

The CPPCC consultation takes the People's Political Consultative Conference as a platform and is based on the political consultation system and the People's Political Consultative Conference. The consultation between the Communist Party of China with various democratic parties, social groups, and non-partisans represents an important part in the scientific conduct of democratic decision-making by CPC and the state as well as the most established part of the institutionalization of China's consultative democracy. The Chinese People's Political Consultative Conference is a political system equally important to the Chinese People's Congress, an important channel for socialist consultative democracy, and a specialized consultation institution.

The CPPCC consultation is extensively participated based on its inclusiveness. Different from the People's Congress in which all representatives are elected in accordance with regional principles, sector participation is the organizational foundation of the CPPCC. At present, the CPPCC National Committee has 34 sectors and over 2,100 members, and the local CPPCC has more than 3100 organizations with over 660,000 members. It basically involves all areas of society, providing a venue for participants from every stratum, all walks of life, groups, ethnic groups, and people in all sectors to share opinions on state affairs. The topics consulted by the CPPCC mainly includes four aspects: (1) consult national policies, important local initiatives, and important issues regarding political, economic, cultural, and social life; (2) consult the common affairs jointly involved by various parties in the work of the CPPCC; (3) consult important issues within the CPPCC; (4) consult other important issues concerning the patriotic united front (Zhang Liqin,2018). In the practice of the CPPCC consultations, meetings are the main form of the CPPCC's performance of functions and the main carrier of the CPPCC's work. Therefore, the consultative democracy of the CPPCC can be mainly reflected through the conference system. At present, the National Committee of the Chinese People's Political Consultative Conference, on an annual basis, holds one plenary meeting, two thematic deliberative standing committee meetings, two thematic consultations, 19 bi-weekly consultation forums, two online remote political consultation meetings, 18 counterpart consultations, four proposal handling consultation meetings, and five investigation-type inspections and field activities . (Wangyang,2019) It has basically formed a new pattern of political consultation where the plenary session serves as the guide, thematic deliberative standing committee meetings and thematic consultations as the focus, and bi-weekly consultation symposiums as the norm.

3.1.2 Party Consultation

Party consultation is based on China's unique party system, the multi-party cooperation system. The multi-party cooperation system led by the Communist Party of China refers to the political system under the socialist system and is mainly participated by Communist Party of China and various democratic parties in accordance with the basic principle of long-term coexistence, mutual supervision, mutual support, and sharing weal and woe together. The Communist Party of China is the leadership

core in the socialist cause and remains the ruling party, while democratic parties friendly and closely cooperate with the Communist Party of China and are committed to the socialist cause as participating parties. Party consultation is an important form of democracy in which the Communist Party of China and the democratic parties, based on common political goals, directly conduct political consultations before and during the implementation of major party and state policies and important affairs. In December 2015, the General Office of the Central Committee of the Communist Party of China issued the *Implementation Opinions on Strengthening Political Party Consultations*, which formally clarified the guiding ideology and significance, content, procedures, forms, and guarantee mechanisms of political party consultation, thus further advancing the institutionalization and normalization of the political party consultation. Participants in the party consultation mainly include the Communist Party of China, the eight major democratic parties, as well as non-partisans and the Federation of Industry and Commerce. The content of party consultation is unique with national affairs as the main discussion issues. There are three forms of party consultation: conference consultation, interview consultation, and consultation in a written form. The conference consultation includes thematic consultation seminars, and consultation seminars regarding personnel, research, etc. At the same time, the party consultation has also set up an informing and transparent government mechanism, an inspection and research mechanism, a working contact mechanism, and a consultation feedback mechanism (the General Office of the Central Committee of the Communist Party of China, 2015). Party consultations are conducive to expanding the orderly political participation of democratic parties and non-partisan individuals, unblocking the channels for expressing opinions, promoting political consensus, strengthening cohesion extensively, and advancing scientific and democratic decision-making as well as the modernization of national governance systems and capabilities.

3.2 Consultative Democracy in the Community-level Self-governance System

There are two basic aspects of people's democracy in socialist state system: first, citizen participation in state administration; second, people practice self-management, self-education, self-service and self-supervision at community level. The first aspect is inspired by the Soviet Union learning from which we established the system of people's congress, while the latter creatively established a system of community-level self-governance system. The community-level self-governance is a system where rural citizens (villagers) elect members to form village committees and conduct self-management, self-education, self-service, and self-supervision in accordance with the constitution and laws. The practice of this kind of democracy gradually formed after the founding of the People's Republic of China, and it is initially developed in the city. Since the reform and opening up, the CPC has begun to focus on building grassroots political construction and regarded it as a basic strategy of China's political development and democratic political construction. Since the 1980s, the Chinese society has formed the democracy system at grassroots level which is mainly composed of village committee self-governance in rural areas, neighborhood committee self-governance in urban areas and workers and staff self-governance through meetings in business. Community-level consultative democracy can

be mainly found in the party's primary organization, urban communities, rural areas (rural grassroots regime and rural mass organizations of self-governance) as well as enterprises and institutions. In comparison with other forms of consultative democracy, grassroots consultation widely exercises and implements self-management, self-service, self-education, and self-supervision in community governance at village and urban level, grassroots public affairs and welfares. It is a direct political participation that allows people to manage the public affairs and make decision directly based on their own interests.

Since community-level consultative democracy can mainly be found in the party's primary organization, urban communities, rural areas (rural grassroots regime and rural mass organizations of self-governance) as well as enterprises and institutions, the participants accordingly are mainly the staff from neighborhood committees in urban areas, village committees in rural areas and workers in enterprises and business. The consultation content is directly related to people's daily life within a community such as the setting of parking space, design of dustbin, water pipe dredge, verification of rural residents and needy groups who are eligible for subsistence allowances, how to lead the villagers as cadres of village party branch and the village committee to promote collective economy and how to distribute dividends, or even the holiday break arrangement, bonus distribution and other issues in a basic unit of an organization.

There are three types of practical forms of community-level consultation system. Village committees and all villagers' assembly have been widely established in townships and villages. As an important channel for villagers to directly participate in the management of rural affairs, the villagers' committee and the villagers' assembly have played crucial roles in the construction of consultative democracy at the community level in rural areas. They are the main components of the rural governance structure and have significance in ensuring social stability in rural areas and promoting rural economic development. In regard of urban democracy, community residents' committees and residents' congresses have also been set up mainly in urban communities. Meanwhile, party members' mass service centers have been set up in communities to provide residents with consultation venues and other hardware facilities. The establishment of community rules and regulations, the supervision of community financial revenues and expenditures, through the form of hearings, dialogue conferences, network exchanges and other forms of consultation, to protect the vital interests of community residents. In enterprises and institutions, workers' congress has been established to deal with issues like labor remuneration, working hours, labor safety and health, social insurance and welfare, thus a more flexible and specific form of consultative democracy has emerged, including for example, collective consultation system and labor dialogue conference system.

4. Consultative Democracy in Other Important Systems

4.1 Government Consultation

The construction of democracy at community level is the foundation for the development of democracy and politics in China. The system of community-level self-governance is an important system of social governance in China. In reality, however, the community-level self-governance is often subject to excessive control and intervention by administrative forces, making it difficult for the masses to form self-management, self-education, self-service and self-supervision in real sense as in many community democratic consultations, the government still takes the lead. With the development of market economy leading to the diversification of interests, as well as the enhancement of people's awareness of democracy and rule of law, and the awakening of civic awareness, people strive to get rid of excessive administrative intervention, and also desire to participate in the government's public decision-making. On the basis of the existing consultative system, the CPC has proposed to establish a system of social consultation through dialogue to solve the problem of consultative democracy in the dialogue between the government and society. The 18th CPC National Congress report in 1987 proposed to build a system of social consultative dialogue, which is mainly composed of consultation between the government and society. The consulted issues involve draft law regarding major reform, as well as major reform proposals. The government should consult with the masses before and after the practice of proposals, listen to the opinions of the relevant parties, make joint efforts to analyze advantages and disadvantages, and discuss corresponding measures. Since the 18th National Congress of the CPC, it has been outlined that all administrative organs must serve the people, be accountable to the people and are subject to people's supervision; innovate their administrative methods to improve administrative efficiency; build a service-oriented government that the people are satisfied with. Both the consultative dialogue system between the government and society and the building of service-oriented government carry forward the party's fundamental principle of "from the masses, and to the masses and the traditional core value of serving the people". It is not regarding the distribution and coordination of state power in different ethnic groups, regions and social groups, but coordination, integration and management in the field of public affairs for different interests, opinions and requirements, to safeguard national governance and maintain social order.

Government consultation is different from that of the National People's Congress and the CPPCC, which are on the highest level of the state politics and focus on discussing state affairs. It is also different from community-level consultations where grassroots masses serve as the major participants and focus on discussing the primary level affairs. Government consultation represents the medium level of the national governance system and the main participants are the government and the people. It is the most direct way to transform government administrative functions and allow citizens to participate in the decision-making of public affairs and the formulation of public policies. Such form of consultative democracy in china is similar to the western deliberative democracy, as both are a form of democracy originated in the public domain and have further developed and grown into a variety of practical forms. For example, in recent years, various forms of consultation can be seen including

consultative hearing, democratic dialogue conference, leader office open day, consultation opinion poll, community's platform, public opinion counter, democratic assessment and so on. In general, currently the most widely used forms of government consultation include: hearing-based consultation for the disclosure of government information and advisory consultation for the interaction between government officials and people.

4.1.1 Hearing-based Consultation

The hearing-based consultation means all kinds of hearings and publicity held by the government. It is "a necessary normative procedure design that when government organizations make public decisions directly related to the interests of the public or citizens, they should listen to the opinions of influential stakeholders, social parties and relevant experts to realize good governance"(Peng Zongchao, Xuelan, 2004). At present, the hearing-based system is basically embodied in three types: legislative hearing, administrative penalty hearing and price hearing. These hearings are mainly centered on government public policy regarding problems closely related to community's daily life, or measures of the government to solve various social conflicts. The hearing-based consultation has been widely used in public affairs, and the Beijing subway price adjustment hearing in September 2007 and the trial of implementing multi-step electricity pricing for residents of Guangdong in May 2012 are typical examples. These hearings have an important impact on public decision-making of the government and the daily life of the citizens.

4.1.2 Advisory Consultation

Advisory consultation is mainly used to solicit public opinions or adopt good advice to manage public affairs and guarantee public interests. It includes democratic discussion and leader office open day, etc. The most typical one is the democratic discussion originated in Wenling, Zhejiang province. It is an important institutional arrangement where leaders and the masses carry out open dialogue and equal exchange of opinions. It is the further development of leadership forum which emphasizes on the interaction between government officials and citizens, as a basic form of democratic politics through two-way communication. As an original form of democracy, it has special implication on negotiation, coordination, participation and consultation. Most of these advisory consultations are initiated and organized by the officials representing the community-level government and the party committee, and people who are closely related to the interests. Those who are interested in public affairs are also invited. The discussion involves a wide range of content, and the topics are often regarding long-term and grand issues, for example the economic development plan, management of public finance, improvement of public security, and social and cultural development.

4.2 People's Organization and Social Organization Consultation

There are two unique forms of consultative democracy-- consultation of people's organizations and consultation of social organizations. These two forms of consultation have been put forward only for a

short time, and the practice of this consultation system are still in the process of being explored and established. These two forms of consultation are mainly based on the CPC's understanding of social management or social governance. After the 18th National Congress of the CPC, the CPC began to change its thinking and strive to promote the refinement of social governance and build a social governance pattern that is jointly built and shared by all the people. Therefore, consultation among people's groups and social organizations has gained more and more attention. The report by the 19th national congress of the CPC further put forward the following proposal: "We will establish a social governance model based on collaboration, participation, and common interests; step up institution building in social governance and improve the law-based social governance model under which Party committees exercise leadership, government assumes responsibility, non-governmental sectors provide assistance, and the public get involved. We will promote public participation and strengthen rule of law in social governance and make such governance smarter and more specialized." (Xi Jinping,2017) In particular, in building a new pattern of social governance at the community level, we should give play to the role of mass organizations and social organizations, to realize a positive interaction between government governance, social regulation and residents' self-governance, so as to consolidate the foundation of social governance at the community level.

4.2.1 People's Organization Consultation

Consultation by people's organization is distinctive with Chinese characteristics since the term people's organization originated in the period of Chinese revolution and is a specific political concept under China's realistic political system. People's organization is an important channel for the masses to participate in the management of state and social affairs, as well as the management of economic and cultural undertakings in an orderly and law-based manner. The involvement of people's organization in consultative democracy is aimed to strengthen the CPC's bond with the vast masses of the people, expand the participants of consultative democracy, and broaden the channels in which the people can participate in politics. Consultation by people's groups mainly refers to the trade union, the communist youth league, the women's federation, the science and technology association and other representative mass organizations with social management functions, who all together make concerted efforts to solve specific problems regarding relevant interests, through consultations at different levels and in different ways. The central committee of the CPC issued the document *Opinions on Strengthening and Improving the Party Work*, proposing that "The government may, through convening meetings or other appropriate methods, regularly inform people's groups of important work arrangements and related major measures, and strengthen consultation before and during decision-making. The CPPCC at all levels must give full play to the role of people's organization and sector committee members in the course of closely connecting the masses and promoting harmony among all social strata and different interest groups and strengthening ties between special committees and people's organizations." (General Office of the CPC Central Committee,2015) Consultation by people's organizations is not exclusively limited to internal consultations of the masses, but also closely related to consultation with

the government and the CPPCC. People's organizations may participate in the consultations of the CPPCC as representatives and express their views on the fundamental policies of the state and local governments as well as on policies regarding important issues in political, economic, cultural and social life. Acting as groups in helping people, the masses are not easily dwarfed when faced with the government, thus virtually protecting the rights of the people in government consultations. At the same time, the internal consultations of the people's organizations and between different organizations also belong to consultations among the people. Through rational debate and persuasion, they can remove conflicts and reach consensus. It can be said that the consultative democracy of people's organizations through consultation connects the upper, middle and lower levels of China, and brings the people together to participate in the formulation of China's fundamental policies and principles, the local decision-making of the government, and the resolution of contradictions among the people themselves. (Xiongxi,2018). This is the unique feature of China's socialist consultative democracy.

4.2.2 Social organization consultation

Social organization consultation is a new idea in the *Opinions* issued by the Central Committee of the Communist Party of China in 2015. "In order to explore and conduct social organization consultations, we need to adhere to party leadership and government management in accordance with the law, improve working mechanisms and communication channels with relevant social organizations, and instruct social organizations to carry out consultations in an orderly manner to better serve the society."(General Office of the CPC Central Committee,2015) It is still in the exploratory stage in both academia and practice senses, therefore currently it is difficult to accurately define the concept, subjects, issues, and other aspects of social organization consultation. This is largely due to the weak development of China's social organizations and the neglect of public interest issues, coupled with the fact that social organization consultations are often not well distinguished from consultations through other channels. This is especially obvious when the practice of social organization consultations overlaps that of grassroots consultations and government consultations. However, possessing the unique advantages of being industrial, professional and vocational, from a third party, comparatively flexible and rooted at the grassroots level, the involvement of social organizations in consultation is conducive to enhancing the scientific decision-making, problem solving and reducing or avoiding government decision-making errors. Consultative development and institutional construction of social organizations will be the focus and perhaps a difficult task of the development of China's consultative democracy system in the future. The extensive and effective conduct of social organization consultations requires a dynamic social organization of a certain size. The only way to strengthen the cultivation of social organizations is to effectively stimulate the vitality of social organizations. Only in this way can we actively carry out consultations with social organizations, encourage and support social organizations to absorb and reflect the needs from various parties, and play a role in coordinating relations and resolving contradictions. In addition, promoting the institutional design of social organization consultations and clearly defining the scope of consultation subjects, the content of

consultations, and the consultation platform are also necessary to promote the development of social organization consultations.

5. Conclusion

The Fourth Plenary Session of the 19th CPC Central Committee depicted a “map” of the socialist system with Chinese characteristics and built a national governance system including the fundamental system, basic systems, and important systems. As a great creation in the practice of people's democracy led by the Communist Party of China, China's consultative democracy is an important embodiment of the mass line of the Communist Party of China in the political field. After long-term practice, consultative democracy has been deeply embedded into the entire process of Chinese socialist democracy: people's congress legislative consultations included in the fundamental political system — the people's congress system; the CPPCC consultations, party consultations, and the grassroots consultation relying on the community-level self-governance system in the basic political system — the multi-party cooperation and political consultation led by the Communist Party of China; and the government consultation, people's group consultation, and social organization consultation developed in the construction of a service-oriented government and building of the social governance system based on collaboration, participation and common interests. In order to build socialist democracy and develop people's democracy, we must give full play to the unique advantages of China 's consultative democracy, advance the institutionalization of multiple forms of consultative democracy, and carry forward the spirit and principles of socialist democracy that resolve the issues for the people and by the people through their discussion in consultative democracy, find the largest common divisor of the whole society's interests and requirements, draw the largest concentric circles of interests, and further run into all aspects of people's management of state affairs, economic and cultural undertakings, and management of social affairs, thus promoting and maturing the fundamental system, basic system and important systems, and better transforming China's institutional advantages into national governance effectiveness.

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