

Contention and Participation in the People's Congress System¹

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In democratic systems, the legislative branch is the primary arena for interest group competition and contention. In authoritarian systems, parliaments are manipulated by the regimes they serve, which naturally dampens the scope of representation, the vigor of electoral competition, and their importance to politics and policymaking. Because formal institutions are underdeveloped, citizens often turn to more transgressive forms of political participation to elicit a government response (O'Brien 2003).

Of the many avenues for contention and political participation in China, the People's Congress system thus constitutes the tamer sort. But it merits study nonetheless, as it represents an institutionalized form of interest articulation, designed and curated by the regime itself.

Core Questions

Studies of the People's Congress system tend to focus on three sets of questions. The first concerns the broader *role of the legislative branch* in the Chinese political system. Do the People's Congresses constrain or enhance the authority of the CCP? What function do these bodies serve, and can they become a starting point for broader political reform? Such institution-level questions have an analogue in the growing comparative politics literature on authoritarian parliaments, which generally holds that parliaments "matter" and help regimes solve problems of power-sharing and cooptation (Gandhi 2008; Malesky and Schuler 2010; Svolik 2012).

The second set of questions concerns *deputy behavior* and the flow of policy preferences from the population, through members of parliament, and to the regime. Is there meaningful representation in the People's Congress system? What do deputies do with their time? How do they view their responsibilities to the people and the Party? This strand of research naturally builds off the rich literature on legislative representation (i.e. Fenno 1997; Pitkin 1967; Manin 1997; Mayhew 1974), which is centered in the study of Western democracies and the U.S. case.

The third set of questions deals with *citizen participation* in the legislative system. Do citizens and firms engage with the People's Congresses? How do they view the system, and what strategies do they use to advance their interests? Are these channels a viable alternative to higher risk forms of participation? What benefits come with being close to the legislature? Again, these questions build on a rich literature in legislative politics on interest groups, lobbying, and political behavior (i.e. Grossman & Helpman 1992; Verba & Nie 1987).

Table 1 provides a summary of how research on the People's Congress system has evolved over time.

¹ My apologies for the rough nature of this memo. My wife and I just welcomed a new baby and I am finding it difficult to write coherent thoughts.

Table 1: Contention and Participation in the People's Congress System

Topic	Foundations	Recent Arguments
Role of the Legislative Branch	NPC is subject to manipulation/ domination by CCP, rules and practices shift subject to interests and needs of Party (O'Brien 1991)	- The People's Congress system exists to provide information on citizen grievances to the government (Manion 2016, Truex 2016); - - The regime incentivizes deputies to engage in a constrained form of representation
Deputy Behavior	NPC deputies serve as agents of the Party and remonstrators for the population (O'Brien 1994)	- Lower level deputies engage speak a "new language of representation" and engage in pork-barrel politicking for local constituencies (Manion 2016) - NPC deputies engage in "representation within bounds" behavior, active on many issues but reticent on political reform (Truex 2016)
Citizen/Firm Participation	- Citizens are not passive or apathetic, but participate in a variety of formal and informal channels to seek redress (Shi 1997)	- Firms increasingly lobby the NPC/State Council to influence policy (Kennedy 2009) - Firms with CEOs affiliated with the NPC seem to enjoy some "returns to office" from the position (Truex 2014) - Entrepreneurs seek to join the people's congress system as a means of protecting their property rights (Hou 2017) - Citizens have relatively low interest and low knowledge in the People's Congress system (Manion 2016), yet do seek to resolve their personal grievances through the institution

Foundations

The foundational scholarship on the People's Congress system was conducted by Kevin O'Brien in his dissertation and first book project, *Reform Without Liberalization* (1991) and a series of subsequent papers on deputy behavior and representation (O'Brien & Li 1993; O'Brien 1994). Several themes and theoretical insights emerge from O'Brien's analysis of the NPC from 1954 to the mid 1990s:

1. *As an institution, the NPC is subject to manipulation and domination by the CCP, and its rules and practices shift subject to the interests and needs of Party leadership.* Reforms that have strengthened the NPC do not signal a broader liberalization of the political system, and in fact may serve to enhance the CCP's "authoritarian resilience" (akin to Nathan's (2003) arguments on "input institutions").
2. *In the reform period, NPC deputies have been tasked serving a dual role: agents of the Party and remonstrators for the population.* This entails a degree of representation in the system, flowing in two directions. Deputies convey the policy priorities of the government to the population, and in turn convey the concerns of the population to the

government. These twin responsibilities can sometimes conflict and create cognitive dissonance for certain deputies.

The first insight emerged from O'Brien's (1991) detailed historical analysis of the NPC during the Mao era and early reform period. O'Brien describes the twists and turns of the parliament over time—a brief period of emergence (1954-1957) followed by marginalization and disappearance (1958-1977), and ultimately the reestablishment and enhancement in the reform period. O'Brien carefully examines nearly every plenary session of the NPC over this period, detailing the core legislative initiatives, shifts in the tone of discourse, and expectations for deputy behavior. One of the core arguments—that the parliament was manipulated, strengthened, or even disbanded depending on the policy needs of the regime—predates a parallel line of reasoning in the cross-national work on authoritarian institutions (i.e. Gandhi 2008; Svobik 2012).

On the representation front, O'Brien can be credited with the general insight that deputies do try to convey the interests of constituents, or at least some do, some of the time. Using interview evidence, O'Brien describes a range of deputy activities that resemble substantive representation:

Based on their own observations or at the request of constituents, remonstrators work to halt hotel construction next to a hazardous materials warehouse, to improve substandard housing and poor medical care, to increase the number of public lavatories, to improve barber shop and restaurant hygiene, and to spur local governments to build pedestrian overpasses and tunnels. They get involved in matters such as guaranteeing sufficient water pressure on higher floors of apartment buildings, installing gas lines in old buildings, relocating bus stops to reduce traffic congestion, cleaning up pollution and appealing against unjust court decision (1994).

O'Brien and Li (1993) also note that the Party itself began to place greater emphasis on “deputy quality” during this period—deputies needed to have the training, qualifications and interest to perform the legislative role.

Recent Findings

Much of O'Brien's original insights on the People's Congress system carry through to the present period, as the generally positive trajectory of the institution has stayed largely the same in the past twenty years. The parliament's role in lawmaking has been enhanced; the body itself has grown more transparent and open to public participation; and deputies are taking their responsibilities more seriously. Again, none of these developments should be taken as evidence of broader political liberalization. On the contrary, if anything the Party has grown more adept at using the parliament to enhance the stability of the authoritarian system.

The following themes and theoretical insights emerge from more recent scholarship on the People's Congress system:

1. *Deputies do engage in representative behavior, though there is variation across levels, deputy types, and issue areas.* Deputies speak “a new language of representation” and engage in pork barrel politicking on behalf of their constituents (Manion 2013, 2014, 2016). These behaviors may be strongest among “independent” deputies and those at lower levels in the People's Congress system (Manion 2013, 2014, 2016). There appears to be a broader pattern of “representation within bounds” at the national level, whereby deputies are active on many issues but reticent about political reforms (Truex 2016).

2. *One core function of the People's Congress system is to convey information to the regime and facilitate responsive governance* (Manion 2016; Truex 2016). This is part of a growing emphasis on consultative institutions within the government.

3. *Citizen interest in the People's Congress system appears relatively low* (Manion 2016). This may be driven by the opacity the system and Party control of the electoral process.

4. *Elites/businesses seek membership in (and influence over) the legislative system.* There appear to be concrete “returns to office” from being close to the NPC in the form of property rights protection (Hou 2017) and reputational benefits (Truex 2014). The NPC has also become a target of lobbying by firms and industry associations (Kennedy 2009).

These ideas build on O'Brien's initial intuitions about representation and the broader role of the NPC. Scholarship in this area has benefited from a “data boom” of sorts—we now have surveys of deputies and their constituents, datasets of deputy backgrounds and behavior, and a growing corpus of interview evidence. A largely consistent story emerges from this evidence—the parliament offers constrained representation, and the regime uses it as a tool to learn about public opinion and appear responsive. It also pays to be close to the People's Congresses, and more sophisticated citizens/firms are beginning to use them for their benefit.

On Knowledge Accumulation

Within the Chinese politics field, there are now well-established, flourishing research traditions on public opinion, elite politics, and protest. The field of media politics and communication is also growing. These are our “sub subfields”, if I had to identify them, and I think they are the areas where we have probably made the most collective progress. There is of course scholarship on other topics, but it tends to be relatively isolated, conducted by 2-3 scholars.

The recent proliferation of scholarship on the People's Congress system is promising, and it could signal the emergence of a “sub-subfield” within Chinese Politics on legislative politics. Greater density of scholarship would lead to more debate, and more theoretical and empirical innovation. I suspect there are well over a hundred books and maybe a thousand articles on the U.S. Congress. By my count, there are about five books and 15-20 articles as a field on the People's Congresses. We haven't reached the point where we are really arguing with each other's work—I have trouble naming the “great debates” in the study of China's legislative politics and participation. The field is still too small.

There are two barriers to knowledge accumulation in our field. The first is the problem of professional incentives. As China scholars, we are forced to link our scholarship to general debates in the field to gain access to general interest journals, which have become the metric through which junior faculty and graduate students are evaluated. Unlike in American Politics, it is not enough to debate with each other, lest our work be labeled “too China” (I have had a paper rejected on those precise grounds). This creates incentives to pursue topics that haven't been studied in great detail, rather than dive deeper still into well-established research traditions. If I had a graduate student tell me she wanted to write her dissertation on the People's Congress system, I would probably advise against it.

The second issue we face is the problem of generalizability. For non-China scholars, it is difficult to make sense of the country's political system, and to tease out insights that can be applied to other cases. China is viewed as *sui generis*, and our scholarship viewed as niche by extension. One current tactic is to frame our findings as being about authoritarian politics, while only having evidence on the CCP. This is what I do, at least, and it probably isn't good enough.

I think the solution to both barriers is the same. The future of CP seems to be the careful replication of micro-level research designs (both qualitative and quantitative) across multiple cases (the recent Metaketa initiative by EGAP is the best example of this). The field is placing

greater emphasis placed on data collection, research design, and getting the details of a case correct. Proper nouns are coming back in style. I think this is good news for China scholars. This brand of research is our core competency! The trick will be to either a.) develop regional expertise beyond China (hard) or b.) coauthor with scholars of other regions (easy). There is interest in our work from scholars of Russia and the Middle East, so it makes sense to build intellectual and professional bridges to those research communities.

In terms of future research on China's legislative system, we can of course go deeper still into issues of representation and participation. What types of deputies are most active? What segments of the population are best represented? Do deputies form legislative coalitions beyond their geographic delegations? There are plenty of questions still to answer, and I expect data quality to continue to improve. My own preference would be for more work that explicitly places the NPC in comparative context— a parallel data collection effort on parliaments in China and Russia, or China and Singapore, or even China and the United States. This brand of comparative scholarship is usually limited to public opinion work (Asia Barometer, WVS, etc.), but there is no reason why the Chinese legislative system can't also be placed in comparative context.

References

Cho, Y. N. (2008). *Local people's congresses in China: Development and Transition*. New York: Cambridge University Press.

Fenno, R. F. (1977). US House members in their constituencies: An exploration. *American Political Science Review*, 71(3), 883-917.

Grossman, G. M., & Helpman, E. (1992). *Protection for sale* (No. w4149). National Bureau of Economic Research.

Hou, Y. (2017). "Participating for Protection: Legislatures, Private Entrepreneurs, and Property Security in China." Working Book Manuscript.

Hu, S. (1993). Representation without democratization: The "signature incident" and China's National People's Congress. *The Journal of Contemporary China*, 2(2), 3-34.

Kennedy, S. (2009). *The business of lobbying in China*. Harvard University Press.

Manin, B. (1997). *The principles of representative government*. Cambridge University Press.

Manion, M. (2008). When communist party candidates can lose, who wins? Assessing the role of local people's congresses in the selection of leaders in China. *The China Quarterly*, 195, 607-630.

Manion, M. (2014). Authoritarian parochialism: Local congressional representation in China. *The China Quarterly*, 218, 311-338.

Manion, M. (2016). *Information for autocrats: representation in Chinese local congresses*. Cambridge University Press.

Manion, M. (2017). "Good types" in authoritarian elections: The selectoral connection in Chinese local congresses. *Comparative Political Studies*, 50(3), 362-394.

Mayhew, D. R. (1974). *Congress: The electoral connection*. Yale University Press.

- Nathan, A. J. (2003). Authoritarian resilience. *Journal of Democracy*, 14(1), 6-17.
- O'Brien, K. J. (2008). *Reform without liberalization: China's National People's Congress and the politics of institutional change*. Cambridge University Press.
- O'Brien, K. J. (1994). Agents and remonstrators: Role accumulation by Chinese People's Congress deputies. *The China Quarterly*, 138, 359-380.
- O'Brien, K. J., & Li, L. (1993). Chinese Political Reform and the Question of "Deputy Quality". *China Information*, 8(3), 20-31.
- O'Brien, K. (2003). Neither transgressive nor contained: Boundary-spanning contention in China. *Mobilization: An International Quarterly*, 8(1), 51-64.
- Pitkin, H. F. (1967). *The concept of representation*. Univ of California Press.
- Solinger, D. J. (1982). The Fifth National People's Congress and the Process of Policy Making: Reform, Readjustment, and the Opposition. *Asian Survey*, 22(12), 1238-1275.
- Svolik, M. W. (2012). *The politics of authoritarian rule*. Cambridge University Press.
- Truex, R. (2016). *Making Autocracy Work: Representation and Responsiveness in Modern China*. Cambridge University Press.
- Truex, R. (2017). Consultative authoritarianism and its limits. *Comparative political studies*, 50(3), 329-361.
- Xia, M. (2007). *The People's Congresses and Governance in China: Toward a Network Mode of Governance*. London: Routledge.