

## **PUBLIC SUPERVISORS AND REFLECTORS: ROLE FULFILLMENT OF THE CHINESE PEOPLE'S CONGRESS DEPUTIES IN THE MARKET SOCIALIST ERA\***

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*This paper analyses the role fulfilment of Chinese people's congress deputies in the reform era. It argues the role fulfilments have changed in the 1990s. First, Chinese legislators have conducted three roles, i.e., supervision, reflection, and policy-providing, and regarded the first two as their dominant roles. This implies that deputies act mainly as public supervisors and reflectors rather than "regime agents." Second, deputies' role fulfilments have differentiated depending on their social backgrounds. Deputies from worker and peasant backgrounds tend to act as reflectors and supervisors, while deputies with intellectual backgrounds and some official deputies are more orientated to policy-providing. Private entrepreneurs and businesspersons who become deputies are more interested in exemplary leadership and economic roles, the closest role of "regime agents." Finally, the power from below — deputies and the public — will be the main force in the Chinese legislative development, and resultantly Chinese legislatures will be more representative than now.*

### INTRODUCTION

The members of a legislative body in every country are required to fulfill representation roles on behalf of their constituents in the spheres of policy-making, budget-allocating, and service-providing (i.e., errand-running). The deputies to the National People's Congress (NPC) and local people's congress at various levels in China, who numbered over 3.5 million in 1994 and 3.23 million in 1998, are no exception. At least, according to the Chinese Constitution, as "people's deputies," they should champion the public's interests. However, in the 1980s, Chinese citizens regarded people's congresses as "rubber stamps" and frequently considered the members as "deputies in name only." Western scholars were also critical of the deputies' roles fulfillment. For instance, McCormick argued that all deputies whom he had interviewed in the late 1980s and early 1990s did not want to become deputies.<sup>1</sup> In this case, deputies could not be expected to faithfully carry out their roles. O'Brien, differing with McCormick, did not find that all deputies

\*This study was supported by the Overhead Research fund of Seoul National University.

<sup>1</sup> McCormick (1996: 40).

were inactive. Instead, he argued that even active deputies behaved chiefly as regime agents, and that they were best thought of as remonstrators rather than representatives.<sup>2</sup>

What changes have there been in the Chinese legislators' role fulfillment in the 1990s? What roles do deputies now perform, and to what degree? In this regard, first, it is worth emphasizing that both the NPC and local people's congresses have become important political actors in the reform era, especially in the 1990s.<sup>3</sup> This hints at the possibility of change in deputies' roles fulfillment, because legislative functions could not have strengthened without legislative members themselves being more active. In addition, available evidence notes the change in public attitude toward deputy status. For example, a 1993 survey conducted in Shuzhu city of Hunan showed that about 26 percent of respondents earnestly wanted to be deputies, even though 40 percent of them still did not want to be deputies (the rest said they would serve if elected).<sup>4</sup> Also, more and more influential regional figures, including entrepreneurs and leading cadres in government and state-sponsored organizations, have asked legislative leaders to help them to become deputies since the mid-1990s.<sup>5</sup> In particular, the "Guangdong Phenomena" in 2000 and "Shenyang Incident" in 2001 could not have occurred without changes in the deputies' roles fulfillment, which were caused by their active participation.

This article will argue that the roles fulfillment of the people's congress deputies have changed since the early 1990s. First, legislators have conducted three roles, i.e., supervision, reflection and policy-providing, with the first two as their dominant roles. That is, they perform primarily as public supervisors and reflectors rather than as regime agents. Second, deputies' roles fulfillment has differed depending on their social backgrounds. Legislative members from worker and peasant backgrounds tend to act as reflectors and supervisors, while legislators with intellectual backgrounds and some official deputies are more oriented to policy-providing. Private

<sup>2</sup> O'Brien (1994a: 365-372).

<sup>3</sup> On the NPC, see O'Brien (1990); Tanner (1994; 1999a; 1999b); Xia (2000: 100-135). On local people's congresses, see Lin (1992-93); O'Brien (1994b); Xia (1997; 2000); O'Brien and Luehrmann (1998); MacFarguhr (1998); Chen (1999); Cho (2002; 2003).

<sup>4</sup> Li Jitai, "We Should Pay Attention to Voters' Supervision of Deputy's Role Fulfillment," *Bulletin of the Works of People's Congresses* (Renda gongzuo tongxun, hereafter RGT) 8 (April 1994): 30.

<sup>5</sup> Interviews with the leaders and senior staff of local people's congresses: Tianjin, March 21 and 22, 2001; "The Status of Deputy is Not an Amulet," *News of China's People's Congresses* (Zhongguo renda xinwen, hereafter ZRX), September 18, 2001, <http://zgrdxw.peopledaily.com.cn>.

entrepreneurs and businesspersons who become deputies are more interested in exemplary leadership and economic roles, the closest role of regime agents. In sum, deputies since the early 1990s have progressively become more representative than before, even without the radical change of the Chinese party-state and its legislative system.

This article will concentrate on the roles of active deputies in order to understand the kinds of role they perform and the degree of their performance. Chinese legislators can be placed somewhere along a continuum: at one end are those who play a minimal role (i.e., only attending annual plenary sessions and other significant events), and at the other are deputies who spend most of their time on legislative duties. The former can be considered inactive. In contrast, active deputies participate in various activities, and they illustrate the kinds and degrees of deputies' roles fulfillment.<sup>6</sup> Thus, we need to focus on active deputies. To this end, I investigated deputies who were featured in journals published by the NPC and provincial-level people's congresses.<sup>7</sup> I have also conducted interviews with some

<sup>6</sup> Currently we cannot exactly estimate the proportion of inactive and active deputies due to the lack of available statistics. According to some data gathered by Chinese researchers, active deputies are, of course, less numerous than inactive ones. For example, in a survey of deputies to the Yangzhou City People's Congress conducted in January 1999, about 31 percent of respondents regarded themselves as "deputies who performed roles well," while about 65 percent replied "generally acted" and 4 percent said that they "did not play any role." About 26 percent of deputies did not participate in any legislative activities when the people's congress was not in sessions. In the case of Yangzhou city, at best about 30 percent of deputies can be considered as active, and the same rate holds for inactive deputies who only attend the plenary sessions and important events (the rest are placed between the extremes). Li Jitai and Zhang Yuanyuan, "Deputy Works in Deputies' Eyes," *People's Congress Forum* (Renda luntan) 8 (August 1999): 28. However, according to several surveys, now both deputies and the public think that their roles have been markedly strengthened in the 1990s. Cheng Chuanwei and Fei Wenqun, "What Are Deputies from Basic-levels in the Municipality Concerned About?" *Shanghai People's Congresses Monthly* (Shanghai renda yekan) 3 (March 2000): 18-20; "People's Congresses in the Mind of Common People," *Masters of Times* (Shidai zhuren) 11 (November 2000): 26-27; "Citizens in Guangzhou City Generally Identified with the Proposals of People's Congress Deputies," *Southern City Daily* (Nanfang dushi bao), March 29, 2001. On the deputies' roles fulfillment in the mid-1980s, see Zhao (1990: 87-112, 185-196, 217-241).

<sup>7</sup> Now all the 31 provincial-level people's congresses publish their journals monthly, and every issue carries about two or three articles on deputies' activities. Of these, I investigated 10 journals that are published by relatively active congresses, and I covered the period from the January 1999 to June 2001 (30 issues per journal). The journals are: *Shanghai People's Congresses Monthly*; *People's Voices* (Renmin zhi sheng) in Guangdong; *People's Political Forum* (Renmin zhengtan) in Fujian; *Rule of Law* (Fazhi) in Heilongjiang; *People and Power* (Renmin yu quanli) in Jiangsu; *Works of People's Congresses in Shandong* (Shandong renda gongzuo); *Masters in Hubei* (Chutian zhuren); *People's Friend* (Renmin zhi you) in Hunan; *Master of Times* in Jiangxi; *Construction of Local People's Congresses* (Difang renda jianshe) in Hebei. I also investigated the deputies featured in the NPC's semi-monthly journals, i.e., *RGT and Chinese People's*

**TABLE 1.** NUMBER OF PEOPLE'S CONGRESS DEPUTIES AT VARIOUS LEVELS (november 1, 1994)

| Divisions (number of people's congresses) |   | Deputies (%)      |
|---|---|-------------------|
| NPC                                       |   | 2,979 (0.1)       |
| People's congresses                       | Provincial levels (30)  | 20,989 (0.6)      |
|   | Cities divided into districts (189) and autonomous prefectures (30) | 83,155 (2.8)      |
|   | County-level (2,897)  | 651,311 (18.6)    |
|   | Township-level (48,172)   | 2,743,378 (78.3)  |
|   | Total   | 3,501,811 (100.0) |

Source: Quanguo renda changweihui bangongting lianluoju. "Our Country has over 3.5 Million People's Congress Deputies at Various Levels," *RGT 1* (January 1995): 320.

legislative leaders, staff and deputies to complement the documentary surveys.

Finally, analysing the deputies' roles fulfillment, this article will not distinguish among the deputies according to their administrative levels for two reasons. First, the deputies to township- (*xiangji*) and county-level (*xianji*) people's congresses comprise about 97 percent of all deputies, as Table 1 indicates. The activities of deputies to the NPC and provincial-level people's congresses do not have substantial meaning due to their small size. Second, there are few differences between the NPC and county-level people's congress deputies in terms of practical activities when the congresses are not in sessions. In a sense, the lower the administrative level of the deputies, the more active were their roles fulfillment.

## CHANGES OF LEGAL & POLITICAL CONDITIONS AND PUBLIC EXPECTATIONS TOWARDS DEPUTIES

Legal and political conditions for the activities of legislatures and the public expectations towards legislative members have important influences on the roles people's congresses deputies play, and the degree of their performance. Legal and political conditions and the public's cognition have gradually, but markedly improved since the early 1990s. Under these more

*Congresses* (Zhongguo renda, hereafter ZR], from 1994 to the present. Finally, I analyzed the most active 100 deputies who were recommended by people's congresses at the request of NPC staff. Quanguo renda (2000). In total, I analysed some 600 cases that I could confirm both deputies' social backgrounds and roles fulfillment.

conducive conditions, Chinese legislators have become more courageous and active in carrying out their roles.

First of all, legal conditions for deputies' activities have improved since 1992. Neither legislatures nor their members took root in the 1980s, and they frequently encountered difficulties in accomplishing their duties. Party and government cadres frequently infringed upon the deputies' powers, and work unit leaders in many cases did not allow legislators enough time to carry out their duties. In consequence, deputies asked legislative leaders to enact a specific law to clearly prescribe their duties and powers.<sup>8</sup> As a result, the NPC enacted the Law of Deputies to the NPC and Local People's Congresses at Various Levels in 1992.<sup>9</sup>

This law provides deputies with such guarantees as immunity from arrest. Further, according to this law, state institutions, social organizations and the public should cooperate with deputies to aid them in accomplishing their functions. In addition, work units should provide legislators with compensation for time and income foregone while performing legislative duties. After the law became effective, incidents of deputies' powers being infringed upon have decreased, and their powers have been better protected. The law's promulgation marks a "new phase" in deputies' work.<sup>10</sup>

There were, of course, continuous infringements of people's congress deputies' powers in the 1990s. In Hunan alone from 1992 to 1996, 97 cases of violations of the Deputy Law were reported.<sup>11</sup> However, there are striking differences in the consequences before and after the law's enactment. That is, infringements have been punished after the legislation of the Deputy Law. In those cases, both the Party and legislatures generally directly participate in the investigations, and publicize the results in an attempt to warn other cadres.<sup>12</sup>

In China, political guarantees for people's congress deputies granted by the Party are more critical than legal guarantees. In this regard, Chinese legislators have been able to enjoy markedly improved activity conditions

<sup>8</sup> Zhao (1990: 190-191).

<sup>9</sup> Liu (1999: 281-283).

<sup>10</sup> Anhuisheng renda, "The Achievements are Remarkable, but the Burden is Heavy and the Road is Long," *ZR 1* (January 2000): 14; Interviews with leaders and senior staff of local people's congresses: Tianjin, March 21 and 22, 2001.

<sup>11</sup> Anhuisheng renda, "The Achievements are Remarkable," 14.

<sup>12</sup> On concrete cases, see Hebeisheng renda changweihui, "A Circular on the Case of Zhang Fusheng Deputy's Illegal Detention by the Fengfeng District Court," *ZR 1* (January 2000): 23; "A Hunan People's Congress Deputy was Assaulted and the Assaulting Officer was Finally Punished," *People's Daily* (Renmin ribao), September 5, 2001, *ZRX*, September 5, 2001, <http://zgrdxw.peopledaily.com.cn>.

since the early 1990s. The Party has taken steps to strengthen the role of the people's congresses and their members. After the 1986-87 student movements and 1989's Tiananmen Incident, the Party center decided to strengthen the supervisory function of all state organs as well as the Party itself, in order to control cadre corruption and to restore public confidence. A decision issued by the CCP Central Committee in 1990 was a good example.<sup>13</sup> Support of people's congresses in wielding their supervisory powers according to the law was an important component of the Party's policy. Since committing itself to the formation of a socialist market economy in 1992, the Party has stressed governance according to the law (*yifazhiguo*). This policy, which was adopted as a guiding principle at the 15th Party Congress in 1997 and recorded in the Preamble of Constitution through a 1999 amendment, also invigorated legislative members, since people's congresses are state power organs with the rights to legislate and to supervise the implementation of laws by other state organs.<sup>14</sup>

To implement this policy, the provincial Party committees held work conferences on legislatures across the country throughout the 1990s.<sup>15</sup> The Tianjin Municipal Party Committee, for example, in an unprecedented act, held it in July 1994, and it emphasized two points: the Party committees should put legislative works on their agenda and fully support legislatures and their members to exercise their powers in accordance with laws; and legislatures should improve their works by sticking to the Party line.<sup>16</sup> After this conference, 18 district and county Party committees in Tianjin area continued to hold similar meetings to implement this, and these measures brought "new winds" to legislative works.<sup>17</sup>

Finally, increased public expectations have encouraged people's congress deputies to play more active roles. In the 1990s, residents more frequently visited their deputies when they encountered difficulties. According to Shi's survey of the urban population in Beijing in 1988 and 1996, the percentage of the public who complained through deputies increased from 8.6 to 14.1 percent.<sup>18</sup> Similarly, the volume of public letters and visits (*xinfang*) to legis-

<sup>13</sup> "A Decision of the CCP Center on Strengthening the Link between the Party and Masses," *Zhonggong zhongyang* (1991: 935).

<sup>14</sup> Interviews with leaders and senior staff of local people's congresses: Tianjin, March 21 and 22, 2001.

<sup>15</sup> Li Bojun, "The Situation of People's Congress Work Conferences Held by Provincial Party Committees," *ZR* 3 (February 2000): 19-20.

<sup>16</sup> *Tianjinshi* (1997: 482-483).

<sup>17</sup> Interviews with senior staff of Tianjin Municipal People's Congress: Tianjin, April 2, 2001; Kang (1999: 4).

<sup>18</sup> Shi (1999: 155). A poll in the *Far Eastern Economic Review* in late 1994 found a similar

latures sharply increased. Beginning in the mid-1990s, letters and visits in Heilongjiang Provincial People's Congress increased by 50 percent annually, and several county-level people's congresses in Guangxi recorded increases of 20-40 percent in the same period.<sup>19</sup> Consequently, legislatures, along with the Party and governments, became one of the main channels for the public to complain about social problems. As people say, "visit deputies when you have sticky problems."<sup>20</sup>

In line with these greater expectations, the public also wants to supervise deputies more strictly. Legislative members who do not appear to fulfill their duties face the prospect of being dismissed from office. Residents in one electorate of Guangxi's Nanning city, for instance, held a meeting in March 2001 and dismissed a deputy who they believed did not carry out the role earnestly.<sup>21</sup> In response to public demands, legislative leaders also began to suspend the qualifications of ordinary legislators who are absent from plenary sessions twice without prior approval according to the Deputy Law. The county people's congresses of Anxiang in Hunan, Linqi in Shandong, and Pengshan in Sichuan all suspended deputies' qualifications in February 2001.<sup>22</sup> In addition, legislative members have to report their role achievements to voters and face evaluations in voter meetings.<sup>23</sup> From 1994 to 1996, in Chenzhou city of Hunan, for example, about 6,500 deputies at various levels reported their accomplishments and were appraised accord-

result. When asked whom they approach to lodge a complaint, 22 percent of respondents said deputies, an increase from 13 percent in 1988 (Pei, 1998: 75).

<sup>19</sup> Chen Xin, "Standardizing People's Congress Standing Committee's Works of Letters and Visiting," *Rule of Law* 1 (January 2001): 12; Tan Rifei, "If You Have Something Doing, You Will Have a Status, Otherwise You Won't," *People's Congresses in Guangxi* (Guangxi renda) 4 (April 1999): 5.

<sup>20</sup> Li Zhanggen, Zhang Jihua, "Why Have Shuchuan County People's Congress's Works of Letters and Visiting Increased More and More?" *Masters of Times* 4 (April 2000): 28.

<sup>21</sup> "Yongxin District of Nanning City in Guangxi: A Deputy's Qualification Suspended for Not Fulfilling Deputy's Duty," *People's Daily*, May 23, 2001, *ZRX*, May 23, 2001, <http://zgrdxw.peopledaily.com.cn>. For other cases, see "Incompetent Deputies Should be Dismissed", *People's Daily*, September 19, 2001, *ZRX*, September 19, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>22</sup> "Anxing in Hunan and Linqi in Shandong Had a Deputy's Qualification Suspended for Not Attending People's Congress Plenary Sessions without Reason," *People's Daily*, May 23, 2001, *ZRX*, May 23, 2001, <http://zgrdxw.peopledaily.com.cn>; "Pengshan County in Sichuan Suspended the Qualification of a County People's Congress Deputy," *People's Daily*, April 11, 2001, *ZRX*, April 10, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>23</sup> Some regions started to use it in 1988, and more and more regions have adopted it since the early 1990s. Gan He, "Contemporary New Progresses in the Works of People's Congress Deputies and a Few Problems That Need Study," *Study of People's Congresses* (Renda yanjiu) 9 (September 2001), <http://www.rdyj.com.cn>.

ing to this system.<sup>24</sup>

Legislative leaders have not just asked deputies to play their roles more actively, however. They have also attempted to motivate legislators by adopting new measures for overseeing other state organs since the early 1990s, including the examination of law enforcement (*zhifa jiancha*) and deputies' appraisals of state organ works (*daibiao pingyi*). These measures have given deputies an expanded and more effective scope of activity than in the 1980s.<sup>25</sup> For instance, when people's congresses in Henan conducted an examination in 1992 to assess whether government had implemented agriculture-related laws and central policies properly, some 70,000 members from 77 percent of county-level and 91 percent of township-level people's congresses in the province participated in this examination.<sup>26</sup> Annually about 70,000 legislators at various levels in Sichuan also engaged in deputies' appraisals of public security systems (1996), procuracies (1997) and courts (1998).<sup>27</sup>

Under these improved conditions, people's congress deputies have begun to more actively wield their power. The "Guangdong Phenomena," a series of incidents brought about by the deputies of Guangdong Provincial People's Congress in 2000, is one example. It began with an interpellation bill (*zhixun'an*) introduced by some deputies at the plenary sessions held in January, which required the Environmental Protection Bureau of the Provincial Government to explain why it did not suspend factories that caused serious water pollution. Dissatisfied with the replies from the Bureau's vice-director at hearing meetings, the deputies prepared to submit a personnel motion to discharge the vice-director, and asked to meet a vice-governor responsible for environmental affairs. Eventually, the Governor accepted all the requests from the deputies, and later changed the vice-director in order to lessen the deputies' anger, although classifying it as a "regular personnel shift."<sup>28</sup> A month later, the Standing Committee of

<sup>24</sup> Anhuisheng renda, "The Achievements are Remarkable," 14. On other cases, see Huang Daming, "Reported Duty Fulfillment Towards Voters and Let Voters Appraise," *Shanghai People's Congress Monthly* 2 (February 2000): 12-14; Chen Zhangyu, "A Report on the Self-Reporting of Wang Zengchang," *People's Political Forum* 8 (August 2001): 28; Zheng Guofeng, "Deputies to People's Congresses Go on Self-Reporting Platforms," *People's Political Forum* 8 (August 2001): 38-39.

<sup>25</sup> On examination and appraisal, see Cho (2002: 734-739).

<sup>26</sup> Quanguo renda (1995: 239).

<sup>27</sup> Cui Jianhua, "The Flowers of Appraisal Evolved in the Sichuan Area (1) (2)," *Construction of Democracy and Legal System* (Minzhu fazhi jianshe) 8 (August 1999): 8-10 and 9 (September 1999): 9-11; "In Order Not to Tilt the Scales," *Construction of Democracy and Legal System* 10 (October 1999): 11-13.

Guangdong People's Congress did not ratify two of ten nominees for the director posts of government bureaus recommended by the Governor. Zhu Selin, the Chairman of the Standing Committee, was quoted as saying, "Nominees who did not get a majority of votes could not be passed. It was the result of the members' use of democratic power, and nothing was more normal than this."<sup>29</sup>

The "Shenyang Incident," which is said to be "a first in Chinese constitutional history," and "a remarkable incident in Chinese democratic politics,"<sup>30</sup> occurred under similar circumstances. The Municipal People's Congress deputies did not approve an annual work report of the Intermediate People's Court in the plenary sessions held in February 2001.<sup>31</sup> The Party considers the annual work reports of government, court and procuracy in advance, and deputies review these reports at the plenary sessions with the Party's principle agreement. In addition, before and during sessions, the Party leaders convene temporary Party meetings that Party members-cum-deputies attend, and leaders ask deputies to toe the Party line. Thus, the deputies' assertive veto of the work report surprised the public as well as state leaders across the country. Even before the Shenyang Incident, the Gonghe County People's Congress in Qinghai refused to pass a court annual work report in April 2000. However, because it happened at the county-level, the public did not pay much attention to it, while Shenyang, the provincial capital of Liaoning, is vice-provincial-level.<sup>32</sup>

## CHANGED DEPUTIES' ROLES FULFILLMENT IN THE 1990S

Under the improved legal and political conditions for legislative activities

<sup>28</sup> Ren Tianyang, "The Whole Story on Guangdong People's Congress Deputies Addressed Inquiries to the Provincial Environmental Protection Bureau," *Study of People's Congresses* 4 (April 2000), <http://www.rdyj.com.cn>; "Supervision: Make 'Amiable together' Get out of," *Masters of Times* 12 (September 2000): 7-9.

<sup>29</sup> "Guangdong People's Congress Vetoed Two Directors' Appointments Asked by the Governor," *Chinese Youth Daily* (Zhongguo qingnianbao), February 23, 2000, ZRX, February 23, 2000, <http://www.peopledaily.com.cn>. On other incidents, see Wu Xi, "Guangdong Phenomenon in the Works of People's Congresses," *People and Power* 10 (October 2000): 39.

<sup>30</sup> "Overcoming the Confidence Crisis by Use of Judiciary Justice," *Legal Daily* (Fazhi ribao), August 10, 2001, ZRX, August 10, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>31</sup> "From Veto to Approval: Shenyang People's Congress Considered Twice a Court Work Report," ZRX, August 10, 2001, <http://zgrdxw.peopledaily.com.cn>; "From Not Passing to Passing with a Wide Majority: Regaining Public Confidence," *Legal Daily*, August 10, 2001, ZRX, August 10, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>32</sup> "Shenyang Incident Caused Serious Legal Problems," *Chinese Youth Daily*, August 11, 2001, ZRX, August 13, 2001, <http://zgrdxw.peopledaily.com.cn>.

and higher public expectations since the early 1990s, people's congress deputies have conducted three major roles: supervision, reflection (*fanying*) and policy-providing. These roles differ from those in the 1980s.

### *Supervision*

People's congress deputies pay much more attention to the supervisory role since they now regard it as their most important daily duty.<sup>33</sup> As noted before, since the early 1990s, the Party and legislative leaders have stressed this role as an effective tool for controlling cadre corruption in local governments. They also emphasize this role because deputies can help the Party center to alleviate poor implementation of central policies in the local communities. In this regard, people's congresses have two advantages: they have a huge supervisory corps of more than 3 million deputies, and they can wield their supervisory authority in the name of the people.

Generally speaking, legislative members try to supervise the policy implementation of mid- and basic-level state organs, concentrating on such key issues as the "three arbitraries" (*sanluan*, or arbitrary fines, fees and apportionment) of government bureaus and the abuse of power by public security bodies. Meanwhile people's congresses' plenary sessions and their standing committee meetings, in accordance with the Constitution and pertinent laws, tend to concentrate on overseeing macro-issues, including the overall achievements of state organs, and the drafting and execution of state budgets and socio-economic development plans.

Legislators can conduct supervisory roles both collectively and individually. Since most regions have adopted new supervisory measures since the early 1990s, most deputies have been able to carry out these activities collectively under the leadership of people's congresses standing committees. For instance, when the Nankai District People's Congress in Tianjin conducted a deputies' appraisal for six months in 2000, 85.6 percent of members participated in inspections, meeting with residents and listening to their opinions.<sup>34</sup> Similarly, about 90 percent of deputies to the Hongkou District People's Congress in Shanghai have attended deputies' appraisals for several months every year since 1995.<sup>35</sup> In addition, deputies engage in supervi-

<sup>33</sup> Interviews with leaders and senior staff of people's congresses: Tianjin, October 26, 2001 and January 10, 2002.

<sup>34</sup> "The First New Attempt: Sidelights on the Appraisal Meeting of Law Enforcement in Nankai District," *Works of Tianjin People's Congresses* (Tianjin renda gongzuo) 12 (December 2000): 8, 17.

<sup>35</sup> Zhou Kecheng, "Make Deputies Play a Master Role in Appraisal Activity," *Shanghai People's Congresses Monthly* 8 (August 1999): 31-32.

sion through deputy small groups (*daibiao xiaozu*). Since the late 1980s, they have had to belong to a region- or trade-based group of this kind. In Beijing, 17,498 people's congress deputies at all levels were organized into 1,734 small groups in 1997: three groups for the NPC deputies, 36 for the Beijing Municipal People's Congress, 471 for county-level and 1,224 for township-level people's congresses.<sup>36</sup> In Tianjin, 77.3 percent of Municipal People's Congress deputies took part in 13 groups based on their trades such as economic, financial, education, and urban construction.<sup>37</sup> These groups decide and conduct supervisory activities, such as addressing problems of law enforcement by jointly visiting chiefs of public security and Party leaders.<sup>38</sup>

People's congress deputies also individually visit law enforcement departments, meet leading officials and demand the resolution of problems. If they directly observe cases of illegal law enforcement, legislative members can protest by showing their identification cards. Furthermore, some deputies concurrently serve as special supervisors of courts, procuracies and government law enforcement bureaus at the request of these institutions. Currently about 12 percent of Shanghai Municipal People's Congress deputies act as special supervisors of this kind.<sup>39</sup> Further, local courts in many regions, under a direction of the Supreme People's Court in 1998, have begun to establish a special office that is specifically responsible for executing deputies' suggestions.<sup>40</sup>

Legislative members occasionally encounter difficulties in conducting their duties, such as assault and arrest. They even risk death while earnestly conducting supervision.<sup>41</sup> There is another problem of relevance here: the

<sup>36</sup> Beijingshi renda changweihui daibiao lianluoshi, "Research on the Works of People's Congress Deputy Small Groups," *RGT* 8 (April 1997): 20.

<sup>37</sup> Yang (1997: 51). On the activity of deputy small group, see Tianjinshi Dagangqu dijiu daibiaozu, "Arrange Connections Well, Collect All Efforts Well, and Display the Role of Deputy Small Group," *RGT* 18 (September 1996): 31; Hezheshi Nancheng renda lianluochu, "Stress on Strengthening Basic-Level Works, Display the Role of Deputy Small Group," *RGT* 8 (April 1994): 24-26.

<sup>38</sup> On concrete cases, see Quanguo renda (2000: 270-278); "Their Minds are Closely Focused on the Masses," *Shanghai People's Congresses Monthly* 8 (August 1999): 34-36; "For the Happiness of People," *Works of People's Congresses in Shandong* 6 (June 2000): 38-39.

<sup>39</sup> Hai Yan, "Hu Zhengchang Explains the New Year's Thinking of Deputy Works," *Shanghai People's Congresses Monthly* 2 (February 1999): 4-5. For other cases, see, "Repair the House Before It Rains, Take Preventative Measures," *Works of People's Congresses in Shandong* 5 (May 1999): 61-62.

<sup>40</sup> "Xiao Yang Required Courts at Various Levels to Actively Accept People's Congress Supervision," *Works of People's Congresses in Shandong* 3 (March 1999): 61; "Henan Province Dengzhou City Court Established a Liaison Office for People's Congress Supervision Works," *ZRX*, May 17, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>41</sup> On concrete cases, see "Clear as Ice and Pure as Gem, Concerned with the People's

**TABLE 2.** IMPLEMENTATION OF DEPUTY PROPOSALS: SHANGHAI MUNICIPAL PEOPLE'S CONGRESS

|                                |          | 8th (1983-87) | 9th (1988-92) | 10th (1993-95) | Subtotal |
|--------------------------------|----------|---------------|---------------|----------------|----------|
| Implemented or<br>implementing | Cases    | 1,666         | 3,245         | 1,228          | 6,139    |
|                                | Rate (%) | 33.4          | 48            | 50.7           | 43.3     |
| Scheduled to<br>implement      | Cases    | 734           | 1,110         | 429            | 2,273    |
|                                | Rate (%) | 14.8          | 16.4          | 17.7           | 16.1     |
| Conference<br>for work         | Cases    | 753           | 1,192         | 636            | 2,583    |
|                                | Rate (%) | 15.1          | 17.6          | 26.3           | 18.2     |
| Explained to<br>deputies       | Cases    | 1,831         | 1,214         | 128            | 3,173    |
|                                | Rate (%) | 36.7          | 18            | 5.3            | 22.4     |
| Total                          |          | 4,984         | 6,761         | 2,421          | 14,166   |

Source: Cai (1998: 370).

supervisory effect. One report on the examination of law enforcement in Anhui in the mid-1990s found that executive branches faithfully corrected only about 30 percent of the problems that people's congresses had raised.<sup>42</sup> This indicates that the supervisory effect was not ideal. However, some evidence supports the claim that the supervisory effect has improved since the early 1990s.

First, in addition to the Guangdong Provincial People's Congress case discussed above, deputies in other regions have also resolutely wielded strong powers like interpellation when state organs refused to accept their demands. For example, legislative members of Hunan, Sichuan, Henan, and Hainan Provincial People's Congresses submitted interpellation bills in 1998, 1999 and 2000.<sup>43</sup> Furthermore, leading officials, judges and procurators are dismissed after supervision. In 2000 alone, people's congresses in Huaihua city of Hunan discharged 6 leading cadres: 1 county vice-magistrate, 3 judges and 2 procurators.<sup>44</sup>

Second, the implementation rate (*luoshilü*) of people's congress deputies' proposals, through which legislative members express demands on supervision and other matters, has increased. In the case of Shanghai Municipal

Minds," *RGT* 5 (March 1996): 35-36; Quanguo renda (2000: 212-220).

<sup>42</sup> Quanguo renda (1997: 119, 123).

<sup>43</sup> Chu Yang, "Members Angrily Introduced an Interpellation Bill," *People's Friend* 3-4 (April 1999): 20-22; "Deputies to Sichuan People's Congress Required Social Welfare Bureau to Explain," *People's Friend* 3-4 (April 1999): 55; Wang Caiwei, "Open and Clear Sky: Records on Several Interpellation Cases," *People's Political Forum* 6 (June 2001): 10-13.

<sup>44</sup> "Strict and Impartial Laws Advance Rule of Law," *People's Daily*, April 4, 2001, ZRX, April 4, 2001, <http://zgrdxw.peopledaily.com.cn>.

People's Congress, as Table 2 shows, the rate of "implemented or implementing" increased from 33.4 percent in the 8th period (1983-87) to 50.7 percent in the 10th period (1993-95) of the Congress. Similarly, a staff member responsible for deputy liaison work of the Xiangtan City People's Congress in Hunan noted that the rate increased from less than 20 percent in the mid-1980s to 48.5 percent in 1999.<sup>45</sup> Further, legislatures turn down government work reports relating to the implementation of deputies' proposals when government, they believe, did not sincerely consider their demands. In November 1999, for instance, the Standing Committee of Chongqing Municipal People's Congress vetoed a work report on the implementation of proposals, because about 40 percent of deputies were dissatisfied with the government's handling of their proposals.<sup>46</sup> In these ways, legislative members have forced other state organs to implement their demands more sincerely, and the supervisory effect has been enhanced.

### *Reflection (fanying)*

People's congress deputies are required to maintain contact with the public in order to understand social problems and listen to public demands. At the same time, legislators should transmit public demands to state organs, and urge these organs to carry them out faithfully. This role, a component of the bridge-building (*qiaoliang*) roles of deputies, has been regarded as a very important duty of deputies since the early 1980s. Party leaders emphasize this role, not only because it provides the regime with a trustworthy channel to understand social problems, but also because it enhances social integrity by alleviating public dissatisfaction before an explosion. A case in point is Jiang Zemin's remarks that deputies should maintain contact with the public more earnestly, and more actively reflect public demands.<sup>47</sup> Public demands reflected by deputies have exerted more and more influential effects on government in the 1990s, as shown by the increased implementation rate of deputies' proposals.

<sup>45</sup> Wang Tingjian, "Make Deputies Satisfactory," *People's Friend* 11 (November 2000): 23-24. Recently, people's congresses regularly collect and make public the statistics of the implementation rate, and the leadership of other state organs are very nervous about the results. This is because the Party committees and people's congresses think that a government's low rate of implementation shows the government's "arrogant" attitude toward "people's voices." Other state organs try to raise the rate as high as possible, and as a result, the satisfaction of deputies is elevated. Interview with a leader of local people's congress: Tianjin, October 26, 2001.

<sup>46</sup> Yun Wanbang, "Two Small Stories, One Big Essay," *ZR* 16 (August 2000): 33-34.

<sup>47</sup> Jiang Zemin, "On Holding Firmly and Developing the People's Congress System," 624-625.

Legislative members reflect various demands affecting people's daily lives. Repairing roads and bridges, improving public facilities (e.g., public toilets, street lamps and water supplies), alleviating environmental pollution, providing better educational and medical services, and preserving public order are most frequently reflected issues in both urban and rural areas. In the countryside, as a county-level people's congress deputy stated, legislators make special effort to highlight the lack of funds for agricultural construction and the heavy burden on farmers.<sup>48</sup> Some deputies have attained honourable titles such as "road deputy" or "control pollution deputy" for their achievements in these areas.<sup>49</sup> Deputies also listen to residents' personal problems. They try to find jobs for the unemployed, to resolve disputes between residents, and to raise funds for poor students. Many deputies are affectionately known as "meddlers" (*aiguan xianshi*) because they are willing to interfere in public matters if so requested.<sup>50</sup>

When reflecting demands, people's congress deputies frequently do so collectively. Legislative members have often used the method of jointly submitting bills (*yan*) and proposals (*jianyi*). When the demand needs the approval and support of a higher-level government, it is submitted with the help of that congress's deputies. For instance, several deputies to the NPC, the Heilongjiang Provincial and the Hailun City People's Congresses, who were all elected in Hailun in Heilongjiang, submitted a joint proposal to the Provincial People's Congress, and not to the city's congress in 1993. The proposal urged a Harbin city-owned company to redeem about 3.5 million RMB (*yuan*) to farmers who lived in the city. Finally, with the strong support of the Provincial People's Congress and Government, deputies could resolve the problem.<sup>51</sup>

Frequently, legislative members individually reflect public demands to the Party and government leaders. Since the early 1990s, the Party and government have established special systems to allow deputies to directly transmit public demands to the leadership. For instance, a deputy of the Guangdong Provincial People's Congress was able to address a serious pira-

<sup>48</sup> Zhen Yongfu, "If You Clearly Know Something, Do It Immediately: An Account in a Basic-Level Deputy's Own Words," *People's Political Forum* 7 (July 2001): 22-23.

<sup>49</sup> Gu Jilin, "Several Stories on Road Deputy," *People and Power* 7 (July 2001): 19-20; Quanguo renda (2000: 35-37).

<sup>50</sup> Zhang Zaihua, "Old Man Who Likes to Meddle," *People's Friend* 9 (September 2000): 20-21; Wu Tanchun, "Feeling No Qualms Upon People's Great Trust," *People's Friend* 12 (December 2000): 12-13; Miu Yichun, "Old Meddler Lai Suping," *Masters of Times* 2 (February 2000): 40-41.

<sup>51</sup> Ma Tianmin, "A Good Deputy in the Mind of Pingan Villagers," *Rule of Law* 5 (May 2000): 14-15.

cy issue in his region by using the “deputy hot line” (*zhitong kuaiche*), which was established in 1998 by Li Changchun, the Party secretary of Guangdong.<sup>52</sup> Deputies can also use meetings with top leaders during the plenary sessions of people’s congresses or other meetings. An NPC deputy of Jilin, for example, actively appealed to several leaders of the State Council and Jilin Provincial Government about the economic difficulties of her county during the 1994 NPC plenary sessions in Beijing. Eventually the governor of Jilin province promised to lessen the money that the county government was required to remit to higher-level governments.<sup>53</sup> Deputies in other regions also frequently use these channels to reflect the public’s demands.<sup>54</sup>

### *Policy-Providing*

Until recently, even the supreme state power organ in China (i.e., the NPC) played a minimal role in decision-making for important policies. For instance, although granted by the Constitution and other pertinent laws, only since 1998 has the NPC Standing Committee reviewed the issue of emergency national loans requested by the State Council, but without any substantial changes of the original proposals. Before then, the NPC in many cases did not have the opportunity to review important policies: among 57 major national infrastructure projects spending more than one billion RMB (*yuan*) in the 7th (1986-1990) Five-Year Plan, none were submitted and considered at the NPC meetings.<sup>55</sup> Similarly, the NPC ordinary deputies play a very limited role in decision-making processes inside the legislature. Only four bills, among 3,667 in total submitted by the NPC deputies over 10 years from 1983 to 1993, were put on the agenda of NPC meetings, and only one of them was passed with a resolution.<sup>56</sup>

<sup>52</sup> Chen Yuechan, “A Leaf of Red Heart for People,” *People’s Voices* 11 (November 1999): 32-33.

<sup>53</sup> Liu Zhi, “Strengthen and Reform the Works of Deputy, and Better Display Deputy’s Role,” *RGT* 23 (December 1994): 16-18; Li Guiju, “How I Fulfill the Duty of Deputy to People’s Congress,” *RGT* 5 (March 1995): 19-20.

<sup>54</sup> For other cases, see Neimongu zizhiqiu renda gongwei bangongshi, “Body Burdened with Deputy’s Responsibility, Mind Concerned with People’s Voices,” *RGT* 21 (November 1995): 34-35; Xu Xuefeng, “Deputy’s Speech was Effective,” *RGT* 5 (March 1995): 22; Xiong Jisheng, “Mind Concerned with Local Economy, Broadly Participating in and Discussing National Politics,” *RGT* 15 (August 1995): 33-34.

<sup>55</sup> Wang (1993: 253-258). Of course, the NPC reviewed one important issue in 1992: a bill on the Three Gorges dam project introduced by the State Council. However it was a special case, brought about by the coincidence of some deputies’ strong requests and government attempts to lessen its burden. See Huang (1997: 121-263); Zhu Guanglei (1997: 157-165).

**TABLE 3.** PEOPLE'S CONGRESS DEPUTY BILLS: WUXI CITY PEOPLE'S CONGRESS, JIANGSU

| Years<br>(periods) | Deputies<br>registered (1) | Bills<br>submitted | Deputies participated<br>(persons/time) (2) | (1)/(2) |
|--------------------|----------------------------|--------------------|---|---------|
| 1993 (11th)        | 596                        | 18                 | 786   | 1.3:1   |
| 1994 (11th)        | 596                        | 20                 | 846   | 1.42:1  |
| 1995 (11th)        | 596                        | 12                 | 439   | 0.74:1  |
| 1996 (11th)        | 596                        | 21                 | 847   | 1.42:1  |
| 1997 (11th)        | 596                        | 15                 | 1,052                                       | 1.77:1  |
| 1998 (12th)        | 418                        | 20                 | 809   | 1.94:1  |
| 1999 (12th)        | 418                        | 13                 | 553   | 1.3:1   |

Source: Lu Jiebiao, "Enlightened Projects: Wuxi City Respects Deputy's Power to Submit Bills, and Achievement Made the Public Happy and Focus on It," *People and Power* 8 (August 1999): 22.

Local people's congress deputies have played a more prominent role than the NPC deputies in this area, and their roles have been gradually but clearly strengthened since the early 1990s. However they function mainly as policy-"providers," not policy-"makers." Policy-providing means that legislative members provide governments with policy proposals on important matters, and that they can sometimes make governments implement their proposals by means of decisions and resolutions which have the same legal effect as local laws in a given region. This role is similar to the role of policy representation in liberal democracies. Deputies performed some roles in this area even in the late 1980s, by collecting information and consulting the Party and government on policy implementation. They also acted as opinion leaders in planning for lawmaking by submitting bills and proposals to people's congresses.<sup>57</sup> Still they were not able to directly affect the decision-making of important policies. It is at this point that deputies have started to break through since the early 1990s.

For example, according to Table 3, almost all deputies to Wuxi City People's Congress participated in submitting bills in the 1990s. The legislative leaders more actively put the deputy bills on the agenda of legislative meetings: of 306 bills submitted by the deputies over 16 years, 27 bills (8.7 percent) were considered in the meetings and passed with resolutions and decisions.<sup>58</sup> As a result, Wuxi City Government had to implement them, although some of them needed a large amount of funding and time, as

<sup>56</sup> Quanguo renda (1990: 855-857); "Summary on the Result of Consideration of Deputy's Bills at the First Session of the Eighth NPC," *RGT* 3 (February 1994): 14-15, 36. In the same period, the NPC deputies submitted 34,233 proposals in total.

<sup>57</sup> On specific cases, see Compilation group (1989: 41-50, 139-141, 183-193).

<sup>58</sup> Lu Jiebiao, "Enlightened Project," *People and Power* 8 (August 1999): 23.

**TABLE 4.** IMPLEMENTATION OF DEPUTY BILLS: WUXI CITY PEOPLE'S CONGRESS, JIANGSU

| Year | Title of bill   | Deputies participated | Period & funds (RMB, yuan) |
|------|---|-----------------------|----------------------------|
| 1995 | Strengthening the construction of food basket project       | 184                   | 3 years<br>50 million      |
| 1996 | Firmly controlling water pollution of Tai Lake in Wuxi area | 351                   | 8 years<br>305 million     |
| 1998 | Accelerating the cleaning of river sediments in the region  | 189                   | 5-8 years<br>740 million   |

Source: Lu Jiebiao, "Enlightened Projects," pp. 22-23.

shown in Table 4. Other regions show the same trend, although there are disparities between regions. Deputies' bills in the Guangdong Provincial People's Congress, for example, made the government initiate projects in areas like water control, and the construction of electrical facilities, roads and housing in the 1990s.<sup>59</sup>

#### *Propaganda and Exemplary Leadership Roles*

People's congress deputies, as regime agents, are required to propagate laws and policies, and to persuade the public to observe them on behalf of state. They have conducted this role since the early 1980s. However, in the 1990s, first, legislative members did not seem to spend much time and effort in carrying out this role. Strictly speaking, as a legislative leader stated, this is the role of government officials, not deputies.<sup>60</sup> For this role, deputies generally try to transmit the decisions that are discussed and passed at the plenary sessions of people's congresses to the electorate. They also explain laws and policies when the populace requests this, and sometimes more

<sup>59</sup> "People Are Happy, Land Is Splendid: A Retrospect of the Provincial People's Congress Standing Committee's Considering and Implementing Deputy Bills," *People's Voices* 11 (November 1999):13-14. Legislative leaders select deputy bills very strictly, because bills have a legal effect in a given region if they are passed with decisions or resolutions. Thus, they should get the prior approval of the local Party committees before putting bills on the agenda, and should also consult local governments in advance. For this reason, deputy bills are not easy to be put on the agenda. However recently, more and more deputy bills are considered in legislative meetings. For example, in 2001, Xuhui and Jiabei People's Congresses in Shanghai adopted four out of eight deputy bills and three out of seven, respectively. "Deputy Bills of District and County People's Congresses in Shanghai were not Day-to-day Accounts," *Shanghai Youth Daily* (Shanghai qingnianbao), March 8, 2001, ZRX, March 8, 2001, <http://zgrdxw.peopledaily.com.cn>.

<sup>60</sup> Interview, Tianjin, October 26, 2001.

actively persuade them to observe the laws and policies. Second, the content of propaganda has also changed since the late 1990s. Deputies pay more attention to publicizing the system of people's congresses itself instead of laws and policies. This is partly because the NPC and the Party center decided to strengthen the propaganda of people's congresses in December 1998.<sup>61</sup>

The exemplary leadership role is similar. Deputies, especially those who come from basic-levels, are required to lead the public in carrying out state policies such as economic development. In practice, they actually do this. Most peasant deputies to a county-level people's congress, for example, based on the government's policy of agricultural restructuring, became the first to cultivate economic crops to persuade other farmers to do likewise. Deputies from private business backgrounds also took the lead in paying taxes honestly and cleaning up the environment.<sup>62</sup> Since many deputies, especially those at the basic-level, are role models in their fields before becoming deputies, this role is not new to them. They perform this duty by continuing in their own occupations as model workers and farmers. It has thus become a far less prominent deputy role than supervision and reflection, even though legislative leaders and members pay lip service to it to sop the Party's supreme policy of economic development.<sup>63</sup>

#### DIFFERENTIATION OF DEPUTIES' ROLES FULFILLMENT IN THE 1990S

People's congress deputies come from all major social classes. As Table 5 shows, workers & peasants, intellectuals, and cadres make up 70 to 90 percent of deputies (the rest come from the military, returned overseas Chinese and minority groups).<sup>64</sup> The Party center and the NPC Standing Committee decide this composition rate before upcoming elections, and the provincial Party and people's congresses apply the rate to their regions.<sup>65</sup> Thus the rate does not differ much from province to province even with variations between regions and periods.

<sup>61</sup> Zhang Baosan, "Stress on Politics and Overall Situation, Open New Phase of Propaganda Works of People's Congress," *Yunnan People's Congresses* (Yunnan renda) 5 (May 1999): 7-9.

<sup>62</sup> Wan Shuming, "Electing Her a Deputy was Not Wrong," *Masters of Times* 4 (April 2001): 31; Huang Hongji, Chen Xianyong, "A Special Writing on Deputy Ye," *People's Friend* 1-2 (February 2001): 33-34.

<sup>63</sup> Interview with leaders and senior staff of local people's congresses: Tianjin, October 26, 2001.

<sup>64</sup> On the statistics of people's congress deputies, see Zhi, Shi and Zhou (2001).

<sup>65</sup> On the decision of deputy composition rate, see, Quanguo renda (1990: 185); Quanguo renda (1992: 171-178).

**TABLE 5.** PEOPLE'S CONGRESS DEPUTY COMPOSITION: THE NPC, TIANJIN MUNICIPAL AND NANKAI DISTRICT PEOPLE'S CONGRESSES IN TIANJIN IN THE PERIOD OF 1993 TO 1997<sup>#</sup>

|                  |   | NPC*           | Tianjin**     | Nankai***     |
|------------------|---|----------------|---------------|---------------|
|                  |   | 2978 (percent) | 718 (percent) | 265 (percent) |
| Social class     | Worker & peasant                        | 612 (20.6)     | 209 (29.1)    | 122 (46)      |
|                  | Intellectual                            | 649 (21.8)     | 136 (18.9)    | 67 (25.3)     |
|                  | Cadre                                   | 842 (28.3)     | 169 (23.5)    | 46 (17.4)     |
| Party membership | CCP                                     | 2,037 (68.4)   | 500 (69.6)    | 195 (73.6)    |
|                  | Democratic parties                      | 572 (19.1)     | 169 (23.5)    | 23 (8.7)      |
| Others           | Above college-level education (percent) | 68.74****      | 70.5          | 75.5          |
|                  | Average age (years)                     | 53.13          | 53.1          | 49            |
|                  | Re-election (percent)                   | 28.05****      | 35.1          | N.A.          |

<sup>#</sup>In this table, "Social classes" does not include the military, ethnic groups, and returned overseas Chinese because of their small size compared with other categories. "Intellectuals" refers to academics, researchers in state-run institutes, engineers, doctors and lawyers. "Cadre" mainly refers to senior government officials and the Party leaders.

Sources: \*Cai (1998: 227-228); \*\*Tianjinshi (1997: 434-435); \*\*\*Kang (1999: 273); \*\*\*\**Guangming Daily* (Guangming ribao), March 1, 1998.

According to the theory of legislator-constituent relationships in China, people's congress deputies should represent the interests of both the entire legislature and their constituents.<sup>66</sup> Deputies in the 1980s seemed to think this way. A survey conducted in Beijing and Hangzhou in 1987 showed that about 50 percent of deputies thought that they should represent their voters' interest, while a little less than 50 percent said that they should serve the national interest.<sup>67</sup> However, Chinese legislators in the 1990s seemed to pay more attention to representing the partial and local interests of their social classes and regions. That is, most legislative members tend to consider themselves as "deputy for farmers," "deputy for workers," "deputy for private businessmen" or "deputy for women." Even official deputies (*gaun-yuan daibiao*) regard themselves as representatives for particular areas, such as public security, traffic or courts.<sup>68</sup> This implies that deputies' roles fulfill-

<sup>66</sup> Cai (1998: 189-191).

<sup>67</sup> Zhao (1990: 180).

<sup>68</sup> On the cases of worker and peasant deputies, see Quanguo renda (2000: 145-55, 415-17). For private businessmen, see Hang Hongqing, "The Days after Being a Deputy," *People's Friend* 1-2 (February 2001): 31. For cadre deputy cases, see Wang Xiugui, Yue Guoxing, Ruan

ment have become differentiated in terms of which roles they pay more attention to, mainly depending on their social backgrounds.

*Workers and Peasants: Reflectors and Supervisors*

In general, worker and peasant deputies are most active in reflection and supervision roles. In contrast, few, if any, of these deputies play a prominent role in the policy-providing area. There are, of course, exceptions. A deputy to the NPC and the Zhejiang Provincial People's Congress for 15 years, and an accountant of a villagers' committee received the honourable title of a "bill champion" (*yan guanjun*) for 4 consecutive years, from 1993 to 1997, by submitting 61 bills and 157 proposals to the NPC in that period. She was very proud to have subscribed to more than 20 periodicals and academic journals such as *Legal Science and Administration and Law* at her own expense.<sup>69</sup> Most deputies from worker or peasant backgrounds have not been as active as she has been in the policy-providing sphere.

These deputies seem to concentrate on reflection and supervision roles for two reasons. First, these roles do not require much academic achievement and political resources, only enthusiasm for visiting the public and listening to their demands, and sometimes the courage to stand up to authorities. Most deputies reported they knew little about the legal status, powers and duties of the deputy when they were elected, not to mention how to function as deputies. After personal study and attending people's congresses' training classes for new deputies, they managed to acquire the basic legal knowledge. A deputy to the Fuan City People's Congress in Fujian and director of a villagers' committee is one example. He became a role model for legislators with the nickname "full-time deputy" (*zhuanzhi daibiao*) because of his enthusiastic deputy role fulfillment, even though he was newly elected in 1997.<sup>70</sup> As such, deputies can play these roles successfully if they are willing to do so.

Second, but no less important, the close relationship between deputies and voters forces them to focus on these roles. For worker or peasant deputies, local relationships come first, and that of deputy-to-voter second, because most of them have lived in their communities for a long time before becoming legislative members. In addition, most of these legislators belong

Yanxi, "Elect Him a Deputy, and Let Him be a Model," *People and Power* 9 (September 2000): 16; Su Feng, "The Mind of Public Service and Ethnic Groups," *Shanghai People's Congresses Monthly* 7 (July 2000): 45-46.

<sup>69</sup> Quanguo renda (2000: 15-20).

<sup>70</sup> Zheng Guofeng, "Full-time Deputy Ruan Peijin," *People's Political Forum* 5 (May 2001): 5-9.

to township- and county-level people's congresses, and are directly elected by their neighbours. In this situation, if neighbours-cum-voters ask them to do something for the public, they cannot easily refuse, especially when the neighbours ask them after exhausting all other available means. In contrast, the deputies of the NPC and provincial-level people's congresses who are elected by the deputies of one-level below legislatures have a lesser sense of responsibility for residents, because they have no direct relationship with the voters.<sup>71</sup> In short, neighbours' requests and close relationships with them encourage worker and peasant deputies to concentrate on reflection and supervision.

### *Intellectuals: Policy-Providers*

Intellectual deputies of people's congresses have an advantage: specialized knowledge and the capacity to use it. They make full use of these advantages in performing their roles. There are many bill champions among intellectual deputies. Four legislators who won the honour of bill champions at the 2000 Shijiazhuang Municipal People's Congress plenary sessions in Hebei were all intellectuals (three academics and a senior engineer).<sup>72</sup> Also, a senior researcher and deputy to the Hunan Provincial People's Congress for 13 years took pride in having 39 research notebooks and submitting 975 bills and proposals in total to the congress.<sup>73</sup>

When carrying out the policy-providing role, intellectual deputies tend to concentrate on their areas of research and work specialty. Traditional Chinese medicine doctors continuously proposed policy bills on the development of oriental medicine, and other doctors championed medical policies closely related with their jobs.<sup>74</sup> Intellectual legislative members are also interested in such areas as education, environment and juvenile delinquency.<sup>75</sup> In addition, they sometimes mobilize their fellow experts to select policy items and conduct joint research, as a doctor in Shanghai and NPC deputy demonstrates. He has organized a "bill think tank" (*yian naoku*) com-

<sup>71</sup> Interviews with leaders and senior staff of people's congresses: Tianjin, May 20, 1998 and October 26, 2001.

<sup>72</sup> Peng Yanfen, "As Faithful Spokesmen of People," *Construction of Local People's Congresses* 8 (August 2000): 15-17.

<sup>73</sup> Quanguo renda (2000: 132-136).

<sup>74</sup> Zhou Bing, "People's Doctor for People," *People's Voices* 9 (September 1999): 28-29; Zhong Wuming, "For the Medical and Sanitary Works of Mountainous Areas," *People's Voices* 3 (March 1999): 32; Li Shaojun, "For the Everlasting 'Voice Wave'," *People and Power* 10 (October 2000): 15; Quanguo renda (2000: 3-9).

<sup>75</sup> Quanguo renda (2000: 28-34).

posed of professors, doctors, lawyers, researchers and entrepreneurs in Shanghai, with whom he has prepared policy bills. As a result, he has been able to introduce several legislative bills of high quality.<sup>76</sup>

Compared with deputies from other classes, intellectual legislators appear to devote themselves to deputy roles due to a strong political consciousness. There are many cases of intellectual deputies, especially academics, who were sometimes willing to face political risks for deputy roles fulfillment. Wu Qing, an English professor at Beijing Foreign Language University and deputy to the Haidian District and Beijing Municipal People's Congresses for 16 years, is one of them. She originated a weekly reception day for residents the day after the 1984 elections, even though she was originally able to be a deputy by the Party arrangement. Armed with a copy of the Constitution and her deputy's ID card, she has always fought against authorities to protect the public's rights. She was also one of the prime movers who introduced an interpellation bill against the Beijing Higher People's Court during the 2000 Beijing Municipal People's Congress plenary sessions.<sup>77</sup> Feng Youwei, a professor at the Chinese Academy of Sciences and deputy to the Shenyang Municipal People's Congress is also well known. He is called "the first deputy of Shengyang" for his resolute and courageous criticism of the works of government and courts, even in front of leaders. In fact, he was at the center of the above-mentioned Shenyang Incident. He has severely criticized the problems of the court since the 2000 plenary sessions, and has won broad support and sympathy from ordinary citizens and fellow deputies.<sup>78</sup>

### *Cadres: Policy-Providers for Supplementation*

Official deputies form an important component of people's congresses, but they are considered to be less active than any other deputies due to role conflict. That is, as officials, they are responsible for implementing laws and policies, while, as legislative members, they supervise the implementation. Thus, official deputies are placed in a dilemma and many prefer to remain inactive.<sup>79</sup> For this reason, Chinese researchers and legislative leaders have called for the reduction of the quota of official deputies, and the NPC and

<sup>76</sup> Xiao He, "Green Leaves' Affection towards Root," *Shanghai People's Congresses Monthly* 6 (June 1999): 29; *Quanguo renda* (2000: 160-163).

<sup>77</sup> Shou Beibei, "The Vocation of Deputy to People's Congress," *People and Power* 9 (September 2000): 14-15.

<sup>78</sup> Zhang Guihui, "Whoever Gives Money, Casts Votes for Whomever," *ZRX*, September 21, 2001, <http://zrdxw.peopledaily.com.cn>.

<sup>79</sup> Zhao (1990: 177-178); *Quanguo renda* (1995: 28, 336-337).

the Party center have also asked local authorities to reduce the quota.<sup>80</sup> Until now, these deputies have occupied more than 20 percent of the total (see Table 5). In some areas, their size has been over 50 percent: in 1998, the rate was 55.94 percent in the Putuo District People's Congress in Shanghai.<sup>81</sup>

Due to role conflict, official deputies pay more attention to policy providing than supervision, and policies are generally closely related to their work. A deputy-cum-director of agriculture continuously submitted policy bills on agricultural issues, and a military deputy attempted to submit military-related bills and proposals.<sup>82</sup> Official deputies from a particular region frequently submitted joint bills and proposals that urged higher-level government to consider their regions in issues such as financial support, economic development plans and major construction projects.<sup>83</sup>

Some official-cum-deputies, of course, supervise fellow officials and superiors. A director of a county government education bureau and deputy to the county people's congress, for instance, successfully led an interpellation bill in 1999 that required the urban construction bureau to remove an illegal building near a school.<sup>84</sup> A director of the industrial and commercial bureau of a city government and the city people's congress deputy also resolutely introduced an interpellation bill in 2000 against the city court in an attempt to protect state assets.<sup>85</sup> Even in these cases, however, official deputies wielded their power against other bureaus or state organs mainly to help their own bureaus' work. Most official deputies hesitate to use this weapon for fear of "offending people" (*dezuiren*).

Why do leading cadres want to be people's congress deputies? Apart from the fact that being elected deputies prove officials' credibility with the public, and that deputy status gives them the opportunity to develop personal networks with regional leaderships, the role can actually help them to do their own jobs.<sup>86</sup> For example, when official deputies submit policy pro-

<sup>80</sup> Shou Beibei, "The Vocation of Deputy to People's Congress," 15; Liu (1999: 949, 958).

<sup>81</sup> Zhang Hanghua, "An Analysis of the Composition of Newly-Elected Deputies and a Tentative Plan for Doing Deputy Works Well," *Shanghai People's Congresses Monthly* 7 (July 1998): 25.

<sup>82</sup> Chen Mengzhi, "An Agricultural Official Deputy Concerned with Agriculture," *People's Political Forum* 5 (May 2001): 25; Tao Xiao, "The Deputy's Affection of Wang Funqing," *People's Political Forum* 8 (August 2001): 24.

<sup>83</sup> Luo Tanping, "Deputies Should Sing Such a Song," *People's Friend* 3-4 (April 1999): 38-39; Huang Shupe, "Firmly Remembered Heavy Trust for 15 Years," *Masters in Hubei* 7 (July 2000): 22-23; Lin Kemin, "New Start Point," *People's Political Forum* 3 (March 2001): 24.

<sup>84</sup> Xie Senchuan, "The Mind of Public Servants," *People's Friend* 9 (September 2000): 19-20.

<sup>85</sup> Bin Wenyong, "The Most Unforgettable is Industrial and Commercial Affection," *People's Voices* 3 (March 2001): 32-33.

<sup>86</sup> On the general motivations of deputies' roles fulfillment, see O'Brien (1994a: 375-377).

posals to other government bureaus or state organs using administrative channels, they can only ask and wait for a reply. In contrast, when they propose the same measures through legislative channels by bills or proposals with fellow members, other bureaus and organs cannot easily ignore them, because in this case it is the business of the legislature, and not that of a governmental bureau. At least, they will explain why they could not accept the policy in writing via people's congress standing committees. Also, officials can sometimes accomplish their goals by using weapons such as interpellation. In addition, officials-cum-deputies can voice the demands of their bureaus or organs when legislatures hear and review related matters. Or they can have a chance to skilfully defend their positions during legislative supervision of their bureaus or organs. With the rise of Chinese legislatures' status in the 1990s, these opportunities become more and more important resources in protecting and furthering organizational interests.

Similarly, directors of residents' committees in urban areas or villagers' committees in rural areas, and leaders of social organizations (e.g., trade unions and the women's federations) also want to be elected deputies and prefer to raise problems through legislative channels. For example, when a residents' committee director asked the district government for financial support to repair sewerage systems, he only got a reply: "Your committee should try to find a solution itself." When he raised the same matter at a people's congress plenary session as a legislative member, district government leaders were willing to accept his request.<sup>87</sup> A trade union leader used a similar tactic to enforce the Labour Law and to address illegal labour practices at foreign-affiliated companies. That is, when he raised the problem as a trade union leader, the companies would not accept his requests. However, when he argued as a legislative member, the companies changed their attitude, and he achieved his goals relatively easily.<sup>88</sup>

### *Private Entrepreneurs and Businesspersons: Exemplary Leaders*

Of all social classes, private entrepreneurs (*siying qiyezh*) and businesspersons (*getihu*) seem to aspire to become people's congress deputies the most, perhaps in order to make up for their weak and unstable political status. As legislators, they can meet the Party and government leaders by

<sup>87</sup> Ren Li, "Glories among Commons," *People's Voices* 12 (December 1999): 32-33.

<sup>88</sup> Quanguo renda (2000: 384-387). For this reason, social organizations that have their quota in people's congresses try to actively participate in congressional activities of lawmaking and supervision. Interviews with staff of Tianjin Communist Youth League, Tianjin, May 15, 2001; interviews with staff of Shanxi Women's Federation, Tianjin, July 2, 2001.

attending people's congress plenary sessions and other events, which can help them to develop a valuable resource, *guanxi* ties. The status of deputy can also function as an "amulet" (*hushenfu*) when they are forced to face arbitrary law enforcement officials and stand in court.<sup>89</sup> According to a survey on private entrepreneurs conducted nationwide by China's Academy of Social Sciences in 1999 and 2000, entrepreneurs think of being legislative members as the most preferable political measure to enhance their social status, although they much prefer to employ socio-economic measures like maximizing business size, participating in public projects and establishing a good image to this end.<sup>90</sup>

In practice, with the rapid expansion of the private economic sector in the 1990s and accompanying entrepreneurs' efforts to secure their political status, these deputies have increased in number in many regions, although we cannot exactly estimate the number due to the lack of available statistics. For example, only 1 percent of deputies to the Haidian and Dongcheng District People's Congresses in Beijing came from private business in 1987.<sup>91</sup> In contrast, currently 23.5 percent of deputies to Taizhou City People's Congress in Jiangsu and about 30 percent of deputies to the Jinghai County People's Congress in Tianjin are private entrepreneurs.<sup>92</sup> There are regional disparities originating from the development of private economy and the attitudes of the Party leaders toward the raising of entrepreneurs' political status. For instance, of all deputies to the Huaihua City People's Congress in Hunan in 1998, only 2 percent were private entrepreneurs and businesspersons, while people involved in private businesses in the region occupied about 8 percent of the total population.<sup>93</sup>

Legislators from the private sector, differing from deputies from other classes, pay much more attention to propagation of state policies and exem-

<sup>89</sup> Interviews, Tianjin, March 21 and 22, 2001.

<sup>90</sup> Lu (2002: 221).

<sup>91</sup> Zhao (1990: 199).

<sup>92</sup> Zhonggong zhongyang (2001: 158); Interview with leaders and senior staff of people's congress: Tianjin, January 10, 2002.

<sup>93</sup> Quan Xinlin, "A Deputy to People's Congress Who Had Actions," *People's Friend* 12 (December 2000): 47. There is a caveat regarding these statistics. Still a large number of Chinese people and the Party leaders don't like to see rich persons get a higher political status in addition to wealth. So, the public and the Party leaders in some regions would not recommend private entrepreneurs as candidates in deputy elections. For the same reason, people's congresses try to conceal the true size of deputies-cum-entrepreneurs by counting them as "worker," "cadre" or "intellectual" when they collect statistics on deputies' social backgrounds. Therefore, the true size of deputies from the private sector is generally much larger than the formal statistics that people's congresses gather. Interview with leaders and senior staff of local people's congresses: Tianjin, October 26, 2001.

plary leadership roles (i.e., regime agent roles). They frequently become the first to carry out government policies such as cleaning up marketplaces and paying taxes honestly. They sometimes enthusiastically help to persuade fellow businesspeople to observe government policies. As business spokespersons, they also try to protect and to further corporate interests, sometimes to the detriment of their own businesses. In these cases, it is relatively easy to get government support because of their exemplary leadership role.<sup>94</sup> In this respect, these deputies are the closest to the agents/remonstrators type of deputies which O'Brien describes.<sup>95</sup>

In addition, deputies-cum-entrepreneurs tend to contribute a share of their income to public projects like building schools and cultural centers, repairing roads and bridges, and helping poor students and the needy. They take pride in their contributions to the socio-economic development of their communities.<sup>96</sup> In fact, they contribute to the community even before becoming legislative members in an attempt to improve their social status and image, and they often seem to be elected as deputies for their generous behaviour as well as their success in business. Nonetheless, they regard these duties as important to their functioning as deputies.

Finally, these deputies actively participate in economic-related activities both individually and jointly. One example is the Deputies' Friendly Society for Economic Development of the Taihe City People's Congress, Heilongjiang, which deputies-cum-leaders of economic development established in 1995. It has been praised for its prominent role in regional economic development by disseminating experience, and economic and technologi-

<sup>94</sup> Wan Shuming, "Electing Her a Deputy was Not Wrong," 31; Huang Hongji, "A Special Writing on Deputy Ye," 33-34; Hang Hongqing, "The Days after Being a Deputy," 31; Su Zhangmiao, "Gleaming Footsteps," *People's Voices* 5 (May 2000): 30-31; Zhan Desheng, "Master's Feelings," *Rule of Law* 5 (May 2000): 10-11; Fan Chuchu, "Firmly Remembering Sacred Duty, Wholeheartedly Served for People," *Construction of Local People's Congresses* 7 (July 1999): 35-36.

<sup>95</sup> O'Brien (1994a; 373).

<sup>96</sup> Sun Shan, "The Speeches and Behaviors of Zhuang Jincheng," *People's Political Forum* 20 (January 2001): 20; Jia Xueyang, "The New Story of an Experienced Deputy," *Construction of Local People's Congresses* 11 (November 2000): 19-20; Zheng Zichang, "How I Became a Deputy to the People's Congress," *Works of People's Congresses in Shandong* 9 (September 1999): 49-50; Da Jia, "An Entrepreneur Deputy's Pursuit," *Rule of Law* 10 (October 2000): 10-11; Chen Jianshi, "Honor, Responsibility and Duty," *Rule of Law* 7 (July 2000): 14-15; Xiao Yan, "Scrupulously Esteemed Virtue and Offered Life as a Tribute," *People's Voices* 6 (June 2001): 36-37, 40.

<sup>97</sup> Zheng Chunqiao, "The Union of Deputy Activity and Economic Construction Promoted Region's Economic Development," *Rule of Law* 8 (August 1999): 19; Shi Jinhua, "A Friendly Society for Developing Economy of Deputies to Taihe City People's Congress," *Rule of Law* 7 (July 2001): 6.

cal information, by attracting foreign investment and by helping poor peasants make money. It started with 9 members from the Jiazihe District People's Congress in 1995 and rose to 156 deputies across the city in 2001.<sup>97</sup> A deputy small group in Didao district of Jixi city, Heilongjiang, composed of 10 entrepreneur deputies to provincial, city and district people's congresses, conducted similar activities.<sup>98</sup>

## CONCLUSION

Even now ordinary deputies of people's congresses cannot control the legislative system, much as Chinese legislatures *per se* cannot control the polity in a Chinese party-state. Most deputies, as amateurs and sometimes role models in their fields, suffer from the lack of time, information, and material resources necessary for active participation in legislative works. In particular, legislators from peasant backgrounds, who comprise the majority of deputies in basic-level people's congresses, are said to be passive and incapable of fulfilling their roles due to insufficient political consciousness and poor education. This recently came to light when government leaders in some rural areas used bribery to get elected to higher positions at the plenary sessions.<sup>99</sup> In contrast, many official deputies, even when equipped with various political resources and capacities, are unwilling to perform their deputy duties because of role conflict. Legislative members cannot easily overcome these problems without fundamental political and legislative reforms.

Chinese legislators, however, have moved closer to the center of the legislative system since the early 1990s, and have become more representative than before, even without the radical change of a Chinese party-state and legislative system. They have conducted supervision, reflection and policy-providing roles rather than the regime agent role or the exemplary leadership role in the improved legal and political conditions. Role differentiation between deputies has also occurred depending on their social backgrounds. Worker and peasant deputies pay more attention to reflection and supervision, while intellectual legislators and some cadre deputies tend to focus on the policy-providing role. Deputies-cum-entrepreneurs are more likely to concentrate on exemplary leadership and economic related roles.

<sup>98</sup> "Fully Displayed Advantages, Earnestly Fulfilled Deputy's Duty," *Rule of Law* 11 (November 2000): 19.

<sup>99</sup> Wang Bixue, "Whom Do Deputies to People's Congresses Represent after All?" *ZRX*, August 16, 2001, <http://zgrdxw.peopledaily.com.cn>.

What implications do the deputies' changing role fulfillment have for the Chinese political process? For the Party center, legislative members have become important assistants to supervise inadequate policy implementation by local governments and the corruption of mid- and low-level officials. For legislatures, ordinary members, together with legislative leaders and staff, have joined the powers of improving legislative status and performance by shielding the resistance of governments and squeezing support from the Party in the name of people. Finally, for the populace, deputies have become an important channel for expressing public demands and complaints, and are sometimes more effective than the Party and government. In this sense, the Party, legislatures and the public all benefit from the changes in deputies' roles fulfillment.

Finally, these changes are significant with regard to the prospects for legislative development in China. The main forces in the development of people's congresses have historically come from above. The present Chinese legislatures are unimaginable without the efforts of legislative leaders like Peng Zhen and the support of the Party center. Legislative and Party leaders promoted the development of people's congresses because it was beneficial for both the Party and legislatures. It strengthened the power base of legislative leaders and supported the Party's reform policy by lawmaking and supervision. As a result, the legislative development in China, as O'Brien and Tanner noted, showed an interesting characteristic: i.e., institutionalised influence without or with little liberalization.<sup>100</sup> However, in the future, power from below-deputies and the public-will be the primary force in the development of people's congresses, and as a result, Chinese legislatures will be more representative or liberalized than they are now. The last decade's roles fulfillment of Chinese legislators highlight the potential for further development of people's congresses in that direction.

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<sup>100</sup> O'Brien (1990: 3-8); Tanner (1999b: 126).

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