



China Elections and Governance Review

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significance of the China model, many Chinese scholars have joined the efforts in molding and publicizing it. The campaign to pitch the China model to both domestic and overseas audiences is so intense and effective that the need to debate political reform has been swept aside.

The slow decline of CCP's interest in political reform

Deng Xiaoping had another reform agenda on his mind. He wanted to couple economic reform with political reform.

dictatorship; 3) insisting on the leadership of the CCP; and 4) insisting on Marxism, Leninism, and Mao Zedong Thought. This was as good a political cover as one could ever get, but to make each and every decision in accordance with the “four cardinal principles” alone would be self-defeating. A new framework had to be developed; it was called “one core and two fundamentals.” The core was “developing the economy is the top priority” and the two fundamentals were: 1) “four cardinal principles will always be adhered to,” and 2) “reform and opening up cannot be abandoned.”

By the fall of 1986, Deng Xiaoping began his push for political reform. At the 6th Plenum of the 12th National Congress of the CCP, details of the political reform package

could only provide consultation under CCP leadership.

report to be delivered by Hu in October 2007.

After Jiang delivered his swan song report, Hu Jintao was “elected” by members of the CCP Central Committee as the new Party Secretary. In March 2003, he was “elected” by deputies to the NPC as president of China. This was the first smooth power transition in the CCP history, a sign of political progress. However, not until 2004 was Hu able to assume the chairmanship of the CCP Central Military Commission (CMC). What many had hoped to be a new deal began to emerge quickly. Hu Jintao acted quickly to deal with the case of Sun Zhigang, abolishing an old regulation designed to detain and deport migrants in the cities and enforced accountability through removing the mayor of Beijing for failing to prevent the SARS epidemic. However, the long anticipated political reform was not launched. Of the two public faces of the new leadership, Hu Jintao and Wen Jiabao, the premier of the State Council, the latter was more vocal and specific in talking about details of political reform. It is also true that the two rarely touch on the topic unless they are meeting with foreign visitors.¹³

The 17th CCP Congress came and went. There was no big bang proposal in

Observers of Chinese politics tended to believe Hu could not do anything in the area of political reform until he was able to consolidate his power. Since he was not able to obtain the CMC chairmanship until 2004, he did not have the time and resources to prepare for a systemic overhaul of China’s political system. All hope was pinned on the 17th CCP Congress. A group of officials and scholars from various government agencies and think tanks in Beijing were assembled in the western suburbs of Beijing to draft the political

hegemony. China's peaceful rise will not only solve the development issue for the most populous nation in the world but will also make an enduring contribution to world peace and prosperity. However, in order for China not to deviate from this path, there are three strategies that have to be adopted. 1) Economic and political reform had to move forward simultaneously because the market economy and political democracy are the twin engines of China's growth. 2) There must be courage and vision in absorbing all advanced achievements of mankind, since China's rise needs spiritual pillars. 3) Maintaining the balance of different interests groups, keeping the harmony between mankind and nature and reducing friction between domestic political need and international demand are all too important to be neglected.¹⁵ It must be noted that Zheng was giving equal emphasis to both the market economy and political democracy. In other words, political reform is not only needed; it is a must for China to sustain its growth.

Two years later, in an article that appeared in the overseas edition of *People's Daily* Zheng Bijian tried to define the nature and orientation of the CCP. First, he stated, the CCP is different from the Communist Party of the former Soviet Union. It does not seek conquest; rather, it de muser e,ountegoythe andexParthe per,rance of doriechtooness and

cured. China has taken a different path and scored big successes. That was why Westerners are dumbfounded, upset and scared. Ma then said that two very important components of the China model are a strong and firm CCP leadership and the people's keen desire to see the rise of China.²² Fang Ning, director of the Institute of Political Science under the Chinese Academy of Social Sciences (CASS) said that two fundamental characteristics of the China model are: 1) protecting people's right to pursue happiness; and 2) centralizing power at the top. The first has unleashed people's energies and initiative, and the second is the key in improving decision-making process and marshaling resources to achieve predetermined goals.²³ Some scholars go as far as saying that the shaping of the China model is merely the outcome of applying Marxist theory to the special circumstances of China. Xu Chongwen, a senior researcher at CASS, said in a recent interview that China's contribution to the world is to have "sinified" Marxism and solved problems that cannot be effectively dealt with by any other ideology or political system in the world. This is a new path in pursuing progress, producing a developmental alternative to the one offered by developed nations whose rise was built on hurting other nations politically and economically and securing global harmony and world peace. What else can explain China's achievement in becoming the third largest economy and reducing poverty in such a dramatic manner?

Hu Wei is more interested in examining the political component of the China model. He outlines two Western theories in his recent article. One, according to Hu Wei, is that China is doing relatively well economically but that its political development is quite backward. The other

theory is that China cannot sustain its economic growth without liberalizing politically. He uses Nesbit's recent book to buttress his view that China has not only managed to adapt to economic globalization but has also weathered the political challenge from the West. Where Western nations have horizontal democracy, China has introduced vertical democracy. Since all democratic nations have different formats of democracy, China is by all means entitled to have its own democratic system. The China model should not be narrowly defined as one-dimensional. It includes a unique political system that will enrich the arsenal of democracy in the world.²⁵

Some scholars see the China model as an epic battle to crush the Western monopoly on the discourse of development and human progress and to secure a safe place for the Chinese development experience that can be easily identified and understood by other developing

achieving modernization. He sees three major trends in the world in the past thirty years. The first is the rise of radical Islam, which has led the current war on terrorism. The second is the so-called third wave of democratization. Countries that have become democratic during this wave, particularly Eastern European nations, are now facing serious challenges. The third trend is the modernization drive led by China. It has triggered seismic reactions and will eventually impact the political landscape of the world.²⁷

Other scholars see other unique aspects of the China model. He Xuefeng, an influential researcher on China's rural development, believes that China's economic takeoff is due to the artificial and deliberate division of urban centers and the countryside. Farmers can migrate to the cities when jobs are available and return home when life becomes unbearable. The availability of this large army of cheap labor and the fact that their land provides a safety valve give China a unique master key to open the door of development without paying too high a price.²⁸ Zhang Yu, an economics Professor of Renmin University of China, defines the China model as: 1) combining strong and large state owned businesses with a vibrant private sector; 2) running a market economy that is subject to tough state regulations; and 3) opening to the outside world gradually with state control.²⁹

Many believe the China model is a comprehensive tool box that can solve different problems, a set of experiences and practices that can be borrowed and ap-

plied by different nations facing different challenges, and a new paradigm shift whose impact is going to be felt in many years to come. Pan Wei, who early this year called Chinese scholars to declare war on Western civilization, divides the China model into three sub-models: social, economic and political. The four pillars that support the political sub model are: 1) the adept application of populist democracy; 2) a leadership group that is progressive, unselfish, and unified; 3) a meritocratic civil servant system; and 4) a system of effective checks and balances and efficient self-corrective capacity. These four pillars make up the brain of modern-day China. China's different social structure constitutes the body. The economic sub model provides two strong feet and huge wings for China.³⁰

The China model/Beijing consensus is not something that suddenly burst into China and became the beacon for its development.

Finally, the China model/Beijing consensus is not something that suddenly burst into China and became the beacon for its development. It is the cumulative learning, adaptation and exploration

by several generations of CCP leaders. It began with Mao's heroic effort to choose and pick what was useful for China from the classics of Karl Marx and Vladimir Lenin. It moved a step further with Deng Xiaoping placing bricks of pragmatism in Mao's theoretical warehouse. Jiang Zemin came along and supplied "the three represents" to the CCP inventory. Hu Jintao introduces the outlook of scientific development and harmony to this development treasure house. None of the four have severed the relationship with Marxism, but all have made creative and positive adjustments and contributions. As indicated by the CCP Resolution adopted

be able to make China a country in which individual pursuit of happiness is guaranteed and protected. It is a system that cannot resolve the tension between an autocratic government and people who want more say in their quest for individual rights. The China model is an effective weapon to shatter political reform need into pieces. The Beijing consensus is an artificial consensus that democratization will bring about harm and even destruction to China.

Scholars and the media both inside and outside China have played a very important role in building the myth of the China model/Beijing consensus. We praise those who constantly question the validity and applicability of the China model and raise doubts about its usefulness. We are appalled by those who have joined the China model chorus without sound judgment or with no judgment at all. When scholars are working with the state and party apparatus to advance something that may eventually hurt the wellbeing of the nation and erode the liberty of the people, they are colluding with power in a reckless way. Many Chinese and Western scholars are trumpeting the China model which, unless it is modified significantly down the road, will hurt both China and those nations that decide to experiment with it.

The China miracle is not just an outcome of the China model, of China's unique political, economic, social and cultural peculiarities. To a large extent, China's successes, as pointed out by Zheng Bijian, are due to existing economic globalization and rule of law, all achievements of the

West currently under the leadership of the United States. The China model should not be the opposite of this system, defined by the Washington Consensus. The two development models should complement each other and benefit from each other. Many Chinese scholars have shown a rare arrogance in describing the significance of the China model and downgrading the usefulness of the Washington consensus. What they may not be aware of is that China's political system and treatment of its people cannot be easily accepted as it is by the developed Western nations and even by developing countries. China may never collapse, but

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its way of life can pose a threat to Western countries and their values. In other words, if China does not change course and deviate from the now fixed path called the Beijing consensus, it may certainly be on a collision course with the Washington consensus. It is difficult to predict the fallout of this collision but it is not going to be pretty. It will be an economic confrontation, a cultural clash, and a war between political systems. For China to avoid this clash, it is necessary to revive the political reform that was on the CCP agenda but rendered inactive by the China model. Yes, China will have a democratic system different from the United States, the United Kingdom, France, South Africa, Japan, and South Korea, but it has to have a system that can be defined as truly democratic.

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¹⁷ See Hong Zhaohui, “Zhongguo tesulun yu zhongguo fazhan lujing” [China uniqueness and China’s path of development], *Dangdai zhongguo yanjiu* [Journal of Contemporary China], Issue 2, 2004 at <http://www.chinayj.net>

¹⁸ The Resolution of the 16th Plenum of the 16th CCP National Congress, <http://www.chinaelections.org/NewsInfo.asp?NewsID=126270> accessed September 20, 2009.

¹⁹ Qian Gang wrote in his article “Where is ‘political reform’ that one of the most prominent developments was the disappearance of the term “political reform” in current CCP rhetoric. Qian came to this conclusion through looking at the use and frequency of key words related to political reform in the Party reports, resolutions and speeches. According to him, “political reform” appeared in the political reports of the 13th, 14th, 15th and 16th CCP National Congresses but was replaced by “democratic politics” in the political report of the 17th CCP National Congress. See Qian Gang, “Zhengzhi tizhi gaige zai nali”, <http://www.chinaelections.org/NewsInfo.asp?NewsID=118562> November 11, 2007, accessed September 21, 2009.

²⁰ See details at <http://joshuaramo.com/beijing-consensus/> accessed September 1, 2009.

²¹ Quoted in http://www.salon.com/tech/htww/2006/09/15/beijing_consensus/ accessed September 10, 2009.

²² See Tang Yaoguo.

²³ Ibid.

²⁴ Ibid.

²⁵ See Hu Wei.

²⁶ See Zhi Zhengfeng and Zang Li.

²⁷ See Zhang Wei-wei.

²⁸ See Zhi Zhengfeng and Zang Li.

²⁹ Ibid.

³⁰ Ibid.

³¹ Yan Shuhan, “Zhonggong daolu de shijie yingxiang” [The global impact of the Chinese Road], *Liaowang* [Outlook news-weekly], September 8, 2009.

³² CCP Central Committee, “Guanyu dangjian luogan zhongda wenti de jue ding” [Several major decisions on CCP construction], September 18, 2009, <http://politics.people.com.cn/GB/1026/10128293.html> accessed September 27, 2009.

Rule of Law and the China Model: Reform, the Law, and the Future

By Jason Kyriakides

China's remarkable ability to weather the 2009 global economic downturn made many believers of its development model, even among its many critics. At the end of 2009, as the

United States faced a national unemployment rate of nearly 10 percent, a figure not seen since the Great Depression, economically weaker European states like Greece and Ireland experienced massive economic shrinkage, real-estate giant Dubai suddenly faced an economic implosion, and Japan faced its harshest economic situation since the 1997 Asian financial crisis, China's growth rate exceeded the expectations of even its own leaders, cementing it as a "leader of the global economic recovery." Not only was China's economy growing, but its economic reach in the level of its own investment abroad reached record levels, and China became the world's largest lending power. China's investments around the world, particularly in developing African and Middle Eastern countries, suggested the ambitious reach of a global power rather than the more conservative introspection of a developing nation. Economic growth and investment were accompanied by China's unveiling of its modernized military during its 60th anniversary National Day parade, and new action on global disaster relief and peacekeeping.

These signs of a China that is increasingly active and ambitious on the global stage due to the apparent success of a "China Model" of national development have drawn the interest or alarm of Westerners facing economic decline and political gridlock (such as in the ongoing failure as of February 2010 of the United States Congress to pass needed health care reform). They have also emboldened some developing nations looking for an alternative to the current models of development promoted by many Westerners, as the China

model is more amenable to governments looking to retain control of the political reins instead of transitioning to or building a more democratic system. However, many of the most ardent China model supporters within China are quick to remind would-be imitators that the Chinese model of development has led to many problems, such as environmental degradation, official corruption, and a growing gap in income, and that the model needs a mechanism to resolve social tensions caused by these issues. Many are looking to rule of law and a strengthened legal system to fill this role. This paper will analyze the various issues necessitating development of a strengthened rule of law within the China model and outline what a Chinese version of rule of law might entail.

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Societal demands for a new means of resolving conflict

Despite China's growing role on the international stage, China's internal politics have

not become more open in the past five years. In some regards, the political system has become more restrictive, leading to the emergence of certain social pressures. China has the largest community of netizens in the world, with over 300 million Internet users, a community that faces growing challenges to its ability to access and transmit information without restriction on the Web. Rural Chinese must confront the growing political insecurity of local leaders, who fear the threat that mass protests pose to their careers, and who are therefore often careful to manage or block out negative public sentiment before it evolves into large-scale unrest. Some ethnic minorities, most vis-

Establishing a check on the Party's power would help to reduce the dangerous lack of cohesion between the center and local governments, which has been a persisting problem in China. Murray Scott Tanner and Eric Green (2007 114-6) recently discussed a study of central influence over local officials, focusing on the police force to develop claims about how power structures and political circumstances influence relations. Their analysis concluded that despite central control over regulations, police organization, and quotas, the center

to better address the problems of the poor and middle class Chinese. Jiang Zemin attempted to develop Party ties with the elites, who had been isolated in Chinese society since the 1950s but were vital to China's economic and technological revival; Hu Jintao and Vice Premier Wen Jiabao, on the other hand, have focused their attention on disadvantaged populations through reforms, issuing a number of directives to ease the explosion of social problems--such as pollution and lack of job security--associated with the country's economic transition. Finally, the Party's realization that corruption threatens both national stability and the Party legitimacy has resulted in harsh anti-corruption programs, including increased monitoring of Party members' families and overseas activity (for example, "CPC pushes Party leaders to report family information to stem corruption " Xinhua Jan 13, 2010).

China maintains a strictly single-party authoritarian approach to development.

fails to maintain local police discipline due to local control over hiring, cadre management, and money that flows into and out of the local Public Security Bureaus. In other words, because the center doesn't have a way to adequately monitor and control local police, local police serve the goals of the local elites that fund them. The development of an independent body to monitor and report on these local police, so distant politically from the central government, could ostensibly reduce problems caused by the center-local divide.

caused by the center-local divide.

George Washington University's Bruce J. Dickson (2006 21-51) writes that the Party has unsuccessfully tried "repairing relations with society" by other means. The most visible change has been village elections for village committee leaders, which have been steadily implemented in many villages across China but have little hope of being moved up, as they face conflict with unelected township government above them. The Party has also shifted its class emphasis since the 1990s from one based on elite leadership to one that seeks

However, these measures have simply been reactive approaches to the ongoing problem of lack of accountability in the system. The far-branching cracks in the system – such as the broad reach of corruption, renegade local leaders, a judiciary that still is weak and closely linked to Party political preferences for its rulings despite growing caseloads – suggest that a systematic approach implementing a more highly developed system of rule of law is necessary to increase political accountability and restore political legitimacy.

Elements of the China Model

The "China Model," or alternately the "Beijing Consensus," as coined by Joshua Cooper Ramo, suggests an alternative to the Washington Consensus of the West, which has for decades pushed free-market development, liberal democracy, and a

law” means to the Chinese and analyze the progression of the debate on legal systems since the concept was first introduced in the early Deng Xiaoping years. Chinese and Western conceptions of the role of law in society differ considerably, and this difference has altered considerably the developmental path for their respective legal systems.

Randall Peerenboom, UCLA School of Law professor and advisor to several law firms and organizations in China, describes the historical development of contemporary Chinese law *China's Long March toward Rule of Law*. During the Mao years, the legal profession was largely discredited and isolated due to its historical position among the elites in society, and lawyers were declared bourgeois enemies of the new “socialist” society. However, after the economic reforms of the late 1970s were instituted, it became quickly apparent to the Party leadership that it would be necessary to establish a modern legal framework to attract foreign investors looking for a stable, legally-protected environment for their capital. This led to the first philosophical debates in the 1970s over what such a system would look like – whether China would have “rule of law” (fazhi) or “rule by law” (faqi), in which even top leaders would be sub-

ject to the law.” - 0 T or9d0 Th /I Th hhe ned 11or thei0 Td ()Tj /C, Ä# "ë Å Tw 50apitbate82 cwould ha

members of the Party (Zhang 2006, 145). Furthermore, law school graduates do not move into judicial posts; from 1984 to 1998, only 20 percent of graduates from schools specializing in law worked in courts after graduating due to low salaries and low professional integrity (2002 145). 2005 was the first year that more than 50 percent of the judiciary had a university degree, and of those, most held only the bachelor's degrees required for judges since 2002 (Liebman 2008, 71-2). Judges who were appointed before 2002 were not required to pass the national bar examination but were required to receive supplemental training. There is strong political incentive for judges to improve their legal training; when issuing court opinions, judges that are able to support their decisions with legal backing encounter fewer problems with popular interference in the results of the case.

He Haibo, associate professor of law at Tsinghua University, makes the case that the legal concept of due process – a key element of Western systems of law - is also showing up in Chinese legal decisions. According to He, this “process” was absent from legal language in China until the Public Security Administrative Law of 1986, which described a “four-step process” of administrative detention (He 2008, 60). The traditional view, he says, was for courts to only “correctly examine administrative acts based on laws and regulations,” not to be “lawless.” Essentially, courts were expected to confine their decisions to existing rules (which could only be changed by legislative bodies) rather than review based on a on a larger, more vague principle of due process (He 2008, 62-3). This changed in 1992, when the Supreme People's Court (SPC) ruled the arrest of Chen Yingchun illegal due to the failure of the police to adhere to the cor-

rect “process” of arrest, detention, and court summons (He 2008, 70-1). Due process became even more critical in the 1996 case of Tian Yong, University of Science and Technology Beijing (USTB) which student Tian Yong attempted to graduate from USTB after having been expelled for misconduct. As the Haidian Court of Beijing trying the case had no existing regulations on which to base their decision, they ruled in favor of Tian on the basis of Tian's “right to education” and the failure of the university to give him an explanation of his expulsion. The Chief Justice called the ruling “based on the spirit of the law” - in other words, based on general principles of law rather than China's existing legal code (He 2008, 77). The Tian Yong case and others like it prompted further explorations into due process. For example, in 2004, the Intermediate Court of Xuzhou City, Jiangsu Province restored the property rights of a woman over her home after her deed was terminated by the municipal government, stating that the fact that she had not been allowed to participate in a review of her right to the deed constituted a “violation of statutory process (He 2008, 98-9).”

Challenges to the expansion of “rule of law” in China

If Dr. He is right about the emergence of “due process” in China, the potential for a more flexible, the establishment of an independent judiciary that is able to interpret the law and go beyond a mere en-

dles remaining to the emergence of a judiciary and legal profession independent from the state, says Randall Peeren-

Despite these constraints from the Party, the judiciary actually faces more resistance from local governments.

these are a reminder of the ongoing role of Chinese courts as political actors and transmitters of government policy – supremacy of the law over government will demand that these cases at the very least be tried fairly and in accordance with existing rules on arrest and detention process.

Fairness does not only come from within the courts. A major ongoing obstacle to equitable judicial decision-making is external influence on the court from the public and news media. When the Chinese news media began to be commercialized in the 1990s, news agencies realized they could profit from strong popular sentiment against officials being punished for corruption or other crimes. As a result, anti-corruption stories are widely published when not censored by the government. The unfortunate result of this is that when the media runs front-page stories about convicted officials in an attempt to gain readers, they can sometimes skew support against court rulings to drop charges or give more lenient sentences. Seeing popular pressure against court rulings can lead the Party to step in to reverse decisions in order to prevent uprisings; the mere threat of the Party interfering in the ruling to appease the public leads many judges to give in to popular pressure. During the Sun Zhigang case mentioned above, in which Sun, a migrant student, was beaten to death by police and public opinion was kindled against the officials, the primary defendant, Qiao Yanqin, was executed the day the trial ended, raising questions about the fairness of the trial and the influence of public opinion. However, official accounts praised the “efficiency” of the decision and the responsiveness of the courts to public opinion against Qiao and the other

police involved (Liebman and Wu 2007 280-1).

Finally, there is the twofold problem of access. Citizens face a number of challenges in having their cases examined by the courts, and courts continue to be overburdened with a growing number of cases and petitions. From 1986 to 2006, the reported number of cases per year received by courts tripled to reach more than 8 million (Xiao Yang qtd. in Liebman 2008, 67). There also appears to be a growing confidence in the ability of higher courts, with appeals to higher courts doubling from 1996 to 2006. The growth of the legal profession – there are now more than 150,000 lawyers - has resulted in the expansion of the kinds of claims that are typically brought; where the courts once handled mostly criminal cases, they now hear a growing number of civil cases on topics like wage disputes, public interest, and environmental regulation (Liebman 2008, 79). All of these factors contribute to the overburdening of courts with more cases than they can handle. This is certainly not a problem unique to China. However, the rapid growth of the number of cases in just 30 years, without the framework to support this increase, has been a serious challenge to the quality of China's legal system. As China continues to produce lawyers, and as the quality of legal and judicial training increases, the system will likely be able to absorb a greater portion of the petitions.

Conclusion

Consolidating rule of law promises many advantages to China in the midst of its development. The state is already working to improve the quality, accessibility, and responsiveness of courts to petitions for resolving apolitical matters, as shown

by the growing volume of cases received by the courts. Furthermore, the legal profession is growing to meet the challenge – China now has over 150,000 lawyers, and

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veloping countries that seek economic and social gains similar to China's? As China is

ders and interests, and by the increasingly thoughtful accumulation of tools of asymmetric power projection” (Ramo 2004, 4).

This rather rosy depiction of Chinese power is very much in line with stated goals of top Chinese leaders; the focus on equitable growth can be seen in Hu Jintao’s emphasis on people-focused politics (以人为本) and the push to “innovate and experiment” can be seen in the scientific development (科学发展观) approach iterated at the 16th CCP National Congress. The non-interventionist stance of “peaceful coexistence” (和平共处) in international politics has been present in China’s approach to its international relationships since the 1954 agreements of Five Principles of Peaceful Coexistence between China and a newly decolonized India, and has become increasingly the norm since the early 1970s.

However, Ramo’s zeal for the rhetoric of Chinese leaders often overlooks the gaps between reality and the ideal. For example, equitable economic growth and the equal distribution of wealth may be the stated goals of China’s leaders, and, for that matter, for most leaders in most countries in the world. The rhetoric does not change the fact that, despite a rapid increase in China’s middle class (Ding 2010), under China’s current economic model the gap between the richest and the poorest in Chinese society continues to grow wider, and social tensions arising from this gap grow increasingly fraught. Although Chinese scholars have attempted to flesh out Ramo’s initial conception of the Beijing Consensus, the main components described above—the focus on high, yet equitable, economic growth, the willingness to experiment in policy-making and to change course when needed, the de-

fense of national interests and refusal to capitulate to foreign interests, and the accumulation of soft-power tools to weigh against U.S. hegemonic power—remain largely unchanged (Yu Keping 2005, Yao Yang 2010).

Westerners and Chinese alike highlight the hardware of the China model: one-party authoritarian rule, a system of mixed private and public ownership, and a market-driven economy. On the whole, Chinese scholars tend to emphasize the model’s

in its policy design, both domestically and internationally. Domestically, the government can experiment broadly with potentially risky initiatives and reforms around the country and focus its resources in whichever areas are in the most need or on whichever initiatives show the best results. Yao Yang argues that because the government is “disinterested,” or neutral (i.e., not indebted to voters or to any one set of interests), it can undertake sweeping, unpopular changes that have negative effects on large groups of people—for example, the privatization of state-owned enterprises, the building of the Three Gorges Dam, and the regional water transfer of the North-South Water Diversion Project—at low political cost, with social unrest the only real (yet potent) threat (Yao 2008). Moreover, if an experiment fails, either on the local or national level, the policy can be reversed with little political blowback. Internationally, Chinese leaders can build up national defense and develop a foreign policy approach with little accountability to their citizens.

The Communist Party can decide to do just about anything, including a 180-degree reversal of its previous path, and it will succeed.

“Coordinated development requires an effective mechanism to concentrate on a number of complex objectives in society, to prioritize certain objectives in accor-

Although this type of concentrated power could obviously lead to disaster in the hands of incompetent people, it could also lead to many long-term benefits if wielded by competent individuals following a long-term development strategy. Liu Naiqiang described the benefits of the high level of efficiency that can be achieved under one-party, authoritarian rule in a controversial article that appeared in the December 2009 edition of *Zhongguo Pinglun*, arguing that such a system is optimal for a complex society such as China’s:

Reception of the China Model in the Developing World

The China model, as Joshua Ramo predicted in 2004, is proving increasingly attractive to other countries struggling to achieve a high level of economic growth while maintaining political stability, particularly to African countries, Russia, and India.

Africa

The enthusiasm in African countries for the China model is unsurprising, as economic ties between China and African nations have been increasing steadily in the last decade, giving Africans many chances to witness China's development model. China's pressing need for resources to sustain its economic growth has led it to become a net importer of oil. As of 2008, about one-third of China's oil imports came from Africa, with the Republic of Congo, Equatorial Guinea, and Sudan its largest trading partners on the continent. In return, China has invested heavily in the infrastructural development of its trading partners, concluding deals of nearly \$14 billion. For example, using oil-backed loans, Chinese companies have helped Angola rebuild its infrastructure following the end of that country's 27-year-long civil war in 2002, constructing roads, highways, hospitals, schools, and water systems (Hanson 2008).

There has been much criticism of Chinese investment and foreign aid to Africa—specifically, that Chinese companies working in Africa often use Chinese instead of local labor; that when local laborers are employed, they receive lower wages; that construction of infrastructure is often shoddy and labor conditions are frequently unsafe. However, according to a recent

report in *Foreign Affairs*, many African leaders and entrepreneurs are making increasingly savvy and informed deals with their Chinese business partners. According to the report:

West, as long as Africans benefit and learn from both” (Ababa 2009).

Russia

African support for the China model tends to focus on the model’s potential economic benefits and China’s current role in stimulating the economies of African countries without placing any political conditions on investment and aid. There is little, if any, emphasis in Africa on the need for African countries to emulate China’s one-party political system. Russia’s current preoccupation with the China model, on the other hand, is very focused on learning from China’s unique combination of rapid economic growth, authoritarian one-party rule, and relative political and social stability. In October 2009, Russia’s majori

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ment against the commonly heard Chinese claim that democracy could not be successful in China because of the country's large population of lowly-educated, "low quality" citizens.

On the other hand, Chinese scholars frequently cite India's high poverty and widespread human misery to support their argument that democratic institutions do not in many cases translate into an increase in living standards and that the Chinese development model has found more success in this regard than has India's. In a speech given to Beijing Univer-

sity National Development Research Institute in 2008, Yao Yang discusses the necessity of democratic reforms to ensure the success of the China model but relates that China must find a "new path toward democratization." Yao's principle argument against Indian-style democracy is that it has brought few benefits to the lives of ordinary Indian citizens. He cites the average area of living space for the average Indian--1.8 square meters--and the low level of public good provided by local governments. Yao's main anecdote regarding the lack of attention to the public good involves a local official who is elected because he promises to build a public toilet for a community. The toilet is eventually built but quickly turns into an unusable, polluting cesspool because no

one manages its upkeep and cleaning (Yao 2008).

India is making similar comparisons between the Indian and Chinese development models. Many among the Indian left and business elites have praised China's flourishing special economic zones, high worker productivity, and the CCP's tight-fisted control over all elements of Chinese society, suggesting that India could learn from this example (Venugopal 2009). Speaking to *Business Standard*, Planning Commission member Narendra Jadhav disputed strongly the idea that the Chinese model would be suitable for India, but he admitted that "China had developed faster than India because it followed a centralised system of governance and there were fewer checks and balances in place" (Rawat 2009).

Others argue, however, that India's lag behind China in terms of development is a function of its late start in implementing economic reforms. China's reforms began in 1978; by contrast, breakthrough reforms of India's economy, including opening for international trade and investment, deregulation, and

mestic sources for funding development, as opposed to China's manufacturing-led economy financed mainly by portfolio and foreign direct investment, and in terms of India's parliamentary democracy, in which "things may move comparatively slower, but it ensures a holistic development model, which will complement us when things go out of hand such as the recent Rawat20109).

finished, and too resistant to political reform to replicate in other countries. In an opinion piece that appeared on Zao-bao.com and was later removed by censors, Zhang Chuanwen contended that contemporary China is not a model for socialism with Chinese characteristics, but rather a capitalist system with feudal characteristics, in which the rights of the government and individual government officials are too great. By setting aside China's lack of democratic reforms, argues Zhang, China's institutions are moving in a backward direction, with widespread corruption representing a severe threat to the country's future (Zhang 2010). In an interview with Hong Kong Commercial Daily Yuan Weishi also criticizes the economic aspects of the China model, arguing that, due to the persistence of monopolies, lack of fair competition, and corruption, one cannot say that a Chinese economic model actually exists (Yuan 2010).

“exceptionalists” who argue that China's situation is too unique ignore the nature of a model—a simplified pattern that does not fit all data points or subtleties of the complex concepts or realities it attempts to describe, which can be replicated to produce similar results in different situations. The Xinhua article on the China model in Russia used Russia's heavy ties between government and business and weak response to corruption to argue that Russian attempts to replicate the China model were not practicable (Xinhua 2009). However, this is circular logic. Any decision by Russian leaders to attempt to replicate the positive results of the China model would surely pay close attention to these very differences. After all, any development model

Flaws within These Arguments

Chinese reasons for circumspection in international promotion of the China model are understandable, given China's history with foreign intervention, the non-interventionist spirit and rhetoric of the model itself, as well as the failure of the Western model (or, for that matter, the Soviet model) to take root and gain lasting credibility among developing countries. However, if China's economic growth and relative political and social stability remain constant, the fact that China does not actively promote any one development model might not mean very much, as other countries will strive to follow what they see working.

Many of the arguments that mention China's uniqueness seem flawed. The Chinese

spread of the China model are also somewhat naïve. In their search for the perfect,

... the economic development path taken under the China model would be almost impossible in the absence of single-party rule.

ests in the international arena, it is likely that the Beijing Consensus will change as well. The principles of non-interference and self-determination, which are key to the China model, are highly beneficial for a country concerned primarily with defending its own interests within its own borders. However, as China becomes more heavily involved in Africa or other areas in the world, it may begin to see that its core interests have become entangled with the interests and decision making of its counterparts in those regions. Even as other developing countries accept with eagerness the merits of the China model, China might begin to see that its model is already outdated.

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The Successes of the China Model

By Wanlu Hu

October 1, 2009, marked theth 60 anniversary of the founding of the People's Republic of China. While there were countless celebrations held throughout China, Chinese intellectuals celebrated theth 60 anniversary in their own way: by recounting China's successes since 1949. They analyzed and summarized the new developmental model that has evolved during the 60 years since the establishment of new China, or what is called the "China Model." Many Chinese scholars argue that China took a developmental path that no other countries have taken, and although they agree that there is no exact definition of the China Model, they have studied the many aspects of the Chinese pattern of development. Western media and academic circles have also focused on China's rise and its model of development. However, there is still very little understanding in the West of Chinese perceptions of the China Model. This paper seeks to analyze Chinese scholars' perceptions and interpretations of the China Model, with particular emphasis on arguments in support of the model.

From the Beijing Consensus to the China Model

In 2004, Joshua Cooper Ramo published "The Beijing Consensus," in which he proposed an alternative economic development model to the Washington Con-

system differs from the British or American “market economies,” as the latter insist on private ownership. Similarly, the Chinese system deviates from the “commodity economy” of the Soviet Union because the Chinese model does not rely on “ownership by the people.” China’s economic model is also not a “social market economy,” like those found in northwestern European countries, because it does not have a high tax rate or a high level of welfare. Furthermore, China’s economic model is also different from that of Japan and Germany because its economy is not dominated by a small number of privately-owned companies, which is also known as

“national capitalism.” Instead, China’s economy is unique; officially, it is called a “socialist market economy with Chinese characteristics.” (Pan 2009, 10)

... China’s economy is unique; officially it is called a “socialist market economy with Chinese characteristics.”

Merits of the Pre-1978
China Model

There are two distinct stages of China’s economic development: before and after the reform and opening in 1978. Many contemporary scholars such as Wen Tiejun and Dong Xiaodan believe that China’s economic success cannot be simply attributed to the reform and opening. Rather, they argue, China’s economic reforms before the implementation of Deng Xiaoping’s reform and opening policy are

human capital (Li 2009, 210). Improvements in health and education, a decline in fertility rates, and increased equality for women all helped to raise the performance of China's human capital. As a result, in the late 1970s and the early 1980s, some indicators of human capital in China reached the level of those in developed countries (Li 2009, 210). Human resource input can contribute to productivity gains; at the same time, human capital is a source of technological progress and long-term economic growth.

The China Model's Political Developments: Institutionalization, Accountability, and Rule of Law

The China Model is not only a model for the country's economic development; it also provides a plan for political transformation. While democratic systems have not yet been established in China, China's leaders have been exploring the road for a Chinese-style political transition, or a so-called "third path." The "first path" toward democratization would be to adopt western-style democratic norms, i.e., a one-person-one-vote electoral system and competitive party politics. The "second path" was that taken by Russia after the fall of the former Soviet Union. This path entails fast-paced democratic transformation, or "shock therapy," and includes the overthrow of communist rule and widespread acceptance of the establishment of a liberal democracy. In the eyesent human capita[8wtral de-osm-idespreadP"seond125 9n-cal

sible for an accident, ranging from the spread of infectious diseases to public disturbances, he or she will face serious punishment or dismissal. Although China has not accepted the liberal democratic principles or an open political system, the Hu Jintao-Wen Jiabao regime has indeed made a considerable effort to reform the system in response to the demands of those affected by China's economic and social transitions and the effects of globalization. In this respect, the Hu-Wen regime has been more responsive to the needs of the masses than its predecessors.

Rule of Law

The establishment of a legal system, or "rule of law," has become the third important aspect of political reform in recent years. China has formulated and adopted four constitutional amendments. These amendments made the Constitution more like a legal document that protects civil rights. More importantly, the constitutional amendment for the first time explicitly declared the intent to establish "the rule of law" and to "build a socialist country ruled by law" (Gao 2009, 129). According to Pan Wei, "the Constitution has been transformed from a document expressing the rights of the Communist Party into a document limiting the rights of the Party" (Zhao 2009, 295).

The transformation of the Chinese Communist Party from a revolutionary party to a ruling party is another important aspect of political reform. The Party was the vanguard of the working class during the Mao era and followed communist ideology in order to consolidate power. Since Deng Xiaoping initiated economic reforms, communist ideology has been gradually making concessions to the reform and opening of the economic system in order to control an increasingly

complex variety of issues in Chinese society.

Exporting the China Model

Although scholars are attempting to analyze and explain the China Model, this discussion does not intend to convince other countries to attempt its implementation. However, the China Model is attractive to other countries. The China Model is non-ideological and pragmatic, emphasizing economic growth as well as political stability. This pattern is not only recognized by leaders of some developing countries, its attractiveness is also growing in the West (Zhao 2009, 299). A large part of the attraction is due to development and changes in three areas. The first development is China's economic success under the leadership of the Communist Party. China has become the world's most rapidly growing economy over the past 30 years.

... The Hu-Wen regime has been more responsive to the needs of the masses than its predecessors.

The second development is the relative success of China in recent years, compared with American economic, political and diplomatic failures, which have recently caused a decline in the attractiveness of the Western modernization model. Economically, because the United States is now greatly indebted to China and other countries, its solvency has been called into question. In this regard, it has become increasingly difficult for the United States to present itself as a shining example of global economic development to the rest of the world. With regard to American foreign policy and diplomacy, the American model uses ideology to promote the democratization process but

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Criticizing the China Model: An Overview of Discussions in China

By Linling Zhong

In light of the industrialization programs carried out by the central government of the People's Republic of China over the past thirty years, China has become one of the fastest growing powers in the world. Even during the ongoing global economic crisis, China's economic growth accelerated to 8.7% for 2009, achieving the government's full-year growth target of 8% and totaling 33.54 trillion RMB (\$4.91 trillion) (National Bureau of Statistics 2009, np). Based on China's fast and apparently stable economic development and increasing power in the world, more and more scholars are turning their attention to China's unique model of development, the "China model." Many developing countries in Africa and other regions are trying to imitate and follow China's economic and political models. However, there is a major debate over whether the China model is sustainable for China and exportable for other countries. Within China, there are a number of Chinese scholars who view the China model with trepidation and who question its validity. Specifically, these scholars' concerns and questions include:

- (1) What is the true definition of China model?

gy, wrote an article raising concerns about the environmental costs of the China model. Ding believes that China's high level of economic development is the cause of the pollution and that this model is therefore unsustainable and dangerous for other countries to imitate. For example, the environmental cost of holding the 2008 Beijing Olympic Games was four to five times higher than that of the Athens and Sydney Summer Games. Ding uses Hu Jintao's view of scientific development to issue a serious warning: it is perfectly all right to acknowledge the amazing achievements of the thirty-year reform, but it would be criminal to be blind to the gigantic costs of these achievements (Ding 2008, np).

In the book *China's Trapped Transition*,

Carnegie Endowment for International Peace's Minxin Pei provides statistics about China's environmental degradation, arguing that the cost of the China model is too high. Under this model, a third of China's land suffers from severe soil erosion. As a result, about 67,000 hectares of farmland are lost each year. Pei expresses equal concern about water quality; with 80 % of water discharged from factories left untreated, three-quarters of China's lakes and about half of the country's rivers have been severely polluted. Of the ten cities with the worst air pollution in the

world in 1999, seven were located in China (Pei 2006, 175-178).

In the short run, the China model focuses on economic development while ignoring the environmental costs of this development. However, in the long run environmental degradation will also incur economic losses. Pei cites the World Bank's estimation that in the mid-1990s, the major forms of pollution in China cost the country 7.7% of its GDP. If China does not lower these costs, critics contend, not only will the China model become irrelevant to other countries, but the sustainability of China's own economic reform may become questionable.

Left-behind children

Under the China model, there are a large number workers moving from rural areas to big cities in order to find job opportunities. Over the past few decades approximately 120 million Chinese farmers have moved to the cities in search of work. Unlike in Western countries, China's legal framework makes it almost impossible for migrants to attend school and care for their children where they find work. Therefore, migrant children are often left behind in rural hometowns, in the care of a single parent, or with grandparents or other relatives. Thus, a new group of children who need to live without their parents, called "left-behind children," has emerged in rural areas of China. In 2006, the population of left-behind children had reached approximately 58 million, accounting for 21.72% of rural children under the age of 17. Of these, 40 million were under the age of 14. In the Chinese media, the phe-

... The population of left-behind children had reached approximately 58 million.

[... there are serious criti-

Another scholar, Yang Guang, thinks that the political reform in China does not touch the root of the problem. In his article, "China's Defective Post-Reform Political System," Yang relates his belief that the political reforms that are taking place in China fail to address the root of the country's problems (Yang 2006, np). He calls upon the government to delineate the relationship between the rights of the people and the government, as well as between the judiciary and legislature. In another article, "The Difficult Issue of the China model," he mentions that there are many people in China who are waiting for political reform (Yang 2006, np). Contrary to Minxin Pei, who thinks political reform is very hard to initiate in China, Yang believes that political reform will be launched eventually. Such reforms, by potentially challenging two key premises of the China model—that of CCP supremacy and of "one party leads, multiple parties cooperate," would effectively nullify the political theory at the core of the China model.

Rampant Corruption

According to Pei, the partially reformed economic and political institutions that characterize the China model provide a fertile environment for official corruption, because institutional rules are either unclear or politically unenforceable in such environment (Pei, 2006, 12-13).

Pei discusses the corruption that takes place under the current model of development, with corruption by the ruling elite having reached endemic proportions

made against the model. In the view of many critics, political reform is the core of the country's future development prospects. No economic or social reforms can be implemented successfully without corresponding political reforms. At the same time, these China model detractors ask the government to pay more attention to problems such as corruption, to listen to a greater diversity of opinions, and to be more transparent, and not to put forward the imperfect China model as one for the rest of the world to follow.

Given China's impressive growth performance, one might begin to wonder why, if the Chinese political system is so dysfunctional, the country has maintained rapid economic growth. Pei gives a detail explanation in this book China's trapped transitions.

He gives four reasons. First, the pathologies of a trapped transition became more serious and visible in the 1990s, and deterioration in governance has a lagging effect on economic performance. It is possible that the pathologies of a trapped transition will have a material impact on macroeconomic performance. Second, in the short term, the growth rate can be pumped up by high savings, leading to high investment rates and massive shifts of population from agriculture to industry, the two major factors behind China's rapid growth in recent years. Third, growth rates may inaccurately reflect a society's welfare gains. In China's case, high growth rates have been accompanied by all these symptoms of low-quality growth. Finally, he believes China should have a faster growth rate if the political structure goes well. Given China's size, low starting base and high savings rate, he concludes that contrary to official Chinese data, the Chinese economy barely grew during the period of 1998 to 2000 (Pei 2006, 206-215).

The exportability of the China model

Many scholars contend that the China model is a complicated model of development that cannot be exported abroad to other developing nations.

Many scholars believe western countries cannot copy the China model because of China's unique market structure and labor conditions. Jin Kaixuan argues that the main advantage of the China model is its successful promotion of rapid economic growth. He thinks the basic elements of this economic model are centralized power and the open market. In other words, he believes that China's market is a government-controlled market.

This economic model is based on cheap labor and aims at production of low-quality goods. Therefore this model cannot be mimicked by countries that do not have a large quantity of cheap labor and a market that is partially controlled by the government (Jin 2011 np).

India's main difficulty in copying the model is due to culture differences between the two countries.

Some scholars believe even India, China's neighboring country which also possesses cheap labor, cannot successfully follow China's model. Liangliang He thinks that India's main difficulty in copying the model is due to culture differences between the two countries. Since India was a colony of England for more than a century, its social structure and level of democratization are very different from China. However, contrary to other scholars, who believe China model cannot be imitated by any other countries, He does think that countries like Vietnam and North Korea could succeed in following China's path, due to their similar social and labor structures

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