

Statement of

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Thank you for inviting me to speak about China's village elections and The Carter Center's efforts to provide advice and assistance in improving the quality of these elections since 1997. In my statement I will briefly talk about three issues:

1. The current status of China's villager committee elections;
2. The impact of direct village elections on other forms of elections in China; and
3. The Carter Center's growing involvement in China's slow but firm quest for greater choice and accountability.

The Status of China's Villager Committee Elections

Following the collapse of the people's commune, the Chinese countryside slid into anarchy, instability and chaos. The peasants first began experimenting with various forms of self-government in the early 1980s. These creative initiatives were soon seized by the central government in order to maintain social stability and raise revenue. After a tenacious battle led by a few reform-minded political leaders, the self-governing procedures were written into a law that could only be passed by China's National People's Congress on a provisional basis in 1987.

It took another decade before the Organic Law on the Villager Committees was implemented in earnest and finally revised in 1998 to include universally recognized procedures that guaranteed electoral openness, fairness and competitiveness. For the first time, all administrative villages in China, totaling about 730,000, have to conduct direct elections every three years. For the first time, local Party committees cannot openly intervene in the nomination phase, and more elected village chairs begin to challenge the Party's control in the villages. Also, more villagers complained to the officials at higher levels of government about violations of the Organic Law.

The relatively objective official and academic verdict of this enormous preliminary exercise of democracy is as follows:

1. It has provided a safety valve to hundreds of millions of Chinese peasants who are angry and confused as their life is often subject to constant exploitation and pressure;
2. It has introduced legal procedures of elections into a culture that never entertained open and free elections; and
3. It has cultivated a new value system, a much-needed sense of political ownership and rights awareness among the Chinese peasants that do not have any leverage in bargaining with the heavy-handed government.

The popularity of these elections, the penetration of rights awareness among the peasants and the urban dwellers, the loss of influence and power on the part of the officials at the township/town level, and the fear

that these elections will eventually dislodge the embattled Party apparatus from the villages have triggered a backlash so severe and ferocious that it may render these elections into a hollow and meaningless practice.

The assault seems to have come from two sectors, political and academic. While the motivation for the political attacks is easy to apprehend, the charges are lethal in the Chinese political discourse. There is a systematic and almost conspiratorial effort to label village elections as a source of evil that is

1. undermining the Party's leadership in the rural areas,
2. affecting rural stability,
3. turning the rural economy upside down, and
4. helping clan and other old forms of power and control to grow in the countryside.

Scholars' criticisms might be well intentioned but are equally detrimental. They tend to argue that village elections are government imposed, that they have unexpectedly destroyed traditional rural fabrics of self-government, that what Chinese peasants really need are farmers' alliances and free disposal of their land, and that no country has ever seen any meaningful democracy take roots from the bottom up.

Thousands of Chinese officials are still fighting very hard to keep this small opening of political reform alive. They are becoming a bit pessimistic but never are they hopeless. After all, in the current climate of the rule of law in China, it takes the National People's Congress to repeal the Organic Law in order to abolish these elections. As of now, all eyes are trained on the upcoming 16th Party Congress, whose endorsement of grassroots democracy will be another clarion call for bolder and more expansive forms of popular choice.

The Impact of China's Direct Village Elections

One could hardly exaggerate the impact of direct village elections. Yes, these elections are conducted only at the self-governing social and political units. Yes, the right to cast ballots to directly choose their immediate leaders is only exercised by the most stubborn, conservative and backward group of the people in China. Yes, the much powerful government can still render the popularly elected leaders powerless and turn them into governmental servants.

However, it is going to be very hard to take away a right that has been previously denied to any particular group. A Chinese scholar recently commented, "True, Chinese peasants are not terribly enthusiastic about exercising their right to cast ballot nowadays. But, if one wants to take that right away, the situation will be rather explosive."

Furthermore, over the past 14 years, direct village elections and villager self-government have been gradually accepted as a valuable alternative to the otherwise arcane and opaque manners of selecting government leaders and people's deputies. For example, in many villages, the candidates for the Party branch positions are required to receive a direct popularity test. A low approval voting will disqualify the candidates from running for the Party positions. Many provinces have adopted this so-called two-ballot system.

In 1998 and 1999, during the last round of township/town people's congress deputy elections, new experiments of selecting township government leaders appeared in no less than three provinces, including an unprecedented direct election of a township magistrate in Buyun, Sichuan Province. Although these experiments were either declared unconstitutional or unsuitable to be implemented, they created a sense of hope and urgency. Many officials were preparing to introduce new procedures to expand the nomination process and make determination of formal candidates competitive and transparent.

The anticipated boom of political experiments did not take place due to a Party circular which declared,

In the past, a few areas proposed to experiment with the direct election of township/town magistrates, and in a few isolated places, there were direct elections of township/town magistrates by all the voters. This violates the relevant articles of the Constitution and the Organic Law of Local Governments. During this round of election of township/town level people's congress deputies, the election of township/town magistrates must be conducted strictly in accordance with the stipulation of the Constitution and other laws.

Despite this, on the last day of December 2001, Buyun went ahead again with its own "direct" election of a township magistrate. One province in China introduced public elections of magistrates in 45% of its 5,000 some townships/towns by June 2002. More locales are going to use this so-called public election method to choose township/town leaders. It is said that one county in Sichuan used the same measure in picking a county magistrate. A scholar boldly predicted recently that one measure to be adopted by the Party's 16th Congress would be the direct election of Party leaders at the grassroots level. All these progresses are being made in the context of direct village elections.

Finally, no matter how democratic China is going to become and what forms of electoral system China is going to adopt, voter education, voter registration, nomination and determination of candidates, the use of secret ballot booths, the application of the proxies and roving ballot boxes are all going to be great problems and logistic nightmares that could lead to potential political violence and instability. But the practice of direct village elections involves close to 600 million of the 900 million Chinese voters. They have already experienced these procedures and are getting more and more familiar with the standardized procedures. This is indeed a democracy seminar promised by Peng Zhen, China's leading advocate of direct village democracy. This will become the single most valuable asset in China's quest for democracy.

Which way to go from here? No one has a definitive answer. The flurry of experiments of the selection of township/town magistrates in 1998 and 1999 were carried out under Jiang Zemin's call for promoting grassroots democracy at the 15th National Congress of the Chinese Communist Party. The following is what he said:

The most expansive practice of socialist democracy lies in increasing basic-level democracy and guaranteeing people's rights to engage in direct democracy, to manage their own affairs according to the rule of the law and to pursue their happiness. All basic-level governments and popular organizations of self-governance in the cities and the countryside should perfect the democratic electoral system, practice political and fiscal transparency, allow the broad masses to debate, determine matters of public concern and interests, and conduct democratic supervision of government officials.

It is only logic to go down this road if the so-called "three represents" are implemented according to its true essence. If Jiang is determined to write the "three represents" into the Party's Charter, there is little doubt that China will back away from the small steps it has taken toward greater political reform. Nonetheless, any expansion of direct democracy is going to be extremely difficult since it will deprive the power and influence of those who are using the current cadre selection system to augment their own selfish pursuit.

The Carter Center's China Village Elections Project

The Carter Center initiated the China Village Elections project in 1997 during President Carter's visit to China. After a successful pilot phase, a three-year agreement of cooperation was signed with the national Ministry of Civil Affairs in March 1999. This agreement allows the Center to work primarily in four Chinese provinces to install computers and software to collect village election data, to conduct training of election officials and elected villager committee members in any province in China, to observe village elections everywhere, to help conduct civic education, and to invite Chinese election officials to observe US elections and elections that are monitored by The Carter Center in other parts of the world. In September 2001, President Carter observed a village election in Zhouzhuang, Jiangsu and opened an international conference

on village elections in Beijing attended by over 150 Chinese and international scholars, NGO workers and officials.

In addition to working with the Ministry of Civil Affairs, the Center also works with the National People's Congress that, besides making and amending laws, supervises all elections above the village level. In 1999, the Center was invited to observe a township election in Chongqing. Recently, a team from the Center worked together with a political reform study group from the Chinese Academy of Social Sciences and the National People's Congress and participated in conducting several township people's congress election pilots, identified the problems of township and county people's congress deputy elections, and offered suggestions to the possible revision of China's Election Law and the Organic Law of Local Governments, the two paramount laws whose amendment will fundamentally change the procedures of all direct and indirect elections in China.

The Center has provided substantial assistance in printing the *National Procedures on Villager Committee Elections*, a waterproof copy of the Organic Law on the Villager Committees, village election procedure posters, and nine research and work experience books on rural elections and governance. The Center is supporting the maintenance of the most informative Web site on China's villager self-government and grassroots democracy and will soon launch another Chinese/English Web site on Chinese elections and governance.

The Center has been coordinating its work in China with other American organizations such as IRI, the Ford Foundation and NDI. It also has shared its experience with government agencies and NGOs from Canada, Great Britain, Spain and other Western countries. It has been in direct communication with UNDP, whose village elections related project was completed in December 2001, and with European Commission whose ambitious rural governance-training program begins in August 2002.

China is a significant nation whose international responsibility, domestic stability and economic prosperity will directly impact the Asia-Pacific region and the world. All these factors desired by the Chinese people and her close and distant neighbors cannot be sustained without an open and transparent political system through which the government derives its legitimacy, the people hold their leaders accountable, and the global community conducts its relationship in a reliable manner. No single or group of nations can initiate this important sea of change in China. China will have to do it by herself. However, the involvement of Western governments and NGOs in sowing the seeds of reform, sustaining the change and consolidating the gains is indispensable. Imposing Western values on China without considering China's unique circumstances is counterproductive. Ignoring China altogether in its cautious and sometimes confusing quest for greater democratization, choice and accountability is outright erroneous. Working outside China is helpful. Providing assistance inside China is safer and all the more effective.