

## **Stability and Anticorruption Initiatives: Is There a Chinese Model?**

Fu Hualing

The University of Hong Kong Faculty of Law

### **Introduction**

China is a high-corruption state. Yet, despite its prevalence and entrenchment, corruption has not undermined China's economy, social stability and the political legitimacy of the Chinese Communist Party (the Party). Corruption inches in, and the Party fights back. Corruption and anti-corruption efforts have reached a stalemate (Wedeman, 2012). One conventional explanation of China's ability to manage the impact of corruption is China's "authoritarian resilience" (Nathan, 2005). Since Nathan coined the term, it has gained currency and, in different names, such as "Beijing Consensus" or "China model", has become a mainstream explanation of China's economic growth and political sustainability (Kennedy, 2011; Zhao, 2011). According to that theory, China's authoritarianism is resilient because the Party is able to adapt to new circumstances without changing the political structure. It is commonly noted that while significant changes have taken place at ideological, institutional and operational levels, through innovation and adaptation, the Party is able to face the challenges that China's rapid social and economic transitions have posed (Shambaugh, 2008).

The concept of the China model has crept into the Party thinking and become a catch word to highlight China's social and economic achievement. In a positive spin, authoritarianism has become an asset instead of a liability. The China model, as narrowly used in China, focuses on the core authoritarian features of the political system and brushes aside the innovative and adaptive aspects of the system. Since the global financial crisis in 2008, the Party has become more confident about its own political system and its way of doing things, and assertive in pushing away institutional designs that are regarded as "Western". This China model has also been used to explain the willingness and capacity to control the spread of corruption.

A neglected aspect in the authoritarian thesis is the degree to which China is learning from the international best practice based on the principles of transparency, the rule of law and public participation (Rose-Ackerman, 1999; Peerenboom, 2008). In enhancing anti-corruption enforcement, the Party has done more than it is willing to admit in creating institutions that may in the long run pose serious challenges to its

rule. In essential aspects, China appears to be on the track of the Eastern Asian Development mode a steady increase in GDP per capital has allowed more material resources for social development, institutional capacity building, and social activism. In responses to the economic and social development, the government becomes more inclusive and tolerant of different political views and allows the articulation and assertion of independent interests. Under enhanced media supervision and the mobilization of civil society forces, the government and the general public have become less tolerant of corruption. In that model, the social and economic changes, in the end, lead to a degree of political liberalization, such as the development of rule of law, enhanced level of public participation, more competitive local election, and a more transparent and accountable government, all contributing to a more successful anticorruption enforcement (Peerenboom, 2008; Zhao, 2011).

This paper argues that anticorruption enforcement in China goes beyond relying on the authoritarian measures, such as extra-legal detention or the use of the death penalty. The fact that the Party can still hold on to its position in the battle against corruption can be better explained by the Party's ability to learn from overseas experiences and to introduce a series of anticorruption initiatives which are rule-of-law based, transparency-centered and democracy-driven. One of the best examples of China's extensive borrowing from international best practices is China's active participation in the United Nations Convention against Corruption (UNCAC)<sup>1</sup> and the faithful implementation of the relevant treaty obligations. Interestingly, while China pushes back any UN-based supervisory mechanism in the broadly defined human rights areas, it has followed in good faith the recommendations of the UNCAC. While a reform initiative may be doomed if it is introduced to improve citizens' civil and political rights, it becomes possible when introduced to enhance anticorruption enforcement.

### **Anticorruption and the Thesis of Authoritarian Resilience**

In an ideal type, the China model offers a three-fold argument in relation to corruption

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<sup>1</sup> The General Assembly of the United Nations adopted the United Nations Convention against Corruption (UNCAC) on 31 October 2003. The UNCAC calls for its signatory states to enhance the force of combating corruption by promoting anti-corruption education and prevention; enhancing criminal punishment and anti-corruption enforcement; and strengthening international cooperation. The Convention came into force on 14 December 2005. As of July 2012, there were 161 States Parties to the UNCAC, including China. "Background of the United Nations Convention against Corruption", <<http://www.unodc.org/unodc/en/treaties/CAC/index.html>> (Visited on 10 September 2010); "UNCAC Signature and Ratification Status as of 12 July 2012", <<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>> (Visited on 13 September 2012). China signed and ratified the UNCAC on 10 December 2003 and 13 January 2006 respectively. Nations Convention against Corruption".

in China. Firstly, there is the authoritarian efficiency thesis, which argues that China is able to maintain a stable political environment, sustainable economic growth and high level of human development because of China's authoritarian system. The identifiable characteristics of that model include the absence of political opposition to the Party; the dominant role of the Party in state affairs; a parchment division of powers within the state and between the state and the society; a rubber stamp congress and a compliant judiciary; and, above all, managed public participation. In spite of institutional adaptation and innovation, the political structure in its core remains intact and the Party remains in control (Naughton and Yang, 2004). The concentration of political power allows the Party to make tough decisions and remain decisive in designing and achieving its policy objectives, and the decisiveness in decision-making and effectiveness in policy implementation in turn allow the Party to better manage corruption and reduce the negative impact that corruption may otherwise have.

The structure of corruption differs in different regime types and correspondingly corruption may have different impact on the political and economic system (Wedeman, 1997, 2012). Because of the effective macro-control, corruption in China is more "managed" and less destructive and predatory than the case elsewhere. There are variants in that argument, ranging from that corruption plays a facilitative role in China's unique economic transition; that corruption is stable and regularized and could be absorbed effectively as part of the cost in doing business in China; to that the impact of the otherwise predatory corruption is back-loaded with its destructive nature to be revealed only in a distant future. Despite the variation, the common thread that ties all the argument together is that, while corruption remains prevalent, it is well managed in China so as not to undermine the economy and social stability.

Authoritarianism allows the Party to take draconian anticorruption measures that are often unconstrained by law and unaccountable to the public. Commentators have pointed out the powerful Party disciplinary mechanism that wields extraordinary extra-legal power in investigating and disciplining Party officials, including extra-legal power of detention *incommunicado*; aggressive interrogation without legal representation; a compliant legal system to rubber-stamp the Party's decisions; periodical campaign against corruption; and the use of harsh penalties (Sapio, 2011). Ultimately, it is the disciplinary power of a Leninist Party and its disregards of laws and rights that matter the most in anti-corruption enforcement (Hsu, 2011).

Secondly, there is the authoritarian benevolence thesis. According to that thesis, the Party is not only powerful but also claims to exercise the power as the guardian of

national interest. It is often said that there is an anti-democracy instinct in China's one party state, which co-exists with an anticorruption instinct. The Party gained its political power by overthrowing a corrupt regime, and has been vigilant in preventing and punishing corruption. As powerful as it is, the Party claims that it does not have any interest of its own and holds political powers merely to serve the best interest of the nation and the people (Nathan, 1986).

The Party's claim has historical resonance. It has been said that state leaders in the Confucian tradition tend to be paternalistic and more self-constraining in exercising power, thus less prone to grand corruption as often observed among dictators elsewhere. For all its authoritarian traits, Confucianism emphasizes a strong and meritocratic bureaucratic system and personal ethics and moral obligations to be accountable to the people, which serve as external and internal controls over the rulers (Bell, 2012; Fukuyama, 2005, 2007, 2011). Being moderated by Confucian ethics, rulers in that tradition are self-limiting and self-correcting in the exercise of power, and there is a built-in self-regulatory mechanism to prevent excessive corruption and abuses. As corrupt as they may be, political leaders are committed to nation-building and long-term growth (Hsu, Wu and Zhao, 2011) and would not allow corruption to undermine their larger nationalist agenda.

Under that cultural tradition, corruption may be less predatory and less destructive to the economy (Wedeman, 1997). In the Chinese case, the Party is ready to acknowledge the shocking degree of corruption within the political system and the potential political damage that corruption may inflict, and is determined to face up to the challenges. Importantly, Party leaders in China are not widely known to be predatory in enriching themselves that characterize other high-corruption states. Simply put, China is not (yet) a kleptocracy.

Finally, there is the authoritarian legitimacy thesis. Because of the combination of efficiency with benevolence, the authoritarian government receives wide popular support, with labor, entrepreneur, and the middle class all expressing a high level of trust on the regime (Bell, 2012; Nathan, 1995; Perry, 2007; Wright, 2010). Indeed, the trust is so high that there is little need for mobilization and non-institutional participation. The high trust manifests itself in two characteristics. Firstly, anticorruption activities are locally-oriented with goals rarely going beyond attracting the attention of higher authorities, punishing corrupt local officials and stopping egregious local practices. Petitioners, protesters and other stakeholders who demonstrate a high degree of deference to, and confidence in, the higher level

authority's commitment and competence in solving the problem, are more prone to petition to higher authorities. In doing so, they expressly attribute the cause of the corruption squarely to the failure in policy implementation at the local levels and abuse of local officials in the process (Bell, 2012; Li, 2008). In sum, it is the bad apples that are to blame.

Secondly, anti-corruption activism is rule-based and anti-corruption protest does not go beyond the implementation of rights as provided in Party norms and state laws. There is abundant "rule consciousness" but a deficit of "right consciousness" independent of the Party rules and state laws (Perry, 2007). Rights consciousness, where it exists, is based on, and derives from, rule consciousness (Lorentzen and Scoggins, 2010). Perry (2007), doubting the possibility of a "rights" discourse in China, goes as far as arguing that the state proclamation of rights is not different from the state propaganda in the past of "class struggle". Therefore, protest in post-Mao China is not qualitatively different from that in Mao's China and both are regime-supportive, sharing similar protest symbols, repertoire and goals. Extending the argument to its logic end, anticorruption enforcement is authorized and controlled by the state and operate according to the official rules of the game (Perry, 2007: 21). As such, it is neither politically destabilizing nor regime subversive.<sup>2</sup>

### **Anti-Corruption Initiatives: From Transparency to Participation**

The following section of this paper provides three examples of international learning: 1) auditing of government budget and expenditure to enhance fiscal accountability; 2) open government information (OGI) system to allow better access to government information; and 3) the rise of social media which mobilizes anticorruption activism in the civil society. These three examples are chosen for three related reasons in addition to the fact that they are widely discussed in China. Firstly, these examples represent anticorruption intervention at different levels. Government auditing represents a top-down intervention and works mainly inside government departments; OGI represents a dynamic interaction between civil society actors and the government; and social media offers both opportunity and incentives for a spontaneous and bottom-up social mobilization.

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<sup>2</sup> China's acceptance of authoritarian rule and tolerance of government corruption are often studied in the particular Chinese cultural setting in which corruption is practiced. China's gift-giving culture and the imperatives of reciprocity in personal relationship provide a fertile ground on which corruption grows. Indeed, many commentators have argued that corruption and gift-giving may be indistinguishable to a significant degree and it is impossible for the law to identify where gift-giving ends and where corruption begins. Cultural tolerance of gift-giving and reciprocity desensitizes corrupt transaction, and the embeddedness of corruption in the cultural practice allows the society to absorb the destructive impact of corruption.

Secondly, those examples serve as proxies for larger policy changes and point to the direction of future and more structural reform. Auditing and its accountability structure invite congressional oversight of government fiscal policies and therefore enhance the separation of powers in China's political system; OGI mechanisms demand transparency, accountability and the rule of law in the government decision-making process; and social media provides the best opportunity of democratic deliberation and political participation in China. Finally, all three mechanisms are concerned with access to information. An authoritarian system habitually misinforms its citizens and the best antidote for corruption, as supplied by the three reform mechanisms, is to place the government "under the sunshine".

### *Government Auditing*

The structural problem in China's "unusual" budgetary system and the lack of accountability in government expenditure (Wong and Bird, 2008) mattered significantly in explaining the prevalence of corruption and its resilience. On the budgetary side, it is well-known that extra-budgetary fund (EBF) is widely used to compensate for the budgetary shortfall and to enhance government revenues. EBF includes fees, fines, levies and other hidden revenues that the government permits but does not effectively control. Local governments are too eager to explore extra-revenue to meet their expenditure. On the expenditure side, there is little meaningful monitoring and accountability and individual departments have wide discretion in the fiscal process. The combination of discretion in revenue-collection and the lack of control in expenditure naturally led to wide-spread misconduct and corruption. Officials kept part of the money collected in their own pockets before handing them over to the departments, and departments with a fee-generating capacity set up their own secretive "small treasuries" and spend the money they collect for their own benefit (Fu and Choy, 2004; Wedeman, 2000).

A significant first step in the fiscal reform undertaken by Zhu Rongji as the Premier was to remove the power to collect fees and levies from individual officials, with the ultimate goal to create a clear separation between revenue-gathering and from expenditure in the fiscal system. Before Zhu's reform, for example, traffic police were required to issue tickets to drivers for violating road traffic rules and collect fines on the spot. Not surprisingly, officers were eager to issue as many tickets as possible and personally keep as much of the fines as they could. After the reform, fines would be paid directly into a government banking account and money would no longer change

hands between police and drivers. A simple mechanism of payment changes the landscape of police corruption on the streets (Fu and Choy, 2003).

Once placing individual level corruption under some control, the government moved the next target to “small treasuries” and the principal tool in policing illicit “small treasuries” and illicit spending is government auditing. Constitutionally, auditing agencies are accountable directly to the corresponding people’s congress. In 1983, the first national audit office, the China National Audit Office (CNAO) was established with the responsibility to investigate the accounts of government departments. In 1995 the Audit Law was promulgated and the first comprehensive auditing took place in 1996. Under the Audit Law, the auditing offices review the budget implementation of all government entities and all public funds and assets are the targets of audit (Li, 1998). As Li Jinhua, a former Auditor General of the CNAO said that the CNAO is the “watchdog” of state assets with the duties to ensure a degree of fiscal rule of law and fiscal transparency.

The CNAO conducted its first serious audit in 1999 which revealed widespread irregularities, wastage and abuses on the part of the central ministries, including delayed preparation of budgetary plans, lax fiscal management, misuse of EBF, and diversion of EBF for profit-making activities. The Standing Committee of the National People’s Congress (NPC) favorably received the report. Although the report and the reporting process were not well covered in the media, it was the first time that China rigorously audited central ministries and state-owned enterprises (SOEs), and reported the auditing results to the standing Committee of the NPC (Bao, 2004).

Incidentally, aggressive publicity of audit reports was inspired by the U.S. Government Accountability Office (GAO). In 2001, while Premier Zhu Rongji was receiving David Walker, the U.S. Comptroller General, Head of the GAO, the guest mentioned the audit information disclosure system that was implemented in the U.S.. Upon knowing that such a system existed in China, the Premier made the decision that as long as the information was accurate, they should be truly and comprehensively reported to the NPC’s Standing Committee (Bao, 2004).

The decision to publicize auditing reports was implemented in 2003 after Wen Jiabo became the Premier. On 25 June 2003, Li Jinhua submitted to the NPCSC the 2002 audit report of the central government organs. It was a critical report in which powerful ministries were named and censured in public. The wording of the report was direct and sharp, and allegations were clearly made and supported by evidence.

With the 2003 report widely made public, Li Jinhua started the so-called “Audit Storm” which swept through the central ministries.

The CNAO auditing has uncovered shocking level of corruption and waste in both central and local governments and in both government departments and State-Owned Enterprises (SOEs), and the revelations has also led to certain disciplinary and legal actions against officials directly involved in the corrupt practices. While there were reservations on the long term impact of the audit storms, the CNAO is duly credited for its courage in confronting and unveiling problems that have long been in existence.<sup>3</sup> Since 2003, the scope of audit has gradually expanded from auditing income and expenditure to covering effectiveness of government fiscal management, including unreasonable budget estimation, slow progress in project implementation; and inappropriate policies in the SOEs. Attempts are also made to extend the audit storm to local governments although auditing at local levels proves to be more difficult. At the central level, the CNAO continues to conduct rigorous audits, publicize the names of offending organs, and recommend solutions, in spite of the resistance from some central Ministries.

### *Open Government Information*

The Open Government Information Regulations (OGI Regulations) took effect in 2008. The law requires all administrative agencies, subject to certain conditions, to publicize or make available information they have created or obtained in the course of carrying out their duties and to provide information to members of the public upon request. There is a statutory requirement for government departments to supply certain information through government reports, official websites, press conferences, broadcasting, television, etc. and to send certain information to designated archives and public libraries for public access. Regarding disclosure on application, applicants may only apply for disclosure of information that relates to their “special needs for production, livelihood activities or scientific research”. An administrative organ may refuse to disclose government information on the ground of state secret, commercial secret, or involvement of privacy of a third party. With the promulgation of the OGI Regulations, Chinese citizens enjoy a limited legal right to know.

While the OGI system is mandated by the UNCAC, it also drew broadly from international experiences and reflected a domestic need for transparency and

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<sup>3</sup> The auditing page on the People Net provides detailed information. <http://finance.people.com.cn/GB/8215/34856/index.html>.



accountability. OGI is part of China's on-going open government initiatives, including earlier programs on "transparency in government affairs", and other OGI initiatives. While there are significant legal, political and cultural hurdles to the successful implementation of the OGI Regulations (Fu, 2009; Horsley, 2010), the OGI Regulations provide an additional stimulus to enhance transparency, strengthen accountability, and improve governance. If the Administrative Litigation Law, which allows citizens to file complaints in courts against a specific violation of the law or dereliction of duty on the part of the government, provides a shield for citizens to protect their rights from official infringement, the OGI Regulations are, potentially, swords for citizens to monitor the government more proactively and effectively.

There is also a strong demand for OGI in China's emerging civil society. Activist lawyers, reporters, and other informed members of the society are mobilizing the law to push for a more open government. Most noticeably, green NGOs have been working to increase both the supply of and demand for government information. On the supply side, they have organized training for officials in environmental protection agencies and assisted in drafting more detailed and meaningful local rules on accessing environmental information. On the demand side, they have worked with lawyers and activists in requesting information and bringing the authorities to court when their requests are denied (Horsley, 2010).

Activist lawyers and rights advocates have indeed seized the opportunity to exercise the right to know upon the promulgation of the law. Xu Zhiyong and Gongmeng (also known as "Open Constitution Initiative" in English) have been active in identifying cases to test the OGI Regulations.<sup>3</sup> Another veteran lawyer, Hao Jinsong, is also actively involved in OGI cases.<sup>4</sup> There are encouraging signs of academic activism on access to government information, and more law professors are filing applications for information disclosure and bringing cases to public and media attention. Tsinghua University law professor Chen Jie filed an application requesting information related to the Wenchuan earthquake from the State Earthquake Administration; and three Peking University law professors battled with the Beijing Highway Administration regarding information on the use of highway levies.<sup>5</sup> A Shenyang resident, Wen Hongxiang, requested in an online posting that the Finance Bureau of Shenyang City disclose government entertainment expenses.<sup>7</sup> It is cheerful news in virtual space but embarrassing for the city government. Others followed suit immediately and started to make similar demands in other cities related to other information. Demand for information regarding officials' income soon turned to queries about the budget and government spending. After the central government announced a four

trillion RMB economic stimulus plan, Shanghai lawyer Yan Yiming immediately requested publication of the details.<sup>8</sup>

To the credit of the government at all levels, a large amount of government information has already been publicized within the short history of the implementation of the OGI Regulations, and the system has improved in spite of the limitation in its institutional design and implementation. . Indeed, the government has also used the OGI mechanism to enhance bureaucratic control and ensure faithful implementation of central policies. By providing information through official websites, press conferences and other means in a timely fashion, the government can guide, shape, and, in the end, control public opinions.

Generally speaking, the items of information that are voluntarily disclosed by the central and provincial governments have been increasing since 2008, while those disclosed by city governments have remained largely unchanged. On the other hand, the number of OGI-based requests for information from city governments has increase quickly although that from the central and provincial governments has changed little. Another healthy sign is the increase in judicial review applications in spite of the judicial caution and passivism (Chen, 2012).

There are great variations and some places are performing much better than others. It is important to assess the performance closely to develop a clear understanding as to what makes a difference. In a large-scale study (Lorentzen, Landry and Yasuda, 2010), the OGI performance of 113 cities were assessed according to eight dimensions. The overall performance was disappointing: with 63 points out of a total of 100 as basic compliance, the means score was 31.06 and the median was only 26.6. The lowest reached 10.2. But an otherwise critical review also pointed to the potential of OGI in China. The highest score in the survey attained 72.9 points. The best predictor for good performance was the wealth of the city: better developed infrastructure and institutions for the OGI system; better-managed and more open government; better educated and informed residents with more demand for open government. In addition, wealthy cities tend to rely less on SOEs and have a more diversified economy. Other factors contributing to better OGI in a city included the education background of mayors, with cities administered by mayors with legal training background doing better than others; and the length of services of the mayors in a city — the longer the stay, the better the OGI system. OGI is thus likely to improve when cities accumulate their wealth, diversify their economy and make a smart decision in choosing their leaders.

Like the rule of law in general, the OGI Regulations are a double-edged sword. While they empower and legitimize the government through information management and control, the regulations are a useful tool in the hands of the citizens and have also developed the potential to constrain government power (Horsley, 2010). As part of the on-going reform to liberalize governance in China, the new OGI Regulations have the potential to help drive the development of a more transparent, responsive, and accountable government. The litmus test in the decade to come is: whether the government can be forced, through litigation, public opinion, or other means, to publicize information that is inconvenient, embarrassing, or even outright offensive to the government.

### *The Rise of Social Media*

A free and independent press is often regarded as a necessary condition for clean government, and countries with a higher level of press freedom tend to have a lower level of corruption. Since corruption is mostly a consensual crime that happens in the dark, a free press with its probing investigative journalism is regarded as indispensable to bring corruption to light. In democracies, publicity of corruption scandals could mobilize public support, generate pressure to force corrupt officials to resign, and ultimately causes an electoral defeat of the political party that is implicated in corruption (Rose-Ackerman, 1999).

The Chinese press does not share the major characteristics that define a free press, however. In China, there is little open political competition, low level of public participation and weak protection of civil and political rights, in particular the freedom of speech. On the contrary, the press is owned and controlled by the Party and the Party has historically placed severe restrictions on investigative reporting, especially the reporting of the negative events such as corruption.

Yet, for a combination of reasons, the press in China has been playing a significant role in exposing certain corruption and forcing the Party to take more anti-corruption actions. Firstly, there is the agency problem and central authorities, because of information asymmetry, need to rely on the press to expose local corruption so as to discipline local officials more effectively. Economic reform has led to an increase in local political powers and an increase in local corruption and abuses in violation of central rules. In this new context, the media, as a controlled forum, is well placed to serve as “representatives and trustees of the public, translating raw public opinion into

a collective, supervisory role.” (Cheung, 2007: 363) In doing so, media develops a potential to become an influential actor in monitoring the government (Lieberman, 2005).

Secondly, the media in the reform era has developed a self-interest in aggressive news reporting. Forced to be financially independent, the media is managed as a business and has to follow business logic. Like its counterparts in a market economy, media in China relies on advertising revenue which in turn relies on circulation and reader preference. Corruption scandals are provocative and popular news among readers and there are sufficient incentives in the media for journalists to launch their own investigation, as illustrated by the popularity and resilience of investigative journalism in China (Cullen and Fu, 1998).

Finally, formal education, in conjunction with opportunities and incentives, nurtures an emerging professional identity within the journalist community. Inspired by some exemplary reporters who courageously and strategically covered controversial cases, and influenced by global media, a generation of reporters have emerged who are no longer satisfied with the status quo. Without challenging the political system directly, many of the journalists have developed a strong sense of social responsibility, are passionate about social justice issues and are prepared to expose the dark side in business and government. Indeed, major scandals in the recent decade, ranging from Sun Zhigang’s death to the melamine-tainted milk formula, are exposed by courageous reporters who are willing to take the risk.

Of course, state media is under the tight control of the Party and, within the authoritarian political structure, it is unlikely to become an independent watchdog (Cheung, 2007; Keller, 2003). Weak state monitoring and control over officials has led to a more society-based anti-corruption activism in exposing corruption through naming and shaming on the Internet. A most significant development in China since the 1990s is undoubtedly the emergence of social media and the vibrant online activism. The advance of information technology allows almost instantaneous reporting on corruption as it occurs in spite of widespread censorship. In a society well-known for its tight press control and censorship, social media provides an alternative source for information and a new platform for action. Since the Party’s promotion of Internet as a supervisory tool in 2008 (and the famous online chat between the Party General Secretary Hu Jintao and members of the public), Chinese netizens have developed a culture of cyberactivism in which ordinary citizens expose misconduct and scandals, and, through a coordinated search, commonly referred to as

“human flesh search” (HFS)<sup>4</sup> (Downey, 2010), identify and hunt down corrupt officials.

Examples abound in which the netizen-led action has led to successful publicity, investigation and prosecution. An official from Nanjing was pictured when making a speech criticizing developers for selling property at below-market value. The speech was controversial and attracted public attention. He was hunted and was later identified as Zhou Jiugen, a district housing management bureau chief. In the photo, he was smoking an expensive brand of cigarette (called “95 Supreme”) which sells at 1,500 RMB per carton). From a pack of cigarette, netizens through HFS discovered Zhou’s expensive watch, car and in general a luxury life style. The continuous exposure finally led to an official investigation. Zhou was subsequently sentenced to 11 year imprisonment for taking 1.2 million RMB in bribes.<sup>5</sup> In another case, an official who was pictured smiling at a tragic traffic accident scene angered netizens. Through collective vigilantism, they identified the person as the Shaanxi Safety Inspection Bureau Chief, Yang Daicai. Further HFS revealed that Yang wore different watches, all expensive ones, on different occasions. All the photos were posted online with highlights on the watches and calls for further investigation.<sup>6</sup> In response, Yang was removed from his post.

The intrusive HFS has on many occasions degenerated into online mob rule — “a 21st century version of the medieval ‘stockade’” (Eberlein, 2008; see also Chao, 2008), but when the search aims at corruption, the intrusion and aggression prove to be the most effective anti-corruption tool - “a 24-hour-a-day nightmare for government officials across China” (Mackinnon, 2012). HFS organizes the otherwise isolated individuals into a collective action and facilitates the creation of online anticorruption communities. Through their online activism and offline mobilization, dedicated members of the public have exposed wrongful death in custody and condemned police abuse of power; forced the judiciary to respond to public opinions and revise their decisions; and brought the vivid image of corrupt and abusive officials before the public. Through the online mobilization, HFR nurtures a civic anticorruption culture and influences the official media. Social media therefore sets the agenda in the inter-media relations and anticorruption information flows from the social media to

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<sup>4</sup> Downey (2010 ) defined the term as follows:

Human-flesh search engines — *renrou sousuo yinqing* — have become a Chinese phenomenon: they are a form of online vigilante justice in which Internet users hunt down and punish people who have attracted their wrath. The goal is to get the targets of a search fired from their jobs, shamed in front of their neighbors, run out of town. It’s crowd-sourced detective work, pursued online — with offline results.

<sup>5</sup> [http://news.xinhuanet.com/newscente/2008-12/28/content\\_10572187.htm](http://news.xinhuanet.com/newscente/2008-12/28/content_10572187.htm).

<sup>6</sup> <http://news.qq.com/a/20120828/001020.htm#p=6>.

state media. Because of the aggressive HFS, corruption scandals and critical reflections first appear in social media, and are followed up, not without some reluctance, by the official media if only try to remain relevant and to mould public mood. With over 500 million Internet users keenly watching the government, the Internet is bound to be an influential political actor which is hard to rein in.

In response, the Party has become more responsive to cyberactivism by taking effective remedial actions. Typically, as in Zhou Jiugen's case and many other cases, the Party orders a prompt investigation once detecting a collective wrath from the public and, not surprisingly, finds sufficient evidence that warrants a disciplinary action or criminal punishment. The official action is often swift and the officials, with the issue involving them, vanish quickly from public view. Beyond the individual cases, the government stays engaged with the online civil societal forces. Auditing may be distorted, and OGI-based application may be denied, but the battle against corruption has been fought in the court of public opinions through public mobilization. In the end, the Party is forced to take the pulse of public opinions carefully and to treat it seriously.

### **Authoritarian Resilience and Anticorruption Initiatives**

Those anticorruption efforts have had certain positive impact on China's anticorruption enforcement. Firstly, they signal the commitment and determination of the Party to control the further spread of corruption. Party leaders have on countless occasions openly admitted existential challenges posed by corruption, often framed in life or death terms. Former Premier Zhu Rongji was well-known for his tough talks on anti-corruption.<sup>7</sup> Presidents Hu Jintao and others have repeatedly warned that the Party and the nation would collapse if corruption cannot be placed under effective control. It is of course the Party's own decision to allow the CNAO to publicize shocking mismanagement, embezzlement and stealing of public funds within the central Ministries; to allow citizens to ask probing questions; and to tolerate HFS which has produced many embarrassing moments for the Party. In the past two decades, the Party has regularly supplied new anticorruption mechanisms, and the discussion surrounding them have generated a positive policy environment that enhances people's trust in the central authority and encourages institutional participation. Those new initiatives make anticorruption a live issue, supply the much

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<sup>7</sup> To demonstrate his anti-corruption determination, Zhu stated in a press conference in 2008 that he would prepare 100 coffins — 99 for corrupt officials and one for himself.

needed oxygen into the routine anticorruption efforts and make anticorruption a sustainable enterprise.

Secondly, the continuous supply of anticorruption measures engages the public and incorporates the elite into institutional reforms. Political reform remains a taboo issue and is not open to serious public discussion. However, when an anticorruption, good governance reform is initiated, it blows fresh air into an otherwise suffocating political circumstance. Most of the reform measures have attracted tremendous public interest and scrutiny, and regularly involve a large number of experts, professionals and the general public in the legislative and policy-making process from consultation, promulgation, implementation to evaluation. Government officials in charge are eager to promote the new initiatives; scholars and experts as a matter of routine are invited to give their views and to put the reform in a proper historical and comparative perspective; and lawyers and other activists test the feasibility of a new scheme and scrutinize undertakings made by the government. The deliberation on the potentials of those measures captures the imagination of the otherwise frustrated audience.

Those mechanisms are not merely empty talks or window dressing. They deliver in part and create their own winners and losers. Each anticorruption initiative opens its own space and opportunities for legal action and political reform. The mechanisms may be structurally defective in design and poor in their implementation and as such they attract waves of criticisms that they deserve. But after all the criticisms are voiced, people continue to go back to the mechanisms for future improvement. The audit reports could be more effectively implemented; courts should have been more active in creating and enforcing the right to know in OGI-based judicial review; and there could be better coordination between online activism and offline mobilization in anticorruption activities. As defective as they are, those mechanisms do not generate a wholesale rejection and cynicism which may lead to radicalism.

For many NGOs working on the ground to advocate social justice, the OGI and other innovative measures are much needed tools to engage the system. Imagine an environmental NGO trying to enforce environmental accountability against polluting factories, such as the well-known case of the Yunnan-based environmental NGO, Green Watershed, doing its tough battle against the Luliang Chemical Industry Co., Ltd for dumping the highly toxic chromium residue into the Nanpan River, causing cancers and other diseases among villagers residing nearby.<sup>8</sup> The OGI law is one of

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<sup>8</sup> Why Have Our Appeals for Information Disclosure Been Ignored? <http://www.chinadevelopmentbrief.cn/?p=1010>.

the few institutional tools in Green Watershed's possession to engage the authorities and compel them to act. Through online mobilization, Green Watershed successfully drew wide public attention to the case. After all, the toxic has produced a cancer village near the Nanpan River which happens to be the source of Pearl River in Guangdong. But online activism cannot replace offline action and when it comes to offline mobilization, the OGI system offers the best available tool to initiate an action. Armed with the OGI regulations and the implementing rules, the Green Watershed have tried approach the provincial environmental protection department, the bank that finances the enterprise and the banking regulatory agency for a wide-range of information. OGI-based action is clearly a tempting and useful stepping stone into government offices.

Finally, those anticorruption initiatives offer a hope that corruption can be solved through incremental institutional innovation, and the accumulated effect of small changes may ultimately reach a tipping point in the political system. The institutional innovation may be ineffective to control grand corruption that happens at the higher echelon of the government, but it is effective in putting the routine and petty corruption that directly affect the daily life activities of ordinary people under some effective control. Ordinary citizens are most vigilant in monitoring frontline representatives of the Party-state, such as tax collectors, police officers, judges and urban management personnel, and it is not surprising that Chinese social media is full of reports on abuse and corruption in matters that concern the daily life of the ordinary people. When corruption at the lower end is controlled, corruption is removed from public view. While undoubtedly continuing to exist, corruption has become hidden and become a more remote issue for the ordinary citizens. A tighter control and discipline of the lower level civil servants generate more public confidence in the system and could solidify the system at its foundational level.

At the same time, anticorruption initiatives offer hope for more structural reforms. The aggressive auditing offers some hope of top-down anti-corruption reform within the government ministries. The regular auditing and the revelation of systematic misuse of public fund and embezzlement appear to be an excellent entry point to political reform at a structural level. The fact that a Ministry could keep and misuse millions of dollars raises a series of questions relating to financial accountability, budgetary process, congressional oversight and, ultimately, tax-payers' rights. In direct response to the auditing storm, the NPC, potentially as an alternative power house, strengthens its grip over the fiscal process by setting up an independent Budget Committee. There has also been discussion to further legislative enactment to place



the revenue and spending powers of the government organs under more effective congressional control.

OGI offers a similar opportunity at a deeper structural level. After the promulgation of the OGI Regulations, ordinary people have developed a keen interest in knowing government entertainment budget and assets of Party officials. The new OGI Regulations, the subsequent legal actions and lively online discussions surrounding the matter are nurturing a healthy dose of cynicism about officialdom and, from which, a culture of political accountability. There is now mounting pressure for a legislation to compel Party and state officials to disclose their personal assets.

Finally, the Internet offers the best accountability mechanism and the best forum of democratic participation in China. Undoubtedly, with its strong Chinese characteristics, HFS is a convenient and effective instrument in the on-going popular war against corruption. The collective online vigilance galvanizes public support, puts officials on notice and compels the Party to take effective and visible remedial actions. Significantly, the Internet is creating an alternative community of voices and an alternative source of power in the virtual world in competition with those in the real world. The Internet is set to continue to offer forums and possibilities for more institutionalized public deliberation and political participation (Leib and He, 2006; Jiang, 2008; Yang, 2010).

### **The Limit of Authoritarian Adaptation**

China's authoritarian resilience has its limit and the authoritarian thesis mentioned at the beginning of the paper is substantially weakened upon closer examination. First of all, the benevolent thesis is being falsified in front of the eyes of the general public. The Bo Xilai affairs and the aftermath reveal the uglier side of the political system and the shocking scale of violence, corruption and moral decay among political elites. The scandal challenges the myth of the Chinese exceptionalism and lays bare the fact that despite the tough rhetoric, the Party, with corrupt interest institutionalized and entrenched at the core, is not able to control the spread of corruption. Contrary to the claim of benevolence, political corruption is reaching, and is seen to reach, the Party's political core and running out of control. While China no longer has a single despot and will not resemble other kleptocracies in the structure and pattern of corruption, it is developing its own predatory corruption and increasingly, the Party itself is seen as part of the problem instead of the solution. For some, China practices "crony communism" (Dickson, 2011) in which predatory Party leaders rob the nation of its

wealth (Pei, 2006). Greed and corruption exposed by the CNAO and the petty corruption that the HFS exposes are slowly eating away at the Party's credibility.

Without the anticorruption credibility it claims, the authoritarian system is not as efficient as it appears when confronted with powerful interests and a massive corruption problem. The shortage of political will aside, China's authoritarianism is highly fragmented and the complicated policy process, which relies heavily on vertical and horizontal consensual building through negotiation, renders implementation of anticorruption policies extremely difficult (Lieberthal, 1995). After all the rough rhetoric against corruption, the Party's investigation rarely leads to criminal prosecution, and indeed merely a tiny percentage of the officials investigated by the Party's disciplinary machinery for corruption are later prosecuted in court. China runs a soft anti-corruption regime in which criminal law, despite the recent amendment and expansion, remains marginal. It remains the case that the Party's soft law prevails and the Party largely internalizes its own corruption problem. While the Party will continue to prosecute egregious cases, it will also make sure that prosecution would not sabotage the political loyalty of its members. The political imperative necessitates highly selective investigation and prosecution.

While many of the anticorruption initiatives are innovative, they tinker at the margin of politics and become diluted during implementation. The innovative measures such as auditing, OGI, media exposures may not be able to tame the corrupt impulse within the Party, and the piecemeal institutional reform may not have the potential to serve as a catalyst for further structural change. Take audit for example, realistically what the auditors could achieve beyond the naming and blaming of some individual offenders is highly doubtful. As a subordinate organ of the State Council, the CNAO's power is limited because it faces a problem that is common to the entire government. Central ministries are powerful. Financial irregularities, and for that matter, corrupt practices, are not regarded as a politically risky business. At the end of the day, a few officials may receive Party discipline or criminal punishment, but the same institutional corruption re-surfaces every year. As the People's Net — the official website of People's Daily, the Party's official newspaper — conceded in one of its online editorials that it is difficult to uncover problems, but it is more difficult to solve them.<sup>9</sup>

It is not surprising that anticorruption initiatives may be launched in a highly ritualistic fashion but fall far short in their implementation. The Party is decisive in

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<sup>9</sup> "What Do We Expect?" <http://finance.people.com.cn/GB/8215/34856/index.html>.

making new policies one after another, but it is far less resilient in their implementation because of the nature of authoritarian decision making (Cox and McCubbins, 2001). The anticorruption policy process has a relatively short time span, and it rises and falls at short intervals. When a new program is initiated, there is no shortage of good will and determination to make it work. Each initiative could potentially have a significant impact in a particular policy area and offer a possible entry point into the larger political system. After all, the initiatives such as auditing, OGI, and many others have worked in other societies and could be made to work in China only if properly implemented.

Because of the initial political support, especially the personal endorsement of top leaders, such as Zhu Rongji's support of auditing, Wen Jiabao's endorsement of OGI, and Hu Jintao's famous online chat with netizens, initial implementation is normally smooth. Reformers within the government or civil society sectors are able to score a few initial victories and those successes would then be widely reported, discussed and endorsed in the policy circle, among academia and on the media. Success generates hope and reformers inch forward and move deeper into the political system until they encounter more structural difficulties and are pushed back. Can applicants ask anything about the Party's spending power and the real operation of the system? Can the NPC punish Ministers for financial irregularities and outright corruption? And to what degree can corruption be fully investigated and reported on the media? Those are the challenging questions that do not have easy answers in China's political system.

Given the political constraints, institutional innovation, while continuous, is bound to be "shallow" and scratch at surfaces. Anticorruption reform, which has been most active in the past decade, shifts from one policy area to the other without creating sustainable results. Some anticorruption initiatives are of course more resilient than others, but each initiative on its own does not bite and it is impossible for an isolated mechanism to coalesce into a comprehensive anticorruption momentum. Anticorruption enforcement appears like a hit-and-miss, guerilla warfare and does not develop a systemic, deep-level engagement. At the end of the day, anticorruption enforcement creates shocks more than hope; and offers surprises more than remedies. There are abundant examples of short-term fixes with little long-term planning.

Finally, the authoritarian state may have encountered more difficulties than the conventional theories admit in its search for legitimacy (Bell, 2012). The base of the legitimacy, according to the China model, lies in part in the trust in the Party to control corruption. Accordingly, while people loathe local corruption, they place their

faith in the Party to sort out the problem. The logic of the Chinese authoritarianism is the reliance on the central patriarch as panacea to end all the local abuses. As a result, petitions regarding local grievances go to Beijing for a quick fix (Minzner, 2006). But that design ironically weakens the level of trust and undermines Beijing's legitimacy, as the petitioners soon find out local officials do not cause all the miseries on their own and the central authorities are also part of the problem. When that happens, people may suspend their deference to the central authority, challenge the credibility and legitimacy of the system and resort to assertive, disruptive, and radical mobilization (Li, 2008, Pils, 2012). As Li (2008: 222) puts it, "High trust in the center induces petitioning which then may devastate that trust and thereby induce more aggressive popular actions."

People's trust in the Party and deference to authorities in general may be waning when they are less economically reliant on the government. Generally, economic freedom leads to political freedom in which economically independent people are more demanding of their government and less tolerant of government abuses and corruption (Inglehart and Welzel, 2008; Fukuyama, 1995). Rule consciousness and rights consciousness may be a distinction without significant difference in understanding the struggles for rights in their daily life (Li, 2010; Wong, 2011). As manifested in organized rallies and demonstration, people's concerns are more than egregious practice and petty corruption and their petitions often go beyond the implementation of existing rules as such. As HFS-exposed scandals seem to show, people are curious about petty corruption but they also cast significant doubt on the legitimacy of the system. Beyond the immediate grievances, citizens are demanding the right to know, the right to be heard, the right to express and, above all, the right to participate. In the online and offline mobilization against corruption, official rules, which are tolerant of misconduct, are hardly relevant.

If the faith in the political and legal institutions is fading, would people continue to channel their grievances through the institutions on which they no longer have faith? Would lawyers and other civil society forces continue to rely on the institutional means and implement incremental reforms? How would the society react when citizens who report corruption and misconduct are harassed by the government, sued by officials for defamation, or detained by the police (van Rooij, 2012)? To use the Green Watershed example again, the OGI Regulations empowered the NGO in the initial stage of the engagement by allowing a dialogue with department agencies. But all the departments declined to intervene and denied the application on dubious legal grounds: the bank cited commercial trade secret; the regulatory body pushed the

applicant to the Environmental Protection Administration (EPA) and the EPA said it lacked the technical capacity to fill its duty. Something was clearly operating behind the scene to frustrate the exercise of a legal right, but there is little that the NGO can do to initiate a meaningful action. Would the Green Watershed or any other NGO continue to rely on the OGI system in demanding rights and advocating changes or engaging in more direct political activism?

## **Conclusion**

It is evident that most of the reform in the past decade has been geared directly or indirectly toward anticorruption enforcement, and despite the political inertia, the government has produced significant institutional changes in the anticorruption field. At least, the Party has faced up to the challenges and kept the anticorruption momentum going forward. Corruption is spreading and entrenching itself; the Party is also digging in; and the battle against corruption continues.

Conventional understanding has it that China fights against corruption in its own authoritarian way by relying on draconian measures to show-case its commitment and determination. Instead of transparency, separation of powers and the rule of law which are tested international best practices, the concentration of powers in one authoritarian Party best explains the Party's effective control over corruption. The draconian measures achieve a high degree of efficiency in containing the further spread of corruption and legitimacy among the ordinary people. They offer a Chinese model to the world.

This paper argues that the authoritarian efficiency is not the whole story in explaining anticorruption policies in China. It may not even be the main story. China has been active in learning from the international best practices and indeed most of its anticorruption policies follow closely the formula provided by the UNCAC and other bodies including the World Bank, the OECD, and Transparency International. While the Party remains in charge of the anticorruption agenda, anticorruption measures it uses are not hostile to the concepts of a limited separation of powers, transparency and public deliberation and participation — all building blocks for democratic governance. The continuation of China's anticorruption campaign relies on the continuous adaptation of the liberal-oriented institutions as much as the one-Party authoritarianism.

Those new institutional reforms signal the Party's commitment to adapt and learn; and there is sufficient evidence to prove that the Party has adapted and learned a lot. Whether the Party can buy enough time to reform itself in time and pre-empt a corruption-generated political crisis is unknown. Corruption certainly exists in every political system and democracy *per se* does not offer any panacea. There is also strong evidence that corruption could be effectively controlled under authoritarianism. But China's authoritarian system faces a massive corruption problem which is deeply entrenched and intrinsically tied to the operation of the system. The Party may not be able to change itself in a significant way and, if that is the case, corruption will continue to spread and deepen. Without a deeper-level political reform, the institutional innovation and adaption will be too marginal, too slow and too little to have an impact. This paper argues that, for the time being, the implementation of the international anticorruption best practices in China has contributed to the Party's political stability and authoritarian resilience. But the future remains uncertain and is unfolding as we speak.

## References

- Bao, Dike, 'Who Gives the Auditor General Li Jinghua the "Imperial Sword"?' <http://www.people.com.cn/GB/jingji/1045/2617567.html>.
- Bell, Daniel. (2012, forthcoming) "Political Legitimacy in China: A Confucian Approach," in Joseph Chan (ed.)
- Chen, Yongxi. (2012) "A Right to Know that Has little to Know with Supervision" in Fu Hualing and Guobin Zhu (eds.) *Constitutional Rights and Constitutionalism: Research on Contemporary Constitutional Problems in China* (Hong Kong, Hong Kong University Press).
- Cheung, Anne S.Y. (2007) "Public Opinion Supervision: A Case of Media Freedom in China." *Columbia Journal of Asian Law* 20, 2: 357-384.
- Cox, Gary W and McCubbins, Mathew D (2001). "Political Structure and Economic Policy: The Institutional Determinants of Policy Outcomes, in Stephan Haggard and Mathew McCubbins (eds.) *Presidents, Parliaments, and Policy*, (Cambridge University Press).
- Cullen, Richard and Fu H L, (1998) "Seeking Theory from Experience: Media Regulation in China", (1998) 5 *Democratization* 155-178.
- Dickson, Bruce J, 'Who Consents to the "Beijing Consensus"?: Crony Communism in China,' in Hsu, S. Philip, Yu-Shan Wu and Suisheng Zhao (eds.)
- Downey, Tom, (2010) "China's Cyberposse" *New York Times*, 3 March 2010. <http://www.nytimes.com/2010/03/07/magazine/07Human-t.html?pagewanted=all>
- Inglehart, Ronald and Christian Welzel, (2005) *Modernization, Cultural Change, and Democracy: The Human Development Sequence*. Cambridge: Cambridge University Press.

- Eberlein, Xujun. (2008), "Human Flesh Search: Vigilantes of the Chinese Internet" [http://news.newamericamedia.org/news/view\\_article.html?article\\_id=964203448cbf700c9640912bf9012e05](http://news.newamericamedia.org/news/view_article.html?article_id=964203448cbf700c9640912bf9012e05)
- Fu, Hualing and Choy DW (2004) "Policing for Profit: Fiscal Crisis and Institutionalized Corruption of Chinese Police," in Stanley Einstein (ed.) *Policing, Security and Corruption* (Office of International Criminal Justice, USA)
- Fukuyama, Francis. (1995) "Confucianism and Democracy", *Journal of Democracy* 6.2: 20-33.
- . (2011) *The Origin of Political Order: From Prehuman times to the French Revolution* (London: Profile Books).
- Gomez, Edmund Terrance ed., (2002) *Political Business in East Asia*, Routledge, 2002.
- Horsley, Jamie P. (2010) "Update on China's Open Government Information Regulations: Surprising Public Demand Yielding Some Positive Results," <http://www.freedominfo.org/2010/04/update-on-china-open-government-information-regulations>
- Hsu, S. Philip Hsu, Yu-Shan Wu and Suisheng Zhao, *In Search of China's Development Model: Beyond Beijing Consensus*, Routledge, 2011.
- Hsu, Szu-Chien, "Strengthening the Soft Discipline Constraint: Limited Reform in Curbing Leading Cadres' Power," in Hsu, S. Philip Hsu, Yu-Shan Wu and Suisheng Zhao (eds.)
- Huntington, Samuel P., "Democracy's Third Wave," *Journal of Democracy* 2 (Spring 1991): 24.
- Jiang, Ming. (2008) "Authoritarian Deliberation: Public Deliberation in China,"
- Keller, Perry (2003) "Privilege and Punishment: Press Governance in China", *Cardozo Arts and Ent. L. J.* 21(1): 87-138.
- Kennedy, Scott, "The Myth of the Beijing Consensus," in Hsu, S. Philip, Yu-Shan Wu and Suisheng Zhao (eds.)
- Li, Lianjiang. (2010) "Rights Consciousness and Rules Consciousness in Contemporary China," *China Journal* 64.
- Lieberthal, Kenneth (1995) *Governing China: From Revolution Through Reform*. New York: W. W. Norton & Company, INC.
- Liebman, Benjamin. (2005) "Watchdog or Demagogue," *The Media in the Chinese Legal System*, *Columbia Law Review* 105: 1-.
- Lorentzen, Peter, Landry, Pierre, and Yasuda, John, (2010) "Transparent Authoritarianism? An Analysis of political and economic barriers to greater government transparency in China." [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1643986](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1643986)
- Lorentzen, Peter and Scoggins, Suzanne, (2010) "Rising Rights Consciousness: Undermining or Undergirding China's Stability?" [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1722352](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1722352)
- Mackinnon, Mark. (2012) "Do China's bloggers threaten or bolster Communist rule?" *Global and Mail*, 9 September 2012.
- Minzner, Carl (2006) "Xinfang: Alternative to Formal Chinese Legal Institutions," 42 *Stanford J. of Int. Law* 42: 103.
- (2009), "Riots and Cover-Ups: Counterproductive Control of Local Agents in China" *University of Pennsylvania Journal of International Law*, 31:
- Nathan, Andrew, J. (1985) *Chinese Democracy*. New York: Knopf.
- . (2003) "Authoritarian Resilience," *Journal of Democracy* 14: 6-17;
- Naughton, Barry J. and Yang, Dali. (2004) *Holding China together: Diversity and*

- National Integration in the Post-Deng Era (CUP).
- Peerenboom (2007) *China Modernizes: Threat to the West or Model for the Rest?* Oxford: Oxford University Press.
- Pei, Minxin, (2006) *China's Trapped Transition: The Limited of Developmental Autocracy* (Cambridge, Mass: Harvard University Press, 2006).
- Perry, Elizabeth, J. (2007) "Studying Chinese Politics: Farewell to Revolution China," *The China Journal* 57: 1-22.
- Pils, Eva, (2012), "Charter 08 and Violent Resistance: The Dark Side of the Chinese Weiquan Movement," in Jean Philippe Beja, Fu Hualing and Eva Pils, Liu Xiaobo, *Charter 08 and the Limits of China's Political Reform* (Hong Kong University Press, 2012).
- Rose-Ackerman, (1999) *Corruption and Government: Causes, Consequences, and Reform* (Cambridge University Press).
- Sapio, Flora, (2008) "Shuanggui and Extralegal Detention in China", *China Information* 22: 7 – 37.
- (2010) *Sovereign Power and the Law in China. Zones of exception in the criminal justice system.* (Boston and Leiden: Brill).
- Shambaugh, D. (2008) *China's Communist Party: Atrophy and Adaptation.* Washington D.C.: Woodrow Wilson Center Press.
- van Rooij, Benjamin (2012) "The People's Regulation: Citizens and Implementation of Law in China" *Columbia Journal of Asian Law*, 25: 2.
- Wedeman, Andrew, (2000) "Budgets, Extra-budgets, and Small Treasuries: The Utility of Illegal Monies." *Journal of Contemporary China*, 9(25): 489-511.
- . (2012) *Double Paradox: Rapid Growth and Rising Corruption in China* (Cornel University Press).
- Wong, Christine P.W. and Bird, Richard M. (2008) "China's Fiscal System: A Work in Progress," in Loren Brandt and Thomas G. Rawski, (eds.) *China's Great Economic Transformation* (New York: Cambridge).
- Wong, Linda. (2011) "Chinese Migrant Workers: Rights Attainment Deficits, Rights Consciousness and Personal Strategies," *The China Quarterly* 208: 870-892.
- Wright, Teresa. (2010) *Accepting Authoritarianism: State-Society Relations in China's Reform Era* (Stanford, California: Stanford University Press).
- Yang, Dali L. Yang, (2004) *Remaking the Chinese Leviathan: Market Transition and the Politics of Governance in China* (Stanford, California: Stanford University Press).
- Zhao, Chong, (2008) "'Human Flesh Search': A Creative Way of Using the Internet in China?" <http://blog.sciencenet.cn/blog-45671-37258.html>
- Zhao, Suisheng, "The China Model of Development: Can it Replace the Western Model of Modernization," in Hsu S. Philip, Yu-Shan Wu and Suisheng Zhao (eds.)