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# **“Occupy Wall Street” and Communist China’s Emerging “Neo-Kong” Discourse of Antidemocratic Legitimacy**

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As Western observers have noted, China's state-run media "had a field day [in the] autumn [of 2011] with [the] Occupy Wall Street [movement], spinning an almost daily morality play about capitalism gone amok and an American government unable or unwilling to aide the victims of a rapacious elite."<sup>1</sup> In this paper, I offer a few observations of my own about coverage of "Occupy Wall Street" (OWS) in the official Chinese press, my thoughts on some interesting political and intellectual currents that I think are visible in Beijing today, and some musings about how the OWS narrative and associated images of American democracy may fit into the Chinese Party-State's modern conception of itself.

## I. "Occupy Wall Street" Through a Chinese Prism

There appear to have been two main themes in coverage of OWS. First, the coverage seemed to stress the ways in which OWS allegedly showed the U.S. *political* system to be dysfunctional in its inability to respond to the economic needs of the people. To my eye, this was not primarily an economic critique. It emphasized inequality and economic injustice, to be sure, but it focused upon the inability of American *politics* to respond to these problems. This narrative thus implicitly contrasted governance in the United States to the *Chinese* system of Communist Party rule, which has rooted so much of its legitimacy as an authoritarian regime in its claimed responsiveness to the people's needs for economic opportunity, and which has staked so much on its ability to provide huge growth rates year after year.

This emphasis upon the *political* origins of the problem – that is, the inability of American politics to *respond* to the challenges of economic inequality rather than the existence of such inequality *per se* – was important, of course, because China is nowadays notorious for its own income inequality. To be sure, there were some suggestions in the Chinese media that the "Occupy" movement demonstrated the bankruptcy of market economics as a whole. *Global Times*, for example, quoted some Chinese leftists that it showed Americans' anger over income inequality, government payoffs to "financial magnates, and other economic injustice, "loss of jobs, income, employment and hope" – hinting that OWS may even presage the collapse of American capitalism. In itself, however, a focus on economic inequality is perilous ground for a general critique of the United States, for China's own Gini coefficient of income inequality has been treated as all but a state secret since 2000, at which point it was already greater than the figure in the United States. It may conceivably today be at or above the shocking figure of 0.5.<sup>2</sup> A critique based upon inequality and economic

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<sup>1</sup> See, e.g., Michael Wines, "A Village In Revolt Could Be A Harbinger," *New York Times* (December 26, 2011), at A4.

<sup>2</sup> "Satisfy the People," *The Economist* (March 10, 2012), available at <http://www.economist.com/node/21549991>. Bo Xilai, already clearly under attack from Zhongnanhai but just before complete news blackout that accompanied his ouster as Chongqing party chief, declared in press conference that China's gini coefficient had risen above 0.46. "Bo Bo, Black Sheep," *The Economist* (March 15, 2012), available at <http://www.economist.com/blogs/analects/2012/03/chinese-power-politics?page=6>. Some

injustice alone, therefore, would say more damaging things about the Chinese Communist Party (CCP) and its rule than about the United States.

Accordingly, it was apparently important to make clear that America's dysfunction – illustrated by “Occupy Wall Street” – was not just economic but also *political*. According to one expert quoted by *Global Times*' online edition, the problem lay with “the country's problematic political situation,” in which “[s]ocio-economic groups in the U.S. have become increasingly fractured and polarized over the last two decades.” According to another, America's problem lay in “the dysfunction of capitalism and democracy. The government supports Wall Street, as its players are ‘too big to fail and too big to jail,’ despite their avarice and the financial storm it has caused. This greed has led to a financial crisis and widespread indignation, and hence social unrest.” According to a commentator in Hong Kong, these events showed “the political and economic dysfunction at the heart of the West's 21st-century mix of democracy, capitalism, and militarism” – a system that was thus self-evidently the “wrong model” for China.

But it wasn't just that OWS provided Chinese authorities with a convenient narrative with which they could criticize U.S. democracy and implicitly defend their own system. The second part of their “Occupy” narrative saw this purported American political dysfunction as being tied to a parallel story of how U.S. politicians were responding to OWS-style discontent not by *acting* to address national problems but by trying to distract American voters with scapegoating to shift blame from their own incompetence. Specifically, it was repeatedly alleged that American politicians responded to their country's economic and political problems by pointing the finger at *China* – *e.g.*, with regard to currency manipulation and other trade issues.

In these twinned interpretive narratives, the CCP regime thus seems to have used OWS as an opportunity to propagate an image of U.S. economic and political paralysis, and perhaps indeed current or inevitable future decline. This image served CCP purposes in that it both provided a contrast with the purported benefits of the Party's supposed ability to provide decisive leadership in response to the people's needs and provided an explanation for why current problems in the Sino-American relationship are not *China*'s fault but rather the result of structural problems in the American democratic system.

There were many examples of these twinned themes, which were voiced with a consistency sufficient to suggest that they were the result of the kind of CCP-directed thematic media message control that has been well documented by Anne-Marie Brady and others.<sup>3</sup> Let me offer a handful of illustrations:

- In a November 2011 editorial, for instance, Hong Kong's center-left Chinese-language *Sing Tao Daily News* described President Barack Obama as facing

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Chinese scholars reportedly believe Chinese figure to be above 0.5 today. See “Satisfy the People,” *supra*.

<sup>3</sup> See, *e.g.*, Anne-Marie Brady, *Marketing Dictatorship: Propaganda and Thought Work in Contemporary China* (Lanham, Maryland: Rowman & Littlefield, 2008), at 56, 80-83, 95-97.

challenges in “deal[ing] with the establishment power internally,” and suggested that if OWS “further challenges the U.S. establishment” it will be necessary to “reinforce its military and diplomatic strength” vis-à-vis China in order to “shift voter attention.”

- A similar October 2011 article in online edition of the *People’s Daily* aimed at overseas Chinese audiences described OWS as an illustration of how “the U.S. public grows increasingly more dissatisfied every day.” The unrest, it said, “not only shows the rift in U.S. society, but also indirectly illustrates the resentment of the U.S. public about the U.S. economic dilemma and chaotic political struggles.” According to the *People’s Daily*, American leaders’ unhappiness with the PRC’s *renmimbi* (RMB) currency exchange rates was a result of this phenomenon: U.S. politicians aimed to create “a ‘political show’ aimed at shirking away responsibilities, diverting attention from domestic contradictions, and garnering votes.”
- In October 2011, an article in a PRC-owned pro-Beijing paper in Hong Kong picked up this theme of scapegoating – and thus the actual blamelessness of Chinese authorities – by declaring that that the real cause of American unhappiness with the RMB exchange rate and other China-related issues is “rooted in the West” rather than in China. Despite (or perhaps because) they were increasingly being confronted with popular unrest over the domestic problems illustrated by OWS, U.S. politicians were said to be playing for votes in pointing the finger at China.
- Nor did Chinese official media sources declare things in America likely to improve. To the contrary, the United States’ dysfunction was likely to worsen. In October 2011, for example, an unattributed article in the online version of the English-language *Global Times* publication (sponsored by the *People’s Daily*) quoted various Chinese experts that between the “extreme factions” of OWS and the Tea Party, U.S. politics was headed for further polarization.

## II. *The “Neo-Kongs” and the Emerging Discourse of Antidemocratic Legitimacy*

How does this twin narrative of the “Occupy” movement may fit into what may be emerging themes in the Chinese Party-State’s discourse of self-legitimation and of differentiation from Western political models? It is not uncommon to hear thoughtful Western sinologists describe modern China, having now drifted so far both from traditional Confucian morality and from Maoist orthodoxy, as lacking “a compelling moral framework” for political leadership and an “energizing ideology” with which to motivate party cadres and mobilize the people.<sup>4</sup> Of this I have little doubt. I think it is also the case, however, both that the CCP regime is *looking* for a replacement political ethic, and that there are some intellectuals who are self-consciously trying to provide

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<sup>4</sup> Kenneth Lieberthal, *Governing China: From Revolution Through Reform* (2d ed.) (New York: Norton, 2004), at 313 & 323.

such a system by articulating a framework that builds upon existing themes in CCP self-legitimation propaganda but embeds these themes in a broader discourse of virtue and legitimacy capable of claiming roots deep within China's own cultural tradition.

As I think I discern it, the emerging counter-discourse originates in and centers upon not the once-Marxist economics but instead the PRC's still-Leninist *politics*, reconceptualizing its pervasive political authoritarianism through the prism of quasi-Confucian notions of virtuous rule in which benevolent leaders pay close attention to the wishes and needs of the people in order to make decisions wisely and in the best interests of all. To some extent this process of reconceptualization has been underway for several years, with Hu Jintao, in particular, being known for promoting the ideal of a "harmonious society"<sup>5</sup> managed by benevolent CCP administrators who have been selected and promoted not just for party loyalty but also on the basis of broad and sophisticated educational qualifications rooted in conceptions of technocratic merit. (Frank Pieke, by the way, has written a very interesting book on the increasingly competitive educational system and academic credentialing process for party cadres.<sup>6</sup>) The Party-State has been fumbling toward a discourse in which the CCP oligarchy is not merely *necessary* but also actually *good* – and for which American-style democratic pluralism is not merely not a model, but in fact serves as something of an *anti-model* of unharmonious and paralyzing contentiousness. And there are some in China today offering such a framework in prepackaged form, apparently hoping that it will take root.

One of the more prominent articulators of this emerging ethic is a political philosopher and former PRC intelligence analyst named Yan Xuetong, now a professor at Tsinghua University in Beijing. Yan's vision, as he has offered it to date, stresses the role that "humane authority" can play in international affairs, as a way of transforming China into "the world's leading power."<sup>7</sup> Most of what I have seen of Yan's writing to date looks at the virtue politics of China's rise through the prism of international relations theory, looking for a way for China to defeat America by winning a global "battle for hearts and minds."<sup>8</sup> Yan focuses primarily on ideological competition in the international arena, for he believes that "we [in China] have a problem" because "America's ideology still has a much stronger influence than China's ideology in the world," and "without an ideology, we have nothing to export" in this "soft power" contest.<sup>9</sup>

This sort of Confucian-infused vision, however, also has domestic political implications, however, and Yan is but one of a number of modern Chinese exponents of

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<sup>5</sup> See, e.g., "Eight Honors and Eight Disgraces," *China Media Project* (undated) (recounting speeches in 2006 by PRC President Hu Jintao and propaganda chief Li Changchun), available at <http://cmp.hku.hk/2007/07/05/425/>.

<sup>6</sup> Frank N. Pieke, *The Good Communist: Elite Training and State Building in Today's China* (Cambridge: Cambridge University Press, 2009), at 180-95.

<sup>7</sup> Yan Xuetong, *Ancient Chinese Thought, Modern Chinese Power* (Daniel A. Bell & Sun Zhe eds.) (Edmund Ryden, trans.) (Princeton: Princeton University Press, 2011), at 105-07 & 213-19.

<sup>8</sup> Yan Xuetong, "How China Can Defeat America," *New York Times* (November 20, 2011), available at <http://www.nytimes.com/2011/11/21/opinion/how-china-can-defeat-america.html?pagewanted=all>.

<sup>9</sup> Yan Xuetong, remarks to the author, Tsinghua University (April 23, 2012).

what I call “meritocracy” – that is, rule by an allegedly benevolent managerial caste chosen not through the unpredictable whimsy of democratic elections but rather on the basis of merit and empowered to make decisions on behalf of the people as a whole precisely because of their superior wisdom and ability. These emerging quasi-Confucian notions – which one might perhaps label “neo-Kong” political philosophy,<sup>10</sup> in honor both of the sage *Kǒngzǐ* (Master Kong, a.k.a. Confucius, as his name was Latinized by the Jesuits long ago) who inspires them and of modern American “neo-conservative” (a.k.a. “neo-con”) thinkers who are themselves often accused of wishing to remake the world in their *own* ideological image – are worth a closer look.

As articulated by Daniel Bell, a Canadian-born colleague of Yan’s at Tsinghua who has edited Yan’s work and seems to share some of his views, Western pluralist democracy of the “one-person-one-vote” variety is unequal to the challenges of modern political life. As Bell sees it, democratic elections tend to produce instability and are unable to provide “effective decision-making” in the face of complex challenges. Rather than relying upon the unreliable method of elections, “other ways of choosing rulers, such as an examination system, are more likely to ensure quality rule.” Bell thus praises the “nondemocratic legitimacy” that comes when “morally superior decision-makers” chosen by “[m]eritocratic examinations open to all” are able to take public policy benevolently in hand.<sup>11</sup> Such a system, he feels, is much to be preferred to the democratic pluralism practiced and idolized in the West.

Yan seems to agree. Though he does say that there is room for at least *some* kind of “electoral process” in choosing leaders even within China’s system of one-party rule,<sup>12</sup> there is little indication that he means more than the same sort of thing we have seen from Chinese leaders for many years now about how “democratic” procedures are to play a role merely in permitting leaders to “involve the people” in CCP planning by helping cadres to “learn the people’s demands ... [b]efore making major policy decisions.”<sup>13</sup> (In an essay discussing the role of “the moral principle of democracy” in helping maintain

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<sup>10</sup> Other potential labels, after all, seem to have been taken. The term “neo-Confucian” is inapt for today’s modern Confucius-inspired political theorists, because it has long referred to a movement of purported moral, ethical, and philosophical purification within the Confucian tradition that rose to prominence during the Song (960-1279) and Ming (1368-1644) dynasties. Yet the label “New Confucian” – which is sometimes indeed applied to the present-day thinkers I have termed neo-Kongs – is also already taken, for it properly refers to a 20<sup>th</sup> Century movement within Confucian scholarship, principally in the Chinese diaspora, that focused more upon philosophical than explicitly political issues. Compare, e.g., generally, e.g., generally Wing-tsit Chan, *Chu Hsi and Neo-Confucianism* (Honolulu: University of Hawaii Press, 1986); *New Confucianism: A Critical Examination* (John Makeham, ed.) (New York: Palgrave MacMillan, 2003); and Daniel A. Bell, *China’s New Confucianism: Politics and Everyday Life in a Changing Society* (Princeton: Princeton University Press, 2008).

<sup>11</sup> Daniel A. Bell, *China’s New Confucianism* (Princeton: Princeton University Press, 2008), at xiii-xiv, 149, 179-85 & 191.

<sup>12</sup> Yan, *Ancient Chinese Thought*, *supra*, at 219.

<sup>13</sup> Yang Yanyin, “3 Aspects of New Media Use,” *People’s Daily Online* (June 12, 2010) (David Bandurski, trans.), available at <http://cmp.hku.hk/2010/06/22/6281/>.

“humane authority,” in fact, Yan Xuetong himself seems to offer as an example the “consultative system” as used in China today.<sup>14)</sup>

Despite his passing comment about “electoral process,” therefore, Yan seems to agree with Bell in stressing the importance of *nondemocratic* leadership selection, describing it as vital for China to “draw on its tradition of meritocracy” in selecting government officials “according to their virtue and wisdom, and not simply technical and administrative ability.” This is, therefore, fundamentally an antidemocratic vision of political order, but one articulated not as a necessary evil but as a *positive good*, a better way of doing things. It is in large part through fidelity to this meritocratic model of *nondemocratic* legitimacy that Yan, Bell, and others feel China can be made into “a desirable model at home that inspires people abroad.”<sup>15</sup>

In truth, it is hard to know what to make of Professor Yan himself. The man is apparently controversial inside China, and in my own research I have been told greatly varying things about how seriously to take him and his quasi-Confucian colleagues. Among overseas Sinologists, the messages are also mixed. Some seem to regard Yan as a marginalized self-promoter dependent (rather ironically) upon financial support from the MacArthur Foundation,<sup>16</sup> whose views on an emerging Sinocentric world order are out of touch with mainstream Chinese elite opinion, and whose conclusions about the pre-Qin philosophers he invokes are themselves questionable. Others are not so sure, however, and are intrigued that Yan seems to be permitted such a high public profile within a CCP-managed Chinese “information space” still subject to so much pervasive censorship and message control. These latter observers wonder who Yan’s sponsor or patron might be, whether he is really a marginalized thinker or instead simply a less circumspect *speaker* than his colleagues, and what role such neo-Kong narratives may play in the future as the CCP struggles to define and secure a future for itself in a rapidly-changing country.

Leaving Yan’s perhaps controversial international arguments aside, therefore, what strikes me as most interesting for present purposes is the way that explicitly antidemocratic “meritocratic” theories of *domestic* politics seem to be central to the CCP’s emergent discourse of self-justification. I am fascinated by the ways that this discourse may increasingly come to embrace the kind of supposedly pre-Qin philosophic legitimation that the neo-Kongs seem to be trying to offer their government.

Despite careful protestations that he is exclusively an international relations theorist who “won’t touch” Chinese *domestic* political issues,<sup>17</sup> for instance, Yan clearly *does* seem to have much to say that bears on the subject. In recent remarks at Tsinghua University, for instance, Yan offered a pointed critique of Western values of “freedom,

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<sup>14</sup> Yan, *Ancient Chinese Thought*, *supra*, at 219.

<sup>15</sup> Yan, “How China Can Defeat America,” *supra*.

<sup>16</sup> Since 2006, Yan has worked as editor-in-chief of the *China Journal of International Politics*, a publication “created with MacArthur [Foundation] support.” See MacArthur Foundation, “From the Field” (December 12, 2006), available at <http://www.macfound.org/press/from-field/china-becoming-semi-superpower/>.

<sup>17</sup> Yan Xuetong, comments to the author, Tsinghua University (April 22, 2012).



equality, and democracy,” counterpoising against them what he said were the ancient, and superior, Chinese values of “ritual,” “fairness,” and “righteousness.” Yan complained, for instance, that “[f]reedom is not something very civilized.” In fact, he said, “[i]t is animal nature,” and its needs to be appropriately restrained – by the *rituals* of good manners and harmonious self-restraint – in any civilized society. Equality is similarly limited as a source of value, he opined, for civilized societies limit equity by the principle of *fairness*, which is a higher and better good. Finally, since the “democratic process can result in evil decision[s],” it must be restrained by *righteousness* that will prevent immoral choices.<sup>18</sup>

And indeed, as Bell’s comments suggest, some of Yan’s modern academic colleagues are entirely unselfconscious about focusing a neo-Kong eye upon Chinese political life. Perhaps the scholar who has taken such notions the furthest in the *domestic* political context is Jiang Qing – *not* Mao Zedong’s infamous wife Jiang Qing (1914-1991) who led the infamous “Gang of Four,” but a living male scholar born in 1952 who has established his own Confucian academy in a remote part of China’s Guizhou province.

Jiang writes elegiacally about “Confucian constitutionalism” and believes that “the way ahead for China’s political development is the Way of Humane Authority and not democracy.”<sup>19</sup> He says he has lost faith in democratic politics as a means to organize political life, and as a second-best alternative – for it would be best of all, he suggests, simply to wait, as of old, for a Sage-King to “rescue the people” – he proposes “reviving the traditional civil service examinations that would test for knowledge of the Confucian classics, among other things, so that at least the first grade of ‘meritocrats’ could rule.”<sup>20</sup>

In a fascinating forthcoming book, Jiang writes that “[t]he politics of the Way of the Humane Authority,” he writes, “states that legitimacy comes from recognition and representation of the Way of heaven, history, and the popular will.” This popular will, however, does not involve Western-style democracy, for the people should *not* be allowed to replace their rulers simply by voting on it. Rather, Jiang thinks that the democratic form of legitimacy – which in the West is grounded in notions of popular sovereignty – should be balanced by and set off against other approaches, such that “no one form of legitimacy should be allowed to become sovereign over the others, for this will lead to political bias and failings.”<sup>21</sup>

The jumping-off point for this analysis is a strident critique of democratic forms of government as practiced in the West. “Democracy itself already suffers from serious

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<sup>18</sup> Yan Xuetong, “In Search of Common Values: What China Can Propose to the World,” remarks at Tsinghua University, School of Economics and Management (April 22, 2012) (public debate with Professor Timothy Garton Ash of Oxford University).

<sup>19</sup> Jiang Qing, *A Confucian Constitutional Order* (Daniel A. Bell & Ruiping Fan, eds.) (Edmund Ryden, trans.) (Princeton: Princeton University Press, 2013) [forthcoming], at 27.

<sup>20</sup> Daniel A. Bell, “A Visit to a Confucian Academy,” *Dissent* (online edition) (September 22, 2008) (interviewing Jiang Qing), available at <http://www.dissentmagazine.org/online.php?id=146>.

<sup>21</sup> Jiang, *supra*, at 28-29.

problems,” Jiang warns, with its “major flaw” stemming from “the uniqueness of the legitimacy of the popular will.” He feels that democratic politics is just “a politics of desire,” and because it “singl[es] out ... the will of the people as the sole source of legitimacy,” democratic government lacks “the ... restraint that ought to be provided by sacred legitimacy.” Consequently, it “lacks morality.”<sup>22</sup>

“The exaggerated importance given to the will of the people leads to extreme secularization, contractualism, utilitarianism, selfishness, commercialism, capitalization, vulgarization, hedonism, mediocritization, this-worldliness, lack of ecology, lack of history, and lack of morality.”<sup>23</sup>

Since democracy is really just “a matter of head counting,” Jiang believes, “there is no regard for morality” in it. Nothing prevents democratic politics from following “[a]n immoral will of the people.”<sup>24</sup> Consequently, he views democratic forms of organization as representing nothing less than a *threat* to harmonious order in the world: “The political problem of today’s world is that democracy *itself* presents a serious problem.”<sup>25</sup>

Fortunately, Jiang writes, Chinese philosophy provides a foundation for something better, for “the Way of the Humane Authority of Chinese culture” is indeed “the best form of politics,” and can provide “the new starting point for politics and the new hope for human history.”<sup>26</sup> In his view, “China’s ancient sages have already established the eternal and unchanging principle of legitimization,” and “[o]ur duty today is to put that eternally valid norm into practice.”<sup>27</sup> To the extent that this can be done, it will be possible to repair the “deficit of legitimacy” that has haunted Chinese politics “for the past hundred years.”<sup>28</sup>

To be sure, Jiang Qing goes quite a bit farther in his neo-Kong philosophizing than it is possible to imagine CCP authorities accepting, and it is hardly surprising that his specific political program is, in Daniel Bell’s words, “intensely controversial in mainland China.”<sup>29</sup> While the modern Party-State’s propaganda discourse seems increasingly to agree with Jiang’s *diagnosis* of the problem – namely, the impoverishment, ineffectiveness, and undesirability of Western-style democratic forms, and the need for a clearer alternative moral vision of antidemocratic legitimacy – his prescription for curing these purported ills seems likely to remain a distinctly idiosyncratic and minority view.

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22 *Id.*, at 31 & 33-34.

23 *Id.*, at 33.

24 *Id.*, at 33.

25 *Id.*, at 36 (emphasis added).

26 *Id.*, at 40 & 33.

27 *Id.*, at 42.

28 *Id.*, at 29.

29 Daniel Bell, “Introduction,” in Jiang, *supra*, at 1.

Jiang calls, for instance, for a “tricameral” parliamentary system in China, with authority divided between a “House of Ru (*Tongru Yuan*)” made up of Confucian scholars, a “House of the People (*Shumin Yuan*)” elected by democratic franchise, and a “House of the Nation (*Guoti Yuan*)” composed of eminent personages from all walks of life, including “the descendants of great sages of the past, [and] descendants of [past] rulers.” This, he claims, would produce

“a balanced politics, by uniting the three forms of legitimacy. Sacred legitimacy (transcendent), cultural legitimacy (historical), and the will of the people (human-centered) [would] restrain each other; no single form can be an unrestrained dominant force.”<sup>30</sup>

For all the improbability of such a solution, however, it would be a mistake to dismiss neo-Kong constitutionalism entirely, even if only because elements of this discourse seem so temptingly ripe for opportunistic appropriation by CCP power-holders looking to cloak their continued hegemony in a justificatory framework invoking China’s philosophical tradition and providing a relatively clear vision of meritocratic legitimacy as a discourse for Party propagandists to deploy against the appeal of Western political traditions. In the long run, it might be that neo-Kong political philosophy – if taken seriously, and not merely cynically appropriated – might perhaps be problematic for the CCP Party-State. In the short run, however, such writings may well provide a valuable reservoir of legitimacy narratives from which officials can borrow selectively for their own purposes.

### III. *The Modern CCP’s Discourse of Self-Legitimation*

As it turns out, the rulers of the Chinese Party-State do seem to be interested in some such borrowing in service of the CCP’s continued control. Now that it cannot seriously lay claim to any sort of intelligible Marxist imprimatur, the regime has become increasingly open in its appeals to meritocratic legitimacy. Though it has yet to Sinicize this otherwise fairly conventional antidemocratic ethos too much with explicit appeals to pre-Qin (or any other) ancient Chinese political philosophy as neo-Kong theorists attempt to do, the elements of an explicitly antidemocratic legitimacy discourse with noticeably “Chinese characteristics” are clearly present in the CCP’s contemporary propaganda narrative.

The CCP’s official narrative of itself holds that the great thing about Chinese socialism is that it enables China, in Premier Wen Jiabao’s words, “to make decisions efficiently, organize effectively and concentrate resources to accomplish large undertakings.”<sup>31</sup> Justifying its own “steady hand” and decisive leadership as the only way for China to accomplish the great national *telos* of effecting its return to global status after 19<sup>th</sup> and early 20<sup>th</sup>-Century humiliations suffered at foreign hands that are still

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<sup>30</sup> Jiang, *supra*, at 41 & 37.

<sup>31</sup> “Rising power, anxious state,” *The Economist* (special report) (June 25, 2011), at 3 (quoting Wen Jiabao).

incessantly invoked in China, the CCP claims not just to be the only alternative to chaos but in fact to be exactly what the country needs – the best answer to all of China’s problems.

It is hardly a new idea in China, of course, that stable and successful governance requires the firm hand of a meritocratic mandarin that is selected rather than elected, and empowered to rule in the best interests of all. And while few if any present-day CCP leaders have yet openly to invoke ancient Chinese political philosophy in support of their positions, it is striking how consistent the domestic theorizing of the neo-Kong meritocracy ideologists appears to be with where senior CCP leaders have been taking their own public policy pronouncements in recent years.

To offer an example, let us look at the report Hu Jintao presented in October 2007 to the 17<sup>th</sup> Party Congress.<sup>32</sup> In that lengthy address, President Hu stressed a number of themes, among them the importance of the CCP’s leading role in “promot[ing] social harmony,” “building a harmonious socialist society,” and steering China’s development into “a prosperous, strong, democratic, culturally advanced and harmonious modern socialist country.”

This political program certainly wasn’t about Western-style democracy. Though Hu spoke of the importance of “improving democracy,” there was no question of the CCP losing its controlling role. (Small and carefully-regulated and tame additional parties might continue to exist, for example, but only within a “system of multiparty cooperation and political consultation under the leadership of the [CCP].”) China was to continue to be run by “the people under the Party’s leadership,” and in accordance with “the Four Cardinal Principles” – a formulation dating back to Deng Xiaoping and which stresses the importance of the “people’s democratic dictatorship” and CCP rule. Hu described these principles as being “the very foundation for building our country and the political cornerstone for the survival and development of the Party and the nation.”

As Hu described it, China would thus continue to follow the path of “people’s democracy” under CCP leadership. This term has a long history in Communist doctrine, and it is one of the classics of Communism’s oxymoronically Orwellian double-speak, for it connotes nothing of what we in the West would term democracy. Nevertheless, such a schema is not incompatible, in theory, with a meritocratic conception of political order in which wise and virtuous Party leaders conscientiously consult and engage with the people in order to remain attuned to their needs, provide the population with a means of redressing grievances by requesting aid from central authorities, and otherwise temper their despotism with a measure of benevolence. Modern China may actually look very little like this, of course, but its leadership claims to *aspire* to this vision, and clearly seeks to persuade their Chinese subjects and foreign audiences alike that such a benevolently meritocratic reality is both possible and desirable – even at the cost of foregoing actual democracy.

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<sup>32</sup> Hu Jintao, Report to the Seventeenth Party Congress (October 15, 2007), available at [http://news.xinhuanet.com/english/2007-10/24/content\\_6938749.htm](http://news.xinhuanet.com/english/2007-10/24/content_6938749.htm).

For his part, Hu seemed to be describing something of the sort, speaking of the Party's need to accommodate "the growing enthusiasm of the people for participation in political affairs" by improving the means by which the CCP engages with, consults, and responds to the needs of the people, thereby ensuring that they remain "masters of the country" under the Party's leadership. The "political restructuring" of the CCP must continue, in other words, but Hu's rhetoric about "ensuring the people's position as masters of the country" had to do not with giving the people the right to choose or dismiss national leaders but with ensuring that the Communist Party rules *well*. The goal of political reform, he made clear, was to "enhance the vitality of the Party and the state and arouse the initiative of the people" *behind the Party*. The point was to

"uphold the Party's role as the core of leadership in directing the overall situation and coordinating the efforts of all quarters, and improve its capacity for scientific, democratic and law-based governance to ensure that the Party leads the people in effectively governing the country."

To this end, President Hu declared it to be CCP policy to "expand the citizens' orderly participation in political affairs at each level and in every field, and [to] mobilize and organize the people as extensively as possible to manage state and social affairs as well as economic and cultural programs." The aim of "people's democracy" was to "guarantee the people's rights to be informed, to participate, to be heard, and to oversee." In his account, this was the way to reconcile "democracy" with the imperative of "unity." "Democracy" meant that the Party must consult with the people and consider their needs carefully, but it was still *the Party* that would run the show.

The Party, Hu said, would therefore work to "improve the system of political consultation, democratic oversight, and participation in the deliberation and administration of state affairs," including through the promotion of "people's self-governance at the primary level under the leadership of primary Party organizations." This ethic of CCP engagement and consultation with the people would "ensure that power entrusted by the people [to the Party] is always exercised in their interests." In "improving the Party's style of work," Hu continued, "we will stress the maintenance of its close ties with the people. ... [in order to] enable the Party to remain a ruling Marxist party that is built for public interests and exercises governance for the people."

Though he also spoke of the need to "gradually extend direct election of leading members in primary Party organizations to more places," there was thus little in Hu's vision that we in the West would count truly democratic. Indeed, it was essential, Hu stressed, that "[a]ll Party members must firmly uphold the centralized and unified leadership of the Party, conscientiously abide by the Party's political discipline, always be in agreement with the Central Committee and resolutely safeguard its authority to ensure that its resolutions and decisions are carried out effectively."

Except for his periodic references to the importance of "harmony" – a phrase with clear quasi-Confucian overtones, and which sharply contrasts with how the CCP's propaganda message depicts the fractious pluralistic politics of Western-style

democracies, especially the United States – President Hu did not invoke specifically *Chinese* historical or philosophical imagery or theories in support of this platform. Nonetheless, his report to the 17<sup>th</sup> Party Congress thus contained many elements that would fit very well with the kind of Sinicized meritocratic, antidemocratic theory that the neo-Kongs are beginning to articulate.

Hu's description of "Intra-Party democracy," moreover, was said to involve "strengthening the Party's leading bodies and the ranks of its cadres, and especially in educating and training cadres" in order to take maximum advantage of "talented personnel." He emphasized the need to "strengthen the Party's governance capability and focus on building high-quality leading bodies," "improve the system for nominating candidates and electoral methods," and "deepen reform of the cadre and personnel system and focus on training high-caliber cadres and personnel."

"Adhering to the principle that the Party is in charge of cadre management, we will establish a scientific mechanism for selecting and appointing cadres on the basis of democracy, openness, competition and merit. ... Implementing the policy of respect for work, knowledge, talent[,] and creation and adhering to the principle of the Party being in charge of personnel, we will make plans for training all types of personnel with the focus on high-level and highly skilled ones. We will make innovations in systems and mechanisms for personnel work and arouse the creativity and enterprising spirit of all types of personnel to create a new situation in which capable people come forth in great numbers and put their talents to best use."

Hu's program thus clearly revolved around *improving the quality* of the CCP's unquestioned rule – and therefore better enabling it to lay claim to what Daniel Bell calls "nondemocratic legitimacy" – rather than providing the people with any alternatives to Party control. It was about improving the meritocratic credentials of China's power-holders, thus reinforcing the Party's unchallenged hegemonic status.

Most of these themes were not new with Hu Jintao, for CCP General Secretary Jiang Zemin had made many similar points in his own report to the 16<sup>th</sup> Party Congress in 2002. Jiang, for instance, had emphasized the need to

"improve the systems of democracy, develop diverse forms of democracy, expand citizens' participation in political affairs in an orderly way, and ensure that the people go in for democratic elections and decision-making, exercise democratic management and supervision according to law and enjoy extensive rights and freedoms, and that human rights are guaranteed."<sup>33</sup>

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<sup>33</sup> Jiang Zemin, Report to the Sixteenth Party Congress (2002), *reprinted in* Lieberthal, *supra*, Appendix 1, at 369.

And Jiang, too, had stressed the need for further “political restructuring” to “extend socialist democracy” and build a system characterized not just by “stability” but “harmony.” And he had also declared that “[t]he people being masters of the country constitutes the essential requirement of socialist democracy” – and that it was important to work at “[e]xtending democracy at the grassroots level” and ensuring that the people “exercise democratic supervision over the [Party’s] cadres”<sup>34</sup> – even while making very clear that this purported democratization meant only improving the consultative effectiveness of the CCP oligarchy.

What is interesting about the emerging ideological discourse of meritocracy, therefore, is not its proponents’ boldness or originality in articulating an ethos of nondemocratic legitimacy for China. Arguments about the need for the steady guiding hand of a wise ruling elite, after all, have a tiresome predictability: they have been made in many countries and at many points, whenever questions have arisen about establishing or extending the electoral franchise. What is intriguing about the neo-Kongs is rather their openness about *Sinicizing* this discourse – that is, articulating it in terms redolent of China’s long history of rule by a Confucian mandarin, and which self-consciously invoke the real or imagined teachings of an ancient wisdom predating even the Qin unification of 221 B.C.E.

Yet a gradual Sinicization of the CCP’s official legitimacy narrative *is* already underway, and seems to have been for some time. According to Anne-Marie Brady, for instance – whose studies of the CCP’s propaganda system are without peer – the Party-State has been “directly involved in supporting the return of Confucianism and other aspects of traditional Chinese thought as a mainstream discourse in Chinese society.” In more recent years, in fact – and especially since the CCP legitimacy crisis that came to a head in 1989 – a sort of “State Confucianism” has been “fully incorporated into official discourse” as the Party has sought to “forge its own distinctive path, one which incorporates Chinese tradition within modernity, rather than rejecting it outright.”<sup>35</sup> (Brady recounts that as by 2009, for example, the CCP’s Policy Research Office was officially and openly supporting research into “ways in which Confucian concepts could be used to build social compliance.”<sup>36</sup>) This effort has helped make “spiritual civilization activities” a key component of Party “thought work,” with the vaguely Confucianized ideals of hierarchy and harmony they evoke being seen as an antidote to “the disease of ‘peaceful evolution’” that CCP leaders fear their population may catch from exposure to Western political values.<sup>37</sup>

Similarly, John Dotson has highlighted recent efforts to cultivate quasi-Confucian themes in the CCP’s propaganda discourse, emphasizing that the use of these narratives is the result of CCP leaders’ search for “an alternative philosophical tradition that could

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<sup>34</sup> Jiang Zemin, *supra*, at 368-70.

<sup>35</sup> Anne-Marie Brady, “State Confucianism, Chineseness, and tradition in CCP Propaganda,” in *China’s Thought Management* (Anne-Marie Brady, ed.) (Oxford: Routledge, 2012), at 57, 57 & 61.

<sup>36</sup> *Id.*, at 63. (This specific phrasing is Brady’s, however.)

<sup>37</sup> *Id.*, at 64 & 69.

appeal to the public without contradicting the Party's continuing use of official Marxist theories on politics and social development." As he recounts, "[t]he elevation of a selectively interpreted form of Confucianism to the status of a semi-official state ideology is a natural choice for the Chinese Communist Party," because such an ethic "provides a pillar of support for authoritarian and paternalistic politics."<sup>38</sup> In sum, "Confucian values of social stability, hierarchy, and respect for authority are in official favor once again," and especially "[s]ince Hu [Jintao]'s ascension to power[,] these messages have been actively promoted by the government's propaganda apparatus."<sup>39</sup>

The French scholar Valérie Niquet has herself pointed to the increasing use of "*Confu-talk*" in Chinese foreign policy as well, where quasi-Confucian concepts have "gradually appeared in official public discourse ... from the mid-1990s." This new emphasis, she argues, is the result of the Party's attempt to "build a new Confucian *contrat social* to replace the breakdown of Maoist egalitarianism" and meet the domestic legitimacy challenges presented by "the disintegration of the social order, the fear of rising chaos and lack of 'virtue' of the leadership." At the same time, this increasingly Confucianized official discourse seems intended "to try to reassure an uneasy international community confronted with the rise and lack of transparency of China's strategic objectives" by providing a plausible-sounding and purportedly philosophically-grounded rebuttal to "China threat" theories abroad and assisting in PRC efforts to "'spread' soft power" and help "'make China heard in international affairs."<sup>40</sup>

The neo-Kong discourse of Sinicized antidemocratic meritocracy may not have entirely captured the centers of Chinese power, therefore, nor yet have had its moral and philosophical vocabulary opportunistically appropriated by the residents of Beijing's Zhongnanhai leadership compound. Nevertheless, it is possible that one or the other of these dynamics is indeed underway. Neo-Kong political theory and the CCP's official narrative of Party-State legitimacy seem to be moving, if not in lockstep, than at least to some fascinating extent in the same direction.

#### IV. *Conclusion*

And so we circle back to "Occupy Wall Street," for whether or not one accepts a neo-Kong Sinification of the discourse, the CCP's model of nondemocratic but aspirationally meritocratic legitimacy works best when paired with an accompanying *anti*-model of what is likely to happen when a polity foolishly chooses a *different* – more genuinely democratic, perhaps, but also more "disharmonious" – course. The growing importance of the Chinese Party-State's self-image as an exemplar of meritocratic

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<sup>38</sup> John Dotson, "The Confucian Revival in the Propaganda Narratives of the Chinese Government," U.S.-China Economic and Security Review Commission Staff Report (July 20, 2011), *available at* [http://www.uscc.gov/researchpapers/2011/Confucian\\_Revival\\_Paper.pdf](http://www.uscc.gov/researchpapers/2011/Confucian_Revival_Paper.pdf), at 3 & 22.

<sup>39</sup> *Id.* at 5.

<sup>40</sup> Valérie Niquet, "'Confu-talk': The use of Confucian concepts in contemporary Chinese foreign policy," in *China's Thought Management*, *supra*, at 76, 76-77, 79, & 82.



rectitude thus provides an interesting window into Chinese commentators' fascination with the "Occupy" movement in the autumn of 2011.

Both as a symbol of how the United States is unable to respond to economic challenges and income inequality because of a paralyzingly fractious democratic political system – in contradistinction to how *China* is said to be able to manage its affairs under the benevolent leadership of the Communist Party as it works toward a "harmonious society" – and as a ready-made explanation for Sino-American tensions that implies no lack of virtue on China's part, the Chinese media narrative of the "Occupy" movement thus offers valuable support for the Party-State's contemporary discourse of self-legitimation. "Occupy Wall Street" is taken by CCP propagandists to offer an illustration of how pluralist electoral politics are unequal to modern challenges even in an already stable, prosperous, and highly-developed country such as the United States – and therefore of how anything other than the CCP's own merely "consultative" approach to "democracy" would be very much the wrong answer for China. Coverage of OWS is only a small piece of a very big picture, but it may yet offer an interesting window upon larger themes in contemporary Chinese political discourse.

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