Are there any coherent and defensible alternatives to liberal democracy? The author examines the possibility that a reformed democratic centralism—the principle around which China’s current polity is officially organized—might be legitimate, according to both an inside and an outside perspective. The inside perspective builds on contemporary Chinese political theory; the outside perspective critically deploys Rawls’s notion of a “decent society” as its standard. Along the way, the author pays particular attention to the kinds and degree of pluralism a decent society can countenance, and to the specific institutions in China that might enable the realization of a genuine and/or decent democratic centralism. The author argues that by considering both inside and outside perspectives, and the degrees to which they inter-penetrate and critically inform one another, we can engage in a global philosophy that neither pre-judges alternative political traditions nor falls prey to false conceptual barriers.

Keywords: Rawls, The Law of Peoples; democratic centralism; Chinese political theory; decent society; pluralism; global/comparative philosophy

It is popular today to describe Chinese society and politics as “transitional”: a complicated and unstable point on the road from dictatorship to democracy. The most sanguine observers see multi-party democracy emerg-
ing within a decade; more sober analysts think the transitional state could carry on much longer than that. Almost all of them, though, see liberal democracy as the ultimate end goal. Some theorists, nonetheless, are critical of this “transitoryology,” characterizing it as “an ideological as much as a theoretical endeavor” (Jowitt 1996, 5). And some analysts have begun exploring possible alternatives to liberal democracy, either for China in particular or for non-Western societies more generally. They ask: is there a political system that is both legitimate and practical for these societies—and either more legitimate or more practical, in the present context, than liberal democracy?¹

The question of legitimacy can be raised from two quite different perspectives, both of which are important to take seriously. On one hand, we can ask whether a given political arrangement is legitimate from the perspective of contemporary liberal democrats. That is, if China (for instance) pursues some alternative to liberal democracy, will those committed, in their domestic societies, to liberal democracy have reason to respect and support this Chinese endeavor? Or must the liberal democrats criticize any regime that falls short of liberal democracy itself? On the other hand, we can ask how things look from within the society seeking to instantiate the political alternative in question. Is the new system internally coherent? Is it well grounded in values accepted by members of the society? How does it relate to currently existing political and social arrangements?

In this essay, I will reflect from both of these perspectives on the possibility of reforming “democratic centralism,” which at least in theory is the principle around which China’s socialist society, under the leadership of the Communist Party of China (CPC), is organized. I begin from the outside perspective, drawing on John Rawls’s idea of the “decent” but non-liberal regime to spell out what a “decent democratic centralism” would have to look like. After elaborating some of the theory of democratic centralism, I then ask whether China’s current political system should be assessed as legitimate from the perspective of democratic centralism and related Chinese theory. My discussion of both outside and inside perspectives revolves around three issues: consultation, law, and pluralism. I make clear how and why consultation is important to both Rawls and democratic centralism; I make clear the difference between rule of law and rule by law, and spell out the mutual dependence of consultation and rule of law; and I probe the multiple ways in which pluralism is important, but also potentially vexing, from both Rawlsian and Chinese perspectives. All three of these issues are critical and complex. In the end, I focus most on pluralism, leaving the details of how consultation might be adequately institutionalized for another essay (Angle 2005). The specifics of institutionalizing the rule of law have been closely examined by others, and here I largely rely on their analyses.
Throughout the essay I go beyond simply juxtaposing “outside” and “inside” perspectives: as I discuss more fully in the conclusion, my approach might better be termed “global philosophy” than “comparative philosophy” because of the degrees to which I find my two different perspectives open to mutual engagement and cross-fertilization. A decent democratic centralism (as judged from the outside) and a genuine democratic centralism (as judged from inside) may not look exactly the same, but in many important respects, the resemblances will be striking and important. These resemblances are not coincidences, because of the degrees to which those thinking within the “decency” framework and those thinking within the “democratic centralism” framework nonetheless ought often to be responsive to one another’s reasons. Global philosophy, as I use the term, does not mean that we assume there is only one global set of answers, appropriate to all contexts—it is not a one-size-fits-all philosophy—but rather that as we, from our different perspectives, try to work out the ideals toward which we should be striving, we should be open to reasoning from anywhere that bears on our situation. We can better understand the implications of Rawls’s thought if we take seriously political thinking from China, and Chinese thinkers can better understand the implications of their own ideals if they engage seriously with Rawls.

1. RAWLS’S DECENT REGIMES

In work done near the end of his life, Rawls argued that all well-ordered societies should endorse what he called the Law of Peoples.2 This is relevant to my purposes here because Rawls explicitly extends the category of “well-ordered” peoples beyond liberal democratic societies. He claims that, among other possibilities, a “decent hierarchical people”—which has as its basic structure a “decent consultation hierarchy”—would also endorse the same Law of Peoples, which includes endorsing human rights. I will seek to show that while the CPC would certainly reject the idea of a “hierarchical people,” we can construct an ideal of “decent socialist people” undergirded by a “decent democratic centralism.” Rawls would argue that we liberals should consider a decent democratic centralism to be legitimate because of the ways in which it fulfills the fundamental idea of social cooperation that makes a group count as a people.

Rawls is famous for his arguments about what conception of justice a liberal society should endorse. He sees this conception of justice as compatible with domestic variety in “comprehensive doctrines”: that is, with various fully specified ideals of the good life. So long as individuals endorse the shared liberal ideal of justice, we liberals should tolerate them as equal mem-
bers of our society. In The Law of Peoples, Rawls turns to questions of international justice and foreign relations. Toleration again figures importantly in his argument. In the domestic case, he allowed for variation at the level of comprehensive doctrine so long as there is agreement on the proper concept of justice at the political level. In the international case, Rawls argues that liberal societies should not insist, via their foreign policies, that all other societies become liberal. This is because once one has determined what a proper, liberal “Law of Peoples” should be, it becomes possible to see that certain non-liberal people will also endorse this Law of Peoples. Rawls insists that we allow for such possibilities via the category of “decent” (but not liberal) peoples; he says that such peoples are not “fully reasonable,” since they deny the full and equal liberty of conscience, but they are still “not fully unreasonable,” and as such will endorse—on their own, by their own lights—the Law of Peoples (Rawls 1999, 74).

I will discuss below the question of what attitude Chinese ought to take up toward Rawls’s arguments: how much motivation Chinese might have to pursue mere “decency.” It is natural to think that one might want more than just being “not fully unreasonable,” and indeed, we will see a range of more positive reasons, from inside various Chinese perspectives, for pursuing a reformed democratic centralism. Rawls’s arguments are primarily aimed at his fellow liberals, and aim to convince them to respect non-liberal yet decent peoples. Like liberal societies, decent societies instantiate systems of social cooperation that rest on treating their members as rational and responsible participants in social life. More specifically, Rawls says that decent societies must satisfy two criteria: (1) they must not have aggressive aims; and (2) they must have institutions, including a system of law, that (2a) involves a “common good idea of justice,” (2b) secure the human rights of all members of the people, and (2c) are such as to impose bona fide moral duties on all members of the people, rather than simply being a set of commands imposed by force (Rawls 1999, 64-66). To a significant degree, Rawls believes that the first of these criteria is simply a result of the ways in which liberal and/or decent societies will interact with one another: this is his version of the well-known “democratic peace” thesis (pp. 44-54). I will concentrate on the various parts of the second criterion.

The three aspects of the second criterion, which together flesh out the idea of social cooperation, are tightly interrelated. Let us start from the idea of a society’s “common aim,” which Rawls defines as “what the society as a whole tries to achieve for itself or its members” (Rawls 1999, 71). Not all societies have common aims, but it is clear that socialist peoples will, and that one of the main points of the centralism of a socialist system is to try to achieve these aims as rapidly and efficiently as possible—indeed, to achieve
them at all, if that would be impossible without centralism. Rawls distinguishes the “common good idea of justice” from the common aim as follows:

In the common good idea of justice the pursuit of this common aim is to be encouraged, but is not to be maximized in and of itself, but rather maximized consistent with the restrictions specified by honoring the steps in the consultation procedure, which provides the institutional basis for protecting the rights and duties of members of the people. (Rawls 1999, 71)

Pursuing the common good idea of justice (or “common good” for short) may be identical to pursuing the common aim, if the “consultation procedure” results in unqualified endorsement of the common aim. Insofar as single-minded pursuit of the common aim is not endorsed by the consultation procedure, though, the common good will come apart from the common aim, and Rawls says that only societies that choose the common good over the common aim are “decent.”

Next, turn to the idea of bona fide moral duties. Rawls believes that genuine moral duties come from participation in a system of social cooperation, as opposed to a society run by the commands of the powerful, which is in effect a slave society. The legal system in a decent society is the paradigm expression of an institution involving genuine moral duties, instead of commands, because of the ways in which laws are public knowledge and generated via consultation. Such a system views individuals as “decent and rational, as well as responsible and able to play a part in social life,” so the people “recognize [their] duties and obligations as fitting with their common good idea of justice” (Rawls 1999, 66).

The remaining criterion of decency is human rights, which Rawls construes quite narrowly. He says that human rights include the rights to subsistence and security, to basic liberty (“freedom from slavery, serfdom, and forced occupation, and to a sufficient measure of liberty of conscience to ensure freedom of religion and thought”), to property, and to formal equality (“that is, that similar cases be treated similarly”) (Rawls 1999, 65). Human rights are, however, necessary conditions for any consultation procedure. Unless they are actually protected, there is no reason to expect that people will speak their minds: threats to security, subsistence, basic liberty, or property all can readily convince people to keep quiet. Any people whose institutions do not adequately protect human rights, therefore, cannot participate in consultation. Consultation demands more than this, however, because consultation takes each person seriously as reasonable, and thus worth listening to. Beyond just allowing people to speak, consultation means that they must be heard, attended to, and answered. Rawls writes that even once dissenters
have been heard and answered by officials, “the dissenters are not required to accept the answer given to them; they may renew their protest, provided they explain why they are still dissatisfied, and their explanation in turn ought to receive a further and fuller reply” (p. 72).

People whose security, subsistence, basic liberty, or property is threatened may well not speak out, and so these have to be protected. Officials must also listen to and answer those who speak up. We might also add, though Rawls does not, that institutions must require that people be regularly asked for their opinions, in one form or another: this seems to be part of the basic meaning of “consultation.” Is something still missing here, though? It is striking that Rawls does not mention the civil liberties (the freedoms to speak, publish, assemble, and associate) on which some other theorists place great emphasis. Rawls writes of “dissenters” as if they might be a group, but makes no provision for the protection of the right of individuals to form groups. It is consistent with his stated requirements to imagine individuals being “consulted” one by one, with no one but the officials aware of the various conversations. Publicity and the corresponding possibility of strength in numbers, not to mention the usefulness of debate among the non-officials, depend on the civil liberties. In short, for consultation to have the effects he desires, it seems that Rawls must also require protection for the civil liberties. The most obvious way to amend his theory to include them is to broaden his minimalist notion of human rights to include them.

Broad and sustained consultation turns out to be at the center of what makes a society “decent.” Decent peoples are not liberal democracies, but as I have just argued, they nonetheless must be quite liberal—that is, allow and protect considerable liberties on the part of all citizens. Members of the society should not be forced to embrace the people’s common good, though they can, of course, be forced to follow the law. The fact that decent societies must be founded on a genuine, chosen common good means that there are limits to the amount of pluralism that can exist in such a society. I will explore this issue, which is critical to whether China can be seen as a decent society, later in this essay.

Rawls actually considers only one type of non-liberal, decent society: the decent, hierarchical people. He bases this societal type on certain features of some Islamic societies, including the idea that some groups in the society are not fully equal with other groups. Given the deep egalitarian commitment of Chinese socialism, this model of a hierarchical society is not applicable to today’s China. Rawls explicitly notes that there may be other types of decent societies, though, so it behooves us to ask whether we can construct a model of “decent socialist people” that meets Rawls’s criteria (Rawls 1999, 63).
Before moving on to this task, it would be well to briefly note that Rawls’s approach in *The Law of Peoples* has been highly controversial, with many more cosmopolitan liberal theorists accusing him of abandoning his earlier principles. Rawls anticipates a key difference with his critics when he notes,

> The ultimate concern of a cosmopolitan view is the well-being of individuals and not the justice of societies. . . . What is important to the Law of Peoples is the justice and stability for the right reasons of liberal and decent societies, living as members of a society of well-ordered Peoples. (Rawls 1999, 119-20)

Defending Rawls from the cosmopolitan critics, Reidy argues that Rawls has simply extended his commitment to tolerance to an international arena in which cooperation between autonomous societies is optional, unlike a domestic society in which inter-personal cooperation is required (Reidy 2004). Brown similarly argues that “neither complex interdependence nor globalization is likely to create the conditions for [the institutions underlying domestic interpersonal cooperation] to exist on anything like a global scale in the foreseeable future” (Brown 2002, 178). Without positing a moral requirement for social cooperation on the international scale, it is hard to see how the cosmopolitans’ commitments to liberal ideals can reasonably be pressed on the sorts of societies Rawls labels “decent”; as Rawls says, it would be to deny them a kind of respect they ought to be paid (Rawls 1999, 61). It seems reasonable, in short, to take Rawls as a solid grounding for our external perspective on Chinese democratic centralism.

### 2. DEMOCRATIC CENTRALISM

The Communist Party of China was founded in 1921. Its leaders, aided by advice from representatives of the Comintern, saw the CPC as a revolutionary vanguard party: the advanced ideological understandings possessed by party members enabled them to lead disempowered members of society (first, workers; later, mainly peasants) in a revolutionary struggle to transform society. Ideas of democracy, participation, and human rights had important, if complex, roles in the formation of the CPC. On one hand, the leaders of the early CPC emerged from the iconoclastic and antidespotic New Culture and May Fourth movements; in these contexts, they advocated democratic politics and civil rights like the freedom of speech. On the other hand, as the CPC grew, party leaders found it increasingly difficult to keep the discipline that was necessary for success or even survival in a context that ranged from uneasy alliance to outright hostility with the competing Nation-
alist Party (GMD). This led to the adoption, in a revised Party Constitution in 1927, of the principle of “democratic centralism” as the party’s “guiding principle” (Saich 1996, 259).14

Democratic centralism is a core tenet of Lenin’s version of Marxism. While both democratic and centralist ideas can be traced back to Marx and Engels,15 and it is arguable that the idea has roots in the theory and practice of labor organizing,16 it was Lenin who formulated the dialectical combination of the two into a principle of political organization. Democratic centralism was adopted by the Russian Socialist Workers’ Party in 1906 (Wang 2002, 9). In a 1938 CPC party document, Wang Ming gives a relatively complete definition of democratic centralism as it had come to be understood in China:

We might view this as a dialectical combination of democracy and centralism, suggesting an ongoing dynamism or flexibility in the relation between the two poles.17 Less sympathetically, we might just say that, as the quotation from Wang Ming reveals, there is the potential for considerable tension between the two poles: what, exactly, is the relation between the democratic principle articulated at the beginning of the quote, and the suggestion at the end that “the superior” will decide when resolutions can be changed? Is it always clear when an issue has been decided, after which it is only discussable in a much more limited way? Issues like these came to the fore in disputes surrounding the CPC member and author Wang Shiwei in 1942. During a party rectification campaign, Wang published essays criticizing inequalities that he felt were being perpetuated even in CPC-controlled areas of China. Wang himself then became a target of criticism from party leaders, accusing him of “extreme democratic tendencies.”18 Mao Zedong himself, in his famous essay “On the Correct Handling of Contradictions among the People,” noted that there was a contradiction between democracy and centralism—as between freedom and discipline—but argued that so long as this could be dealt with among a people jointly committed to socialist reconstruction, the contradiction was non-antagonistic and individual instances could always be resolved in non-coercive ways (Mao 1969, 305-6). As we will see in more detail below, a crucial issue that democratic centralism must face is
whether, and in what ways, it can be institutionalized in a more consistent and predictable fashion.

Another matter is the scope of democratic centralism. In most formulations it applies solely to the party, but what democratic or participatory role does this leave to the majority of Chinese people who are not party members? One possible direction here is to appeal to the idea of the mass line. Saich writes that the mass line “had its roots in Lenin’s idea of ‘democratic centralism’ but Mao Zedong added the important feature that the process should not only apply to the party but to society as a whole” (Saich 1989, 39). Here is Mao’s classic formulation of the mass line:

In all the practical work of our Party, all correct leadership is necessarily ‘from the masses, to the masses.’ This means: take the ideas of the masses (scattered and unsystematic ideas) and concentrate (jizhong) them (through study turn them into concentrated and systematic ideas), then go to the masses and propagate and explain them until the masses embrace them as their own, hold fast to them and translate them into action, and test the correctness of these ideas in such action. (Mao 1969, 316)

The word translated as “concentrate” here is jizhong, the same term translated as “central” in “democratic centralism.” Blecher has argued that in rural areas, at least, implementation of this policy was widespread and led to significant, active participation on the part of common people in local decision making (Blecher 1979). There is admittedly very little clarity about methods, much less any institutionalized guarantee that the process will take place in a consistent fashion. Still, the idea of the mass line is undergoing a revival in Chinese political thinking, stimulated by Jiang Zemin’s doctrine that the CPC is responsible for “Three Representations”: the party must represent the most advanced productive forces, the most advanced culture, and the fundamental interests of the broad masses of the Chinese people. One recent article, for instance, argues explicitly that the “Three Representations” must uphold the mass line (Yu 2002). As Fewsmith notes, in its generality and complexity, Jiang’s formulation seems to leave room for the possibility that the CPC is the party of all the people, rather than just the working classes; it may be significant, therefore, that the National People’s Congress voted, in March 2004, to add a reference to the Three Representations to the PRC Constitution (Fewsmith 2001, 230).

A final issue is the sense in which democratic centralism is democratic. We saw above Wang Ming’s claim that “the minority obeys the majority.” But it is far from clear that this is the only way to understand democratic centralism’s “democracy.” Tong argues, for instance, that it is democratic because it accords equal weight to the views of all participants (Tong 2000). As “centralism,” though, it demands a single outcome from the decision-making pro-
cess, which outcome will be followed by all. Described this abstractly, the system does not logically require a single party—much less socialism—but it is clear that the emphasis on a single outcome, and on the disciplined adherence to that outcome, fits well with the idea of a single party exercising its leadership over a society. Indeed, it fits well with the idea of a “vanguard” party: that is, a party with an ideological platform it sees as representing the overall interests of the people of the society. For this party to be democratic, its platform must derive from and be responsive to broad input—that is, consultation—from the membership (or even the wider society, depending on how one defines participants in the political process). But “democratic” input need not be followed by whatever output is supported by the most voices. A critical part of the “centralizing” idea is that objective, “scientific” judgments can be made by party leaders based on the evidence gathered through the democratic process. Consultation, after all, is not the same as voting; it is closer to giving advice. The basis of these judgments’ legitimacy is thus their correctness: that is, their success in moving the society as rapidly as possible toward a better future.

Is democratic centralism simply benevolent absolutism? Womack in fact writes, “The people are the masters in a vanguardist system in the same sense that the sheep are the masters of the shepherd: Their interests are supposed to control the shepherd’s behavior” (Womack 1990, 17). This is only partly right, though; there are important differences between the principles of democratic centralism and benevolent absolutism, just as there are important differences between people and sheep. It is the people’s own articulations of its interests that form a critical part of the evidence weighed by the leadership. More importantly, people can demand and assess legitimate leadership, and people can engage in active, articulate resistance to a regime that fails to meet the standard of legitimacy. The relation between democracy and centralism is fraught with tension and can easily fall out of balance. An important goal of this essay is to inquire into ways that this relation might be put on a more stable footing through institutional and conceptual reform. A reformed democratic centralism, then, might be able to meet both internal standards of legitimacy and Rawls’s standard of decency.

3. THE CURRENT SITUATION

Before looking at reforms, we should first ask about democratic centralism as it is currently realized in China. Drawing on my discussion of Rawls and of the theory of democratic centralism, I suggest that there are two areas, in particular, that signal the failure of current Chinese politics to meet either
an internal or Rawls’ external standards of legitimacy. First, democratic centralist theory must demand significant participation in the early stages of policy formation. Current evidence suggests, though, that citizens engage in relatively little front-end participation. We will see that there is more participation of different kinds than might be expected, but front-end participation is particularly important, and it is inadequate. Second, the rule of law is a crucial requirement. While law has taken on an increasing prominence in Chinese society over the last twenty years, as yet it is not adequate to protect the equal voicing of opinions that democratic centralism, no less than Rawls’s understanding of decency, requires.

1. Front-end participation. We have seen that for both Rawls and Chinese democratic centralism theorists, consultation is a crucial part of the political process. The theories of both democratic centralism and the mass line depend on a process whereby numerous, often divergent inputs are synthesized, coordinated, or centralized into a single policy output, which is then subject to two types of further processing: (1) tailoring to local conditions, and/or (2) complaint, appeal, or refinement. There are thus three main stages: input, policy formulation, and adjustment. Widespread participation is only possible in the first and third stages. In fact, as democratic centralist theory explicitly recognizes, the first stage is the most important. Too much flexibility in the final stage would undermine the whole idea of centralism. Tailoring to local conditions, that is, cannot mean doing whatever local people want, since what content would be left for the “central policy”? Similarly, while complaint, appeal, and refinement are important steps, they cannot be allowed to dominate the overall process without surrendering the goals of centralism to arbitrary matters like who happens to complain the loudest. If people cannot successfully articulate their diverse perspectives during the first stage of the process—which of course might involve several sub-stages; it need not be all-or-nothing—then neither democratic centralism nor the mass line seems likely to succeed. In saying this, I do not mean to endorse Tong’s claim that democratic centralism requires that there be no public criticism once a decision has been reached (Tong 2000). Democratic centralism does require that people follow the leaders’ decisions, but public criticism is perfectly consistent with simultaneously following the laws and policies of the government. This is particularly significant in light of the fact that the policy-formation process is indefinitely iterative: that is, public criticism of a given decision can simply become front-end inputs of the next iteration of the three-stage process. Muzzling people’s reactions to a given policy, in other words, would be to indirectly stifle front-end participation.
As I noted above, there is some evidence that at least in rural areas, mass line theory was put into practice in rural areas years ago (Blecher 1979). But Marc Blecher, one of the main scholars who has argued for the significance of grassroots political participation in the 1960s and early 1970s, has also shown that such participation declined precipitously thereafter. He explains that the Cultural Revolution promoted participation but, in allowing the radical logic of participation to develop unheeded, resulted in participation getting too distant from the everyday concerns of the masses, who then lost interest. He argues that Deng Xiaoping’s reforms were in fact premised on that lack of interest, in that they separate politics and economics (Blecher 1991). The structure of rural participation has since changed dramatically, and now revolves around the village committee at least as much as the local Party committee. Village committees are not part of the state apparatus, but are autonomous mass organizations (O’Brien 2002, 219). According to several analysts, village committee elections are making an appreciable impact on local rural life, though there are limits to participation: non-residents cannot participate, women are under-represented on committees, and some election practices are problematic. Also, in many villages, the Party’s influence still exceeds that of the village committee.

Various observers have also noted that Local Peoples’ Congresses are beginning to play more active roles in the policy formation process. Their current status reveals rather a lot about the complexities of the ecology of the Chinese political system. They have developed a niche by gaining support of the party for their objectives, and by mostly cooperating with governments—the latter, in particular, because government leaders tend to be higher placed in the party than legislative leaders. But they have increasingly developed supervisory powers vis-à-vis governments. According to one analyst, until and unless relations between the Local Peoples’ Congresses and the party are sorted out, there is a risk of the former just being another tool of the latter (Cho 2002). The concrete reality of one-party leadership today means that the government-to-legislature relationship is one of “division of labor,” not “separation of power” (p. 729).

Village committees and Local People’s Congresses offer intriguing, if still incipient, possibilities for front-end participation. If we turn to participation in urban areas, the evidence is mixed. On one hand, Tianjian Shi’s pioneering study makes clear that there is a relatively high level of political participation, which he defines as “activities of private citizens aimed at influencing the actual results of government policy” (Shi 1997, 21). He goes as far as to say that political participation in Beijing during the period covered by his study (the latter half of the 1980s) was “no less common than in many other coun-
tries” (p. 274). On the other hand, to a great degree the types of participation fit poorly with the democratic centralist paradigm. According to Shi, urban political participation has the following characteristics (pp. 274-75):

1. People try to intervene in how policy is implemented, rather than in its formation.
2. Types of participation focus on appeals, adversarial activities, and cronyism.
3. The impact of this type of participation on the political system is that the system breaks down to the extent that policy cannot be implemented.
4. Trust in the government varies inversely with participation, thus indicating that the more people participate, the more alienated they are.
5. Vertical social structure—interest-based ties—as well as conflicts among those within an organization, are both cause and consequence of this type of political participation.

In other words, consultation and front-end participation are lacking, which leads to the problems identified as (3) and (4) above. Despite some promising signs, in short, we cannot conclude that participation in keeping with the democratic centralist paradigm is currently institutionalized in China’s cities or its countryside.

2. Rule of law. A second critical obstacle standing in the way of the legitimacy of China’s regime is the state of law in China. Recall that Rawls stressed that any well-ordered people would have a system of law that met several criteria: it must involve a “common good idea of justice,” secure the human rights of all members of the people, and be such as to impose bona fide moral duties on all members of the people, rather than simply being a set of commands imposed by force.

One can find very similar assertions in China today. First, though, a bit of context. In 1978, the beginning of the post-Mao reform era, China had little legal system to speak of. Few laws were on the books, the Ministry of Justice had been dismantled in 1959, and there were only a handful of lawyers in the entire country (Peerenboom 2002, 6-7). In the twenty-five years since, Chinese leaders and Chinese society have made substantial commitments, both verbally and in terms of institution building, to developing the rule of law in China. By any measure, much progress has been made in this direction, but by all accounts, there is still some considerable distance to go.

Legal theorists in China today distinguish between the “rule of law” (fazhi) and mere “rule by law” (yi fa zhi guo). Rule by law is “a form of instrumentalism where law is merely a tool to be used by the state to control others without imposing meaningful restraints on the state itself” (Peerenboom 2002, 64). The exact characterization of the contrasting “rule of law” is a matter of considerable debate, but all versions of the rule of law
are designed so as to impose meaningful restraints on the state through the ideas of the supremacy of the law and the equality of all before the law. Such theories can be “thin,” which means they are defined in largely procedural terms, or “thick,” which means that broader issues of moral and political value enter into the definition, such that good laws can be distinguished from bad ones by, for instance, the failure of the latter to support an appropriate concept of justice (pp. 69-70). Scholars within China and without disagree on whether societies should aim at particular thick theories, or merely thin ones; at least one prominent Chinese legal philosopher argues that ideas of law without the kind of robust normative backing provided by a “thick” theory do not break out of the confines of mere “rule by law” (Liu 1998).

Rawls’s understanding of “well-ordered” law comes close to fitting under the definition of a thin rule of law: his insistence on laws’ being informed by a common good idea of justice—which meant, recall, that common goals were constrained by procedures of consultation—might be captured by one of the procedural characteristics Peerenboom lists for thin theories, namely, “Laws must be reasonably acceptable to a majority of the populace” (Peerenboom 2002, 65). Rawls’s requirement that acceptable laws must protect human rights, though, might push him into the “thick” category. In any event, it is clear that Rawls endorses the need for the rule of law, instead of mere rule by law. Neither he nor Chinese scholars would argue that the rule of law has been achieved in China today, so we must again conclude that a decent or fully legitimate form of democratic centralism does not yet exist.

4. PLURALISM

Does anyone in China—other, perhaps, than leaders intent on nothing but holding power as long as possible—genuinely think that reforming democratic centralism is the way to go? While there are Chinese intellectuals both inside and outside of China who argue that China’s best choice is to embrace full-scale competitive democracy, these voices are a distinct minority within contemporary Chinese political theory. Rather, even when democratic centralism is not explicitly invoked, the political form envisioned by reformers and theoreticians regularly stays within the bounds of what I would count as democratic centralism. Various ideas of social and political pluralism are in play in today’s China, as are a range of views about the cleavage between state and society (Ding 2001). Each version of these ideas rejects strong theses of the unity of all interests and the unity of state and society. As Yijiang Ding notes, rejecting these unity theses represents an important shift from the
political orthodoxy of the Cultural Revolution period and before, but rejecting strong claims of unity does not entail accepting strong claims of conflict, which would only be resolvable through political competition. Instead, the norm toward which many are now working is one of consultation, coordination, and harmonization.

In a companion essay to this one, I explore the issue of consultation in greater detail (Angle 2005). Here, I focus on the related issue of pluralism, because it poses a potential challenge to internal justifications of democratic centralism, to the applicability of Rawlsian decency to China, and indeed to the coherence and attractiveness of decency itself. One of the remarkable trends of the last twenty years in China has been the growth of associations (shehui tuanti) representing a wide variety of interest groups at both local and national levels: as of 2003, there were perhaps 200,000 such associations at the county through provincial levels, and some 1,800 at intra-provincial and national levels. Determining what to make of these associations is a complex task: to begin with, to what extent are these “corporatist” institutions that aim at facilitating state control, and to what extent are they autonomous advocates of plural social interests? One excellent analysis of these matters summarizes some of its conclusions as follows:

The complex reality of associational activities generally points to some broad trends of change in contemporary China. Regardless of whether they represent a transition toward social corporatism or an emerging civil society, associational activities indicate the restructuring of Chinese society through the breaking down of vertical control structures and the development of horizontal social grouping. This process has contributed to an emerging realm of organized social life, increasing social autonomy, and the development of differentiated social interests. (Ding 2001, 74)

Ideally, this scholar concludes, “the development of associations will enhance society’s ability for self-organization and self-management, and allow the government to transfer many of its social and economic management functions to associations” (p. 75). It should be clear that to the extent that this takes place, people will be participating increasingly on the front end of the policy-making process.

In order for robust consultation to take place, the state needs to recognize, endorse, and protect plural social interests. Specifying the amount of pluralism that is consistent with democratic centralism and/or Rawlsian decency, though, is a vexed issue. One important step forward is to clarify the differences among unity, harmony, and conflict. Many Chinese leaders in recent years have demanded unity. Here is Deng Xiaoping:
We have stressed the need for the strengthening of Party leadership, democratic centralism, and centralization and unification. The most important aspect of centralization and unification is the unification of thought. This is essential if we are to have unity in our actions.²⁸

Harmony, on the other hand, not only is consistent with differences, but in fact requires a plurality. (Think of music: we create harmony through the felicitous combination of different tones.) Harmony is different from unworkable conflict, too, but its status as a middle ground between unity and conflict is sometimes missed. In an article on “political harmonization” (or coordination: xietiao) from 1988, for instance, Huang Shaohui worried that if people have diverse opinions, their political participation will be compromised, and their abilities to be “masters in their own houses” will not be fully realized. This is because their opinions will be “scattered,” “even to the extent of being mutually conflictual.” Only with a unified will, he argued, can people rule (Huang 1988). This criticism in fact comes close to a charge that has been leveled against Rawls, namely, that decency only applies when a people is overwhelmingly committed to unitary common good. Too much pluralism, and it becomes hard to see why Chinese should continue to endorse the “leadership of the Communist Party of China” and perhaps democratic centralism itself. Too much pluralism, and it becomes hard to see whether there is a “common good” in terms of which a Rawlsian decent regime can organize itself. I will suggest that on both empirical and theoretical grounds, however, a robust enough notion of common good does and should continue to exist in China in order to justify democratic centralism. Keeping this in mind will be important for the CPC, since should the party-state begin to approximate a neutral, laissez-faire regime, all justification for democratic centralism will be lost. Both Rawlsian decency and legitimacy in its own terms, then, depend on a careful balance between pluralism and commonality.

I have already discussed Rawls’s notion of the “common good idea of justice,” which consists in the pursuit of the society’s “common aim,” insofar as that is consistent with honoring the people’s “consultation procedure.” In the Chinese context, we should understand the consultation procedure as chiefly involving broad consultation with fluid, open, and protected social interest groups in a variety of institutionalized settings. It is natural to wonder whether Rawls is saying that all people in the society—or almost all, or most—have to be committed to the same common aim in order for the people to count as having a “common good.” After all, if most people dissent from the alleged common aim when it is subject to the consultation procedure, doesn’t the idea of a common good disappear? In terms that Rawls develops
primarily in other writings, is it the case that all (or most) people must be committed to the same “comprehensive doctrine” in order for there to be a common good? If so, does China count?

Rawls does not say much more about common aims and common goods in *The Law of Peoples*. He does elaborate on a closely related concept, though, namely, the “special priority.” Shortly after the discussion cited above about common aims, he adds, “Many societies do not have a common aim but rather what I shall call ‘special priorities.’ In this case also, these priorities must be pursued in a manner consistent with the restrictions specified by the consultation procedure” (Rawls 1999, 71). A few pages later, Rawls examines the imaginary case of a “decent hierarchical people” based on Islamic ideals, which he calls “Kazanistan.” Kazanistan is organized hierarchically, with certain groups getting more say than others in decision making. Rawls argues, though, that it constitutes a “decent consultation hierarchy,” consistent with all the constraints he puts on decent regimes in general. Spelling out the details of his case would take us too far afield; for present purposes, what matters is the role that special priorities play in Kazanistan’s policy making. After enumerating several guidelines related to consultation and inclusion, Rawls writes,

Fifth, the decision should be made according to a conception of the special priorities of Kazanistan. Among these special priorities is to establish a decent and rational Muslim people respecting the religious minorities within it. Here we may expect non-Muslim minorities to be less wedded to certain of the priorities than Muslims, but we may reasonably conjecture, I believe, that both Muslims and non-Muslims will understand and regard these priorities as significant. Sixth and last—but highly important—these special priorities must fit into an overall scheme of cooperation, and the fair terms according to which the group’s cooperation is to be conducted should be explicitly specified. (Rawls 1999, 77)

Notice the nature of the special priority that Rawls here makes explicit: it is not, for instance, to “establish a Muslim regime that ensures all citizens follow the historical *Shari’a*,” but to “establish a decent and rational Muslim people respecting the religious minorities within it.” In other words, the commitment to consultation, openness, and genuine respect for (a certain amount of) pluralism is built into the “special priority” itself. With this in mind, I think Rawls’s conjecture that even non-Muslim citizens of Kazanistan would regard this priority as significant is quite plausible. One could be proud to be a Jewish, say, member of the Kazanistani people: here, you would say, we have found a framework within which we can live together with mutual respect. The framework is a Muslim one, to be sure, but if it is indeed success-
ful, that would simply lead one to honor one’s Muslim neighbors for finding a way to work within their tradition to establish a decent society.

How does this apply to China? An obvious place to look for the articulation of special priorities is the Chinese Constitution. In the Preamble we find the following:

The basic task of the nation in the years to come is to concentrate its effort on socialist modernization. Under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, the Chinese people of all nationalities will continue to adhere to the people’s democratic dictatorship and follow the socialist road. . . . It is the lofty duty of the entire Chinese people, including our compatriots in Taiwan, to accomplish the great task of reunifying the motherland. . . . The state does its utmost to promote the common prosperity of all nationalities in the country. (1982 Constitution of PRC, 5-7)

Socialist modernization, reunification, and common prosperity for all nationalities: these are examples of the Chinese people’s special priorities. These priorities are to be sought via the leadership of the Communist Party and within the framework of democratic centralism. Elsewhere in the Constitution, law, equality and mutual respect of all nationalities, various civil rights, and—in a March 2004 addition—human rights are all enshrined. On the other hand, there is relatively little discussion in the Constitution of Rawls’s “consultative procedures”; the basic structure of various state organs at different levels is outlined, but no general principle of consultation is described or endorsed. There was considerable discussion at the Thirteenth Party Congress in 1987 of the importance of “consultation and dialogue,” but so far this priority has not been explicitly included in the Constitution.

It is reasonable to worry, in light of both actual shortcomings in the practice of consultation (as described above in the context of front-end participation) and law, as well as the shortcomings just noted in statements of principles, that the Chinese people currently have a series of “common aims” that would not count—because they have not been adequately subjected to a consultative process—as common goods or special priorities. Under these circumstances, the legitimacy of these aims, both from the perspective of Chinese citizens who do not share them, and from an outsider’s perspective, is called into serious question. The problem, let me emphasize, is not with democratic centralism itself, nor is it related to the degree of pluralism present in China—whether that pluralism is spelled out in ethnic, class, or other terms. The problem is a lack of principled endorsement and institutionalized practice of a system of rules governing social cooperation, of which consultation—including the respect for law and protection of various rights necessary for consultation to flourish—is a central part.
We might also note that insofar as the regime fails to value broad and inclusive consultation, and fails to live up to its commitments to law and human rights, it will likely alienate various groups from its special priorities. Many forms of pluralism are not in themselves incompatible with broad support for special priorities. Unlike Jewish citizens of Kazanistan, however, marginalized and persecuted minorities in China will have no reason to take pride in their citizenship in the PRC. Tibetans who have seen over many years that constitutional guarantees of freedom of religion and respect for ethnic minorities are not worth the paper on which they are printed, for instance, may or may not now be permanently alienated from the sense of shared community that would lead to their finding the special priorities of the People’s Republic, in Rawls’s term, “significant.”

It is also possible to worry about the legitimacy, particularly the internal legitimacy, of the Chinese party-state for a very different reason. When I introduced the idea of democratic centralism above, I mentioned its natural connection to the idea of a vanguard party. There, I noted that “scientific” judgments are supposed to be made by party leaders based on the evidence gathered through the democratic process. The basis of these judgments’ legitimacy is their correctness: that is, their success in moving the society as rapidly as possible toward a better future. The “better future” in question is to be understood in terms of the common good or special priorities endorsed by the party-state and the people at large; in the case of China, we have seen “socialist modernization,” among other things, as a putative instance of such a priority. The point I want to make here is that unless the party-state is indeed committed to realizing some particular vision of a better future, which vision counts as something very like Rawls’s common good in being broadly shared, the justification for a one-party, democratic centralist state evaporates. The one party in a democratic centralist system cannot be neutral and laissez-faire between different and competing conceptions of the good life: if all Chinese citizens can jointly endorse is that they want a neutral, procedural state that guarantees a certain kind of fairness in public competition over goods, then there is no justification for keeping political competition out of bounds. For democratic centralism to continue to make sense in China, therefore, Chinese would need to see both the continued endorsement of specific, perfectionist goals like socialist modernization (assuming that this is not just an empty slogan) and the realization of broadly inclusive consultative mechanisms.

Before turning to my conclusion, there is a final cluster of issues related to pluralism that we should unpack. Consider a spectrum of pluralisms. At one end is what we might call Aristotelian pluralism, in which different groups perform different roles in an ideally harmonious, though not unitary, whole.
At the other end is the pluralism of liberal democratic peoples, what Rawls calls moral pluralism: genuine conflict about ends leads to organizing the basic structure of society in terms of a commitment to public, procedural, political justice. Where would democratic centralism fall on this spectrum? Related questions concern the degree of corporatism experienced by members of different groups, the degree to which group membership is flexible, and the degree to which individuals find the groups of which they are members to be suffocating.

The decent society Rawls envisions explicitly, Kazanistan, seems to fall quite close to the paradigm of Aristotelian pluralism just described. Rawls does not imagine much shifting of membership in and out of various groups. He does not deal with the issue of corporatism—that is, the question of to what degree social groups are co-opted by the state in order to enforce its agenda on them, rather than serving as an independent base for the groups to articulate their own interests—though he does require that “each group must be represented by a body that contains at least some of the group’s own members who know and share the fundamental interests of the group” (Rawls 1999, 77). While Rawls places great emphasis on consultation, as we have seen, he is content to allow consultation to take place only between the state and the sorts of representatives just described; he says nothing about consultation within a given group. As far as Rawls has gone, then, it seems that individual members might well feel suffocated by a system that assigns them to a group, and then assumes that their “fundamental interests” are known to group leaders, who express these interests in high-level consultations. Even if the group leaders’ civil rights are protected, such that the consultative processes in which they engage are robust and genuine, individual group members may have little role.

Of course Rawls does not say that individual members must have no role, nor can we assume that all individuals who find themselves in such circumstances will experience it as suffocating. Still, I think there are reasons to doubt whether the society just described should count as a decent society, and, conversely, to argue that a decent democratic centralism (at least) would look very different from this picture. First of all, we saw above that the idea of social cooperation lay at the heart of Rawls’s vision of any well-ordered (including decent) society. Recall that Rawls sees genuine moral duties as only arising from participation in a system of social cooperation—as opposed to a society run by the commands of the powerful—and it is precisely the consultation procedure, as supported by human rights, that enables us to see ourselves as participants in social cooperation. Social cooperation must go all the way down: we cannot count as well-ordered a society in which high-level consultation among representatives rests on groups run by com-
mand. So the individual members of groups must themselves participate in a full-fledged consultation procedure, keeping in mind, of course, that such procedures can take many forms. With regard to China, this means (among other things) that intra-Party consultation must receive as much attention as broader forms of participation.

A second consideration is the unrealistic “either/or” notion of group membership upon which Rawls’s brief sketch of Kazanistan relies. Which group does a wealthy, Jewish, female poet fall into? What if she loses her money or starts a business or marries a Christian? The fact that she can take on so many different roles, and that these roles can change, need not undermine (although it will surely texture) her commitment to her society’s common goods or special priorities. My insistence that group membership is multiple and changeable is not meant to demonstrate that all societies belong at the liberal democratic end of the spectrum sketched above. Multiple and changing roles can be perfectly consistent with a high degree of harmony; indeed, I believe that the potential for harmony is often enhanced by cross-cutting group memberships, sometimes changing over time, which help individuals in a society to see themselves as members of a complicated but nonetheless organic whole. Whether a somewhat pluralistic people is organic or fragmented, harmonious or mutually alienated, is potentially contestable and can change over time.

A final reason for seeing genuine democratic centralism, at least, as different from the model of Aristotelian pluralism sketched above is the emphasis within democratic centralist theory (unlike within Kazanistan’s “consultation hierarchy”) on the equality of individual opinions, which was made explicit by Tong. Given that, as I argued above, democratic centralism is distinctly concerned with the front-end input of peoples’ views, it is striking to hear Western democratic theorist Robert Goodin describe what he calls “input democracy” in terms quite congenial to democratic centralists. The core of his “input democracy” is as follows:

First, consultation functions to generate inputs into the policy process. Second, the broader the consultation the broader—the more varied, but also the more representative—the inputs. “Equality of inputs” (or, more weakly still, perhaps just “equality of opportunity for inputs”) is the distinctively democratic feature of input democracy. (Goodin 2003, 160)

As noted above, a decent socialist people will not be committed to hierarchical principles in the same way as Rawls’s “decent hierarchical people.” One of the hallmarks of “socialist modernization” is presumably to ensure a more egalitarian distribution of wealth than capitalist modernization would. The
fact that income inequality in China has increased dramatically in the twenty-five years of the reform period is, from this perspective, of enormous concern, but I hasten to add that many intellectuals in China (many of them identified with the so-called New Left) have raised this as China’s greatest current challenge (Wang 2000).

5. CONCLUSION

China is not now, and probably never has been, a decent democratic centralism. Neither has it ever fully realized its domestic model of democratic centralism. Issues of inequality, alienation of ethnic nationalities, and others pose grave challenges to the ability of the Chinese people’s realizing a form of democratic centralism that would be legitimate from either external or internal perspectives. Nonetheless, it is too soon to dismiss the possibility, and it would be a mistake to dismiss the theoretical interest of the model toward which some in China, at least, are still striving.

Throughout this essay I have discussed two different perspectives, and two different standards of legitimacy: one external, based in the work of Rawls; and one internal, based on ideas of democratic centralism variously articulated by Chinese thinkers. In neither case did I limit myself to the words of these theorists, though: I felt free to take issue with, or expand upon, points made by both American and Chinese thinkers. I have done so largely within the frameworks of their own positions and commitments, but I see no obstacle to the cross-fertilization of ideas and reasoning. This is especially so given the degree to which genuine democratic centralism and decent democratic centralism look very similar, including institutions (like the rule of law and protection for civil rights) that have not been major parts of previous discussions of democratic centralism, in China or elsewhere. In my discussion of democratic centralism, that is, the two perspectives have not been hermetically sealed from one another, but allowed to influence one another.

In making these various arguments and juxtapositions, I have been engaging in what we can call “global philosophy.” This does not mean to insist on a single global standard of political legitimacy or moral correctness, but to engage in philosophical reasoning that is open to the relevant perspectives, frameworks, and argument offered by philosophical traditions from around the globe. There are certainly linguistic challenges and sometimes epistemological hurdles to face, but it is critical not to inflate what challenges do exist into false conceptual barriers. It is not the case that Chinese culture (or, for that matter, American culture) is so unified, inflexible, and
divided off from other cultures that cross-cultural philosophizing is impossible. In fact, the term “cross-cultural” itself might suggest more homogeneity within and difference between “cultures” than can be sustained in the contemporary world. We are not all the same, to be sure, but there are liberals in China and Marxists in the United States. There are Americans studying and working in China, and Chinese studying and working in the United States. American and Chinese philosophers attend conferences together and read one another’s work. This last happens too rarely—in part, this is one aspect of the linguistic barrier to which I alluded above—but we are better off now than we were a decade or two previously, and we should hope that a decade or two hence will find our mutual engagement all the richer.

I will close by returning to the theme of “transition” with which I began. Is a decent regime a mere second best to liberal democracy, and perhaps a step along the road to that ultimate goal? After all, doesn’t Rawls say the following?

If a liberal constitutional democracy is, in fact, superior to other forms of society, as I believe it to be, a liberal people should have confidence in their convictions and suppose that a decent society, when offered due respect by liberal peoples, may be more likely, over time, to recognize the advantages of liberal institutions and take steps toward becoming more liberal on its own. (Rawls 1999, 62)\(^32\)

Care is needed here. Let me review what I have argued. First, supposing we liberals adopt Rawls’s criteria for foreign policy, then there is a form of democratic centralism that would deserve our respect. If Chinese democratic centralists want our respect, they should work toward a “decent” democratic centralism. As I noted above, some might view the desire to be viewed with respect by the liberal West as complicity in neo-colonialism: why, after all, should Chinese care if they merit the condescending title of being merely “decent”? I believe that we should take such reactions seriously, but also believe that finding grounds for mutual respect is no minor achievement. It is true that liberals will not view decent democratic centralism as better than, or even as good as, liberal democracy. But they will see decent democratic centralism as possessing fundamental political legitimacy; liberal democracies and decent democratic centralisms will share the title of “well-ordered people.” In terms of this broader category, in addition, liberals and democratic centralists are on an even footing, neither more well ordered than the other.

A second facet of my argument is that Chinese theorists themselves have articulated a vision of genuine democratic centralism that demands reforms along very similar lines to those needed to satisfy Rawls. If Chinese democratic centralists want to merit legitimacy in their own terms, then they should
strive to move in the indicated directions. To these I can add a third, which I have done little here to make explicit. Chinese are not forced by history, tradition, or culture to choose democratic centralism as their form of political organization. It may be, though, that a variety of features of current China make genuine democratic centralism an attractive and relatively practical alternative—and perhaps the best combination of attractive and practical there is. There is certainly no guarantee, furthermore, that realizing something like decent democratic centralism will lead ineluctably to liberal democracy. Unlike liberal democracy, the continuity and legitimacy of decent democratic centralism rest on more than respecting procedures: they rest on leaders’ abilities to satisfactorily realize the society’s common aims. Should a decent democratic centralism ever be realized, therefore, it is likely to remain with us as long as it is successful.

NOTES

1. I will have more to say about some such proposals below. Examples include Womack (1990), Ware (1992), Deng and Jing (1992), Bell and Jayasuriya (1995), and Pan (2003).

2. Rawls writes specifically about “peoples,” which he defines in institutional, cultural, and moral terms; see Rawls (1999, 23-55). I will use “societies” and “peoples” interchangeably.


4. See Reidy (2004) on the continuities between Rawls’s work on domestic justice and foreign policy. He argues that the basic thrust of Rawls’s work is that

    the fundamental task of political philosophy is to chart the course we must collectively follow if the empirical, contingent, local forces of history and politics that make us what we are, [are] themselves to remain bounded by or confined within the content of a common human reason, itself also an empirical contingent historical achievement. (p. 292)

5. It is crucial, in this regard, to avoid misunderstanding Rawls’s aims, as Li Pengcheng, the deputy director of the Institute of Philosophy at the Chinese Academy of Social Sciences, has done in a recent essay. Li writes that Rawls demands “that the whole world must comply with a ‘law of peoples’ stipulated by Rawls himself on the basis of his principle of liberal justice”; see Li (2004, 136). As evidence, he cites Rawls’s assertion, “It is important to extend a liberal conception of justice for a domestic regime to a Society of Peoples.” In order to see where confusions are introduced, here is my translation of Li’s statement; my translation of the corresponding passage from the 2001 Chinese translation of The Law of Peoples (Rawls 2001); and Rawls’s original. Notice that Li has omitted a crucial part of Rawls’s original sentence.

    Li: It is important to extend a liberal conception of justice for a domestic regime to a Society of Peoples. (Li 2004, 136)

    2001 translation: It is important to understand that the Law of Peoples is developed within political liberalism, and to understand that the Law of Peoples is an extension of a liberal conception of justice from a domestic system to the Society of Peoples. (Rawls 2001, 10)

    Rawls: It is important to see that the Law of Peoples is developed within political lib-
eralism and is an extension of a liberal conception of justice for a domestic regime to a Society of Peoples. (Rawls 1999, 9)

There are two relevant differences between Rawls and Li’s version of him. First, Rawls is writing about the Law of Peoples, which comes through clearly in the published translation, but Li conflates this with the liberal conception of justice. Second, Li omits the words “developed within,” which serve to emphasize the difference between the Law of Peoples and the domestic liberal conception of justice itself. The difference between a domestic liberal concept of justice and the Law of Peoples comes through clearly in the Chinese translation, but Li ignores this. Only three sentences further on, after explaining that he starts with the principles of foreign policy of liberal peoples, Rawls writes,

The reason we go on to consider the point of view of decent peoples is not to prescribe principles of justice for them, but to assure ourselves that the ideals and principles of the foreign policy of a liberal people are also reasonable from a decent nonliberal point of view. The need for such assurance is a feature inherent in the liberal conception. (Rawls 1999, 10, emphasis in original; compare to Rawls 2001, 10, where Rawls’s meaning is clearly conveyed)

That is, Rawls explicitly denies that he is prescribing an ideal for decent societies, as Li asserts.

6. I omit what Rawls labels as the third part of this second criterion, which has to do with the beliefs of officials; this seems to me to be an unnecessary complication, derivable from the criterion I have labeled (2c).

7. Womack writes that “the rationale for [the] monopolistic and monolithic structure [of the party-state] is that it concentrates the entire force of society in order to move it as rapidly as possible to a better future” (Womack 1990, 17).

8. This connection calls to mind the inter-relation among human rights for which Henry Shue argues; see Shue (1996).

9. See, for example, Gewirth (1978).

10. This is, of course, not to say that all Chinese today are equal, either in theory or practice. From a theoretical point of view, the continued existence of class struggle (and its concomitant notion of class enemy) is inconsistent with full equality. Viewed more practically, even prior to the dramatic rise in income inequality of recent years, China’s socialist society was characterized by significant differences in access to critical resources like education.


12. See also Moon (2002), which argues that strong cosmopolitanism contradicts its own foundations.


14. Wang Guixiu points out that the essential principles of democratic centralism were already made explicit in Party documents as early as 1922; see Guixiu Wang (1994, 116).

15. See, for example, Weihua Wang (2002, 9).

16. See Marxists.org (n.d.).


18. See the fascinating documentation of this issue in Anthony Saich (1996, 1103-32). One cadre recorded that initially, most did not see the error of Wang’s essays; only after two months of studying rectification documents did the fundamental error become clear. Writes the cadre, “How necessary is thought reform! How important were the rectification documents!” (Saich 1996, 1115).
19. In addition, the very mass movements that were the ideological cousins of the idea of the mass line proved capable of great violence and destruction; partly because the idea of mass movement matured in the context of revolutionary struggles, “precedents were established that mass movements could legitimately override the law, long-standing traditions, and customary norms” (Tsou 1986, 287). Clearly this understanding of mass movements would have to be revised; see below, for instance, for the importance of the rule of law.

20. This notion of equal weight can be usefully compared to the idea of “equality of inputs” in what Goodin has characterized as “input democracy.” He argues that broadly consultative procedures, such as are found in Scandinavian democracies, do in a real sense “democratize” the policy process; see Goodin (2003, 160). On the other hand, it is often argued that interest groups tend to favor organized groups, often producers, over the “public” as a whole (often consumer interests). I discuss the details of consultation in much more detail in Angle (2005).

21. For a somewhat different view, see Tsou (1986), which argues that in the post-1978 period,

To regain popular support, the mass line has been underscored while mass political movements and mass mobilization have been abandoned. . . . The referents of the terms “people” and “masses” have been vastly expanded. . . . The mass line once again becomes a method of finding and maintaining an adequate balance, or acceptable compromise, between the Party’s fundamental interests . . . and the immediate socioeconomic interests perceived by the people. (p. 333)

22. In addition to O’Brien (2002), see Ogden (2002, ch. 6). Interestingly, O’Brien writes that “Chinese villagers are increasingly identifying, interpreting, and challenging improper elections using the vocabulary of rights” (O’Brien 2002, 227). On the other hand, he acknowledges that one could say that they are acting like villagers for many centuries, seizing “on official rhetoric, whether framed in terms of Confucianism, class struggle, or citizenship rights, to press claims against malfeasant power holders” (p. 229). In either case, their active participation in local governance is significant.

23. For another, largely compatible view of urban participation, see Ogden (2002, 220-28). Shi’s explanation for much of the patterns he observed depends heavily on the ubiquitous role played by the Chinese “work unit” (danwei) in urban life. To the extent that the work unit’s importance is eroding, some changes in people’s behavior should result. See Dittmer and Lu (1997).

24. See Peerenboom (2002, 64). This issue is linguistically more complicated than I have made it sound, because there are two different homophonous expressions “yi fa zhi guo” with slightly different meanings. It is nonetheless clear that Chinese thinkers are working out contrasts along the lines sketched in the main text.

25. See, for example, He (1997) and Fewsmith (2001, 196-97) on Shang Dewen and Fang Jue.

26. See, for example, Wang (1989), Deng and Jing (1992), Hu (1998), Wang (2000), and Pan (2003). Several of these thinkers are insightfully discussed in Fewsmith (2001); for more on Pan, see Angle (2005).

27. See also the nuanced discussion in Ogden (2002, ch. 8), which comes to similar conclusions: for instance, “Especially at the local level, associations provide the Chinese people with opportunities to influence the state” (p. 316).


29. I owe this point to my colleague Joseph Rouse.
30. Note that even liberal peoples have a (minimal) sense of common good, namely, "the common good of achieving political justice for all its citizens over time, and preserving the free culture that justice allows" (Rawls 1999, 71n10).

31. On epistemological barriers to global philosophy, see Angle (forthcoming).

32. Rawls's attitude here bears comparing to the very similar sentiments expressed by Richard Rorty (1991, 212-13, 219). Rorty even mentions the Chinese, albeit in a very breezy fashion. See also Rorty (2000).

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