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## *Institutionalizing Chinese Legislatures: Trade-offs Between Autonomy and Capacity*

Some leaders of Chinese local people's congresses emphasize autonomy in order to promote decentralization and enhance representation. Other legislative insiders favor sacrificing autonomy in order to strengthen capacity and improve oversight. Tight coupling between congresses appeals to local legislators because it offers opportunities to mobilize supporters, obtain resources, and expand jurisdiction, while representatives of higher congresses often oppose closer ties in order to preserve local initiative, safeguard elections, and reduce conflict with Party committees. In a reforming communist state, single legislatures may not be the right unit of analysis for assessing autonomy. Established boundaries, in the early stages of institutionalization, may apply to the legislative system as a whole rather than to its parts. And softening boundaries between congresses at different levels can harden boundaries against other bureaucracies.

The notion of institutionalization brings to mind all sorts of good things happening together. But sometimes institutionalization can involve pursuing certain ends at the expense of others, as Shepsle (1988) observed in the U.S. House of Representatives. Before the 1970s, Shepsle argues, House standing committee members focused on insulating the House from the executive, rather than on representing constituents' interests. Analogous trade-offs have also been noted in other legislatures. In the German Bundestag, for instance, Schüttemeyer (1994, 51) suggests that policymaking by an increasingly professionalized parliament has been stressed at the cost of ties between representatives and constituents. Studies of emerging parliaments in Russia, Ukraine, and Kazakhstan have also found legislators devoting the bulk of their attention to lawmaking and downplaying engagement with voters (Colton 1996). Do similar trade-offs between representation and other legislative functions appear in parliaments outside the democratizing East and the democratized West?

In this article, we examine two home-grown strategies for “perfecting” Chinese local people’s congresses (LPCs). Relying mainly on the words of interested parties themselves, we describe contrasting approaches to parliamentary institutionalization and probe the relationship between autonomy and capacity. We focus on an ongoing debate: should legislative autonomy be emphasized in order to promote decentralization and enhance representation? Or should autonomy be sacrificed in order to strengthen organizational capacity and improve oversight? We conclude that goals which otherwise seem to be compatible involve more choices than it initially appears.

### **Autonomy and Chinese People’s Congresses**

When thinking about Chinese people’s congresses, it is easy to assume that they lack the autonomy and clout needed to obtain resources and influence policymaking. And, owing to the role of the Communist Party and Leninist understandings of representation, this assumption has more than a little truth in it. Chinese popular assemblies are certainly held back by an environment infused with authoritarianism and by anti-liberal sentiments that have permeated the Party since its founding (McCormick and Kelly 1994; O’Brien 1990). Even so, this does not mean that parliaments in China are relegated to a purely ornamental role, as empty symbols of popular sovereignty or fleeting, stage-managed displays of elite unity. For Chinese assemblies, from the National People’s Congress (NPC) down to the lowliest township congress, are also organizations struggling to secure a place in the bureaucratic thicket: organizations with influential backers and motivated insiders (typically staff and legislative leaders) who are seeking to occupy institutional space and to enhance their congress’s position.

Legislative autonomy in China may be conceptualized in two ways: 1) separation from territorial Party committees, or 2) insulation from parliamentary bodies at higher levels. Like most other political organizations in China, local people’s congresses are nearly always led by Party members, and remain attentive to cues from Party committees in their localities.<sup>1</sup> This limited separation from the Party, however, is not the same as autonomy among people’s congresses at different levels: that is, between the NPC in Beijing and provincial and lesser congresses throughout the country. It is this latter aspect of autonomy and its implications for institutionalization that we focus on here.

What we have found is that in a unitary, hierarchical political system such as China’s, tight coupling between adjacent congresses

appeals to some LPC leaders and staff because it offers opportunities to mobilize supporters and expand jurisdiction, while representatives of higher congresses often oppose closer ties because they wish to avoid dampening local initiative, undermining elections, and increasing conflict with Party committees. In other words, some principals in local congresses are eager to become subordinates in far-flung bureaucratic empires, whereas leaders of higher-ranking congresses willingly eschew opportunities to bring new personnel and resources under their control. Both of these approaches to institutionalization stop well short of democratization and are indicative of the kinds of reforms under discussion at a time when only dissidents call for all-around political liberalization. They were gleaned mainly from interviews with 40 leaders, staff and deputies of the national, provincial, city and district (or county) congresses in Beijing, Tianjin, Shijiazhuang, Wuhan, and Harbin in the early 1990s. We also drew on speeches by legislative leaders (particularly those of former NPC Standing Committee Chairman Peng Zhen), Chinese scholarly accounts, handbooks prepared by standing committees for lower congresses, and a field study carried out in ten provinces (Zhao Baoxu and Wu Zhilun 1990).

### **Legislative Hierarchy in China**

After revolutionary committees were abolished in June 1979, people's congresses were re-established as the highest organs of power at each level of government. At first rather sleepy homes for retired officials and unmotivated "honorary deputies," these congresses have become considerably more assertive of late (Cheung 1996; Tanner 1994b, 1996). In many locations, increasingly professionalized deputies and staff members have proven to be effective bureaucratic infighters who work within prevailing limits to carve out a role for their organization while constituency-oriented deputies use plenary sessions and small group meetings to expose government errors, to promote group or regional interests, and to demand improved accountability (O'Brien and Li 1993–94). Many of the nation's 3.5 million elected representatives have become quite adept at reflecting mass opinions and some congresses have begun to review legal drafts more carefully, to vote down wasteful investments, and to reject personnel recommendations forwarded by Party organization departments. Among the more noteworthy achievements since the late 1980s, provincial LPCs alone have impeached a vice-governor in Hunan, rejected Party-sponsored nominees for governor in Guizhou and Zhejiang, and elected a deputy-

nominated Chief Judge over a Party-designated candidate in Jiangsu (Pei 1995, 71; Xia 1996). Accompanying all this activity has been much discussion, within both Chinese policy circles and the scholarly community, about the future of local people's congresses. At least in the West, however, this mounting interest has focused almost exclusively on elections (Bedeski 1986; Burns 1988; Jacobs 1991; McCormick 1990; Nathan 1985; Womack 1982) and LPCs per se (McCormick 1996; O'Brien 1994a, 1994b; Xia 1996), rather than on how people's congresses at different levels interact with one another.

In Chinese commentary, relations between higher and lower people's congresses are usually discussed in terms of three alternatives: 1) leadership relations (*lingdao guanxi*); 2) guidance relations (*zhidao guanxi*), and 3) work-contact relations (*gongzuo lianxi guanxi*) (Jiang Weizhong and Xie Xiaojun 1989).<sup>2</sup> Leadership relations are said to imply nearly total control by a superior over a subordinate—control that extends to personnel appointment and an unquestioned right to issue orders concerning budgets, plans, and administrative decisions. Guidance suggests an advice-granting relationship between superiors and subordinates, yet can also include extensive supervision (Int. 27; Jiang Weizhong and Xie Xiaojun 1989; Peng Zhen 1989, 335–36). Work-contact (or simply contact) relations are the loosest form of linkage; higher ranking congresses are to refrain from interfering in the everyday conduct of lawmaking, oversight, and representation, and instead set only the broadest guidelines concerning election rules and other professional questions (Ints. 23, 24, 25; Peng Zhen 1989, 234–35, 336–37). Under contact relations, LPCs are merely expected to keep higher congresses informed about their work and to “exchange experiences” with them. Presently, relations between adjacent congresses (through their standing committees) are usually characterized as contact relations, though elements of guidance are also said to exist (Chen Wusheng 1994; Int. 40; Peng Zhen 1989, 235, 336; Xi Tianding 1989, 108–09; Zhang Shijun 1988, 301), inasmuch as standing committees of higher congresses retain a right to approve regulations passed by congresses at the next lower level and can “annul inappropriate resolutions” (The Organic Law 1987, arts. 38 and 39).<sup>3</sup>

Clarifying ties between people's congresses has been an urgent concern for local legislative leaders since at least the early 1980s (Liang Yukai, Liu Yuelun, and Li Zhaoxin 1990, 162–63; Peng Zhen 1989, 231). As comparatively weak and late entrants to an organizational landscape dominated by entrenched, multilevel “systems” (*xitong*), professional staff and members of LPC standing committees were among the first to recognize that seemingly minor distinctions between

“leadership” and “guidance” or “guidance” and “contact” could shape their career prospects and affect whether a congress was able to fill institutional space currently occupied by powerful rivals.

A. Doak Barnett (1967, 8–9) was one of the earliest western scholars to draw attention to *xitong*—functional systems making up distinct chains of command that link central bureaucrats to the humblest local official (see also Lieberthal 1995, 194–208; Lieberthal and Oksenberg 1988, 141–42).<sup>4</sup> These highly integrated, vertical networks group officials in related lines of work, and in one analyst’s words are the “flesh and blood” of the regime (Huai 1995, 39). *Xitong* were initially designed to facilitate bureaucratic communication and control, and to free local agents of central ministries and commissions from dependence on first secretaries in territorial Party committees. It has long been recognized that inclusion in a system confers power and authority on its members, and that *xitong* is a “central organizing concept” (Lieberthal and Oksenberg 1988, 141; also Barnett 1967, 7) in the minds of Chinese bureaucrats and top policymakers alike.

Although people’s congresses have always been members of the “political and legal affairs system” (*zhengfa xitong*)—along with the Supreme Court and Supreme Procurator, the People’s Armed Police, and the Ministries of State Security, Public Security, and Justice—theirs is a system generally characterized by comparatively loose coupling between adjacent units. Unlike the Party affairs system, for example, most members of the political and legal affairs *xitong* do not receive direct orders from functional superiors, nor must they systematically report all their work up the line (Lieberthal 1995, 195, 208). Some officials involved in people’s congress work, mainly at the Center or in leadership positions in the provinces, advocate maintaining these arrangements, and see the most promising opportunities for institutionalization in continuing LPC autonomy vis-à-vis congresses at higher levels. Other people’s congress boosters, including many lower-ranking LPC leaders and staff members, would prefer to mimic Party organs and to establish full-fledged leadership relations between higher and lower congresses, perhaps even setting up a centralized, free-standing, people’s congress *xitong*.

### **The View from Above: Against Empire-Building**

Throughout the 1980s, Party elder and NPC Standing Committee Chairman Peng Zhen was the most articulate and vocal spokesman for maintaining limited coupling between congresses. His argument, repeated again and again in speeches made to leaders of provincial

people's congresses, highlighted the importance of accommodating local conditions and promoting political decentralization, and the impossibility of combining leadership relations with the electoral and representative responsibilities of LPCs.

For Peng and other opponents of more formalized ties between adjacent congresses, China's size and uneven development make it self-evident that a highly centralized legislative system, such as that of North Korea or the former Soviet Union, "would not suit the needs of the localities" (Peng Zhen 1989, 59–60; also Jiang Weizhong and Xie Xiaojun 1989, 12; Potter 1996, 21, 26; Zhang Shijun 1988, 297–98).<sup>5</sup> Inasmuch as LPCs were revived after the Cultural Revolution to promote decentralization, their authority must be protected in accordance with the principle that "localities govern local matters" (*difang de shiqing difang guan*) (Zhang Shijun 1988, 300). A legislature's standing committee, proponents of this view argue, should be responsible only to its own congress and to constituents in its electoral district, not to a standing committee one level up (Ints. 24, 27; Peng Zhen 1989, 61, 233). Calls to establish leadership relations must thus be resisted in the name of combating rigidity, preventing excessive uniformity, and allowing the representatives of a locality to assess and vote on local plans, budgets, and personnel decisions (Peng Zhen 1989, 232–33). According to one standing committee member of a provincial-level congress, maintaining loose coupling is particularly important in areas where ethnic minorities live, because authorities at higher levels often fail to appreciate the special needs of non-Han populations (Int. 36).

Many supporters of continued detachment further argue that layering congresses in a top-to-bottom hierarchy would bureaucratize assemblies and make a mockery of both direct and indirect elections.<sup>6</sup> As Peng Zhen (1989, 233) once explained with reference to relations between the NPC and the 30 provincial congresses: "NPC deputies are elected by provincial congresses and can be recalled by them; how can the NPC interfere with this?" LPCs must, in this perspective, be allowed to elect state leaders and deputies to higher congresses on their own or, at most, after informal consultation with territorial Party committees (Peng Zhen 1989, 233, 335–36). Supervision of the actions of lower congresses and the selection of deputies to higher congresses should be after the fact, if at all, and LPCs should refrain from developing an "administrative work style of giving and receiving orders" (Int. 36). At the heart of this position is a belief that congresses carry out their most important work in plenary sessions and committee meetings and do so through deliberation; being a lawmaker, supervisor,

and tribune of the people depends on full, open-ended discussion and a pooling of views. Congresses must not be subject to the claims of any other organization (even benevolent superiors), and should not emulate Party organs that need to 1) be disciplined and centralized, and 2) seek instructions from higher levels (Ning Nairu 1987, 49). Few occasions arise, for instance, where problems cannot be resolved by a single congress itself. In this view, any layering or movement toward an arrangement that depends on superiors issuing orders and subordinates obeying them, would swiftly enervate LPCs and would be a mistake (Zhang Shijun 1988, 300).

Moreover, if people's congresses were subject to commands from above, this argument goes, there is no way that they could become credible representative bodies that embody popular sovereignty. Operating under full-fledged leadership relations, deputies in even the lowest congresses might become further separated from their constituents and more closely attuned to the desires of their superiors one level up (Ints. 24, 33, 40). Rather than consulting voters for advice and direction, they might be more inclined to listen to their bureaucratic bosses. Fully developed leadership relations might also be difficult to square with direct elections at the county level and below, and might encourage higher congresses to manipulate still-fragile popular elections and to meddle in other strictly local work.

A subtext underlying this argument is that a more centralized legislative system might empower people's congresses to interfere with the operation of territorial Party committees and branch offices of the government, court, and procurator (Chen Wusheng 1994, 3; Zhang Shijun 1988, 299). Advocates of limited coupling have even expressed concerns that "mixing *xitong* would cause chaos" (Int. 36) as local conflicts percolated up and intensified organizational frictions. It must be remembered that leaders and members of congress standing committees, though often retired officials on the down slope of their careers, always outrank Party secretaries and government leaders one level down. If deputies who were dissatisfied with a judicial ruling or a procurator's decision could informally appeal up the ladder and persuade a higher-up in the legislative hierarchy to strong arm a reluctant official who was resisting LPC supervision, ultimate authority in every jurisdiction might be put up for grabs.<sup>7</sup> As one liaison worker (Int. 27) explained, "everyone knows that real leadership comes from the Party" at the equivalent administrative level; territorial Party committees provide support and are the "only political leadership" that congresses, the government, courts, and procurators need, and "this is the nature of our socialist system and the way it should be."<sup>8</sup> If leadership relations

between congresses were established, this might inhibit a Party committee's informal say over both a congress and the organizations that congress is constitutionally empowered to supervise. Vertical integration could provide a means for individuals outside the Party to challenge the dominance of local Party authorities.

What is preferable, in the view of Peng and others like him, is "systematizing guidance" (Yu Xinglong 1995) and strengthening contacts between adjacent congresses (Tian Jiyun 1995, 9). This would amount to expanding such practices as the following: inviting legislators from lower levels to attend standing committee meetings the next level up as non-voting observers; holding other gatherings to exchange experiences; convening classes, research conferences, and symposia to offer deputies opportunities to question leaders and staff of higher congresses about legal interpretation, the suitability of laws or regulations, and other professional matters; setting up liaison bureaus at every level; arranging inspections for deputies from higher congresses; publishing LPC "work bulletins" from the province down to the township (Chen Wusheng 1994; Ints. 24, 40; Li Qun 1995, 31; Peng Zhen 1989, 61, 234, 237, 336–37; Zhang Shijun 1988, 297, 304–06); and, in general, promoting institution-building through emulation, or what one provincial congress general director called "setting up models to promote work" (Int. 40; also Chen Wusheng 1994, 32; Int. 23).

In this view, an LPC may occasionally need informal assistance from higher levels when a territorial Party committee fails to allocate it sufficient funds, or when a local Party organization department attempts to ram its candidate through a rigged election. But on most issues, such as removing a corrupt or incompetent head of a city district, an LPC can just do it itself (Int. 24; Zhang Shijun 1988, 302–03, 308). Higher level congresses should only intervene directly in the operation of lower congresses on those rare occasions when an LPC engages in illegal or unconstitutional behavior—normally, higher congresses should "guide but not interfere, supervise and urge but not lead" (Chen Wusheng 1994, 33). Although top-down supervision within the political-legal *xitong* should be improved, and congresses at lower levels should be encouraged to report all their decisions to higher levels, this can be accomplished within the current set-up (Ning Nairu 1987, 50; Zhang Shijun 1988, 309). According to advocates of continuing detachment, a stand-alone, hierarchical people's congress *xitong* is not necessary. So long as most territorial Party committees are "progressive and open-minded" (Gu Laixun et al. 1990, 172), congresses need not imitate fledgling bureaucracies, and should continue to develop as independent, deliberative and representative bodies.

### The View from Below: Looking for Leadership

Whereas one might anticipate that LPC leaders and staff would prize any autonomy they could acquire, interviews and much Chinese commentary suggest otherwise. For example, after acknowledging that relations between people's congresses are presently ones of contact, a vice chairman of a provincial congress explained that "most people who actually work in people's congresses hope that leadership relations will come into being" (Int. 23). Likewise, after conducting extensive field work in four Guangdong counties, two researchers and a staff member of a provincial congress concluded that "people's congress cadres commonly request that contact relations be transformed into leadership relations" (Liang Yukai, Liu Yuelun, and Li Zhaoxin 1990, 162–64). Some LPC personnel (particularly cadres who formerly worked in the Party affairs system) have even asserted that all other government and Party departments already are "directly affiliated" (*bushu*), and have questioned why people's congress standing committees are an exception (Suzhou Daxue Zhengzhixi Ketu Zu 1990, 26; also Jiang Weizhong and Xie Xiaojun 1989, 10; Liang Yukai, Liu Yuelun and Li Zhaoxin 1990, 163). Why, when market reforms and decentralization are "flattening hierarchies" throughout the nation (Lieberthal and Oksenberg 1988, 405–06), do some LPC supporters wish to build hierarchy? Given long-standing opposition from legislative promoters such as Peng Zhen, why do many congress leaders and staff say "we want to be led?"

The main motivation appears to be a desire to use bureaucratic coupling to obtain resources and increased backing. In contrast to those who favor continued separation, proponents of closer ties say things like: "without leadership relations, there is no support; a lot of our work can only be done in a fumbling way or through visiting sister units to gain experience" (Suzhou Daxue Zhengzhixi Ketu Zu 1990, 26). Others speak of the need for LPCs to be in an organizational "family" in order to gain institutional muscle (Int. 23). They argue that only under the "conscientious care of a mother and father" (Liang Yukai, Liu Yuelun and Li Zhaoxin 1990, 163) can LPCs gain a routine presence in decision making and a place at the table in lawmaking, oversight, and policy implementation.

These individuals contend that so long as there are only informal contacts between adjacent congresses, LPCs will not be able to fulfill many of the tasks for which they are constitutionally responsible. If, instead of the current detachment, provincial, municipal, and county congresses "had a head above and feet below" (Zhang Shijun 1988,

300), this would clarify the responsibilities of both superior and subordinate congresses, improve the flow of documents and other communications, and allow congresses at lower levels to promptly emulate the work of congresses above them. Liaison would be enhanced, and when subordinate congresses ran into problems, superiors (many of whom have always been willing to help) would no longer find their hands tied.

More tangibly, advocates of formal coupling claim that leadership relations would clear up all sorts of nagging, everyday problems. For one, influential superiors at higher levels could use their influence to help lower congresses recruit qualified staff (Int. 27), i.e. the best graduates from political-legal institutes rather than second-raters whom other employers have passed over. At the same time, arraying congresses in a hierarchy might also ensure that LPCs are allocated sufficient funds to hold elections, conduct investigations, convene plenary sessions, build legal libraries, and upgrade deputy and staff training. According to one district congress leader, having powerful patrons in the city congress directly above would provide the surest guarantee that the district government would be instructed by *its* superior (the city government) to pay attention to congress staffing and to be generous in covering his congress's expenses (Int. 24). Tight coupling, in other words, might make up for the fact that local congresses are still weak and strongly influenced by local Party and government authorities.

Lastly, leadership relations are said to be the best way to boost organizational capacity and to improve oversight of the government, court, and procurator. As the report of one team of Chinese field researchers put it: "without vertical relations, horizontal relations are not enduring" (Suzhou Daxue Zhengzhixi Ketu Zu 1990, 26). Having influential backers one level up might help, for instance, when cadres at a lower level were inclined to brush off deputy interpellations (Diao Zhenfei and Zhou Qingnian 1990, 147-48). Similarly, being able to enlist the aid of advocates a notch up might be advantageous when "mistakes were made by the government or unjust verdicts were rendered by a court or procurator" (Jiang Weizhong and Xie Xiaojun 1989, 11). Since Party secretaries as a matter of course take the lead on most major decisions, and since they are already in a position to mobilize their superiors when they face opposition, it is often difficult for isolated, outgunned legislative leaders to resist pressure from Party officials (and their superiors) who outrank them. Being able to attract back-stage assistance from high-ranking leaders in congresses above could, it is said, level the playing field and might be particularly

important for struggling township assemblies. Because these lowest level LPCs only gained a standing chairmanship group in the late 1980s, and still have a weak organizational presence (Chen Wusheng 1994, 31), some argue that full-fledged leadership relations are the only way to increase their say over township decision making and their ability to supervise township authorities (Wang Yukai 1990, 44).

Moreover, advocates of tight coupling maintain, lower level LPCs might not be the only beneficiaries of closer ties. Superior congresses might also find them advantageous: an integrated *xitong* would mean that standing committees of adjoining congresses would no longer have "to fight in isolation" (Jiang Weizhong and Xie Xiaojun 1989, 11). When a decision of a higher level standing committee was ignored or poorly executed, for instance, they would now be in a position to instruct their subordinates one level down to find out why misimplementation occurred and to ratchet up supervision of the offending party (Jiang Weizhong and Xie Xiaojun 1989, 11; Liang Yukai, Liu Yuelun and Li Zhaoxin 1990, 163).

Clearly, the issue at stake for those who favor building hierarchy is competition with other bureaucracies. Advocates of tight coupling are willing to exchange some control over agenda-setting and decision making for more organizational support. Their primary aim is to elevate the position of LPCs vis-à-vis powerful government and Party organs at the same level; their greatest fear is neglect and being pushed aside by well-placed rivals that are better integrated vertically and horizontally. In a hierarchical political system where rank trumps all and representatives of numerous *xitong* encircle every LPC, they feel it is essential for congresses to accommodate existing power relations, even if this consigns LPCs to a dependent position for the time being. They believe that local assemblies are strengthened by entwinement with legislatures at higher levels and their strategy for development places acquiring resources and protecting jurisdiction above all else. From their perspective, the top priority of every congress must be to gain a place in already-crowded policy deliberations; they are far less concerned than Peng Zhen with enhancing local initiative, promoting decentralization, and strengthening ties with constituents.

This vision of legislative institutionalization clearly downplays attention to representation in the name of another worthy goal: building capacity. At least during a transitional period while congresses are learning to exercise their powers (Liang Yukai, Liu Yuelun and Li Zhaoxin 1990, 163), advocates of closer ties argue that becoming embedded in the existing, illiberal polity is more important than becoming autonomous, representative assemblies that draw authority

from their popular base (O'Brien 1994a). For them, strengthening ties with constituents is less important than strengthening ties with superiors: reflecting the interests of ordinary citizens and upgrading electoral institutions takes a back seat to turf-building and cozying up to those who can help protect a congress's jurisdiction and increase its capacity. In their view, vigorous attention to representation is a luxury that cannot be freely indulged. The mandate that matters, they insist, is the one from above, not the one from below.

### Some Implications

Most scholars agree that institutionalization is a key indicator of legislative change (Canon 1989; Polsby 1968; Squire 1992; for a partial dissent, Hibbing 1988). And, by all accounts, enhanced autonomy is a central element of institutionalization. But how increases in autonomy are conceptualized may deserve more attention. Typically, researchers use measures such as membership turnover, competition, and difficulty of entry to leadership to gauge a legislature's autonomy and its success at "boundary-maintenance."<sup>9</sup> Their aim, quite sensibly, is to determine if a given parliament is developing an identity of its own. Still, a single legislature may not always be the right unit of analysis for assessing how susceptible an organization is to outside influences. Particularly in a reforming communist regime with corporatist features (Unger and Chan 1995), the legislative complex as a whole rather than its individual parts may be where the first signs of established boundaries and differentiation appear. And, paradoxically, movement toward systemic impermeability may be predicated on reduced autonomy for subunits;<sup>10</sup> softening boundaries between congresses, in other words, may help harden boundaries against other bureaucracies. If this is so, legislative institutionalization in China may best be served by drawing individual LPCs into the orbit of higher congresses. In such a manner the complexity and autonomy of the legislative system may grow, and the entire set of parliamentary bodies may become better placed to be a viable and permanent part of the political system.

Of course, if it was up to Peng Zhen, relatively firm boundaries between adjacent congresses would be maintained. In his view, increasing complexity is better addressed by adding specialized committees (which is occurring) rather than by turning lower congresses into wholly-owned subsidiaries of higher congresses. But Peng's approach is not the only approach, and practice may be rendering his strategy irrelevant. If full-fledged leadership relations are developing *sub rosa*, as at least one LPC leader has said (Int. 40), the legislative

apparatus as a whole may be gaining complexity, coherence, adaptability, and autonomy (Huntington 1968). For now, this does not portend dramatic challenges to Party rule or imminent political liberalization, but rather more limited efforts to redraw institutional boundaries: to change who in the Party rules and through which organizations. Ultimately, however, acquiring institutionalized influence and a distinctive esprit may depend upon precisely these sorts of seemingly modest adjustments in how congresses relate to each other.

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#### APPENDIX Interview List

The following list includes citation number, interviewee position, and interview date for 40 open-ended interviews conducted in six cities (Wuhan, Tianjin, Beijing, Harbin, Shijiazhuang, and Hong Kong). All respondents were guaranteed anonymity.

1. NPC deputy and Law Committee member—March 1989
2. Senior political scientist—March 1989
3. Senior NPC Legislative Affairs Commission member—April 1989
4. Senior NPC General Office member—April 1989
5. City and district deputy—May 1990
6. Provincial deputy—May 1990
7. Law school professor—May 1990
8. City deputy and standing committee member—May 1990
9. District deputy—April 1991
10. District deputy—April 1991
11. City deputy—April 1991
12. District deputy—April 1991
13. Provincial deputy—April 1991
14. NPC, provincial and city deputy, county standing committee member—April 1991
15. Provincial deputy—April 1991
16. NPC, provincial, county and township deputy—April 1991
17. Chairman, city standing committee and provincial deputy—April 1991
18. Chief, Secretariat division, provincial General Office—April 1991

19. Section chief, Secretariat Division, provincial congress—April 1991
20. City congress deputy and standing committee member (provincial-level city)—May 1991
21. Law professor, committee adviser, and former NPC deputy—May 1991
22. District deputy (provincial-level city)—May 1991
23. Vice chairman, city congress standing committee (provincial-level city)—May 1991
24. Vice chairman, district congress standing committee (provincial-level city)—May 1991
25. Director General Office, city congress standing committee (provincial-level city)—May 1991
26. Head of Secretariat, city congress standing committee (provincial-level city)—May 1991
27. Senior NPC General Office member—May 1991
28. Political science professor—May 1991
29. NPC deputy and former city deputy—May 1991
30. Provincial deputy—May 1991
31. District deputy—May 1991
32. Chairman, district congress (provincial-level city)—October 1991
33. Vice chairman, district congress (provincial-level city)—October 1991
34. District congress standing committee member (provincial-level city)—October 1991
35. District and city deputy (provincial-level city)—October 1991
36. City congress deputy and standing committee member (provincial-level city)—October 1991
37. District congress deputy and standing committee member (provincial-level city)—October 1991
38. City congress deputy (provincial-level city)—October 1991
39. Provincial deputy and resident of Hong Kong—October 1991
40. Director, General Office, provincial people's congress standing committee—October 1993

## NOTES

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1. Murray Scot Tanner (1994a) has shown that Party involvement in lawmaking has declined substantially since 1978. He does agree, however, that the Party continues to provide "guiding principles," examines and approves legislative plans, suggests which policies should be codified into law, and resolves intersectoral legislative disputes.

For Chinese commentary on Party leadership of people's congresses, see Lu Rongjing 1995 and Li Zemin 1995.

2. "Leadership," "guidance," and "work-contact" do not exhaust the alternatives, and terminology can vary. Some commentators (Peng Zhen 1989, 231; Ning Nairu 1987) add "legal supervision relations" to the list. On leadership relations more generally, see Lieberthal and Oksenberg 1988, 148–50.

3. These provisions codify an inherently hierarchical relationship. Higher level congresses have veto power over the legislative process at lower levels.

4. While Barnett (1967) identified ten *xitong* in the mid-1960s, Lieberthal (1995) speaks of six major systems currently: party affairs, organization affairs, propaganda and education, political and legal affairs, finance and economics, and military.

5. Interestingly, Potter (1996, 26) notes that Peng Zhen's views evolved after the 1950s, when he stressed obedience of lower level organs even if higher levels still must take into account local circumstances.

6. Only county (or district) and township deputies are presently elected directly by ordinary citizens. Municipal and provincial deputies, as well as members of the NPC, are elected indirectly by members of the congress one level below.

7. Formally, "systems" are separate and such requests should not occur. Informally, however, appealing across systems appears to be common.

8. Interviewee 36 also noted that Party leadership of people's congresses has been written into the Constitution and thus cannot be casually altered.

9. On the inability of Central and Eastern European parliaments to maintain firm boundaries, and the difficulties of assessing "boundedness" in the wake of regime change, see Hibbing and Patterson 1994, 147–48.

10. On institutionalization as "an umbrella concept subsuming numerous eclectic trends," and features of institutionalization "moving in opposite directions from others," see Hibbing 1988, 708, 684. Sisson (1973, 22) also notes that "complexity may in certain instances be disruptive of autonomy."

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