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IS CHINA'S NATIONAL PEOPLE'S CONGRESS A "CONSERVATIVE" LEGISLATURE?

===== Kevin J. O'Brien
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It is often said that legislatures in developing nations inhibit and impede social change. Following studies by Huntington and Packenham,¹ many political scientists accepted the argument that legislatures outside of the industrial democracies act as gatekeepers that protect backward-looking elites and divert challenges from progressive countere-lites. They noted that the structural features of legislatures—including skewed composition, regionalist orientation, and cumbersome processes—frequently turn non-Western, elected assemblies into parochial bastions of conservative power that resist reforms and oppose modernization programs. But twenty years after it was first proposed, the “conservative legislature hypothesis” is not universally accepted and, in fact, remains underexplored. It has not been conclusively upheld or refuted, nor have the conditions under which it applies been specified. Loewenberg and Patterson observe that although some world legislatures have blocked or delayed reforms, others (e.g., those in seventeenth-century England, revolutionary America, and colonial Africa) have been agencies of radical social change.² In new nations and ones in crisis, legislatures have often served as lightning rods drawing together individuals seeking to destabilize the political order and have provided avenues of minimal resistance for new elites and new ideas. At these times, legislatures have not been static

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1. Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), pp. 388–96; Robert A. Packenham, “Legislatures and Political Development,” in *Legislatures in Developmental Perspective*, Allan Kornberg and Lloyd D. Musolf, eds. (Durham, N.C.: Duke University Press, 1970), pp. 521–82.

2. Gerhard Loewenberg and Samuel C. Patterson, *Comparing Legislatures* (Boston: Little, Brown and Company, 1979), pp. 299–304.

institutions preserving the power of dominant groups or classes, but rather dynamic sources of social mobilization that propel groups into the political process and contribute to the redistribution of society's resources.

Up to now few researchers have considered whether legislatures in developing socialist nations tend to generate change or preserve the status quo. The reasons for this lacuna are not mysterious. For many years socialist legislatures passively conveyed Communist Party decisions and lacked significant policy influence. Deprived of institutional autonomy, these assemblies could not initiate or obstruct policy and instead acted as simple conduits that had neither a conservative nor a reformist impact on their polities. With the reforms of the 1960s and the upheaval of the late 1980s, this has begun to change.

In Vietnam, nearly one-third of the National Assembly voted against the party's nominee for premier in June 1988. Transitional parliaments in East Germany, Czechoslovakia, and Bulgaria held contested elections in 1990 and convened special sessions to discuss the explosion of protest that shook East Europe in 1989. The interim Czechoslovakian parliament accepted demands to abolish the party's leading role and ended compulsory education in Marxism-Leninism; at the same time a parliamentary commission investigating police violence recommended that Milos Jakes (the party leader at the time of the popular demonstrations) be removed from the parliament. East Germany's Egon Krenz, in his short-lived appointment as head-of-state, faced unprecedented legislative opposition and a parliamentary committee rejected a Krenz bill circumscribing travel freedom. In January 1990, Bulgaria became the last of the Soviet Union's former clients to strip the Communist Party of its dominant role, with its parliament amending the constitution and reviving the opposition parties that had been crushed during the early years of communist rule.

Before the uprisings of 1989, top-down reforms had also begun to enliven European socialist legislatures. An element of choice was introduced into Hungarian state elections as early as 1985, and in January 1989 national leaders legalized opposition parties and commenced drafting a constitution that called for popular sovereignty, party competition, free elections, and civil rights. Wide-ranging talks with noncommunists focused on legislative-executive relations and the structure of a new parliament. Finally, in October 1989 the Hungarian Communist Party relinquished its leading role, changed its name to the Socialist Party, and formally committed itself to multiparty politics and a mixed economy. The first open Hungarian elections brought a decisive defeat to the ex-communists and victory to a center-right party, the Democratic Forum. In Poland, months of negotiations with Solidarity led to comparatively free elections in June 1989 that gave noncommunists 99 of 100 seats in the

new Senate and all of the lower chamber seats (35%) that they were permitted to contest. A coalition government led by Solidarity was formed in September 1989 and parliamentary deputies have been intimately involved in drafting austerity measures and liberalizing the economy. A group of trade union deputies has even coalesced to oppose the liberals, perhaps hoping to benefit if the reforms collapse.

Most remarkably, a new, popularly elected Soviet National Assembly has exceeded all expectations for liveliness and drama. Live television broadcasts have shown deputies rejecting party nominees for ministry positions, calling the KGB an "underground empire stained with blood," linking Prime Minister Ryzhkov to an arms scandal, and chiding President Gorbachev for authoritarian tendencies. Acrimonious debates have ended with legislators agreeing to a strengthened presidency only after ending the party's constitutional grip on power and diluting the president's authority to veto bills and declare a state of emergency. Members of an opposition Inter-Regional Group have presented their own agenda and have advocated a multiparty system with the Communist Party responsible to parliament. Statistics have been released revealing the nation's budget deficit, hard currency debt, and defense budget. Competing drafts of land, leasing, and republican autonomy laws have been presented, published, and debated. Laws enhancing press freedom and granting Soviet citizens the right to own small factories and other businesses have been passed. Economic, regional, and ethnic disputes have divided Soviet deputies and have pitted the legislature against other institutions: striking coal miners have sent their appeals to sympathetic parliamentarians rather than to the party or trade union; Baltic deputies have demanded control over local resources and the right to veto decisions made in Moscow. Despite strong opposition from Mikhail Gorbachev and the National Assembly, regional assemblies in Lithuania, Latvia, and Estonia have declared their republics' independence, while the Azerbaijani and Armenian assemblies have repeatedly defied the central authorities over control of Nagorno-Karabakh. In early 1990, the parliament of Azerbaijan demanded a speedy withdrawal of occupying Soviet troops and threatened secession if the demand was not met.

Legislatures throughout the socialist and postsocialist world are moving toward the center of national political life. Efforts to reconstitute polities and regain legitimacy are coming to hinge on elected assemblies. But what will these assemblies do? Will symbols of change become engines of change, or will organizations structured to mediate interests frustrate reformers and infuriate revolutionaries? It is too early to answer these questions for the existing Polish or Soviet legislatures or the emerging parliaments of East Europe. But perhaps we can gain insight into the

course of socialist and postsocialist legislative development by investigating the policy proclivity of another socialist legislature, the National People's Congress (NPC) in China, where debates over reform have been underway for a decade and where, despite limited institutional reform and brutal suppression of mass protest, the legislature has begun to play an active role in lawmaking, oversight, representation, and regime support.³

NPC activities have grown since 1978, but has the assembly affected policy? Does the legislature as an institution have a discernible policy proclivity? Writing in 1982, Dorothy Solinger concluded that the NPC had come down on different sides of economic debates, in large part in response to the changing fortunes of rival leadership coalitions.⁴ More recent assessments, however, have typically portrayed the NPC to be a conservative power base dominated by opponents of reform.⁵ Under the chairmanship of Peng Zhen (1983–88), NPC leaders demonstrated unwillingness to countenance certain changes, and they expressed displeasure by obstructing or delaying legislative initiatives and allowing speeches critical of reform at plenary and committee meetings. At plenary sessions since 1979, legislative leaders have provided outmaneuvered backers of heavy industry and inland provinces with an arena in which to demand greater resources before the leadership and the national press; they have allowed popular disenchantment with corruption and the social consequences of the open door and special economic zones to congeal and be expressed,

3. Kevin J. O'Brien has written on the expansion of NPC activities in "Legislative Development and Chinese Political Change," *Studies in Comparative Communism* 22 (Spring 1989), pp. 57–75, and on the limits of legislative reform in "China's National People's Congress: Reform and Its Limits," *Legislative Studies Quarterly* 13 (August 1988), pp. 343–74. On the NPC's participation in drafting and discussing one law, see Ta-kuang Chang, "The Making of the Chinese Bankruptcy Law: A Study in the Chinese Legislative Process," *Harvard International Law Journal* 28 (Spring 1987), p. 334.

4. Dorothy J. Solinger, "The Fifth National People's Congress and the Process of Policy-making: Reform, Readjustment and Opposition," *Asian Survey* 22 (December 1982), p. 1,243.

5. For example, John P. Burns, "China's Governance: Political Reform in a Turbulent Environment," *China Quarterly* 119 (September 1989), p. 510; Wu Kuo-nai, "The Crisis-ridden Zhongnanhai in 1987," *Zhengming* 111 (1 January 1987), pp. 21–23 in Foreign Broadcast Information Service, *Daily Report, China* (hereafter, FBIS, *DR/CHI*), 5, 8 January 1987, pp. K9–K12; He Yang, "Showdown Between Deng Xiaoping and Peng Zhen," *China Spring Digest* 1 (May/June 1987), pp. 39–45. According to one political scientist in Beijing, "NPC members are considerably more conservative than ordinary party cadres" while a prominent Hong-Kong based newsweekly has referred to the legislature as "a bastion of conservatism." ("An Urgent Plea for Reform," *Asiaweek*, 5 April 1987, p. 13, and "New Offensive from the Left," *Asiaweek*, 19 April 1987, p. 29.) Ta-kuang Chang, "Bankruptcy Law," p. 334, writes: "those in the National People's Congress who effectively voiced their opposition to the bankruptcy law . . . may be precisely those who oppose the rapid pace of economic and political reform urged by Premier Zhao Ziyang and his associates."

most notably when 40% of the NPC deputies opposed or abstained on a 1989 proposal to delegate legislative powers to Shenzhen's people's congress; they have offered a forum for those dismayed by deficits, inflation, and the spiraling subsidies associated with reform; they have provided a venue to advocate improved socialist morality and political education and to decry the decline in public spiritedness and the get-rich-quick mentality brought on by reform; they have allowed grain farmers, comparatively neglected in the shift to more profitable cash crops and rural industry, to criticize low prices, inadequate investment, and shortages of inputs.⁶

More than most other Chinese political events, legislative sessions have provided opportunities to question the unforeseen consequences of reform and to urge greater caution before plunging ahead. NPC meetings have brought into the open demands to protect administrators, factory managers, workers, peasants, and consumers from the market and from the uncertainties of political change—and they have done so to the applause of many citizens poorly placed to benefit from reform. On more than one occasion, the NPC has served as a platform from which orthodox Leninists questioned the transformation in development priorities underway during the 1980s and attacked reform enthusiasts, including Hu Yaobang and Zhao Ziyang.

The NPC, however, has not been merely a forum to express conservative opinions or a safety-valve to let off steam. In its lawmaking, the NPC Standing Committee (NPCSC) has checked some of the reformers' more ambitious plans. In particular, by repeatedly remanding drafts of the bankruptcy law, the state-owned enterprise law, and the villagers' committee law, the NPCSC has shown itself willing and able to scrutinize and prevent unrevised passage of initiatives that relax administrative controls, decentralize power, and limit the authority of party committees. On the bankruptcy law, opposition to hardened budget constraints and factory responsibility for losses arose at three consecutive NPCSC sessions and centered on the unfairness of punishing enterprises whose directors had little control over costs and profits and whose workers were administratively selected and had no welfare system to depend on if fired. NPCSC members pointed out that "the way it is now, an enterprise could fail for many reasons having nothing to do with bad management, such as government price controls and tax policies,"⁷ and they advocated prior formulation of

6. An analysis of deputy speeches in 1978–89 is in Kevin J. O'Brien, *Reform Without Liberalization: China's National People's Congress and the Politics of Institutional Change* (New York: Cambridge University Press, 1990), chapter 6.

7. "Bankruptcy Law Urged," FBIS, *DR/CHI*, 25 June 1986, p. K4. Other NPCSC discussions of why it was premature to implement a bankruptcy law are in Gao Ling, "Why the Draft Enterprise Bankruptcy Law Has Not Been Adopted: Sidelights on the NPC Standing

five complementary laws—an industrial enterprise law, a joint-venture enterprise law, a state-owned enterprise law, a collectively owned enterprise law, a labor service law, and a social insurance law.

From June to November 1986, successive draft statutes were prepared, clauses on the placement of staff members of bankrupt enterprises were clarified, and related State Council regulations were enacted governing the authority of plant managers, labor contracting, hiring and firing workers, and unemployment insurance. Throughout that summer and fall, a media campaign promoting the bankruptcy law was launched and articles in *People's Daily* and other outlets made it clear that timely passage was expected. Just before the start of the August 1986 Standing Committee session, the NPC Law Committee held four meetings to discuss comments made by NPCSC members, central and local government officials, and the NPC Committee on Finance and Economics, and a number of compromise amendments were proposed. In the late fall, the NPCSC conducted further investigations in several cities and concerned officials were invited to an eight-day symposium in Beijing. Finally, in December 1986, two years after drafting began and two months after nationally televised and highly contentious NPCSC debates, the NPCSC passed a trial bankruptcy law. But even then, the committee postponed implementing the law until the state-owned enterprise law went into effect, which did not occur until late 1988.

On the state-owned enterprise law, NPCSC deliberations focused on the autonomy granted managers vis-à-vis party secretaries and concerns that the law would weaken party control of the economy. In five deliberations from January 1985 to March 1988, NPCSC members acknowledged the need for enterprise reform and expansion of factory directors' responsibilities, but many were troubled by the implications of reform for each factory's party committee whose functions would be narrowed and whose role might become "unclear." Legislators also felt the law might have an adverse effect on ideological and political work and on the "socialist orientation of enterprises."⁸

Committee Session," *Liaowang* (overseas edition), 29 September 1986, pp. 13–14; Hu Jihua and Li Yahong, "Commenting on Views on Temporarily Not Putting the Bankruptcy Law to Vote," *Zhongguo Fazhibao*, 27 October 1986, p. 3, in FBIS, *DR/CHI*, 14 November 1986, pp. K3–5; Guo Yuanfa, "Properly Formulate the Law of Reform for the People," *Liaowang*, 1 December 1986, p. 5. Strong support for a bankruptcy law is expressed in Cao Siyuan, *Tantan Qiye Pochan Fa* [Discussing bankruptcy law] (Beijing: Zhongguo Jingji Chubanshe, 1986).

8. A summary of the drafting of the enterprise law and NPCSC queries at each stage is in Zhang Sutang and He Ping, "Gaige huhuanzhe qiye fa chu tai" [Reform calling the enterprise law out from behind the stage], *Liaowang (Hawaiiban)*, 8 February 1988, pp. 17–18.

In an unusual step in March 1987, after a series of provincial investigations, the NPCSC debated two "completely different" (*jieran butongde*) draft proposals on the role of factory directors. One, favored by party and trade union cadres, gave the factory director responsibility for production and management of the factory; the second, favored by most factory directors, gave directors "the central position" in all activities in the enterprise. After "intense debate" the bill was tabled pending further revisions. Finally, in January 1988 an acceptable compromise was reached specifying that grass-roots party organizations in enterprises would supervise the implementation of party policies and support factory directors in exercising their powers, while factory directors would be granted "overall responsibility" and "the central position" in enterprise management.⁹ After a month of national discussions on the law, a final draft was adopted by the full NPC in April 1988.

On the organic law of villagers' committees, some NPCSC members judged the responsibilities of the village committees to be "too heavy" and sought to reduce the committees' autonomy and include them within the state hierarchy under the jurisdiction of town and township governments. After consensus proved elusive, a draft law was submitted to the 1987 NPC for deliberation. Deputies expressed doubts concerning the relationship of the committees, a form of mass organization, to grass-roots party organizations and township governments, and critics noted that in some places committees were already performing unauthorized tasks. Many deputies feared that self-governing village committees would ignore state interests or defy township instructions and argued that this might make it difficult to carry out rural conscription, family planning, public security work, and grain procurement. In light of continuing "sharply differing opinions," the Presidium of the 1987 NPC decided it was "improper to force the draft law through the legislative procedure," and proposed instead that deputies approve the law in principle and authorize the Standing Committee to make further revisions before promulgating it on a trial basis.¹⁰ This motion was accepted and eight months later, in November 1987, after further "heated debate" and over the opposition of NPCSC members who felt the law was premature given peasants' educational and scientific level,¹¹ a trial villagers' committee law was passed.

9. Ibid., pp. 17-18.

10. Bao Xin, "Concerning the Villagers' Committee Organization Law," *Liaowang* (overseas edition) 16 (20 April 1987), p. 1; also Gong Miao, "Reform of Political Structure, Autonomy for Peasants: NPC Deputies Argue Over Draft of Villagers' Law," *Zhongguo Tongxun She*, 11 April 1987, in FBIS *DR/CHI*, 14 April 1987, p. K24.

11. On remaining opposition, see "NPC Standing Committee on Village Draft Law," FBIS *DR/CHI*, 20 November 1987, pp. 12-13.

On each of these three laws, the NPCSC stood in the way of key planks in the reform program designed to redefine the party's role in society, to devolve decision-making authority, and to empower nonparty institutions and individuals. Even official Chinese sources, usually unwilling to acknowledge elite conflict, admit that NPCSC activities led some people to "believe that . . . the NPC Standing Committee [is] abusing its power of legislation and obstructing the economic structural reform."¹²

This appraisal is only partially correct. It is mistaken to view the NPC as a second world analogue to the third world conservative legislatures described by Packenham or Huntington; the evidence for obstructionism exists but should not be exaggerated or misinterpreted. As early as 1979, deputies actively supported removing long-time Mao associate Wang Dongxing, veteran internal security official Ji Dengkui, and the soon-to-be discredited leader of the Dazhai Brigade, Chen Yonggui. Legislators were also among the first to push for a public trial of the Gang of Four and for rehabilitation of former State Chairman Liu Shaoqi and other disgraced cadres.¹³ In 1980 deputies mobilized support for reducing investment in heavy industry by criticizing over-ambitious iron and steel projects and oil refineries, by blaming petroleum industry officials for the Bohai oil rig disaster, and by interrogating the minister of metallurgy on problems with the planning and construction of the Baoshan steel complex. In 1989, as the national leadership called for austerity and belt-tightening, deputies from booming coastal regions pled special conditions and asked for exceptions—at least for their provinces. At nearly every plenary session for the last ten years, the majority of deputy speeches have supported reform and the open door policy, and considerable attention has been paid to overcoming leftist ideology and "conventional forces" that impede change. Judging from their words, most deputies favor Deng's (and even Zhao's) reforms and support changes such as family farming, private enterprises, upgrading the status and living conditions of intellectuals, and increasing the education budget. Ten years of small group speeches (along with a 1988 survey of deputy attitudes) suggest an organization that reflects di-

12. Hu and Li, "Commenting on Views," p. K3.

13. Journalists from Hong Kong, some of whom attended the 1979 Congress, are the sources for these reports, e.g., Mu Fu, "Zhongguo renda de zhiheng zuoyong" [The NPC's system-balancing role], *Qishi Niandai* 162 (July 1983), pp. 23–24; Hong Yuan, "Wujie renda hou de beijing" [Beijing after the Fifth NPC], *Dongxiang* 10 (July 1979), pp. 4–5; Luo Bing, "Paohuang nüfuzongli shijian ji qita" [The incident of bombarding the woman vice premier and others], *Zhengming* 22 (August 1979), pp. 6–8.

verse interests and the presence of some deputies who may oppose attempts to reverse a decade of reform.¹⁴

Nor is the Standing Committee an antireform stronghold. After seven days of "extensive" and "enthusiastic" discussions, the NPCSC declined to pass a motion in support of cultural conservatives mounting a spiritual pollution campaign in December 1983, deciding conditions were "not ripe" and "no decision should be made in a hurry."¹⁵ In May 1989 hopes for revocation of martial law and restoration of Zhao Ziyang rested with NPCSC petitioners and NPCSC Chairman Wan Li, who aborted a trip to the United States and was said to be returning to China to convene a special session of the legislature. Moreover, even after the crackdown derailed an emergency meeting, the NPCSC gave beleaguered journalist and Standing Committee member Hu Jiwei an opportunity to defend himself and to assert his "sacred duty and right" to gather signatures to call the Committee into session. Though most of his NPCSC colleagues abandoned Hu and denied participation in the incident by July, and some of Hu's supporters were excluded from subsequent NPCSC meetings, it appears likely that as many as 38 legislators had signed Hu's motion in May.¹⁶

On legislation, although the Standing Committee rejected several drafts of the enterprise law, the draft it approved gave more power to managers than preceding ones; the villagers' committee law it ultimately passed did not make the committees into state power organs under the leadership of local party and state organs, but only subjected them to state and party guidance, support, and assistance; and resolution of the problems the NPCSC cited as justification for delaying the bankruptcy law required more, not less, reform. In a word, much of the evidence for Chinese legislative conservatism relies on equating any NPC questioning of reform initiatives with opposition to the reform program. At times this equation may have merit; at others efforts to slow or refocus reform can just as plausibly be interpreted as efforts to ensure its success.

The NPC's political proclivity is best regarded as neither predictably conservative nor predictably reformist. It is not a bastion of radical re-

14. O'Brien, *Reform Without Liberalization*, chapter 6. A 1988 survey of 758 NPC deputies found the majority could be classified as "dissatisfied activists." Dissatisfied activists are the most educated, liberal, and independent members of the legislature and favor freedom of speech, freedom of the press, and freedom of association. At the same time, they are the least satisfied with NPC performance. See Tianjian Shi, "'Role Culture' and Political Liberalism Among Deputies to the Seventh National People's Congress," unpublished manuscript, p. 28.

15. "Standing Committee Meeting Ends," FBIS, *DR/CHI*, 9 December 1983, pp. K10-11.

16. An account of Hu's self-defense at the NPCSC meeting, see "NPC to Probe Signature Incident," *Beijing Review* 32 (17-23 July 1989), pp. 10-11.

formers, moderate reformers, restorationists, or revolutionary Maoists. At times it stands for innovation; at times it points out the virtues of continuity and stability. As befits a representative assembly, the NPC tends to reflect an array of policy preferences—some conservative, some change-oriented. What we see is not an antidevelopment force like some third world legislatures, nor a revolutionary legislature, but a deliberative institution that most often symbolizes reason and caution, procedural regularity, and moderate, paced reform.

Though the NPC rarely finds itself at the forefront of change, it also never lags too far behind. Though its preferences at any given moment may appear conservative in terms of a socialist ideological continuum regarding industrial priorities, guaranteed employment, equity, inflation, enterprise reform, artistic expression, and tolerance of corruption, it cannot be considered reliably antireform. The NPC deputies aim is to ensure policy implementation and to guarantee the feasibility of change. They highlight emerging problems but urge reformers to persist in the face of opposition and remind them that high-sounding words require concrete confirmation. More than an ideological disposition, what we see is an institutional consensus to minimize risk and avoid even short-term dislocation, to slow the pendulum swings of change, and to break from campaign-style policy implementation and reliance on revolutionary enthusiasm and charisma.

NPC deputies in their actions and words have invariably opposed mass movements, personality cults, arbitrariness, and hastiness. Deputies again and again have inveighed against “wild slogans,” “blind optimism,” and “overeagerness to get quick results.”¹⁷ Legislators have spoken as the voice of patience and experience, and they have tempered their support of policy initiatives, reform or conservative, with reminders of the difficulties ahead and the perils of rule by fiat. Whether the Tiananmen suppression and the return to personalism has unhinged the NPC and disrupted its stabilizing function remains to be seen. As a symbol of legal rule, the NPC does not stand for stability by dictate or by heroic party rule by “old revolutionaries.” The legislature cannot fulfill any meaningful political function if procedural regularity and consultation with nonparty forces are

17. For example, see Luo Bing, “Zhao Ziyang baogao shou piping” [Zhao Ziyang’s report receives criticism], *Zhengming* 63 (January 1983), p. 15, and Luo Bing, “Liuji renda huiwai” [Inside and outside the sixth NPC], *Zhengming* 69 (July 1983), p. 11. “Overeagerness to get quick results” was an important theme at the 1989 NPC. See Ling Zhijun, “Jiyu qiucheng tanyuan” [Exploring the origins of overeagerness to get quick results], *Renmin Ribao*, 24 March 1989, p. 1, and “Gangqu daibiao guanzhu tongzhang yuanyin” [Hong Kong deputies pay attention to the causes of inflation], *Ta Kung Pao*, 23 March 1989, p. 2.

abandoned and mass movements become the preferred form of policy implementation.

There are reasons to anticipate continued NPC survival and continued, if veiled, NPC support for legal institutionalization and moderate reform. Although exiled dissident Yan Jiaqi has been expelled from the NPC, long-time Zhao associate Wan Li survived the initial shakeups and continues to lead the NPC and its Standing Committee. Massive purges of outspoken deputies have not occurred as they did during the 1957–58 Anti-Rightist Campaign and the Cultural Revolution. Just one month after the military suppression in Beijing, many NPCSC members advised against hasty adoption of an unfinished draft demonstration law and insisted that the constitutional right to demonstrate must not be revoked. National leaders continue to profess support for a combination of measured change and stability not incompatible with NPC predilections.

The NPC has been carving out a role for itself as a rationalizer and legalizer of policy—an institution committed to restoring balance and equilibrium to a political system whose motive forces have long been imbalance and disequilibrium. The NPC's institutional impact is best perceived as *procedurally* conservative, rather than *substantively* conservative. Like, Peng Zhen, its former chairman, it stands for social stability, dampening mass enthusiasm, and an organizational approach to controlled decentralization—all expressions of “a strong faith in the value of rational objective analysis in the preparation of policy.”¹⁸ When deputies call for closer budget supervision or complain of being bypassed—as they did when the leadership introduced price reforms in the summer of 1988—they are asking to exercise a legislature's prerogative to review policy; their activities are conservative mainly in the sense that any legislature with a significant political function will tend to delay policy implementation. When the NPCSC puts off voting on a disputed draft law to protect “the stability and authoritativeness of law,”¹⁹ it shows that the process of policy

18. Pitman B. Potter, “Peng Zhen: Evolving Views on Party Organization and Law,” in *China's Establishment Intellectuals*, Timothy Cheek and Carol Lee Hamrin, eds. (Armonk, N.Y.: M. E. Sharpe, 1986), pp. 27.

19. Chen Pixian, “Work Report of the Standing Committee of the NPC,” FBIS, *DR/CHI*, 27 April 1988, pp. 12–13. Victor Falkenheim has also suggested a distinction between what I call procedural and substantive conservatism. “Outside analysts have seen the NPC as a base of conservative power; however, seen from the vantage point of policy process rather than substance, this institutional diffusion of power is surely a healthy development. It suggests that whatever the factional and structural limits to reform, there is an independent dynamic at work propelling reform along an inevitably uncertain course.” (Victor C. Falkenheim, “The Limits of Political Reform,” *Current History* 86 (September 1987), p. 281. Compare also Ta-kung Chang, “Bankruptcy Law,” pp. 371–72, on growing legislative power slowing reform while at the same time reflecting a changing institutional environment.

making is changing, albeit in a way that may make it more difficult for policy itself to change.

Though deputies by and large support policies as they are announced, they urge caution when excessive executive confidence prevails. If deputies helped peel away layers of leftists at the turn of the 1980s and restrained reformers in the middle of the decade, they may also attempt to check the post-Zhao leadership. Legislative influence typically rises and falls with new conflicts and leaders who see advantage in publicizing disputes. When decisions have been hammered out in party councils prior to NPC or NPCSC sessions, deputies have comparatively few opportunities to disturb the consensus. This was true in the heyday of reform and it is even more true today. In the aftermath of the Tiananmen suppression, the NPCSC gave its institutional blessing to the crackdown and agreed to postpone a scheduled session to avoid even a whisper of dissent on the "counterrevolutionary rebellion." Standing Committee members who had been excluded from a postsuppression NPCSC meeting reportedly acquiesced without protest.

But crises end and power relations change. When disagreements within the party elite again spill into the public arena, the NPC may again become a site for backlash against impatience, smugness, and policies that benefit some more than others. In the years up to Zhao's fall, this meant that deputies urged realism and concern for the people whom reform had passed by. They denounced commercialism, profiteering, and corruption, and they called for ideological vigilance to eliminate capitalist contamination. They supported many of the goals of anti-bourgeois liberalization drives, if not always the means. Deputies pressed for a socialist renewal, starting with attention to values that were neglected in the rush to get rich. They argued that China should not lose sight of the strongpoints of pre-reform socialism and that reform (though still essential) was going too far too fast or was too narrowly based. In the wake of Zhao's fall, backlash may take different forms and be directed against different leaders and policies. According to a 1988 survey of 758 NPC deputies, it is more likely that deputies will express dissenting opinions on policy issues than on personnel decisions (which most continue to believe are the prerogative of the party).²⁰ If growth slows, reforms languish, credit disappears, and China is isolated internationally, deputies may again speak up—if to do so does not mean disgrace, removal, or imprisonment.

The NPC is thus neither a classic conservative legislature nor a dynamic base for mobilization that propels social groups into the political process. Instead, it is an arena, couched in overall approval of existing policies and

20. Tianjian Shi, " 'Role Culture' and Political Liberalism," *passim*.

leaders, in which semi-retired central elites, regional leaders, and mass representatives express minority opinions and exert a moderating influence, largely by highlighting adverse public opinion and by insisting on procedural regularity and a systematic approach to problems.

Students of socialist and postsocialist legislatures will soon be asked to assess the role assemblies play in the Soviet Union and Eastern Europe. Future studies will undoubtedly find evidence of legislative participation in policy making and of bargaining, viscosity, and compromise. Analysts will be asked to explain the Supreme Soviet's unwillingness to approve unpopular cigarette and liquor price increases and its willingness to allow local councils to place price controls on Gorbachev's cooperatives. They will endeavor to determine whether Polish legislators' efforts to cushion rising prices, increasing unemployment, and falling living standards constitute setbacks to reform. To answer these questions, distinctions must be made between different forms of conservatism and between policy and process. It must be recognized that opposition to reform policies can be a sign of a reformed process, that is, structural reforms that limit executive power and strengthen representative institutions foster procedural conservatism and encourage expression of regional and populist (often conservative) sentiments.

If socialist and postsocialist legislatures merit study, we must go beyond electoral analysis and chronicling their development to explain what influence they have and toward what ends it is exercised. What we most likely will find, if we pursue this path, are not rubber stamps nor enduring revolutionary or reactionary organizations, but stabilizing forces created by leaders in maturing, postrevolutionary states to help them manage (and survive) the next wave of societal and political change.