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Powerful yet Vulnerable: China's Constitutional Amendments and Contemporary Political Thinking in China

The Chinese constitutional amendments on 11 March 2018 mark a significant chapter in Chinese state's political evolution. They show the country's increased confidence in becoming a global power. However, at the same time, China appears to be vulnerable to western discourse of its system and policies. The constitutional amendments will ultimately harden China's diplomatic position in the Asian region with far-reaching implications for the security architecture in the region.

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The main purpose of the Chinese constitutional amendment on 11 March 2018 was to incorporate the decisions taken during the 19th National Congress of the Communist Party of China in Beijing between 18 and 24 October 2017, especially the incorporation of the thoughts and ideas of Chinese President Xi Jinping, as “Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era”.² However, the amendment which caught global attention was

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² “Zhong Hua ren min gong he guo xian fa xiu zheng an (cao an), zhai yao 《中华人民共和国宪法修正案(草案)》(摘要)” [Amendments to the constitution of the People's Republic of China (draft), (Abstract)] 中国

the amendment to the clause on the term of the president. The original clause stated that, “The term of office of the President and vice-president of the People’s Republic of China is the same as that of the National People’s Congress, and shall serve no more than two consecutive terms.” The amended clause read that, “The term of office of the President and vice-president of the People’s Republic of China is the same as that of the National People’s Congress.” The sentence “and shall serve no more than two consecutive terms” was removed. This has made the term limit of the President and Vice-President of China quite ambiguous.³

Leading western news media depicted the Chinese constitutional amendment, which removed the term limit for the Chinese president, in negative light, with the major western newspapers having headlines such as “China’s Xi joins Russia, Zimbabwe in global autocrat club”,⁴ “This could destroy China: parliament sets Xi Jinping up to rule for life.”,⁵ “China’s Xi Wins Constitutional Backing for New Strongman Era”;⁶ “How Xi Jinping Made His Power Grab: With Stealth, Speed and Guile”;⁷ and “Xi’s power grab dashes false hopes about China.”⁸

The reason behind the West’s disappointment can be summarised by a quote in one of the most widely circulated newspapers in United States (US), *USA Today*, which read, “For the past several decades, the United States and its allies have worked on the assumption that China, if engaged in trade and other ties with the West, would gravitate toward a more democratic government.” However, “China, it seems, is going in the opposite direction. Chinese President Xi Jinping has been consolidating power since taking office in 2012.”⁹ Trade and other engagements with China for the western nations were only tools to achieve the final objective, which is to democratise China.

网 China.com, last modified 6 March 2018. http://www.china.com.cn/lianghui/news/2018-03/06/content_50669291.shtml. Accessed on 10 March 2018

³ Ibid.

⁴ Joe Mcdonald, “China’s Xi joins Russia, Zimbabwe in global autocrat club”, *Associated Press*, 11 March 2018.

⁵ Tom Phillips, “This could destroy China’: parliament sets Xi Jinping up to rule for life”, *The Guardian*, 11 March 2018. <https://www.theguardian.com/world/2018/mar/11/this-could-destroy-china-parliament-sets-xi-jinping-up-to-rule-for-life>. Accessed on 12 March 2018.

⁶ Chris Buckley and Steven Lee Myers, “China’s Xi Wins Constitutional Backing for New Strongman Era”, *The New York Times*, 11 March 2018.

⁷ Chris Buckley, “How Xi Jinping Made His Power Grab: With Stealth, Speed and Guile”, *The New York Times*, 10 March 2018.

⁸ “Xi’s power grab dashes false hopes about China”, *USA TODAY*, 9 March 2018.

⁹ Ibid.

The democratisation of China means that it should adopt a western-styled political system – the communist party-led system is considered as inherently flawed. Over the years since China opened up in 1978, the communist party-led Chinese system achieved spectacular successes in improving the welfare of the Chinese people, and making China a global economic powerhouse – it is currently the second largest economy in the world and it is expected to become the largest economy in the world in the near future. So why should China change a system which has worked so efficiently and successfully? In contrast, its large neighbour India, which adopted a western-styled democracy, is still mired in large scale poverty and, in terms of material welfare, is far behind Chinese. This comparison makes the success of the Chinese political system far more impressive. If China becomes the world's largest economy with comparable military might, then China may have more leverage in creating its own narrative, and explaining it to the world. However, this is unlikely in the short term. The western media interpret China to the outside world through the western lens. The Chinese attempts to change this trend and to create its own narrative about itself, which, till now, has not met with much success. One of the platforms used by China to influence western narrative of the country was Confucius institutes and classrooms. An overwhelming 39 per cent of all Confucius institutions have been located in the US. However, these Chinese efforts have not been successful in this respect. These institutes have become contentious and have attracted negative reactions and protests from several western academic institutions and press.¹⁰

The constitutional amendment follows the Chinese logic that the Chinese political system should adapt to changes in the global and domestic political realities. According to this logic, being a country with the largest population and also being the largest developing country involved in the construction and development of socialism, for China, there is no fix political path to follow and no ready-made model to emulate. As such, the Chinese communists must make their policies based on the national conditions and ground realities of the country. The removal of the term limits for the president can be viewed from this logic. As a result of the new realities such as the slowing down of the economy (with 2017 being an exception), the increasing antagonisms and hostility between China and the West, and an aspiring, young and

¹⁰ Elizabeth Redden, "US universities urged to shut Confucius Institutes," *Times Higher Education*, 2 May 2017. <https://www.timeshighereducation.com/news/us-universities-urged-shut-confucius-institutes>. Accessed on 8 March 2018; Rachelle Peterson, "American Universities Are Welcoming China's Trojan Horse," *Foreign Policy*, 9 May 2017. <http://foreignpolicy.com/2017/05/09/american-universities-are-welcoming-chinas-trojan-horse-confucius-institutes/>. Accessed on 8 March 2018; Jane Pong and Emily Feng, "Confucius Institutes: cultural asset or campus threat?," *Financial Times*, 26 October 2017. <https://ig.ft.com/confucius-institutes/>. Accessed on 9 March 2018.

nationalistic Chinese generation, there is a need for bold thinking and strategy, and reforms in the economic and security spheres. The extended presidential term will ensure the initiation of bold reforms and continuity, and probably ensure its successful conclusion with positive results. However, more than anything else, the Chinese fear the power of western discourse in changing the narrative of the country, or as the Communist Party of China (CPC) termed it, the “ideological infiltration” by the West. This is because, in the context of a crisis or an economic slowdown, the western narrative for the western-styled democratisation of China may gain acceptance with the Chinese population.

China’s Fear: Hegemony of the Western Discourse

In its post liberation history of China, the most earth-shaking moment for the CPC was the disintegration of the Soviet Union. For the West and for most of the world, it disproved and delegitimised the communist system and ideology. In this context, China faced the difficult task of explaining the legitimacy of its regime which was and is based on Marxist ideology. Chinese scholars came to the conclusion that the western powers, through ideological infiltration and the advocacy of “peaceful evolution” of the Soviet system, broke the Soviet Union up without firing a single shot. The CPC ideologues called for the Chinese communist cadres to carry out a thorough study on the reasons for the Soviet Union’s collapse and to learn from the episode. According to them, “the so-called pluralism and democratization promoted by the Soviet communist party, represented by Gorbachev, is the essence of deconstructing Marxism’s dominant position in the ideological field.” As such, the CPC should strengthen its power of discourse in order to ward off any western ideological infiltration.¹¹

According to the Chinese political theorists, “the collapse of Soviet Union was a historical tragedy, this is an undeniable fact. But the collapse of the Soviet Union is not equal to the failure of socialism, nor can it change the historical development of socialism replacing capitalism.”¹² This confidence in the inevitability of socialism is far away from the ground realities of contemporary China. The CPC theorists fear the infiltration of western ideologies

¹¹ Lin Yanhu 林彦虎 Feng Yanli 冯颜利, “Dui Sulian Jieti Jiaoxun de zai renshi 对苏联 解体教训的再认识” [Rethinking the lessons from Soviet Union’s Disintegration] Qiushi 求事, last modified 8 September 2016. http://www.qstheory.cn/dukan/hqwg/2016-09/08/c_1119530393.htm. Accessed on 9 March 2018.

¹² Ibid.

influencing the perception of the Chinese elites and commoners which would threaten the survival of the existing regime. The theoreticians of the CPC also called on Chinese citizens to be vigilant against the infiltrations of western hostile forces in the Chinese ideological field, continuously strengthen the vigour of the anti-infiltration efforts against western ideologies and protect the ideology of Chinese nation.

The lesson from the Soviet Union's disintegration was that the most critical factor in the continuing survival of the CPC is the question of who holds the power of discourse. According to Professor Zhang Wei, director of the "China model" research centre, "If a country does not have its own discourse, it cannot really rise. If a country doesn't have its own discourse, even doing the right thing can be interpreted as wrong by others. Without one's own discourse, facing international pressures, it would be difficult to defend the core interests of China, and cannot effectively respond to domestic and international challenges, Without China's own discourse Chinese people can be easily fooled by the Western discourse."¹³

Xi repeatedly stressed on the importance of building an external discourse system to explain China's story to the world. On 19 February 2016, while attending the CPC's news and public opinion work discussion meeting, Xi called for the increase in the power of China's international discourse. The document approved by the third plenary session of the 18th CPC central committee, "The CPC central committee's decision on comprehensively deepening reform of several major issues", points to the importance of building a discourse system for propagating the Chinese story outside China. It states that China "...should energetically carry out foreign cultural exchanges, strengthen the international communication capacity and the construction of the external discourse system, and promote the Chinese culture to the world."¹⁴

Currently, in the global power of discourse with the US, Chinese party scholars contend that, as a developing country, the Chinese government, at all levels, is stepping up efforts to focus on the people's livelihood and there is decreasing space for the West to criticise China. However, at the end of the day, whether China is doing good or bad, it is up to the Chinese

¹³ Wen Jian 文建, "Ba wo guoji huayu quanyou xiao chuan bo zhong guoshang yin 把握国际话语权 有效传播中国声音——习近平外宣工作思路理念探析" [To grasp the international discourse power and effectively spread the Chinese voice - An analysis of the Xi Jinping's ideas and Thinking on the External Propaganda Work] Xinhua net 新华网, last modified on 6 April 2016. http://www.xinhuanet.com/politics/2016-04/06/c_1118542256.htm. Accessed on 9 March 2018.

¹⁴ Ibid.

citizens to judge; it cannot be dictated by the West. Still, in a globalised world, the Chinese citizens can easily be influenced by western discourse. As a defensive measure, China banned many western news and media sources in China in order to prevent western ideological infiltration. Chinese scholars explain why the country should step up its efforts to acquire more power of discourse pointing to the fact that “[The] United States still holds the dominant power of discourse, it doesn’t means that all that [the] US is doing is right, but why do few nations, groups or celebrities condemn it? This is a question worth thinking about. Therefore, it is important and necessary for our party and national leaders to establish the power of discourse of the socialism with Chinese characteristics.”¹⁵ Socialism with Chinese characteristics means combining Marxist theory with the ground realities in China.

However, the party ideologues’ assertion to follow the Marxist theory itself does not reflect the ground realities in China. Chinese businesses, both government and private, just like their western counterparts, are driven by profits. This could be termed state-led or state-supervised capitalism. The contradictions of advocating Marxism and following capitalism took away the legitimacy of Marxism as a viable theory to explain China’s system to the outside world as well as to the Chinese people. As such, the CPC theorists contradict themselves when they advocate adapting to the ground realities of China and making policies according to the ground conditions and, at the same time, continuing to advocate Marxist theoretical framework. This contradiction in the advocacy of an archaic theory invites the historical nihilism,¹⁶ which China is trying to prevent.

The current Chinese ground realities and party policies follow the Deng Xiaoping’s idea of allowing some people and some part of China get rich first and then getting them to help and bring the other parts of China on the path of wealth and prosperity.¹⁷ Xi’s idea of the ‘One Belt One Road’ follows the same logic by linking the prosperous eastern regions to the comparatively underdeveloped western regions of China. The idea of getting rich is ingrained

¹⁵ Li Shenming 李慎明, “Hua yu quan bang zhu xi fang long duan shi jie 话语权帮助西方垄断世界? [Did the power of discourse helped the west to monopolise the world?] 求实 Qiushi, last modified on 9 December 2014. http://www.qstheory.cn/politics/2014-12/09/c_1113573063.htm. Accessed on 9 March 2018.

¹⁶ In Chinese context, historical nihilism roughly means the critique, suspicion and rejection of the CPC’s version of China’s history, especially the post liberation history of China. Indirectly, it also refers to the thinking that the spread of Western style democracy is inevitable.

¹⁷ “Deng Xiaoping: rang yi bu fen ren xian fu qi lai 邓小平: 让一部分人先富起来” [Deng xiaoping: let some people get rich first] 中国共产党新闻 News of the Communist Party of China, <http://cpc.people.com.cn/GB/34136/2569304.html>. Accessed on 8 March 2018.

in the psyche of Chinese population, replacing the earlier Marxist and Maoist ideology, and the love for the nation. In other words, nationalism is added to the ‘get rich’ narrative. Combining the ‘get rich’ and ‘nationalism’ did not produce any ideology or theory with which China could describe itself to the outside world. China fears that this theoretical deficiency will eventually lead to western ideological infiltration into the Chinese population and the West may achieve what it did in the Soviet Union and disintegrate the Chinese communist system without firing a single shot.

A manifestation of this fear and vulnerability was the commencement speech by a Chinese student in the University of Maryland, which created a controversy. Shuping Yang criticised Chinese lack of freedom of speech and the high pollution in Chinese cities. Critiquing the lack of freedom in China, she said “I would soon feel another kind of fresh air for which I will be forever grateful. The fresh air of free speech. Democracy and free speech should not be taken for granted. Democracy and freedom are the fresh air that is worth fighting for.”¹⁸ This is exactly what China feared – Chinese students repeating the western discourse on China. However, the backlash she faced from mainland Chinese and Chinese student organisations in the US also showed that China was increasingly successful in defending its own discourse inside and outside China. Nonetheless, it also showed the increasing influence of western discourse on the younger Chinese generation.

The survival of China’s current CPC depends on how China will build a counter narrative or a theory to explain its development, vision and world view. This vulnerability of China was also emphasised by Professor Liu Daokui who stated that, if China failed to build a theory to explain its economic development, then [the] time is not far away, that China will suffer because of this deficiency. According to him, “successful economic development practices must be interpreted and guided by a set of theories that match them; otherwise, they will be viewed as biased”.¹⁹ He points to the perception created in the outside world about the Chinese development. According to him, the world is not accustomed to Chinese development, they

¹⁸ Ken Shepherd, “UMd grad apologizes for offending her native China in pro-free-speech commencement address,” *Washington Times*, 24 May 2017. <https://www.washingtontimes.com/news/2017/may/24/yang-shuping-univ-of-maryland-graduate-apologizes/>. Accessed on 9 March 2018.

¹⁹ Li Daokui 李稻葵, “Jiejian ying mei ri ba zhong guoli lun jiang tou che 借鉴英美日把中国理论讲透彻” [Make thorough Chinese theory by Borrowing from the experiences of England, US and Japan] *北京日报* Beijing Daily, last modified on 26 February 2018. http://www.bjd.com.cn/sy/llzk/201802/26/t20180226_11080938.html. Accessed on 8 March 2018.

think China is cheating, stealing and taking advantage of the Westerners. To explain China's development story, China need a theory.²⁰

As of now, the CPC theoreticians have failed to come up with a convincing theoretical foundation for the Chinese development. The current emphasis of Xi's new era of socialist development with Chinese characteristics points to the objectives China wants to achieve in the near future such as decreasing the contradiction developing out of uneven economic development, building a modern military by 2035, and becoming a responsible global great power. However, these are not part of a theory – they are a collection of targets that China wants to achieve.²¹

Xi rejects the judgmental western analysis about the Chinese socialist path. According to him, “whether socialism with Chinese characteristics is a good thing or not depends on the judgment of the Chinese people, not on the subjective assumptions of those who wear coloured glasses.”²² He also repeatedly emphasised that China should go on the offensive in building an international narrative of China rather than remaining reactive. The constitutional amendments point to Xi's determination to create a new global narrative of China and proactively promoting it on the world stage.²³

The Global Role of China

The important part of the constitutional amendment which indicates the future global role of China is the amendments on Chinese diplomacy. The sentence, “The achievements of reform are inseparable from the support of the people of the world”, is added to the constitution to acknowledge the role of the people of the world in the success of the Chinese reforms. Also

²⁰ Ibid.

²¹ Han zhenfeng 韩振峰, “Xi Jinping xin shi dai zhong guo te se she hui si xiang de nei zai luo ji 习近平新时代中国特色社会主义思想的内在逻辑” [The internal logic of Xi jingping's new era of socialism with Chinese characteristics] 中国共产党新闻网 CPCnews, last modified on 9 December 2017. <http://theory.people.com.cn/n1/2017/1219/c40531-29715166.html>. Accessed on 9 March 2018.

²² She Shuanghao 余双好, “tui dong Xi Jinping xin shi dai zhong guo te se she hui si xiang shen ru ren xin” Promoting Xi jingping's new era of socialism with Chinese characteristics deep into peoples hearts]理论中国 Lilun Zhong guo, last modified on 11 March 2018. http://www.china.com.cn/opinion/theory/2018-03/11/content_50697824.htm. Accessed on 11 March 2018.

²³ Ibid.

added to the constitution is the point that China will “adhere to the path of peaceful development; adhere to the opening up strategy of mutual benefit and win-win situation”. However, the most important amendment to the constitution was on the future role of China. The existing Chinese line, “develop diplomatic relations and economic and cultural exchanges with other countries”, has been amended to “develop diplomatic relations and economic and cultural exchanges with other countries, promoting the establishment of a community of shared future for mankind.”²⁴

The amendment indicates that China is ready to talk on the terms of the global community and for the global community. This can be viewed as a hedge or resistance against the universal values propagated by the western nations. Chinese theoreticians differentiate between shared values and universal values. According to the Chinese ideologues, “Peace, development, fairness, justice, democracy and freedom are the common or shared values of all mankind.” Universal values are the ideology of the West against the non-western countries. Universal value is actually a western-centred value system and it is a unique product of western civilisation. Inherent in western universal values are the universalism of western religions and the universal ethics advocated by western theologians. To this day, western universal values represent a powerful discourse. They refer specifically to the evolution of western political ideas and institutional models. Chinese scholars accuse universal values being centred on western civilisation and have been used to “overthrow other regimes that do not conform to their (*western*) will and interests.” In contrast to western centric universal values, China advocates the coexistence of different and varied value systems in the world.²⁵

China used to be at the receiving end of western pressure to impose western or universal values. The current amendment to the constitution indicates that China has to be on the offensive than on the defensive. It has to propagate its version of shared values, and if more countries accept the Chinese view of shared values, it will give more legitimacy for the Chinese narrative in the world and help to build an alternative narrative to the western narrative of universal values.

²⁴ “Zhong Hua ren min gong he guo xian fa xiu zheng an (cao an), zhai yao 《中华人民共和国宪法修正案(草案)》(摘要)” [Amendments to the constitution of the People’s Republic of China (draft), (Abstract)] 中国网 China.com, last modified on 6 March 2018. http://www.china.com.cn/lianghui/news/2018-03/06/content_50669291.shtml. Accessed on 10 March 2018.

²⁵ Xiang Jiuyu 项久雨, “mo ba gong tong jia zhi yu “pus hi jia zhi” hun wei yi tan 莫把共同价值与“普世价值”混为一谈” [don’t confuse shared values with “universal values”] 中国共产党新闻网 CPCnews, last modified on 30 March 2016. <http://theory.people.com.cn/n1/2016/0330/c40531-28236863.html>. Accessed on 11 March 2018.

As China is still taking the initial steps in building a universal or a global narrative, the new narrative of Chinese diplomacy needs a strong leader and consistency in the policy.

China's Constitutional Changes and their Impact on South Asia

During his speech in the 3rd plenary meeting of first session of 13th National People Congress in Beijing on 11 March 2018, Zhang Dejiang mentioned how China should deal with Chinese core interests. According to him, “in response to the erroneous words and deeds of the relevant countries on the issues concerning China’s core interests, we should properly reply, actively raise our voice and firmly safeguard the national sovereignty, security, and development interests.”²⁶ It also shows that the internal China narratives will now be applied to other countries, such as the narrative of “correct and right words and deeds”. The Chinese statement shows that there will be less flexibility or no flexibility in the Chinese dealing with its core interests. As such, China would be less flexible in the India-China border dispute, which is the core issue in India’s relations with China. Xi cannot afford to appear weak and, as such, there will be probably more assertive actions by Chinese in the India-China border areas.

In the contemporary China, the ideology and guiding principle from the ground realities of China can be distilled to ‘getting rich’ and ‘loving the country’ or nationalism. What Xi’s new era advocates and aims to achieve is also the prosperity of the Chinese nation. However, replacing Marxism’s universal idea with nationalism will bring new pressures for Xi or anyone ruling China. Xi will not have the flexibility of Mao Zedong or Deng – both had paramount authority over the Chinese nation even when they did not hold any official positions. Xi’s vulnerability is evident in the fact that he needed the support of official positions and institutions to push his authority and to shape China’s future path. Any perceived compromises or weakness on the territorial disputes or any other disputes with other countries would be viewed as weakness on Xi’s part.

²⁶ “shi san quan guo ren da yi ci hui yi di san ci quan ti hui yi 十三届全国人大一次会议第三次全体会议” [3rd plenary meeting of first session of 13th NPC held in Beijing] 中国网 China.com, last modified on 11 March 2018. http://www.china.com.cn/zhibo/content_50694895.htm. Accessed on 11 March 2018.

Xi's push to make a world class military will widen the already existing power gap between China and regional powers like India. China no more conceals its ambition to become a global power and follow the US in many aspects of power projection, with such capabilities as foreign military bases, air craft carriers, etc. China will be less compromising and concerned about Indian interests in South Asia, and it will assert itself militarily and economically in the region, and most all of the South Asian countries, apart from India, will be emboldened to join the Chinese bandwagon for economic benefits and/or to counterbalance India.

Conclusion

The constitutional amendments show the Chinese intention and plan to build a China-centric Asia. However, the context of the amendments and the debate of China's role in the world also show China's vulnerabilities. It fears the same fate as the Soviet Union. China is explained to the world by western media and academia which is based on western universal values and conventions. The constitutional amendments show that China will be going on the offensive in terms of the power of discourse. This will be supported by China's growing military power and economic heft. Removing the term limits for the Chinese president and vice-president, and including Xi's thoughts in the Chinese constitution, are evidences of the CPC granting more power and legitimacy to Xi. They also point to the CPC and Chinese state institutions firmly behind Xi's reforms and his push to make China a global power. This is necessary in view of the likely challenges China is going to face in terms of western discourse power.

For South Asia, it will herald a China-centric order. It will be less accommodative in its territorial disputes with India. The Chinese expectations of Xi behaving as the leader of global great power will make him less flexible to the demands of other countries.

The greatest challenge China will face in Xi's new era, is the imbalance between the China's economic influence and military power, and the power of discourse. The new Chinese reforms, both internal and external, as well as the push to become a global power will be interpreted by the West to the world. It will depict China as aggressor or as a threat, and the Chinese power to counter this discourse is limited. The West creates the perceptions of China to the world,

and these perceptions are the basis of actions against it. If China failed to rectify this imbalance, then China's new era will be one that would be hostile and conflict-ridden.

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