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The Politics of Corruption: A Critical Examination of the Anticorruption Strategy in Xi Jinping's China

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Abstract

This essay investigates the politicized nature of Xi Jinping's new anti-corruption campaign through the lenses of the 'Politics of Censure' and 'State of Exception'. Following a review of China's long-standing 'unhealthy corruption problem', it will argue that the campaign cannot be simply understood as a legitimate attempt at curbing corruption in China because of its continued role in ensuring elite support. Instead, it conjectures that the term 'anti-corruption' is a misnomer – arguably a pretext – as this campaign's primary objective is, first and foremost, regime survival through dismantling party factionalism. The consolidation of Xi's own political power – which other scholars identify as the absolute goal of the campaign – has emerged as a secondary objective/ by-product of the anti-graft effort.

Keywords: China, corruption, anti-corruption, Xi-Jinping, Politics of Censure, State of Exception

Introduction

The issue of corruption has historically, from the Imperial to the Republican era, been an integral part in Chinese political discourse. Attributed to chronic inefficiencies pertaining to both agency and structure conditions, numerous anticorruption efforts approaching this issue from different perspectives have characterised the evolution of the Chinese social and political landscape. However, Xi's novel anticorruption campaign against both, 'tiger' and 'flies', represents the most intense and widespread strategy (Pei, 2018:216). As such, it has led to the gradual emergence of a culture of surveillance, based on the logic of discipline and obedience, and the creation of a state of emergency (Guo, 2008), albeit with ambiguous success (Chen, 2020). It is this unprecedented magnitude and scope of anticorruption efforts that necessitates a critical examination of its underlying rationale.

This essay will demonstrate that Xi's novel anticorruption campaign is, first and foremost, a politicised attempt aimed at strengthening the Chinese Communist Party (CCP) in order to ensure the survival of the regime. While there is evidence of its use to consolidate Xi's political power, this should be viewed as a secondary objective. To understand this idea, this essay

provides a conceptual and theoretical framework, based on the 'Politics of Censure' and the 'State of Exception', with the objective of elaborating on the nature, origins, consequences, and manifestations of both corruption and anticorruption.¹ Then, a historical overview of anticorruption in China is given, which places recent efforts in a historical context to shed light on the current nuances, realities and dilemmas. The following section critically discusses the logic (i.e., rationale, instruments and objectives) of the ongoing anticorruption campaign to highlight the politicised nature of the effort. Finally, the conclusion reflects on the current state and potential future implications of Xi's anticorruption campaign and reiterates the need to adopt a holistic approach when such investigating complex phenomena.

Conceptual and Theoretical Framework

Corruption: nature, origins, and consequences

A careful examination of the literature on corruption indicates that its study has been fragmented characterised by theoretical diversity and conceptual pluralism, if not ambiguity. Indicatively, one could draw upon a realist (Jiang et al., 2012), moralist (Andvig, 2005), market-centred (Johnston, 2004), public office-centred (Peters and Welch, 1978), or public interest-centred (Friedrich, 1966) definition of corruption.

Corruption should be examined as a nebulous concept reflecting power calculations and the social order, with negative socio-political and extra-legal consequences (Mamychev et al., 2018). These include damaging long-term economic growth because of the mismanagement and draining of resources (Wei, 1999), eroding state legitimacy (Brown, 2018; Chen, 2020) and undermining a country's legal system (Lieber, 2013). Essentially, it is the violation of certain pre-determined laws and moral codes for private gain (Chen, 2020). Its elasticity derives from contextual factors such as power distribution, political and economic conditions and institutional quality, as well as a country's pre-existing norms and values (i.e.: its origins). In the particular case of China, the existence of corruption can be attributed to the lack of an effective anticorruption criminal justice system (QiuHong, 2011) which reduces the likelihood of being caught (Klitgaard, 1998), economic reforms in the 1980s which privatised and decentralised much of China's economic system (Meng and Friday, 2014), as well as a social and political culture that is favourable to corruption (Chen, 2020) (the Confucian concept of Ren, Chinese custom of Guanxi)² and the use of one's political position for private gain (Keliher and Wu, 2016:8).

Approaches towards Anticorruption

To provide a critical and comprehensive understanding of Xi's novel anticorruption effort, this essay will adopt two prominent theoretical approaches: the 'Politics of Censure' and 'State of Exception'. However, both approaches should not be defined/ viewed as coherent theories based on strict assumptions. Instead, they should be considered as heuristic devices of analysing complex phenomena – in this particular case, anticorruption in China.

The 'Politics of Censure' approach, based on the neo-Marxist interdisciplinary strand of Comparative Criminology, employs a Gramscian notion of hegemony to argue that political actors seek to establish and maintain cultural hegemony within the state, which results in 'volatile' political actor competition (Sumner, 2017). Hegemons, therefore, use various means (including legal procedures) to criminalise opponents morally, culturally, and legally, while

¹ As it will be discussed later the Politics of Censure and State of Exception are theoretical frameworks which argue that the anti-corruption is used as a tool to strengthen party politics and consolidate personal power.

² Ren refers to the Confucian virtue of being altruistic which encourages gift giving (Guo, 2014). Guanxi means business relationships in Mandarin and refers to a network that opens doors and facilitates deals (Guo, 2008).

retaining their own moral, political and legal high ground (Sumner, 2017). They censure opponents through social means.³ The Politics of Censure approach also contends that these social censures act as a 'double-edged sword' as they can also serve as 'instruments for the subordinate forces to censure the ruling class and challenge their hegemony' (Wong, 2011:83). It is, therefore, important for the hegemon to play and dominate the game called 'politics of censure' in order to survive. This theoretical paradigm is particularly relevant to the case of China because of its similarities to the Confucian norms, which have acquired prominence in recent years, favouring hierarchy and advocating the use of any means necessary to achieve strong governance (Shaohua, 2007:140; Keliher and Wu, 2016:18).

The 'State of Exception' offers an alternative understanding of the anticorruption campaign. Based on Agamben's (2005) notion of sovereignty as a 'cornerstone and dark-side of Western modernity', as well as Benjamin's (1996) concept of 'divine violence' and Schmitt's (2005) understanding of a closely intertwined relationship between law and violence, the state of exception approach argues that states employ unliberal action to defend the status quo. This approach also shares noticeable similarity with the Confucianist norm of good and strong governance, and of the legitimacy of using violence to achieve such governance (Zhang, 2015:197). In the name of the public good, 'the sovereign steps forward and instituted new, extra-legal rules' necessary for its survival (Gessen, 2020). This theoretical perspective, which Agamben (2005) concedes to be the 'dominant paradigm of government in contemporary politics', understands the extent of 'exceptionalism'⁴ in a Foucauldian and Aristotelian sense. Thus, it suggests the existence of a 'bare life' where the state has absolute authority over 'homo sacer' (Giordanengo, 2016). This means that the sovereign can act upon individuals 'own natural life, depriving this individual of the right to live' (Ibid.). In the case of China and anticorruption, the application of such a theoretical perspective would be the warranting of exceptional extra-legal actions in the name of the survival of the state/CCP.

A brief historical overview: anticorruption in China

Prior to the analysis of Xi's anticorruption campaign, it is important to refer to the context within which it has emerged in terms of the history of anticorruption in China. In general, two characteristics can be drawn from past campaigns. First, these have been heavily politicised with the intent of 'delegitimat[ising] the previous regime, purg[ing] opposition, and manipul[at]ing the political agenda' (Gillespie and Okruhlik, 1991:82). For example, Mao's 'bottom-up' mass anticorruption efforts⁵ were used to root out and eliminate his opposition (Jones, 1995:289) as well as regain control over a divided government by purging those who disagreed with him (Fiol-Mahon, 2018). The second characteristic of these anticorruption efforts has been their high visibility and short duration, which many scholars attribute as a critical factor behind their ineffectiveness (Guilhem, 2017; Pei, 2018). For example, the six anti-graft campaigns since 1982 have been 'strike-hard' campaigns, which were primarily reactions to major corruption scandals that highlighted a lack of control over government officials and caused crises of legitimacy amongst a public increasingly sensitive to rapidly growing wealth inequality (Manion, 2016:6). In what some scholars named a 'PR stunt' (Keliher and Wu, 2016), they maintained the system of dual rule by relegating the responsibility of 'measurable' anticorruption action to local committees, which did produce temporary enforcement and confession peaks (Manion, 2004), but did little to address the systemic causes of corruption (Brown, 2018:2). They only tried to 'curb the very worst excesses'

³ Social censures are defined as 'negative categories of moral ideology that contain elements of highly contextualised moral and political discourse' (Sumner, 1990:26)

⁴ Based on certain knowledge claims and structures, and using certain apparatuses, the government has the capacity to claim that the current situation necessitates certain measures. The apparatus of security is used as a technical instrument.

⁵ Namely, the 'Anti-three' and 'Anti-five' campaigns as well as Cultural Revolution and Socialist Education campaign.

(Wedeman, 2005) in order to appease social unrest and project a positive and strong image (Bergsten et al., 2009).

The logic of anticorruption: rationale, instruments, objectives

Based on the aforementioned approaches and China's historical background pertaining to anticorruption, the objective of this section is to highlight the context within which Xi's campaign has emerged. To understand this novel campaign, however, there is a need to dissect its rationale, instruments, and objectives.

Rationale: The looming threat of instability

The rationale behind Xi's campaign is based on an understanding of the dangers that corruption poses to the stability and durability of the Chinese state, the party, and Xi himself. This is because, as stated by Fu (2014:134), 'the effectiveness of governance and effective control of corruption' provide legitimacy and 'adequate compensation for a deficit of democracy'. The historical inability of the party to tackle the issue of corruption effectively, combined with the economic consequences of continued corruption and growing social inequality (Manion, 2016:6), merged with rising social unrest about official profiteering (Keliher and Wu, 2016:6), risks 'volatile' reactions by the public (Bergsten et al., 2009:97). This volatility would seriously harm the Chinese state, its international image, the legitimacy of the CCP, the party's monopoly on power as well as the authority and right to rule of Xi Jinping. This volatility became evident during the Tiananmen square protests, which were largely a response to growing official corruption and inflation (Jiang et al., 2012). Official profiteering is making people question their belief in a party 'that, since Mao's day, has promised to Serve the People' (Daly, 2016). It is in this light that Xi claims that 'if we fail to handle [corruption], it could prove fatal to the party and even cause the collapse of the party and the fall of the state' (Keliher and Wu, 2016:5). Xi's novel anticorruption effort inscribes itself in a recognition of the need to avoid uncertainty amongst political elites, preclude elite infighting, generate elite support for the regime (Darden, 2008), and co-opt talented individuals who might otherwise challenge the existing regime (Bai and Jai, 2016). The rationale is, thus, one of potential instability, in which the campaign must carefully balance between appeasing an increasingly frustrated people and retaining the support of Chinese elite.

Instruments: A politicised effort governed by the CCP

This rationale of instability can be used to understand the instruments of Xi's anticorruption campaign. In fact, the campaign has been framed literally as a matter of 'life and death' for the party and the state (Kautz, 2020). By implicitly 'declaring war on corruption' (Daly, 2016) and discursively constructing it as an 'existential threat' (Fabre, 2017:10), Xi has securitised⁶ the problem of corruption, thus, creating a sense of emergency necessary to justify the use of extraordinary (i.e. 'exceptional') measures as well as the lack of political impartiality. In doing so, Xi has immunised the campaign and his involvement from scrutiny. This is best evidenced by the centralisation of political power to both pre-existing (i.e. the Central Commission for Discipline Inspection [CDIC]) and new institutions (i.e., National Supervisory Commission [NSC]). Due to the urgency of dealing with corruption, these institutions have been given the ability to retain their deterrence capabilities beyond their initial scope (Li, 2018:62) as well as bypass certain 'checks and balances' by making evidence gathered by the CDIC directly admissible to the courts (Li, 2018:62).

⁶ Securitization refers to the discursive construction of a threat through the use of language and the articulation of speech acts. This socially and linguistically constructed threat leads to the emergence of a state of emergency which justifies and legitimises the adoption of exceptional measures (Balzacq, 2005).

Subsequently, the rationale of this campaign as a fight for the survival of the state has prioritised punishment and enforcement over prevention. The ‘high-profile prosecutions of senior government officials, and harsh penalties against wrongdoers’ (Pei, 2018:217) constitutes a tell-tale sign of the heavily politicised nature of the anticorruption campaign. The decision to engage in enforcement is a politicised one motivated by the ‘instability rationale’ and a desire to maintain tight control over all aspects of social and political life. Indeed, the ‘high political payoffs’ of enforcement – ‘favourable media coverage, public popularity, and the destruction of rivals’ (Pei, 2018:217) – have created an illusion of the popularly demanded introspection (Fabre, 2017), while maintaining enough control to appease the political elite that oppose systemic/structural change. A prevention-focused campaign requires some level of transparency, a vibrant civil society, and free press, which would ‘threaten the political monopoly of autocratic regimes’ (Pei, 2018:218) and discriminatorily target the systemic, institutional and structural problems which Chinese elites exploit for ‘personal profiteering’. If these efforts were purely about the issue of corruption, it would seek to enable real structural changes aimed at establishing positive rules of conduct within the Chinese polity (Wedeman, 2018) and promulgating a code of ethics which challenges the Chinese political culture of corruption (Keliher and Wu, 2016). However, as it is argued, this strategy has been based on the maintenance and the reproduction of certain power hierarchies within the political apparatus privileging essentially the current state of play in the social, economic and political realm.

Finally, to fully appreciate the instruments of this novel anticorruption campaign, attention must be drawn to the closely intertwined relationship between anticorruption institutions and the government. On the one hand, one can identify the control Xi himself has gained over the campaign by examining his relationship to the leaders of various anticorruption institutions. The CDIC, for example, was led by Vice-Premier Wang Qishan, ‘one of the closest political confidants and long-term friends of President Xi Jinping’ (Guilhem, 2017). Today, it is headed by Zhao Leji, who has been described by scholars and commentators as ‘another Xi associate and current PSC member’ (Chen, 2020:159). Similarly, Xi exerts impressive influence over the NSC through its leader Yang Xiaodu; a known trusted aid and ally of his (Fiol-Mahon, 2018). On the other hand, this relationship is demonstrated by the circumvention of legal norms and institutions in favour of a party-controlled system. For example, the NSC has emerged as a new anticorruption institution which is ‘unconstrained by law or government, of higher status than China’s Supreme Court, and accountable only to top party leadership’ (Fiol-Mahon, 2018.). Furthermore, following the 2014 reforms, the Commission of Discipline Inspection’s (CDI) have been placed under the direct control of the CDIC, and as a result, cases of corruption are now reported directly to the CDI. Also, officials and civilians can be summoned directly by the CDI for investigations (Li, 2018), and the CDI’s can apply *shuanggui*⁷ to citizens under investigation (Guo, 2014). In doing so, these institutions have undermined the Chinese legal system and are now deeply interconnected with China’s political system (Luminata, 2016:247).

Objectives: regime survival, power consolidation and CCP strengthening

Focusing now on the question of the objectives of Xi’s anticorruption campaign, this essay draws upon the two aforementioned theories (i.e., ‘Politics of Censure’ and ‘State of Exception’) to elaborate on the complexity of anticorruption. The Politics of Censure approaches Xi’s campaign as a power consolidation move, in which Xi uses the pretext of corruption because of its legal and moral implications to establish and maintain hegemony by eliminating rivals and centralising political power – a line of argument popular amongst numerous scholars (see: Fu, 2014; Luminata, 2016; Guilhem, 2017). There is substantial

⁷ *Shuanggui*, which directly translates to ‘two designations’, is an internal disciplinary process by which the accused is ‘confined for questioning at a stipulated time and place under CDIC supervision, without judicial involvement or oversight’ (Guo, 2014).

evidence for this claim. For example, prominent political figures such as Bo Xilai, Zhou Yongkang, and Sun Zhengcai, who were either rivals or potential successors of Xi's, were arrested and prosecuted for crimes related to corruption (Brown, 2018; Lorentzen and Lu, 2018). Additionally, as made possible by the securitisation of corruption, Xi managed to centralise power in terms of anticorruption institutions (i.e., the new extra-legal powers of the CDIC, CDIs and NSC) (Guilhem, 2017). He created strong and direct links with the leaders of these institutions (Chen, 2020), elevated political supporters such as Chen Min'er⁸ (Li, 2018), and more broadly used the pretext of anticorruption to justify abolishing term limits in 2018⁹ (Fiol-Mahon, 2018). Interestingly, scholars such as Chen (2020) have also argued that the threat of the use of politics of censure has contributed to the consolidation of Xi's power, for it has created a constant state of tension which re-affirms the political loyalty of powerful actors who are aware of the potential of losing their political positions and damaging their social reputation. Xi Jinping has been able to maintain control and achieve hegemony this way. However, it should be noted that regardless of the importance of power consolidation, this 'institutional battle horse'/political purge argument (Fabre, 2017:7) does not explain the absence of backlash, the longevity and extensiveness of the campaign, or its political and popular support (Brown, 2018:7).

The 'State of Exception' framework provides valuable insights to these important questions by presenting the politicised anticorruption campaign, not as a personal power consolidation move, but as an attempt at strengthening the CCP by dismantling factionalism and re-establishing the party's cultural and political legitimacy under the auspices of regime survival. As such, the previously discussed prosecution of high-levels officials, centralisation of power and marginalisation of the Chinese legal system are exceptional actions deemed necessary by the sovereign for the survival of the regime. For example, the prosecution of individuals, such as Bo Xilai, was not motivated by personalistic goals but represented the dismantling of an alternative source of ideas and power in broader terms (Brown, 2018:8). This is because it threatened to weaken the party, its organisational integrity, and its 'institutionalisation efforts designed to safeguard economic reforms and political and social stability' (Chen, 2020:168). Similarly, the preference over an enforcement-focused campaign rather than a preventive campaign should not be seen simply as a 'witch hunt against political enemies' but rather as 'a concerted effort to cleanse the party and state of malefactors' in order to prevent corruption from spiralling, deterring officials and reinstating a sense of discipline in the party (Wedeman, 2017:53) – a 'cleansing of the ranks and a reminder, that Party officials, in Xi's words, "do politics, not business"' (Brown, 2018:7). The prioritisation of regime survival enabled to Xi to use 'shock and awe' tactics (Brown, 2018:7) to alter the Chinese official's political culture of corruption (Keliher and Wu, 2016:9), while retaining elite support. Furthermore, the campaign is also an attempt at maintaining and strengthening the party's hegemony and legitimacy. This is done by monopolising the ability to create laws and enforce violence (Economy, 2014), appeasing social unrest which threatens its political legitimacy (Brown, 2018), distancing itself from corrupt officials to project an impression of completeness and unity necessary to its cultural legitimacy, and addressing extreme cases of corruption which threaten Chinese economic prosperity¹⁰ (Wedeman, 2017). Some scholars have additionally suggested that the campaign is attempting to consolidate and protect the regime's international legitimacy and image by, first, making the country more attractive to foreign investment (Xueyao and Jinhua, 2013) since, corruption hinders foreign direct investments as it creates negative externalities, additional costs and an overall sense of distrust. Second, it serves a counterintelligence purpose in terms of 'cracking down' on vulnerabilities exploited by international intelligence agencies (e.g., the CIA) (Dorfman, 2020) as corruption weakens the institutional quality of the country and creates 'loopholes'.

⁸ A known Xi loyalist and supporter who replaced Sun Zhengtai following his arrest on corruption charges.

⁹ Which some scholars such as Fiol-Mahon (2018), suggest was made possible because of Xi's popular anticorruption campaign.

¹⁰ A key pillar of the CCP's legitimacy is continued economic growth (Manion, 2016).

These two approaches (i.e., 'Politics of Censure' and 'State of Exception') have highlighted different aspects of Xi's anticorruption campaign that provide two alternative understandings of its primary objectives – power consolidation and strengthening the party. However, this essay argues that these two objectives should not be seen as mutually exclusive, but rather as mutually reinforcing, thus serving the overarching objective regime survival. In particular, the consolidation of power through the elimination of rivals and centralisation of power arguably strengthens the party by avoiding the 'persistent policy paralysis characteristic of Hu's second term' (Chen, 2020:169), which made the former president 'politically weak' as well as permitted growing internal division (Economy, 2014) and led to 'domestic and international pressures that demanded comprehensive reform in order to deal with a slowing economy and sustain party governance' (Chen, 2020:169). These are issues which weakened the CCP and thus, placed the survival of the regime in danger. The primary objective of strengthening the party for regime survival has also, intentionally or unintentionally, strengthened Xi's personal power since it has made more powerful the institutions under his control (Li, 2018), further legitimised his rule (as seen by Xi's surging approval rates [Roberts, 2014]), and united the party under his rule by dismantling factionalism (Daly, 2016). As such, these two objectives, and the two theoretical approaches (to an extent), should not be compartmentalised but approached in a holistic manner, as mutually consolidating.

Conclusion

In conclusion, this essay has provided a critical analysis of Xi Jinping's anticorruption campaign by highlighting its politicised rationale and instruments and, through the exploration of 'Politics of Censure' and 'State of Exception', by shedding light on the underlying causes, manifestations, objectives and the overarching logic of corruption. It makes the argument that that the primary objective of this campaign is to ensure regime survival. However, through the adoption of a holistic approach, this essay also has demonstrated how regime survival entails a prioritisation of both, Xi's power consolidation and strengthening of the CCP – these two objectives should be seen as mutually reinforcing under the common rationale of regime survival.

Additionally, through a careful examination of the current state of play, this essay has indicated how anticorruption has gained prominence in China's political discourse as a key instrument safeguarding the regime's survival. The implications currently indicate the rise of a culture of surveillance and obedience, the omnipresence of power, a ubiquity of threats, the emergence of new form of authoritarianism, and the creation of a state of emergency.

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