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Historical Evolvement and Future Reform of the China Communist Party Discipline Inspection Commission

(Translation provided by the writer)

Abstract

By applying an institutional and positivism methodology, this paper constructs an evaluation framework for a successful anticorruption agency and uses it to analyze the historical evolvement of the China Communist Party discipline inspection commission (DIC). The empirical study on career experiences of provincial DIC secretaries shows that the DIC has made distinctive progress in China's reform era. However, whether China's anticorruption efforts may succeed in the future depends on the redefinition of its role in China's national integrity system, especially its relations with the People's procuratorate and the CCP commission.

The anticorruption institutions and systems in different countries vary substantively due to differences in their political institutions, legal systems, historical traditions and characteristics of corruption. According to the National Integrity System (NIS) theory, a clean society depends on collective efforts by all NIS pillars, including political parties, legislature, judiciary, law enforcement agencies, audit offices, civil society and private sector.² We may classify anticorruption systems in different countries into two categories according to the amounts of anticorruption enforcement agencies - countries with single authority and countries with multiple authorities. Hong Kong and Singapore are typical examples of the former, and most countries including China fall within the latter.

In China, the China Communist Party (CCP) discipline inspection commission (DIC) and the People's procuratorate are two main anticorruption enforcement agencies. According to the Constitution of the People's Republic of China, the People's procuratorate is the statutory law supervision agency.³ In reality, however, the CCP Central Discipline Inspection Commission (CDIC) acts as the leader and policy-maker of China's anticorruption work. The Ministry of Supervision, a nominal component of the State Council, is indeed directly under the leadership of the CDIC and thus may be regarded as a part of it.

There are numerous literatures on anticorruption in China. However, only a few of them focus on the development and change of the DIC's responsibilities. How the DIC was established and developed in the CCP's nearly 90 years history? How did the DIC's responsibilities and status change during China's reform era? What are its relations with other NIS pillars, especially the CCP commission and the People's procuratorate? An exploration of these questions is essential to find out problems in, and identify reform to, China's existing anticorruption system.

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² Jeremy Pope, *Confronting Corruption: The Elements of a National Integrity System*, the Transparency International, 2000.

³ Constitution of the People's Republic of China, Article 129.

Theoretical Background

With rapid economic development and severe corruption challenges in China, scholars have paid more attention to China's anticorruption institution and system in recent years.⁴ However, most literatures focus on anticorruption events to discuss China's anticorruption strategies and emphasis.

Among a few literatures mainly on China's anticorruption agencies, Lawrence R. Sullivan compared the roles and functions of control authorities of CPSU control commission and the DIC. Based on an analysis of the CCP's supervision authorities from 1949 to 1968, he examined the change of the DIC's roles from 1977 to early 1983, and pointed out some problems of the DIC in respect of command and control, such as insufficient operational autonomy, poor training, insufficient political influence upon its personnel arrangement and intractable barriers from corruption and bureaucracy.⁵ Graham Young argued that the DIC's reestablishment was mainly intended to strengthen the CCP by maintaining its internal disciplines. He then reviewed the DIC's roles, objectives, methods and measures since the 11th CCP National Congress, especially the CCP's working style and prioritization of its internal problems.⁶

Ting Gong applied a new institutionalist analytical approach to review the DIC's evolvement since the CCP's foundation in 1921, especially its capacity building in the reform era. She revealed some design problems in the DIC's institution, such as dual leadership and morality by decree.⁷ Stephen Ma discussed the relations among the DIC, the Bureau of Supervision, the Anticorruption Bureau of the People's procuratorate, the Bureau of Public Security and the People's court since the foundation of the People's Republic of China (PRC) in 1949.⁸ He argued that corruption within the anticorruption agencies resulted from the puzzle of dual loyalty (i.e., the anticorruption agencies' loyalty to both the CCP's leadership and their own responsibilities) and was a main reason for their inability to fulfill their responsibilities.

Some other scholars briefly discussed the DIC's roles. Zengke He reviewed the reestablishment of China's anticorruption agencies, including the DIC, the Bureau of Supervision and the Anticorruption Bureau of the People's procuratorate after 1978, and pointed out the coordinating role of the central and local DICs in China's fight against corruption.⁹ Andrew Wedeman discussed the origin, jurisdiction and performance of China's supervisory system, discipline inspection system and procuratorate, and analyzed trends of corruption in China's reform period.¹⁰ However, none of these researches applied an empirical methodology to analyze the evolvement of China's anticorruption agencies, especially the DIC.

⁴ Yong Guo, Corruption in Transitional China: An Empirical Analysis, *The China Quarterly*, Vol.194 (June. 2008), pp.349-364.

⁵ Lawrence R. Sullivan, "The Role of the Control Organs in the Chinese Communist Party, 1977-1983", *Asian Survey*, 1984 (24:6), 597-67.

⁶ Graham Young, "Control and Style: Discipline Inspection Commissions since the 11th Congress", *The China Quarterly*, 1984 (97:1), 24-52.

⁷ Ting Gong, "The party discipline inspection in China: its evolving trajectory and embedded dilemmas", *Crime, Law and Social Change*, Vol.49(2008), pp.139-152.

⁸ Stephen K. Ma, "The dual nature of anti-corruption agencies in China", *Crime, Law and Social Change*, Vol.49(2008), pp.153-165.

⁹ Zengke He, "Corruption and anticorruption in reform China", *Communist and Post-Communist Studies*, Vol.33(2000), pp.243-270.

¹⁰ Andrew Wedeman, "The Intensification of Corruption in China", *The China Quarterly*, Vol.180 (No.4, 2004), pp.895-921.

This paper attempts to formulate a theoretical framework to evaluate the DIC's evolution since 1978. What are essential components of a sound and successful anticorruption agency? Based on a review of the anticorruption systems of various countries, the Transparency International found out the following characters of successful anticorruption agencies: having political support from the highest leadership, being independent in politics and operation to enable investigation over corruption by the highest leadership, being empowered to check files and question witness, and being led by a clean leadership.¹¹

This paper argues that a sound and successful anticorruption agency should possess four essential factors: authority, independence, integrity and professionalism. Authority measures an anticorruption agency's political power to carry out its responsibilities. It is influenced by the source of power and level of support from the highest leadership and legislature. Independence refers to an anticorruption agency's level of independence, such as whether its decisions and investigations are free from intervention by political parties, interest groups or individuals, and whether its source of finance is sufficient and independent. Integrity and professionalism measure, respectively, the levels of integrity and professionalism of an anticorruption agency's staff, especially its major leaders. With the economic globalization and revolution of information technology, criminal activities including corruption are becoming increasingly professional. With the assistance of lawyers, accountants and information technology experts, some corruption activities may be well covered. An anticorruption agency incapable of enhancing its own professionalism may find it more difficult to discover corruption.

Historical Evolution of the DIC

The DIC is an internal sector of the CCP, responsible for discipline supervision and enforcement. However, it was not established from the beginning of the CCP, and discipline inspection is not simply equal to anticorruption. This paper starts from a brief review of the DIC's history, and then focuses on the evolution of its anticorruption roles.

The CCP's disciplines can be classified into four categories: political discipline, organizational discipline, economic discipline and mass working discipline. The political discipline mandates CCP members to strictly obey the Constitution of the CCP, follow its basic theories, routes, creeds and experiences, and keep consistent with the Central Commission. According to the organizational discipline, CCP members should insist on democratic centralism. An individual member should obey his CCP organization, the minority should obey the majority, a lower level CCP organization should obey a superior one, and all CCP members and local organizations should obey the National Congress and the Central Commission. The economic discipline forbids CCP members from abusing public power for private gains, such as graft, bribe-taking, and trading power for money. The mass working discipline requires CCP members to keep close touch with the mass and protect their legitimate rights and interests. In terms of anticorruption, this paper focuses on the CCP's economic discipline. Many people regard the DIC as a specialized anticorruption agency. As shown by the four categories of disciplines above, however, the DIC's jurisdiction far exceeds anticorruption, although undoubtedly anticorruption is among its top priorities.

¹¹ Jeremy Pope, *Confronting Corruption: The Elements of a National Integrity System*, the Transparency International, 2000.

Period before the Foundation of the PRC (1921-1949)

When the CCP was established in July 1921, its first Guiding Principle was passed by its 1st National Congress and set forth its nature and basic organization method, without providing for any discipline.¹² One year later, the Constitution of the CCP was promulgated by the CCP's 2nd National Congress, including a new chapter on discipline. The chapter provided for the political discipline and organizational discipline in detail, but barely referred to the economic discipline and mass working discipline. To strengthen consistence and authority of the CCP, in April 1927 the CCP's 5th National Congress decided to establish central and provincial supervision commissions, and required commissioner of the CCP commission not to take concurrent positions as commissioner of the supervision commission at the same level. Unfortunately, the functions and powers of the supervision commissions were not provided then. In July 1928, the CCP's 6th National Congress passed an updated version of the Constitution of the CCP, which abolished the supervision commissions and set up the Censor Commission in charge of supervising financial, accounting and organizational work of the CCP organizations at all levels.¹³ The economic discipline was emphasized for the first time by the Constitution of the CCP, although aimed mainly at local organizations of the CCP. In September 1934, the CCP Central Commission abolished the Censor Commission and established the Central Party Affairs Commission, which lasted until the Second World War, and mainly regulated membership and disciplinary sanctions of CCP members. To sum up, during this period, the CCP did not emphasize the economic discipline in its institution and working agenda.

Early years after the Foundation of the PRC (1949-1966)

In November 1949, a month immediately after the foundation of the PRC, the CCP Central Political Bureau decided to establish DICs at the central and local levels, which were responsible for discipline inspection over all departments directly under the central government and the CCP organizations at all levels. After Gao Gang and Rao Shushi's "anti-CCP alliance" case occurred, the CCP National Congress decided in March 1955 to replace the DICs with the supervision commissions at the central and local levels. The jurisdiction of the Central Supervision Commission was expanded to the CCP organizations at all levels and all CCP members. This change was mainly intended to strengthen the political discipline and organizational discipline. From April 1951 to the end of 1954, the number of officials in all supervision commissions of the CCP increased sharply from less than 1,500 to 7,269. However, the grass-root supervision commissions still lacked staff.¹⁴

Due to the gradual spread of bribery-offering, tax evasion, graft and waste, the CCP Central Commission launched the "Three Anti Campaign" in October 1951 and the "Five Anti Campaign" in January 1952.¹⁵ The graft activities of so-called "first graft criminals in the new China" Liu Qingshan and Zhang Zishan were unrevealed in the early stage of the "Three Anti Campaign". Under these circumstances, the word of graft appeared for the first time in the Constitution of the CCP passed by the CCP's 8th National Congress in September 1956, which required the CCP local organizations to fight against all illegal phenomena, including graft, waste and bureaucracy.¹⁶

¹² See the first Guiding Principle of the CCP.

¹³ See the Constitution of the China Communist Party passed by the 6th CCP National Congress in July 1928.

¹⁴ See the working report by Qian Ying in May 1955 at the final plenary meeting of the CCP CDIC and the first plenary meeting of the CCP Central Supervision Commission.

¹⁵ The Three-Anti Campaign was intended to fight corruption, waste and bureaucracy. The Five-Anti Campaign was targeted at bribery, theft of state property, tax evasion, cheating on government contracts, and stealing state economic information.

¹⁶ See the Constitution of the China Communist Party was passed by the 8th CCP National Congress in September 1956.

Culture Revolution Period (1966-1976)

The Culture Revolution from May 1966 to October 1976 almost destroyed the whole discipline inspection system of the CCP. Shortly after the beginning of the Culture Revolution, daily work of the Central Supervision Commission was seriously disturbed.¹⁷ In April 1969, the CCP's 9th National Congress abolished the supervision commissions at all levels and completely discontinued the CCP's discipline inspection work.¹⁸ The Constitution of the CCP passed by the 9th National Congress even deleted the requirement for CCP members to comply with the CCP's disciplines and state laws. The absence of discipline inspection organizations within the CCP worsened the chaos in inner-CCP political life.

Reform Era (1977- present)

In December 1978, the 3rd session of the CCP's 11th National Congress decided to reestablish the DIC. On 4 January 1979, the new CDIC held its first plenary meeting, and enacted the Several Guidelines for Inner-Party Political Life (Draft), which became an important basis of the CDIC's work. The plenary meeting also passed the Regulation on Mission, Jurisdiction and Organizational Set-up of the CDIC and established a preliminary organizational framework of the CDIC. However, the DIC was still not able to play its due roles in a professional manner. When making personnel arrangements, certain local DICs emphasized only candidates' seniority and political loyalty, but not their qualifications. According to the statistics of 29 provincial DICs by the CDIC Cadre Administration Office in the early 1980s, about 10% of the CCP commissions at or above the county level had not established their DICs; among all leaders of 29 provincial DICs, 58% secretaries were over 65 years old, 68% vice secretaries were over 60 years old, and 35 secretaries or vice secretaries could not carry out their daily work due to their long-term sick leaves; some secretaries and vice secretaries could not spend sufficient time on discipline inspection because they took too many concurrent positions; nearly one-third of the officials in the county level DICs had not completed junior high school education; and some local CCP commissions violated the CCP Central Commission's 1981 regulation by appointing their vice secretaries as secretaries of the corresponding DICs.¹⁹

This situation was gradually improved. From 1979 to 1982, the CDIC issued several regulations and circulars, requiring all CCP organizations at or above the county level and organizations directly under the CCP Central Commission or the State Council to establish their DICs and improve personnel arrangements for their DICs. In February 1980, the CDIC promoted a reform to leadership relation of the DICs below the provincial level. Before the reform, a local DIC was led only by its corresponding CCP commission, while after the reform it was under dual leadership by both its corresponding CCP commission and its superior DIC, with the former taking a main role. Before the reform, a DIC's commissioners were selected by the plenary meeting of the CCP commission at the same level, while after the reform by the CCP Congress at the same level. In addition, local DICs' names were changed, for example, from "Discipline Inspection Commission of X County Party Commission" to "Discipline Inspection Commission of X County". The Constitution of the CCP passed in the 12th CCP National Congress in September 1982 confirmed the so-called "Dual Leadership" institution, and deleted the requirement that the leadership from the corresponding CCP commission should be dominant. Thus, the new dual leadership institution was basically established.

¹⁷ Among all 152 officials in the Central Supervision Commission, 80 people were framed with various political problems. Among all 15 members, alternate members and full-time members of the Central Supervision Commission's Standing Committee, 14 people were persecuted seriously. See *Chen Yun and the Central Discipline Inspection Commission (Chen Yun yu Zhong Yang Ji Wei)*, (Beijing: China Fangzheng Press), 2005, p.16.

¹⁸ See the Constitution of the China Communist Party passed by the 9th CCP National Congress in April 1969.

¹⁹ See *Chen Yun and the Central Discipline Inspection Commission (Chen Yun yu Zhong Yang Ji Wei)*, (Beijing: China Fangzheng Press), 2005, p.239-240.

The Constitution of the CCP passed in the 12th CCP National Congress added two chapters on party discipline and party discipline inspection agencies respectively. This new Constitution enhanced the DIC's status, granted it necessary powers and regulated its organizing methods, leadership institutions, missions and responsibilities. Before the 12th CCP National Congress, the DIC's powers included only inspection, punishment (to a limited extent) and appeal. The Report by the 12th CCP National Congress stated for the first time that the DIC should supervise its corresponding CCP commission in accordance with the Constitution of the CCP. The new Constitution empowered the DIC to accuse, supervise, inspect, examine and approve, punish, decide and appeal the commissioners of its corresponding CCP commission.

In November 1984, the CCP CDIC and the Central Organization Department enacted a circular, requiring that the DIC's commissioners should be put on the same ranks as the vice department heads of the corresponding CCP commission, and the vice heads of the discipline inspection groups in State departments should have the bureau level ranking. This enhanced the DIC's authority. Since 1987, the CDIC established three training centers of discipline inspection officials, in Beidaihe, Beijing and Hangzhou respectively, and cooperated with certain universities, such as Beijing University and Zhejiang University, to train DIC officials. The professional level of DIC officials was improved gradually.

Table 1 Historical Evolvement of Names and Functions of the CCP Discipline Inspection Agencies

Source of Authority	Name	Time	Functions	Result
1st National Congress		July 1921	The first Guiding Principle did not provide any discipline.	
2nd National Congress		July 1922	The Constitution added a chapter on discipline.	
5th National Congress	Supervision Commission	April 1927	Commissioners of the CCP commissions should not to take concurrent posts as commissioners of the supervision commissions at the same levels.	Authority ↑ Independence ↑
6th National Congress	Censor Commission	July 1928	It was in charge of supervising financial, accounting and organizational work of the CCP organizations at all levels.	Professionalism ↑
5th Plenary Session of the 6th Central Commission	Central Party Affairs Commission	September 1933	It mainly regulated membership of and disciplinary sanctions over CCP members (i.e., organization discipline).	

Source of Authority	Name	Time	Functions	Result
7th National Congress	Supervision Commission	April 1945	It was in charge of deciding and abolishing punishment on Party members, and dealing with their appeals	
Meeting of the Central Political Bureau	DIC	November 1949	The DICs were established with respect to all departments directly under the central government and the CCP organizations at all levels.	Authority ↑
CCP National Congress	Supervision Commission	April 1955	Corresponding to those of the DICs, responsibilities of the supervision commissions were expanded to the CCP organizations at all levels and all CCP members.	Authority ↑
1st Plenary Session of the 8th Central Commission	Supervision Commission	November 1956	Graft appeared in the Constitution of the CCP for the first time. The CCP local organizations were required to fight against all illegal phenomena, including graft, waste and bureaucracy.	Professionalism ↑
9th National Congress		April 1969	The Constitution of the CCP deleted the requirement for CCP members to comply with the CCP's disciplines and laws.	Authority ↓ Independence ↓
3rd Plenary Session of the 11th Central Commission	DIC	December 1978	The DICs were reestablished.	Authority ↑
12th National Congress	DIC	September 1982	The Constitution of the CCP added two chapters on party discipline and the DICs. The dual leadership institution was established.	Authority ↑ Independence ↑

Source of Authority	Name	Time	Functions	Result
CCP Central Commission and State Council	DIC	7 January 1993	DIC and the Ministry of Supervision were combined.	Authority ↑ Independence ↑ Professionalism ↑
CCP Central Commission and State Council	DIC	13 September 2007	The State Corruption Prevention Bureau was established.	Professionalism ↑

To sum up, despite the difficulties and down time during the past nearly 90 years, especially in the Culture Revolution period, the authority, independence and professionalism of CCP discipline inspection agencies have been enhanced as a whole. Particularly after the third session of the 11th CCP National Congress in 1978, the DIC has achieved distinctive progress in building its own capacity, improving China's anticorruption strategies and policies, and promoting China's fight against corruption.

An Empirical Analysis on Evolvement of DIC in the Reform Era

It is difficult to study empirically the DIC's changes due to the lack of appropriate and reliable data. This paper uses career experiences of provincial DIC secretaries to analyze the DIC's evolvement in the past thirty years.

It is not a novel method to use career experiences of senior public officials to analyze changes of China's political system. Frederick Teiwes,²⁰ David Goodman,²¹ Li Cheng,²² Xiaowei Zang²³ and Yizhi Xiong²⁴ used the career experiences or main occupations of the CCP provincial secretaries or the governors to analyze evolvement of their career patterns, generation replacement of political leaders and trend of technical bureaucratization. However, there has been no literature on the career experiences of provincial DIC secretaries. This paper not only studies the career experiences of provincial DIC secretaries in China's reform era, but also uses them to analyze the DIC's changes during this period.

²⁰ Frederick C. Teiwes, *Provincial Leadership in China: The Cultural Revolution and Its Aftermath*, Ithaca: Cornell University China-Japan Program, 1974.

²¹ David S. G. Goodman, The Provincial First Party Secretary in the People's Republic of China, 1949-78: *A Profile*, *British Journal of Political Science*, Vol.10, No.1 (Jan., 1980), pp.39-74.

²² Cheng Li, Lynn White, Elite Transformation and Modern Change in Mainland China and Taiwan: Empirical Data and the Theory of Technocracy, *The China Quarterly*, No. 121. (Mar., 1990), pp.1-35. Cheng Li, Lynn White, The Sixteenth Central Commission of the Chinese Communist Party: Hu Gets What? *Asian Survey* Vol.43, No.4. (Jul.-Aug., 2003), pp.553-597.

²³ Xiaowei Zang, The Fourteenth Central Commission of the CCP: Technocracy or Political Technocracy? *Asian Survey*, Vol.33, No.8. (Aug., 1993), pp.787-803.

²⁴ Yizhi Xiong, The Evolvement of Career Mode of China's Provincial Party Secretary: An Analysis Based on Longevity Structure (1977-2007), *CCS Report (Guoqing Yanjiu Baogao)*, 2008(14).

Evaluation Indicators

(1) Authority

The indicator of authority evaluates an anticorruption institution's political status within a State's power framework. With respect to China, an authoritarian state, authority may be reflected by the powers and status of organization leaders, such as DIC secretaries. At the provincial level, the highest political agency is the standing committee of the CCP provincial commission, and the standing committee includes secretary, vice-secretaries and standing members. A provincial DIC secretary's ranking within the standing committee of the CCP provincial commission is an important indicator of the provincial DIC's authority.

Political power includes not only dominant factors such as political status, but also recessive factors, such as a provincial DIC secretary's political potential. If provincial DIC secretaries are always the last positions for public officials before their retirements, there is no sufficient emphasis given to such positions, DIC secretaries' political authority will be limited and they will lack incentives to perform well. On the contrary, if provincial DIC secretaries may subsequently obtain higher political positions, their authority will surely be enhanced.

This paper applies two indicators to evaluate the DIC's authority - provincial DIC secretaries' rankings within the standing committees of the CCP provincial commissions, and career potentials of provincial DIC secretaries after their departures from provincial DICs.

(2) Independence

After corruption activity is discovered, the will of anticorruption institution (especially its leader) determines, to a certain extent, whether it will be further investigated and prosecuted. Where there are relatively sufficient amounts of corruption clues and the DIC has limited investigation capacity, the DIC leader has great discretion to prioritize the DIC's investigations.²⁵ In China's reform period, corruption mainly occurs in public sectors involved in the economic development. This is because those sectors possess abundant state and social resources and are not regulated by a sound legal system. A DIC secretary's career background may affect his decision on which corruption investigation should be prioritized. Theoretically, if a DIC secretary worked in the DIC, People's procuratorate, public security agency, audit agency or People's court previously, his decision may be relatively independent. However, if he worked substantively in corruption-prone sectors such as the economic management sector, finance sector, or construction sector previously, it will be much easier for his decision to be affected.

This paper evaluates the DIC's independence through three indicators based on provincial DIC secretaries' career experiences in different types of public organizations and at different locations.

(3) Integrity

For a law enforcement authority such as the DIC, integrity is an important determinative factor on its performance. It is inconceivable for a corrupt DIC secretary to lead his team to fight against corruption seriously and without any bias. The DIC is responsible for investigation and punishment of not only corruption by public officials, but also other violations of the CCP disciplines, such as the organization discipline and political discipline. Therefore, this paper uses the proportion of corrupt provincial DIC secretaries to measure the integrity of provincial DICs.

²⁵ Melanie Manion, *Corruption and Corruption Control: More of the Same in 1996*, *China Review* 1997, pp.33-56.

(4) Professionalism

The education background, knowledge structure and professional experience of a provincial DIC secretary are important factors to determine whether he can carry out his responsibilities professionally. A provincial DIC secretary's education background may be manifested by his original education degree. The knowledge structure is mainly measured by his major (i.e., social science or non-social science) in a university and graduate school. The professional experience shows his career experiences in the DIC, other supervision organizations, the judicial or other law enforcement organizations.

Formation of Database

The author sets up a series of indicators to code career experiences of provincial DIC secretaries, including basic information (such as year of birth, gender, native place and education background), and career information (such as previous career experiences and career experiences after their departures from provincial DICs). The author's database covers 189 provincial DIC secretaries since 1978. Due to the lack of information, this research can not be extended to the period before 1978. Except for four provincial DIC secretaries in the 1980s, whose information is not available, the database includes all provincial DIC secretaries after 1978. Among the 189 provincial DIC secretaries covered, eight worked as provincial DIC secretaries in two provinces, municipalities or autonomous regions.

Results of Empirical Analysis

(1) Authority

The ranks of provincial DIC secretaries within the standing committees of the CCP provincial commissions directly reflect the DIC's authority. In early years of the reform, the standing committee of the CCP provincial commission usually consisted of first secretary, standing secretary, secretaries and standing members, and a secretary took a concurrent position of provincial DIC secretary. From the early 1980s, the composition of the CCP provincial standing committees changed gradually - first secretary and standing secretaries no longer existed, the standing committees included one secretary, three to four deputy secretaries, and eight to nine standing members, and provincial DIC secretaries generally served as standing members. In around 2000, in order to increase the DIC's authority, provincial DIC secretaries became deputy secretaries of the CCP provincial standing committees. However, since late 2006, provincial DIC secretaries became standing members of the CCP provincial standing committees again, because the CCP Central Commission of the CCP began to limit the number of deputy secretaries of the CCP provincial standing committees strictly to two (including one deputy secretary served by the governor). Therefore, this does not mean that provincial DIC secretaries' ranking is decreased. In fact, only the change in around 2000 changed provincial DIC secretaries' rank in the CCP provincial standing committees and enhanced the DIC's authority.

The career potential of provincial DIC secretary is also an important factor on the DIC's authority. This paper classifies provincial DIC secretaries' career experiences after their departures from provincial DICs into seven categories - (a) retirement or working in social organizations, (b) becoming vice head of provincial People's congress, political consultative commission or advisory commission, (c) becoming head of provincial Peoples' congress, political consultative commission or advisory commission, (d) becoming governor or secretary of CCP provincial commission, (e) becoming head of central government department, (f) becoming vice secretary of the CDIC or head of Central Inspection Unit, and (g) becoming State leader. This paper gives different weights to different career experiences (as shown in table 2 below). Except for three provincial DIC secretaries who died at their positions or were investigated and punished for corruption, the author calculates weighted average career potentials of all other provincial DIC secretaries at different periods, to establish the career potential index. As shown in table 2, the career potential index of provincial DIC secretaries decreased steadily from 1980 to 1995, and began to increase markedly from 2000. This reflects a change of the status and importance of provincial DIC secretaries at the relevant periods.

Table 2 Career Potential of Provincial DIC Secretaries (1978-2008)

Year	1980	1985	1990	1995	2000	2005	2008	Weight
Total Number of provincial DIC secretaries	25	29	30	30	31	31	30*	--
Died at positions	1	0	0	1	0	0	N/A	--
Investigated and punished for corruption	0	0	0	1	0	0	N/A	--
Number of valid samples (Excluding those died or investigated and punished at positions)	24	29	30	28	24	21	0	--
Retirement or working in social organizations	5	9	11	14	11	7	N/A	0
Vice head of provincial People's congress, political consultative commission or advisory commission	10	12	11	10	6	5	N/A	1
Head of provincial Peoples' congress, political consultative commission or advisory commission	6	4	5	1	4	8	N/A	2
Governor or secretary of CCP provincial commission	2	1	0	0	0	0	N/A	3
Head of central government department	0	0	2	2	0	0	N/A	2
Vice secretary of the CDIC or head of central inspection unit	0	1	1	1	3	1	N/A	3
Becoming State leader	1	2	0	0	0	0	N/A	4
Career Potential Index	1.33	1.17	0.93	0.68	0.96	1.14	N/A	--

* DIC secretary of Jiangxi Province has not been included because it has not been appointed yet.

(2) Independence

This paper uses provincial DIC secretaries' career experiences in the corruption-prone governmental departments to measure provincial DIC's independence. The author defines a new indicator of "major career experience", which refers to the type of occupation that a public official has worked for most of his time in his career. This paper classifies major career experience into six categories: (a) official in a supervision agency (including the DIC, People's procuratorate, People's court, public security, audit authority, and administration for industry and commerce), (b) official in a local CCP commission or government, (c) official in an governmental department not related to economy, (d) official in an economy-related governmental development (such as the development and reform commission, economic development commission, construction bureau, financial bureau, trade and commerce bureau) or a state-owned enterprise (SOE), (e) official in the People's Liberation Army, and (f) scholar or leader in an academy or university. An analysis of the major career experiences of all provincial DIC secretaries since 1978 is shown in table 3 below.

The percentage of provincial DIC secretaries whose major career experiences were officials in the economy-related governmental departments or SOEs kept increasing in the early years of China's reform era, and reached approximately 50% in 2000 (see table 3 below). This is a weird phenomenon. The

economy-related governmental departments or SOEs are corruption-prone areas and should be subject to stricter supervision by the DICs. Theoretically, a provincial DIC's independence may be reduced if its secretary comes from a corruption-prone department.

Fortunately, the percentage of provincial DIC secretaries whose major career experiences were officials in the economy-related governmental departments or SOEs decreased substantively since 2000, and was only 13.8% in 2008. The percentage of provincial DIC secretaries whose major career experiences were officials in the supervision agencies increased distinctively in 2008. Meanwhile, the percentage of provincial DIC secretaries whose major career experiences were leaders in the local CCP commissions or governments decreased. This represents an increase of the status of provincial DIC secretaries, as they are no longer fast-track positions for well-performed local leaders to achieve higher administrative rankings.

Table 3 Major Career Experiences of Provincial DIC Secretaries (1978-2008)

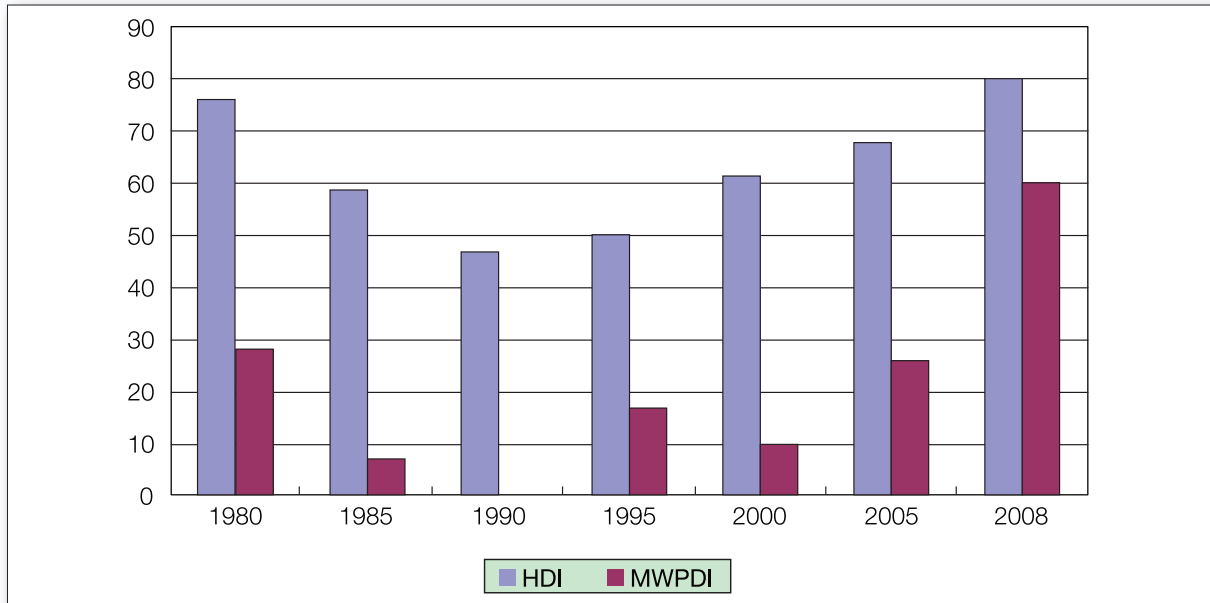
Year	1980	1985	1990	1995	2000	2005	2008
Supervision agency	2	1	2	1	0	0	5
Local CCP commission or government	13	18	12	13	10	11	8
Governmental department not related to economy	4	3	6	8	2	8	5
Economy-related governmental development or SOE	1	3	6	6	15	10	4
People's Liberation Army	4	3	1	0	1	3	3
Scholar or leader in academy or university	1	1	3	3	3	2	4
Total	25	29	30	31	31	34	29

A provincial DIC secretary's independence may also be affected by whether he is relocated to a different location to work as a provincial DIC secretary. In a society with a relation-driven culture such as China, it is more likely for an official in the supervision agency to enforce the law impartially if he does not know the target corrupt official in person. If, however, the supervising official has close personal relation with his target, the chance for him to place favoritism and disregard the law is greater. Thus, reducing the tie between the supervisor and the supervisee should be an important consideration when a provincial DIC secretary is selected and appointed. Ancient China has a tradition to assign local government leaders to places other than their hometowns to enhance effectiveness of supervision and enforcement. This paper discusses two kinds of relocation. One is to appoint a provincial DIC secretary to a province other than his hometown. The other is to appoint a provincial DIC secretary to a province other than his "major working place", namely place of his major career experience. This paper adopts "hometown difference index" (HDI) and "major working place difference index" (MWPD) to reflect the percentage of provincial DIC secretaries who work as provincial DIC secretaries in provinces other than their hometowns or major working places respectively. This paper adopts a statistics unit of province, municipality or autonomous region. As Chart 1 shows, the HDI decreased before 1990 and increased thereafter, but generally remained high all through the reform era. The lowest HDI was in 1990, when 46.7% provincial DIC secretaries worked in provinces different from their hometowns. The HPI reached 76.0% in 1980 and 80.0% in 2008.

As compared with the HDI, the MWPD is more reliable, because a provincial DIC's hometown, as recorded in his official record, may not be the place where he was born and grew up. The MWPD was 28.0% in 1980, and began to decrease after 1980. It was even 0 in 1990. Thereafter, the MWPD increased, and reached 25.8% in 2005 and 60.0% in 2008. This indicates that major working place difference has

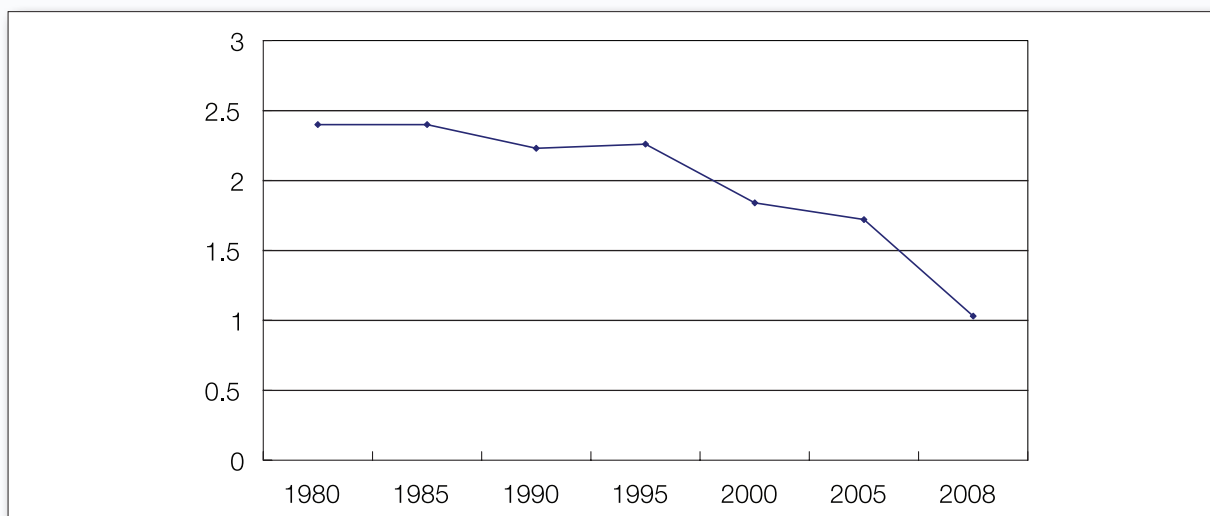
been an important factor for the CCP in selecting and appointing provincial DIC secretaries, to improve independence of provincial DIC secretaries.

Chart 1 Relocation of Provincial DIC Secretaries (1978-2008)



In addition, this paper uses the number of bureau or region level departments that a provincial DIC secretary has worked previously in the same province where he serves as provincial DIC secretary, to evaluate his independence. The bureau or region level is used because generally officials at the bureau or region level are main supervision targets of provincial DICs. This paper assumes that a provincial DIC secretary's independence is easier to be impacted if the suspect official works in a bureau or region in which such secretary has worked before. Given China's political culture, this assumption is usually appropriate. As shown in Chart 2, the average number of bureau or region level departments that provincial DIC secretaries have worked previously in the same provinces where they serve as provincial DIC secretaries, decreased steadily since 1980. This, to a certain extent, reflects an improvement of provincial DIC secretaries' independence.

Chart 2 Average Number of Bureau or Region Level Departments that Provincial DIC Secretaries have Worked Previously in the Same Provinces where they Serve as Provincial DIC Secretaries (1978-2008)



(3) Integrity

According to the statistics of this paper, the percentage of provincial DIC secretaries investigated and punished for corruption is relatively low, with only one provincial DIC secretary investigated and punished for corruption for the past thirty years. In 2000, then-current DIC secretary of the Guangxi Zhuang Autonomous Region was dismissed from all official positions and deprived of his CCP membership for accepting bribery of 630,000 yuan (i.e., 77,000 USD). As compared with other officials at the same level, this percentage is relatively low. This shows that provincial DIC secretaries are relatively clean in China's reform era.

(4) Professionalism

Two factors determine whether a provincial DIC secretary can work professionally. One is his education background (including education degree and education major), which may reflect his capacity to study. The other is his career experience in the supervision agencies (especially the DIC). When analyzing education background, this paper only considers education degree received by a provincial DIC secretary as a fulltime student before he began to work, but not degree obtained through on-job part-time study. This does not mean on-job part-time education is not important. It is simply because in China, in most instances senior public officials may obtain on-job part-time education certificates or degrees without devoting much time and energy. However, on-job part-time education is considered when analyzing education majors of provincial DIC secretaries.

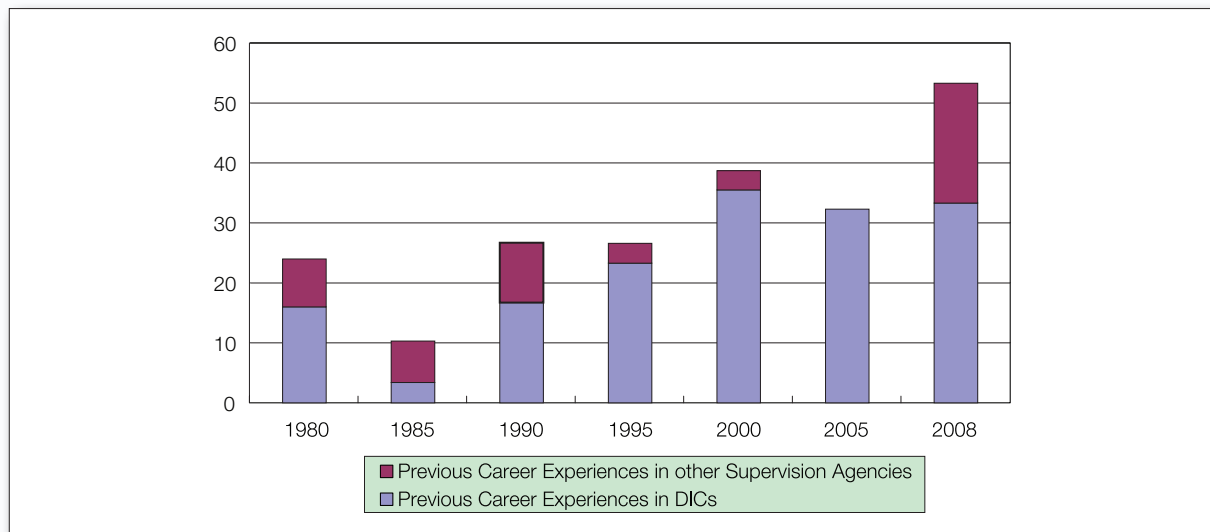
As shown in Table 4, the percentage of provincial DIC secretaries with education degrees at or above the junior college level increased gradually from 8.0% in 1980 to 83.3% in 2008. This is in line with the overall improvement of high education in China. It is notable that the percentage of provincial DIC secretaries with education majors in social sciences (including on-job part-time education on social sciences) increased. In 2005, approximately one third of all provincial DIC secretaries had full-time education degrees in social sciences. Meanwhile, more and more provincial DIC secretaries with full-time education degrees in non-social sciences chose social sciences for their on-job part-time education. In 2008, 72.4% of all then-current provincial DIC secretaries have education background of social sciences (including both full-time education and on-job part-time education). Mastering social sciences may facilitate provincial DIC secretaries to analyze the characteristics, causes and trends of corruption in China and develop more effective anti-corruption measures by reference to existing literatures.

Table 4 Education Background of Provincial DIC Secretaries (1978-2008)

Year		1980	1985	1990	1995	2000	2005	2008
Total number of provincial DIC secretaries		25	29	30	30	31	31	30
Education degree at or above the junior college level (full-time)	Number	2	4	9	15	24	26	25
	Percentage	8.0	13.8	30	50	77.4	83.9	83.3
Education major (full time and on-job part-time)	Non-Social Science		1	1	9	14	5	8
	Non-Social Sciences + Social Sciences	2	2	0	2	6	9	14
	Social Sciences	2	2	6	4	5	10	7

If a provincial DIC secretary has not worked in any supervision agency (especially the DIC) before his appointment as provincial DIC secretary, he may not adjust to his new roles quickly and work professionally. This paper analyzes previous career experiences of all provincial DIC secretaries. As Chart 3 shows, the percentage of provincial DIC secretaries with previous career experiences in the supervision agencies was low in the early years of China's reform era. However, the percentage began to increase after 1985. In 2000, almost one third of provincial DIC secretaries had previous career experiences in the DIC. If other supervision agencies are considered, the percentage for 2008 reached 53.3%. A high percentage of provincial DIC secretaries with previous career experiences in the DIC or other supervision agencies may ensure the level of professionalism of provincial DIC secretaries.

Chart 3 Previous Career Experiences of Provincial DIC Secretaries in the Supervision Agencies (1978-2008)



Future Reform of China's Anticorruption System

The author intentionally avoids arguing the DIC's due status in China's national integrity system, and discusses the realization of the DIC's responsibilities directly. This is based on the DIC's existing status in China's anticorruption system and the CCP's existing political status. This paper concludes that for the past thirty years the DIC has made distinctive progress in improving its anticorruption institution and enhancing its authority, independence, integrity and professionalism. However, a further and deeper analysis is required to determine what the DIC's role should be in China's national integrity system and how to thoroughly ensure the effectiveness of the DIC's anticorruption work. This paper argues that two relations determine the DIC's roles and functions and future reforms to the DIC – its relations with the People's procuratorate and the CCP commission respectively.

Relation between the DIC and the People's Procuratorate

Many people take it for granted that the DIC is China's anticorruption agency, similar to the ICAC in Hong Kong. However, as mentioned above, the DIC is not a statutory law supervision agency, and its responsibilities far exceeds anticorruption. According to the Constitution of the People's Republic of China, the People's procuratorate is the statutory law supervision agency in China. The anticorruption bureau within the People's procuratorate is responsible for investigating suspected corruption activities. However, in reality, the DIC, as an internal discipline inspection agency of the ruling Party, investigates many suspected corruption activities and takes charge of corruption prevention, integrity education and imposition of disciplinary or administrative punishment for corruption. Currently, the DIC and the anticorruption bureau of

the People's procuratorate both possess power to initiate investigation upon potential corruption activities. Because a DIC has no statutory rights to investigation, after it confirms that a suspect is corrupt, it needs to transfer its case to the People's procuratorate for formal investigation and prosecution. Although in theory the anticorruption bureaus of the People's procuratorates can investigate suspected corruption activities by themselves directly, in practice a majority of corruption cases were firstly investigated by the DICs and then transferred to the People's procuratorates. Compared with the DIC, the People's procuratorate has more staff with legal education backgrounds and thus is usually more professional.

The DICs and the anticorruption bureaus compete, but more often cooperate, with each other. In 1988, the CDIC and the Supreme Peoples' Procuratorate established a system for them to share information and transfer cases. In 1993, the CDIC, the Supreme People's Procuratorate and the Ministry of Supervision promulgated the Circular to Strengthen Cooperation between the DICs and the Procuratorates in Anticorruption, specifically providing for cooperation measures between the DICs and the People's procuratorates and formally setting up a collective regular meeting mechanism among the three agencies. In addition, in 1989, the CDIC, the Supreme People's Court, the Supreme People's Procuratorate and the Ministry of Public Security issued a circular to share information and documents during their investigation of corruption cases, and the Ministry of Supervision and the Ministry of Public Security enacted a circular for the latter to assist in the former's investigation of corruption cases.

An advantage to have multiple anticorruption agencies is to create competition among them and thus increase the probability for corruption activities to be discovered. However, there is an apparent disadvantage that their responsibilities are usually not clearly defined. This disadvantage has caused some problems, for example, lack of sufficient protection to whistle-blowers. According to the successful experiences of Hong Kong and Singapore, whistle-blow, especially real-name reporting, is an important channel to discover corruption activities. In mainland China, however, the percentage of corruption cases discovered through reporting was not high, and even lower in respect of corruption cases involving senior public officials.²⁶ Furthermore, most reports were anonymous. For example, all DICs in Hebei province normally receive around 60,000 reports each year, amounting to 1% of all population in Hebei province. This means that on average in every year only one out of 1,000 people reports corruption activities. Among all 60,000 reports, only 25% are real-name reports.²⁷ In Hong Kong, the number of reports in every year amounts to 0.5% of the population, and among all reports 73% are real-name reports. Considering the different levels of corruption in mainland China and Hong Kong, the amount of reports and the percentage of real-name reports in China are too low.²⁸ A main reason of the low percentage of real-name reports is the lack of a self-contained and professional system to process reports. The reports are often transferred back and forth among several relevant agencies, causing leakage of the reporters' identification. Sometimes, certain reports were even sent to the target public officials. Retaliation to reporters has not been uncommon in China. Thus, most reporters were too scared to make real-name reports.

Due to the lack of statutory authorization, the DIC has only limited powers to investigate corruption activities. For example, without an approval by the People's procuratorate, the DIC can not search a suspect's house and bank account. Therefore, "double designation" (shuang gui), which requires a suspect

²⁶ Guo, Yong, *Economic Transition, Institution and Corruption (Jing Ji Zhuan Gui, Zhi Du Yu Fu Bai)*, Social Sciences Academic Press (China), 2007.

²⁷ Xiaojing Sun, *Public Participation and Anticorruption Research (Qun Zhong Can Yu Yu Fan Fu Bai Wen Ti Yan Jiu)*, Master Degree Dissertation of the School of Public Policy and Management at Tsinghua University, November 2006, pp.24-25.

²⁸ The Hong Kong ICAC received 3,685 corruption reports in 2005, among which 73% were provided on true names basis. See the annual report of Hong Kong ICAC 2005, p.34.

to confess his illegal activities in a designated place at a designated time, has become a usual means for the DIC to investigate corruption and obtain evidence. “Double designation” has raised some critics within China and abroad. Some people questioned its legitimacy. Some people criticized that the DIC’s supervision and investigation was not effective, since the DIC is just an internal discipline inspection sector of the CCP. After the DIC decides not to transfer a suspect to the People’s procuratorate for further investigation and prosecution, it is often difficult for the People’s procuratorate to initiate a separate and formal investigation of such suspect even when it believes that such suspect may have violated the law. According to a study by Yangshen Zhang, an official in the CCP Central Organization Department, among all public officials who received disciplinary or administrative punishments for corruption, only a small percentage was subject to criminal sanctions. 28,900 public officials received disciplinary or administrative punishments from January 1993 to October 1998 in China, among which 42.7% were further investigated by the People’s procuratorates and only 6.6% were subject to criminal sanctions. On contrast, among all corruption cases investigated in Hong Kong, 78.4% were convicted in 2000.²⁹ All these show that the DIC needs to redefine and adjust its status and roles in China’s national integrity system, especially its relation with the People’s procuratorate.

Table 5 *Number of Public Officials at or above the County Level who Received Disciplinary or Administrative Punishments (1993-1998)*

	Number of Public Officials	Percentage	Percentage in A	Percentage in B
Percentage Percentage in A Public Officials Received Disciplinary or Administrative Punishments (A)				
Total	28901	100.0	N/A	N/A
Province or ministry level	87	0.3	N/A	N/A
Region or bureau level	2205	7.6	N/A	N/A
County or division level	26609	92.1	N/A	N/A
Public officials who were further investigated by the People’s procuratorates (B)				
Total	12343	100.0	42.7	N/A
Province or ministry level	15	0.1	17.2	N/A
Region or bureau level	616	5.0	27.9	N/A
County or division level	11712	94.9	44.0	N/A
Public officials who were subject to criminal sanctions				
Total	1915	100.0	6.6	15.5
Province or ministry level	9	0.5	10.3	60.0
Region or bureau level	201	10.5	9.1	32.6
County or division level	1705	89.0	6.4	14.6

Note: The data in 1998 do not include November and December.

Source: Yangshen Zhang, “Characteristics and Causes of Current Corruption in Middle Age and Young Cadres”, China CCP and Government Cadre Forum, 2000(1).

²⁹ See the keynote speech by Zhixin Chen (Director of the Corruption Prevention Department in Hong Kong ICAC) at an international conference on “Anticorruption Strategy of China in the 21st Century” held by the School of Public Policy and Management at Tsinghua University in April 2001.

Relation between the DIC and the CCP Commission

In recent years, it has been a heavily-debated topic in China how the DIC may supervise the CCP commission at the same level. In the author's opinion, this is actually a fake question, because the Constitution of the CCP has never empowered the DIC to supervise its corresponding CCP commission. According to Article 44 of the Constitution of the CCP, if a DIC finds out that a member of its corresponding CCP commission violated the CCP discipline, it should firstly carry out a preliminary verification, and if formal investigation is necessary, it should apply for the approval by its corresponding CCP commission. In case where a member of the standing committee of its corresponding CCP commission is involved, the approvals by both its corresponding CCP commission and its superior DIC are required. This means that firstly, the DIC's supervision target is the members of the corresponding CCP commission and of its standing committee, not the corresponding CCP commission or its standing committee. Secondly, the DIC should obtain the approval by its corresponding CCP commission before it formally investigates a member of the CCP commission, because the DIC is subject to the leadership by its corresponding CCP commission and has no independent powers to investigate. And thirdly, if a member of the standing committee of the corresponding CCP commission is involved, the DIC should also obtain the approval by its superior DIC, because according to the CCP's rules such member is outside of such DIC's jurisdiction. For example, a provincial DIC supervises the public officials at the region, bureau, vice-region or vice-bureau within the province. The members of the standing committee of the provincial CCP commission are at the vice province level, and therefore subject to administration by the CCP Central Organization Department and supervision by the CDIC. In summary, a DIC is not empowered to, and can not, supervise its corresponding CCP commission.

How to ensure the DIC's independence under this circumstance? A realistic solution is to enhance the vertical leadership within the DIC system. Under the dual leadership institution applicable before the 12th CCP National Congress in 1982, the leadership by corresponding CCP commission must be dominant. After the 12th CCP National Congress abolished this requirement, theoretically speaking, the superior DIC and the corresponding CCP commission should have equal powers to lead the DIC. In practice, however, because the corresponding CCP commission determines, to a great extent, promotion and benefits of the officials in the DIC and resources of the DIC, it possesses more influence on the DIC under the dual leadership institution. No matter whether the CCP commission implements the first-hand leadership or the collective leadership system, it makes no difference in respect of improving the DIC's independence. This paper's empirical study shows that in recent years more and more provincials DIC secretaries are relocated from other provinces. This reflects the CDIC's efforts to strengthen its vertical leadership over provincial DICs so as to enhance their independence under the existing political framework. However, can the dual leadership be changed to a single leadership by the superior DIC? The single leadership by the superior DIC may enhance the DIC's independence. However, this will change the DIC's origin of powers and thus require massive amendments to the current Constitution of the CCP, under which the DIC is elected by and should report to its corresponding CCP congress.

Conclusions

By applying an institutional and positivism methodology, this paper constructs an evaluation framework for a successful anticorruption agency and uses it to analyze the historical evolvement of the China Communist Party discipline inspection commission (DIC). The empirical study on career experiences of provincial DIC secretaries shows that the DIC has made distinctive progress in China's reform era. However, whether China's anticorruption efforts may succeed in the future depends on the redefinition of its role in China's national integrity system, especially its relations with the People's procuratorate and the CCP commission.

It is a new attempt to apply career experience information of provincial DIC secretaries to evaluate the evolvement of the DIC, a major anticorruption enforcement agency in China. However, this methodology has some limitations. Firstly, it assumes that a DIC secretary's authority, independence, integrity and professionalism reflect exactly those of the DIC. This assumption is inaccurate to a certain degree. Taking professionalism as an example, a DIC secretary is usually much older than most officials of the DIC, and given the rapid development of high education in China in the past thirty years, his education background can not reflect the average education background of all officials in the DIC. Secondly, this study measures the DIC's effectiveness from a technical perspective, without consideration on factors related to China's political system. For example, the DIC's independence does not simply depend on its secretary's career experiences in other locality and sectors, and it also relates to the DIC's status within the whole national integrity system. Despite of these limitations, this paper provides a new perspective to empirically evaluate the DIC's historical evolvement in the reform era.

The DIC is an important part of the CCP, and consequently the reform of the DIC is an essential part of the reform of the CCP.³⁰ For a lot of people, the DIC is rigid and unchangeable. The empirical analysis of this paper shows that the DIC has changed greatly towards a better anticorruption agency in the past thirty years within the existing political system. Future reform of the DIC is determined, to a great extent, by redefinition of its role within China's national integrity system, which touches a core of China's political system reform. ©

³⁰ Graham Young, "Control and Style: Discipline Inspection Commissions since the 11th Congress", *The China Quarterly*, 1984 (97:1), 24-52.