Corruption and Morality in the People’s Republic of China

Carolyn L. Hsu
University of California, San Diego

AND

Discerning the Public from the Private: A Lexicon of Political Corruption during the Nanjing Decade

Patricia M. Thornton
University of California, Berkeley

Publication sponsored by
East Asian Studies Center
Indiana University
Bloomington, Indiana
The Language and Politics in Modern China working papers form part of a collaborative research project, "Keywords of the Chinese Revolution: The Language of Politics and the Politics of Language in 20th-Century China," funded by the National Endowment for the Humanities and the Pacific Cultural Foundation. Core project members include: Timothy Cheek (Colorado College), Joshua L. Fogel (University of California-Santa Barbara), Elizabeth J. Perry (University of California-Berkeley), Michael Schoenhals (University of Stockholm), and Project Director Jeffrey Wasserstrom (Indiana University). The Keywords project seeks to present an account of the ways that the language of politics has shaped and, in turn, has been reshaped by the Chinese Revolution from the early decades of this century to the present.

The working papers will use methodologies and theories drawn from a variety of disciplines to explore the shifting meanings of politically charged symbols and terms. General topics associated with the politics of communication will also be examined.

For information on ordering papers in the series, please see the back cover. The articles in the series are intended as working papers, and the authors welcome comments from readers. Please address your comments to the editors:

Jeffrey Wasserstrom and Sue Tuohy, Editors
Language and Politics in Modern China
East Asian Studies Center, Memorial W207
Indiana University
Bloomington, IN 47405
Phone: 812/855-3765; Fax: 812/855-7762
Corruption and Morality in the People’s Republic of China

Carolyn L. Hsu
University of California, San Diego
Introduction

No visitor to the People's Republic of China in 1994 could have remained unaware of the issue of corruption. "Corruption" (fubai) was plastered across headlines of the official state newspapers as well as the more salacious tabloids. Every evening newscast seemed to detail the exposure or execution of yet another person (often a minor level cadre) who was guilty of corrupt deeds (bribery, embezzlement, and misuse of funds appeared to be the usual crimes). At the time, the government was in the midst of its Anti-Corruption campaign, which inspired the following joke:

"In accordance with the Anti-Corruption campaign, should we shoot all the minor officials?"
"No, because we would surely execute some innocent people."
"Well, then, what if we shot every other minor official?"
"No, because we’d be letting too many guilty bastards off the hook."

In more serious moments people turned to one another and grimly predicted, "If China falls, it will be because of fubai."

It is clear from a variety of sources that there has been a veritable explosion of corruption discourse in the last ten years, both within the PRC and from outsiders writing about it. For example, according to the Foreign Broadcast Information Service (FBIS) China Index there were no articles on the subject prior to 1978, when several pieces appeared. "Crime" articles usually dealt with civil disturbances, counterrevolutionaries, and dissidents. In the 1980s, however, articles dealing with "business crime" or "economic crime" steadily increased. By 1988, there were so many articles about "bribery and corruption" (108) that they merited their own subheading. In 1993, that category contained a whopping 361 articles. Nor was that a fluke—there were 280 articles in 1994 and 118 in the first three months of 1995 alone.

Corruption discourse is not only prolific, but it is also important and powerful. Though the Western press focused on the pro-democracy demands of the 1989 student movement, in China it was the students' anti-corruption stance which was their most popular and effective platform. Craig Calhoun, in "Protest in Beijing", writes that although the protests began with a focus on intellectual concerns, "the student movement eventually made connections to a wider range of people, through its condemnation of
corruption".¹ The workers and other non-students who filled the square had an even less clear idea of "democracy" than the students did, but they did know that they had economic grievances and were angry about corrupt officials. After the movement was brutally suppressed, all of the protesters' demands were ignored and condemned—except for the corruption accusations.

In fact, not only did the government institute the Anti-corruption campaign, but powerful political players have turned to corruption discourse with gusto. Lately, not a week seems to go by without China watchers abuzz about the latest disgraced official (Chen Xitong) or rumor of suicide (Wang Baosan, Deng's wife's alleged attempt)². It is clear that in the scramble for power in post-Deng China, the weapon of choice is to accuse your rivals of corruption. By showing his willingness to turn the Anti-corruption campaign into a purge, Deng Xiaoping's heir-apparent, Jiang Zemin, has impressed those who had dismissed him as a lightweight transitional figure.³

In this paper I will argue that corruption discourse is important because it is an articulation of a society's values. A discussion of immortality implicitly defines its opposite. By saying that this is wrong and bad, one implies that the converse is right and true. I see in corruption discourse a window onto how a people defines the characteristics of a good society.

The first section of this paper will review the current literature on the subject and discuss the theoretical background which informs my take on the topic. Part two looks at how corruption discourse has been used in the Chinese historical context, first by describing the central Chinese corruption narrative, and then briefly examining the how that narrative was used in both the imperial and republican eras. The third and last section deals with contemporary China. It begins by analyzing the shape that corruption discourse takes on in a revolutionary socialist regime. In addition, I will look at the way the


disintegration of the PRC’s central moral narrative has opened up a battleground in which contending groups use corruption discourse to argue for their differing visions of a good society.

**Theoretical Background**

It is not surprising, given the recent increase of corruption talk in China, that there has been a corresponding rise in interest in the topic in the academic community. Some scholars, such as Calhoun, refer to it only in passing. But many others, such as Ken Pomeranz, are looking for an explanation for the phenomenon. Pomeranz argues that "reforms increased corruption" by increasing temptations for bureaucrats while at the same time reducing their legitimate power.4 Jean C. Oi takes an almost completely opposite tack and locates the source of corruption in the structure of socialism. She writes, "Studies have shown that communist systems suffer from inherent structural flaws that force their members to engage in illegal actions to survive and pursue ordinary interests."5 Oi attributes China’s current corruption problems to an "incomplete rationalization of the market," where traditional elites and clientelistic politics continue into a more modern economy. Not surprisingly, Oi sees reforms as a solution rather than as a cause of the corruption problem. Alan P. L. Liu also finds the roots of corruption in the failings of the PRC’s political system. According to Liu, this system is characterized by centralization, monopoly, and the lack of functional division and accountability, as well as by a scarcity of consumer goods. These factors "are known to be conducive to corruption."6

The problem with these arguments, whether they blame the reforms or the communist system, is that they do not interrogate the concept of corruption itself. In all of these studies, it is taken for granted that "corruption" is an unproblematic and transparent term.

There are scholars, such as Arnold J. Heidenheimer, who argue that it is necessary to use the familiar Western concept of corruption even when studying non-Western cultures. This method ignores the fact that in China the terms for corruption (fubai and tanwu) were politically and morally important prior to both reform and the communist system and predated any contact with Western definitions.

Not only is corruption a concept with a rich history, it is also hardly unproblematic or transparent. Scholars who simply apply what they believe to be the "Western definition of corruption" fail to realize that corruption can mean different things to different people at different times—or even at the same time. They are locating the concept of corruption outside of the people who are using it. By believing that the meaning of the term resides in its unchanging dictionary definition, these scholars are unable to see how meaning is produced and reproduced by real people using the term.

Richard Levy addresses some of these issues by analyzing different viewpoints on corruption in China today. Although he does not address the history of the term, Levy examines what corruption means according to the official position, the position of the 1989 activists, and the positions of both conservatives and reformers. Levy sees corruption discourse as "a form of interest articulation that flourishes when the formal political system is unable to cope with the demands made upon it". By examining each position, he can read back into each group's world view, each group's interests as

7. Arnold J. Heidenheimer, Political Corruption: Readings in Comparative Analysis (New York: Holt, Rinehart and Winston, 1970). See p. 9 of the first chapter, "Definitions, Concepts and Criteria". In this section, he is following the work of David Bayley. For Heidenheimer and Bayley, "The ‘imposition’ on the rest of the world of Western standards in evaluating behavior may well be, at this stage of research and theory building, a prerequisite to meaningful comparative analysis of political corruption phenomena."

8. To address at least some of these issues, Lynn T. White III tries to trace the way concepts of corruption changed in the PRC from the 1950s to the 1980s. Unfortunately, by failing to focus on specific terms, White ended up defining corruption as just about anything that the government was against at the time. That can cover every transgression from litter to American products to bribery, regardless of whether or not anyone in China actually saw or described it as corrupt. Lynn T. White III, "Changing Concepts of Corruption in Communist China: Early 1950s vs. early 1980s," Issues and Studies 24.1 (1988): 49-95.
struggles to put forth its own truth. Unfortunately, his analysis lacks a focus on the moral aspect of the discourse, from which much of its power derives.

Morality cannot be seen as an issue of merely secondary importance. Daniel Chirot argues that morality (or the perceived lack of it) and loss of legitimacy were the major factors in the fall of the Eastern Europe communist regimes.

[W]e must realize that in the twenty-first century there still will be economic problems, political instability, and revolutions. But more than ever, the fundamental causes of revolutionary instability will be moral. The urban middle and professional classes, the intellectuals to whom they most directly appeal, will set the tone of political change regimes to which they do not accord legitimacy because these regimes are seen as unfair and dishonest will be shaky.

I would argue that Chirot actually defines the phenomenon too narrowly by relegating it to the twenty-first century and to only educated urban professionals. But even within these confines, his statements are quite relevant to China's 1989 experience. I believe it behooves us to take issues of morality and legitimacy very seriously. However, as Chirot points out, it is not easy to find a theoretical basis to analyze morality. While we have become expert at observing and measuring material change, "we do not know where to look to sense the moral pulse of key classes and intellectuals."

How can we study something as intangible as morality? I believe that one method is through what I would call narrative theory. Clifford Geertz's work argues that every society has a central narrative, a "political theology" which explains and justifies political power by linking it to the order of the universe. In "Centers, Kings, and Charisma: Reflections on the Symbolics of Power", he examines how those central narratives are reinforced and recreated:

[Elites] justify their existence and order their actions in terms of a collection of stories, ceremonies, insignia, formalities, and appurtenances that they have either inherited or, in more revolutionary situations, invented. It is these -- crowns and


11. Ibid., p. 234.
coronations, limousines and conferences -- that mark the center as center and give what goes on there its aura of being not merely important but in some odd fashion connected with the way the world is built.\(^{12}\)

Not only the elites but also those who allow them to retain their position by following them invest themselves in these stories and symbols. And in China, since imperial times, stories about corruption have been a central component of the political theology.

But narrative theory is not about a static phenomenon. Narratives transform history, and are transformed by history. As Michel Foucault argues, "We are subjected to the production of truth through power and we cannot exercise power except through the production of truth."\(^{13}\) In China, corruption and accusations of corruption are inextricably tied up with issues of power in overt political ways and in more subtle forms. The centrality of corruption discourse in China has influenced—and in some ways limited—the policies and structures of politics. On the other hand, different groups and regimes have used corruption discourse as a resource to help achieve their goals. As this narrative has been used throughout the years, every new group has left its imprint upon it. Every new rearticulation changes the narrative, but the narrative’s power stems from its continuities with the past, real or perceived. To understand the moral debate in China today, and the role of corruption discourse in it, it is necessary to look at the history of this narrative.

**Historical Background**

**The Central Corruption Narrative.** Narratives are not created out of thin air. No one can invent a brand new discourse of corruption simply in order to advance her cause. Instead, "new" narratives are more like variations on an old theme, retellings of a familiar tale. To have any understanding of the Chinese narrative of corruption, we first need to look at that basic theme or story. One way to begin is by looking at how the Chinese have defined corruption through the most basic source: dictionaries.

---


When it comes to dictionary definitions, Chinese and English definitions of corruption are fairly consistent. In his article on the (Western) conceptual history of "corruption," J. Peter Euben notes that in Roman times, the Latin corrumpere referred either to the "general sense of destroy, lay waste, adulterate or spoil in reference to organic matter such as food," or else to the specific activity of bribery.\footnote{14} Even in English, corruption brings up the meanings of decay and degeneration. Qing Dynasty dictionaries also indicate that the fdc in fubai originally had only to do with the rottenness of meat or fruit, but that the definition gradually expanded to include rottenness of character, especially the rotten characters of bribe-hungry officials.\footnote{15}

Working from the Oxford English Dictionary, Euben goes on to note that corruption involves enervation, enfeeblement, and a loss of health and power.\footnote{16} In the twentieth century, Chinese dictionaries have also indicated references to age and obsolescence, perhaps because Western notions of progress were influencing society. Pre-revolutionary dictionaries use words like "decadent, old, worn out, and obsolete," in addition to "rotten and spoilt" to define fubai.\footnote{17} Fubai is not the only Chinese term which is translated by the English word "corruption". The other important word is tanwu, which through the years has been associated with avarice, covetousness, and (usually bribe-seeking) greed.\footnote{18}

This dovetails quite nicely with Euben’s observation that corruption indicates a departure from collective ideals. Instead of a concern for one another, corrupt people are absorbed in self-indulgence and self-centeredness. Tanwu also brings in the notion of impurity, pollution. (Wu is the word for filth and grime; for example, it is also used to denote environmental pollution.) Euben writes that corruption may not only refer to internal decay, but to external infection, a foreign element that debases the original. It is not


\footnote{15} Chang Yushu, Kangxi Zidian (Beijing: Zhonghua Shuchu, 1958).

\footnote{16} Euben, "Corruption," p. 222.

\footnote{17} R. H. Mathew, Maheus' Chinese-English Dictionary (Shanghai: China Inland Mission and Presbyterian Press, 1931), and Herbert A. Giles, A Chinese-English Dictionary (Shanghai: Kelly & Walsh, 1912). For a more recent example, see Ci Hai (Taiwan: Zhongguo Chubanshe, 1969).

\footnote{18} Ibid. and Jian Ming Gu Hanyu Cidian (Yunnan: Renming Chubanshe, 1985).
surprising that in China’s history this aspect of corruption becomes emphasized in times of intense foreign contact, whether through foreign invasion or economic openness.

It appears that Chinese dictionary definitions of corruption have evolved through history. More recent dictionaries, the ones published in the 1990s, highlight the misuse and abuse of authority and position. For example, the *Xiandai Hanyu Cidian* defines tanwu as "using the unethical means from one’s position to obtain material gain" [liyong zhiwu shang de shili zuifa de qu de caiwu].”

It is important to note that even though Chinese definitions of corruption do not contradict Western ones, corruption does not mean the same thing in both places. The definitions themselves open up spaces for subjective interpretation: What was the original, natural (ideal) state of society from which we are decaying? What are the collective ideals that the corrupt are neglecting? These questions demonstrate that any definition of corruption is dependent on a (perhaps unspoken and assumed) definition of a good society. This definition can vary significantly from society to society, from subgroup to subgroup, and even from person to person.

In addition, dictionary definitions fail to address some of the most important and controversial aspects of corruption: What is the source of corruption? Does it stem from a lack of moral fiber? Personal weakness on the individual level? The character failings of a race as a whole? Or is it a flaw in the design of the political structure? Last but not least, dictionary definitions do not define levels of corruption: how much is too much and how much is acceptable. In other words, dictionaries are insufficient to understand the meaning of corruption (fubai, tanwu) in China. It is also necessary to look at the most basic corruption myths.

The motif of the corrupt, selfish ruler replaced by the upright and modest man can be found in stories referring back to the first dynastic changes. For example, in the story of the rise of the Shang dynasty (and the fall of the Xia) in the 18th century BCE, a minister says this about the first emperor:

As Heaven has endowed the people with desires and passions, without a ruler there

---

19. *Xiandai Hanyu Cidian* (Renming Zhongguo Chubanshe, 1994), and *Xin Ci Xin Yu Cidian* (Yuwen Chubanshe, 1993).
will be chaos. So Heaven sees to it men of intelligence are born in order that the people will be well-governed. The Xia emperor befouled his own nature; and the people were as if they had fallen into a mire of burning charcoal. It is then that Heaven has graciously given you, our Wang [king], courage and wisdom to set up a bright example and a correct standard for the myriad nations.  

The deposed Xia ruler, Jie, is condemned with the language of filth and impurity. He "befouled" his nature and his kingdom, and his people are mired as in "burning charcoal." What exactly were Jie’s crimes? According to Sima Qian, in the Historical Records, "Jie, instead of pursuing ways of virtue, vaunted his military might and used it to injure the hundred surnames." Instead of serving the people, Jie oppressed them. He was too fond of indolence and ease, women and wine. He was corrupt. Corruption, in these basic narratives, is associated with selfishness, luxuriousness, and cruelty. It is opposed to the virtues of paternalism, to a benign parental emperor who selflessly serves his people and acts as their role model. Most importantly, corruption is linked to heaven’s disapproval and the loss of the mandate to rule.

Corruption Discourse in Late Imperial China. How was the corruption narrative used in the Ming and Qing dynasties? Even as the government grew and increased in bureaucratic complexity, the emperor strived to maintain his paternalistic role.

Imperial China was explicit about morality being the power behind ruling; it was as (or more) important than military strength or economic might. As Ray Huang writes about the Ming Dynasty: "The emperor did not have a formidable army at his command; he did not even have a large land base. He remained the Son of Heaven only because everybody believed that he was." In this kind of regime, the emperor’s most important political tool was the power of moral example.

The secret of administrating an enormous empire such as ours was not to rely on law or the power to regulate and punish but to induce the younger generation to venerate the old, the women to obey their menfolk, and the illiterate to follow the examples set by the learned. In all these areas the example set by the emperor’s

court was of paramount importance. ... government by law had its limitations. But when a person was moved by the principles of locality and filial piety, he would always remain upright and law-abiding.\textsuperscript{23}

The government's health depended on its ability to arouse loyalty, on its moral power to persuade and inspire. In this setting, an accusation of corruption had devastating power. Therefore corruption discourse was used as the ultimate political weapon, and Huang describes how it was used to discredit and remove even the emperor's beloved tutor.

Isolated accusations against individual officials could be handled, but a perception of rampant fubai would destroy the regime. Corruption was costly and dangerous. As Adam Y. C. Lui writes (in reference to the Qing), "No Confucian-oriented emperor who wished to assume a moral role as an exemplar of the officialdom and the people could afford to tolerate corruption, which was the phenomenon of a dying dynasty."\textsuperscript{24}

This is not to say, of course, that corruption did not exist. In fact, from a modern American perspective, early Qing China was rife with corruption. Bribes were a fact of life. Officials shortchanged the government while their underlings fleeced the populace. Yet the first three Manchu emperors, Shunzhi, Kangxi, and Yongzheng, were considered upright and moral, and the rulers of fairly upright and moral administrations. Lui argues convincingly that in China, corruption was judged by a matter of degree. He indicates three levels, each with different consequences:

- **Bureaucratic corruption.** Because officials were underpaid, they were compelled to collect unauthorized fees in order to perform their duties. For example, it was impossible to hire the needed aids and secretaries on the salary they were given. Therefore, there were socially sanctioned, technically illegal surcharges and fees which had to be collected above the official tax quotas. The amount was determined by local officials and community leaders. According to Lui, this type of corruption was neither reported nor prosecuted. In fact, to both the local authorities and the people in general, this was not considered corruption at all. Corruption was defined as extorting money above and beyond this socially sanctioned level.

\textsuperscript{23} Ibid., p. 22.

Private corruption. Naturally at least some officials were tempted to levy more than their socially sanctioned amounts in order to augment their personal lifestyles. Since there was some vagueness about what was "necessary" for an official’s living standards (How many bodyguards? How luxurious could the sedan chairs be?), this was an ambiguous category. In addition, most of the Chinese populace was willing to tolerate a certain level of private corruption rather than mount a protest as long as their subsistence was not threatened.

Intolerable corruption. On the other hand, there were officials and local administrations which exploited their jurisdictions to the point that the people’s subsistence was threatened. From the point of view of the central government, it was this level of corruption which mattered. When fubai was considered intolerable, the populace would protest. The gentry would write personal or anonymous letters. The common people closed up their shops, refused to pay their taxes, and participated in mass demonstrations and even riots. When corruption threatened to impinge upon the stability of the area, then the emperor would have to step in, impeach the offenders, and demonstrate convincingly that he had not lost the moral mandate.25

What was important was not the presence or absence of corruption, but whether the emperor was seen as linked to that corruption or opposed to it. Especially for emperors in weaker positions, it was imperative that they shore up their moral capital by appearing to be enthusiastic corruption-busters. This, argues Lui, is why the first Qing emperor, Shunzhi, was more overtly concerned with fubai than his successors, Kangxi and Yongzheng. Lui attributes the explosion of corruption edicts and cases during Shunzhi’s short reign to the emperor’s need to impress his subjects with the honesty and integrity of the Qing regime.

Although China’s current regime has tried to distance itself from its imperial past, it seems that significant aspects of corruption discourse live on in the present. The moral mandate of the ruling regime, the power of the corruption charge, and the different degrees of acceptable and unacceptable fubai are all concepts which have resonance in the People’s Republic of China. Jiang Zemin, like Shunzhi, knows that a ruler at a

---

25. Ibid., pp. 4-8.
transitional time needs to take special pains to demonstrate his zeal against corruption.

**Corruption Discourse and Republican China.** Even so, when most people in China today think about fubai, the antecedent that comes to mind is probably not the Ming or Qing but the Guomindang. The CCP used corruption discourse to great effect in undermining the ruling regime of the republican era. Like the dynastic regimes of the imperial past, the Chinese Communist Party justifies its victory at least partially on the selfish decadence and immorality of its predecessor. On the other hand, there is consensus that the Guomindang (GMD) was struggling with problems of corruption, and that it lost a lot of support because of it.

For example, the Western-educated intelligentsia and middle-class business people, two groups which should have been chief among the GMD’s supporters, used corruption discourse when the regime failed to live up to their expectations. As one intellectual of that time wrote,

> So long as politics is not corrupt, society is secure, everything is on the right track, and the nation has some future, [the young people] will of course support the Government. But the Government in its various activities can only cause people to lose hope. . . . Next, let us discuss the older generation. The basis of this present regime’s support has been the urban population: government employees and teachers, intellectuals, and business and industrial circles. At present, no one among these people has any positive feeling toward the Nanking regime. The KMT’s tyrannical style of behavior is causing deep hatred among the liberal elements . . . the government officials by indulging in corrupt practices and creating every kind of corruption have caused extreme dissatisfaction in business and industrial circles.\(^26\)

According to Suzanne Pepper, these liberal elements held the GMD directly responsible for the corruption. Rather than take the more merciful historical perspective that the republican government had the misfortune to inherit imperial fubai, they placed the blame squarely on the GMD regime.\(^27\) They had appropriated the traditional narrative which argued that the entire purpose of government is to control corruption and

---


to provide a moral order for society. Their idea of a moral order involved a liberal vision of civil rights, intellectual freedoms, and a stable economy, but they could still use corruption discourse to argue for it.

**Corruption Discourse in Contemporary China**

How Corruption is Used in a Revolutionary Regime. Ernest Young argues that every self-defined revolutionary government needs an ancien regime, an opposite against which to define itself.28 This narrative of an ancien regime dovetailed quite well with corruption discourse. But the Communists used the familiar discourse of corruption to argue against a new set of bogeymen. The main Maoist revolutionary narrative claimed that the CCP liberated China from the corrupt grasp of feudalism (the backwardness of dynastic China) and capitalism (the decadence of the GMD) in 1949.29 By redefining "corruption" in this way the new regime, like the disillusioned intellectuals of the republican era, could appropriate an old narrative to argue for a new virtues. This time, of course, they were arguing for the virtues of Maoist socialism instead of paternalistic or liberal virtues. Maoist virtues involved radical equality, sacrificing the personal for the sake of the collective, and working hard for the sake of progress, economic development, and increased production.

On the other hand, the Communist regime gave this narrative even more of a twist by describing itself as radically different from everything that had gone before. According to this new narrative, the CCP was not only moral and incorrupt now, it would never be corrupt; the CCP represented not just better people, but a new and revolutionarily better system. Whenever any sign of corruption appeared—any sign of the infection of either ancien regime—the CCP would root it out like a doctor removing a tumor. In this way, China would be kept pure and flourishing, and free from corruption. Through this discourse, the CCP justified and legitimated itself with the traditional language of legitimation—the narrative of anti-corruption.


After the debacle of the Cultural Revolution and the death of Mao, Deng Xiaoping came to power and began the process of trying to refigure the Maoist narrative. In order to claim that the Maoist era was another error-filled ancien regime Deng needed to redefine the bogeymen of the past. Feudalism was refigured to mean economic poverty by international, consumerist standards. In this view, Mao himself could be considered feudal, since his radical and unrealistically ambitious plans for socialist transformation kept China from progressing technically and economically. As for capitalism, well, what can a man who proclaims "to get rich is glorious" say against capitalism? Instead, Deng watered the anti-capitalist strand down into a kind of nationalism: Western imperialists must not be allowed to keep China from taking its rightful place in the economic and political world.

Where does corruption discourse fit in Deng's narrative? I would argue that he avoided the corruption narrative altogether until he was forced to react to it. It is important to note that even though Deng places the Maoist era in the position of ancien regime, he does not go so far as to accuse it of being corrupt. It seems that the word is too potent, too dangerous, "the phenomenon of a dying dynasty." Like the Qing emperors, he cannot afford for his government, or his party, to be linked to corruption in any way. Yet when the Deng regime began (or continued) to dismantle the institutional and narrative supports of Maoist ideology, they risked starting a process which could spin out of their control. Any revolutionary or reformer would agree that it is far easier to take apart the ideological structure of a society than to build one. It is no simple task to replace a moral order.

Yet without some kind of convincing ideology, people find the sweeping changes around them confusing and unsettling. No one has given an adequate explanation of why cadres are allowed to drive around in Mercedes while ordinary people lose their job security. In the absence of a central story, people turn to the traditional narrative resources
that are still available to them in order to make some sense out of a bewildering situation. Not surprisingly, in China they have turned to the historically resonant discourse of fubai—specifically, of accusing the ancien regime of being corrupt. For those who are very angry or very brave, corruption discourse can impeach not only at the feudal and the capitalistic, but at the socialist.

Because corruption is such a powerful discourse in China, it is impossible to ignore. It has a powerful explanatory force in times of transition. This may illuminate why every group in China seems to have something to say about corruption and none of them dare say that corruption is not really a problem. Instead, the focus is on explaining the source of the corruption and on methods for eradicating it.

Richard Levy defines four different positions on corruption: official, dissident, conservative, and reformist. I believe that there are actually many more positions, such as the positions of urban workers and rural peasants, of petty capitalists and international business people, and so on. To understand all of these different strains would require extensive research in China and is, unfortunately, outside the scope of this paper. Instead, the remaining sections will attempt an analysis how only two of those positions utilize corruption discourse: the official position of the CCP and the central government, and the dissident position.

By the "official" position I am not referring to the views of individual cadres in China. Instead, "official" discourse refers to the standardized narrative propagated by

---

30. The disintegration of a regime and its ideology opens up a huge space for the increased production of new truths. For example, William Sewell argues that the disintegration of the Old Regime exposed the fissures and contradictions in the French belief system. In doing so, it not only made some discourses utterly untenable, it also opened up the space for others (most notably Enlightenment discourse) to splinter and multiply. See William Sewell, "Ideologies and Social Revolutions: Reflections on the French Case," *Journal of Modern History* 57.1 (1985): 57-85.

31. Actually, Levy argues that cadres' personal views fall into two broad camps, which he labels "conservative" and "reformist". According to him, the conservatives are influenced by a traditional Chinese Marxist framework and blame the new entrepreneurial class for the rise in corruption. In other words, they are working almost completely within the anti-capitalist strain, with their primary boogyman as "the unchecked spread of bourgeois liberalization." Levy, "Corruption, Economic Crime and Social Transformation," 10.

The reformists, on the other hand, take the anti-feudal view. The reformists tend to see corruption as the result of incomplete reforms. If the conservatives feel that entrepreneurs are the source of the problem, the reformists tend to blame old-fashioned, autocratic cadres. Levy,
the Chinese Communist Party as a whole—the "official line" disseminated through policy announcements, the official media, posters, signs, and political study sessions. By its nature, then, the official stance seeks to justify and even increase the central role of the party and state apparatus. Just as predictably, the dissident position has the opposite goal—to argue that the central government in its present incarnation is the source of society’s ills and needs to be drastically reformed or else replaced altogether. How do these opposing views use the discourse of fubai to argue for their version of society?

**How the Official Position Uses Corruption Discourse.** First of all, it is important to note that official discourse is full of references to corruption. As already noted, there has been an exponential increase in articles about corruption in the official press in the last fifteen or twenty years. There have been important anti-corruption campaigns. Both Deng Xiaoping and Jiang Zemin have given official speeches about the matter. Simply put, there is no dearth of material on the subject of corruption in official discourse. My own research is based solely on media sources, but the findings are consistent with Liu’s and Levy’s studies.32

Despite the fact that official discourse contains many references to fubai and tanwu, it uses these terms in a way that avoids evoking the "phenomenon of a dying dynasty" narrative as much as possible. However, since that particular corruption narrative is so strong and resonant, official discourse must react to it. For example, the corruption narrative contains an implication that corruption only matters when cadres are committing it. That is to say, corruption is usually taken to mean official corruption. Therefore, although the official position would benefit by displacing corruption discourse onto non-governmental crimes such as smuggling, workers stealing from their companies, or corporate bribes, it is unable to do so in a satisfactory way. The narrative is so strong that

---

"Corruption, Economic Crime and Social Transformation," 17. A fair number of Western scholars, such as Jean Oi and Alan Liu, also fall into the reformist camp.

32. The information in this section is based on a random sample of articles located through the Foreign Broadcast Information Service China Index. Out of over 3000 articles listed under "bribery and corruption," "economic crime," "business crime and ethics" and (for the very earliest years when these categories did not yet exist) "crime," I chose over 50 for close examination.
official discourse must respond to accusations of official corruption.

**Corruption is Caused by Individuals and Individualism.** Instead of displacing corruption onto non-officials, then, the official position has tried to minimize the problem in a variety of ways. First of all, official sources insist that not many cadres are corrupt—just a few bad apples. As the spokesmen from the State Council told the student representatives in the famous 1989 televised meeting, "on the whole or for the most part, our party cadres and members are good."\(^{33}\) Hainan officials on June 28, 1988 first pointed out the "excellent" situation of their province before going on to admit that there were "a few" corrupt government functionaries and party officials who harmed the interest of the masses and gave the party a bad name. A March 17, 1982, *Guangzhou Ribao* article couched its anti-capitalist discourse in the same terms, reporting that "an extremely small number of cadres . . . have yielded to corrosive capitalist ideas."

In fact, most pieces dealing with corruption in the 1980s involved individual cases of transgression. This way, the articles could emphasize the specificity of the crime: corruption is a particular person misbehaving in a particular way. Interestingly enough, in the 1990s, these case study articles abruptly disappeared. Perhaps the sheer number of cases was too great; it was beginning to look too much like a pattern. Instead, articles began to revolve around the successes of the anti-corruption campaign.

The official position also tries to minimize the issue by arguing that corruption is caused by personal flaws, such as greed, selfishness, "getting bitten by the money bullet," "decadent bourgeois ideas," and, naturally, individualism. On December 3, 1986, *Renmin Ribao* printed an article titled, "Malignant Growth of Individualism," which tried to explain that although personal interest was good, individualism was bad. "The amplification of individualism," it warned, "always leads to corruption, bribery, the involvement of the privileged in commercial activities, nepotism, the formation of gangs and factions, revenge, lawlessness, and all kinds of criminal activates." Even when official discourse condemns capitalism as corruption's source, it still often makes the offense a

---

matter of individual behavior rather than structural failings. In a *Xinhua* article published on January 8, 1986, the authors sternly called for officials to "restrict the corrosive influence of capitalist ideology" upon themselves and their children.

It should come as no surprise that official corruption discourse holds up the image of the "good cadre" as the antithesis to corruption. A September 26, 1986 *Xinhua* article described the case of a selfish cadre, a man so "obsessed with the desire for personal gain" that he forgot about his responsibility to the Party. "Do such people still behave in the least like a communist cadre?" the article mused before going on to describe how a real cadre serves the people wholeheartedly. Only through intense education in Party objectives can the problem of corruption be solved.

*The Party as Victim and Savior.* The official position uses corruption discourse to argue against individualism. It can also use it to argue for the centrality and importance of the CCP. One way it does so is by claiming that corruption's greatest victim is not the people, but the Party and the state. For example, a January 25 article from *Anhui*, corrupt officials must be severely punished in order to "enforce party discipline, rectify the party's style, and educate the masses of party members and cadres." A March 12, 1990, *Renmin Ribao* article was even more blunt. It reported that Jiang Zemin and Li Peng said, "fighting corruption is a major matter concerning the life or death of the party and the state."

If corruption harms the people, it is only indirectly, through its harm to the Party. *Renmin Ribao* reported on August 27, 1993 that the comrades at the Second Session of the Central Commission for Discipline Inspection said that corrupt acts "have seriously undermined the party's reputation, jeopardized the relations between the party and the masses, and interfered in and disrupted the healthy development of reform, opening up, and economic construction." This was a speech copied and repeated by central and provincial leaders all over China. It delineated a clear chain of reactions: *corruption* hurt the *Party* in its ability to do its important work of economic development, which would benefit the *people*. It is the Party that is central.

If the CCP is central as corruption's main victim according to official discourse, it is even more central as corruption's only nemesis. According to the official position,
corruption is a serious problem, but the Party has it under control. Article after article emphasizes the progress that has been made through the anti-corruption campaigns, a theme that becomes especially important in the 1990s. Of course, there are still a few bad cadres left but on the whole the situation is improving. Not only is the Party fighting corruption, it is the only hope against corruption. As a September 8, 1993 article explained, all societies struggle with corruption. In fact, only a socialist society can possibly eradicate corruption because it is the only society without an exploiting class. On the other hand, official discourse is rather vague about how the Party is engaging this battle. Most articles simply emphasize the need for thorough investigations and tough punishments and call officials to be true and loyal to party principles.

In summary, the official position uses corruption discourse to argue against individualism and for the centrality of the CCP. In doing so it argues for a certain kind of society—one with a semi-paternalistic central party state where the primary virtues are loyalty, obedience, service, and personal sacrifice. In a way, this evokes a more purely socialist past, when the state was stronger and personal desires were taboo. Unfortunately, this is a vision at odds with the government’s economic policy and these values are losing their resonance in an increasingly consumerist culture.

**How Dissidents Use Corruption Discourse.** While leaders and officials in China have a certain stake in propagating a unified discourse, dissidents are under no such obligation. Therefore, dissident discourse ranges from those who demand that the PRC return to its true socialist ideals, such as Liu Binyan, to those who want to overthrow of the entire government structure because they believe it is inherently evil.\(^{34}\). Unfortunately, this analysis is skewed towards the latter because those dissidents receive more press and

---

\(^{34}\) See Liu Binyan, "People or Monsters?", in *People Or Monsters? And Other Stories and Reportage from China after Mao*, ed. Perry Link, trans. James V. Feinerman with Perry Link (Bloomington: Indiana University Press, 1983), pp. 11-68. In this essay, Liu makes statements such as, "The problem with the work team was the same as that with the County Party Committee. Both were divorced from the masses and therefore divorced from reality." At another point he writes: "Complex personal relationships, built layer upon layer of interlocking connections, formed a dense net. Any Marxist-Leninist principle that came into contact with this net would be struck dead, as if electrocuted. When an enterprise got entangled in the net, its socialist design would come undone; when a legal case fell into the net, the dictatorship of the proletariat would get twisted out of shape."
because the 1989 student movement generated so many documents. In any case, corruption is an important topic regardless of the dissident's opinions. Not only was it important for Liu Binyan, whose piece, "People or Monsters?", is considered by many to have inaugurated this bout of corruption discourse, but also for more radical dissidents. During the televised dialogue between state officials and students in 1989, student comments focused immediately and insistently on corruption. If the official position seeks to emphasize the importance of the party-state apparatus, the dissident position wants to argue that this apparatus is the source of all of China's woes. The corruption narrative is a rich resource for making that point.

The "Phenomenon of a Dying Dynasty". Unlike official discourse, which avoids the narrative link between corruption and dynastic changes, the dissident position embraces the more rebellious aspects of corruption discourse with gusto. Therefore, dissident discourse often claims that the current regime is corrupt because it is *feudal*. In May, 1989, a big character poster at People's University denounced the party leaders by saying,

Personality cults, campaigns of myth-making, and a people conditioned by traditional culture have combined to transform them into godlike figures who through despotism, concentration of power, and imperious ways have become dictators over the people.\(^{35}\)

The same document described party policies as "unopposable imperial edicts" and called the CCP "the omnipotent lord under heaven".

Liu Binyan's language is less strong, but he too utilizes an anti-feudal discourse. Liu attributes corruption to a resurgence of traditional Chinese behavior: guanxi. "This lovely curtain of fraternal locality, sincere gratitude, mutual concern, profound friendship, etc., etc., concealed relationships of out and out power brokerage." Under the guise of gifts and favors, leaders were taking, receiving, and giving away state-owned material resources.

When cadres' children began marrying one another, things became even worse: "In terms

of extent alone, these in-law relationships had become twice as important as they ever were in feudal society."36

Dissident discourse often plays up the corrupt ancien regime trope by invoking royal and imperial imagery when discussing fubai. In a poem entitled "A Memorial and Testament to the Privileged Class," the top leaders' homes were described as "palaces" complete with "courtesans".37 Another piece labeled cadres at the grass-roots level as "hick emperors".38 One 1989 Beijing University handbill, a sarcastic introduction to the ins and outs of corrupt practices by top leaders and their children, is peppered with such terms. Deng Xiaoping's son is referred to as our "Crown Prince Deng Pufang," and officials are referred to as "government lords".39 In fact, dissident corruption discourse often focuses on the theme of the sons and daughters of high officials, who are commonly called "princelings".

Another wall poster from 1989 also decried the corruption of guanxi networks. This author, speaking like a true college activist, blamed the state's deficiencies on the leaders' lack of education and advanced age.

As one grows older, the feudal spirit becomes more powerful. . . . These are the products of the time in China: wear feudal robes while criticizing feudal socks; prohibit hereditary official titles while tolerating positions and benefits to one's wife and son; eliminate the existence of an emperor, but permit only one man to have the say; prohibit the existence of a gentry and clan system while tolerating the matching of social and economic status in marriage, prohibit people from running wild while disregarding the sanctity of the constitution. Enough!40

China's dissidents not only link contemporary fubai with imperial behavior, they also bring up the specter of the GMD.

36. Liu, "People or Monsters?", pp. 56, 52.
37. Han, ed., Cries for Democracy, pp. 41-42.
Now the Chinese people have discovered to their astonishment that corruption—the very thing that ruined the Kuomintang and besmirched its reputation—has crept into the Communist Party itself. Their "pal" has changed from one who once upon a time "would not take so much as a needle and thread from the people" to one who now skims the cream from the people's labor to build villas and purchase luxurious cars, going so far as to hoard what he has plundered in overseas banks. . . [T]he Chinese people have discovered that the corruption of their "pal" has by far surpassed the corruption of the Kuomintang, who bore the burden of fighting the War of Resistance against Japan.41

In sum, the dissident position uses corruption discourse to accuse the Party and its officials of regressing to imperial and republican bad habits. It strongly evokes the narrative of the ancien régime, arguing that CCP cadres are no different than the feudal lords and GMD strongmen they replaced.

A Structural Problem. While official discourse claims that corruption is the crime of individual cadres with personal behavior problems, dissidents evoke the corruption narrative to argue that there is an integral structural flaw in the CCP and the governmental system as a whole. "Officialdom is a stretch of blackness," wrote one student in Wuhan, "Using the expression 'out of ten officials, nine are corrupt' to describe the situation of every level of bureaucracy in our country is no exaggeration."42 In a "Letter to All Compatriots," Beijing University students echoed these sentiments. "Taking graft has become common practice and corruption is widespread; prices are rising arbitrarily and official profiteering is everywhere."43 Corruption of this scope cannot be an issue of individual morals. As Fang Lizhi put it, "I don't think we need good people so much as we need to change the nature of the Party itself."44

There are different theories among dissidents as to why the Communist Party has

41. "The Four Cardinal Principles: Levers for Reform, or Bars to Change?," in Cries for Democracy, ed. Han, pp. 164, 163-70.
become the primary culprit for corruption. For some, such as Liu Binyan, it is because the Party has strayed from its former path. As one student explained, "The single fact is that the Communist Party has changed."\textsuperscript{45} Others disagree, arguing that there is something intrinsic in the structure of the Chinese state which has made corruption inevitable. Often they blame its autocratic, hierarchical, or centralized nature.

No organization or institution exists in China that can counterbalance the power of the Communist party and independently investigate such corrupt members as official profiteers. . . . Under a one-party system, since the ruling party treats the exercise of state power as a forbidden zone in which no other organization can venture, it is impossible for those occupying the highest positions in the party's power structure to be subjected to any restraint.\textsuperscript{46}

Later on, the author says, "From the beginning, the historical record of one-party control has borne the mark of these twin brothers, 'political turmoil' and 'corruption'."

While the official position contrasts corruption to a moral \textit{person}, the good cadre, the dissident position contrasts it with a moral \textit{system}, a good government.

Although political corruption occurs in every society, it is a temporary phenomenon in societies with democratic political systems, and once it is discovered, it can be dealt with promptly before it becomes [so pervasive that it is] 'environmental pollution' [which is slowly poisoning society]. But under the system of centralized power, corrupt phenomena such as exploiting power for personal benefits and bureaucratism are widespread.\textsuperscript{47}

Whereas official discourse claims that the CCP is the only force that can stop corruption, dissidents argue that corruption is proof that the state is incompetent. One graduate student reported that a peasant said, in a conversation on corruption,

County court officials . . . accept gifts and pull strings. The government is not so great either; the big officials are engaged in big corruption, and the little officials are engaged in small corruption. I think China must go through some big changes. How can a government like this not collapse? \textsuperscript{48}

Some dissidents use corruption discourse to call for the establishment of an outside

\begin{itemize}
\item \textsuperscript{45} "The Four Cardinal Principles . . . ," in \textit{Cries for Democracy}, ed. Han, p. 164.
\item \textsuperscript{46} \textit{Ibid.}, p. 165.
\item \textsuperscript{48} "Let's Listen to the Voice of a Peasant," \textit{Ibid.}, pp. 184-85, 182-85.
\end{itemize}
commission to counterbalance the CCP’s power. For example, a group of graduate students at People’s University called for

the establishment of a “Commission for Honest Government” by people from all sectors of society, which will conduct a thorough investigation of the party, government, and military for evidence of corruption, and which will investigate and prosecute the illegal business activities of the children and relatives of high-ranking cadres, and make the results of these investigations known to the public.49

Others use corruption discourse to argue for a wholesale transformation of the government structure, especially for more democracy. In many cases, this means a call for open elections of all officials. Fang Lizhi calls for an entirely new social structure, built on completely different principles.

I think we need to build a new society. Science looks for what is true; there is no other rational starting place. We don’t need to declare that we’re preserving Chinese traditions or China’s special characteristics. I’m not going to oppose things simply because they are Chinese, but I also won’t be devastated if some of them are lost.50

As far as Fang is concerned, Chinese culture, socialism, and even the nation itself can and should be sacrificed for the sake of a truly rationalized and scientific society. Most Chinese dissidents would probably not go as far as Fang, but dissident discourse emphasizes the fact that wholesale corruption is not going to go away without traumatic and deep changes in Chinese society—and the CCP is not capable of those changes.

Dissidents, who are often more educated than most Chinese, also often use corruption discourse to assert a kind of intellectualism. One professor made an enthusiastically received speech announcing, “I would like to see all the properties of the ‘profiteering lords’ confiscated, and used for education!”51 Others, such as Fang Lizhi, insist on the importance of rationality in shaping a society, and link rationality with formal education. More disturbingly, the dissident position often implies that only the educated are capable of ruling. One author, contemplating the source of fubai, came up with this explanation:

49. “Proclamation of Ph.D. Students (I),” Ibid., p. 81.
We can now see that the proletarian party in China lacks the promise that Marx had described. For historical reasons, the Chinese proletariat inevitably was congenitally deficient: Their number was small, relatively young, and at a low level of cultural development and education. . . . Once it achieved revolutionary victory, deficiencies generated its poor qualities.52

And although "democracy" is a key phrase in dissident discourse, when pressed, many dissidents admit hesitation in allowing illiterate peasants to vote.

In sum, the dissident position uses the corruption narrative to argue that the current regime is a decadent, dying dynasty which must be replaced. It claims the need for a new society in China, one based on the values of civil rights, scientific rationality, democracy, and intellectualism. Corruption is a sign of backwardness, and Chinese society must progress into modernity, led by an educated vanguard.

Conclusion

Both the central government and the dissidents use corruption discourse to argue for their visions of an ideal Chinese society. It is important to note how their visions overlap and how they diverge. Both official and dissident discourse link corruption with personal wealth and luxuriousness. But in official discourse, wealth is associated with individualism and exploiting the free market, while dissidents connect it with autocratic power and tyrannical satraps. The official position attributes illicit wealth to a loss of old-fashioned socialist values while dissidents claim it is a sign of a failure to learn new, rational virtues.

By looking at their use of corruption discourse, then, we can gain an understanding of both the official and dissident vision of the good society. However, it would be facile to argue that the recent explosion in corruption discourse in China has emerged simply because the latter vision is replacing the former—that newer, "modern" values are moving in and judging old and backward behaviors. It seems to me that the Western scholars who use this argument are prone to Orientalist tendencies. They believe that Western, capitalistic values are inexorably taking over the world, for good or ill.

This explanation is inadequate for several reasons. First of all, dissident discourse,

52. "Dead Fish and Broken Net . . . ," p. 152.
despite its own claims, does not proclaim "Western enlightened values." Instead, its tendency toward "rule by the educated" evokes the meritocracy narrative of China's imperial past. Obviously, dissident discourse draws upon a number of narrative sources. I have seen posters that referred to George Washington, Empress Cixi and Sir Francis Bacon in the space of two paragraphs.

More significantly, the official position and the dissident position are only two of many positions in China today, the two that get the most press. The official position is no longer able to give a satisfactory narrative to make sense of Chinese society, and people find its discourse inadequate. But there is no consensus on an alternative. Instead there is flux and confusion about what are the standards and values that matter. Young scholars may find dissident discourse appealing (and conveniently self-serving), but there are many other groups searching for their own answers and arguing for their own version of the good society. Because of the richness and power of the corruption narrative, these groups often turn to that discourse to articulate their visions. This is why corruption is such a hot topic in the PRC today. And this is also why, through narrative theory, we can use corruption discourse as a window onto the debate over the future of Chinese society.
Discerning the Public from the Private: 
A Lexicon of Political Corruption During the Nanjing Decade

Patricia M. Thornton
University of California, Berkeley
"When I use a word," Humpty Dumpty said, in a rather scornful tone, "it means just what I choose it to mean—neither more nor less."
"The question is," said Alice, "whether you can make words mean so many different things."
"The question is," said Humpty Dumpty, "which is to be master—that's all."¹

Of the numerous problems which plagued the Nationalist government throughout the Nanjing decade, few have been more often noted by both Western and Chinese historians as political corruption. Lloyd Eastman, in his assessment of Nationalist rule during this period, concluded that "the regime continued to be, even at the end of the Nanjing decade, a clumsy and uncertain instrument of national renewal," crippled by a civil bureaucracy which remained "inefficient and corrupt".² In 1935, Lin Yutang commented, "The commonest conjugation in Chinese grammar is that of the verb 'to squeeze': 'I squeeze, you squeeze, he squeezes, we squeeze, you squeeze, they squeeze.' It is a regular verb."³ Even Jiang Jieshi himself admitted of the Guomindang (GMD) in 1930 that "not only is it impossible to find a single party headquarters which administers to and works for the

¹ Lewis Carroll, "Humpty Dumpty," in Through the Looking-Glass, and What Alice Found There (New York: Macmillan, 1871); reprinted in Martin Gardner, ed., The Annotated Alice (New York: Meridian, 1960), p. 269. The author wishes to thank the J. William Fulbright Foundation, the Foundation for Scholarly Exchange in Taipei and the Institute for Modern History at the Academia Sinica (Nankang, Taiwan) for their generous financial and institutional support. In Beijing, research for this project was conducted under the auspices of the Institute for Modern History at the Chinese Academy of Social Sciences, and would not have been possible without the help of Professor Jiang Tao, as well as the assistance of Yin Tongyun of the Institute for Qing History at National People's University. Assistance at the Number One Historical Archive was provided by Zhu Shuyuan. In Nanjing, the author wishes to thank Chairmen Zhang Xianwen and Professor Shen Xiaoyun of the Nanjing University Department of History, and Chen Guizhang and the staff of the Number Two Historical Archive for their assistance. Finally, the author also wishes to thank Professor Zhang Weijen of the Institute for History and Philology, and Professors Hsiung Ping-chen and Huang Ke-wu (Max Huang) of the Institute for Modern History, Academia Sinica, for their advice and assistance in preparing this essay.


welfare of the people, but all are stigmatized for the most reprehensible practices, such as corruption, bribery and scrambling for power."^{4}

To be certain, the proliferation of official and semi-official salaried posts at the county and sub-county levels during the Republican era contributed to this trend by greatly increasing the number of potential sites and opportunities for politically unethical behavior on the part of local leaders. Prior to 1911 Qing laws pertaining to political corruption in practice applied not much farther down the administrative hierarchy than the county magistrate; crimes committed by lower level functionaries fell outside of the jurisdiction of imperial law, and were generally handled by the magistrate himself, who was held accountable for policing his own employees. His failure to do so sometimes resulted in disciplinary action taken against him either by his own superiors or by officials in the imperial censorial system. The wrongdoings of yamen underlings, when discovered by their superiors, were generally treated as criminal matters, to be handled, if at all, as the magistrate saw fit.\(^5\) "Public crimes" (gongzui), on the other hand, in theory could only be committed by a ranked official (pinguan) who held a salaried official post, and therefore excluded the activities of sub-county level officials except in a few cases.\(^6\)

---


6. For the distinction between public crime (gong zui) and private crime (si zui) during the Qing, see Ch'u T'ung-tsu, *Local Government in China under the Ch'ing* (Cambridge: Harvard University Press, 1962), pp. 32-33; John R. Watt, *The District Magistrate in Late Imperial China* (New York: Columbia University Press, 1972), pp. 170-71. It is important to note that the legal distinction between public and private crimes involved both the intent and the nature of the crime. This distinction represents one small part of the overarching Qing legal framework which provided special dispensations to degree-holders of the scholar-gentry class. Thus, with respect to this distinction, the category of public (gong) and official (guan) are nearly one and the same, with the Qing legal code specifying punishments for only ranked officials. Thus, only district magistrates (zhixian, zhizhou), sub-magistrates (xiancheng), jail wardens (dianli), inspectors and occasionally high-ranking head clerks with considerable tenure who had been awarded the status of rank were theoretically permitted the privileges of having their wrongdoings classified as public crimes. However, in his discussion of the organic articles of punishment found in the Qing legal code, Thomas Metzger lists a few exceptions which extend the definition to include individuals with official duties, but not with ranked official status. See Thomas A. Metzger, *The Internal Organization of Ch'ing Bureaucracy: Legal, Normative and Communication Aspects* (Cambridge:
During the Republican period, the conceptual boundary between what might be considered "public" offenses, as opposed to "private" ones, shifted considerably, resulting in a potentially larger sphere of legal jurisdiction for the Nationalist state. Over the course of the Nanjing decade, the numbers of government employees who found their conduct increasingly scrutinized by state and party officials rose sharply. This numeric rise was due in part to the proliferation of county and sub-county level posts under Nationalist rule, particularly following the institution of the County Organization Law in 1928 and the reforms associated with the Rural Reconstruction movement. The further reclassification of all such officials as "public servants" (gongwuyuan) brought numerous county- and sub-county level posts under the umbrella of administrative laws and penalties set by the Internal Administration Department of the Nanjing regime.

Furthermore, this enlarged scope of jurisdiction did not confine itself merely to regulating the performance of public servants, but expanded during the early years of the Nanjing decade to include the activities of local elites who served in semi-official, and sometimes non-official, capacities as well. The introduction of several pieces of legislation in the years that followed gave the GMD state broad latitude in defining

---

Harvard University Press, 1973), pp. 357-59. Notwithstanding, I found very few cases of disciplinary action and impeachment launched against such individuals during the Yongzheng reign in the archives of the Board of Punishments at the Number One Historical Archives in Beijing. A few cases involving jail wardens were indeed available in the archive.

7. The distinction between public and private crime and the preferential dispensations for officials and degree-holders was in fact eliminated altogether when, following the June 1928 Nationalist capture of Beijing, Jiang Jieshi ordered that the Imperial Law Codification Commission (established in 1904) be reorganized into a legislative commission under the direction of Sun Fo, then president of the Legislative Yuan. John C. H. Wu, The Art of Law and Other Essays Juridical and Literary (Shanghai: Commercial Press, 1933), p. 54.

8. The traditional distinctions between guan and iii, and between wenguan (civil officials) and wuguan (military officials), which prevailed under the old imperial system became increasingly cumbersome and outdated by the 1930s, particularly with the introduction of modern police forces at the county level. On the reclassification of sub-county government personnel during the early republic, see Li Guoqi, "Difang zhengzhi zhi gaiye" [Reforms in local government], in Zhonghua minguo jianguo shi [The history of nation-building in the Republic of China], ed. Jiaoyubu zhubian, p. 835. For the conceptual and linguistic shift from wenguan to gongwuyuan, see Julia C. Strauss, Wenguan ("Lettered Official"), Gongwuyuan ("Public Servant"), and Ganbu ("Cadre"): The Politics of Labelling State Administrators in Republican China, Indiana East Asian Working Papers Series on Language and Politics in Modern China 6 (1995).
corruption and those who could be accused of associated crimes, allowing the Nationalist government to target certain groups of individuals whose goals were perceived to be at odds with the state.

This essay will explore some political implications of these shifting legal boundaries during the Nanjing decade through the manner in which political corruption was defined and punished by Nationalist officials. I will begin with a brief overview of some of the legal and institutional reforms which represented the locus of the Nationalist government’s attempts to control corruption among its state and party officials. The essay will then turn to analysis of corruption charges leveled against local officials during the Nanjing decade—and in particular to some of the terms used to describe politically unethical behavior—in an attempt to elucidate how Nationalist officials conceptualized such offenses, as well as how they understood the responsibility of the central state to local communities. Finally, I will conclude with a look at some of the special social categories created by Nationalist legislation, which became associated during the Nanjing decade with the problem of political corruption. In brief, I will argue that the administrative and institutional "state-building" reforms of the Nanjing decade greatly expanded the interface between state and society with respect to local politics in areas under GMD control, and did so in such a way that the very notion of political behavior was radically expanded and redefined to include the activities of individuals and groups which had not previously existed as such under imperial rule. The notion of corruption, which under the former regime primarily denoted the self-aggrandizing practices of certain members of the official class, was initially used by the GMD during this period to describe the activities of groups under attack during its attempt to purge (qingdang) its ranks in 1927. But over the course of the Nanjing decade it was increasingly associated with individuals and groups who were perceived by the Nationalist leadership as non-compliant with the goals of the state. Thus, whereas "corruption" had traditionally referred to a host of problems which existed primarily within the state but fed parasitically on common social resources, the term under Nationalist rule was increasingly used to denote groups and activities beyond the boundaries of state control, but which were considered deleterious to the goals of the GMD state.
Corruption and the Nationalist Government

Efforts to control and combat corruption in Republican China began as early as the third year of the republic, when the first set of regulations against official corruption was passed by presidential proclamation. According to this set of regulations, the collection of illegal bribes totaling more than five hundred yuan was punishable by death; official engrossment totaling more than a thousand yuan which did not involve transgressions of the law was punishable by life imprisonment. Siphoning off and absconding with more than five thousand yuan of public moneys was also punishable by death.9 This set of laws was revised in 1921, calling for prison sentences for government employees convicted of demanding or receiving bribes, or other usurious (buzheng liyi) behavior. Government employees convicted of illegal and corrupt practices were to receive prison terms up to life imprisonment; court officials were to face even more severe penalties, and those caught absconding with public funds in excess of five thousand yuan were to face at least life imprisonment.10

The Nationalist leadership replaced these early laws in the mid-1920s as part of the overall effort to restructure existing legal and judicial procedures. Even before the newly established Nationalist government moved its capital to Nanjing, the GMD leadership in Guangdong produced several key pieces of legislation pertaining to the discipline, control, and punishment of public servants. In January of 1925, Nationalist leaders issued an order mandating that all civil servants employed by the state take an oath prior to the onset of their period of service; those found to be in violation of the terms of the oath faced dismissal, reduction in rank, reduction in salary, or suspension from office.11 An April

---

9. The distinction between the illegal collection of bribes (wanfa zang) and an official’s collection of bribes without violations of law (buwanfa zang) is certainly a curious one which bears further investigation. Under this set of anti-corruption laws (Guanli fazang zhizui tiaoli), the death penalty was to be carried out by firing squad; life imprisonment involved banishment to Xinjiang or other border regions. See Lin Shantian, "Tebei xingfa" [Special penal laws], in Zhonghua minguoshi falu zhi (chu gao) [Legal history of the Republic of China gazette (first draft)], Guoshiguan Zhonghua minguoshi faluzhi bianzhuan weiyuanhui bian (Xindian, Taipei: Guoshiguan, 1994), p. 502.
10. Ibid., p. 502.
1928 version of this order mandated that all government employees participate in a public ceremony in which, raising their right hands and facing the national flag, they solemnly devoted themselves to their public duty, specifically denouncing "the pursuit of private gain, corrupt practices and the acceptance of bribes." According to law, civil servants could be disciplined either for violations of the civil service oath or for violations or negligence of the law.

In September of 1926, reversing the imperial tradition of providing preferential treatment for officials under the law, the Nationalist government issued yet another set of regulations mandating more severe punishments for Guomindang members who violated the civil service oath, increasing the penalty over that for non-party members by one degree. According to this piece of legislation, party members found guilty of counter-revolutionary and subversive activities, of manipulating public finances in order to profit themselves or others, or of embezzling public funds in excess of a thousand yuan were all eligible for the death penalty. In addition, party workers found guilty of disobeying party principles and violating the law were to be permanently expelled from the party. Non-party members who knew of party members who had committed crimes but failed to report them were to be turned over to the police and handled in accordance with police regulations. Party members who failed to report such crimes were to have full-scale criminal investigations launched against them, and faced punishment in accordance with the regulations of the penal code.

However, the centerpiece of the Nanjing government’s anti-corruption efforts remained the Control Yuan (Jiancha Yuan). Prior to the establishment of the Nationalist capital in Nanjing in April of 1927, the 1925 charter for the new Five-Power government contained a draft of the organizational principles of the Control Yuan. According to these

12. This version provides two separate oaths, one for civil officials (wenguan), and another for military officials (wuguan). See Guomin Zhengfu fazhihu bianzhuan, Guomin zhengfu xianxing fazui [Current government laws and regulations] (Shanghai, 1929), chpt. 3, p. 9.
13. Ibid., chpt. 3, p. 3.
preliminary drafts, the Control Yuan was charged with the duty of investigating the activities of all Nationalist government officials, and particularly the manner in which and reasons for which taxes and fees were collected. This original set of organizational laws was amended in September of 1926, broadening the range and scope the Control Yuan’s powers by granting it more leeway in the assignment of disciplinary measures, permitting Control Yuan officials to arrest public officials guilty of offenses, allowing them to file charges against officials accused by private citizens of crimes, and lastly, permitting the Yuan to pursue cases that it determined fell within its jurisdiction.\(^{15}\) Yet it was not until May of 1928, with the promulgation of laws pertaining to the impeachment of public servants, that Control Yuan officials were legally able to take up impeachment cases. Even then, because impeachment by the Control Yuan constituted only a political, and not legal, judgment with respect to the official involved, most disciplinary actions taken during the Nanjing decade involved other disciplinary bodies as well. The conduct of provincial civil servants was reviewed by provincial disciplinary commissions; high level dignitaries and members of the Control Yuan were to be disciplined by the Central Executive Committee of the GMD; political appointees, such as ministers and vice-ministers, were to be supervised by the Disciplinary Committee of the National Government.\(^{16}\) Furthermore, the Control Yuan was only permitted to pursue cases and mete out punishments defined by the Civil Servants Disciplinary Law. The possible punishments defined by this law included dishonorable discharge from office, demotion in rank, reductions in salary, suspension from duty, assignment of demerits, and issuance of reprimands. The law also maintained fairly strict limits on each category of disciplinary action, which Control Yuan officials were required to observe. For example, in the case of dishonorable discharge, Control Yuan officials could only strip an offender of the office he was convicted of abusing, not of all the public posts he might hold; an official found guilty of a crime could only be reduced by one rank; and salary reductions were limited to an amount

between one-tenth and one-third of the official’s monthly salary.¹⁷

However, most civil servants who were accused of political corruption during the Nanjing decade found their cases reviewed by the Commission of Disciplinary Action against Public Servants (Zhongyang gongwuyuan chengjie weiyuanhui), which was founded in June 1931 under the auspices of the Judicial Yuan. The Disciplinary Commission based its judgments on materials prepared by Control Yuan officials, police officials, colleagues of the official concerned, and the testimony of the accused. Because the Disciplinary Commission often considered the findings of ordinary courts against civil servants in assessing punishment, there was often a considerable time lag between the commission of a crime and disciplinary measures meted out by the Commission, which were also, of course, strictly limited by the provisions of the Civil Servants Disciplinary Law. According to the records of disciplinary action hearings located in the archive of the Control Yuan, most extant corruption cases from this period were acted upon by the Commission either between the years of 1931 and 1933, or between 1937 and 1939 (following the 1937 temporary decree which granted the Control Yuan the power of rectification, which greatly facilitated the process of disciplining civil officials).¹⁸

However, the misdeeds of these accused officials span the entire length of the Nanjing decade, with many cases taking years to be brought to justice. Furthermore, many accused officials absconded before the Disciplinary Commission took up their cases, so it is highly unlikely that many of these crimes were ever punished.

Cases of the Control Yuan

During the Qing dynasty, local magistrates were convicted of a wide range of corrupt and illegal practices, and the routine memorials of the Board of Punishments reflects a fair degree of latitude in the labeling of such crimes. Many of these verdicts were drawn directly from the categories used by the Board of Civil Office in their triennial personnel reviews. According to the "great reckoning" (daji) system, incompetent or corrupt


¹⁸. Ch’ien, Government and Politics of China, p. 273. My survey of the archives of the Control Yuan, now housed at the Number Two Historical Archive in Nanjing, indeed supported this claim.
magistrates were classified under one of eight legal categories (bafa) for which an official could be impeached. These categories included avarice (tian), cruelty (ku), nonfeasance of duty (piruan wuwei), impropriety (buyin), old age (nianlao), infirmity (youji), instability (fuzao), and incompetence (calli buji). Board of Punishment impeachment cases often employed variations or combinations of these terms to describe the crimes of magistrates under investigation, although the memorializing officials certainly did not limit themselves to these categories. Among the extant routine memorials from the Yongzheng reign, by far the most common reason cited for the impeachment of magistrates is simply arrears (kuijiong), either the failure of the magistrate in question to supply the required amount for his county’s taxes to the central government on time, or debits in the county granary.

By contrast with the relatively wide-ranging charges leveled against corrupt magistrates during the Qing, the majority of cases remaining in the archive of the Control Yuan for the Nanjing decade carry designations which appear to be more formalized. While the constitution of the Control Yuan granted this body disciplinary and impeachment jurisdiction with respect to the "behavior of (public) officials, the evaluation of tax collection [methods] and the purposes for which [such moneys] are used," the majority of officials named in these cases were simply charged with illegal acts (wanfa or weifa), delinquency (shizhi), malfeasance (dazhi), or some combination thereof. Republican law defined crimes of delinquency as those involving "acts which violate the rules and regulations governing the terms of service, or [other] improper measures," whereas

19. The following discussion is based upon an analysis of routine memorials from the Board of Punishments for the Yongzheng and early Qianlong reigns, now housed at the Number One Historical Archive in Beijing. During the Jiaqing reign, two of these eight legal categories—cruelty and avarice—were removed from the list and officials found guilty of either of these crimes were subject to immediate impeachment. Thus, from Jiaqing onward, the Board of Civil Office list was commonly known as the "six proscriptions" (liufa). See Ch’u, Local Government in China, pp. 33-35.

20. From the Yongzheng Huidian, as cited ibid., p. 34.

21. Magistrates found to be in arrears may have been guilty of embezzling the funds for their own purposes, but often were simply guilty of misappropriation of funds (nuoyong), having temporarily "borrowed" funds from the taxes collected in order to cover more immediate administrative and military expenses.

22. Qian Ruisheng, Minguo zhengzhi shi, (Shanghai: Shangwu yinshuguan, 1936), shangce, p. 223.
malfeasance was more directly associated with violations of the penal law code and deliberate misconduct in office.\textsuperscript{23} The penal code statutes pertaining to official malfeasance specify the following illegal behaviors as grounds for disciplinary action: demanding and/or receiving bribes, the abuse of one’s authority as a civil servant to arrest or detain private citizens, the use of force or threat of force in the extraction of a criminal confession, the intentional arrest and/or punishment of an innocent person for a crime they did not commit, mistreatment of prisoners, deliberately levying taxes and fines not authorized by the government or withholding collected public moneys or goods from the central government, abandonment or neglect of one’s official duties and causing calamities that result from such negligence, the obstruction of an official investigation, the disclosure of state secrets or articles or information pertaining to national defense, and the extension of one’s privileges of office to allow, aid, or abet criminal activities.\textsuperscript{24}

Obviously, malfeasance carries the implication of willful wrongdoing, as opposed to dereliction of duty or negligence (\textit{shizhi}). However, despite the rather elaborate legal provisions describing official malfeasance, in practice these terms seem to be used interchangeably in Control Yuan documents. Cases in which magistrates clearly collaborated with others in far-flung extortion schemes with the obvious intent to defraud both the public and their superiors sometimes carried the charge of dereliction of duty; in other cases, magistrates and their underlings convicted of non-pernicious procedural violations were sometimes charged with malfeasance. The matter of which term was invoked in a particular document often appears to have been a question of style, and does not necessarily reflect the substance of such charges. For example, in 1938 Li Yu, who served as magistrate of Shouchang county in Zhejiang from 1934-35, was convicted of "illegal acts and dereliction of duty" (\textit{wanfa shizhi}) for permitting relatives and friends from his home village in Hunan to collect illegal taxes from business owners and supposed partial payments on land taxes from those in Shouchang county who were unable to pay


their taxes in full. Land owners who paid a portion of their taxes to these collectors were issued "temporary" receipts from one of the magistrate’s accomplices, who absconded with the collected moneys. Magistrate Yu subsequently declared the "temporary" receipts part of a series of private transactions that were unrelated to tax collection, and therefore null and void. Although the report of the Control Yuan investigator assigned to the case strongly suggested that Magistrate Yu had pocketed nearly half of the money collected by his friends and relatives in this manner, and that he had further willfully and deliberately obstructed the investigation that followed, Yu was not charged under the statutes pertaining to malfeasance.\(^{25}\) In another case, a disgruntled citizen wrote a letter in 1937 accusing Magistrate Zhong Shijie of Zhejiang’s Fenshui County of negligence in attending to matters of civil air defense. The report of the investigating Control Yuan official found that Magistrate Zhong, unable to locate sufficient funds within the county budget to purchase the requisite technology, appointed a local blind man with the surname of Qiu to serve as the official air raid warning system for the county solely on the basis of his highly developed hearing ability. Mr. Qiu was to be supervised by one of his neighbors, an individual who had no practical experience in or knowledge of military air defense tactics, who was summarily appointed to serve as the Director of the county Air Raid Warning Office. The investigating official pointed out that no one else in the relatively desolate, remote county had any such experience either, and recommended that the charges against Magistrate Zhong be dropped. However, the prosecuting Control Yuan officials charged Zhong with malfeasance, overruling the investigative report. The Disciplinary Commission heard the case and decided to assign Magistrate Zhong two demerits for his unorthodox handling of civil air defense.\(^{26}\)

Not all cases presented to the Disciplinary Commission during the Nanjing decade charged magistrates with dereliction of duty or malfeasance. Numerous officials were charged with extortion of moneys from the public, or with avaricious or corrupt behavior (tanwu, tanlan or tanmo). These crimes generally involved the siphoning off of public

---

25. Case file 08-838, Apr. 21, 1938, Jiancha Yuan Dang’an [Control Yuan Archive] (Number Two Historical Archive, Nanjing).

funds, extortion attempts against private citizens, or the illegal sale of public or government goods.²⁷ However, the charge of corruption (tanwu) in particular seems to be associated with the general abuse of one’s office, and is not necessarily concerned with the theft or embezzlement of capital. For example, in 1935, the Hebei Leting county magistrate, Zhu Yi, was found guilty of "corruption and transgressing the law" (tanwu weifa) along with six of his subordinates. The notice of impeachment lists four violations as the reasons for his dismissal: his failure to investigate the case of Tian Junren, who was kidnapped by bandits from his home—only eight doors away from the county public security office—and held for ransom for more than two months before Magistrate Zhu instructed the chief of public security to begin an investigation into the affair; bungling the investigation of an incident in which thieves murdered a local man; mishandling a case in which a member of the local militia was accused of raping and murdering a young village girl; and allowing an innocent man to die in prison, where he was being held for a crime that he did not commit solely on the strength of a spurious accusation made by a local village chief.²⁸

In the category of nonfeasance of duty, officials were often charged with "carelessness and dereliction of duty" (shurong shizhi), or "neglecting their duties" (feishi zhiwu), or simply negligence (nizhi). However, at times the application of such charges again seems haphazard. For example, in 1938, He Xiaoyi, then magistrate of Hebei’s Yanshan county, was charged with "transgressing the law and negligence" (weifa nizhi). The investigation report reveals that in during the winter of 1935, Magistrate He colluded with the chief of the county’s public security force (gongandui duichang) to extort money from five known

---

²⁷ Accepting bribes, or extorting funds from the public is often also referred to, in the former case, as shouhui, huilu, or nahui, and, in the latter case, as lesuo. Embezzlement is most often rendered qintun. "Shaving" money from the government budget, often colloquially translated as "squeezing" public funds, is known as guagu. See, for example, the 1927 case of the unfortunate Dr. C. J. Pao, Director of the Jiangxi Bureau of Finance, who penned a letter in English to his sweetheart in which he confessed: "I made $1200 last week by squeezing from the tax Sept . . . ." The letter was confiscated by investigating provincial officials under the order of a Shanghai city court, and was promptly translated into Chinese. Dr. Pao was immediately dismissed. See case 1-103, Nationalist Central Government files (Number Two Historical Archives, Nanjing).

opium addicts residing in the county seat. The two received amounts ranging from fifty to eight hundred and thirty yuan from each of the five addicts by threatening them with immediate arrest unless the payments were made. Magistrate He went on to demand ten yuan from each of the county’s village chiefs (xiangzhang), threatening them with immediate dismissal if they did not pay. He collected between five and six hundred yuan in this manner and then proceeded to sell the office of village chief to at least four people when the previous chiefs were unwilling or unable to pay the ten yuan fee. The only suggestion of negligence in the investigate report is that the sale of offices to the four village chiefs may in fact have been a practice engaged in by the former magistrate of Yanshan county, and thus the investigator (perhaps sardonically) raised the possibility that Magistrate He may not have been aware of the illegality of his actions.29

The Role of the People

As under the Qing, corrupt Republican era magistrates guilty of more pernicious crimes were sometimes accused of having harmed the public good. During the Nanjing decade, corruption cases occasionally gave as grounds for disciplinary action the fact that the official in question had endangered the welfare of the people. Thus, in some cases, corrupt officials were charged with "transgressing the law and bringing disaster upon the people" (weifa yangmin), "dereliction of duty and harming the public" (duzhi haimin), "gouging and harassing the people" (kejuan raomin) or "corruption and tyrannizing the public" (tanwu nüemin), charges which were also not uncommon at the height of the Qing. By and large, such cases stemmed from accusations that the officials in question levied excessive or illegal taxes or fees, and then resorted to force or the threat of force in order to ensure payment. Alternatively, officials were accused of tyrannizing or "bringing injury to" the public (nüemin, or haimin) when they repeatedly mishandled criminal investigations, particularly murder cases. In a few rare cases, public servants during the Nanjing decade faced disciplinary action on the grounds that they showed "no respect for human life," or that they "treated human life as grass" (caojian renming), a phrase also often used in Qing documents to describe rapacious officials. In one 1935 case, the

Hunan Suining county magistrate, Yu Ruyu, was said to have taken one of his ward heads (quzhang), and had him repeatedly punished and rewarded according to his whims (shanzuo weifu), and not as a result of his performance as ward head. Furthermore, on one of his circuits through the county, Magistrate Yu seized a poor unfortunate named Huang Ying, a local country bumpkin (xiangyu), after his name arose in the context of a criminal investigation. Apparently in the course of the interrogation of Huang and the village blacksmith, Magistrate Yu was overcome with rage, and personally beat both men to death with his bare fists. Neither man had anything to do with the crime in question. The Disciplinary Commission moved to transfer the case of Magistrate Yu to a military tribunal for criminal prosecution.30

Charges of harming the public or tyrannizing the people were markedly different from charges involving the national interest, or cases of treachery or collaboration with enemies of the republic, a few of which were heard by the Disciplinary Commission during the Nanjing decade. For example, in 1931, Wang Zhengting, Director of the Foreign Affairs Bureau, was found guilty in three successive Disciplinary Commission hearings of "betraying the Party, negligence, humiliating the nation and forfeiting its sovereignty" (beidang nizhi sangquan ruguo); "dereliction of duty and harming the national interest" (shizhi wuguo); and "wildly betraying the country and fawning on foreign powers" (sangxin bingkuang maiguo meiwai). The exact nature of Wang's activities cannot be determined from the impeachment documents alone, but he was accused in 1931 of having seriously endangered the future of the GMD branch office established by overseas Chinese living in Malaysia, of conspiring with Japanese capitalists to create a monopoly on the sale of flour to China, and of generally hindering the progress of foreign affairs.31 Similarly, Zhang Xueliang, who served as a commanding officer for Nationalist forces along the northeastern frontier was accused in May 1932 of "dereliction of duty and forfeiting the sovereignty of the nation" (shizhi ruguo) when he abandoned his official duties and surrendered some of the territory then under his supervision.32 In cases of officials

31. Ibid., vol. 2, cases #48, #49, and #50, pp. 361-66.
accused of "betrayal of the national interest" or "collaboration with foreign powers" the
disciplinary organ was invariably the national government; public servants found guilty of
such crimes were immediately stripped of their rank and were deemed ineligible for public
service in the future, although even more severe punishments were likely to be dispensed
after the Control Yuan had closed the cases. Thus, the welfare of the public or the people
on the one hand, and the interests of the nation were, by and large, considered distinct
categories in the context of political corruption.

However, in many cases, the distinction between acts which were considered injurious
to the nation (wuguo) and those injurious to the people (haimin) was not nearly as clear.
In the period of party reorganization and internal dissension that gripped the GMD in the
months and years following the death of Sun Zhongshan, and particularly during the
Northern Expedition and party purification movement of 1927, several pieces of legislation
were passed which implicitly embraced a very different understanding of political behavior
than that upon which the imperial legal system was based. Although the National
Revolutionary Armies (NRA) that embarked upon the Northern Expedition specifically
targeted warlord forces and their collaborators, in the political turmoil of the late 1920s,
"local bullies," "evil gentry," and "counterrevolutionaries," and their collaborators all came
under attack for their role in undermining the public interest. In both central government
documents and common parlance such groups came to be associated with unethical
conduct, social crime, and particularly with political corruption. Beginning with the move
to purify the party's ranks, and continuing throughout the Nanjing decade and even into
the 1940s, such terms appeared frequently in corruption charges to describe the
collaborators, and perhaps the instigators of, deviant acts among local level officials.

The Enemies Within

Many of the early corruption cases jointly handled by the Control Yuan and the
Disciplinary Commission have their roots in the years immediately preceding the
Nationalist government's move to Nanjing. As the Northern Expedition forces swept
through the Chinese countryside in the late 1920s, county and sub-county level officials
found themselves under attack by Nationalist and Communist forces alike. Upon taking
control of the local government offices, the leaders of the NRA most often ordered the
resignation of the existing public servants of the county and an immediate transfer of funds and offices to the Political Department of the NRA, which then appointed a provisional government to oversee the establishment of new county government organizations.\textsuperscript{33} Those who were displaced generally complied with NRA commands with little resistance. In a few counties, however, local forces retaliated and attacked the newcomers, resisting the transfer of power. In other cases, divided NRA forces apparently attacked one another in bids to control new appointments within a locale.\textsuperscript{34}

Many county and sub-county officials were subsequently accused of various political crimes and wrongdoings and put on trial, either by way of a provisional local judicial system or through the established provincial courts. Those who had conspired with deposed warlords were wise to withdraw along with the warlord forces; those who did not were treated harshly by the NRA forces, and faced criminal prosecution under the newly promulgated statutes which mandated the death penalty for counterrevolutionary crimes, including that of collaboration with warlord forces.\textsuperscript{35} In early 1927, the Wuhan regime

\textsuperscript{33} Donald Jordan notes that the advance agents of the NRA and local GMD party officials collected political intelligence information which helped to decide whether to use the existing leadership or appoint new members following the NRA takeover. Donald A. Jordan, The Northern Expedition: China’s National Revolution of 1926-1928 (Honolulu: University of Hawaii Press, 1986), p. 249. In his memoirs, Ch’en Li-fu notes that Jiang Jieshi sent numerous party members out to serve in local governments, despite the fact that many of them were apparently extremely reluctant to do so. See Sidney H. Chang and Ramon H. Myers, eds., The Storm Clouds Clear over China (Stanford: Hoover Institution Press, 1994), p. 91.

\textsuperscript{34} Bradley Kent Geisert, “Power and Society: The Kuomintang and Local Elites in Kiangsu Province, China, 1924-1937” (Ph.D. diss., University of Virginia, 1979), pp. 45-47. The primary reason for tensions within the NRA was the fact that many of the ranking members of the Political Department of the NRA were Communists, while staff members and local commanders were primarily Nationalist Party members. See the memoir of Ch’en Li-fu in Chang and Myers, eds., Storm Clouds Clear, p. 62. For the regulations of the Political Departments of the NRA, see C. Martin Wilbur and Julie Lien-Ying How, eds., Documents on Communism, Nationalism and Soviet Advisors in China, 1918-1927 (New York: Columbia University Press, 1956), pp. 200-202.

\textsuperscript{35} For an example of the NRA’s harsh treatment of local officials, see Kuo Mo-juo’s published account of his participation in the Political Department of the NRA, "A Poet on the Northern Expedition," Far Eastern Quarterly, 3 (1943-44), pp. 5-36, 144-71, 237-59, and 362-80. The first of the death penalty statutes, the Regulations Concerning Counter-revolutionary Crimes [Fangeming zui tiaoli] was promulgated on March 30, 1927. It was replaced just less than a year later by the Temporary Law against Counter-Revolutionary Crimes [Zhanxing fangeming zhizuifa], which required a death sentence or life imprisonment for any activity "designed to subvert the Guomindang or Nationalist government or destroy the Three Peoples’ Principles and incite
Discerning the Public from the Private

pushed through a set of judicial reforms which called upon basic level people's courts to establish auxiliary judicial organs in order to assist in handling the burgeoning numbers of local criminal cases which surfaced in the wake of the NRA sweep. While the provisional local courts (tebie xingshi difang linshi fating) that initially handled the bulk of such complaints were abolished by the Nanjing government in January 1929, a number of these cases went untried until they were handed over to the Disciplinary Commission of the Judicial Yuan a few years later.37

Beginning with the 1927 party purge which immediately preceded the founding of the Nanjing regime, the GMD leadership called local party branches to investigate and then collectively eliminate "Communists, local bullies and evil gentry (tuhaolieshen), corrupt officials and [their] venal underlings (tanguan wuli), and [all] reactionary, opportunistic, corrupt and evil elements" from their ranks.38 On August 18, 1927, the Nationalist government, having secured Nanjing as its capital, amended the penal code by mandating the punishment of "local bullies and evil gentry" in order to "develop the spirit of Party rule and safeguard the public interest." The regulations targeting "local bullies and evil gentry" specified eleven types of behavior which were punishable under the new law: deceiving and oppressing the common people to the point of death, debilitation, disability


36. These people's "councillary" bodies and county and municipal juries were to be staffed by panels of twenty jurists, comprised of four members from each of the following local organizations: the party bureau, the peasants' association, labor union, chamber of commerce and women's bureau. See Shen, Zhongwai fanfubai shiyong quanshu, p. 302. Bradley Kent Geisert dates the establishment of the "special courts" (tiezhong xingshi fating) to a directive from the party center in August 1927 based on his reading of Shen bao (2 August 1929, p. 6 and 7 August 1927, p. 8); Bradley Kent Geisert, "From Conflict to Quiescence: The Kuomintang, Party Factionalism and Local Elites in Jiangsu, 1927-31," The China Quarterly 108 (1986), p. 684.

37. Philip A. Kuhn, "Local Self-Government under the Republic," in Conflict and Control in Late Imperial China, ed. Frederic Wakeman, Jr., and Carolyn Grant (Berkeley: University of California Press, 1975), p. 294. For an example of one such case, which was transferred from the Anhui Tongcheng County Provisional Local Court up to the provincial courts in 1929, see the case of Shi Xiangju, Secretary of the Legislative Yuan, who in 1931 was disciplined for mishandling the case of local bully and evil gentry Ye Fang. In Yu, Guomin zhengfu jianchayuan shilu, vol. 1, case #5, pp. 55-63.

or injury; using violence or intimidation against the weak or orphaned in order to force them into marriage; depriving another of personal freedom in order to confiscate his property; charging usurious interest; abetting in the unauthorized use of opium; instigating litigation by manufacturing criminal accusations in an attempt to strip another of his property; attempting to coerce government officials in their handling of criminal cases; stirring up trouble and assembling mobs for purposes detrimental to the public good or national reconstruction; fabricating evidence or allegations, or inciting hoodlums to plot against innocent citizens; excessively relying on one's influence in order to engage in the usurious purchase or sale of real estate or personal goods; and, lastly, the unauthorized occupation of public facilities, encroachment on public property or the misuse of an official title in order to collect public moneys or property in order to enrich oneself. 39

Philip Kuhn has noted that a local bully (tu hao) in Qing times was "a man of wealth, usually landed wealth, generally but not necessarily literate, but with no formal degree status, whose community power was exercised in coercive and illegal ways," the term evil gentry (lieshen), on the other hand, "was a local degree-holder who broke the law so flagrantly and consistently that he could not cover it up." By late 1920s, Kuhn notes, these terms came to be associated with certain members of the rural elite who were often involved in sub-county administration; such individuals were to be distinguished from "the more cultivated and leisured stratum of urban elite" (shengshi or shisen). In addition, whereas a local bully was more likely to be involved in outright armed political resistance and the more violent forms of criminal behavior, evil gentry tended to gravitate toward "usury, petitifogging (baosong), and engrossment of taxes (baocao or baolan)." 40 In his research on local elites in Jiangsu during this period, Bradley Kent Geisert concluded that the campaign against "local bullies and evil gentry" became a weapon in a larger intra-elite war over who was to rule the countryside in the aftermath of Jiang Jieshi's 1927 purge; thus, such terms carried a heavy political charge, and became "a bludgeon that any type of

combatant could swing."41

Other groups were also targeted for prosecution by regulations passed within the same time period. In legislation passed by the Wuhan regime in March of 1927, counterrevolutionaries faced punishments ranging from brief incarceration to life imprisonment or, in many cases, the death penalty, for "plotting to overthrow the Nationalist government or undermining the national revolution" and "conspiring to use foreign forces or cooperating with warlords" in the attempt to subvert the policies of the national revolution. A year later, the Nationalist government based in Nanjing revised those measures to define counterrevolutionaries as persons "plotting to overthrow the Guomindang and the Nationalist state or destroying the Three People's Principles and moreover inciting violence." If such crimes also involved collaboration foreign imperialists, those guilty incurred the death penalty. The revised "Provisional Articles for the Punishment of Counter-Revolutionaries" also mandated prison terms for "propagandizing ideologies not consistent with the Three People's Principles and not beneficial to the national revolution." 42 According to an October 1928 proclamation of the Nationalist government, members of the Communist Party who willingly surrendered themselves to Nationalist authorities were to receive a reduced sentence under the counter-revolutionary crimes statutes, and if they agreed to name fellow Communist Party members, they were to forego punishment altogether.43 In 1931 an additional amendment was made to the penal code calling for punishments to be leveled against those seeking to disrupt the public order, to distribute anti-government propaganda, or to incite


42. Lin, "Tebie xingfa," pp. 505-6; Guomin Zhengfu fazhihu bianzhuan, Guomin zhengfu xianxing fazui, chpt. 9, pp. 41-42. The latter contains only the draft of the regulations as issued by the Nanjing-based regime.

members of the military to violate the terms of their service, abandon their posts, or collaborate with insurgent forces.  

The ferment which resulted from the prosecution of such elements has been documented elsewhere. Needless to say, the above additions to the penal code led to a flurry of allegations and arrests, which prompted the Nationalist government to quickly follow up with a new set of laws designed to curb spurious complaints. In March of 1928 a new round of punishments were promised for those who loosely applied the terms counterrevolutionary, local bully, or evil gentry in filing criminal complaints. The new laws further warned against hasty processing of such cases and instructed public officials to evaluate such allegations carefully to ascertain that the complaints were indeed valid and not motivated by personal gain.

Yet accusations against local bullies and evil gentry in particular continued to appear throughout the remainder of the Republican period, both in state documents and in public complaints, strongly suggesting that such concepts did indeed play a key role in shaping popular notions of political behavior, and specifically political corruption, during this period. Yu Youren, the first president of the Control Yuan, indicated in his 1931 inaugural address that he regarded "local bullies and evil gentry" as one of the primary sources of political corruption among civil servants; but the eradication of the warlord forces which had previously "brought calamity down upon the nation and disasters upon the people" had in fact not brought an end to such problems. To the contrary, he noted, if the military efforts of the Nationalist troops were not followed up by political methods to "sweep out" the "filth" caused by "corrupt officials and their rapacious underlings," then all of the military sacrifices of the previous year would have been in vain.

44. See the description of the "Extraordinary Criminal Laws for the Protection of the Republic," ibid., p. 509.

45. See, for example, Alitto, "Rural Elites in Transition" and Barkan, "Patterns of Power," pp. 191-215.

46. See "Zhanxing tezhong xingshi wugao zhizui fa" [Provisional punishments for libelous accusations] in Guomin Zhengfu fazhihui bianzhuan, Guomin zhengfu xianxing fagui, chpt. 9, pp. 43-44.

The impeachment cases of the Control Yuan from this period carry numerous references to various local bullies and evil gentry who either attempted to obstruct the investigations of Control Yuan officials or who acted in concert to achieve their ends with unscrupulous public servants. In many cases, these individuals were involved in crimes ranging from simple thuggery to tax extortion schemes. For example, the supplementary investigative report contained in the 1932 case of Anhui Suxian Magistrate Chen Jiting names a group of at least six people, collectively referred to as "tulie," involved in extracting enormous sums of money in the guise of a special opium tax from poppy farmers in Su county. In October of the same year, the Gansu Ningyang county magistrate, Zhang Wenquan and two county department heads (kezhang) were found guilty of collaborating with a local evil gentry (lieshen, huaishen) in the attempt to extort money from rural taxpayers. The four went together to rural villages in the county demanding payment, beating to death two men who would not or could not hand over the requisite sum. 48 The 1936 investigation of a Sha’anxi Chenggu County magistrate revealed evidence that one of his underlings, a department head, had accepted a bribe offered by an evil gentry surnamed Wang, who raped another man’s wife and then accused an innocent man of the crime. 49

The term was also often used in corruption cases to refer to private individuals who held only semi-official posts—and therefore did not formally qualify as "public servants" and could not be punished under the Control Yuan's disciplinary regulations—but whose activities nonetheless exacted a negative toll on local government operations. As Kuhn pointed out, such individuals were often found in local self-government posts throughout the sub-county administrative system, and so had some government funds or public goods at their disposal. 50 In such cases, the boundary between straightforward criminal activity


and political corruption is less clear. For example, one Henan magistrate was disciplined in 1936 when it was discovered that he was secretly harboring evil gentry He Shichang. He, who served as the head of a village protection squad, was found by Control Yuan investigators to have been a known opium addict who had amassed a gang of thugs supposedly for his own protection, but who in fact appeared to have assisted him in "forcibly extorting money from the people, swindling them out of their property, and pursuing private ends in the name of public duty" (jiagong jisi). 51 In other cases, officials were disciplined for failing to "discern the public from the private" (gongsi bufen), either in their own affairs or in the affairs of their underlings. In one such case, Qu Shuxun, the 1936 magistrate of Suxian in Anhui, heard two separate plaints that his underlings had overcharged two residents on their land taxes and then attempted to conceal their crime by providing them with falsified receipts. Magistrate Qu decided to put the plaints together and handle them privately as one case; however, an irate local resident contacted the Control Yuan to demand an investigation of Magistrate Qu on the grounds that one of the county tax collectors, with the knowledge of the magistrate, had accepted bribes from the local evil gentry, and that Magistrate Qu had "often failed to separate the public from the private." The Disciplinary Commission decided that although the evidence was not conclusive, Magistrate Qu had indeed failed to discern the boundaries between public and private, and reduced his monthly salary by ten percent for three months. 52

Given the increased levels of social mobilization and the expansion of local level state offices during this period, it is hardly surprising that the boundaries between public and private were not always easily discerned by Nationalist officials. Cases such as the one cited above suggest that the role of magistrates in the Nationalist administrative structure was also undergoing significant changes during this time period. The development of a modern police force and creation of county Public Security Bureaus (Gongan ju) in 1928, which were originally slated to oversee fire prevention, public health and sanitation, and forestry, as well as to control criminal behavior in the counties, took over some of the traditional duties previously assigned to magistrates, as did the new county court system,

52. Case file 08-903, Dec. 8, 1936, Jiancha Yuan Dang’an.
the county GMD party bureaus, and the increasingly specialized departments of Nationalist county administration. Furthermore, there is evidence to suggest that although magistrates in the early years of the Nanjing decade were responsible for carefully screening the political activities of local elites by way of observing the laws on local bullies and evil gentry, the tables turned during the New Life movement, at least in some counties. Interestingly, in a conference held in Zhenjiang on the subject of intensifying the New Life movement in Jiangsu province, central government authorities recommended that local (that is, prefecture, county, and city) promotional associations in general maintain their independence from the yamen of the local magistrates of the regions in question. Among the many reasons given for this strategic decision was the fact that the primary duty of local magistrates was the management of day-to-day affairs of the county, and that such officials were already at that time overburdened with those responsibilities. The duties of the specialized inspection commissions associated with the provincial promotional associations, however, included the pacification of the various locales in their jurisdictions. In certain regions, this required that the specialized inspection commissions be granted equal standing with local magistrates in order to assist them in a "brotherly manner" with this important task. However, this decision granted New Life movement promotional associations the independent right to organize events and activities in the jurisdiction of the magistrate without notifying or otherwise reporting to him. This mobilization coincided in 1936, during the high tide of the movement, with the Control Yuan’s receipt of a record number of public petitions, a number nearly twice that of the previous three years, the vast majority of which were leveled against local magistrates.


Who Is to Be Master?

Beginning with the period of party reorganization and the movement to purify the party’s ranks, the Nationalist regime undertook an ambitious program of state-building, the scope and intensity of which ultimately redefined political behavior in the period of GMD rule. Corruption, which had traditionally denoted certain unethical practices engaged in by predatory officials, came increasingly to be applied to groups and individuals outside the state as well, and to any activities which were perceived to be at odds with the goals of the GMD state. This tendency reached a peak with the New Life movement, which redefined corruption largely as a social problem, the antidote to which was to be found within the unity of the party-state, but which was to be administered by the military.

The driving force behind this increasing politicalization appears to have been the Nationalist state itself. In the aftermath of Jiang’s April 1927 coup, local communities under Nationalist control found themselves under increasing levels of surveillance directed by authorities based in Nanjing. The role of local level officials in general, and that of magistrates in particular, underwent a gradual transformation in the hands of the Nationalists under Jiang’s direction, who apparently envisioned them as cogs in a heavily militarized party-state machine. In 1932 Jiang delivered an address in Hankou on the role of the magistrate in the Nationalist state in which he envisioned a far-flung cooperative web of county-level and sub-county work units (danwei)—including county governments, county public security bureaus, self-government organizations and traditional baojia units, and finally reaching down into every family household—all united with the military in the common cause of "exterminating Communist bandits" in the name of the Nationalist state.56 Similarly, Control Yuan President Yu Youren, in a 1931 speech commemorating the founding of the republic, noted that whereas that magistrates had long been called "the parent-official of the people" (qinmin zhi guan), under the new Nanjing leadership they should be known as the "the building-the-foundations-of-party-rule official" (jianzhu dangzhi zhi guan); however, by devotion to party-rule, President Yu at that time apparently meant drumming up additional support for military expeditions in rural counties.

56. Jiang Jieshi, "Xianzhang shi zhengzhide jiben liliang" [Magistrates are the fundamental political force], July 12, 1932, reprinted in Jiangzongtong yanlun bian [The collected works of President Jiang (Jieshi)], vol. 10, pp. 98-113.
facing a host of more immediate concerns of their own, including poverty, drought, and famine.\textsuperscript{57} The New Life movement took this mobilization one step farther with hopes that by revitalizing traditional Confucian virtues and disciplining the public into an observance of proper standards of behavior, the moral corruption endemic in Chinese society could be overcome with efforts toward mass militarization (\textit{junshihua}).

I have attempted briefly to outline the impact of the Nationalist state-building process on traditional notions of political corruption. Clearly, notions of politically ethical behavior are inextricably linked to conceptions of public and private, and the boundary which exists between the two. Implicit in any definition of corruption lies some notion of what constitutes the general public interest, over and against which stands the more particularistic interest of the individual.\textsuperscript{58} For example, Joseph Nye proposed that, "Corruption is behavior which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary or status gains; or violates rules against the exercise of certain types of private-regarding influence."\textsuperscript{59} It is therefore not surprising that the dramatic political changes of the Nanjing decade were reflected in political moral discourse. The shifting needs of the GMD state, from the period of party purification to the all-out mobilization for war, seem to have driven the changing legal and judicial uses of the terminology associated with bureaucratic malfeasance; and, rather than relying upon it as a tool to remake itself, the Nationalist Party used it as a means to master Chinese society, to attempt to build a perfectly militarized party-state.

\textsuperscript{57} In the only example cited by President Yu, a particular Sha'anxi Shen county magistrate had always been described by the local residents as an ideal county official, "diligent, always working in the common interest, and close to the people." When pressed by his superiors in the provincial capital to raise more moneys for military expeditions, he solicited the contributions although the people in his county faced a severe drought and famine. See Yu Youren, Xianchang yu zhuyi' [Magistrates and doctrine], in Yu, ed., \textit{Guomin zhengfu jianchayuan shilu}, vol. 1, pp. 71-72.


Information for Ordering

Papers may be ordered from: East Asian Studies Center, Working Papers Series, Memorial W207, Indiana University, Bloomington, IN 47405; phone: 812/855-3765; fax: 812/855-7762. Please send a letter with your name, address, phone number, and the title(s) of the paper(s) you wish to receive.

Checks should be made payable to INDIANA UNIVERSITY—EASC WORKING PAPERS. The price for each paper is $2.50 ($3.50 for overseas).

Indiana East Asian Working Papers Series on Language and Politics in Modern China

Titles available as of Spring 1996


2. Elizabeth J. Perry and Li Xun, "Revolutionary Rudeness: Notes on Red Guard and Rebel Worker Language in China's Cultural Revolution" and Joshua L. Fogel, "Recent Translation Theory and Linguistic Borrowing in the Modern Sino-Chinese Cultural Context" (Summer 1993)


5. Joan Judge, "Key Words in the Late Qing Reform Discourse: Classical and Contemporary Sources of Authority" and Christopher P. Atwood, "National Questions and National Answers in the Chinese Revolution; Or, How Do You Say Minzu in Mongolian?" (Winter 1994)


