Reexamine the traditional approaches of Chinese public policy participation
--from the aspect of cyber democracy

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Abstract: While network and other emerging media become increasingly contributing to the fourth wave of democratization, it's necessary for us to reexamine the traditional approaches of Chinese public policy participation from a cyber-democracy perspective. Based on the dissection of the traditional approaches, this paper argues that they are facing the dilemmas of ineffectiveness because of the overloaded realistic participation demand aroused by the economic development and the emergence of new media, and as a spillway and regulator valve network policy participation is able to make up for the deficiency in traditional one, less than perfect but effective especially in contemporary China.

Keywords: cyber democracy; policy participation; approaches; reexamine

1. Introduction

Government highlights its governing concepts and exercises its functions through public policy formulation and implementation. People as masters are the essential source of legitimacy and also the most important concept of governance for Chinese government. At the beginning of liberation, the Chinese government can highly represent its people to express their interests due to a strong sense of identity in recovery and development of national economy. Public policy accurately reflects the aspirations of Chinese people and therefore almost gets the unanimous recognition of the whole country, which mobilizes the unprecedented enthusiasm in social construction and also further consolidates the political legitimacy of the regime at the same time. However identical interests between the state and civil are the precondition for that. The spring breeze of reform and opening up leads to the sharp differentiation pattern of social interests and the top-down policy process is increasingly showing hysteretic nature and one-sidedness in the integration of interests. The extent and degree of interests which public policy reflects are important indicators to measure the legitimacy related to the stability of the political situation.

The rule makers undoubtedly are the biggest beneficiary of the rule. Public policy is the principled guide to action taken by government and its essence is the authoritative distribution of social interests. Doubtlessly, the direct participation of public policy process is the best way to ensure that policies can fit the public interests. Thus the depth and breadth of public participation are supposed to be the most effective scale for evaluating the participation approaches good or bad. Based on the background of the current cyber democracy surging, the

purpose of this article is to reexamine the traditional approaches of Chinese public policy participation and then propose a participation approach through Internet which is less perfect but effective.

2. Dilemmas of traditional approaches

Traditional policy theory holds that the policy subject is monopolistic which only includes government and its officials, and yet the public are excluded. The modern policy theory recognizes the important role of public participation in the policy process, and the Chinese government gradually sets up numerous policy participation approaches comprised of Political Consultative Conference, People's Congress, forum, public hearing, Letters and Visits, leadership reception day, public notification and many other participation approaches. But for various reasons, the separation of policy-making and public opinions has not been fundamentally curbed. The policy represents the wishes of government agencies, experts, scholars and even officials excepting the public. Effective public participation should have considerable breadth, depth and validity. The traditional approaches of public participation is clearly difficult to achieve this requirement, and the emergence of network makes the defects involved in the traditional approaches more prominent.

2.1 Indirect participation

People's Congress system is essentially also a kind of representative democracy. According to the Electoral Law of the People's Republic of China for the National People's Congress and Local People's Congress, people's representatives are elected from below. So it's impossible for voters in all levels of the election know the exact details about every candidate. And it's also debatable whether the National People's Congress Deputies can represent the original public opinion. To say the least, even if the deputies are almost able to fully express the aspirations of the broad masses, it's probably more symbolic than practical for the huge country of 1.3 billion people and 9.6 million land area because the session is short to only half a month. Furthermore, the non-professional character of the deputies will result in slipshod participation and information distortion when the

deputies are occupied. "Shake hands when visiting voters, clap hands when listening to the report, raise hands when voting and wave hands when closing conference" is widely circulating in society which also reflects the helplessness of the public about the above issues in some level. Although the members of Chinese People's Political Consultative Conference are from all walks of life, they are mainly concentrated on the group of social elite with a high reputation instead of the underlying ordinary people. The deviation of interest expression caused by indirect participation may be one of the most serious defects of representative democracy, and imperfect system design and the dissimilation during system operation will further increase the deviation of the principal-agent model.

2.2 Occasional participation

Forum, leadership reception day partly avoid the public opinion distortion and expression lag involved in indirect participation, but the existence of these approaches largely depends on the leaders' governance concept. Their provisions has not yet formed a rigid and mature system, that is why to some extent these kinds of participation are considered to be a gift for some districts initiated by the local leaders. The causes include 3 aspects. Firstly, the leadership position and assignment locations are shifting. Secondly, the idea of the "official position" in the traditional Chinese culture has not yet been completely eradicated, and leaders always do not pay enough attention to the public opinion because the one-man situation is vigorously pursued. Hence the leaders who take full advantage of these two approaches is also very rare. Besides, the public who can be chosen as a representative or directly participate in the process depends largely on the probability.

2.3 Unequal participation

Since the establishment of PRC, the inquiry system has been one of the most important ways of administrative remedies. The Regulations of Trust Appeal enacted in January 2005 by the State Council explicitly stipulates that "The people's governments at all levels should smooth the letters and visits channels, provide convenient conditions for the petitioner and any organization or individual must not conduct reprisals", but the reality is quite the reverse.

Why almost all of the petitioners know that the road is so difficult, but they cannot help taking this action? Firstly, in order to ensure the governmental even the officials' interests, the public rights are infringed and the public cannot get a satisfactory answer from the local government, or even no reply. Secondly, the public resort to judicial means, but it is difficult to get a fair deal. Government departments hold the banner of "stability maintenance" and affect the impartial judgment of the judicial or simply instigate the court not to accept these kinds of cases. Justice as a function of the last barrier to protect the legitimate rights and interests of citizens are severely weakened or even completely lost. Finally, public still have considerable promise of high-level government which is called "differential mode of trust in government".

Administrative power, judicial injustice and differential mode of trust make petition to become the last straw for the public. And because of the obstruction placed by the local government the petition road is particularly bumpy. No doubt in the face of strong public power, the public is always in a vulnerable position. Moreover, even within the public, because of the differences in personal occupation and income the personal influence on the policy process is different.

2.4 Formalistic participation

The hearing is initially only as a judicial trial activity in order to ensure the fairness of the trial, and then it gradually develops into the decision-making hearing system. Its main purpose is to make the decision-making more scientific and democratic. But in reality the implementation of the hearing system is changing into an effective form due to a lack of stakeholders.

Price hearing is mushrooming in recent years. From the view of the composition of the participants including consumers, operators, stakeholders, experts and academics in related fields, the representatives covers a wide range. While the hearing process is likely to be completely controlled by the government, and it usually reduces to the government's image as a well-organized show. Thus, the hearing will inevitably degenerate into a form which enhances the legitimacy of government policy and shapes the glorious image for government. Hence "Every hearing will result in an increase of price "must be reasonable.

Policy publicity is envisaged through a certain way or media to the make a public announcement and notification of the draft policy before formally promulgated, which is aimed at obtaining feedback from stakeholders and improving policies. But in fact, in some places government just posted a bulletin in a corner of the government hall, the publicity information is extremely limited. In addition, some information is too professional and lacks explanation, so it's difficult to understand for the general public.

2.5 Asymmetry of participation information

The main channel to get the policy information is nothing more than television, radio, newspapers, and magazines. After the reform and opening up government gradually relaxs its control of the mass media, but in view of the special national conditions of China, the purpose of the media is to occupy the public opinion height. Perhaps this is a true portrayal of the current living conditions of the Chinese media. Thus reports on a matter of national and local security and stability are basically unanimous. On the one hand the public could not obtain sufficient policy information through the traditional media, on the other hand the public pay much more attention to the national politics, which make the traditional information channel increasingly difficult to meet the public requirements such as timely and accurate information acquisition.

3. Conclusion

Public participation in the policy process is a manifestation of democratic politics, and it's also an irreversible trend of this era. After the acquiring the brilliant economic achievements, China urgently needs to widen the channels of interest expression which are regarded as decompression valves for the society. The advent of the Internet finds a new breakthrough to expand the traditional participation channels, so we have seen the hope for one kind of more extensive, in-depth and effective democratic approach. Compared with the traditional path inheriting a heavy historical burden and struggling in the self-improvement of the system, the emerging approach may be able to get rid of the haze of

history. Faced with this still evolving approach, we should also recognize that although traditional approaches and the emerging approach face their own specific difficulties, the root which causes difficulties has certain homogeneity, namely loopholes in the system, the official standard and the strengthening of public awareness of rights and responsibilities. Thus it can be said, exploring the treatment for the defects encountered by network policy participation also means clearing away obstacles for traditional approaches.

Network platform provides golden opportunities for each individual to become a proponent, policy-maker and watchdog during the policy process, which is like a sword of Damocles hanging over the top of strong executive powers warning and spurring the government. The network policy participation may be a wonderful dream for those who have higher expectations for the participation of the current policy. Its realization is definitely not by someone's appeal but experiencing many difficulties and frustrations. China's reform shows a gradualist paradigm in the mass which makes the social transformation and development can be controlled by the Chinese government and CCP. A stable political environment offers China 30 years of valuable period for development, and also let China know the importance of stability and cherish it even more. Any given stability depends on the relationship between the degree of political participation and political institutionalization. The gap between increasingly high participation demands and the low level of political institutionalization is likely to result in social upheaval, making 30 years of cumulative results destroyed. Therefore, the network policy participation needs government regulation, and problem solving should also follow the progressive ideas. This may be a quite painful, endless and insufferable course for which we are likely to lose hope. As a result, the government ought to undertake more responsibility as service provider, be prepared for danger in times of safety and seize the opportunity to promote public participation; the public should give the government more time, confidence and tolerance.

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