
LEADERSHIP OUTLOOK – CHINA’S NEW PARAMOUNT LEADER XI JINPING

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The manuscript seeks to examine the nature of Xi Jinping’s political ascendancy following the passage of amendments at the 13th National People’s Congress, removing term limits for the position of President of the People’s Republic of China and opening the opportunity for Xi to rule over China for decades to come. The manuscript considers China’s Constitutional Law background, examines the composition of the 13th National People’s Congress, contextualizes the Chinese Communist Party’s grip on the legislative body, interprets the underlying rationale behind the amendments, and advances the implications of the amendments on China’s policies. The removal of Presidential term limits has solidified Xi’s position within the Party as China’s new paramount leader - following Deng Xiaoping and Mao Zedong - and upturned the political order imposed by Deng over the past several decades. This paper is valuable to Chinese political commentators and students of Chinese Constitutional Law -by presenting an overview of the composition of the 13th National People’s Congress and a foundational understanding of China’s grand strategy under Xi Jinping, as attributed to domestic legislative developments. It also presents an extensive analysis of the composition of the National 13th People’s Congress and the scope of the Chinese Communist Party’s domination over the Chinese government.

Keywords: Xi Jinping, CCP, National People’s Congress, Mao Zedong, Term Limit, Constitution

Introduction

Xi Jinping’s consolidation of political power within China, culminating with the removal of presidential term limits from the Chinese Constitution, heralds his ascendancy as China’s third paramount leader, with profound implications for China and the Indo-Pacific region over the following decades.

On March 5, 2018,¹ the national legislative body of China, known as the National People's Congress (NPC), convened their annual session - an event attended by 2,980 deputies and representatives² from across China.³ The annual session is typically held in March and provides an opportunity for policy review, the passage of new bills, budgetary approval, and the endorsement of personnel nominations by the Chinese government. Despite its significance, the event is commonly interpreted as a "rubber stamp" for the ruling Chinese Communist Party (CCP) to reinforce its authority.⁴

During this session of the 13th NPC, the CCP adopted an amendment to the Constitution of the People's Republic of China (the Constitution), which removed the longstanding two-term limit for the President and Vice-President per Article 79⁵ - which has been in existence since the 1982 Constitution.⁶ On March 11, 2018, this amendment (entitled "Constitutional Amendment")⁷ was passed in collection with several other amendments within the NPC with an overwhelming majority, marking a watershed moment in modern Chinese political history.

Over the past several decades, the CCP has adhered to the leadership succession framework established by Deng Xiaoping, which aimed to prevent the revival of Maoism and one-man dictatorships through a "collective leadership" system centered on consensus building, power sharing, and an orderly leadership transfer mechanism.⁸ Consequently, the events of the 13th NPC reveal that China has moved beyond the power succession framework established under Deng and now risks repeating the leadership mistakes of the Mao Zedong era.⁹

1 Nathan King, "The Heat: China's Two Sessions Preview," *CGTN*, March 2, 2018, <https://america.cgtn.com/2018/03/02/the-heat-chinas-two-sessions-preview>.

2 Xinhuanet "中华人民共和国第十三届全国人民代表大会代表名单 (2980名)" *Weixin*, February 2, 2018.

3 Josh Horowitz, "China's Annual Communist Party Shindig Is Welcoming of new Tech Tycoons," *Quartz*, March 5, 2018, <https://qz.com/1221265/chinas-annual-communist-party-gathering-welcomes-a-handful-of-new-tech-tycoons/>

4 Reuters, "Factbox: China's National People's Congress Explained," *Reuters*, March 1, 2007. <https://www.reuters.com/article/us-china-parliament-facts/factbox-chinas-national-peoples-congress-explained-idUSSP1553120070228>.

5 Christopher Bodeen, "Xi term-limits controversy looms at China political meeting," *The Washington Post*, March 4, 2018, https://www.washingtonpost.com/politics/congress/xi-term-limits-controversy-looms-at-china-political-meeting/2018/03/04/85d71360-200c-11e8-946c-9420060cb7bd_story.html?utm_term=.2ef76491b456.

6 USC US-China Institute, "Constitution of The People's Republic of China, 1982," *USC US-China Institute*, March 22, 2004, <https://china.usc.edu/constitution-peoples-republic-china-1982>.

7 Xinhua, "(两会受权发布) 中华人民共和国宪法修正案," *Xinhua*, March 11, 2018, http://www.xinhuanet.com/politics/2018lh/2018-03/11/c_1122521235.htm.

8 Cary Huang, "'President For Life' Xi Risks Repeat of China's Mao-Era Mistakes," *South China Morning Post*, March 11, 2018, <https://www.scmp.com/week-asia/opinion/article/2136255/president-life-xi-risks-repeat-chinas-mao-era-mistakes>.

9 Tom Phillips, "This could destroy China': parliament sets Xi Jinping up to rule for life," *The Guardian*, March 11, 2018, <https://www.theguardian.com/world/2018/mar/11/this-could-destroy-china-parliament-sets-xi-jinping-up-to-rule-for-life>.

Western commentary has criticized the leadership amendment to the Constitution,¹⁰ assuming that Xi will extend his term indefinitely¹¹ and warning of Xi's transformation into a draconian dictator reminiscent of Mao Zedong.¹² Conversely, academics and Chinese media have sought to counter such assertions. Professor Tom Plate highlights the prevalence of authoritarian governance models in Asia, and advances how Singapore and Malaysia demonstrate that strong-armed leaders provide a contemporary gold standard for governance.¹³ Professor Dennis V. Hickey further advanced that many other democracies around the world do not possess set term limits on their leaders (i.e. the UK, Japan, Australia)¹⁴ and that the criticisms being leveled against Xi demonstrate a modicum of hypocrisy and ignorance of the Chinese political system.¹⁵ Herein, the existence of term limits on bureaucratic positions has been interpreted as enabling corruption within the government.

Despite international criticisms, examining these developments from both a legal and Chinese perspective reveals the broader rationale underlying the actions of Xi and the CCP and provides an insight into how China's grand strategy will unfold over the following decades. Understanding the implications of the 13th NPC's amendments to the Constitution requires an overview of China's Constitutional history and process, an interpretation of the underlying factors supporting the amendments, and an analysis of how this event will shape China's development for years to come.

Context

While the seat of power in China rests within the CCP, the changes instituted by the CCP over the past 12-month period must be carefully considered. At the 19th National Congress of the Communist Party of China (CCP Congress) on

10 Gwynn Guilford, "Xi Jinping's latest power grab is bad news for China's economy," *Quartz*, March 1, 2018, <https://qz.com/1217559/xi-jinpings-increasingly-limitless-power-is-bad-news-for-the-chinese-economy/>.

11 Gordon Watts, "Xi Jinping could end up being President for life in China," *Asia Times*, February 25, 2018, <http://www.atimes.com/article/xi-jinping-end-chinas-president-life/>.

12 Matthew Carney, "China's National People's Congress Will Open the Way To A Dictatorship for President Xi Jinping," *ABC News*, March 5, 2018, <http://www.abc.net.au/news/2018-03-05/china-npc-moves-xi-jinping-towards-dictatorship/9504680>.

13 Tom Plate, "Xi Jinping As President Beyond 2023 May Be Good for China – though the West won't believe it," *South China Morning Post*, February 26, 2018, <https://www.scmp.com/comment/insight-opinion/article/2134754/xi-jinping-president-beyond-2023-may-be-good-china-though>.

14 Mike Steketee - "Four Year Terms Could Be The Key to Political Stability," *ABC News*, October 9, 2015, <http://www.abc.net.au/news/2015-10-09/steketee-four-year-terms-could-be-key-to-political-stability/6839864>.

15 Dennis V. Hickey, "PacNet #29 - Xi Jinping and the Removal of Presidential Term Limits in China," *CS/S* April 20, 2018, <https://www.csis.org/analysis/pacnet-29-xi-jinping-and-removal-presidential-term-limits-china>.

October 18 to 24, around 2,300 delegates of the CCP convened at its pentennial meeting to outline the future of the party.¹⁶ CCP members under Xi's leadership voted unanimously to amend the CCP Constitution,¹⁷ a document separate and distinct from the national Constitution, to include Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era (Xi Jinping Thought) as a central component of the CCPs guide for action.¹⁸ This act marks the third such instance of a Chinese leader being incorporated into the operative clauses of the CCP Constitution, equating Xi Jinping Thought on the same standard as Mao Zedong Thought and Deng Xiaoping Theory.¹⁹ This vote and its results enabled Xi to challenge and distinguish himself from past CCP leaders Jiang Zemin and Hu Jintao,²⁰ to quell internal party disputes, enforce group-think, and fortify his dominance through direct reference to the CCP Constitution.²¹ The effects of this are illustrated through the dogmatic reference by senior government officials to Xi Jinping Thought within matters of development,²² administrative reform,²³ and foreign policy.²⁴

Following the introduction of the revised seven-member CCP 19th Politburo Standing Committee, a potential successor was not presented, as deduced from the appointment of older leaders in their 60s to the Standing Committee.²⁵ The 10-year leadership transition cycle instituted successfully across 1992, 2002, and 2012 is governed by the 68-year old age limit for members of the Politburo Standing Committee and involves planting a new younger leader in

16 Goh Sui Noi, "19th Party Congress: Xi Jinping's name written into Chinese Communist Party charter," *The Straits Times*, October 24, 2017, www.straitstimes.com/asia/east-asia/19th-party-congress-xi-jinpings-name-written-into-chinese-communist-party-charter.

17 China.org.cn, "Constitution of the Communist Party of China," *China.org.cn*, October 24, 2017, <http://www.china.org.cn/20171105-001.pdf>.

18 Ying, "Backgrounder: Major Previous Revisions to CPC Constitution," *Xinhuanet*, October 24, 2017, www.xinhuanet.com/english/2017-10/24/c_136702366.htm.

19 USC US-China Institute, "Constitution Of The Communist Party Of China," *USC US-China Institute*, November 14, 2012, <https://china.usc.edu/constitution-communist-party-china>.

20 Salvatore Babones, "What 'Xi Jinping Thought' Stands For," *Forbes*, October 22, 2017, <https://www.forbes.com/sites/salvatorebabones/2017/10/22/what-does-xi-jinping-thought-mean-and-how-does-it-compare-to-america-first/#2ab818e63262>.

21 AFP, "Explainer: What is 'Xi Jinping Thought'? China's Leader Makes the Constitution," *Hong Kong Free Press*, October 25, 2017, <https://www.hongkongfp.com/2017/10/25/explainer-xi-jinping-thought-chinas-leader-makes-constitution/>.

22 Xinhua, "Senior Legislators Hold Study Session on Reform, Opening Up," *Xinhua*, October 9, 2018, http://www.xinhuanet.com/english/2018-10/09/c_137521557.htm.

23 Xinhua, "Top Legislator Stresses Xi's Thought in Advancing People's Congresses System," *China Daily*, September 28, 2018, <http://www.chinadaily.com.cn/a/201809/28/WS5bad941fa310eff30327ffc9htm>

24 Xinhua, "Senior Chinese official stresses Xi thought on Taiwan affairs," *China Daily*, February 3, 2018, <http://www.chinadaily.com.cn/a/201802/03/WS5a74f712a3106e7dcc13a85e.html>

25 BBC News, "China congress: No heir apparent as Xi reveals top leadership," *BBC News*, October 25, 2017, <http://www.bbc.com/news/world-asia-china-41743804>

his 50s to the Politburo during the mid-point of the current leader's reign.²⁶ However, none of the new appointees were considered young enough to be a realistic candidate for President and Secretary General by the next CCP Congress, and these leaders are expected to retire at the end of this five-year term.²⁷

These developments represent the cumulative consolidation of Xi's dominance within the CCP since 2012 and illustrates his accumulation of political power to heights unseen since the last Paramount Leader Deng Xiaoping. Xi's decision to enshrine his name in the Chinese Constitution and avoid selecting a successor indicates his desire to foster a cult of personality, to elevate his status as a core CCP leader equal to Mao,²⁸ and to serve beyond the 10-year term limit as President.²⁹ With his authority being recognized throughout the party through amendments to the CCP Constitution, the next logical step was consolidating national recognition through direct amendments to the 1982 Constitution. Subsequently, on February 25, 2018, the 205-member CCP Central Committee introduced the proposal to amend Article 79 of the Constitution – eliminating the wording where the President and Vice-President of China “shall serve no more than two consecutive terms”³⁰ - which would then be presented at the upcoming 13th NPC. While this move was unsurprising given the cementing of Xi Jinping Thought into the CCP Constitution during the 19th CCP Congress, its timing was interpreted as early and overly aggressive – a move which reinforced predictions that Xi and the CCP will continue to dominate the Chinese government for decades to come.³¹

Background of the Chinese Constitution

History of Amendments

26 Zhengxu Wang and Anastas Vangeli, “The Rules and Norms of Leadership Succession in China: From Deng Xiaoping to Xi Jinping and Beyond,” *The China Journal*, no.76 (May, 2016): 31.

27 Ting Shi and Keith Zhai, “China's Xi Promotes No Clear Heir, Opening Door to Stay in Power For Decades,” *Bloomberg*, October 25, 2017, <https://www.bloomberg.com/news/articles/2017-10-25/xi-promotes-no-clear-china-heirs-opening-door-to-stay-in-power>

28 CCTV News, “央视快评：人民领袖人民爱,” *Weixin*, February 25, 2018.

29 Alan Feischmann, “Xi on the Rise: Outcomes From The 19th Chinese Communist Party Congress,” *Forbes*, November 9, 2017, <https://www.forbes.com/sites/alanfeischmann/2017/11/09/xi-on-the-rise-outcomes-from-the-19th-chinese-communist-party-congress/#29f82e41573c>.

30 Liangyu, “CPC proposes change on Chinese president's term in Constitution,” *Xinhua*, February 25, 2018, http://www.xinhuanet.com/english/2018-02/25/c_136998770.htm.

31 Jeremy Goldkron, “China's Xi Jinping set to abolish term limits, rule indefinitely,” *SupChina*, February 26, 2018, <https://supchina.com/2018/02/26/chinas-xi-jinping-set-abolish-term-limits-rule-indefinitely/>.

The two-term limit on the President and Vice-President of China is stated in Article 79 of the 1982 National Constitution,³² which exists as the country's fifth and most recent constitution since its foundation in 1949.³³ The history of Article 79 and its associated term limits on the leadership positions can be traced back to 1980 when Yan Jiaqi, then-political adviser to Premier Zhao Ziyang, published his article Lifelong Tenure is an Ancient Form of System within the People's Daily. Yan encapsulated the sentiment in China at the time by criticizing the concept of lifelong tenure as a regression in political development, one which presages the restoration of a monarchy.³⁴ The concept of "term limits" under Article 79 was influenced by the hardships and calamities wrought upon China under Mao Zedong's lifelong premiership. The creation of China's fourth Constitution under Deng Xiaoping in 1982 saw the concept of term-limits adopted under Article 79.³⁵ This Article was perceived as an affirmation of the theory of building socialism with Chinese characteristics by providing a stable environment for the concentration of State efforts toward socialist modernization.³⁶ At the same time, it also sought to prevent the re-emergence of a destructive cult of personality and one-man-rule by ensuring that leaders would relinquish power when their term lapsed or when they reach the specified age limit.

The inclusion and observance of Article 79 has since been interpreted by academics as an indication of the CCPs dedication to the 1982 National Constitution as the law of the land—one which has been uniformly enforced by the CCP since its adoption 36 years ago across three separate leadership transitions.³⁷ The constraints set forth by the 1982 Dengist Constitution were held as essential in the modernization of China through its enforcement of social stability, economic development, and open-door policy.³⁸ Accordingly, Xi's immediate predecessors - Jiang Zemin and Hu Jintao - both served two

32 Joyce Huang, "China to Discuss Constitutional Amendments, But How Far Will Xi Jinping Go?," *Voice of America*, January 18, 2018, <https://www.voanews.com/a/china-to-discuss-constitutional-amendments/4213388.html>.

33 China.org.cn, "Political System & State Structure – Constitution," *China.org.cn*, July 13, 2000, <http://www.china.org.cn/e-china/politicalsystem/constitution.htm>.

34 David Bandurski, "'New era': How China Hailed the Abolition of 'Lifelong Tenure' for Leaders... in 1980," *Hong Kong Free Press*, February 27, 2018, <https://www.hongkongfp.com/2018/02/27/new-era-china-hailed-abolition-lifelong-tenure-leaders-1980/>.

35 Shanghaiist.com, "White House Says Scrapping Term Limits for Xi Jinping is China's Business, Not Theirs," *Medium*, February 27, 2018, <https://medium.com/shanghaiist/white-house-says-scrapping-term-limits-for-xi-jinping-is-chinas-business-not-theirs-f7d52fa0de57>.

36 National People's Congress, "Amendment to the Constitution of the People's Republic of China," *The National People's Congress of the Republic of China*, March 29, 1993, http://www.npc.gov.cn/englishnpc/Constitution/node_2828.htm.

37 Thomas Kellogg, "Xi Jinping Is About to Face a Constitutional Crisis," *Foreign Policy*, September 7, 2017, <http://foreignpolicy.com/2017/09/07/xi-jinping-is-about-to-face-a-constitutional-crisis/>.

38 Chen Jianfu, "The Revision of the Constitution in the PRC – A great leap forward or a symbolic gesture?," *China Perspectives*, May, 2004, <https://journals.openedition.org/chinaperspectives/2922>.

five-year terms, providing for a stable succession process conducive to stable economic development and predictability in government policy while also preserving unity and stability in the CCP.³⁹

Prior to the 13th NPC, the Constitution has undergone four previous amendments in 1988, 1993, 1999 and 2004. The last amendment in 2004 was approved by the 10th NPC at its 2nd Session⁴⁰ and included provisions which ensured that the government would protect private property and respect human rights.⁴¹ Amendments to the Constitution to incorporate the ideologies of Chinese leaders have only been enacted posthumously for past leaders Mao Zedong and Deng Xiaoping — two Core Leaders (Lǐngdǎo héxīn) whose legacies were founded upon their immeasurable contributions to the founding and development of modern China and who are still widely respected among members of the CCP.⁴² Mao's legacy was enshrined by inclusion of "Marxism-Leninism-Mao Zedong Thought" as the guiding principle of the People's Republic of China (PRC) within the 1978 Constitution and within each subsequent National Constitution.⁴³ Deng's legacy was enshrined through the 1999 amendments to the Constitution, declaring Deng Xiaoping Theory as a guiding principle of the country.⁴⁴

On March 11, 2018, the 13th NPC considered and adopted the following series of amendments advanced by the CPC into the Constitution.⁴⁵ The amendments ultimately adopted were near identical in substance to the proposals submitted by the CCP, and can be summarized into the following eleven points:⁴⁶ first, a provision advocating for the inclusion of Xi Jinping Thought into the Constitution; second, the inclusion of a united front — one which encompasses democratic parties and people's organizations under

39 Laurent Thomet, "Emperor Xi Jinping? – China Gambles On Return to Lifetime Rule," *Hong Kong Free Press*, February 26, 2018, <https://www.hongkongfp.com/2018/02/26/emperor-xi-jinping-china-gambles-return-lifetime-rule/>.

40 National People's Congress, "Constitution Of The People's Republic Of China, 1982," *University of Southern California*, 2018, <http://china.usc.edu/constitution-peoples-republic-china-1982>.

41 Chen Jianfu, "The Revision of the Constitution in the PRC - A Great Leap Forward or a Symbolic Gesture?" *Open Edition*, May, 2004, <http://journals.openedition.org/chinaperspectives/2922>.

42 Kirsty Needham, "Xi Jinping Joins Mao in China's History Books," *The Sydney Morning Herald*, October 24, 2017, <https://www.smh.com.au/world/xi-jinping-joins-mao-in-chinas-history-books-20171024-gz77vt.html>; Tom Mitchell, "China to Look at Changing its Constitution," *Financial Times*, December 27, 2017, <https://www.ft.com/content/647c0610-eadf-11e7-bd17-521324c81e23>.

43 USC US-China Institute, "1978 Constitution Of The People's Republic Of China," USC US-China Institute, March 5, 1978, <https://china.usc.edu/1978-constitution-peoples-republic-china>.

44 CGTN, "History of Amendments to China's Constitution," CGTN, January 18, 2018, https://news.cgtn.com/news/784d6a4d79677a6333566d54/share_p.html.

45 China Daily, "Communist Party of China Central Committee Offers Several Changes," *China Daily*, February 25, 2018, <http://www.chinadaily.com.cn/a/201802/25/WS5a927386a3106e7dcc13dece.html>; Pengying, "China Focus: Proposed constitutional amendment package unveiled," *Xinhua*, February 25, 2018, http://www.xinhuanet.com/english/2018-02/25/c_136999410.htm.

46 Changhao Wei, "Translation: 2018 Amendment to the P.R.C. Constitution," *NPC Observer*, March 11, 2018, <https://npcobserver.com/2018/03/11translation-2018-amendment-to-the-p-r-c-constitution/#more-9075>.

the leadership of the CCP; third, a provision promoting harmonious socialist relations among ethnic groups, where the State protects the lawful rights and interests of ethnic minorities; fourth, the inclusion of the phrase “a community with a shared future for humanity,”⁴⁷ linking China’s aims with the people of the world; fifth, a provision stressing the CCPs leadership as the defining feature of Chinese socialism; sixth, the addition of core socialist values into an existing clause.; seventh, a requirement that all state functionaries take a public oath of allegiance to the Constitution when assuming office; eighth, the amendment of the term limits of the President and Vice-President to be the same as that of the NPC;⁴⁸ ninth, a listing of ecological advancement as a new function and power of the State Council or Cabinet, tenth, the granting of Chinese cities with the power to make local laws and regulations, provided they do not contradict superior legislation; and, eleventh, the listing of supervisory commissions as a new type of state organ.

Where the prior 2004 Constitutional amendments were tailored to suit the ideological agenda of the Chinese leadership, the present amendments should be interpreted as the ideological agenda of both Xi and the CCP as well as a necessary process in ensuring that the constitution is well adapted to the changing times.⁴⁹ There appears to be broad support from NPC deputies consisting of lawmakers, political advisors, and the public in amending the Chinese constitution in this way. It is thus conceivable that the adoption of amendments to remove Presidential term limits accord with present circumstance, the needs of China’s development, and the aspirations of the CCP and Chinese people.⁵⁰

Constitutional Amendment Process

The formal legal procedures to be followed in amending the Constitution are provided by Article 62 of the constitution, which grants the power to amend the constitution to the NPC –the national legislature which includes various parties including the CCP. Article 64 provides the power to propose constitutional amendments to the NPC Standing Committee or by more than one-fifth of the deputies to the NPC. The amendment is then adopted following approval by a

47 Xinhua, “Xi Jinping Thought Proposed To Be Included In Constitution,” *People’s Daily Online*, February 25, 2018, en.people.cn/n3/2018/0225/c90000-9429834.html.

48 Xinhua, “CPC proposes change on Chinese president’s term in Constitution,” *People’s Daily Online*, February 25, 2018, <http://en.people.cn/n3/2018/0225/c90000-9429831.html>.

49 Bill Ide and Joyce Huang, “China to Discuss Constitutional Amendments, But How Far Will Xi Jinping Go?,” *VOA News*, January 18, 2018, <https://www.voanews.com/a/china-to-discuss-constitutional-amendments/4213388.html>.

50 Xinhua, “China’s Draft Constitutional Revision Wins Extensive Support,” *People’s Daily Online*, March 9, 2018, <http://en.people.cn/n3/2018/0309/c90000-9435254.html>.

supermajority of more than two-thirds of all the NPC deputies. By comparison, statutes and resolutions are adopted by a simple majority vote of more than one half of all NPC deputies. The law does not require public consultation on any amendments nor advanced distribution of draft amendment to the NPC delegates.⁵¹ By convention, the means for submitting and passing amendments in the NPC follows a more restrictive process, which is heavily regulated by the CCP.⁵²

First, the CCP Central Committee adopts and submits proposals for amending the constitution to the NPC Standing Committee. The NPC Standing Committee, to date, has only accepted amendments that have been adopted and submitted by the CCP Central committee. This means that only the CCP can initiate Constitutional amendments. Second, the NPC Standing Committee studies the proposals over the course of a single session before drafting appropriate amendments based on the proposals, which is then approved unanimously and sent to the next NPC session. Here, the NPC Standing Committee has rarely deviated from the wording of the proposals submitted by the CCP. Rarely is there any opportunity for public comment.⁵³ Third, at the NPC itself, NPC delegates listen to an explanation on the draft amendment at the plenary meeting before dividing into smaller working groups to discuss the draft. Here, there are also rarely any revisions to the draft, and even so, the need for such revisions is deferred to the Presidium to decide. This is then followed by a vote to adopting the amendment on the final day of the NPC session via the formal procedure specified in the Constitution. While there has never been a unanimous passage of a Constitutional amendment within the NPC, the number of votes acquired has always fallen above the two-thirds requirement of the Constitution.⁵⁴ This has been ensured by the fact that officially secret ballots are cast by delegates who are reluctant to vote in opposition or who abstain for fear of being under surveillance and the resulting political repercussions.⁵⁵

51 Changhao Wei, "Next Steps for the Supervision Law & Procedural Possibility of a Constitutional Amendment in 2018," *NPC Observer*, November 29, 2017, <https://npcobserver.com/2017/11/29/next-steps-for-the-supervision-law-procedural-possibility-of-a-constitutional-amendment-in-2018-some-predictions/>.

52 Changhao Wei, "Explainer: China to Amend the Constitution for the Fifth Time (UPDATED)," *NPC Observer*, January 25, 2017, <https://npcobserver.com/2017/12/27/explainer-china-to-amend-the-constitution-for-the-fifth-time/>.

53 Li Lin, *Interpreting China's Legal System* (World Scientific, 2018) 78.

54 Yan Lin, "Constitutional evolution through legislation: The quiet transformation of China's Constitution," *International Journal of Constitutional Law* 13, no.1 (2015): 85.

55 AFP, "NPC 2018: Chinese President Xi Jinping unlikely to lose term limit vote," *The Straits Times*, March 9, 2018, www.straitstimes.com/asia/east-asianpc-2018-chinese-president-xi-jinping-unlikely-to-lose-term-limit-vote.

CCP control of the amendment process is also maintained through their dominance of the NPC.⁵⁶ Primary sources indicated that the 13th session involved a total of 2,980 registered deputies.⁵⁷ Of those, the CCP possesses a supermajority of 2,175 representative deputies.⁵⁸ The failure of Constitutional amendments would require all 805-opposition party and independent deputies – and 188 CCP deputies – to either vote against the Bill or to abstain from voting.⁵⁹

Fig.1 – 13th NPC Party Affiliations Table.

Party Affiliation	Number of Delegates
中国共产党 Chinese Communist Party	2,172
九三学社 Jisuan Society	64
中国民主同盟 China Democratic League	58
中国民主建国会 China Democratic National Construction Association	57
中国民主促进会 China Association for Promoting Democracy	55
中国农工民主党 Chinese Peasants' and Workers' Democratic Party	54
中国国民党革命委员会 Revolutionary Committee of the Chinese Kuomintang	43
中国致公党 China Zhi Gong Party	38
台湾民主自治同盟 Taiwan Democratic Self-Government League	13
无党派人士 Independents	426
Total	2,980

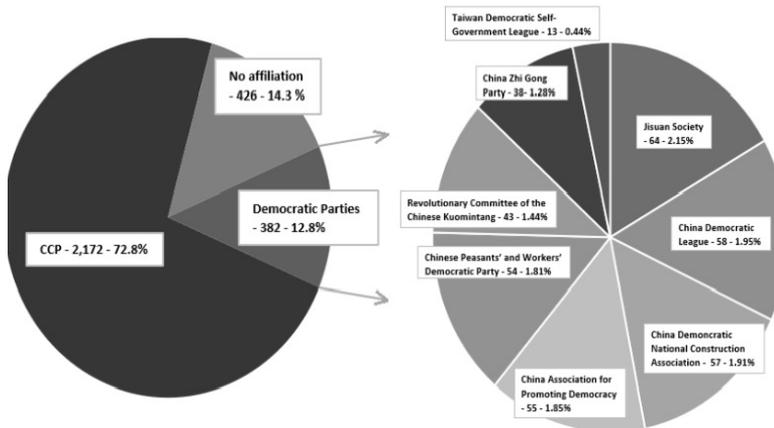
56 National People's Congress of the People's Republic of China, "中华人民共和国 – 第十三届全国人民代表大会 – 代表名单," National People's Congress of the People's Republic of China, 2018, www.npc.gov.cn/npc/fujian/site1/20180224/c89cdc7d2bea1bfb871802.pdf.

57 NPC Observer, "Exclusive: Demographics of the 13th NPC (UPDATED)," *NPC Observer*, March 11, 2018, <https://npcobserver.com/2018/03/10/exclusive-demographics-of-the-13th-npc/>.

58 National People's Congress of the People's Republic of China, "代表名单," *National People's Congress of the People's Republic of China*, 2018, <http://www.npc.gov.cn/delegate/delegateArea.action>.

59 Changhao Wei, "Exclusive: Demographics of the 13th NPC," *NPC Observer*, March 10, 2018, <https://npcobserver.com/2018/03/10/exclusive-demographics-of-the-13th-npc-comment-page-1/#comment-1486>.

Fig. 2 - 13th NPC Party Affiliations Graph⁶⁰
 Seats in the 13th NPC by Political Affiliation
 (N = 2,980)



Predictably, the CCP-proposed amendments were carried in the NPC, but the margin of the victory was most surprising. 2,958 deputies voted in favor, 2 against, 3 abstentions, and one invalid ballot, with a total of 2,964 votes cast.⁶¹ This represented a substantial decrease in the number of abstentions and against votes compared to the two preceding Constitutional amendments in 2004 and 1999.

Fig. 3 - NPC Voting History⁶²

NPC VOTING HISTORY ON CONSTITUTIONAL AMENDMENTS					
YEAR	FOR	AGAINST	ABSTENTIONS	TOTAL VALID VOTES	% OF AGAINST + ABSENTION
1982	3,037	0	3	3,040	0.1
1999	2,811	21	24	2,856	1.6
2004	2,863	10	17	2,890	0.94
2018	2,958	2	3	2,963	0.17

60 National People's Congress, "代表名单," The National People's Congress of the People's Republic of China, 2018, npc.gov.cn/delegate/delegateArea.action

61 Nectar Gan, "Xi Jinping Cleared to Stay on as China's President With Just 2 dissenters among 2,964 Votes," *South China Morning Post*, March 11, 2018, <http://www.scmp.com/news/china/policies-politics/article/2136719/xi-jinping-cleared-stay-president-chinas-political>.

62 Ibid.

Substantial opposition was predicted to be highly unlikely,⁶³ and the extremely high voting rate in favor of the amendments provided a façade of universal support across the government, as opposed possible higher than anticipated levels of criticism and skepticism. Consequently, the exceptionally low levels of opposition and abstention ballots show that Xi has effectively suppressed debate and expressions of the plurality of opinion across the government and within the CCP, formalizing his purported status as China's new Paramount Leader and eternal Chairman. A significant opposition within the vote would have proven catastrophic as it would have indicated unprecedented political disunity within the party, highlighted the limits on power consolidation within leadership, and revealed that the wave of unprecedented public criticism and opposition had had a tangible effect on the CCP for the first time since 1989. Indeed, such a development would have placed Xi's leadership position in significant jeopardy.⁶⁴

Rationale behind Amendments to the Chinese Constitution

The combination of persistent power struggles within the CCP, governmental and public concern over economic mismanagement and stagnation, and Xi's inability to appoint a direct successor, have motivated President Xi to establish Xi Jinping Thought as a guiding principle of the PRC and remove term limits from the National Constitution.

Internal CCP Power Struggles

Xi's decision to implement such amendments were calculated upon the need to reinforce his position within the CCP and stifle internal opposition. While Xi was elected as President in 2013 by a vote of 2,952 to 1,⁶⁵ he faces a series of institutional restraints originating from within the CCP. The first of these restraints comes from the internal structure of the CCP. The CCP is divided

63 Sarah Zheng, "How Will China's Legislature Vote on Changes to the Constitution?," *South China Morning Post*, March 10, 2018, <http://www.scmp.com/news/china/policies-politics/article/2136605-how-will-chinas-legislature-vote-changes-constitution>.

64 Joanna Chiu, "Explainer: Xi Jinping For Life – how China will scrap presidential term limits this Sunday," *Hong Kong Free Press*, March 9, 2018, <https://www.hongkongfp.com/2018/03/09/explainer-xi-jinping-life-china-will-scrap-presidential-term-limits-sunday/>.

65 Salvatore Babones, "Leader For Life: Xi Jinping Strengthens Hold On Power As China Communist Party Ends Term Limits," *Forbes*, February 25, 2018, <https://www.forbes.com/sites%20salvatorebabones/2018/02/25/leader-for-life-xi-jinping-strengthens-hold-on-power-as-china-communistparty-ends-term-limits/#7e410c2de466>.

internally as “one party, two coalitions”⁶⁶: the Elitist Coalition consisting of a core faction of Princelings (leaders from veteran revolutionary lineages) and the Populist Coalition consisting of the populist Tuanpai coalition. The Princelings are economic liberals, that represent China’s entrepreneurs and middle class in major eastern cities, support private ownership of property assets, and place greater confidence in the private sector and on interaction with foreigners.⁶⁷

Conversely, leading figures in the Tuanpai coalition originate from the Chinese Communist Youth League and typically voice the concerns of the urban poor and farmers.⁶⁸ Harmony between the Princelings and Tuanpai factions within the CCP has been maintained under an informal rule set by the impartial Paramount Leader Deng Xiaoping, where power succession alternated between the groups. This cycle was established when Deng handed over power to Princeling Jiang Zemin, who was succeeded by Tuanpai Hu Jintao, whom was then succeeded by Princeling Xi. Convention dictates that the next leader that follows Xi should be a Tuanpai.⁶⁹

After Xi assumed power as the General Secretary and President in 2012 at the 18th CCP Congress, 6 out of the 7 positions in the 19th Politburo Standing Committee were awarded to Xi loyalists.⁷⁰ Since then, he and his allies have systematically strengthened the position of the elitists within the CCP and purged Tuanpai officials from positions of power, with the share of Tuanpai provincial chiefs in China declining from 33.9% to 12.9% between 2010 to 2017.⁷¹ Concurrently, he has sought to purge the CCP of those loyal to Jiang Zemin, exploiting the structural problem of corruption evident within Deng’s factional power sharing framework. Xi launched an anti-corruption drive, which saw 266,000 officials arrested or disciplined during his first year in office,⁷² ensnaring 1.34 million officials from all sectors of the government by the

66 BBC News, “Viewpoint: The Powerful Factions Among China’s Rulers,” *BBC News*, November 6, 2012, <http://www.bbc.com/news/world-asia-china-20203937>.

67 John Pollock, “China’s Coming Coup: Xi Jinping’s War With Jiang Zemin,” *Medium*, September 3, 2017, https://medium.com/@John_Pollock22/chinas-coming-coup-xi-jinping-s-war-with-jiang-zemin-2353d9e49f1f

68 BBC News, “Viewpoint: The Powerful Factions Among China’s Rulers,” *BBC News*, November 6, 2012 <http://www.bbc.com/news/world-asia-china-20203937>.

69 Ching Cheong, “China’s Princelings Versus Tuanpai,” *The Straits Times*, January 3, 2015, <http://www.straitstimes.com/opinion/chinas-princelings-versus-tuanpai>.

70 Cheng Li, “Rule of the Princelings,” *Brookings Institute*, February 10, 2013, <https://www.brookings.edu/articles/rule-of-the-princelings/>.

71 Cheng Li and Zach Balin, “Xi all powerful? What Trump Needs to Know about Chinese Politic,” *South China Morning Post*, April 4, 2017, <http://www.scmp.com/week-asia/geopolitics/article/2085000/xi-all-powerful-what-trump-needs-know-about-chinese-politics>.

72 Jamil Anderlini, “Arrest of ‘Tiger’ Zhou Yongkang Sheds Light on China Graft Purge,” *Financial Times*, December 8, 2014, <https://www.ft.com/content/57042e30-7ebe-11e4-b83e-00144feabdc0>.

end of 2017.⁷³ The most notable target of Xi's anti-corruption campaign was Zhou Yongkang, a former member of the 17th Politburo Standing Committee, architect of China's internal security apparatus, and member of Jiang Zemin's faction.⁷⁴ Zhou was removed from his position in 2014 before being tried and jailed for life for bribery, abuse of power, and disclosing state secrets in 2015.⁷⁵ However, Zhou was informally targeted due to his attempts to organize opposition to prevent Xi's elevation to the Chairmanship of the CCP.⁷⁶ In removing term limits, Xi secures his legacy and combats opposing factions in the CCP that could threaten his anti-corruption reform initiatives. One of Xi's foremost concerns is the need for to continue to oversee the implementation of his anti-corruption efforts within the newly-established anti-graft agency: the National Supervisory Commission. As revealed during the 19th CCP congress in 2017, this new agency will coordinate investigations across the government and expand its reach to include even non-CCP members.⁷⁷

Economic Stability

Economists and political analysts in the West have been disappointed by the degree of progress made in economic reform over the past several years of Xi's leadership,⁷⁸ where state-owned enterprises retain overwhelming market dominance, the regulatory framework remains outdated, and issues of unequal treatment and the rule of law remain constant.⁷⁹ China's total debt in mid-2017 was equal to 255.9% of China's economic output,⁸⁰ with bond credit agency Moody's downgrading China to A1 from Aa3 rating in May 2017,⁸¹

73 Lim Yan Liang, "19th Party Congress: China to Strengthen Anti-graft Measures, Expand Party Supervision," *The Straits Times*, October 18, 2017, <http://www.straitstimes.com/asia-east-asia/19th-party-congress-anti-graft-campaign-has-overwhelming-momentum-says-xi-jinping>.

74 Shunsuke Tabeta, "Xi snares a huge tiger in his anti-graft hunt," *Nikkei Asian Review*, July 20, 2017, <https://asianikkei.com/magazine/20170720/Politics-Economy/Xi-snares-a-huge-tiger-in-his-anti-graft-hunt>.

75 BBC News, "Charting China's great purge under Xi," BBC News, October 23, 2017, <http://www.bbc.com/news/world-asia-china-41670162>.

76 Russell Leigh Moses, "Why Zhou Yongkang's Fall Isn't The End," *The Wall Street Journal*, June 12, 2015, <https://blogs.wsj.com/chinarealtime/2015/06/12/why-zhou-yongkangs-fall-isnt-the-end/>.

77 AFP, "Emperor for life: Xi Jinping poised to extend power as China set to lift term limits," *Hong Kong Free Press*, February 25, 2018, <https://www.hongkongfp.com/2018/02/25/emperor-life-xi-jinping-poised-extend-power-china-set-lift-term-limits/>.

78 Evan A. Feigenbaum, "A Chinese Puzzle: Why Economic 'Reform' in Xi's China Has More Meanings Than Market Liberalization," *Carnegie Endowment for International Peace*, February 26, 2018, <http://carnegieendowment.org/2018/02/26/chinese-puzzle-why-economic-reform-in-xi-s-china-has-more-meanings-than-market-liberalization-pub-75668>.

79 Bloomberg News, "China Urgently Needs Economic Reform, European Chamber Says," *Bloomberg*, July 10, 2018, <https://www.bloomberg.com/news/articles/2018-07-10/china-urgently-needs-economic-reform-european-chamber-says>.

80 "Total Credit to the Non-Financial Sector (core debt), % of GDP," *Bank of International Settlements*, accessed November 29, 2017, <http://stats.bis.org/statx/toc/CRE.html>.

81 Reuters, "S&P Downgrades China's Rating, Citing Increasing Economic, Financial Risks," *Reuters*, September 21, 2017, <https://www.reuters.com/article/us-china-economy-rating-downgrade>

and credit rating agency Standard & Poor Global Ratings downgrading China's sovereign credit rating - for the first time since 1999 - to its fifth highest level of A+ in September of 2017.⁸² This circumstance is attributed to the leveraged nature of China's economy, with the frequent and uncontrolled use of borrowed capital as a funding source to fuel modernization and investment being recognized as a national security concern by the People's Bank of China - China's central bank.⁸³

Accompanying the CCP Central Committee's proposal to remove term limits on February 25, 2018 was the proclamation by State-run media Global Times that Xi's continued leadership was conducive to a dynamically evolving China, where his economic restructuring has already opened a new era for the country.⁸⁴ It is conceivable that his long-term leadership provides a suitable opportunity for China to see through painful and necessary economic reforms which have been resisted - namely, economic liberalization. This perspective has its origins within the 19th CCP Congress, in which Xi emphasized that deepening supply-side structural reform should be considered the CCP and government's central focus.⁸⁵ The policy framework for this requires long-term supervision and commitment and includes reducing risks in the financial system, consolidating and cutting capacity in upstream industrial sectors, reducing housing inventories, lowering administrative costs for businesses, and fixing "weak links"⁸⁶ in the economy (i.e. barriers to trade and investment between provinces).

The successful implementation of economic reforms depends on the enlightened use of State power. In the financial sector, an empowered central financial regulator (China Banking Regulatory Commission)⁸⁷ can act to reduce the risks of a financial crisis and regulate illicit financial activities within the

sp-downgrades-chinas-rating-citing-increasing-economic-financial-risks-idUSKCN1BW19N.

82 Bloomberg News, "S&P Cuts China's Credit Rating, Citing Risk From Debt Growth," *Bloomberg*, September 21, 2017, <https://www.bloomberg.com/news/articles/2017-09-21/s-p-lowers-china-s-rating-to-a-from-aa-says-outlook-stable>.

83 Reuters, "China Needs To Continue Reducing Financial Leverage: Central Bank Deputy Governor," *Reuters*, December 23, 2017, <https://www.reuters.com/article/us-china-economy-leverage/china-needs-to-continue-reducing-financial-leverage-central-bank-deputy-governor-idUSKBN1EH099>.

84 Global Times, "Constitutional Amendment will improve CPC leadership," *Global Times*, February 25, 2018, <http://www.globaltimes.cn/content/1090568.shtml>.

85 Xinhua, "Supply-side Structural Reform: Next Chapter in China's 'New Era'," *China Daily*, November 1, 2017, http://www.chinadaily.com.cn/business/2017-11/01/content_33983890.htm.

86 Andrew Polk, "One-Man Rule Isn't Good for the Economy Either," *Bloomberg* (28 February 2018) <<https://www.bloomberg.com/view/articles/2018-02-27/xi-jinping-s-power-grab-won-t-be-good-for-china-s-economy>>.

87 South China Morning Post, "China's Banking Regulator Steps Up Fight Against Financial Risk Amid Threat of 'Chaos' in Sector," *South China Morning Post*, January 14, 2018, scmp.com/news/china/economy/article/2128163/chinas-banking-regulator-steps-fight-against-financial-risk-amid.

economy.⁸⁸ Increased centralization can enhance economic stability, reduce risk and uncertainty, and improve financial control and efficiency within China's economic environment.⁸⁹ Should Xi's opposition exercise control on the reigns of State power, his wider projects (i.e. One Belt, One Road) would be severely impaired, and his legacy as China's Paramount Leader would be jeopardized.

As with anti-corruption initiatives, Xi's consolidation of power would allow him to ensure the continuity of other reforms. He can safeguard his legacy by ensuring the completion of his grand developmental and conceptual projects. The removal of term limits provides him with additional freedom and resources to achieve the "Chinese Dream"—a framework that emerged in 2012 following his appointment as General Secretary and President when visiting the Chinese National Museum's grand exhibition "Road to Revival." Xi espoused his dream of achieving "the great rejuvenation of the Chinese nation"⁹⁰ as being the greatest Chinese dream in modern times. The Chinese Dream consists of four components encompassing the following:⁹¹ a China that is economically, politically, diplomatically, scientifically, and militarily strong; a China that is civilized through the embodiment equity and fairness, rich culture, and high morals; a harmonious China that sees amity among social and ethnic classes; and a beautiful China that is achieved through a reduction in environmental pollution and creation of a healthy environment.

Both Xi and the CCP senior leadership expect that the aforementioned Chinese dream will be achieved within three decades. China will become a moderately prosperous society by 2020, a modernized nation by 2035, and a rich and powerful socialist nation by 2049.⁹² The primary motive forces behind the Chinese Dream are the Regional Comprehensive Economic Partnership, and the Belt and Road Initiative.

Academics and Chinese media posit that , by remaining in power for an extended period, Xi can put forth greater effort to achieve the Two Centenaries (Liǎng gè yībǎi nián) - a set of goals which seek to transform China into a "moderately well-off society" by 2020, before the 100th anniversary of the founding of the CCP, and a "democratic, civilized, harmonious, and modern

88 Xie Yu, "Xi Jinping's War on Shadow Banking Spills Over, Rocking China's Wider Financial World," *South China Morning Post*, February 10, 2018, www.scmp.com/business/companies/article/2132721/xi-war-shadow-banking-spills-over-threatens-stability-chinas.

89 Lawrence J. Lau, "Why now? The Rationale Behind Xi Jinping's Power Consolidation," *South China Morning Post*, March 7, 2018, <http://www.scmp.com/comment/insight-opinion/article/2135962/why-now-rationale-behind-xi-jinpings-power-consolidation>.

90 Zhang Jianfeng, "Xi pledges 'great renewal of Chinese nation,'" *CCTV*, November 30, 2012, <http://english.cntv.cn/program/newsupdate/20121130/100019.shtml>

91 Robert Lawrence Kuhn, "Xi Jinping's Chinese Dream," *The New York Times*, June 4, 2013, <http://www.nytimes.com/2013/06/05/opinion/global/xi-jinpings-chinese-dream.html>.

92 Pepe Escobar, "Xi's road map to the Chinese Dream," *Asia Times*, October 21, 2017, <http://www.atimes.com/article/xis-road-map-chinese-dream/>.

socialist country”⁹³ by 2049, the 100th anniversary of the PRCs founding. It has been stated that Xi’s core leadership guarantees the successful development of socialism with Chinese characteristics, which in-turn lays a solid foundation for the attainment of the aforementioned goals.⁹⁴

It is conceivable that extending Xi’s leadership will permit him to scale up efforts to address economic problems and foster a sense of continuity and predictability in economic policy. Indeed, a lengthier term in leadership provides him with a firmer foundation to address the looming trade war with the US⁹⁵ and enables the implementation of tough economic liberalisation reforms. This will provide foreign investors with increased access to China’s financial markets, promoting international trade and spread of the Chinese Yuan, and reducing China’s reliance on exports.⁹⁷

Xi’s Inability to Appoint Successor

Xi’s inability to appoint a clear successor at the 19th CCP Congress and desire to depart from the power sharing norms established under Deng may be attributed to the increasingly intensified effects of factionalism within the CCP.⁹⁸ The use of factions is common within the CCP for three reasons. First, the lack of a democratic framework, and of elections within the government, has meant that there exists no clear and concise way to measure popular power within ministry officials. The system of decision-making and succession in China is an intricate process that requires awareness of hierarchical figures, factional cliques, and existing relationships.⁹⁹

Consequently, factionalism has become the most rational means of identifying the relative strength of certain CCP patrons through the size of their committed base that would promote and defend their policies. Second, apart from the informal power-sharing succession framework established under Deng, the absence of a well-defined succession mechanism within the CCP for other positions within the Chinese government means that leaders and

93 Dylan Loh Ming Hui, “How Xi Jinping’s ‘lifetime presidency’ could change China – for better or worse,” *The Conversation*, February 27, 2018, <https://theconversation.com/how-xi-jinpings-lifetime-presidency-could-change-china-for-better-or-worse-9247>

94 Song Wei, “Goals within reach under Xi’s guidance,” *China Daily*, October 16, 2017, <https://www.chinadailyhk.com/articles/77/249/249/1508147764056.html>.

95 Julia Horowitz, “Tariffs, Trump and Trade Wars: Here’s What It All Means,” *CNN*, March 9, 2018, <http://money.cnn.com/2018/03/08/news/economy/tariff-explainer/index.html?iid=EL>.

96 Huileng Tan, “Xi Jinping Makes Big Promises for China’s Economic Future,” *CNBC*, October 18, 2017, <https://www.cnn.com/2017/10/18/xi-jinping-makes-big-promises-for-chinas-economic-future.html>

97 Daniel Shane, “What Xi Jinping’s Power Play Means for China’s Economy,” *CNN*, March 10, 2018, <http://money.cnn.com/2018/03/10/news/economy/china-xi-jinping-economy/index.html>

98 Sara Syed, “Factionalism in China on the Eve of the 19th Party Congress,” *The McGill International Review*, October 11, 2017, <https://www.mironline.ca/factionalism-china-eve-19th-party-congress/>.

99 Jing Huang, *Factionalism in Chinese Communist Politics* (Cambridge University Press, 2006) 48.

their influencers can only be removed through purges.¹⁰⁰ Factionalism provides a means to protect against this possibility since a devoted base of followers may protect the patron in return for varying rewards. Finally, factions driven by single personalities protect patrons from losing power through aging or purging as “retired comrades”¹⁰¹ can still exert influence through their followers. This has been a longstanding precedent within the CCP, as illustrated by the still pervasive influence of former President Jiang Zemin and his Shanghai clique (officials associated with Jiang since his mayorship of Shanghai)¹⁰² within the CCP.

As the political situation within both the Politburo Standing Committee and government in general is dynamic and obfuscated, predictions on the balance of political power can prove difficult. Indeed, the downfall of Bo Xilai and Zhou Yongkang – two prominent CCP members – shocked commentators and demonstrated the rapidly shifting nature of power within the CCP.¹⁰³ Accordingly, there exists the possibility that Xi may step down in 2022 – the date by which Xi’s two-term limit as president will mature – and appoint a replacement from one of the sitting members on the Politburo Standing Committee, especially as the removal of term limits will modify the conventional retirement age for leadership positions.¹⁰⁴

Outlook

Increased Domestic Opposition

As Xi ascends to paramount leader status, he risks having all of China’s successes and failures attributed to him. As China’s problems increasingly catch-up with its achievements, the government will lose its reputation, and

100 Cheng Li and Ryan McElveen, “Debunking Misconceptions About Xi Jinping’s Anti-Corruption Campaign,” *Brookings Institute*, July 17, 2014, <https://www.brookings.edu/opinions/debunking-misconceptions-about-xi-jinpings-anti-corruption-campaign>

101 Wang Xiangwei, “Why Xi Jinping has no need of factions in the Communist Party,” *South China Morning Post*, August 8, 2016, <http://www.scmp.com/week-asia/opinion/article/1999155/why-xi-jinping-has-no-need-factions-communist-party>.

102 Alex Lai, “‘One Party, Two Coalitions’ – China’s Factional Politics,” *CNN*, November 9, 2012, <https://editioncnn.com/2012/10/23/world/asia/china-political-factions-primer/index.html?no-st=9999999999>.

103 AFP, “Disgraced Officials Zhou Yongkang and Bo Xilai Formed ‘Clique’ to Challenge Leaders: StateMedia,” *South China Morning Post*, January 15, 2015, <http://www.scmp.com/news/china/article/1679889/disgraced-officials-zhou-and-bo-formed-clique-challenge-leaders-says>.

104 Staff Reporters, “Why China’s Xi Jinping is Unlikely To Anoint a Successor,” *South China Morning Post*, October 20, 2017, <http://www.scmp.com/news/china/policies-politics/article/2116120/why-chinas-xi-jinping-unlikely-anoint-successor>.

the masses will lose their enthusiasm. The danger is that they will hold the great leader Xi responsible.¹⁰⁵

Following the 25th February announcement, the degree of backlash directed against Xi was higher than anticipated. Chinese netizens resorted to expressing their profound dissatisfaction in comparing him to former dictator Yuan Shikai and equating China with North Korea,¹⁰⁶ while censors worked to limit the spread of a meme equating Xi with Winnie the Pooh¹⁰⁷ and to remove the phrases “Emperor Xi” and “Constitution” from Weibo and across Chinese social media.¹⁰⁸ This has been combined with a propaganda offensive from state run media such as the Global Times and Xinhua,¹⁰⁹ praising the CCP and accusing Western critics of hysteria over the resultant domestic censorship while dismissing such criticism as an attempt to constrain China’s rise.¹¹⁰

Most surprising has been the degree of vocal opposition from intellectuals, young white-collar workers, and retired veterans of past political campaigns.¹¹¹ Internationally, Chinese students studying at various universities abroad have voiced their opposition under the phrase “Not My President.”¹¹² That phrase began trending among Chinese students across uncensored Western social media outlets; it provides insight into the simmering anti-CCP sentiment present beyond the geographical grasp of the Chinese government.¹¹³ Consequently, former editor of the China Youth Daily, Li Datong addressed a letter through WeChat to the 52 Beijing deputies in attendance at the NPC warning that

105 Jerome A. Cohen, “China Is Likely to Enter Another Long Period of Severe Dictatorship,” *Council on Foreign Relations*, February 28, 2018, <https://www.cfr.org/blog/china-likely-enter-another-long-period-severe-dictatorship>.

106 Alexandra Ma, “China Banned the Letter N from the Internet After People Used It To Attack Xi Jinping’s Plan To Rule Forever,” *Business Insider*, February 28, 2018, <https://www.businessinsider.com.au/china-censors-letter-n-in-crackdown-on-presidential-term-limit-discussion-2018-2?r=US&IR=T>.

107 Kelsey Munro, “China’s censorship in overdrive after President Xi extends grip on power,” *SBS News*, February 26, 2018, <https://www.sbs.com.au/news/china-s-censorship-in-overdrive-after-president-xi-extends-grip-on-power>.

108 Tara Francis Chan, “China’s Move to Abolish Presidential Term Limits is More Unpopular Than the Government Thought — So It’s Turning to Censorship,” *Business Insider*, February 26, 2018, uk.businessinsider.com/china-censors-social-media-about-xi-jinping-term-limits-2018-2/?r=AU&IR=T.

109 Global Times, “Solidarity cornerstone of China in new era,” *Global Times*, February 27, 2018, <http://www.globaltimes.cn/content/1091023.shtml>.

110 Reuters, “China Launches Propaganda Push for Xi Jinping After Social Media Criticism,” *The Straits Times*, February 26, 2018, <http://www.straitstimes.com/asia/east-asia/china-launches-propaganda-push-for-xi-after-social-media-criticism>.

111 Gerry Shih and Yanan Wang, “China’s move to end term limits for Xi blanketed in censorship,” *Japan Times*, March 11, 2018, <https://www.japantimes.co.jp/news/2018/03/11/asia-pacific/politics-diplomacy/asia-pacific/chinas-move-end-term-limits-xi-blanketed-censorship/#.WqVEYudx02w>.

112 Shanghaiist, “Not My President Posters Pop Up in Universities Around World With Xi Set For Lifetime rule,” *Medium*, March 9, 2018, <https://medium.com/shanghaiist/not-my-president-posters-pop-up-in-universities-around-world-with-xi-set-for-lifetime-rule-23e9199aeef4>.

113 Stephanie Saul, “Far From Home and Censors, Some Chinese Students Protest Xi’s Power Move,” *The New York Times*, March 9, 2018, <https://www.nytimes.com/2018/03/09/us/xi-student-protest-china.html>.

removal of Deng Xiaoping's power sharing framework would "sow the seeds of turmoil"¹¹⁴ and equate to a regression to the Mao era for China.

Given the broad propaganda campaign by the government in response to public outrage over the removal of term limits, the degree of censorship within China is predicted to remain elevated for the foreseeable future and to increase significantly as the country approaches Xi's presidential term limit in 2022. This is enabled by the 2016 Cybersecurity Law and the widespread implementation of the social credit system. The Cybersecurity Law,¹¹⁵ effected in June of 2017, enables the Chinese government to promote its notion of Cyber Sovereignty by enforcing control over data stored in China and related to the activities of its citizens.¹¹⁶ The widespread implementation of a social credit system from May 2018 onwards¹¹⁷ provides each Chinese citizen with a personal credit record, which can be affected by such actions as spreading false information, using expired tickets, cheating in online games, and jaywalking.¹¹⁸ This leverages big data use and the internet of things technology, as facial recognition software or online algorithms capture, record and analyze the action or comment.¹¹⁹ This system enables the government to publicize the details of those possessing low social credit scores, to fine such persons, for police to call or summon such persons, and facilitates the ostracization of such persons from acquiring certain goods and services such as bank loans.

Institutional Instability

The unsustainable nature of collective leadership instituted by Deng across the Chinese political establishment foreshadows the transition back to one-man rule under Xi Jinping. The history of China's contemporary political model can be discerned through the consensus-based collective leadership

114 Kirsty Needham, "Chinese Fear 'Turmoil' From Xi's Constitutional Change," *The Sydney Morning Herald*, February 27, 2018, <https://www.smh.com.au/world/asia/chinese-fear-turmoil-from-xi-s-constitutional-change-20180227-p4z1z9.html>.

115 Sophia Yan, "China's New Cybersecurity Law Takes Effect Today, and Many Are Confused," *CNBC*, May 31, 2017, <https://www.cnbc.com/2017/05/31/chinas-new-cybersecurity-law-takes-effect-today.html>.

116 Reuters Staff, "China to bar people with bad 'social credit' from planes, trains," *Reuters*, March 16, 2018, <https://www.reuters.com/article/us-china-credit/china-to-bar-people-with-bad-social-credit-from-planes-trains-idUSKCN1GS10S>.

117 Jack Karsten and Darrell M. West, "China's Social Credit System Spreads to More Daily Transactions," *Brookings Institute*, June 18, 2018, <https://www.brookings.edu/blog/techtank/2018/06/18/chinas-social-credit-system-spreads-to-more-daily-transactions/>.

118 Meg Jing Zeng, "China's Social Credit System puts its people under pressure to be model citizens," *The Conversation*, January 24, 2018, theconversation.com/chinas-social-credit-system-puts-its-people-under-pressure-to-be-model-citizens-89963.

119 Angus Grigg and Lisa Murray, "In Xi Jinping's scary new China, Big Brother meets big data," *Financial Review*, October 12, 2017, <http://www.afr.com/technology/web/security/big-brother-meets-big-data-in-xi-jinpings-scary-new-china-20171009-gyxdil>.

model and China's dedication to devolved governance.¹²⁰ The consensus-based collective leadership model is one in which key decisions are made via intentional compromises and informal bargaining between CCP members – a deliberate decentralization and distribution of power which seeks to avoid one-man rule.¹²¹ This framework was established by Deng to avoid the instability of highly charismatic and impulsive leaders that could lead China to calamity – as occurred under Mao. Consequently, China has dedicated itself to shifting political power from the central government to local governments, which are afforded a high degree of autonomy in economic decisions thus incentivising them to take responsibility for their own economic prosperity, encouraging innovation and risk-taking, and facilitating China's broader national core interest of economic growth.

The longer Xi remains in power, the more likely he is to remain in power indefinitely. This is a pattern which has been the case with leaders in countries typically regarded as authoritarian such as Russia, Venezuela, and Turkey. Putin has maintained his leadership position by alternating between President and Prime Minister positions in Russia,¹²² circumventing the need to remove Presidential term limits from the Russian Constitution.¹²³ Xi has fundamentally transformed politics within the country from a collective autocracy under the CCP to a one-man rule, highlighting the inherent instability of the Chinese political system. Western commentators often referred to the traditional smooth succession between leaders under Deng's framework as evidence that China had successfully bypassed the leadership issues suffered by the Soviet Union. However, its sudden removal through said amendments to the Constitution sows the seeds of chaos and risks regressing China to the calamitous autocratic Mao Zedong era.¹²⁴ The removal of term limits further risks opening a Pandora's box as future Chinese leaders may reference its absence, and the anticipated extended term of Xi's leadership, as precedent to justify lifelong tenure.¹²⁵

120 Stratfor, "China's President Trades One Set of Risks for Another," *Stratfor*, February 28, 2018, <https://worldview.stratfor.com/article/chinas-president-xi-jinping-trades-off-risks-abolish-term-limits>.

121 Katsuji Nakazawa, "Xi Jinping and the end of collective leadership," *Nikkei Asian Review*, October 23, 2017, <https://asia.nikkei.com/Politics/Xi-Jinping-and-the-end-of-collective-leadership>.

122 Michael Bohm, "Why Putin Will Never, Ever Give Up Power," *The Moscow Times*, January 20, 2012, <https://themoscowtimes.com/articles/why-putin-will-never-ever-give-up-power-11995>.

123 Dimtri Trenin, "Russia is The House That Vladimir Putin Built --- And He'll Never Abandon It," *The Guardian*, March 27, 2017, <https://www.theguardian.com/commentisfree/2017/mar/27/russia-house-vladimir-putin-built-never-abandon>.

124 James Palmer, "China's Stability Myth is Dead," *Foreign Policy*, February 26, 2018, <http://foreignpolicy.com/2018/02/26/chinas-stability-myth-is-dead/>.

125 Jun Mai, "It will sow the seeds of chaos for China': intellectuals urge lawmakers to vote down end to presidential term limit," *South China Morning Post*, February 27, 2018, scmp.com/news/china/policies-politics/article/2134812/it-will-sow-seeds-chaos-china-intellectuals-urge

Should Xi retain his position as President post-2022, the anticipated retirement of the 6 other members of the Politburo Standing Committee alongside the absence of a successor would set a precedent in eliminating the need for a power-sharing arrangement where another official becomes head of state. This would leave him as the one person to blame in the event of failures, facilitate greater partisanship within the party between the Princelings and Tuanpai, and limit avenues for the expression of opinions and ideas which run contrary to Xi's policies within the CCP.¹²⁶

While the renormalization of dictatorship and one-man authoritarian rule within the Chinese political system appears detrimental, Chinese media has outlined how the model of one-person leadership possesses some structural advantages.¹²⁷ These includes national cohesion brought about when the three top leadership positions are aligned temporally and held by a single person. Further, where advancing reforms has become difficult due to entrenched interest groups, firm and consistent leadership is necessary in a new era marked by socio-economic and global complexities. Finally, the process surrounding the removal of term limits shows the superiority of the Chinese system as it allows flexibility in matching leadership to requirements.

However, an indefinite leadership position will enable Xi to move more boldly and increases his risk of acting arbitrarily and mistakenly within domestic and international policy matters.¹²⁸ While under a dictatorship, one individual accrues both all the benefits of economic improvement, and the blame for the failures of economic experimentation. This paradoxically creates a reluctance to innovate and take risks among the lower echelons of the CCP and government - with the silencing of contrary ideas and opinions, overconfidence and poor decision-making, and a lack of focus where dictators are compelled to expend much of their time and political capital to assuring they remain in power.¹²⁹

126 Keith Zhai et al., "China Seeks to Repeal Term Limit, Opening Way for Xi," *Bloomberg*, February 25, 2018, [bloomberg.com/news/articles/2018-03-11-china-s-main-goal-in-trump-kim-talks-ensure-they-don-t-collapse](https://www.bloomberg.com/news/articles/2018-03-11-china-s-main-goal-in-trump-kim-talks-ensure-they-don-t-collapse).

127 Robert Lawrence Kuhn, "Xi Jinping's Power Has A Purpose – one person to see China through its development plans," *South China Morning Post*, March 9, 2018, <http://www.scmp.com/comment/insight-opinion/article/2136309/xi-jinpings-power-has-purpose-one-person-see-china-through>.

128 David Tweed and Enda Curran, "World Braces for More Rule-Bending by China's Xi," *Bloomberg*, February 27, 2018, <https://www.bloomberg.com/news/articles/2018-02-26-xi-s-indefinite-rule-feeds-doubt-china-will-play-by-the-book>.

129 Noah Feldman, "China Faces the Downsides of Dictatorship," *The Japan Times*, February 28, 2018, <https://www.japantimes.co.jp/opinion/2018/02/28/commentary/world-commentary/china-faces-downsides-dictatorship/#.WqVb6edx02x>.

International Response

It is likely that the elimination of presidential term limits will reinvigorate China's international outlook, enabling Xi's continued maintenance of a muscular foreign policy necessary to navigate the Thucydides Trap.¹³⁰ This Trap arises when one great power threatens to displace the leading superpower hegemon, a circumstance which almost invariably results in armed conflict where skilled and decisive leadership is absent.¹³¹

China will pursue its large-scale international projects with greater drive and vigorously move towards achieving the Chinese Dream. Given the developing strategic rivalry in Sino-US relations, and due to concerns that US leadership globally is in decline—contributed to by the ascension of President Trump as president in 2017¹³²—it is predicted a strong China will seek to position itself as a contender for such a leadership role. The long-term certainty and continuity within domestic government enables planners to project China's ambitions with increased assertiveness. This will be achieved by channelling renewed energy into the Asian Infrastructure Investment Bank, the Belt and Road Initiative, the Regional Comprehensive Economic Partnership, and the military occupation of the South China Sea to become the lead hegemon in the Asia-Pacific region.¹³³

Additionally, the removal of term limits and strengthening of one-man rule presents itself as a bid to maximize the comparative advantages of China's political system and a prima-facie rejection of Western-style liberal democratic model of governance and its electoral volatility. This has already enhanced China's reputation and soft power internationally in Africa, where critics fear that the development signals to African authoritarians that strengthening their hold in the executive office and resisting leadership alternation is a viable model for governance. While China's economic and political developmental model (the "Beijing Consensus") has served as a consistent role model for many African nations,¹³⁴ term limits have acted as a democratic safety net for leadership positions. The removal of term limits in Africa has proven

130 Christopher Bodeen, "Xi Jinping Reappointed China's President With No Term Limits," *Associated Press*, March 18, 2018, <https://apnews.com/78ea5b0646564a6eb98d9d20d5fbcbb6>.

131 Graham Allison, "The Thucydides Trap," *Foreign Policy*, June 9, 2017, <https://foreignpolicy.com/2017/06/09/the-thucydides-trap/>.

132 Eliot A. Cohen, "How Trump Is Ending the American Era," *The Atlantic*, October, 2017, <https://www.theatlantic.com/magazine/archive/2017/10/is-trump-ending-the-american-era/537888/>.

133 Shi Jiangtao and Kristin Huang, "End to term limits at the top may be start of global backlash for China, analysts say," *South China Morning Post*, February 26, 2018, <http://www.scmp.com/news/china/diplomacy-defence/article/2134791/end-term-limits-top-may-be-start-global-backlash-china>

134 Muhidin Juma Shangwe, "The China Model: Chinese soft power resource in Africa," *China Daily*, June 2, 2017, http://www.chinadaily.com.cn/opinion/2017beltandroad/2017-06/02/content_29598756.htm.

counterproductive in the past, and its reconsideration may weaken faltering democracies on the continent.¹³⁵

The US has actively and publicly avoided criticizing the removal of term limits, believing it to be an internal matter for Chinese authorities.¹³⁶ President Trump has personally expressed his admiration for Xi and has remarked in jest that the US may consider removing presidential term limits in the future. However, Trump's erroneous statement that Xi is now "president for life"¹³⁷ demonstrates a flawed understanding of the circumstances; the removal of term limits provides only the possibility for lifelong leadership.

In response, nations throughout the Indo-Pacific region have sought to reinforce their long-standing alliances. It has been suggested that the US and other democratic nations should seek to exploit this Chinese rejection of democracy to highlight the significance of transparency, accountability, responsible and representative governance, and liberal institutions worldwide.

This is required to discredit the Beijing Consensus, and anticipate the interest of developing countries within China's socio-political development as a viable model for good governance.¹³⁸ Western allies in the region have advocated for the revival of the Quadrilateral Security Dialogue¹³⁹ to balance China's growing influence. Australia, Japan, India and the US have resumed discussions over the potential revival of the quadrilateral since the Raisina Dialogue in response to China's increasingly aggressive tactics and military actions in the South China Sea, its expansion into the Indian Ocean, its opaque elite politics, and its undemocratic system.¹⁴⁰

135 David E. Klwuwa, "Why China's removal of term limits is a gift to African despots," *The Conversation*, March 9, 2018, <https://theconversation.com/why-chinas-removal-of-term-limits-is-a-gift-to-african-despots-92746>.

136 AFP, "White House says Xi Jinping's term limits are an internal matter for China," *Hong Kong Free Press*, February 27, 2018, <https://www.hongkongfp.com/2018/02/27/white-house-says-xi-jinpings-term-limits-internal-matter-china/>

137 David Shepardson, "Trump praises Chinese president extending tenure 'for life,'" *Reuters*, March 4, 2018, <https://www.reuters.com/article/us-trump-china/trump-praises-chinese-president-extending-tenure-for-life-idUSKCN1GG015>

138 Richard McGregor, "Xi Won't Go," *China File*, February 25, 2018, <http://www.chinafile.com/conversation/xi-wont-go>

139 Express News Service, "Navy chiefs of India, Japan, Australia and US share dias at Raisina Dialogue 2018 in Delhi," *The New Indian Express*, January 18, 2018, [newindianexpress.com/nation/2018/jan/18/navy-chiefs-of-india-japan-australia-and-us-share-dias-at-raisina-dialogue-2018-in-delhi-1757759.html](http://www.newindianexpress.com/nation/2018/jan/18/navy-chiefs-of-india-japan-australia-and-us-share-dias-at-raisina-dialogue-2018-in-delhi-1757759.html)

140 Douglas Bulloch, "The 'Quad' Is Not A Rival To China's Belt And Road Initiative – It's A Precursor," *Forbes*, February 25, 2018, <https://www.forbes.com/sites/douglasbulloch/2018/02/25/the-quad-is-not-a-rival-to-chinas-belt-and-road-initiative-it-is-a-precursor/#6142b7c0f4d5>

As if anticipating China's increasing assertiveness, the US legislature adopted the Taiwan Travel Act¹⁴¹ on March 16, 2018.¹⁴² This Act reinforces US-Taiwan ties by enabling the simplification of high-level visits by US officials to Taiwan for diplomatic meetings and by Taiwanese officials to visit the US.¹⁴³ Beijing has predictably expressed its immense dissatisfaction of the quadrilateral and improved US-Taiwan ties,¹⁴⁴ interpreting these measures as an attempt to contain China.¹⁴⁵

Economic Stability

A diverse number of commentators outline how the removal of term limits may both benefit and detriment China's economy. Economic restructuring and reform promised when Xi assumed control over the CCP in 2012 has been disappointing and slow to materialize.¹⁴⁶ Mounting debt at the regional level, in banks, and by private and state-owned companies has caused international credit institutions to downgrade China's credit and financial ratings.¹⁴⁷

Xi's leadership up to present has been characterized by periods of stability accompanied with occurrences of volatility in the financial markets (use of circuit breakers to limit losses in the Chinese stock exchange),¹⁴⁸ crisis within the banking sector,¹⁴⁹ and bubbles within the housing market.¹⁵⁰ China has

141 Douglas Bulloch, "The 'Quad' Is Not A Rival To China's Belt And Road Initiative – It's A Precursor," Forbes, February 25, 2018, <https://www.forbes.com/sites/douglasbulloch/2018/02/25/the-quad-is-not-a-rival-to-chinas-belt-and-road-initiative-it-is-a-precursor/#6142b7c0f4d5>

142 Huong Le Thu and Michael Shoebridge, "The Taiwan Travel Act: a returning contest?," ASPI, March 28, 2018, <https://www.aspistrategist.org.au/taiwan-travel-act-returning-contest/>

143 Huong Le Thu and Michael Shoebridge, "The Taiwan Travel Act: a returning contest?," ASPI, March 28, 2018, <https://www.aspistrategist.org.au/taiwan-travel-act-returning-contest>

144 Reuters Staff, "China pledges friendship with Taiwan amid tensions over U.S. bill," Reuters, March 3, 2018 <https://in.reuters.com/article/china-parliament-taiwan/china-pledges-friendship-with-taiwan-amid-tensions-over-u-s-bill-idINKCN1GF06P>

145 Global Times, "India haunted by Containment delusion," Global Times, December 27, 2017, <http://www.globaltimes.cn/content/1082384.shtml>

146 Gabriel Wildau, "China marks milestone in rates deregulation push," Financial Times, August 10, 2015, <https://www.ft.com/content/d81b1ec4-3f17-11e5-9abe-5b335da3a90e>

147 Jeffrey A. Bader, "7 things you need to know about lifting term limits for Xi Jinping," Brookings Institute, February 27, 2018, <https://www.brookings.edu/blog/order-from-chaos/2018/02/27/7-things-you-need-to-know-about-lifting-term-limits-for-xi-jinping/>

148 Steve Mollman, "China scraps its broken stock market circuit breaker," Quartz, January 7, 2016, <https://qz.com/588386/chinas-new-stock-market-circuit-breaker-is-broken-and-it-is-panicking-investors/>

149 Yen Nee Lee, "China is at risk of a banking crisis, the Bank of International Settlements has found," CNBC, March 12, 2018, <https://www.cnbc.com/2018/03/12/bank-of-international-settlements-countries-at-risk-of-banking-crisis.html>

150 Bloomberg News, "How China's Going to Try to Control Its Massive Housing Bubble," Bloomberg, November 28, 2017, <https://www.bloomberg.com/news/articles/2017-11-27/china-s-war-on-bubbles-means-homes-sales-set-to-fall-in-2018>

focused on supply-side reforms to reduce overcapacity and improve the financing of state-owned enterprises. Of particular importance is overcapacity reduction in state-controlled coal and steel sectors.¹⁵¹ Additionally, financial stability has resulted in the greater controlling of risks in the financial system associated with over-leveraging and innovations in the shadow banking sector.¹⁵² However, such reactionary reform policies have merely responded to problems in the economy and have not advanced market-based changes leaving China in a phase of structural transition.

Following the 25th February announcement, stocks on the Shanghai Composite dipped slightly,¹⁵³ contributing to weak market performance for the month.¹⁵⁴ While potentially damaging to the rule of law, the prospect of indefinite leadership is unlikely to have a significant detrimental impact on near-term economic prospects or investments.¹⁵⁵ Conversely, the prospect of a lifelong dictatorship presents the possibility of increased errors in policy and economic stagnation should Xi refuse to consider opposing advice in the long term.¹⁵⁶ This anticipated increase in political risk could undermine market confidence on the Chinese Yuan in the medium term.¹⁵⁷ Political certainty has already proven beneficial in boosting domestic confidence and short-term speculators. The February 25 announcement was followed by bets on “concept” stocks¹⁵⁸ with a jump in the stock prices for Chinese companies which possess an auspiciously imperial name including the word “emperor.”¹⁵⁹ With Xi’s position secured, his agenda is anticipated to become more ambitious and forceful¹⁶⁰

151 Sara Hsu, “What Xi Jinping As President With No Term Limits Means For China’s Economy,” *Forbes*, March 2, 2018, <https://www.forbes.com/sites/sarahsu/2018/03/02/what-xi-as-president-with-no-term-limits-means-for-chinas-economy/#471feb201673>

152 Bloomberg News, “China’s Shadow Banking Halts as Regulation Bites, Moody’s Says,” *Bloomberg*, November 6, 2017, <https://www.bloomberg.com/news/articles/2017-11-06/china-s-shadow-banking-halts-as-regulation-bites-moodys-says>

153 Xinhua, “China’s privately offered funds expand in February,” *Xinhua*, March 11, 2018, http://www.xinhuanet.com/english/2018-03/11/c_137031788.htm

154 “China,” *Financial Times*, accessed March 11, 2018, <https://markets.ft.com/data/world/countries/china>

155 Kevin Kingsbury and Gregor Stuart Hunter, “Asian stocks turn lower, with China losses out in front,” *Market Watch*, February 27, 2018, <https://www.marketwatch.com/story/asian-markets-continue-to-rebound-cutting-into-monthly-losses-2018-02-26>

156 Noah Feldman, “China Now Faces the Downsides of Dictatorship,” *Bloomberg*, February 27, 2018, [bloomberg.com/view/articles/2018-02-26/china-and-xi-jinping-toss-aside-their-experiment-with-stability](https://www.bloomberg.com/view/articles/2018-02-26/china-and-xi-jinping-toss-aside-their-experiment-with-stability)

157 Today, “What an extension of Xi’s reign in China means for investors,” *Today*, February 26, 2018, <https://www.todayonline.com/world/what-extension-xis-reign-china-means-investors>

158 Shanghaiist, “Companies with ‘emperor’ in their name are now winning big on China’s stock market,” *Medium*, February 26, 2018, <https://medium.com/shanghaiist/companies-with-emperor-in-their-names-are-now-winning-big-on-china-s-stock-market-de9f2d8a230b>

159 Reuters Staff, “‘Emperor’ stocks soar in China as Xi cleared for indefinite reign,” *Reuters*, February 26, 2018, <https://www.reuters.com/article/us-china-stocks-emperor-xi/emperor-stocks-soar-in-china-as-xi-cleared-for-indefinite-reign-idUSKCN1GA0D3>

160 *The Economist*, “Xi Jinping is using his growing authority to amass even more,” *The Economist*, March 8, 2018, <https://www.economist.com/news/china/21738333-hopes-bold-economic-reforms-look-forlorn-xi-jinping-using-his-growing-authority-amass>

in conducting state and stability focused economic reforms while experimenting with market-oriented reforms.¹⁶¹

However, where China's GDP exceeded expectations to grow by 6.9% in 2017,¹⁶² the government's commitment to a 6.5% GDP growth target for 2018 indicates that his immediate concerns may be centered upon financial stability rather than ambition.¹⁶³ This is given that China's 14th Five-Year plan spanning 2016 to 2020 has been predicated upon a baseline 6.5% annual GDP growth rate, with the government often pressured to exceed such targets.¹⁶⁴ The key objectives of Xi's 2018 policy-making plans for China's have been outlined as preventing systemic risk, targeted deleveraging, reducing credit flows to undesirable areas, a more flexible capital account and currency, and anti-graft measures.¹⁶⁵ Stability as a foundation through such objectives will ensure the success of his efforts to transition China to a consumption-based economy and his plan for the Belt and Road Initiative.¹⁶⁶

Transition from the Unwritten to Written Constitution

The role of the NPC as a "rubber stamp" is determined by China's unwritten constitution – a manner of constitution where the rules are derived from subjective constitutional interpretation, customs, precedent and ancillary legal instruments.¹⁶⁷ Accordingly, China's unwritten constitution is derived from various sources, including the CCP constitution.¹⁶⁸ Political analysts acknowledge that the position of President possesses no real power under the Constitution, being a largely ceremonial role and formality.¹⁶⁹ The real executive

161 Lucy Hornby, "Power grab strengthens Xi's influence on China economic reforms," Financial Times, February 26, 2018, <https://www.ft.com/content/c7c720a4-1ad4-11e8-aaca-4574d7dabfb6>

162 Kevin Yao and Sue-Lin Wong, "China keeps growth target at 6.5 percent, stays focused on financial risks," Reuters, March 5, 2018, <https://www.reuters.com/article/us-china-parliament/china-keeps-growth-target-at-6-5-percent-stays-focused-on-financial-risks-idUSKBN1GH00J>

163 Gabriel Wildau, "China targets 6.5% economic growth in 2018," Financial Times, March 5, 2018, <https://www.ft.com/content/3cc9e6d8-2044-11e8-a895-1ba1f72c2c11>

164 Douglas Bulloch, "China's Growth Rate Remains On Track, But It's Aiming For The Wrong Target," Forbes, January 22, 2018, <https://www.forbes.com/sites/douglasbulloch/2018/01/22/chinas-growth-rate-remains-on-target-but-its-the-wrong-target/#790f565b6d3d>

165 Reuters Staff, "China to revise criminal law to accommodate powerful anti-graft commission," Reuters, March 12, 2018, <https://www.reuters.com/article/us-china-politics-corruption/china-to-revise-criminal-law-to-accommodate-powerful-anti-graft-commission-idUSKCN1G00AD>

166 Justina Lee, "What an Extension of Xi's Reign in China Means for Investors," Bloomberg, February 26, 2018, bloomberg.com/news/articles/2018-02-26/what-an-extension-of-xi-s-reign-in-china-means-for-investors

167 Heike Holbig, "China's Unwritten Constitution: Ideological Implications of a "Non-ideological" Approach," ASIEN 132 (July 2014): 54.

168 Claws Research Team, "Central Military Commission," Centre for Land Warfare Studies, 2011, http://www.claws.in/images/journals_doc/540789956_CemtralMilitaryCLAWSResearchTeam.pdf

169 Nikhil Sonnad, "Xi Jinping is not the 'president' of China," Quartz, November 2, 2017, <https://qz.com/1112638/xi-jinping-title-xi-jinping-is-not-the-president-of-china/>

power and authority are vested in the CCP and exercised through its General Secretary and the Chairman of the Central Military Position.¹⁷⁰

While Xi has assumed all three positions the role of President and Article 79 acts as a formal restraint and barrier to lifelong tenure, the General Secretary and Chairman positions act as unwritten restraints.¹⁷¹ The removal of Article 79 indicates that the CCP has finally disposed of the need for a façade of democracy in ruling China and has cemented the party's lock on the highest level of government, preventing anyone from using the government as an alternative power base from which to challenge Xi and his allies.¹⁷²

Such a move appeals to patriotic Chinese citizens and CCP officials and strengthens the position of the CCP as pivotal to China's transformation into a global superpower. The implications of this are illustrated within the rise of "Sinicised Marxism,"¹⁷³ the symbolic distinguishing ideology of the CCP through the development of socialism with Chinese Characteristics,¹⁷⁴ and a manner of political constitutionalism which criticizes the Chinese Constitution as being subject to Western ideological hegemony.

Furthermore, the introduction of direct references to the CCP beyond the Preamble and into the substantive body of the Constitution by proclaiming the CCPs leadership as "the most fundamental feature of socialism with Chinese characteristics"¹⁷⁵ shows the formalization of both the CCPs and Xi's authority over all aspects of governance, inextricably binding China's development and prosperity to the destiny of the Party.

Concluding Remarks

The passage of the constitutional amendments during the 13th NPC has cemented Xi's political legacy and position as China's Paramount Leader for the

170 Simon Hill, "Five things to watch out for at the Chinese Communist Party congress," *The Conversation*, August 30, 2017, theconversation.com/five-things-to-watch-out-for-at-the-chinese-communist-party-congress-83177

171 Kayla Wong, "Xi Jinping can be China's president until he dies. Technically," *Mothership*, February 26, 2018, <https://mothership.sg/2018/02/xi-jinping-president-no-limit/>

172 Salvatore Babones, "China's Constitutional Amendments Are All About The Party, Not The President," *Forbes*, March 11, 2018, <https://www.forbes.com/sites/salvatorebabones/2018/03/11/chinas-constitutional-amendments-are-all-about-the-party-not-the-president/#7838874a1615>

173 Heike Holbig, "China's Unwritten Constitution: Ideological Implications of a 'Non-ideological' Approach," *AISEN* 132, (2014): 53.

174 Cary Huang, "The method in Xi Jinping's Marxism: What's behind the president's push for the economic theory?," *South China Morning Post*, November 30, 2015, <https://www.scmp.com/news/china/policies-politics/article/1885100/method-xi-jinpings-marxism-whats-behind-presidents-push>

175 NPC Observer, "Translation: 2018 Amendment to the P.R.C. Constitution," *NPC Observer*, March 11, 2018, <https://npcobserver.com/2018/03/11/translation-2018-amendment-to-the-p-r-c-constitution/>, Article 36.

forseeable future.¹⁷⁶ With the prediction that he will remain in power anywhere between 10 to 30 years,¹⁷⁷ China now stands at a crossroads, where possibility of a prolonged one-man leadership has the potential to either propel or sabotage China's political and economic development as a superpower contender and ideological challenger to the West. This circumstance gives rise to several possible outcomes, classified as the best, worst, and most likely scenarios for the future of the Chinese nation.

Best Case Scenario

Despite the implications associated with the removal of term limits, Xi may maintain political stability and preserve some modicum of Deng's political framework by announcing a timeline which would show his intent to self-limit his term as President and step down or designate a successor by 2022.¹⁷⁸ However, this appears unlikely as it would backtrack upon his display of force while providing political opponents the opportunity to pursue him after he steps down.

Alternatively, Xi's indication of remaining as President indefinitely may allow him adequate time to bring about China's national rejuvenation and establish a Chinese kind of democratic norms. The potential for improved economic performance and development under a centralized leadership is a pattern which has been prevalent and successfully replicated across numerous Asian states such as South Korea and Singapore.¹⁷⁹ It is hoped that his continued leadership and guidance will enable him to complete controversial but necessary policies essential to the achievement of the "Chinese Dream," including a military modernization drive, global trade and infrastructure programs under the "Belt and Road Initiative,"¹⁸⁰ and environmental and sustainable energy reforms.¹⁸¹

176 Wang Xiangwei, "How long does China's President Xi Jinping plan to hold power? Here's the magic number," South China Morning Post, March 3, 2018, <https://www.scmp.com/week-asia/politics/article/2135206/how-long-does-chinas-president-xi-plan-to-hold-power-heres-magic>

177 Shiu Sin Por, "China needs Xi Jinping at the helm for at least a decade more to finish his anti-corruption work and build an effective system," South China Morning Post, March 6, 2018, <https://www.scmp.com/comment/insight-opinion/article/2135706/china-needs-xi-jinping-helm-least-decade-more-finish-his>

178 Gillian Wong, "China has proposed getting rid of its presidential term limits — meaning Xi Jinping could rule indefinitely just like Mao Zedong," Business Insider, February 25, 2018, [businessinsider.com/xi-jinping-could-rule-china-until-his-death-without-term-limits-2018-2/?r=AU&IR=T](https://www.businessinsider.com/xi-jinping-could-rule-china-until-his-death-without-term-limits-2018-2/?r=AU&IR=T)

179 Kenichi Ohno, "The East Asian Growth Regime and Political Development," National Graduate Institute for Policy Studies, November 28, 2003, www.grips.ac.jp/forum/DCDA/Chapter02.pdf, 47.

180 David Tweed and Enda Curran, "World Braces for More Rule-Bending by China's Xi," Bloomberg, February 27, 2018, [bloomberg.com/news/articles/2018-02-26/xi-s-indefinite-rule-feeds-doubt-china-will-play-by-the-book](https://www.bloomberg.com/news/articles/2018-02-26/xi-s-indefinite-rule-feeds-doubt-china-will-play-by-the-book).

181 David Dollar, "Xi's power grab gives short-term boost with long-term ramifications," Brookings Institute, February 27, 2018, <https://www.brookings.edu/blog/order-from-chaos/2018/02/27/xis-power-grab-gives-a-short-term-boost-with-long-term-ramifications/>

Worst Case Scenario

However, the consolidation of power may only result in increased opposition to Xi, stakeholders denied a political voice may resort to violence in achieving their objectives. Having already survived several internal coup attempts by the Tuanpai faction, he is well aware of the dangers which persist within the CCP.¹⁸² If Xi is unable to manage and mitigate growing public and Party opposition, he risks falling into China's "Paramount Leader Trap," one where the quest for political power generates dissent, which escalates to the point of physical violence, necessitating the use of last-resort political and military powers to restore the status quo, and stunting China's political and economic development for the following decade. This pattern was observed under Mao Zedong with the Cultural Revolution,¹⁸³ and under Deng Xiaoping with the Tiananmen Square Massacre.¹⁸⁴ Within these events, the leader is observed using political power and physical force to crush internal dissent, restore social harmony, and safeguard their political legacy at the expense of the Chinese peoples.

Most Probable Scenario

Within the CCP Constitution, there exists no specified term limit for the General Secretary, and the informal customary rule established since the 16th CCP congress in 2002 held that no one older than 68 will be appointed or reappointed to membership of the Politburo Standing Committee. Anyone aged 68 or above at the time of the subsequent CCP National Congress should retire.¹⁸⁵ Xi is presently aged 64 and will be 69 by the 20th CCP Congress in late 2022. His overwhelming confidence and drive to achieve the "Chinese Dream" and transform China into a modern socialist country by 2049 certainly shows his intent to rule indefinitely. However, it remains to be seen whether he

182 Tara Francis Chan, "Factional warring and failed 'coups' may be the reason Xi Jinping wants to rule China forever," *Business Insider*, March 12, 2018, [businessinsider.com/au/xi-jinping-ended-term-limits-because-of-failed-coup-2018-3?r=US&IR=T](https://www.businessinsider.com/au/xi-jinping-ended-term-limits-because-of-failed-coup-2018-3?r=US&IR=T)

183 Tom Phillips, "The Cultural Revolution: all you need to know about China's political convulsion," *The Guardian*, May 11, 2016, <https://www.theguardian.com/world/2016/may/11/the-cultural-revolution-50-years-on-all-you-need-to-know-about-chinas-political-convulsion>

184 Sophia Richardson, "China, the world remembers Tiananmen massacre," *Human Rights Watch*, June 3, 2014, <https://www.hrw.org/news/2014/06/03/china-world-remembers-tiananmen-massacre>

185 Simon Denyer, "China's Xi Jinping unveils his top party leaders, with no successor in sight," *The Washington Post*, October 25, 2017, https://www.washingtonpost.com/world/chinas-communist-party-unveils-new-leadership-with-no-obvious-successor-to-xi-jinping/2017/10/25/efe67876-b8fc-11e7-9b93-b97043e57a22_story.html?utm_term=.772c802206f5

will depart with convention or become a dictator should he remain as General Secretary past 2022.¹⁸⁶

In the immediate-term, Xi's consolidation of power will contribute to an increasingly assertive and confident government.¹⁸⁷ His ascension to paramount leader status has seen the replacement of Deng's guiding ideology of "hide our capabilities and bide our time,"¹⁸⁸ with Xi's own grand strategy of "striving for achievement."¹⁸⁹ Accordingly, he has moved to elevate Xi Jinping Thought as a guiding principle within China's diplomacy,¹⁹⁰ escalating trade wars with the US¹⁹¹ and revitalizing China's diplomatic campaign against Taiwan¹⁹² and its proposals to solidify its control over South China Sea territories in replacing the nine-dash line with a "continuous boundary line."¹⁹³

Conclusion

The removal of term-limits from China's Constitution shows Xi's ascension as China's new Paramount Leader, as the rightful successor to Mao and Deng's legacies, and the sole individual capable of guiding the country into prosperity for decades to come. Mindful of the precedents set by past leaders enshrined within the National Constitution, the balance of probabilities indicates that Xi will retain a core leadership position within the CCP and government beyond the conclusion of his two-term limit in 2022 – a position which will enable him to oversee the realization of his ambitions of the "Chinese Dream."

However, Xi's success balances upon his ability to quell internal Party challenges between the Tuanpai and Princeling factions of the CCP. He must

186 Charlie Campbell, "Xi Jinping Becomes China's Most Powerful Leader Since Mao Zedong," *Time*, October 24, 2017, <http://time.com/4994618/xi-jinping-china-19th-congress-ccp-mao-zedong-constitution/>

187 David Tweed and Enda Curran, "World Braces for More Rule-Bending by China's Xi," *Bloomberg*, February 27, 2018, <https://www.bloomberg.com/news/articles/2018-02-26/xi-s-indefinite-rule-feeds-doubt-china-will-play-by-the-book>

188 GlobalSecurity.org, "Deng Xiaoping's '24-Character Strategy,'" *GlobalSecurity.org*, 2018, <https://www.globalsecurity.org/military/world/china/24-character.htm>

189 Camilla T.N. Soresen, "The Significance of Xi Jinping's "Chinese Dream" for Chinese Foreign Policy: From 'Tao Guang Yang Hui' to 'Fen Fa You Wei,'" *Journal of China and International Relations* 3, no.1 (2015): 53.

190 Zhang Hui, "Xi thought enshrined as supreme guidance to China's diplomacy," *Global Times*, June 24, 2018, <http://www.globaltimes.cn/content/1108181.shtml>

191 Amanda Lee, "US-China trade war: Beijing vows to hit back if Trump imposes new tariffs on US\$200 billion of its goods," *South China Morning Post*, September 6, 2018, <https://www.scmp.com/news/china/china-economy/article/2163108/us-china-trade-war-beijing-vows-hit-back-if-trump-imposes>

192 Teng Pei-ju, "Losing 3 allies in 4 months, Taiwan President calls for solidarity to preserve national sovereignty," *Taiwan News*, August 21, 2018, <https://www.taiwannews.com.tw/en/news/3511613>

193 Stephen Chen, "China's claims in South China Sea 'proposed by continuous boundary for the first time,'" *South China Morning Post*, April 22, 2018, [scmp.com/news/china/society/article/2141323/chinas-claims-south-china-sea-proposed-continuous-boundary-first](http://www.scmp.com/news/china/society/article/2141323/chinas-claims-south-china-sea-proposed-continuous-boundary-first)

also manage the anticipated exponential increase in public and internal-CCP dissent as 2022 approaches. Lastly, Xi must demonstrate his worthiness to be held out as China's new Paramount Leader – one equal in stature of Mao and Deng – by competently managing and balancing domestic economic development amid an escalating international trade war with the US.

Regardless, the removal of term limits marks a significant moment in Chinese political development, in distinguishing China from contemporary Western democratic norms of executive term limits embodied within the US,¹⁹⁴ as China continues to chart its development as an economic, political and ideological challenger vis-à-vis the West.

194 Michael Ng-Quinn, "Xi Jinping must stay on as China's president during this critical time, as Roosevelt did for the US," South China Morning Post, February 27, 2018, [scmp.com/comment/letters/article/2134915/xi-jinping-must-stay-chinas-president-during-critical-time-roosevelt](https://www.scmp.com/comment/letters/article/2134915/xi-jinping-must-stay-chinas-president-during-critical-time-roosevelt)