

Social Justice in Contemporary China and the Mission of Chinese Marxism: with a Review to Rodney G. Peffer's Social Justice Theory

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Nowadays the situation regarding social justice in China is extremely complicated. The transformation from planned economy to market-oriented economy brought freedom and wealth to Chinese people, but it also triggered off social problems at the same time. There's a tension between the right of negative liberty of individuals and the right of subsistence of the citizens. The proposal that everyone's basic security and subsistence rights are to be met should be the first principle of social justice according to Rodney Peffer is compatible with Chinese social circumstance and has important inspiration to the construction of contemporary Chinese social justice.

The proposal of economic democracy may be arguable in theory and practice. But Rodney Peffer and David Schweikart's effort has its own value for China's practice. Economic democracy is still a possible and desirable goal for China which has a history of socialism. China's road to social justice should firstly figure out the principles of social justice which rooted in the balance of market-oriented economy and socialism, and then establish reasonable institutions to carry on these principles. And as to the mission of Chinese Marxists, they ought to get rid of the restraint of ideology, especially some of the orthodox judgements of Marxism concerning scientific socialism, and try to find out the desirable way to balance market-oriented economy and socialism to achieve social justice.

Issues of Social Justice in Contemporary China

In Mao's era, people seldom told about social justice. Mao's people regarded socialist China as a society realized or transcendent social justice. However, in vision of today, unjust social phenomena obviously existed in Mao's era: Firstly, the right of negative liberty was restricted. Individuals were deprived of their freedom of speech and expression in the movement of reformation of intellectuals and the anti-rightist campaign in the 1950s. People don't have the freedom of migration and the freedom of occupation. And what's more, their personal freedom and personal dignity were violated in Cultural Revolution. Secondly, political democracy wasn't guaranteed in practice. These two main unjust social situations were related to the planned economy of socialist China.

After the reform and opening-up, China tried to protect the rights of individual's negative liberty and push forward institution construction of political democracy under the circumstance of market-oriented economy. But Chinese liberals weren't satisfied with the performance of the protection of individuals' negative liberty and their rights to involve into decision-making in political affairs. It's true that the liberals have good reason to complain. Freedom of migration wasn't guaranteed for the institution of Hukou haven't been cancelled. The freedom of speech and assembly were limited in many ways in reality. Official censorship on publications reminded them that the authority didn't leave enough space to their citizen concerning the freedom of expression. As to political democracy, China declared that she didn't want to follow western country's political doctrine of separation of powers, but

the problem was she hadn't figured out new political institutions to prevent corruption effectively (And the corruption of officials in government was still one of the main reasons for social injustice). Besides, the democratic election of the leader at the village level held throughout the country was hurt by the bribery phenomena. Judging from the above mentioned phenomena, Chinese liberals took the institution construction of negative liberty and political democracy as the main issue of Contemporary Chinese social justice.

The problem is that the liberals may miss another important issue—the injustice in economic area. And in my mind, economic injustice is a more serious problem.

In China, the critics of socialist planned economy found academic resources from Hayek and Popper. It's true that planned economy coexist with poor efficiency and political coercion. But it seems that the liberals of China went too far at present. Blind worship in market has dominated the thought of many scholars and policymakers of governments in China. Thus a sophistry is quite popular: The defects of market is the result of unreasonable interference of the governments rather than that of the market itself. They never believed the skyrocketing house price was the byproduct of a market without proper supervision (for example, monopolization) and criticized the efforts the government took to eliminate the economic bubble. They were blind to the dual character of the market. Under the regulation of free competition, the market is always a paradise for the stronger, it never sympathizes with the weak. Efficiency other than equality is what it concerns. Policymaker who held such a blind faith with free market would take an indifferent attitude to the serious inequality in the society. The market is regarded as a sacred creature untouchable. The Chinese liberals fell into the other side at the same time they reflected on the unexpected consequence of planned economy. And a more severe problem is that, if any intervention in the free market is unacceptable and is to be avoided, some vested interests groups can pack the unjust demand into this "neutral" market to take advantage of it "legally". For example, the building contractors of real estate in China maintained the high house price by forming the price alliance, while the government was required to stand by and did nothing in the name of "nonintervention".

Blind whorship in market and efficiency also resulted in marketization of education and health care. The public beneficial feature of education was ignored. For a long time the compulsory education in primary school was not free until the year 2000. And in the field of university education, still many students from the countryside worried about tuition at present. As to health insurance, large amount of peasant and migrant rural workers haven't been covered. And as the market-oriented hospital charged a lot, quite many people couldn't afford the cost. But the situation is getting better. The health insurance reform including rural medical insurance is pushing forward at present (of course, we are still waiting the good result). So, in my mind, the fields of education and health care are the exact field that urgently required social justice.

What needed to reaffirmed is I am not going to deny the importance of political democracy and negative liberty to social justice. What I want to do is to rectify the ignorance of social equality and economic democracy. As a kind of general knowledge, the negative liberty and political democracy strictly confined to the scope of liberalism will not necessarily bring citizens more freedom or enhance their political participation. From this point of view, the thought of liberalism is far not enough to support a society of justice.

The Inspiration of Rodney Peffer's Theory of Social Justice to China

As John Rawls works *Theory of Justice* was translated into Chinese in the 1990s, scholars in China began to discuss the justice problems of Chinese society. However, this trend was far from becoming a kind of mainstream at the beginning. But as the social problems and contradictions kept accumulating and sharpening, it began to attract more and more attentions from the public recently. Rawls' theory was understood basically as a mediation between radical Marxism and liberalism. And it was regarded as a reasonable choice for some Chinese intellectuals after recognizing both the dull prospect of radical Marxism and the destruction force of liberalism. But also for the mediation, Rawls' view was still under the attacks from Marxism and liberalism.

Rawls theory of justice obviously has its value for such country as China which has accepted market-oriented economy and is advancing economic, political and social modernization. Firstly, Rawls' view that "each person is to have an equal right to the most extensive total system of equal basic liberties" is very important to Chinese society which lacks of the consciousness of right in history. Secondly, the difference principle contributes to alleviate sharp social contradictions, such as the polarization between the rich and the poor caused by market competition, etc.. However, according to China's concrete social reality, Rawls' view was still considered conservative partly because he took the social condition of the developed countries as a background for his thinking .

Fortunately, we have found more appropriate theory in Rodney Peffer's modifications to Rawls' theory and also in David Schweickart's thought of democratic economy. Their theories provides important inspiration to the construction of social justice theory in China nowadays.

Frankly speaking, the theory of social justice which Peffer and Schweickart held is more radical. For Peffer, to take maximum equal basic liberty principle as the primary principle for a justice society is arguable. According to Peffer's opinion, the more basic principle is that "Everyone's basic security and subsistence rights are to be met; that is, everyone's physical integrity is to be respected and everyone is to be guaranteed a minimum level of material well-being including basic needs". Peffer's view was accepted by Rawls. The guarantee of food, drinkable water, shelter, clothing, basic medical care, a livable environment, etc. would be chosen as the prior principle in original position. In Rawls' theory, the principles of justice was reached without any consideration of any particular circumstance, that is to say the principle of justice was not specified for certain society. But if we consider from the perspective of accepting his principles of justice, we can find out that Rawls' principles would be more easier to understand and accept in the developed countries where the basic security and subsistence rights have been met than in the developing countries where such basic security and subsistence rights haven't been guaranteed. So Peffer's modifications not only sound more reasonable in logic, but also open the possibility to achieve global justice.

As to physical integrity, the current Constitution of the People's Republic of China declares that no citizens may be unlawfully arrested or unlawfully deprived of their personal freedom (article 37). Everybody acknowledges it's an inviolable right for citizens. But as to the right of subsistence and minimum material well-being guarantee, the consensus may

disappear. Some liberals looked down upon such right as pig's right. But it's a kind of extreme prejudice.

The social reality well illustrated the rights of subsistence and basic material guarantee were foundations for the individual freedom at present in China. For example, as to the huge number of workers in private enterprises (such as factories producing shoes and clothes), what's in their mind wasn't the hope of having the freedom to choose an occupation they like, but the fearness of losing their jobs, because they had to support their family with a salary of approximately 130 US dollars per month. And after working for a dozen hours every day, they usually had no time and vigour to think about other formal freedom, such as political freedom, freedom of the speech, etc.. If the government couldn't ensure their basic material demand, it was highly possible that they wouldn't make good use of their political and social rights, even their personal dignity weren't guaranteed too. From this point of view, the right of subsistence is the foundation of one's freedom.

In another revision to Rawls's principle of justice, Peffer proposed the principle of economic democracy, which required "an equal right to participate in decision-making processes within social and economic institutions of which one is a member". Rawls didn't agree with this revision because he thought the principle would get socialism involved. Indeed, economic democracy has close relationship with socialism. To put it briefly, according to the logic of capitalist market-oriented economy, the competition among enterprises has nothing to do with public affairs. In economic field, economic efficiency and profit were concerned rather than the public good, so there was no need to advocate democracy. However, with the masses widely held the stocks of these enterprises, the private feature of enterprises had already changed. Once the production and operating activities of these enterprises obtained the feature of public, the requirement for economic democracy was put forward naturally.

In China, people have already learned of Robert Dahl and J.E. Stiglitz's opinion about economic democracy. But the view of David Schweikart is more impressive. He pointed out that socialism with economic democracy is a more rational model to take the place of capitalism. In his theory, he did an intensive research about worker's self-controlled model and he advocated workers deciding everything concerning the activity of enterprises' production and management by a democratic way. Peffer agreed with Schweikart's view and he not only proved the moral superiority of socialism with self-management workers, but also stressed on the right of individuals to participate in the decision-making of social-economic institution.

What Peffer had not pointed out clearly but certainly included in his theory was the people's right to know. But even in the U.S.A., people's right to know the economic decision-making hadn't been guaranteed. In the financial crisis in 2008, Not merely common American people (they are stock holder at the same time) didn't know how the financial companies worked, even the American congressmen or other government officials had no idea how they were going to use the rescue fund. Compared to the right to know, worker's self-management in company seemed much more difficult in the U.S.A. (Just as Peffer put it, it was not a reality in Sweden either) .

So can China accomplishes a desirable combination of market-oriented economy and socialism and thus advances democracy from political field to economic field? There is a

hope as well as difficulty. The difficulty is the liberals in China has great power to influence the policy-makings of the government, so the policy of neo-liberal is possible to be taken by Chinese government to head for a capitalist society. And the hope lied in the fact that Chinese people believed that socialism was more justice than capitalism. China had a long tradition of equalitarianism in history which was expressed as “inequality is worse than deficiency”. In recent history, both the Kuomintang party under Sun Yat-sen’s leadership and Mao Zedong’s Communist Party were in favor of socialism. That is to say, the socialist tradition in Chinese history leave us a hope.

The scholars of the Left in China is very positive to this. Cui Zhiyuan, professor of Tsing-Hua University once stated that Chinese’s economic construction of socialist market must pay more attention to the construction of economic democratization. He emphasized two main points: First, public-owned enterprises should play a greater role in the market; Second, economic democratization should be advanced(Labourer had more shares and participated in decision-makings such as production and profit distribution). His view is close to that of Peffer for they all agree that public-owned economy is the foundation of the socialism with economic democracy. If a society has no public-owned economy or the public-owned economy is not so powerful, economic democracy isn’t likely to come true. In the 1990s, Chinese state-owned and collective-owned enterprises underwent a tide of privatization. The privatization tide had caused a large number of workers' unemployment and a big loss of public-owned assets (Usually they were undervalued in the process of privatization), while bringing high efficiency and more profits to these privatized enterprises. And as the social security system was not well developed, the unemployed workers not only lost their jobs, but also lost the only guarantee of life (Now some scholars advocate the privatization of the rural land in China, but the central government is aware of its tragic consequence and keeps silence.) . Certainly, in an era of global competition of goods and capital, it’s not an easy task to promote the economic efficiency of collective enterprises. So, to practice economic democracy in a developing country is a more difficult job. However, there is still a hope remained in China because the important agricultural, industrial and financial enterprises are still owned by the the government or the collective organization. And through the public-owned enterprises, the government can play an more powerful role in social and economic field. For example, it can rectify the blindness of the market (using national reservation to lower the crazy high price of petroleum and certain kind of food product), reallocate social resources to alleviate the inequility of social resources distribution. But the low economic efficiency problem was still remained when Chinese enterprises carried on economic democracy. For this reason very few enterprises in China advocate economic democracy and self-management of workers (In Mao’s era there’s some enterprises practiced economic democracy). But in the broad sense of economic democracy, people can supervise how the government use the money and participate in the government’s decision-making concerning their interests. And there’s a positive change in the practice of democracy (both political and economical) in China. People can pass their suggestion to the government and also supervise it through internet.(By using internet the masses can get together in the website to criticize the officials or even the government, and the officials or government usually need to respond to such critiques. Of course, this kind of activity only give the government ethical pressure)

Generally speaking, Peffer's theory of social justice is to advance Rawls' theory from the perspective of Marxism. His effort reaffirms Marxist concern of individuals's self-realization and also social equity. His thought greatly inspires Chinese scholars in their effort to inquire into the problems of Chinese social justice and rethink the contemporary value of Marxism.

China's Road to Social Justice and the Mission of Chinese Marxist

In the primary stage of Chinese socialism, the socialist market economy would be the fundamental fact to determine the basic structure of social justice. The solution to balance the tension between socialism and market-oriented economy would determine the distribution of people's basic rights and duties, and also that of benefits and social burden. Conversely, the structure of social justice China established may have great influence on the concrete appearance of socialist market economy.

For quite a long time from the beginning of reform and opening-up to the end of last century, the government stressed more on market economy to achieve an higher economic efficiency. Such distribution principles as "distribution according to work" and "give priority to efficiency with due consideration to fairness" were accepted. But with more and more severe polarization took place, more and more people criticized the missing of socialist concerns and asked for social fairness.

Needless to say, the Chinese leaders have their understandings about social justice. In 1978, Deng Xiaoping (the leader who launched the campaign of reform and opening-up) explicitly pointed out that the Goal of Chinese economic reform was to achieve socialist democracy and "common prosperity". The latter word means that people share the social goods together equally. And in October of 2007, Hu Jintao gave a report to the 17th National People's Congress of Communist Party of China. He required the members of the party to "do our best to ensure that all our people enjoy their rights to education, employment, medical and old-age care, and housing", and to "expand socialist democracy and better safeguard the people's rights and interests as well as social equity and justice". The problem is that the Chinese leaders' idea about social justice were kinds of blueprint. In which freedom, democracy and equity were pursuing as a whole without serious consideration about the tensions among them. Compared to the leaders' impractical blueprint, a social justice theory with lexical order principles would be more feasible and practicable. (Just like what Peffer argued in his social justice theory that basic rights principle had a priority, following by equal basic liberties principle, fair equality of opportunity principle, modified difference principle, and finally social and economic democracy principle.) The lexical order principle of social justice is easier to be guaranteed one by one through institutionalization. So Chinese scholars can't be satisfied with bringing up such abstract and ambiguous blueprint of social justice. They need to actively push forward the construction of practical principles of social justice in accordance with Chinese's social reality, and also actively push forward the institutionalization of the above mentioned practical principles to achieve social justice.

In their efforts to establish social justice principles, Chinese Marxist ought to participate in and offer more constructive suggestion. Recently there was a dispute regarding China's development mode in the future. In 2007, Xie Tao published the article "The Mode of

Democratic Socialism and the Future of China” in *Yanhuang Chunqiu* (the second issue) . In this article he proposed that Chinese should follow Sweden to achieve democratic socialism in the future. And because he criticized socialist revolution and Mao Zedong in the article, he was seriously attacked by orthodox Marxist in China. The dispute was strictly academic and as Xie Tao said later that he didn’t get any critique or punishment from the government. The orthodox Marxism in this dispute defended the legitimacy of revolution from the perspective of scientific socialism and attacked his concession to capitalism. It’s obvious that ideology was involved. This dispute reflected some Chinese Marxist was still stick to Marx and Engels’ certain orthodox conclusion such as eliminating private property and took communist society which Marx and Engels conceived as a standard to criticize the reformation nowadays. The point is we couldn’t take what Marx and Engels say as something absolute truth. The world changed a lot after they built up their theory, so their judgements were open to modification.

The contemporary value of Marxism to us is mainly its critique of capitalist society, but that’s not all. In this sense, the contemporary Chinese Marxist certainly need to insist in criticizing capitalist society, especially opposing such attitude as having blind faith in market. But it’s true that if we acknowledge the development of modern economy can't keep away from market, we can't reject market in a simple way. The most reasonable thing for the Chinese Marxists to do is to acknowledge the importance of market to modern production, and to find out the most desirable combination of market and socialism to achieve social justice. Chinese Marxist need to stay away from ideology and seriously deal with the theories of social democracy, democratic socialism, economic democracy and self-management of workers. They can support or oppose these theories but they need to explain why they make such decision from the perspective of social justice. In a word, the mission of contemporary Chinese Marxists are not to stick to certain judgements made by classical Marxist (like Marx and Engels) concerning scientific socialism, nor to embrace market-oriented economy and liberalism, but to balance the tension between socialism and market to achieve social justice.