

Roundtable

The Implications of the 19th Chinese Communist Party Congress

Concept Note

Sponsored by Penn State Law, Penn State School of International Affairs the Coalition for Peace & Ethics, the Foundation for Law and International Affairs, and Res. Career Development Network of Law and International Affairs.

The 19th Congress of the Chinese Communist Party has just concluded in Beijing. The Congress served to affirm the further development of the guiding ideology of China's governing system. That development, the theme of which is *Socialism with Chinese Characteristics in the New Era*--**新时代中国特色社会主义思想**--was introduced by Xi Jinping as the central theme of the Report delivered on 17 October 2017 (original [中文](#) language version of that Report).

To elaborate and implement that theme into the political, legal, economic, societal and cultural life of the state, the 19th CCP Congress approved a number of important changes to the political constitution of the People's Republic that will have significant effects especially on law, economics and the political organization of the state. It will also have a significant effect on China's external relations --from trade and trade frameworks, through sovereign investing and development. Its effects on the shape and development of international law and international relations cannot be underestimated.

To that end, on October 24, 2017, the Nineteenth National Congress of the Communist Party of China adopted a [resolution on the Constitution of the Communist Party of China](#) (Amendment), effective immediately. The revision represents an important development in the evolution of the political constitution of China, defining the vanguard party's program, organization, organization system, party members, party members' rights and obligations, party discipline, etc. The last revision was partially modified by the Eighteenth National Congress of the Communist Party of China, which was adopted on November 14, 2012.

The revisions to the Constitution of the Chinese Communist Party are important in at least two respects. First, the changes to the "General Program" of the CCP Constitution further develops the political theory which guides the CCP in its leadership role. The General Program of the CCP Constitution sets out the cage of principle that constrains the CCP in its leadership role. It sets out the CCP Basic Line, those principles and policies in conformity with which all CCP cadres, from the lowest to the highest are under a strict obligation to apply. *Here, then, are the amendments to the political constitution of the Chinese state.* The second, the institution creating provisions to the organization of the institution of the Communist Party, are also potentially significant. The key elements to watch for may include the new provisions regarding *inspection tours* (art. 14), which will play a prominent role going forward in disciplining CCP organizations. When combined with the techniques of big data management, it may auger a new era of institutional management. This managerial element then radiates outward (e.g., art. 34).

It is from these amendments and resolutions that law, policy, economics and politics are ordered and

legitimated. The language and concepts of those provisions help shape and define the legitimacy and constraints on the parameters of politics, of economics, of society and of the obligations of state and Party to its citizens is constructed. It is through this document that the Chinese political class constructs meaning from words, and sets the boundaries and forms of discourse. The failure to understand this meaning making will make interpretation more difficult for foreigners who might otherwise insist of exporting their own ideological language constructs onto the Chinese system.

The work of the 19th CCP Congress, then, presents a complex engagement with the core principles on which state and society are organized. Its ramifications will be significant not merely for the politics and legal systems of China, but will affect China's increasing engagement with the world through its trade arrangements and through its interventions in international organizations. and will require substantial study to tease out all of its ramifications for politics, economics, policy, and socio-economic development. It is likely that the theories and perspectives reflected in the 19th CCP Congress will begin to find their way into international law in the near future. To that end, it is important to understand the work product of the 19th CCP Congress and its likely effects on China's law, politics, and economics, from a domestic and international perspective.

To the end of better understanding these developments and its implications at home and abroad, we will be hosting a Roundtable on the 19th Chinese Communist Party Congress this Friday, November 3, from 10 AM through Noon. The Roundtable brings together a group of scholars from the U.S., Europe and China. Roundtable will be held at Katz 241 and also will [live streamed](http://mediasite.dsl.psu.edu/mediasite/Play/4d93fb185798486e9742e197aac8685e1d) (<http://mediasite.dsl.psu.edu/mediasite/Play/4d93fb185798486e9742e197aac8685e1d>)



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