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**A Crushing Tide Rolling to a Sweeping Victory?  
Xi Jinping’s Battle with Corruption after Six Years of Struggle**

In late 2012, early 2013, newly selected Chinese Communist Party (CCP) General Secretary Xi Jinping ordered an intensification of the regime’s ongoing attack on corruption. Party investigators and the Procuratorate would, he declared, not only “swat at flies” (the rank and file), but would also “hunt big tigers” (senior officials), including those in the inner most circles of power. At the 19<sup>th</sup> Party Congress in October 2017 and then again at the 2<sup>nd</sup> Plenum of the 19<sup>th</sup> Central Discipline Inspection Commission (CDIC), the party’s internal watchdog, in January 2019 Xi claimed that the “crushing blows” dealt by crackdown had won a “sweeping victory” and that the party was now consolidating its success in China’s long war with corruption.<sup>1</sup> The victory was not, he warned at the 3<sup>rd</sup> Plenum of the 19<sup>th</sup> Central Discipline Inspection Commission fourteen months later in January 2019, complete and called for the struggle to continue with unabated vigor.<sup>2</sup>

Rhetorical claims notwithstanding, key questions remain about Xi’s protracted assault on corruption. What triggered the crackdown? Was the crackdown actually a political witch hunt disguised as an anti-corruption crackdown? What has the crackdown achieved and has it actually reduced corruption? What does the future hold and will the consolidation of the party, state, and judicial anti-corruption agencies into the new National Supervisory Commission strengthen the regimes defenses against corruption?

**Origins of the Crackdown**

The crackdown begun in late 2012, early 2013, is the latest “surge” in a battle against corruption the CCP has waged since its establishment in the 1920s. After seizing power in 1949, the party launched repeated mass campaigns during the 1950s in which corrupt officials, black marketers, and profiteers were dragged in front of mass meetings, denounced, beaten, and sometimes executed. In 1963, the party launched a new drive against cadres who had taken advantage of their power to corruptly protect their families and friends during the 1959-1961 famine. Three years later, the “Socialist Education Movement” morphed in the Cultural Revolution, a sweeping assault on what Chairman Mao Zedong saw as the corrupt privileges arrogated by party cadres and state

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<sup>1</sup> Xi Jinping, “Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era,” October 18, 2017, available at [http://www.chinadaily.com.cn/china/19thcpnationalcongress/2017-11/04/content\\_34115212.htm](http://www.chinadaily.com.cn/china/19thcpnationalcongress/2017-11/04/content_34115212.htm) and “Xi calls for fundamental improvement of CPC political ecosystem,” *Xinhua*, 1/11/2018, available at [http://www.xinhuanet.com/english/2018-01/11/c\\_136888965.htm](http://www.xinhuanet.com/english/2018-01/11/c_136888965.htm).

<sup>2</sup> “CCDI adopts communique at plenary session,” *China Daily*, 1/13/2019, available at <http://global.chinadaily.com.cn/a/201901/13/WS5c3b1b31a3106c65c34e41c3.html>.

officials. As the chaos of the Cultural Revolution subsided, the party continued to attack corruption in the early 1970s. Despite repeated attacks, corruption remained a chronic problem, albeit a problem that in the Maoist era bribes was apt to be denominated in kilograms of pork, cartons of cigarettes, and bottles of cheap alcohol, not stacks of cash.

After the adoption of economic reforms in the 1980s and the beginning of the post-Mao economic boom, corruption also took off, with sums of money changing hands steadily expanding and mounting evidence that corruption was not a street/grassroots level problem but one that increasingly infected the middle-levels of the party state bureaucracy. Faced with rising corruption, the party responded with a series of drives against the rank-and-file “flies” in the 1980s and then a drive against corruption at the county and department levels in 1993. Over the next two decades, the party’s “war on corruption” ground on year-in and year-out. In the process, several major scandals, including the arrest of Beijing Party Secretary and Politburo member Chen Xitong in 1995 and Shanghai Party Secretary and Politburo members Chen Liangyu (no relation to Chen Xitong) in 2006, shook the party.

During 2011-2012, a series of new scandals likely revealed to the party leadership that corruption at the top was perhaps not a matter of “a few bad apples.” In March 2011, the CDIC announced that Liu Zhijun, the Minister for Railways, was under investigation. Liu was at the heart a web of corruption that had been feeding off the massive investments being made in the construction of China’s rapidly expanding high-speed rail system. Liu, according to rumors, had gotten so brazen that he claimed he was going to buy a seat on the Politburo. Later that year, General Liu Yuan, the son of Liu Shaoqi, the former Chairman of the People’s Public of China (PRC), accused Lieutenant General Gu Junshan, Deputy Director of the People’s Liberation Army’s General Logistics Department, of racking off huge sums from the sale of the use rights to military-controlled property and using part of the money to payoff senior military officers.<sup>3</sup>

More dramatically, in February 2012, Wang Lijun, the former Director of the Chongqing Public Security Bureau, fled to Chengdu, the capital of neighboring Sichuan province, to seek political asylum in the U.S. consulate. According to news reports, Wang had fled Chongqing after he had clashed Bo Xilai, the city’s party secretary. Following a falling out, Bo demoted Wang to head the city’s Environment Bureau, Wang countered by telling Bo that he had evidence that Bo’s wife Gu Kailai had murdered an English businessman named Neil Heywood after the two had a falling out over bribe money that Heywood had been helping Gu launder. Bo struck Wang who then fled the city fearing for his life. After the State Department declined his request for asylum, Wang called friends in Beijing for dispatched agents from the Ministry for State Security to guide Wang past Chongqing police who had surrounded the consulate and onto a flight to Beijing.

In combination, the Liu, Gu, and Bo cases likely suggested to Xi and other senior leaders that three decades battling corruption at the middle and rank and file levels had not prevented corruption from spreading upward into the core of the party-state leadership. The Bo case must have been particularly disturbing because Bo was a member of China’s red aristocracy. Bo’s father, Bo Yibo, was a first generation revolutionary and one of the eight most senior members of Deng Xiaoping’s reformist coalition. Bo himself had been a high-profile proponent of a Maoist revival that include the “singing of red songs” and a populist social welfare program aimed at China’s lower classes.

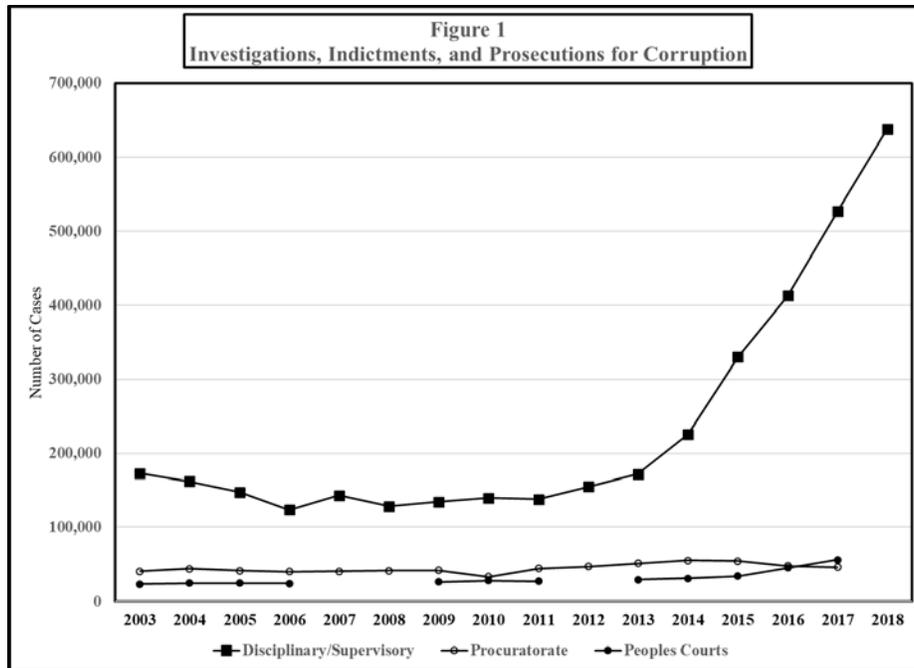
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<sup>3</sup> Liu Shaoqi died in 1969 after suffering repeated beatings by Red Guards.

It appears, therefore, that as he prepared to take over as paramount leader, Xi Jinping confronted evidence of extensive corruption at the very top of the party-state power hierarchy. Although such corruption posed an obvious threat to the party's grip on power, it also presented Xi with Janus-faced opportunity to strengthen his own grasp on the reins of power. On the one hand, a bold assault on corruption writ large gave him the chance to position himself as the new upright ruler sweeping out rotten, self-serving, money-grubbing officials who had betrayed the people. At the same time, an attack on corruption also gave Xi the chance to go after powerful officials who might have wished to hem him in and render him a weak leader, one that would be little more than the nominal first among equals within the Politburo Standing Committee. Purging – cleansing – the party as a whole, in other words, served not only the goal of attacking corruption at all levels within the party-state, it also afforded Xi an avenue to consolidate his own political interests. As such, the issue is not whether Xi's drive against corruption was a political witch hunt or an apolitical anti-corruption cleanup, because it sought to achieve multiple goals concurrently. Rather the key to understanding Xi's crackdown is how it was targeted.

### **The Tiger Hunt**

The 1982, 1986, and 1989 crackdowns had primarily targeted the so-called flies – the rank-and-file. In 1993, the leadership shifted the focus to the middle levels of the party-state hierarchy, focusing on leading officials and cadres at the county, departmental, prefectural, and bureau levels. The crackdown launched in 2012-2013, resulted in dramatic increases in the number of investigations by conjoined party Discipline Inspection Commission and the state Ministry for Supervision, with the number of disciplinary cases investigated rising from 155,000 in 2011 and 172,000 in 2012 to 226,000 in 2014 and 330,000 in 2015. In 2017, the number of cases increased to 527,000 in 2017. In 2018, the Supervisory Commission conducted 638,000 investigations, a four-fold increase compared to 2011 (see Figure 1). The total number of criminal indictments filed by the Procuratorate increased much more modestly, rising from 44,000 in 2011 to a peak of 55,000 in 2014, a 25% increase. Thereafter, the number of individuals indicted on corruption-related charges fell, dropping down to 46,000 in 2017 (the last year for which data are available at this time), 1,000 less than in 2012. The number of corruption related cases tried by the courts, finally, more than doubled from 27,000 in 2011 to 56,000 in 2017.



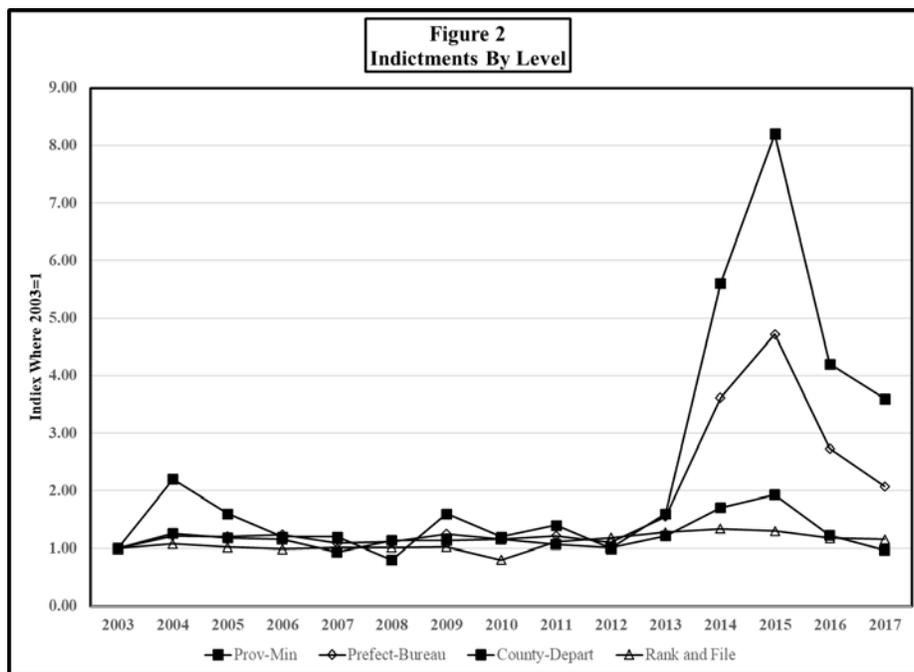
**Source:** Disciplinary/Supervisory: 中纪委:2013 年至 2016 年 9 月全国党政纪处分 101 万人 [Central Discipline Inspection Committee: 1.1 million party members and officials discipline between 2013 and September 2016], available at <http://politics.people.com.cn/n1/2016/10/20/c1001-28795090.html>; 中央纪委通报 2016 年 [Central Discipline Inspection Committee 2016 Report], available at [http://www.ccdi.gov.cn/toutiao/201701/t20170104\\_125272.html](http://www.ccdi.gov.cn/toutiao/201701/t20170104_125272.html); 中央纪委通报 2017 年 [Central Discipline Inspection Committee 2017 Report], available at [http://www.ccdi.gov.cn/toutiao/201801/t20180110\\_161529.html](http://www.ccdi.gov.cn/toutiao/201801/t20180110_161529.html); 中央纪委国家监委通报 2018 年 [Central Discipline Inspection Committee and National Supervisory Commission 2018 Report], available at [http://www.ccdi.gov.cn/toutiao/201901/t20190108\\_186570.html](http://www.ccdi.gov.cn/toutiao/201901/t20190108_186570.html). Procuratorate: 最高人民检察院工作报告 [Work Report of the Supreme People’s Procuratorate], various years, available at <http://www.spp.gov.cn/spp/gzxx/index.shtml>. Peoples Courts: 最高人民法院公报 [Work Report of the Supreme People’s Court], various years, available at <http://gongbao.court.gov.cn/>.

In part, the rise in the number of disciplinary investigations conducted by disciplinary-supervision agencies was a result of vigorous enforcement of newly promulgated Eight-point Regulation.<sup>4</sup> According to the CDIC, the number of party members investigated for excessive banqueting, spending public money on personal travel, using official vehicles for private travel, accepting improper gifts, seeking unjustified reimbursements, and putting on extravagant weddings and funerals rose from 30,426 in 2013, the year in which the regulation was promulgated, to 70,807 in 2014. In total, between 2013 and 2018, over 223,000 party members were sanctioned for violating the regulation.

<sup>4</sup> The Eight-point Regulation actually reiterated earlier prohibitions. According to the new rules, for example, official banquets were to be limited to “four dishes and a soup.” In 1989, nearly a quarter of a century before the Eight-point Regulation was enacted, the State Council had in fact mandated that official banquets be limited to “one bowl of soup and four other dishes.” Ann Scott Tyson, “Chinese Criticize Lavish Feasting,” *Christian Science Monitor*, 1/4/1990.

Disciplinary actions linked to the Eight-point Regulation, however, likely only accounted for a fifth of the increase in disciplinary investigations.<sup>5</sup> Given the more modest increase in criminal indictments and trials for corruption-related offenses, an increasingly wide gap between disciplinary investigation and criminal prosecutions opened up as the crackdown proceeded. These data thus suggest that much of the fury of the supervisory agency’s crackdown has been focused on non-criminal disciplinary offenses by party members and state functionaries.

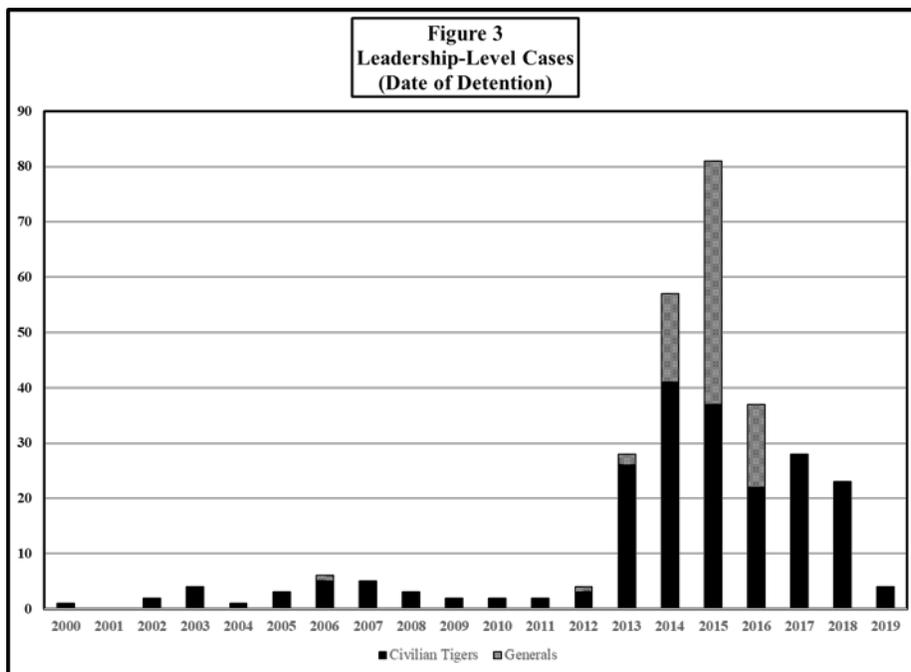
The modest overall increases in the number of criminal indictments and trials, almost all of which would result in convictions, masked dramatic increases in the attack on high-level corruption. Whereas the number of indictments for rank-and-file officials increased from 44,453 in 2012 to a peak of 50,444 in 2014, the number of indictment for senior officials at the county-department levels rose from 2,396 in 2012 to a peak of 4,568 in 2015, an 80% increase (see Figure 2). The number of senior officials at the prefectural-bureau levels increased more than four-fold from 179 in 2012 to a peak of 769 in 2015. The number of senior officials at the provincial-ministerial levels, finally, increased over eight-fold from just five in 2012 to forty-one in 2015. As a result, whereas that crackdown may have led to a surge in disciplinary investigations but not criminal indictments of ordinary officials, it resulted in a surge in criminal prosecutions of senior officials.



**Source:** 最高人民检察院工作报告 [Work Report of the Supreme People’s Procuratorate], various years, available at <http://www.spp.gov.cn/spp/gzxx/index.shtml>.

<sup>5</sup> If the number of disciplinary investigations had remained at approximately the annual average for 2007 to 2011, the crackdown would have resulted in approximately 1.5 million additional investigations between 2012 and 2018. Given that the Supervisory Commission reported investigating 270,000 violations of the Eight-point Regulations, then approximately 1.2 million, 80%, of the increase, was independent of the new restrictions on official extravagance.

The attack on high-level corruption was, in fact what sets Xi’s crackdown off from previous anti-corruption drives. Whereas press reports document a total of 30 cases involving officials at or above the vice-ministerial and vice gubernatorial levels between 2000 and 2011, between 2012 and January 2019, 184 senior officials – which the Chinese press calls “tigers” – were charged with corruption-related offenses.<sup>6</sup> During those same time periods, whereas one military officer (People’s Liberation Army Navy Admiral Wang Shouye) was convicted of corruption prior to 2012, since then 78 officers holding ranks of major general and above have either been charged with corruption or were reportedly sidelined after allegation of corruption were leveled against them. Although the number of civilian tigers “bagged” peaked at 41 in 2014, thereafter the number of senior civilian officials charged with corruption has remained considerably higher than compared to the period prior to the current crackdown (see Figure 3). The announcement that four senior officials have been charged with corruption during the first month of 2019 suggests that the tiger hunt is far from over. The attack on corruption in the senior ranks of the military, by contrast, appears to have been limited to the period 2012-2015.



Source: Author’s database.

In sum, the available data suggest that the crackdown on violations of disciplinary regulations, and official extravagance begun when Xi Jinping assumed power in the fall of 2012 continues unabated as of early 2019. Criminal prosecutions of state officials and party cadres, however, peaked in 2015 and as of the end of 2017, the last year for which data on indictments by the Procuratorate and trials by the People’s Courts were available. At the time of this writing, it appeared that the overall intensity of the crackdown was beginning to wind down, with the possible exception of the

<sup>6</sup> Counts of the number of tigers bagged and the number of provincial/ministerial officials indicted different because some of the tigers remain under investigation by the Supervisory Commission and have not been remanded to the Procuratorate for a criminal investigation.

attack on corruption within the most senior ranks of the party-state apparatus where investigators and prosecutors continue to “bag” new “tigers.”

### **A Crushing Tide?**

Although the data cited in the previous section may demonstrate that Xi’s call for a new crackdown on corruption did result in significantly more officials and party cadres being investigated for disciplinary violations and charged with corruption, these data per se do not demonstrate that the crackdown has significantly reduced the level of corruption in contemporary China. In abstract, of course, the “body count” data cited above imply that at a minimum the crackdown has taken out large numbers of corrupt officials and cadres. Absent data on the total number of corruption officials and cadres, however, it is impossible to tell if the crackdown has actually reduced the overall number corrupt officials or deterred others from turning corrupt and hence replacing those who have been taken down. In short, although the data show that the revealed rate of corruption (the number of officials charged with corruption) rose significantly, a rise in the reveal rate of corruption does not demonstrate that the actual rate of corruption (the total number of officials engaged in corruption) has changed.

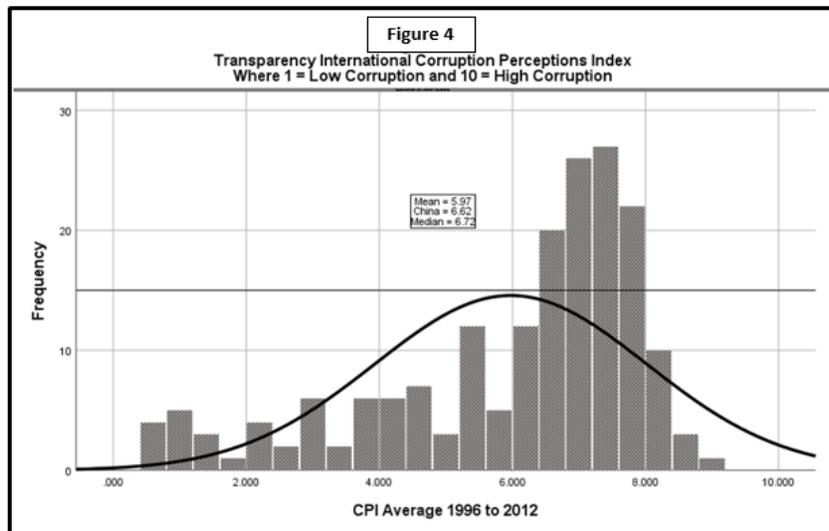
It is important to note, however, that external assessors have not rated China as extremely corrupt. It is true, of course, that back in 1995 and 1995 China was ranked the fifth and then the sixth most corrupt county on Transparency International’s Corruption Perceptions Index (CPI). Early iterations of the CPI, however, did not include many of the countries in Sub-Saharan Africa and the former Soviet Union. As more countries were incorporated into the index, China’s ranking “improved” considerably.<sup>7</sup>

Moreover, rankings merely indicated where in “the line” a particular state stands. The better measure of a state’s degree of corruption relative to others is its score and its place in the distribution of scores. Analysis of the distribution of CPI scores reveals that the distribution has a negative skew, with the result that the mean (average) deviates from the median (the mid-point). China, as it turns out, was actually close to the median (see Figure 4). As a result, half of the countries listed in the CPI were more corrupt than China. In addition, China’s CPI score had decreased from 7.57 in 1995 to 6.10 in 2012, the year in which the crackdown began.<sup>8</sup> Since 2012, China score rose in 2014 and 2015 but fell to 5.90 in 2017, with the result that China scored as slightly less corrupt in 2017 than it did in 2012. The 2018 CPI, however, increased China score to 6.10, moving it back to its pre-crackdown level.

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<sup>7</sup> In 2008, the CPI ranked China as the 102<sup>nd</sup> most corrupt county out of the 173 included in the index.

<sup>8</sup> Originally, scores in the CPI range from one to 10, with 10 equating to low corruption and one to high corruption. Because I think this counterintuitive, I have reversed the scores such that 10 equates to high corruption and one to low corruption. TI later changed to a 100-point scale but retained the same order from low corruption equal to 100 to high 10.



**Source:** Based on data from Transparency International, “Corruption Perceptions Index,” various years, available at <https://www.transparency.org/research/cpi/overview>.

As a drive against corruption, it seems likely that Xi’s crackdown has yielded positives results. At a minimum, it has culled large numbers of corrupt officials and has likely cowed other corrupt officials, leading them to stop accepting bribes and stealing public monies, at least so long as the “heat is on” and they fear getting caught and punished. If these officials begin to sense that the crackdown has run its course and the things are “getting back to normal,” they may begin to once again discount the risk of getting caught and revert to their corrupt ways. By the same token, amidst the sound and fury of the crackdown other officials who have not resorted to corruption may be scared off and keep their hands clean. But they too could turn corrupt if they sense they can “get away” with taking bribes and stealing public monies because “everybody else is doing the same thing.” Thus, if the crackdown has in fact reduced corruption, it is hard to determine if the reduction will prove permanent or if future increases in corruption will necessitate future crackdowns.

If the focus of Xi’s crackdown was high-level corruption, was the primary purpose of the campaign actually a political purge of his rivals, as has been frequently asserted? Absent hard evidence of Xi’s intent, the only way to determine if the real goal was to curb corruption or gain political advantage would be to focus on who the crackdown targeted.

Network analysis of the tigers reveals two central figures: former Politburo Standing Committee member Zhou Yongkang and former Director of the Central Committee’s General Office Ling Jihua. Zhou had served in a variety of senior posts, including Vice Minister for Petroleum, General Manager of the China National Petroleum Corporation, Secretary of the Sichuan Provincial Party Committee, Minister for State Land and Resources, Minister for Public Security, and Secretary of the Central Committee’s Politics and Law Commission. Ling was widely considered former General Secretary Hu Jintao’s right hand man. Zhou was due to retire from his official posts at the 17<sup>th</sup> Party Congress. Ling, on the other hand, was expected to be elected to the Politburo at the congress and become Hu’s eyes and ears after Hu retired.

In theory, Zhou and Ling might have been the leaders of factions opposed to Xi Jinping. Ling had the backing, it was argued, of the powerful “Youth League” faction which had risen to prominence under Hu, who had been secretary of the league in the 1980s. Zhou was said to be a protégé of

former General Secretary Jiang Zemin. Zhou was also said to have backed Bo Xilai in his bid for a seat on the Politburo Standing Committee. The assumption that Hu and Jiang opposed Xi seems questionable, however, because Xi must have received their endorsements when he was selected to become general secretary.

If Zhou and Ling were potential rivals, by the time of the 17<sup>th</sup> Party Congress both had been weakened. The arrest of Bo robbed Zhou of his entrée into the inner circle of power. Ling, on the other hand was politically crippled when his son Ling Gu plowed a \$300,000 Ferrari into a Beijing bridge abutment during the early hours of March 8, 2012, killing himself and seriously injuring two women passengers. An attempt to cover up the accident failed and reports about the crash and Ling Gu's death spread rapidly on the internet. Ling was quietly moved aside. At the 17<sup>th</sup> Party Congress he was not elected to the Politburo and was named to Director of the Central Committee's United Front Department.

Zhou was removed from his post as Secretary of the Politics and Law Committee in May 2012 and was put under investigation in July 2013 after extensive discussions among the current leadership in consultation with former general secretaries Jiang and Hu. While Zhou remained in limbo, party investigators began rounding up his former subordinates and colleagues. Ling was put under investigation in December 2014, after his brother Ling Zhengce, a senior official, in Shanxi province, had been arrested and charged with corruption in June 2014. Zhou, his wife Jia Xiaoye, and his son Zhou Bin were convicted of accepting bribes. Zhou received a life sentence. Other members of Zhou's family, were also charged with corruption. Ling and his wife Gu Liping were convicted of accepting bribes. Ling received a 12-year prison sentence.

Whether Zhou and Ling were political threats to Xi is not clear. For the most part, Zhou's "faction" consisted of his former secretaries and subordinates. Ling, on the other hand, was charged with accepting bribes from a variety of provincial leaders in return for Ling arranging their promotions. It is thus not clear if either Zhou or Ling headed political factions or were simply tied into networks of self-serving officials bound together in pursuit of illicit plunder. Regardless of whether Zhou or Ling were true political enemies, their arrests certainly afforded Xi the opportunity to take down a wide range of central and provincial leaders and replace them with his allies and loyalists.

The attack on corruption in the military is equally ambiguous. It appears that the arrest of Lieutenant General Gu Junshan exposed evidence that General Guo Boxiong and General Xu Caihou, both of whom were Vice Chairs of the Central Military Commission, the party-cum-state body that controls China military, had been collecting large bribes from officers seeking promotions and transfers. Both retired in November 2012. Xu was terminally ill at the time of his arrest and died before his court martial. Guo was sentenced to life in prison. Although Guo had held field commands in the past, he had been a headquarters staff officer since 1999. Xu had spent most of his career in the as a political commissar and as part of the General Political Department staff. It thus is not clear that Guo and Xu were part of an anti-Xi bloc in the army or were possibly part of a coup plot.

The fall of Politburo member and Party Secretary of Chongqing Sun Zhengcai also does not appear to have been prompted by fears that Sun had become a political threat to Xi. Sun has been described as a protégé of former Premier Wen Jiabao and had been a subordinate of former Politburo member Jia Qingling. His membership in the Politburo was not, however, necessarily evidence of that he was a "force" with the party. On the contrary, Sun likely got a seat on the Politburo because he was party secretary of Chongqing, a provincial-level city that appears to command a seat on the

Politburo because of economic importance. Some had suggested that Sun might get elected to the Politburo Standing Committee at the 19<sup>th</sup> Party Congress and that because of his age (54 in 2017) he might be a potential successor to Xi at the 20<sup>th</sup> Party Congress in 2022. But aside from his age, there seems to have been little evidence that Sun was a major political player.

Ultimately, the main purpose of Xi's crackdown seems to have been to attack serious corruption among the party, state, and military leadership. As argued earlier, by the time Xi assumed the office of general secretary, there was strong evidence of serious high-level corruption. Moreover, there was public pressure for action against corruption. Public opinion polls conducted by Pew Research between, for example, showed that whereas 78% of those surveyed said corrupt officials were a moderately big or very big problem in 2008, fully 90% of those surveyed in 2014 held those views.

### **Consolidating the Gains**

Whatever gains the now six-year old drive against corruption may have made, in the long-term the crackdown will only be successful if the regime can prevent corruption from resurging in the future. In broad terms, crackdowns are necessary because a regime's anti-corruption agencies and regulations have failed to routinely weed out corrupt officials and deter others from turning corrupt. If a crackdown is simply a finite burst of hyper-enforcement but is not accompanied by institutional changes, it is likely to have a transitory impact on the severity of corruption.

The Chinese regime has been incrementally strengthening the regulations barring corrupt acts and improving the effectiveness of its anti-corruption agencies since the late 1970s when the first criminal statutes on corruption were promulgated and the Central Discipline Inspection Commission and the Procuratorate were rebuilt after their near total destruction during the Cultural Revolution. In 1988, the Ministry for Supervision was created and tasked with investigating malfeasance by government officials. Because many government officials are also party members, the new ministry's jurisdiction frequently overlapped with the disciplinary commission. As a result, in 1993, the two merged. Under the system in place during the 1980s and 1990s, the combined disciplinary-supervisory agencies were responsible for conducting the initial investigation of a suspect. If they found evidence of wrongdoing, they could impose a combination of party and administrative sanctions ranging from warnings to expulsion from the party and dismissal from office. If evidence of criminal offenses was found, the suspect then had to be remanded to the Procuratorate which, after a secondary investigation, could indict the suspect and refer the case to the People's Court for a trial.

In order to increase efficiency, in 2017 the regime unveiled a plan to formally merge the disciplinary-supervisory agencies with the Procuratorate's Anti-corruption Bureau. According to the plan, the new National Supervisory Commission would be more efficient because the prosecutors from the Procuratorate would be an integral part of the investigation process, which would help ensure that evidence was gathered in manner that conformed to the criminal procedure law and would be admissible in court.<sup>9</sup> As such, problems resulting from slipshod work by party investigators would not need to be re-investigated and "fixed" by the Procuratorate as was reportedly

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<sup>9</sup> Party investigators have been accused of using various "irregular" measures such as sleep deprivation and torture to force suspects to sign confessions even though confessions extracted by party investigators are not legally admissible in court.

the case when the two agencies operated separately. New regulations that accompanied the establishment of the supervisory commission also put new limits on how long a suspect could be detain before being formally charged and the used of “extreme” measures during interrogations. Prior to the establishment of the supervisory commission, the party issued new disciplinary regulations in the fall of 2015.<sup>10</sup>

At this juncture, it is not clear if the new unified supervisory commission system is more effective than the old divided disciplinary-supervisory and procuratorial systems. The institutional merger of the systems notwithstanding, the system remain divided between an investigatory system who authority rests on a combination of party statues and state regulations and a judicial system who authority results on law and statutes. There have also been suggestions that institutional tensions and biases continue to divide the staffs of the new supervisory commission.

A second area in which the Chinese authorities have tried to strengthen the regime’s anti-corruption efforts is in recovering corrupt officials who have fled overseas in hopes of escaping prosecution. In 2014, the Chinese government launched Operation Foxhunt aimed at recovering 100 fugitives. The following year, it announced a second push to capture fugitive officials named Operation Skynet. Between June 2014 and late 2018, operations Foxhunt and Skynet have managed to recover 1,063 fugitive officials.<sup>11</sup> Efforts to have fugitives extradited from a variety of countries, including the United States, have been hampered by the lack of a treaty that would enable China to request that fugitives be detained and deported. Not wishing to harbor fugitives, counties such as the United State have sought ways in which Chinese investigators might help build cases for deporting individuals suspected of having been involved in corruption in China. In general, that entails gathering evidence that the suspect either lied on their visa applications or illegally bought monies to the United States and hence committed crimes in the United States. Absent such evidence, American authorities cannot simply accepted evidence of crimes committed in China as the basis for sending a suspect back to China.

### **Conclusion**

As of January 2019, it is not clear that Xi’s attack on corruption has produced a “crushing tide” or a “sweeping victory.” The crackdown certainly produced a surge in the number of party members and state officials investigated by the Discipline Inspection Commission and later the Supervisory Commission. In total between 2013 and 2018, the Supervisory Commission investigated 2.3 million party members, about 3% of the total membership. Upwards of 300,000 individuals have been indicted for corruption related offenses.<sup>12</sup> Most of those indicted were convicted and sentenced to prison. Nearly 250 individuals holding ranks at or above the level of vice minister or military ranks of general or above had been investigated for corruption.

Despite these numbers, it is unclear if Xi’s crackdown will make a difference in the long-term. In the immediate term the crackdown has likely taken out enough corrupt officials to make a difference. It is also likely that the crackdown has scared off some and driven others to stop taking bribes. But the crackdown has also reportedly led to a degree of bureaucratic paralysis because

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<sup>10</sup> “Full text of regulation of the China party’s ‘disciplinary action,’” *Xinhua* 8/26/2018.

<sup>11</sup> “Scores of fugitives returned,” *China Daily*, 1/25/2019.

<sup>12</sup> Herein I am assuming that the number of indictment will be approximately the same in 2018 as they were in 2017.

officials fear being accused of corruption. The popularity of the crackdown is also difficult to gauge. In its early days, the crackdown was clearly very popular. Citizens who sought to expose official corruption using social media, however, quickly found out themselves facing restrictions and penalties. The party thus made clear that the crackdown was a party affair and the public's role would be strictly limited to that of a passive audience. Many ordinary citizens have also grown cynical about corruption. They see officialdom as inherently corrupt and believe that those who get caught and punished are merely the "unlucky" and "unloved," the poor saps who lacked the friends in high places who could have protected them.

The lack of decisive victory is perhaps not surprising. The party has been fighting corruption for decades and its war on corruption is by necessity a protracted war. Corruption, moreover, is ultimately not controlled by crackdowns and arrests. Real victory comes from changing official ethics and codes of conduct. Anti-corruption crackdowns are thus actually a response to the prior failure of a regime's anti-corruption program. Although further analysis is needed, the evidence produced by Xi's 2012-2019 anti-corruption crackdown suggests that corruption worsened significantly in the years before he was named general secretary. Xi, in other words, has been fighting against the failure of his predecessors to take effective action to control corruption.