

**CHINA'S CIVIL SERVICE REFORM:
AN UPDATE**

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Executive Summary

1. Civil servants in China refer to personnel who perform public duties and come under the state administrative staffing (*bianzhi*) with wages and welfare borne by the state public finance.
2. China now has about 10 million civil servants, compared to 3.7 million in 1978. They are managed under the Civil Service Law with effect from January 1, 2006. This law is supplemented by a number of more detailed documents within specific areas such as recruitment, appointment, promotion, salary structures, etc.
3. Most of the civil servants work in government agencies and departments. State leaders and cabinet members, who normally would be considered politicians in political systems with competing political parties and elections, also come under the civil service in China.
4. Compared with previous interim regulations, the Civil Service Law introduces a distinction between selection (*xuanren*) and appointment (*weiren*) in the process of hiring regular staff. It also details an appointment system based on contract (*pinren zhi*).
5. The concept of selection covers a recruitment system based on selecting civil servants among a wider number of candidates who have applied for the position in question based on a public announcement. The appointment takes place according to the result of an examination (*kaohe*) and a process of “hearing from the masses”.
6. The entrance exam usually includes both a written exam and an interview, and the newly recruited civil servant is on a one-year probation. Examinees are usually between 18 and 35, and hold at least a college diploma (*dazhuan*).

7. In an effort to professionalize the civil service, the law and supplementary regulations have more detailed employment provisions, which indicate a greater focus on the qualifications, to make the recruitment process more transparent.
8. To strengthen management over civil servants, the Chinese government in 2008 established the State Bureau of Civil Servants (*guojia gongwuyuanju*) under the new Ministry of Human Resources and Social Security (MHRSS), with MHRSS Minister Yin Weimin as director of the bureau.
9. Civil servants are not necessarily members of the Party, but 95 percent of civil servants in leading positions from division (county) level and above are Party members.
10. Candidates to be considered for selection and appointment to leading posts should be proposed by so-called democratic recommendation (*minzhu tuijian*) of the party committee at the same level or by the higher-level organization or personnel department.
11. Relevant regulations require a two-third quorum of the members of a given committee when appointment and dismissal of cadres are being discussed. Any leading member of a local party committee or government who has served in the same post for ten years must be transferred to a new post.

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China's Changing Civil Service System

- 1.1 Chinese leaders are very much concerned with creating an efficient administrative system to strengthen the regime's governing capacity (*zhizheng nengli*). An important part of these efforts has been the continuous restructuring of the government and its administrative organs at local and central levels. The last major administrative reform took place in March 2008 when a number of new so-called "super ministries" were created.
- 1.2 Concomitant with these institutional changes much attention has also been directed to improving the quality and ability of the people staffing the administrative organs. They are managed according to the Civil Service Law and supplementary regulations and directives. Ideology still plays a role in administrative capacity building, but increasingly the focus has turned to material incentives.
- 1.3 Civil servants are part of a system of established posts called *bianzhi*. The term is often translated as "establishment" and it refers to the number of established posts in a unit, office or organization. The *bianzhi* is formally controlled by the state, but in practice the Party is involved in setting *bianzhi* targets. The Party is especially interested in controlling and managing the leadership positions associated with *bianzhi* system at various levels.¹

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¹ Kjeld Erik Brodsgaard, "China's Civil Service Reform: Changing the Bianzhi," *EAI Background Brief No. 81* (14 February 2001).

- 1.4 According to the new Civil Service Law the term civil servant “refers to personnel who perform public duties according to the law and who come under the state administrative staffing system (*bianzhi*) with wages and welfare borne by the state public finance” (article 2).
- 1.5 Prior to the reform, government and party officials at all levels were commonly called cadres (*ganbu*). The idea of establishing a civil service system in China dates back to the mid-1980s and was promoted by Zhao Ziyang’s reform oriented policies. However due to the Tiananmen debacle plans were postponed and only in 1993, following Deng Xiaoping’s Nanxun and the 14th Party Congress, was it possible to agree on the legal framework for a new civil service system and a set of “Provisional Civil Service Regulations” were promulgated.
- 1.6 It is important to note that civil servants in China not only denote career bureaucrats who enter the bureaucratic system at the bottom of the hierarchy and work their way up the career ladder. State leaders and cabinet members, who normally would be considered politicians in political systems with competing political parties and elections, are also part of the civil service system in China. Thus President Hu Jintao and Premier Wen Jiabao are top civil servants and are remunerated with benefits in accordance with civil service regulations. They have climbed to the top vertically rather than horizontally, as is the case in parliamentary democracies.
- 1.7 In 1993, the Chinese government publicized a set of provisional civil service regulations that contained 18 chapters on various administrative issues concerning the functioning of the new civil service system, such as duties and rights of the civil servants, posts and ranks, appraisals, rewards, discipline, job promotion and demotion, appointment and removal, training, rotation, avoidance, insurance and benefits, resignations and dismissals, retirement, appeals and complaints, management and supervision.²

² “Guojia gongwuyuan zanxing tiaoli” (Provisional Service Regulations), *Zhonghua Renmin Gongheguo ling*, No. 125 (August 14, 1993), in *Renshi gongzuo wenjian xuanji*, Vol. 16 (Zongguo renshi chubanshe, 1994), pp. 5-21.

- 1.8 In 2005 the temporary regulations were revised and promulgated as a Civil Service Law with effect from January 1, 2006.³ The Civil Service Law contains a number of changes. The most important is the addition of a Chapter 16 on appointment. The addition specifies the possibility of using the appointment system (*pinren zhi*) on positions with strong specialties. However, using this possibility requires the approval of the administrative department above the provincial level and for positions which involve state secrets, the appointment system cannot be applied. The employment contract is for one to five years and preceded by a probation period of 6 months. The contract shall include clauses on wage, welfare provisions, insurance treatment and breach of liabilities.
- 1.9 The appointment system based on contract gives various administrative departments considerable flexibility in hiring special expertise within areas that require attention. The system has been in use since the early 1990s, but it is now regulated in a legal document. However, acquiring staff through the appointment system has to take place within the allocated *bianzhi* and will therefore affect the hiring of regular staff. In general the Civil Service Law stresses that staffing has to be within the prescribed *bianzhi*.
- 1.10 Concerning the hiring of regular staff the new civil service law introduces a distinction between selection (*xuanren*) and appointment (*weiren*) (Article 38). The concept of selection does not appear in the 1993 regulations. It covers a recruitment system based on selecting civil service among a wider number of candidates who have applied for the position in question based on a public announcement. The appointment takes place according to the result of an examination (*kaohe*) and a process of “hearing from the masses”. The difference between the new selection system and the traditional appointment system can in a popular way be described as the difference between appointment from the bottom up and appointment from the top down.

³ See “Zhonghua Renmin Gongheguo gongwuyuan fa” (The Civil Service Law of the People’s Republic of China), in *Renshi gongzuo wenjian xuanbian*, Vol. 28, pp. 56-77.

- 1.11 The new law is generally also more specific on the rights and duties of the civil servants. It specifies for example that it is illegal for civil servants to engage in enterprises or profit-making public institutions (Article 102). This also applies to a three-year period after retirement. Civil servants may also not draw any financial reward from a part-time job (Article 42).
- 1.12 In an effort to professionalize the civil service, the new law has more detailed employment provisions which indicate a greater focus on qualifications in terms of examination as well as making the recruitment process more transparent. The 2006 law stipulates that examinations for civil service posts shall be published and the notice should include information concerning the nature of the posts in question as well as the qualifications needed and the documents to be included in the application to take part in the examination (Chapter 4).
- 1.13 The chapter on positions and ranks has also been modified. The most important is that the ranking system with 15 different grades is no longer explicated. It is mentioned that the corresponding relationship between post and rank of civil servants shall be prescribed by the State Council, thereby indicating that a new grading system is underway.
- 1.14 To highlight the importance of professionalizing the civil service, the Chinese government in 2008 established a semi-independent State Bureau of Civil Servants (*guojia gongwuyuanju*) that reports to the Ministry of Human Resources and Social Security (MHRSS), a merger of former Ministry of Personnel and Ministry of Labour and Social Security. MHRSS Minister Yin Weimin was appointed as director of the State Bureau of Civil Servants.

How many Civil Servants are there in China?

- 2.1 An estimation of the number of civil servants is difficult to arrive at. Not even the Chinese authorities appear to know. In Chinese statistics one can find numbers for employees in “government agencies, party agencies and social

organizations” (*guojia jiguan, zhengdang jiguan he shehui tuanti*) for the 1978-2002 period. Currently numbers appear under the category of “public management and social organization” (*gonggong guanli he shehui zuzhi*).⁴ This category covers “employees in organs of the Communist Party of China, government agencies, People’s Political Consultative Conference, democratic parties, non-governmental organizations, and religious organizations”.

- 2.2 Employees in service organizations (*shiye danwei*) such as schools, universities, hospitals, etc are not part of the civil service system and are therefore part of a different classification and remuneration system. However, there are many border cases, as trimmed and reclassified administrative agencies often will fight to stay within the civil service system.
- 2.3 Yet another caveat needs to be made, as available statistics carry gross numbers of all employees in the aforementioned agencies and organizations, including drivers, cooks and logistic personnel. It is estimated that drivers, cooks and logistic personnel constitute at least 20 percent of the gross number of worker and staff in the category of “public management and social organization”. Besides, some retired officials who are still assuming sinecure posts may not be included in the statistics.
- 2.4 In 1978 there were 3.7 million civil servants in China. The number had increased by 233 percent to reach the current level (2007) of 10.1 million (Appendix 1). Most of them, about 93 percent, work in government agencies. About 4.5 percent work in organs of the Communist party and 1.7 percent in non-governmental organizations and social organizations. Less than 1 percent work in the Political Consultative Conference and in the eight so-called democratic parties (Appendix 2).
- 2.5 Civil servants are not necessarily members of the Party. In fact, most of the rank and file civil servants do not hold a party membership. However, 95 percent of civil servants in leading positions from division (county) level and

⁴ See *Zhongguo tongji nianjian 2008* (Beijing: *Zhongguo tongji chubanshe*, 2008), pp. 114-120.

above are Party members. Civil servants who are formally occupying the “real” leadership position (*zheng zhi*) in a given agency or ministry are almost without exception party members, whereas the deputy positions can be filled by non-Party members.

- 2.6 The Party is not interested in losing its control over the leading civil servants who are also Party cadres. Therefore the Civil Service Law stipulates that in cases where there are other regulations concerning the appointment, dismissal and supervision of leading civil servants, then these regulations apply. By this formulation it is indicated that the Party’s regulations for leading cadres take priority over the Civil Service Law.
- 2.7 In recent years the Party has, as part of its strategy to professionalize government work, appointed two non-Party members of the government, namely Wan Gang, minister of Technology and Science, and Chen Zhu, minister of Health. However their power is limited by the fact that the important party secretary post in their ministries is beyond their reach.

Recruitment, Appointment and Selection of Civil Servants

- 3.1 The objective of civil servant management in China is to make sure that professionally competent people are recruited and promoted and that they remain loyal to the party’s ideological and political line.⁵ Civil servants in China are normally given lifelong tenure known as “iron rice bowl” (*tie fan wan*). Their job security rests not in a civil service statute but through a unified personnel management system that the Civil Service Law has sought to revitalize.⁶

⁵ Kjeld Erik Brodsgaard, “China’s Cadres: Professional Revolutionaries or State Bureaucrats? (I),” *EAI Background Brief No. 94* (11 July 2001).

⁶ Hon S. Chan & Edward Li Suizhou, “Civil Service Law in the People’s Republic of China: A Return to Cadre Personnel Management,” *Public Administration Review*, May-June 2007, p. 384

- 3.2 All civil servants are managed by the Party according to detailed regulations relating to recruitment, appointment, transfer, reward, training etc.,⁷ which supplements the Civil Service Law. Concerning the management of civil servants above division (*chu*) level the most important provisions are contained in the “Regulation on Selection and Appointment of Party and Government Leading Cadres” (*dangzheng lingdao ganbu xuanba renyong gongzuo tiaoli*) issued in 2002 by the CCP Central Organization Department.
- 3.3 All these regulations emphasize the importance of abiding by a number of basic principles in the selection and appointment of leading cadres in civil service in China. These include openness, equality, competition, and the selection of the best. Although the selection and appointment are based on meritocratic principles (*ren ren wei xian*), it is also stressed that cadres should have both integrity and ability (*de cai jian bei*) and that the party should manage the cadres (*dang guan gan bu*).⁸
- 3.4 According to the Regulation on Civil Servant Recruitment released by the Ministry of Personnel in 2007, the recruitment of entry-level civil servants should conform to the following procedures:
- i) Releasing the notice of entrance exams to the public;
 - ii) Checking the qualification of examinees;
 - iii) Going for exams;
 - iv) Double checking of qualifications and holding of a health examination;
 - v) Publicizing the result, approval and registration.⁹

⁷ See, for example, “Interim Regulation on the Appointment, Dismissal, Promotion, and Demotion of Civil Servants (Trial) (*Gongwuyuan zhiwu renmian yu zhiwu shengjiang guiding (shixing)*), issued by the CCP Central Organization Department and the Ministry of Personnel, February 29, 2008.

⁸ See, for example, the (2002) “Regulation on Selection and Appointment of Party and Government Leading Cadres” (*dangzheng lingdao ganbu xuanba renyong gongzuo tiaoli*), Article 2 in *Renshibu zhengce fagui si* (ed.), *Renshi gongzuo wenjian xuanbian* (Selection of Documents on Personnel Work) (Beijing: *Renshi chubanshe*, 2003), Vol. 25, pp. 8-27.

⁹ Article 5, Ministry of Personnel (2007), Regulation on Civil Servant Recruitment, (*Gongwuyuan Luyong Guiding*), http://www.gov.cn/gzdt/2007-11/22/content_812797.htm

- 3.5 Examinees should be between 18 and 35, and with a college diploma (*dazhuan*) or above degree.¹⁰ The entrance exam usually includes both the written exam and the interview, and the newly recruited civil servant will be given a one-year probation period.¹¹
- 3.6 During the civil servant recruitment in Gansu Province in 2009, the local government posted the announcement of recruiting 2,857 civil servants on the website, asking applicants to submit their applications online and only those who were regarded as qualified by the authorities after checkup could take the exams.¹² About 74% of the vacancies needed college diploma (or above) holders, with 25% requiring bachelors (or above) degree and 1% requiring masters or doctorates.
- 3.7 Civil servants to be promoted to leading party and government posts at section (village)-head level must have college diploma or above degree and have worked at the deputy post for more than two years.¹³ Candidates to be promoted to posts higher than the county (division) level must have held at least two posts at lower level organs and candidates to be promoted from deputy post to a head post (*zhengzhi*) generally must have worked at the deputy post for more than two years.¹⁴ Leading cadres at bureau-level (*ju, si, ting*) or above should normally have a bachelor degree (*daxue benke*) or above.¹⁵

¹⁰ Article 16 of the Regulation on Civil Servant Recruitment.

¹¹ Articles 20 and 30 of the Regulation on Civil Servant Recruitment.

¹² Analysis of Gansu Civil Servant Recruitment in 2009, (*09nian Gansusheng Gongwuyuan Luyong Zhiwei Fenxi*), <http://edu.qq.com/a/20090424/000040.htm>

¹³ See Article 19 of “Interim Regulation on the Appointment, Dismissal, Promotion, and Demotion of Civil Servants (Trial) (*Gongwuyuan zhiwu renmian yu zhiwu shengjiang guiding (shixing)*), issued by the CCP Central Organization Department and the Ministry of Personnel, February 29, 2008.

¹⁴ See Article 7 of “Regulation on Selection and Appointment of Party and Government Leading Cadres” (2002).

¹⁵ *Ibid.*

- 3.8 Candidates to be considered for selection and appointment to leading posts should be proposed by so-called democratic recommendation (*minzhu tuijian*)¹⁶ of the party committee at the same level or by the higher-level organization or personnel department. At the time of an official's change of term, various people and personnel are consulted such as party committee members, leading members of government organs, leading members of the discipline inspection commissions and people's courts, and leading members of lower-level party committees and governments. Members of democratic parties and representatives of people without party affiliation should also be consulted.
- 3.9 A nominated candidate will have to undergo evaluation (*kaocha*)¹⁷ according to elaborate procedures, which may include interviews with a number of leading officials in his or her own department. Evaluation is not confined to the end of the term of office. Leading members of party committees and government departments are also evaluated in the middle of their term. Any promotion or dismissal arising from the evaluations must undergo a process of deliberation (*yunniang*) and be reported to the party committee at the higher level.
- 3.10 The regulations require a two-third quorum of the members of a given committee when appointment and dismissal of cadres are being discussed. The regulations have contents concerning job transfer and avoidance (*huibi*). Any leading member of a local party committee or government who has served in the same post for ten years must be transferred to a new post.

¹⁶ *Ibid.*, , Chapter 3, Articles 10-19

¹⁷ *Ibid.*, Chapter 4, Articles 20-28

**APPENDIX 1 ESTIMATED NUMBER OF CHINA'S CIVIL SERVANTS,
1978-2007 (MILLION)**

Year	Employees in State, Party And Mass Organizations	No. of Civil Servants
1978	4.67	3.74
1980	5.27	4.22
1985	7.99	6.39
1990	10.79	8.63
1991	11.36	9.09
1992	11.48	9.18
1993	10.30	8.24
1994	10.33	8.26
1995	10.42	8.34
1996	10.93	8.74
1997	10.93	8.74
1998	10.97	8.78
1999	11.02	8.82
2000	11.04	8.83
2001	11.01	8.81
2002	10.75	8.60
2003	11.46	9.17
2004	11.70	9.36
2005	12.13	9.70
2006	12.35	9.88
2007	12.60	10.08

Note:

Calculated on the basis of the total number of staff and workers in organs of the CCP, government agencies, democratic parties and social organizations, minus an estimated 20% logistic workers and temporary personnel.

Source:

Zhongguo tongji nianjian 2008, pp. 114 and 120.

APPENDIX 2 DISTRIBUTION OF CIVIL SERVANTS (2007)

Organization	Number*	In % of Total
Organs of Communist Party of China**	448,000	4.48
Government Agencies	9,313,000	93.09
PPCC*** and Democratic Parties	71,200	0.71
NGOs and Social Organizations	172,000	1.72
Total	10,004,200	

* Calculated on the basis of total number of employed staff and workers minus an estimated number of 20 percent logistic workers and temporary personnel.

** This category excludes party secretaries, deputy party secretaries and other full-time party workers in the party committees and branches inside government agencies, public service units (*shiye danwei*) and state-owned enterprises. So the actual figure of all full-time party workers and officials is much larger than this.

*** People's Political Consultative Conference.

Source: *Zhongguo tongji nianjian 2008*, p. 124.