1. Introduction

Initiated after the implementation of the Reform and Opening-Up Policy, autonomous village rule is a relatively new phenomenon in China.

Beginning in the late 1970s, early rural reforms focused primarily on the restructuring of the household contract system (家庭联承包任制). These changes greatly emancipated rural productivity and impelled the development of agricultural communities. The increasing social awareness of villagers led to the collapse of the production brigade (生产队) system, which, in turn, resulted in an emerging power vacuum at the most fundamental level of village government; under these conditions, basic services (e.g., social security, public affairs, and social welfare) went unmanaged. The disintegration of the old system necessitated the establishment of a new, fundamental power structure.

Toward the end of 1980, villagers from Luocheng and Yishan counties (in the He Chi region of Guangxi Province) spontaneously instituted village committees, a new form of local-level governance to replace the already-deteriorating system of production brigades. The village committee was initially intended to support the local government in maintaining social order and only later assumed the management of the fundamental social, political, economic, and cultural affairs of the village community. While these early village committees gradually continued to evolve into organizations of village self-governance, similar
grassroots organizations began to emerge in other rural areas throughout China (e.g., in the Sichuan and Hebei provinces). By the end of 1992, autonomous governing bodies had cropped up across the country, constituting a widespread trend in China’s rural communities.

Following an examination of the experiences of rural communities nationwide, the legal status of the village committee was ratified by the Fifth Session of the Fifth National People’s Congress (NPC) in Clause 111 of the 1982 Constitution. The village committee was declared the fundamental grassroots organization of village self-rule, with the committee chair, vice-chair, and representatives directly elected by the villagers. The 1982 Constitution also regulates the legal relationship between the village committee and the local government. According to constitutional stipulations, village committee departments oversee issues relating to mediation, public security, and public health and are responsible for the public affairs and social welfare within a designated local area. Additional functions of the village committee include reconciling disputes between citizens; assisting in the enforcement of law and order; and forwarding villagers’ opinions, requests, and suggestions to the local government.

This constitutional clause is significant in that it provided the legal basis for village self-rule. In October 1983, the Central Committee of the Communist Party of China (CPC) and the State Council jointly issued the Notice on the Separation of the Commune and the Government and the Establishment of Township Governments (establishing the commune and the government), officially terminating the people’s commune system and preparing the way for the establishment of village committees throughout the country.

The legislative work on village autonomy was begun on November 24, 1984, with the adoption by the Twenty-third Session of the Standing Committee of the NPC of the Organic Law of the People’s Republic of China on Village Committees (Provisional), the very purpose of which was to promote village self-rule. Subsequent to the passage of this law, individual provinces, municipalities, and autonomous regions developed their own “implementation measures” based upon and supplementary to the organic law.1 In the early stages of autonomous village