Core Module 25

Chinese Political System
Foundation part: An Overview of the Political System

- What are the functions and powers of different organs of the state?
- Are the status and role of the President of the state and the General Secretary of the Communist Party of China (CPC) being the same?
- What is/are the role(s) of the Chinese People’s Political Consultative Conference (CPPCC)?
- How do the Chinese citizens supervise the Government?
Worksheet (1): Functions and powers of the organs of the state

1. Based on the following information, point out the functions of different organs of the state.

I was elected the President of the state in the 10th National People’s Congress (NPC) in 2003. During the same meeting, the NPC decided on the choice of the Premier of the State Council upon my nomination. In 2010, I appointed some state officials according to the decisions of the NPC and its Standing Committee. In 2011, I visited countries such as the United States of America (U.S.A.), Brazil, Argentina and Russia on behalf of China. In the same year, I also received the heads of South Korea and Austria.

Cases of the work of the State Council

- In 2006, the State Council approved the draft Anti-monopoly Law of the People’s Republic of China. Then the draft was submitted to the NPC for deliberation.
- In 2008, the State Council led local governments to take rescue and relief measures to help Wenchuan recover from the earthquake disaster.
- In 2011, the State Council approved the draft “Outline of the 12th Five-Year Plan for National Economic and Social Development of the People’s Republic of China”. Then the draft was submitted to the NPC for deliberation.
- In June 2012, the Minister of Finance submitted the final report on the implementation of the 2011 budget to the Standing Committee of the 11th NPC.
National People's Congress

The NPC is the highest organ of state power in the People’s Republic of China (PRC). According to Article 59 of the Constitution, the NPC is composed of deputies elected from the provinces, autonomous regions, municipalities directly under the Central Government and special administrative regions and of deputies elected from the armed forces. All the minority ethnic groups are entitled to appropriate representation.

Some work of the NPC in the past:

- In 2004, amendments to the “Constitution of the People’s Republic of China” was adopted at the 2nd session of the 10th NPC.
- In 2008, Wen Jiabao was approved to be Premier of the State Council for a second five-year term at the 1st session of the 11th NPC.
- In 2012, the Report on the Work of the Government was adopted at the 5th Session of the 11th NPC.
- …
1. Based on the above information, list the names of the organs of the state of different nature.

<table>
<thead>
<tr>
<th>Natures</th>
<th>Organ of the State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest organ of state power</td>
<td>NPC</td>
</tr>
<tr>
<td>Highest organ of state administration</td>
<td>State Council</td>
</tr>
<tr>
<td>State organs for legal supervision</td>
<td>people’s procuratorates</td>
</tr>
<tr>
<td>Judicial organs of the state</td>
<td>people’s courts</td>
</tr>
</tbody>
</table>
2. How are the President and the Premier of the PRC being decided?

According to Source 1, the President is elected by the NPC. The Premier is nominated by the President and decided by the NPC.

3. Please state the functions of each organ or office according to Source 1 to 4.

<table>
<thead>
<tr>
<th>Source</th>
<th>Structure of the state</th>
<th>Function</th>
</tr>
</thead>
</table>
| 1      | President              | 1. Conducts state affairs and receives foreign diplomatic representatives on behalf of the PRC.  
|        |                        | 2. Appoints or removes state officials according to the decision of the NPC and the Standing Committee of the NPC.  
|        |                        | 3. Nominates the candidate for the Premier of the State Council. |
| 2      | State Council          | 1. Draws up the plan for national economic and social development.  
|        |                        | 2. Exercises unified leadership over the work of local organs of state administration at various levels throughout the country.  
|        |                        | 3. Adopts administrative measures, enacts administrative rules and regulations, issues decisions and orders. |
| 2,3    | NPC                    | 1. Amends the Constitution.  
|        |                        | 2. Decides on the choices of principal officials of the PRC nominated. |
4. According to Source 3, there are NPC deputies from the armed forces and all the minority ethnic groups. Why is it necessary?

   Such arrangement can ensure that people representing different sectors should have opportunities to participate in the exercise of state power for the demonstration of fairness.

5. Combining the above information, do you think that China is a country of separation of the executive, legislative and judicial powers? Please explain your standpoint.

   Generally, the separation of powers means that the executive, judicial and legislative powers are distinct and have checks and balances on each other. In China, the NPC is the highest organ of state power and is responsible for the appointment or removal of top officials of the judiciary and the executive. The chart of the structure of the state in Source 5 also shows this relationship.

   Therefore, China is not a country of separation of the executive, judicial and legislative powers.
Hu Jintao and Wen Jiabao assumed the office of the President and the Premier of the State Council in 2003 respectively. In 2008, both of them assumed a second five-year term of office.

The structure of the state
The structure of the state mainly includes the NPC, President of the PRC, State Council, people’s courts and people’s procuratorates. They have different roles and functions to deal with legislative, executive and judicial issues.

National People’s Congress
The NPC is the highest organ of state power. It can amend the Constitution, enact laws, elect the President, decide on the choice of the Premier of the State Council, elect the President of the Supreme People’s Court and the Procurator-General of the Supreme People’s Procuratorate, and decide on the establishment of the special administrative regions and the systems to be instituted there. The NPC is elected for a term of five years and meets in session once a year. The deputies to the NPC are elected from the provinces, autonomous regions, municipalities directly under the Central Government and special administrative regions as well as those elected from the armed forces. All the minority ethnic groups are entitled to appropriate representation. The Standing Committee of the NPC is the permanent body of the NPC.

President of the PRC
The President of the PRC is elected by the NPC. According to the decisions of the NPC and its Standing Committee, the President of the PRC promulgates statutes, appoints or removes state officials such as the Premier of the State Council, confers state medals, issues order of special pardons, proclaims a state of emergency or a state of war, etc. The term of office of the President of the PRC is the same as that of the NPC. The President of the PRC shall serve no more than two consecutive terms.
State Council
The State Council, that is the Central People’s Government, is the executive body of the highest organ of state power, it is the highest organ of state administration. The Premier assumes overall responsibility for the work of the State Council. There are many ministries and commissions under the State Council. The State Council is responsible for directing and administering economic affairs and urban and rural development, affairs of education, science, culture, public health, civil affairs, etc., and drawing up and implementing the state budget. The term of office of the State Council is the same as that of the NPC. The Premier of the State Council shall serve no more than two consecutive terms.

Supreme People’s Court and Supreme People’s Procuratorate
The Supreme People’s Court is the highest judicial organ. The Supreme People’s Procuratorate is the highest procuratorial organ. Both of them are responsible to the NPC and its Standing Committee.
Worksheet (2): Leadership role of the CPC

We can definitely help China to develop democracy and keep the stability of the country by cooperating with the 8 democratic parties.

**Revolutionary Committee of the Chinese Kuomintang (RCCCK)**
Most of the RCCCK members are former middle and high-ranking Kuomintang officials or personages of middle and upper social strata who once had relations with the Kuomintang. The RCCCK also recruits members from those who have ties with Taiwan and support the reunification of the motherland.

**China Association for Promoting Democracy (CAPD)**
Its members are mostly intellectuals working in the fields of culture, education and publication.

**Jiu San Society (JSS)**
The JSS comprises of senior and middle-level intellectuals engaged in science and technology.

**Taiwan Democratic Self-Government League (TDSGL)**
The TDSGL comprises Taiwan natives residing on the mainland.

**China Zhi Gong Party (CZGP)**
The CZGP is composed of returned overseas Chinese, relatives of overseas Chinese, and noted figures and scholars who have overseas ties.

**China Democratic League (CDL)**
The CDL is mainly made up of senior and middle-level intellectuals engaged in culture and education.

**Chinese Peasants and Workers Democratic Party (CPWDP)**
The CPWDP is mainly composed of intellectuals from health and medical circles.

Through studying the information, it is hoped that students can grasp the features of China's political parties, the relationship between the CPC and the NPC, and the difference in the status and roles between the General Secretary of the CPC and the President of the state.

Source: www.gov.cn, website of the Central People’s Government of the PRC
1. According to Source 1 and your knowledge, what are the characteristics of the multi-party cooperation and the political consultative system? Which political party is the ruling party?

The system is under the leadership of the CPC and also includes eight democratic parties. The latter includes the Revolutionary Committee of the Chinese Kuomintang, China Democratic League, China Democratic National Construction Association, China Association for Promoting Democracy, Chinese Peasants and Workers Democratic Party, China Zhi Gong Party, Jiu San Society and Taiwan Democratic Self-Government League. Apart from the CPC, other democratic parties do not have ruling power.

2. Regarding the previous question, what are the advantages and disadvantages of this system?

Advantages: The multi-party cooperation allows different democratic parties to participate in the discussion of political issues. Their members come from different sectors and of different backgrounds. Their participation contributes to the free airing of views and brainstorming. In turn, it can realize collective power and intelligence. This helps maintain social stability and solidarity.

Disadvantages: Apart from the CPC, other political parties do not have ruling power. It limits the latter’s influence within the Government. It is not effective in promoting pluralistic political development.
I saw that President Hu was visiting the U.S.A. when I was watching the news broadcast on TV yesterday. As the leader of the state, he is really busy!

Of course, Hu Jintao was elected by the Central Committee of the CPC as the General Secretary in 2002. In 2003, he was then elected by the NPC as the President of the PRC. After that, he was elected by the NPC as the Chairman of the Central Military Commission in 2005. He is occupied with myriads of state affairs indeed.

As the General Secretary of the CPC Central Committee, he is responsible for convening the meetings of the Political Bureau and its Standing Committee and presides over the work of the Secretariat. As the President of the PRC, he is responsible for promulgating statutes and appointing or removing state officials such as the Premier of the State Council according to the decisions of the NPC and its Standing Committee. You can imagine how busy he is.
1. According to Source 2, what are the characteristics of the identity of China’s supreme leader?

The supreme leader of China usually assumes the positions of the General Secretary of the CPC Central Committee, the President of the PRC, and the Chairman of the Central Military Commission.

2. According to Source 2, please state the differences between the General Secretary of the CPC Central Committee and the President of the PRC.

<table>
<thead>
<tr>
<th>Identity (representing organs)</th>
<th>General Secretary of the CPC Central Committee</th>
<th>President of the PRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top leader of the CPC</td>
<td>Head of state</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How to be elected</th>
<th>Elected by the CPC Central Committee</th>
<th>Elected by the NPC</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Main duties</th>
<th>According to the decisions of the NPC and the Standing Committee of the NPC:</th>
</tr>
</thead>
<tbody>
<tr>
<td>● convenes the meetings of the Political Bureau and its Standing Committee</td>
<td>● promulgates laws</td>
</tr>
<tr>
<td>● presides over the work of the Secretariat</td>
<td>● appoints and removes state officials such as the Premier of the State Council</td>
</tr>
</tbody>
</table>
According to Source 3, what is the role of the NPC in China’s economic development?

The NPC is responsible for examining and approving the state budget and the plan for national economic and social development.
2. According to Source 3, what is the relationship between the NPC and the CPC?

There is a very close relationship between the CPC and the NPC. More than 70% of the NPC deputies are also members of the CPC.

---

To Know More: The relationship between the CPC and the armed forces

The Chinese People’s Liberation Army is developed from the former Red Army (originally known as the Workers’ and Peasants’ Revolutionary Army) of the CPC. The CPC and the Chinese People’s Liberation Army have a close relationship. Within the CPC, there is a Military Commission of the Central Committee. Within the structure of the state, there is a Central Military Commission. The members of the two commissions are exactly the same.

Knowledge Content

Leadership role of the CPC

The Preamble of the Constitution of the PRC and the Constitution of the CPC both clearly state the leadership role of the CPC, which is the only governing party of China. Leadership by the CPC means mainly political, ideological and organizational leadership. It plays the role as the core of leadership among all other organizations at the corresponding levels. The NPC mainly consists of members of the CPC.

The members of the Standing Committee of the Political Bureau of the CPC Central Committee generally assume important positions in the structure of the state. For example, the President of the state, the Premier of the State Council, the Chairman of the NPC Standing Committee, the Chairman of the National Committee of the CPPCC, etc. They are both leaders of the party and the state and responsible for the party affairs and state duties.
Worksheet (3): The role of the CPPCC

Welcome all of you for serving as the representatives of the National Committee of the CPPCC in assisting the Chinese Government’s governance, and promoting social development. Your term of office will be five years.

What role do you expect to play as a representative of National Committee of the CPPCC?

After being invited to be the representative of National Committee of the CPPCC, I expect I could assist in the state’s operation, and the implementation of laws and rules.

And I expect I can participate in the consultation of economic issues.

I expect to participate in the discussion of important issues of political and social life.
1. According to the information, what is the purpose of establishing the CPPCC?
   It is to assist in the Chinese Government’s governance and promote social development.

2. What is the composition of the National Committee of the CPPCC?
   It is composed of representatives from the CPC and 8 democratic parties, representatives from the HKSAR, Macao SAR, minority ethnic groups, etc.

3. Why do the representatives of the National Committee of the CPPCC come from different sectors of society?
   It is because the Government can understand the points of view and needs of different sectors during the meeting. Thus, it can cater for the needs of different people comprehensively through policy implementation.
4. Please list one of the functions of the National Committee of the CPPCC.

   Political consultation: Representatives of the National Committee of the CPPCC can participate in discussion about political directions and important issues of political, economic, cultural and social life.

5. According to the information, what is/are the limitation(s) of the CPPCC?

   Its statutory authority is not clearly stated in the Constitution of China.

6. Do you agree to appoint some notables as representatives of the National Committee of the CPPCC? Why?

   **Pros**: The notables have high prestige which can help raise the people’s awareness of the work of the National Committee of the CPPCC.

   **Cons**: The notables are usually busy with their work and might not have enough time to handle the work of the National Committee of the CPPCC. When selecting representatives of the National Committee of the CPPCC, priority should be given to competence and experiences in political participation rather than popularities.

   (Any reasonable and relevant answers are acceptable.)
### To Know More

: Some of the notables that have served in the National Committee of the CPPCC

<table>
<thead>
<tr>
<th>Name</th>
<th>Occupation</th>
<th>Name</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zhang Yimou</td>
<td>Movie director</td>
<td>Han Hong</td>
<td>Singer</td>
</tr>
<tr>
<td>Liu Xiang</td>
<td>Athlete</td>
<td>Wang Ming-chuen, Liza</td>
<td>Actress</td>
</tr>
<tr>
<td>Li Tzar-kuoi, Victor</td>
<td>Businessmen</td>
<td>Deng Yaping</td>
<td>Athlete</td>
</tr>
<tr>
<td>Gong Li</td>
<td>Actress</td>
<td>Feng Xiaogang</td>
<td>Movie director</td>
</tr>
</tbody>
</table>

### To Know More

34 Circles participating in the 11th national committee of the CPPCC

<table>
<thead>
<tr>
<th>CPC</th>
<th>All-China Federation of Returned Overseas Chinese</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revolutionary Committee of the Chinese Kuomintang</td>
<td>Circles of literature and art</td>
</tr>
<tr>
<td>China Democratic League</td>
<td>Circles of science and technology</td>
</tr>
<tr>
<td>China Democratic National Construction Association</td>
<td>Circles of social science</td>
</tr>
<tr>
<td>China Association for Promoting Democracy</td>
<td>Circles of economics</td>
</tr>
<tr>
<td>Chinese Peasants and Workers Democratic Party</td>
<td>Circles of agriculture</td>
</tr>
<tr>
<td>China Zhi Gong Party</td>
<td>Circles of education</td>
</tr>
<tr>
<td>Jiu San Society</td>
<td>Circles of sports</td>
</tr>
<tr>
<td>Taiwan Democratic Self-Government League</td>
<td>Circles of press and publication</td>
</tr>
<tr>
<td>Personages without party affiliation</td>
<td>Circles of medical and health</td>
</tr>
</tbody>
</table>
The role of the CPPCC

The CPPCC is a Chinese people's patriotic united front organization which carries out the principle of “great unity, great solidarity and embracing all representative figures”. It is an institution of multi-party cooperation and political consultation led by the CPC. The main functions of the CPPCC are political consultation, democratic supervision and participation in the deliberation and administration of state affairs. The CPPCC is not included in the structure of state in the Constitution. The term of each national committee of the CPPCC is 5 years, the same as that of the NPC. The plenary session of the National Committee of the CPPCC is held once a year, generally in March in conjunction with the annual session of the NPC.
DENG Yujiao incident

DENG Yujiao, a hotel waitress in Hubei Province’s Badong County, scuffled with some local government officials in May 2009, resulting in one death and one injury among two officials. The scuffle was triggered by her refusal to provide sex service to the officials. The investigation by the Badong Public Security Bureau was based on “intentional homicide”. It was later decided that her act of defence exceeded the limit of necessity. The Bureau requested the Badong County People’s Procuratorate to initiate public prosecution. Bitter controversies aroused from different sectors of society after the incident was reported by the media. Different supporting groups were organised to support Deng in the lawsuit, requesting fair and just handling of the case by the authorities. Later in June 2009, the Badong County People’s Court ruled that Deng was guilty of “intentionally inflicts injury” but exemption from punishment was given after considering various factors.

Incident of “Handicap Cantonese, Promote Putonghua” in Guangdong

In order to provide a more favourable language environment for the 2010 Asian Games in Guangzhou, a member of the Committee for Handling Proposals of the Guangzhou Committee of the CPPCC proposed that Guangzhou Television should be asked to air programmes in Putonghua on its news channel and channel one. Then a member of the Guangzhou Committee of the CPPCC sent out a weibo message which indicated that the Guangzhou Committee of the CPPCC proposed Guangzhou Television to air all programmes in Putonghua on all channels all of the time or during peak-time.

Once the news was spread, fierce complaints were received from netizens. Many people in the online forum generally believed that the Central Government wanted to force the implementation of the policy of “Handicap Cantonese, Promote Putonghua”. Afterwards, the campaign of “Protecting Cantonese” was launched by the citizens of Guangzhou and Hong Kong, which was reported extensively by the media, arousing public concern. The situation finally subsided after the forceful clarification made by the Guangdong authorities.

Source: Summarising the reports of various newspapers, 2009.

Source: Summarising the reports of various newspapers, 2010.
Law of the PRC on Promotion of Employment passed successfully

Employment discrimination is not uncommon in China, especially in the cases of discrimination against hepatitis B virus (HBV) carriers. In China, 120 million people are HBV carriers, and most of them were turned down when seeking jobs due to health problem. To eliminate unfair treatment at work, an online forum (hbvhbv.com) was established by HBV carriers, which attracted 200 thousand people to register as members. For filing requests to the Central Authorities, the forum has once sent a letter to the State Bureau for Letters and Calls, and later, sent letters to the NPC and the State Council to urge the authority to respond to the problem of employment discrimination against HBV carriers. And finally, in 2007, the NPC formally passed the Law of the PRC on Promotion of Employment, stipulating that an employing unit shall not use as a pretext that s/he is a pathogen carrier of an infectious disease to refuse to employ him or her.

Source: Summarising the reports of various newspapers, 2007.

Try it Out

1. According to the above information, what are the channels for people to supervise the Government? Please explain your answer.

<table>
<thead>
<tr>
<th>Source</th>
<th>Channels to supervise the Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Through the judiciary: human right activists formed public supporting groups to help Deng Yujiao in the lawsuit.</td>
</tr>
<tr>
<td>2</td>
<td>Through the power of the media: The alleged proposal which required Guangzhou Television to air all programmes in Putonghua on all channels was extensively reported by the media. It aroused public concern and then the Guangdong Authorities had to clarify the situation.</td>
</tr>
</tbody>
</table>
3. Through public petition letters: The online forum (hbvhbv.com) sent letters to the State Bureau of Letters and Calls, the NPC and the State Council to voice their requests on eliminating employment discrimination against HBV carriers.

2. According to the answer above, which channel do you think is the most effective one? Please explain your standpoint.
   a) The judiciary is the most effective: There is a complete judicial system in China. It is a society ruled by law.
   b) The power of the media is the most effective: The extensive reporting by the media (e.g. newspapers and online forums, etc.) can let the public acquire more information, raise public awareness, arouse public concern and exert pressure on the Government.
   c) Public petition letter is the most effective: To avoid petitions being intercepted by local government officials, people can send petition letters to the State Bureau of Letters and Calls, the NPC and the State Council directly to express their requests.

   (Any reasonable and relevant answers are acceptable.)

3. Combining the information above, can you explain the importance for people to supervise the Government? With reference to sources 1 to 3, explain what will happen if the people cannot supervise their Government effectively?
   People’s supervision of the Government can ensure that the Government can handle the social issues and governmental policies in an equitable way in order to guarantee effectiveness of governance and people’s quality of life. If people’s supervision of the Government does not exist, then Deng Yujiao might not be treated justly; the dialect of Cantonese might disappear gradually; and HBV carriers might still be discriminated against in workplace.
4. Do you think the channels for Chinese people to supervise the Government are adequate and flawless nowadays? Please explain your answer.

   Yes, they are adequate. There are the judiciary, the letters and visits system and the media to supervise the Government.

   No, they are inadequate. There is still room for the improvement of the function of the civil society in supervising the Government, the ways for the Government to consult the public, and the ways for the Government to disclose information.

   No, the channels are not flawless. Although there is a judicial system in China, it is not flawless. For example, it was mentioned in the report on the work of the Supreme People’s Court that “Some judges have behaved badly and exhibited a poor working style, as irregular practices in court proceedings and hearing delays could still be found. A small number of judges were even found taking bribes and perverting the law.” Although there are a number of people trying to engage in the letters and visits system at different levels, the number of cases to be handled by respective authorities are limited, and it is also reported that some local officials attempted to prevent petitions through the letters and visits system. The media in China are monitored by the Government and so the freedom of the press and the media is restricted.

   (Any reasonable and relevant answers are acceptable.)
Channels for people’s supervision of the Government

Supervise the Government through the state structure

People can supervise the operation of the Government through people’s congresses at different levels. They can also voice their opinions and suggestions and file complaints to the Government through the letters and visits system. The State Bureau of Letters and Calls is responsible for coordinating the work of the letters and visits system nationally. In addition, people can also file lawsuits through the judicial system to acquire and protect the rights and interests they deserve. The courts are responsible for handling lawsuits, whereas people can have their lawyers to help them fight for their rights and interests in courts.

Supervise the Government outside the state structure

The media also plays the role of supervising the Government by increasing the transparency of the Government, arousing public concern and exerting pressure on the Government. It can ensure that the Government is supervised by the public and act according to people’s interests, and prevent the Government from practising favouritism.

However, people’s congresses, the letters and visits system, the courts and the media, etc. are all operated under the leadership of the CPC. It has been doubted whether these organs can supervise the operation of the Government impartially. It has been suggested that each system should be improved to perfection.