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(2) 從《憲法》看國家的政治體制

(2) Understanding Our Country’s Political Structure through the Constitution

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談到中國的政治制度，很多時會接觸到「兩會」、「二十大」等這些名詞，它們都是中國的政治制度的一部分。每年的三月份，我國召開「兩會」。「兩會」是指全國人民代表大會和全國人民政治協商會議。在全國的「兩會」之下，有省級及市級的「兩會」。

When talking about China’s political system, you often come across terms such as “Two Sessions” and “20th National Congress”. They are all part of China’s political system. Every March, our country holds the “Two Sessions”. The “Two Sessions” refers to the meetings of the Chinese People’s Political Consultative Conference (CPPCC) and the meetings of the National People’s Congress (NPC). Under the national level “Two Sessions”, there are “Two Sessions” at the provincial and municipal levels.

我國於 2022 年 10 月 16 日至 22 日在北京召開「二十大」。「二十大」即中國共產黨第二十次全國代表大會，是我們的執政黨——中國共產黨的會議。要認識中國的管治架構。首先要認識「四大班子」。

China held the “20th National Congress” in Beijing from October 16 to 22, 2022. The “20th National Congress” refers to the 20th National Congress of the Communist Party of China which is the meeting of our ruling party, the Communist Party of China. To understand China’s governance structure, it is necessary to first understand the “Four Big Organisations” (*Sidabanzi* 四大班子).

## 中國的政治制度

### **Political System of China**

中國的政治制度有所謂「四大班子」，就是指包括執政黨、行政（包括國務院及其屬下各級政府部門）、立法（全國人民代表大會）和中國人民政治協商會議。

他們在職責上各有自己的分工。執政黨主要負責決定發展的路線和方向，以及人事方面的安排等。舉一個例子，內地的大學都設有一個「黨委書記」，由中國共產黨委任，主要負責學校的人事安排，以及與各級政府部門溝通。與此同時，大學亦設有校長一職，是行政上的最高管理人員，負責管理科研及課程等事務。The political system of China includes what is known as the “Four Big Organisations” (*Sidabanzi* 四大班子) which refers to the ruling party, the executive authorities (including the State Council and its constituent departments), the legislature (National People’s Congress, NPC), and the Chinese People’s Political Consultative Conference (CPPCC). Each of them has its own responsibilities. The ruling party is mainly responsible for deciding the development path and direction, as well as personnel arrangements. For example, universities in the Mainland have a position called “Party Secretary” appointed by the Communist Party of China, who is mainly responsible for the personnel arrangements of the university and communication with government departments at all levels. At the same time, universities also have the post of President, who is the highest administrative officer, responsible for managing scientific research, curriculum and other affairs.

自上世紀 80 年代開始，專家們一直有探討是否可以將黨委書記和校長的職權合一？即由一個人同時擔任校長和負責黨務方面的工作。後來，經過了長時間的討論、探索和實踐，慢慢形成了一個比較明確的分工，讓學術、行政方面專業的人士管理專業的事，至於黨務就由黨委書記去處理。

Since the 1980s, experts have been discussing whether it is possible to combine the functions and powers of the Party Secretary and the President. That is, one person simultaneously serves as the President and is responsible for party affairs. After prolonged discussions, explorations and practices, a relatively clear division of labour has gradually emerged, allowing professionals in academic and administrative fields to manage their respective areas of expertise while party affairs are handled by the Party Secretary.

至於政協，它是一個諮詢機構。由不同界別的專業人士組成，例如，科學技術界、文藝界、教育界、婦女界，還有青年界別等。

As for the CPPCC, it is a consultative body composed of professionals from different fields, such as science and technology, literature and art, education, women’s organisations as well as youth representatives, etc.

如果一個制度希望吸納不同界別的人士，收集來自不同界別人士的意見，作為政策諮詢，便需要為不同界別的人士提供參與其中的機會。這種政府理念，在西方的政治學中，稱為「法團主義」。法團主義視社會為一個整體，有不同的組成範

疇和有不同的分工，人們可以為自己所屬範疇的事宜表達意見。在 19 世紀的歐洲，「法團主義」是一個最主要的政治模式。在 20 世紀，「法團主義」逐漸被「個人主義」取代。直到現時，在西方一些國家，仍然有些社會崗位，在用「法團主義」這個概念去劃定一些位置給某些界別。

If a system aims to accommodate people from different sectors to collect opinions from various segments of society for policy consultation, it needs to provide opportunities for people from different sectors to participate in it. This kind of governmental philosophy is called “corporatism” in Western political science. Corporatism refers to the idea that society is a whole, with different constituent categories and divisions of labour. People can express their opinions on matters according to their respective domains. In 19th century Europe, “corporatism” was a dominant political model. In the 20th century, “corporatism” was gradually replaced by “individualism”. But until now, in some Western countries, there are still some social positions that employ the concept of “corporatism” to designate certain positions for certain sectors.

全國人大的模式和政協的模式很不一樣。政協把參與的人士劃分為不同界別。而全國人大的代表是如何產生的呢？港區全國人大代表的選舉相對地簡單，它是由現時的選舉委員會選舉產生。但在內地的全國人大代表，是通過一種間接選舉的模式產生。首先最基層的，有縣級的人大代表，縣的人大代表產生以後，他們會以互選的方式產生市的人大代表，市的人大代表再以互選的方式產生省級的人大代表，如此類推，直到全國人大代表。

The model of NPC is very different from that of the CPPCC. The CPPCC categorizes members into different sectors. How are deputies of the NPC chosen? The election of deputies to the NPC in the Hong Kong SAR is relatively simple because they are elected by the current election committee. However, deputies of the NPC in the Mainland are selected through an indirect election model. At the local level, there are county-level people’s congress deputies. After county-level people’s congress deputies are elected, they will elect city-level people’s congress deputies through mutual election. The city-level people’s congress deputies will then elect provincial-level people’s congress deputies through mutual election. This process continues until the NPC deputies are determined.

## 中國共產黨全國代表大會

### **The National Congress of the Communist Party of China**

「二十大」是甚麼呢？「二十大」是一個中國共產黨的會議，就是中國共產黨第二十次全國代表大會。它是「四大班子」中一個很重要的會議。中國共產黨第二十次全國代表大會結束後會有一份文件，稱為中國共產黨第二十次全國代表大會

的報告（簡稱二十大報告），它包含執政黨的執政理念、執政的重點、未來五年的規劃等。除此以外，這份報告還有其他重點。

What is the “20th National Congress”? The “20th National Congress” is a conference of the Communist Party of China (CPC) and specifically, the 20th National Congress of the Communist Party of China. It is an important conference among the “Four Big Organisations”. After the 20th National Congress of the Communist Party of China, there will be a document called the *Report to the 20th National Congress of the Communist Party of China* (the 20th National Congress Report). It includes the governing philosophy of the ruling party, the key points of governance, and the plans for the next five years, etc. In addition, this report also covers other important points.

舉例說，二十大報告清楚指出，將農村發展的目標放在一個很重要的位置。又例如將科技的研發放到作為經濟驅動力等的位置。此外，會議會產生黨領導人。全國黨代表大概有 2,500 人至 3,000 人。當中，他們會選出約 10% 的人員，擔任中共中央委員會的委員。第二十屆中共中央委員會現在有 205 人，由此 205 名成員再產生 24 人，成為中國共產黨中央政治局委員。中央政治局委員再選舉產生 7 位中央政治局常委。

For example, the report to the 20th National Congress of the Communist Party of China clearly stated that the goals of rural development should be placed in a very important position. Another example is placing scientific and technological research and development as a driving force for the economy. In addition, the conference produces Party leaders. There are about 2,500 to 3,000 national party representatives. Among them, about 10% will be elected as members of the Central Committee of the Communist Party of China (CCCPC). The 20th CCCPC now has 205 members, and from these 205 members 24 members are elected to become members of the Political Bureau of the CCCPC. From the members of the Political Bureau of the CCCPC, 7 members are elected to become members of the Standing Committee of the Political Bureau of the CCCPC.

全國黨代表大會每五年舉行一次。在此五年間，中央委員會會定期召開會議，處理事務。由中國共產黨中央委員會召開的全體會議，我們經常聽到的「一中全會」、「二中全會」、「三中全會」便是指由中央委員會召開的第幾次會議。例如第二十屆中共中央委員會召開的第一次會議，便稱為「中共二十屆一中全會」。根據《中國共產黨黨章程》，中共中央委員任期為 5 年，在這五年之中，每年都最少要召開一次中共中央委員會的全體會議，通常總共要召開七次會議。1978 年，第十一屆三中全會（中國共產黨第十一屆中央委員會第三次全體會議）是一個很重要的會議。

The National Congress of the Communist Party of China is held once every five years. During this five-year period, the Central Committee holds regular meetings to deal with affairs. The “First Plenary Session”, “Second Plenary Session”, “Third Plenary Session” and so on, which we often hear about, refer to the number of meetings held by the Central Committee of the Communist Party of China. For example, the first meeting of the 20th Central Committee of the Communist Party of China is referred to as the “First Plenary Session of the 20th CPC Central Committee”. According to the *Party Constitution of the Communist Party of China*, the term of office of members of the Central Committee of CPC is five years. During these five years, at least one plenary meeting of the Central Committee of CPC must be held every year, and usually a total of seven meetings will be held. In 1978, the Third Plenary Session of the 11th Central Committee (the Third Plenary Session of the 11th Central Committee of Communist Party of China) was a very important conference.

該次會議制定了一個很重要的方向，就是確定了改革開放的政策。

The conference established a very important direction, which was to determine the policy of reform and opening up.

「一中全會」到「七中全會」的主題

### **Themes of the “First Plenary Session” to the “Seventh Plenary Session”**

由「一中全會」到「七中全會」，每個會議都有不同的主題。每次全國黨代表大會結束後，馬上緊接著就會召開「一中全會」。「一中全會」主要是選舉產生中央總書記和中央政治局的成員，以及其他一些比較重要的領導人。

From the “First Plenary Session” to the “Seventh Plenary Session”, there are different themes for each meeting. Immediately after the conclusion of each National Congress of the Communist Party of China, the “First Plenary Session” will be held. The main purpose of the “First Plenary Session” is to elect the General Secretary of the Central Committee, members of the Political Bureau of the Central Committee, and other important leaders.

「一中全會」結束後，就會召開「二中全會」。「二中全會」通常每一年的年末召開。例如：中國共產黨第二十次全國代表大會結束之後，馬上召開「一中全會」，兩個月後召開「二中全會」。在此期間，就提出了國家主席、全國人大代表、國務院、全國政協及中央軍委等換屆人選的安排。所以，「一中全會」和「二中全會」主要負責人事布局。「一中全會」主要討論選舉中央領導層；而「二中全會」則主要討論新一屆國家機構的人事問題。

After the “First Plenary Session”, the “Second Plenary Session” will be held. The “Second Plenary Session” usually held at the end of each year. For example, immediately after the 20th National Congress of the Communist Party of China, the “First Plenary Session” was held, and the “Second Plenary Session” was held two months later. During this period, arrangements were made for the election of the President, deputies to the National People’s Congress, the State Council, the National Committee of the Chinese People’s Political Consultative Conference, and the Central Military Commission. Therefore, the “First Plenary Session” and the “Second Plenary Session” are mainly responsible for personnel arrangements. The “First Plenary Session” mainly discusses the election of the central leadership; while the “Second Plenary Session” mainly discusses the personnel issues of the new term of state institutions.

然後到了第二年再開會，就到「三中全會」。「三中全會」主要關於經濟發展。例如第十一屆三中全會就與「改革開放」相關。往後的第十四、第十五、第十六、第十七、第十八、第十九和第二十等屆別的「三中全會」，所圍繞的主題都是關於經濟發展。

Then in the following year, the “Third Plenary Session” is held. The “Third Plenary Session” mainly focuses on economic development. For example, the “Third Plenary Session of the 11th Central Committee of the CPC” was related to the “reform and opening up” policy. The themes of the “Third Plenary Session” for the 14th, 15th, 16th, 17th, 18th, 19th and 20th Central Committee of the CPC all revolved round economic development.

「三中全會」有關經濟發展的計劃週期都是為期五年。

The planning cycle for economic development discussed during the “Third Plenary Session” is five years.

「四中全會」主要關於政治問題。「五中全會」主要關於中國共產黨內部的一些重要決策，例如在 90 年代發起一個對黨內廉潔廉政的要求，以至一些法治的問題，都是在「五中全會」中提出的。

The “Fourth Plenary Session” is mainly about political issues. The “Fifth Plenary Session” is mainly about important decisions within the Communist Party of China, such as the launching a campaign for a clean and honest government within the party in the 1990s, as well as addressing some issues related to the rule of law.

「六中全會」主要關於社會文化，例如在教育問題上，提倡「價值觀教育」，就是在十九大六中全會中提出後，由教育部制定《中小學德育工作指南》，讓全國中小學貫徹落實。

The “Sixth Plenary Session” is mainly about society and culture. For example, in the field of education, the promotion of “values education” was put forward in the “Sixth Plenary Session of 19th National Congress”, with the Ministry of Education formulating the “Guidelines for Moral Education in Primary and Secondary Schools” for implementation in primary and secondary schools across the country.

「七中全會」通常在下一屆全國黨代表大會召開之前召開，為下一屆的全國黨代表大會的召開作準備。The “Seventh Plenary Session” is usually held before the next National Congress of the Communist Party of China in preparation for the convening of the next National Congress of the Communist Party of China.

### 《憲法》與中國政治體制

#### ***Constitution and the Political System of China***

在「憲法類」的法律中，如《憲法》、《基本法》和《立法法》這一類重要的憲制性文件，又或者其他重要的法律，它們必須由全國人民代表大會（全國人大）和全國人民代表大會常務委員會（全國人大常委會）通過實施，因為這些都是全國性法律。我們會稱其為基本法律或者普通法律。當然，《憲法》在其中擁具有最高的地位。在政治體制方面，《基本法》關於一國兩制部份，訂明香港如何成為特別行政區。除此之外，還有一個很重要的法律，在討論內地政治體制的時候必然要認識的，就是《立法法》。《立法法》就是一部規定「如何去立法」的法律。Among the category of constitutional laws, important constitutional documents, such as the *Constitution*, the *Basic Law* and the *Legislation Law of the People’s Republic of China*, or other important laws, must be adopted by the National People’s Congress (NPC) and its Standing Committee, as they are all national laws. We call them “primary laws” or “ordinary laws”. The *Constitution* has the highest status among them. In terms of political system, the *Basic Law* addresses the principle of “one country, two systems”, which stipulates how Hong Kong can become a special administrative region. In addition, there is another important law that must be known when discussing the political system of the Mainland, that is, the *Legislation Law*. The *Legislation Law* is a law that stipulates “how to enact legislation”.

### 行政法規

#### **Administrative Regulations**

所謂「如何去立法」，是指哪些政府機構中的哪些政府部門，或者政府單位，有權利訂立甚麼層級的法律、其權限有多大等。例如一些國家機構如國務院，可以訂立一些「行政法規」，這種做法是有利行政部門的行事；又例如，教育部可以

訂立一些與教育相關及全國性適用的行政法規；又或者是商務部因應美國經濟制裁我國而訂立的反制措施，都是與商務相關的法律條文。這一類都屬於「行政法規」。

When we talk about “how to enact legislation”, it refers to which government departments or units in which state institutions have the authority to enact laws at what level and how much power they have. For example some state institutions such as State Council, can formulate some “administrative regulations”, which facilitate the functioning of administrative departments. Similarly, the Ministry of Education can formulate some administrative regulations related to education that are applicable nationwide. Another example is the Ministry of Commerce establishing countermeasures in response to the U.S. economic sanctions against China, which are laws related to commerce. These all fall under the category of “administrative regulations”.

## 地方性法規

### **Local Regulations**

另一類是地方性法規。地方性法規，並不是由國務院「專門性的部門」或是「功能性的部門」去制定的法律，而是由每個地區自己制定的法律。例如一些省、自治區，又或者是直轄市等，它們有權訂立一些專門的「地方性法規」。「地方性法規」，顧名思義，就只能夠在自己的省、自治區或直轄市中實行。例如，廣東省人大代表訂立一條「地方性法規」，它就只能在廣東省執行，而不能在其他省執行。

Another category of laws is local regulations. Local regulations are not laws formulated by “specialised departments” or “functional departments” of the State Council, but laws formulated by each region itself. For example, some provinces, autonomous regions or municipalities directly under the central government have the authority to formulate some specific “local regulations”. As the name suggests, “local regulations” can only be implemented within their respective provinces, autonomous regions or municipalities directly under the Central Government. For example, the “local regulations” enacted by the deputies to the People’s Congress of Guangdong Province can only be implemented in Guangdong Province and not in other provinces.

《基本法》並不是「地方性法規」而是一部「全國性法律」，除了因為《基本法》是由全國人大訂立之外，《基本法》中還有一些條文內容是規管特區以外的地方，也就是規管內地的人和內地的事情，或是規管內地的機構。所以，它是一部「全國性法律」，可以規管我國其他地方的事情。



The *Basic Law* is not a “local regulation” but a “national law”. Apart from being enacted by the National People’s Congress, there are also some provisions in the *Basic Law* that regulate places outside the special administrative region, which are to regulate people and matters in the Mainland. Therefore, it is a “national law” that can regulate matters in other parts of our country.

最高人民法院負責審理案件，最高人民法院作出的司法解釋，是國家法律體系中一個很重要的組成部分。最高人民法院作出的司法解釋是所有律師處理訴訟前，需要參考的法律文件。

The Supreme People’s Court is responsible for adjudicating cases, and the judicial interpretations made by the Supreme People’s Court are also an important part of the national legal system. The judicial interpretations made by the Supreme People’s Court are legal documents that all lawyers must refer to before handling a lawsuit.

### 《憲法》及國家政治體制

#### **The *Constitution* and the Political System of Our Country**

《憲法》在國家中具有最高的法律位階，它確立了我國的政治體制。整部《憲法》共有 143 條條文，其中有關我國政治體制的部份在第三章。當中包括全國人大、國家主席、國務院、中央軍事委員會、地方各級人大、地方政府、民族自治區域的自治機關、監察委員、人民法院及人民檢察院等國家機構。

The *Constitution* has the highest legal status in the country and it establishes the political system of our country. The entire *Constitution* has a total of 143 articles, of which the part about our country’s political system is in Chapter III. This include the National People’s Congress, the President, the State Council, the Central Military Commission, Local People’s Congresses at all levels, Local Governments, the Organs of Ethnic Autonomous Areas, Supervisory Committees, the People’s Courts and the People’s Procuratorates.

《憲法》中亦包含其他不同的範疇，如公民的基本權利和義務等，以及關於國旗和國歌的規定等。

The *Constitution* also includes other different categories, such as the basic rights and obligations of citizens, as well as provisions on the national flag and national anthem.

首先，我們國家的政治體制。《憲法》第一條清楚列明我國政治體制的性質，就是「人民民主專政」。

First, let's discuss our country's political system. Article 1 of the *Constitution* clearly states the nature of our country's political system, which is "people's democratic dictatorship".

不同國家有不同的國家體制。一些實行君主立憲制的國家，如英國和日本，有君主的存在，但君主沒有政治實權，政治權力掌握在國會手中，君主只是一個名義上或禮儀上的角色。另外有一種政治體制，是「三權分立」制度。「三權分立」制度就是將一個國家的權力，或者其國體或主權分為三部份，分別是司法、立法和行政，以美國為例：三權分別由最高法院、國會和總統掌握。因此，美國總統，嚴格來說，不能夠代表整個國家的主權。而是將行政、立法和司法加在一起，才能夠成為一個完整的國家主權。在討論「三權分立」制度的時候，最重要的討論點不是「三權是否分立」，而是「三權有否互相制衡」。以英國為例，英國是一個採用「君主立憲制」的國家，英國的政治體制有國會。在國會中，多數黨會組成內閣，即一個國家的「行政」部份。雖然英國沒有採用「三權分立」制度，但行政、立法和司法之間的「權力互相制衡」其實是存在的。

Different countries have their own system of government. Some countries that practice constitutional monarchy, such as the United Kingdom and Japan, have a monarch, but the monarch has no real political power. Political power is in the hands of the Parliament, and the monarch has only a symbolic or ceremonial role. Another political system is the "separation of powers" system. The "separation of powers" system is to divide the power, country or sovereignty into three branches, namely the judiciary, legislature and executive. Taking the United States as an example: the three powers are held by the Supreme Court, Congress and the President respectively. Therefore, the US President, strictly speaking, cannot represent the sovereignty of the entire country. Rather, it is the combination of executive, legislative and judiciary that can become a complete national sovereignty. When discussing the "separation of powers" system, the most important point of discussion is not "whether the three powers are separated", but "whether the three powers mutually check and balance each other". Taking the United Kingdom as an example, the United Kingdom is a country that adopts a "constitutional monarchy" and its political system has a parliament. In the Parliament, the majority party forms the Cabinet, which is the "executive" part of a country. Although the United Kingdom has not adopted the "separation of powers" system, "checks and balances of power" between the executive, legislative and judiciary actually exist.

除「君主立憲制」和「三權分立」制度的國家外，世界上還有很多採用其他國家體制的國家，例如很多中東國家，它們採取「政教合一」，即其「王權」來自「神權」，而「王權」同時亦是政治權力的一種制度。

Apart from countries with “constitutional monarchy” or “separation of powers” system, there are many countries in the world that adopt other forms of government. For example, many Middle East countries combines political power with religious power, with the “supreme authority” coming from the “spiritual authority”, and the “supreme authority” also serving as the political power.

也有一些國家，像我國一樣實行「人民民主專政」。這種「人民民主專政」，是一種社會主義國家的論述，強調「工人階級領導」、「以工農聯盟為基礎」。它包含了我國整個社會主義的理念、我國憲法的制定，以及共產黨取得政權的過程當中包含的政治理念，以及政治理論。在採用「三權分立」制度的國家中，其行政和立法是分開的。但在一些以議會，或一個國家機構去代表整個國家主權的國家，例如我國所講的「人民民主專政」下的全國人民代表大會制度，其主權是統一的，並沒有因為有不同政府部門的設置而被分割。例如，全國人民代表大會是代表主權的最高國家機構，在它之下設有負責行政的國務院，有最高人民法院、最高人民檢察院、國家監察委員會等，它們不是「分立」的，也不是獨立存在的，而是在全國人民代表大會之下的機構。

There are also some countries that practice “people’s democratic dictatorship” like our country. This “people’s democratic dictatorship” is a discourse of socialist countries, emphasizing “the leadership of the working class” and “the alliance of workers and peasants as the foundation”. It includes the entire concept of socialism in our country, the formulation of our country’s Constitution, and the political ideas and theories contained in the process by which the Communist Party gained power. In countries with the “separation of powers” system, the executive branch and legislative branch are separate. However, in countries where the parliament or a state institution represents the sovereignty of the entire country, such as the National People’s Congress system under the “people’s democratic dictatorship” in our country, its sovereignty is unified. The sovereignty is not divided due to the establishment of different state institutions. For example, the National People’s Congress is the highest state institution representing sovereignty, under which there is the State Council responsible for administration, the Supreme People’s Court, the Supreme People’s Procuratorate, and the National Commission of Supervision, etc. They are not “separated”, or independent institutions, but institutions established under the National People’s Congress.

政治體制和國家體制就像是一個硬幣的兩面，因為政治體制一定程度上反映了該國的國家體制，一個國家有怎樣的國家體制，就會產生怎樣的政治體制。

The political system and the national system are like the two sides of a coin, because the political system reflects a country’s national system to a certain extent. The type of national system a country has will give rise to a corresponding political system.

## 全國人民代表大會

### National People's Congress

《憲法》第一章第二條就提到「中華人民共和國的一切權力屬於人民」。明確表示國家主權不能夠被分割，而必須是由一個整體的全國人民代表大會去行使。全國人民代表大會兼具兩個功能：第一是立法。它負責制定《憲法》，亦負責制定《基本法》。第二是代表著我們國家的主權。全國人民代表大會是最高的國家權力機關，代表著我國的主權。全國人民代表大會是整個政府中最核心的部份，在我國政治體制中扮演著最重要的角色。

Article 2 of Chapter I of *the Constitution* states that “all power in the People's Republic of China belongs to the people”. It is clearly stated that national sovereignty cannot be divided and must be exercised by a unified National People's Congress. The National People's Congress has two functions. The first function is legislation. It is responsible for formulating the *Constitution* and the *Basic Law*. The second function is to represent the sovereignty of our country. The National People's Congress is the highest state organ of power and represents the sovereignty of our country. The National People's Congress is the core part of the entire government and plays the most important role in the political system of our country.

其職權包括選舉國家主席、決定國務院總理的人選、修改憲法、制定法律等。

Its functions and powers include electing the president of the People's Republic of China, deciding on the candidate for the premier of the State Council, amending the constitution, and enacting laws.

在全國人民代表大會之下，有省級、市級、縣級的人民代表大會。然後通過間接選舉，一級一級地產生上級機關。這就是我國的政治體制。

Under the National People's Congress, there are provincial, city-level and county-level people's congresses. Through indirect elections, the higher authorities are formed level by level. This is the political system of our country.

全國人民代表大會，每一年只開一次會議。全國人大休會期間，其職務由全國人大常委會負責。全國人大常委會每兩個月召開一次會議。

The National People's Congress meets only once a year. When the NPC is out of session, its duties are assumed by the Standing Committee of the National People's Congress. The NPC Standing Committee meets every two months.

全國人大的與會成員大概有 2,500 至 3,000 人左右，至於全國人大常委會的委員

人數，是整體代表的 10%左右，即大概 200 人。全國人民代表大會中包括香港特別行政區全國人大代表（港區人大代表），他們是通過港區人大代表選舉產生。

「某地的人大代表」，只有當地的居民才能擔任，代表自己的地方。全國人大代表包括港區人大代表，因為我們是全國的一份子，所以在全國人大有香港人的代表。

There are about 2,500 to 3,000 deputies at the NPC. As for the Standing Committee of the National People's Congress, it is about 10% of the total deputies, approximately 200 people. The National People's Congress includes National People's Congress deputies from the Hong Kong Special Administrative Region (Hong Kong SAR NPC deputies), who are elected through the Conference for Electing Deputies of the Hong Kong Special Administrative Region. "Deputies to the people's congress of a certain place" can only be residents of that place, representing their own place. Deputies to the National People's Congress include Hong Kong SAR NPC deputies because we are part of the whole country, so there are representatives of Hong Kong SAR in the NPC.

內地的各級人大代表是以逐級選舉產生。例如在農村裏，就由鄉、鎮等層級開始選舉，產生一部份代表加入縣級的人大代表會議。區的人大代表是從一個市裏的某個區去選舉產生區的人大代表。這就產生了最基層一級的人大代表。在區產生的人大代表，又或者是縣產生的人大代表之後，那些代表就會以互選的方式產生上一級的人大代表，如市的人大代表，然後再產生省的人大代表，然後再產生全國人大代表。

Deputies to the people's congresses at different levels in the Mainland are elected on a level-by-level basis. For example, in rural areas, elections start at the village level or town level, and some deputies are elected to join the county-level people's congresses. Deputies of a district-level people's congress are elected from a certain district within a city. This creates the people's congress deputies at the most basic level. After the deputies to the people's congress at the district or county level are elected, they will elect deputies to the people's congress at the next higher level by mutual elections, such as deputies to the people's congress at the city level, then deputies to the people's congress at the provincial level, and then deputies to the NPC.

## 中國人民政治協商會議

### Chinese People's Political Consultative Conference (CPPCC)

「中國人民政治協商會議」（簡稱政協）的會議通常是在農曆新年之前召開。除了「全國政協」，還有省、市的「政協」，各自有相應的政協委員。例如廣東省有廣東省的政協委員，福建省有福建省的政協委員，廣州市或深圳市，也會有其市

級的政協委員。政協委員來自不同界別，如教育界、體育界、婦女界、青年界等。其中「港澳同胞」界別，一部份委員就與香港特區有關。

Meetings of the Chinese People's Political Consultative Conference (CPPCC) are usually held before the Lunar New Year. In addition to the "National Committee of the Chinese People's Political Consultative Conference", there are also provincial-level and municipal-level "Chinese People's Political Consultative Conferences", each of which has corresponding members of the CPPCC. For example, Guangdong Province has Guangdong Provincial CPPCC members, Fujian Province has Fujian Provincial CPPCC members, and Guangzhou or Shenzhen City also have their own municipal-level CPPCC members. Members of the CPPCC come from different sectors, such as education sector, sports sector, women's sector, youth sector, etc. Among them, the "Hong Kong and Macau Compatriots" sector has some of its members representing the Hong Kong Special Administrative Region.

「政協」在農曆新年之前完成會議制定出一些省、市的政策方向，或者政策理念，然後再交到全國政協委員和全國人大代表去討論。

The provincial-level and municipal-level CPPCC complete meetings before the Lunar New Year to formulate some provincial and municipal policy directions or policy ideas, and then submit them to the CPPCC members and deputies to the NPC for discussion.

香港人亦可以成為各省市的政協委員，他們是透過「港澳同胞」這個界別，被邀請參加，成為政協委員。

Hong Kong people can also become members of the CPPCC in various provinces and cities. They are invited to participate and become members of the CPPCC through the sector of "Hong Kong and Macao Compatriot".

## 國務院

### State Council

如前所述，國家的主權和權力是統一在全國人民代表大會之下。但這並不意味著全國人民代表大會要管理國家的所有事務。由全國人民代表大會之下設立了不同的部門管理國家事務。而這些部門，各有分工。其中國務院負責行政。新一屆政府的國務院總理，即國務院的最高首長，由李強出任。國務院以下有商務部、教育部等不同部門，隸屬於國務院。除此之外，還有中央軍事委員會，掌管軍事。最高人民法院和最高人民檢察院，分別負責審理案件及起訴工作。

As mentioned earlier, sovereignty and power of the state are unified under the National People's Congress. However, this does not mean that National People's Congress manages all the affairs of state. State affairs are managed by different departments

established under the National People's Congress. These departments have their own responsibilities. The State Council is responsible for administration. The Premier of the State Council, that is, the highest official of the State Council, is currently Li Qiang. Under the State Council, there are different departments such as the Ministry of Commerce and the Ministry of Education, which are subordinate to the State Council. In addition, there is the Central Military Commission, which is responsible for military affairs. The Supreme People's Court and the Supreme People's Procuratorate are responsible for trial and prosecution of cases respectively.

## 國家監察委員會

### **National Commission of Supervision**

2018 年國家憲法進行了一次修訂。在這次修憲中，增加了一個名為國家監察委員會的部門。國家監察委員會的地位和國務院、最高人民法院、最高人民檢察院等部門同級，它的權力不遜於這些國家機構。

In 2018, the *Constitution* was amended. In this constitutional amendment, a department called the National Commission of Supervision was added. The National Commission of Supervision holds the same level of authority as the State Council, the Supreme People's Court, and the Supreme People's Procuratorate. Its powers are not inferior to those of these state institutions.

在 2018 年修憲之後，全國人大以下有五個不同的部門，包括國務院、國家監察委員會、中央軍事委員會、最高人民法院和最高人民檢察院。中央軍事委員會的性質比較特別，負責管理軍事。一般而言，各級「一府一委兩院」（即人民政府、監察委員會、人民法院和人民檢察院）都是與民生比較相關，它們的地位都是一樣的。

After the constitutional amendment in 2018, there are five different departments under the NPC, including the State Council, the National Commission of Supervision, the Central Military Commission, the Supreme People's Court, and the Supreme People's Procuratorate. The nature of Central Military Commission is rather special and is responsible for the military affairs. Generally speaking, "one government, one commission, and two courts" at all levels (i.e. the government, the Commission of Supervision, the People's Court, and the People's Procuratorate). They are closely related to people's livelihoods and their positions are equal.

在過去，就國家監察委員會的地位，都曾經有過多次的討論，使它能有足夠的權力去發揮監察作用，又能夠獨立行使監察權，不受到行政機關或者任何的個人，或者社會團體的干涉，更要有能力和最高人民法院或最高人民檢察院互相制衡。

經過多年的思考後，在 2018 年修憲時，將國家監察委員會，提升到與國務院、最高人民法院和最高人民檢察院相同的地位，共稱為「一府一委兩院」，這樣才可以使國家監察委員會有足夠的權力和地位去執行它的職務。至此，我國在中央層面的整個政治體制，基本上就清楚確立了。

In the past, there were many discussions about the status of the National Commission of Supervision. The discussions concerned granting the National Commission of Supervision sufficient power to fulfil its supervisory role independently so that it could be free from interference by administrative agencies, individuals, or any social organisations and it could have the ability to check and balance the Supreme People's Court and the Supreme People's Procuratorate. After years of deliberation, in the constitutional amendment of 2018, the National Commission of Supervision was elevated to the same level as the State Council, the Supreme People's Court, and the Supreme People's Procuratorate, collectively referred to as "one government, one commission, and two courts". Only in this way can the National Commission of Supervision have sufficient power and status to carry out its duties. With this development, our country's entire political system at the central level has basically been clearly established.

在介紹地方層面的政治體制之前，我們要認識國家的政治結構。

Before introducing the political system at the local level, we need to understand the political structure of our country.

「單一制」與「聯邦制」

### **“Unitary System” and “Federal System”**

美國是實行聯邦制國家的典型例子。美國的全稱是美利堅合眾國，英文就是“United States of America”。也就是說，美國是由不同的州（States）組成。在美國的歷史中，剛開始成立的時候有十三個州。這十三個州當初聯合在一起，對抗當時的英國。美國獨立戰爭後，十三個州組合起來，變成一個國家，所以它們稱其為「聯合在一起的州」（“United States”）。當十三個州聯合組成了一個國家，在權力方面自然需要有一些取捨，即每個州在保留一部份權力的同時，亦要上交一部份權力予「聯邦政府」。上交的權力包括每個州的外交和司法上的終審權等。在聯邦制之下，每個州都有屬於自己的憲法。

The United States is a typical example of a federal system country. Its full name is the United States of America, which means the country is made up of different states. In US history, there were thirteen states that unite together to fight against the British. After the American War of Independence, the thirteen states united to form a nation, that's why they called themselves the “United States”. When the thirteen states united



to form a nation, they had to make some compromises, including that each state retained some powers while surrendering some powers to the “federal government”. The surrendered powers include the diplomatic power and judicial power of final adjudication of each state. Under the federal system, each state has its own constitution.

所以，有些州的憲法規定，和其他州不同。例如美國有些州，設有死刑，有些州則沒有。

Therefore, the constitutions of some states differ from those of other states. For example, some US states have the death penalty while others do not.

一些州份容許外國人考取美國的律師牌照，例如紐約州、加州，但另一些州份則不容許。基於美國立國的過程，由十三個州統一成為一個國家，雖然每個州放棄一部分的主權，但它們仍然保留自己一部份的制度，有自己的憲法，乃至規章制度，可以與其他州不同，這就是「聯邦制國家」的特色。

Some states allow foreigners to obtain a license to practice law in the United States, such as New York and California, but other states do not. Based on the founding process of the United States, thirteen states were unified to become a nation. Although each state surrendered some sovereignty, each state can still retain their own systems, constitutions and regulations that may differ from those of other states. This is the characteristic of a “federal system country”.

「單一制」和「聯邦制」剛好完全相反。「單一制國家」是先出現一個中央政府。然後才有以下的政府機關。「單一制國家」的成立往往有其獨特歷史背景。第一種情況，「單一制國家」的成立往往與戰爭有關，特別是內戰一類的戰爭。以中國例，它經歷了清朝被推翻、國共內戰、中國共產黨在國共內戰中勝出，最後成立中華人民共和國。

The “unitary system” and “federal system” are totally opposite. In a “unitary system country”, a central government is established first. Then subordinate state institutions are formed. The establishment of a “unitary system country” often has its certain historical background. In the first case, the establishment of a “unitary system country” is often due to wars, especially civil wars. Taking China as an example, it experienced the overthrow of the Qing Dynasty, the Chinese Civil War between the Kuomintang and the Communist Party of China, the victory of the Communist Party of China in the Chinese Civil War, and finally the establishment of the People’s Republic of China.

第二種情況，「單一制國家」與其歷史背景有關，一般都是歷史比較悠久的國家，例如中國、法國等，這些國家的歷史比較悠久，往往會經歷由一個勢力取代另一勢力，建立政權，形成一次又一次的政權更替。

In the second case, the establishment of a “unitary system country” is related to its historical background. It is generally a country with a relatively long history, such as China and France. These countries have a relatively long history, and often experience the replacement of one power by another power, establishing regimes and undergoing repeated changes of power.

「剩餘權力」

### “Residual Powers”

「剩餘權力」這個概念，產生在奉行聯邦制的國家。以美國為例，當一個聯邦制的國家成立的時候，每個州需要交出一部份權力予美國聯邦政府（中央政府）。The concept of “residual power” arises in countries that practice a federal system. Taking the United States as an example, when a federal country is established, each state needs to surrender a portion of its power to the US federal government (central government).

在州的憲法中清晰的交代哪些權力上交，哪些權力得以保留。當成立聯邦制國家的時候，其憲法類似一份「協定」(agreement)，是州政府和聯邦政府之間的一份「協定」，清楚列明州政府保留的權力。而「協定」中未有列明歸屬於聯邦政府還是歸屬於州政府的權力，就稱為「剩餘權力」。

In the state constitution, it is clearly stated which powers are to be surrendered while which powers are to be retained. When establishing a federal country, its constitution is like an “agreement” between the state government and the federal government, which clearly states the powers to be retained by the state government. Powers that are not explicitly assigned to either the federal or state government in the “agreement” are referred to as “residual powers”.

「剩餘權力」有的歸屬於州政府，有的歸屬於聯邦政府，視乎不同國家的憲法如何規定。但在「單一制國家」，自其立國的一刻開始，所有的主權或權力，都歸中央政府所擁有。但亦由於這些國家幅員廣大，難以由單一個層級的政府機關處理全國所有政務，因此，中央政府會將部份權力授予其下級單位，例如地方政府。

The allocation of these “residual powers” varies depending on how each country’s constitution defines them, with some being granted to the state government and others to the federal government. But in a “unitary country”, all sovereignty or powers belong to the central government from the moment it is established. However, due to the vast territory of these countries, it is difficult to handle all the national affairs by a single level of government. Therefore, the central government will delegate some powers to its subordinate units, such as local governments.

因此，「剩餘權力」這個概念只會在「聯邦制國家」出現；而「單一制國家」只有「授權」這個概念，所有權力都來源於中央政府。中央政府需要不同層級的地方政府去管理地方事務，所以中央政府就授權給不同層級的地方政府，代中央政府行使它的職權。

Therefore, the concept of “residual powers” exists in “federal countries”, while the concept of “delegation of power” exists in “unitary countries” where all powers come from the central government. The central government needs different levels of local governments to manage local affairs, so the central government authorises different levels of local governments to exercise its powers on its behalf.

我國與美國不同，美國每個州都有自己的憲法，但國家只有一部憲法。我國政府只有一個最高的中央政府機關，中央政府之下是其他政府機關。一個比喻去解釋國家的權力分佈以至其權力來源：聯邦制國家像一間「母公司」，「母公司」之下有多間「子公司」，「子公司」可以有自己的決策權；但在單一制國家，中央政府是「母公司」，地方政府是下屬部門，不能單獨行事。

Our country is different from the United States. Each state in the United States has its own constitution, but our country has only one Constitution. In our country, there is only one highest central government institution, and under the central government, there are other government institutions. A closer analogy to explain the distribution of power in a country and its source of power is that a federal country is like a “parent company” with multiple “subsidiary companies” under it, and the “subsidiary companies” can have their own decision making authority. However, in a unitary country, the central government is like the “parent company” and local governments are subordinate departments and cannot act independently.

我國的政治架構：單一制

### **Our Country's Political Structure: Unitary System**

在單一制的政治架構下，國家會按不同情況授權。例如：國家授予特別行政區很多權力，香港特別行政區擁有的自行處理部份事務的權力，這些權力在《基本法》明確列出，香港特別行政區的權力，全部來自中央的授權，因此沒有所謂「剩餘權力」。

Under the unitary system of political structure, the state grants authority according to different circumstances. For example: the state grants many powers to the special administrative region. The Hong Kong Special Administrative Region (HKSAR) has the power to handle some affairs on its own. These powers are clearly stated in the *Basic Law*. All the powers of the HKSAR come from the delegation of power by the

central government, so there is no such thing as “residual powers”.

此外，中央政府也會按地方的特別情況授權，例如授予深圳在經濟領域方面的立法權，這授權要比其他地方、市，甚至同級的市要大。

In addition, the central government also delegates power to local governments according to their specific circumstances. For example, it grants Shenzhen the legislative power in the economic field, which is greater than that of other places and cities, or even cities of the same level.

又例如在少數民族自治區，會比其他省獲得更大的授權，特別是有關少數民族的一些政策，所授予的權力會更大一些。當然，一些直轄市，如重慶、天津等，其權力可能在某些範疇比其他的地方又多一些。所以，中央政府對地方政府的授權的多與少，或其程度的大與小，是基於對每一個地方的情況考慮，再進行授權。

Another example is that in autonomous regions of ethnic minorities, they receive greater power than other provinces, especially regarding policies related to ethnic minorities. Of course, some municipalities, such as Chongqing and Tianjin, may have greater power in certain areas compared to other regions. Therefore, the degree of delegation of power by the central government to local governments, or the extent of delegation of power, is based on consideration of each specific area’s situation before delegating the power.

再以香港為例，香港作為一個特別行政區，權力來自中央的授權。香港特別行政區被中央的授權的範圍，由一部專門的法律《基本法》所規定。在內地，如少數民族自治區域，它們就有一部《中華人民共和國民族區域自治法》去規定中央對其的授權程度。

Taking Hong Kong as an example again. As a special administrative region, the powers enjoyed by Hong Kong are granted by the Central Authorities. The scope of powers granted by the Central Authorities to the HKSAR is stipulated in a specific law, the *Basic Law*. In the Mainland, for example, in autonomous regions for ethnic minorities, they have a law called *People’s Republic of China Regional Ethnic Autonomy Law* which stipulates the degree of authorisation to be granted by the Central Authorities to these areas.

總的而言，香港作為一個特別行政區，中央對其授權的機制，是按照一套既有的機制去授權予特別行政區，並由《基本法》明文所規定。

In summary, the granting of powers by the Central Authorities to the HKSAR is based on an existing mechanism set up for delegation of power to special administrative regions, and it is stipulated in the provisions of the *Basic Law*.

單一制國家另一項特色是通常主張單一國籍，它們不承認雙重國籍。因為中央政府是最高的政治機構，而且整個國家屬一體，所以，它只承認一個國籍。但很多聯邦制國家，雖然不是必然現象，都承認雙重國籍。原因是聯邦制國家內部，例如州與州之間，都已經有著其不同的規定。所以很多聯邦制國家都會比較容易接受或承認雙重國籍。

Another characteristic of unitary countries is that they usually advocate a single nationality and they do not recognise dual nationality. It is because the central government is the highest political institution, and the entire country is considered as one entity. However, many federal countries, although not a universal phenomenon, recognise dual nationality. The reason is that within a federal country, such as between states, there are already different regulations. Therefore, it will be easier for many federal countries to accept or recognise dual nationality.

提到中央授權，自然會涉及「中央對香港特別行政區有全面管治權」。「中央對香港特別行政區有全面管治權」這個概念其實並不是全新或特別的概念。既然中央對香港特別行政區擁有主權，那麼這個「主權」自然是「全面」的。不會「中央擁有某一部份的主權，而又沒有某一部份的主權」這情況出現。所以，既然「中央對香港特別行政區擁有主權」，自然是指在單一制國家的制度之下，中央對香港特別行政區有全面管治權。但中央擁有全面管治權，不等於香港特別行政區沒有高度自治權。實際上，中央對香港特別行政區擁有全面管治權，然後中央政府再授權予香港特別行政區依照《基本法》的規定行使其高度自治權範圍中的一些事務。這正好解釋了主權和授權這兩個概念。

When it comes to the delegation of power by the Central Authorities, it will naturally involve “the Central Authorities exercising overall jurisdiction over the HKSAR”. The concept of “the Central Authorities exercising overall jurisdiction over the HKSAR” is actually not a new or special one. Since the Central Authorities has sovereignty over the HKSAR, it is surely a “complete sovereignty”. There will be no such situation where “the Central Authorities exercise sovereignty over certain aspects but not others”. Therefore, since “the Central Authorities has sovereignty over the HKSAR”, it means that under the unitary system, the Central Authorities has overall jurisdiction over the HKSAR. However, the Central Authorities exercising overall jurisdiction does not mean that the HKSAR does not have a high degree of autonomy. In fact, the Central Authorities exercises overall jurisdiction over the HKSAR, and then authorises the HKSAR to exercise a high degree of autonomy in certain areas in accordance with the provisions of the *Basic Law*. This explains exactly the concepts of sovereignty and delegation of power.

## 我國的政黨制度

### **Our Country's Political Party System**

西方政治理論中的政黨制度，是指通過不同的利益團體，代表著不同的利益或者主張，在一個制度內通過互相博弈、互相辯論，然後取得一個利益平衡。這種模式需要一個辯論的空間，黨與黨之間的某種競爭、對抗和博弈才能夠達致某個效果。就正如一個天秤，需要通過某種角力和對抗，才能夠達到一個平衡。

The political party system in Western political theory refers to a system where different interest groups represent different interests or ideologies and achieve a balance of interests through mutual bargaining and debate with each other. This model requires a space for debate, and some kind of competition, confrontation and bargain between parties to achieve a certain effect. It's like a balance scale that needs some kind of struggle and confrontation to achieve balance.

中國政黨制度與西方的政黨制度不同。第一，「黨」這個概念，在近代中國是開始向西方學習的過程時所出現的一個產物。而中國共產黨（特別是吸納了馬克思主義這個西方的理念後），正是由西方所引進的一個產物、一個概念和一個形態。

The party system in China is different from the Western party system. First, the concept of "party" was a product that emerged when modern China began to learn from the West. The Communist Party of China (especially after absorbing the Western ideology of Marxism) is a product, a concept and a form introduced from the West.

第二，我國的政黨制度引進西方的政黨理念之後，亦加入了很多中國的傳統理念。雖然國家有很多政黨（現在有八個民主黨派），但國家並不是實行多黨制，而是實行多黨合作制。也就是說，這些黨派之間，並不是通過一種互相博弈或者對抗來達到一種平衡，而是採取一種合作的關係。

Second, after introducing the Western concept of political parties, our country's political party system has also incorporated many traditional Chinese concepts. Although there are many political parties in the country (currently there are eight democratic parties), the country does not implement a multi-party system, but a multi-party cooperation system. In other words, these parties do not achieve a balance through mutual bargaining or confrontation, but adopt a cooperative relationship.

正因為這種政黨合作的關係，在中國共產黨領導的政府裏面，曾經出現過一些非共產黨人士去擔任一個部門的首長，如前科學技術部部長萬綱，他是中國致公黨中央主席，而不是中國共產黨黨員。

Because of this relationship of party cooperation, in the government led by the Communist Party of China, there were some non-Communist Party members who had

served as heads of departments. For example, Wan Gang, the former Minister of Science and Technology, is the chairperson of the China Zhi Gong Party, not a member of the Communist Party of China.

由此可見，中國人對於「黨」這個概念，和西方人的概念完全不同。中國人比較強調合作，這種政治制度的產生，與其民族性及文化有很大關係。在西方人的社會沿用的多黨制，在中國社會未必可行。任何制度的建立都必須與其民族的文化相掛鉤，而且結合文化才是建立制度的基石。

It can be seen that the Chinese concept of “party” is completely different from that of the West. Chinese people emphasise cooperation more, and the establishment of a political system is related to its national character and culture. The multi-party system practiced in Western societies may not be feasible in Chinese society. The establishment of any system must be linked to the culture of the nation, and combining it with culture is the cornerstone of building a system.

中國共產黨員的角色，有點像現代社會的知識份子階層。在古代「學而優則仕」的觀念下，出現了「士大夫階層」。中國共產黨員有點像現代版的「士大夫階層」，黨員中包含大量知識份子。在管理學中有一個最有效的管治比例，就是管理人員的人數大約是團隊的 7% 左右。即是說如果團隊有 100 人，要管理這 100 人，管理階層大約佔 7 個人便最理想。按這個比例去看，今天的中國共產黨黨員人數，大概是 9,000 萬左右。9,000 萬黨員是 14 億人口的 7% 左右。這個比例與管理學上的管理比例吻合。

The role of members of the Communist Party of China is somewhat similar to the intellectual class in modern society. In ancient times, under the concept of “A good scholar can become an official”, the “scholar-official class” emerged. Members of the Communist Party of China are somewhat like a modern version of the “scholar-official class”, with a large number of intellectuals among them. In management studies, there is an optimal proportion of effective governance, which is about 7% of the total number of people in a team. That is, if there are 100 people in the team, it is ideal that the management level should account for about 7 people. If we apply this ratio to the number of members of the Communist Party of China today, it is about 90 million. The 90 million party members are about 7% of the population of 1.4 billion. This ratio coincides with the management ratio in management studies.

如前所述，要理解中國共產黨，或者是中國其他民主黨派的時候，應該從中國人的歷史和文化角度去思考整個制度。中國共產黨的模式及政治制度，就是揉合了馬克思主義和中國文化元素。這樣便能夠更加明白中國共產黨如何帶領並管理整個國家。

As mentioned earlier, to understand the Communist Party of China, or other democratic parties in China, one should think about the entire political system from the perspective of Chinese history and culture. The model and political system of the Communist Party of China are a combination of Marxism and Chinese cultural elements. This can help us better understand how the Communist Party of China leads and manages the entire country.

在如何帶領國家發展方面，中國共產黨是很有目標的，是一個「目標性政黨」。西方的政黨很多時，不是一個目標性政黨，而是一個利益代表的政黨，它代表著某個階層的利益。但在社會主義的政黨中，很多時強調的是政黨如何帶領國家，發展到一個怎樣的程度，以及如何去發展等。

In terms of how to lead a country's development, the Communist Party of China is a "goal-oriented" party and always strives to achieve its aims. In many Western political parties, rather than being goal-oriented, they represent the interests of certain classes. But in socialist parties, emphasis is often placed on how the party leads the country, to what extent it develops, and how to achieve development.

很多實行社會主義的國家，都是在二十世紀產生，它們都是一些比較貧困和落後的地方。在吸納了社會主義，產生了社會主義或者共產黨這種模式的政黨後，這些政黨為了解決國家面對的問題，自然有著明確的目標，成為「目標性政黨」，帶領國家的發展。

Many countries that practice socialism emerged in the 20th century, and they are all relatively poor and backward places. After adopting socialism and establishing socialist or communist party models, these political parties have clear goals to solve the problems faced by the country, and become "goal-oriented" parties to lead the development of the country.

在政黨制度上，中國實行的是中國共產黨領導之下的多黨合作制。這種多黨合作制，很大程度上是通過政治協商制度，也就是中國人民政治協商會議去達成。中國人民政治協商會議，除了包括之前提及的婦女界、科技界之外，它劃定了一定比例的參與席位予八個民主黨派。這八個民主黨派，稱為參政黨，他們各自代表不同的利益。這些政黨，不少都曾參與過革命、建國等。

In terms of political party system, China implements a multi-party cooperation system under the leadership of the Communist Party of China. The multi-party cooperation is largely achieved through the system of political consultation, that is, the Chinese People's Political Consultation Conference. The Chinese People's Political Consultation Conference, in addition to the women's and science and technology sectors mentioned earlier, has designated a certain proportion of participating seats to



the eight democratic parties. These eight democratic parties, known as participating parties, represent different interests. Many of these parties have participated in the revolution and founding of the country.

八個民主黨派中，有中國民主同盟、中國民主建國會、中國民主促進會、中國農工民主黨、中國致公黨、九三學社、中國國民黨革命委員會和台灣民主自治同盟等。這些政黨都有著不同範疇的背景，在不同的歷史背景下誕生。

Among the eight democratic parties, there are China Democratic League, China National Democratic Construction Association, China Association for Promoting Democracy, Chinese Peasants and Workers Democratic Party, China Zhi Gong Party, Jiusan Society, Revolutionary Committee of the Chinese Kuomintang and Taiwan Democratic Self-Government League. These political parties have different historical backgrounds and historical contexts, giving rise to different parties.

我國的政黨制度背後，有一個很重要的組成部份，就是馬克思主義。如果沒有馬克思主義，就不會有今天具中國特色社會主義的中國。我國實行的馬克思主義，與馬克思當年描述的社會主義模式有不同之處，也有相同之處。馬克思主義很大程度上是源自一套歷史唯物觀。在歷史唯物觀之下，解釋了人類歷史由一個奉行王權的制度，即所謂封建制度，一直發展到資本主義制度，再發展到社會主義制度，最後步入一個共產主義社會。馬克思主義其實是人類發展的一個歷史回顧，以至馬克思本人對人類發展的一個預測。

Marxism is a very important component behind the political party system of our country. Without Marxism, there would be no socialism with Chinese characteristics in China today. The Marxism that China practises today has both differences and similarities with the socialist model described by Marx. Marxism is largely based on a theory of historical materialism. Under historical materialism, it explains how human history has evolved from a system that advocates imperial power, that is, the feudal system, to the capitalist system, further developed into the socialist system, and finally moved towards a communist society. Marxism is actually a review of the history of human development; and it can even be considered as a prediction of human development by Karl Marx himself.

### 中國特色的社會主義的由來

#### **The Origin of Socialism with Chinese Characteristics**

馬克思主義最核心的思想是「經濟基礎決定上層建築」，也就是說，一個社會擁用怎樣的經濟形態，自然會驅使這個社會產生一種怎樣的政治制度。舉一個例子，例如，在社會主義制度之下，社會仍然需要有「政府」的存在，但發展到共產主

義社會的階段，基本上可以是一種「無政府」的社會形態。

The core idea in Marxism is “the economic base determines the superstructure”, that is to say, the economic system of a society leads to a certain political system. For example, under the socialist system, the society still needs a “government”, but when it develops to the stage of a communist society, it can basically be a “stateless” social form.

馬克思主義的理論認為奉行社會主義的社會是「按勞分配」的。也就是說，在社會主義的階段，物質仍然是有限的，所以每個人須按自己勞動的成果來領取自己所需要的物資。但發展到共產主義社會的階段，馬克思的理論則認為，因為科技的進步，到時物質已經非常豐富，人們不再需要去爭奪物質，只是按需所取。由此可見，馬克思主義下的整個政府的架構、社會的結構都很不一樣。這就是馬克思主義最基本的經濟理論。

Marxist theory believes that a society that pursues socialism is based on “distribution according to work”. In other words, in the stage of socialism, material resources are still limited, so everyone must receive the material goods they need according to the results of their own labour contributions. But in the stage of communist society, Marxist theory believes that due to the advancement of science and technology, material resources will be so abundant that people no longer need to compete for them, but only take according to their needs. It can be seen from this that the government structure and social structure under Marxism are very different. This is the most basic economic theory of Marxism.

中國如何套用了馬克思主義？其中一個例子就是「國營經濟」。

How is Marxism adapted in China? An example is the “state-run economy”.

在 20 世紀 50 年代至 80 年代，內地發放過一些「糧票」。無論是工廠生產的衣服，以至一碗麵，人們都需要用「糧票」去購買。因為國家最初實行計劃經濟，當時所有的店舖，都屬於國營企業。這個「計劃經濟」是指人們每一年生產甚麼，生產多少，其目標都是由國家制訂出來。

From the 1950s to the 1980s, “ration coupons” were issued in the Mainland. Whether it was clothes produced by factories or even a bowl of noodles, people had to use “ration coupons” to buy them. Because the country initially implemented a planned economy, all stores at that time were state-run enterprises. The “planned economy” refers to what is produced each year and how much is produced are determined by the state.

計劃經濟產生的其中一個問題就是造成很多資源的浪費。所以，到鄧小平推動改革開放時，就提出了即使奉行社會主義，也可以引入市場經濟的概念去分配資源。One of the problems of the planned economy is the waste of resources. Therefore, when

Deng Xiaoping promoted reform and opening up, he proposed that even if our country adhered to socialism, the concept of market economy could be introduced to allocate resources.

所以，市場經濟不單單是奉行資本主義或是社會主義的問題，從鄧小平的角度，從我國的改革開放角度，市場經濟是思考如何去實踐社會主義市場經濟的問題。無論是奉行社會主義或是資本主義，它都需要面對「分配資源」這個問題。

Therefore, the market economy is not only an issue of adhering to capitalism or socialism. From Deng Xiaoping's perspective and the perspective of our country's reform and opening up, it is a matter of how to practice a socialist market economy. Whether adhering to socialism or capitalism, it still needs to address the issue of "resource allocation".

如何才能有效地分配資源呢？這個就是「市場」的概念。在這個「市場」的概念中，有很多不同的「參與者」，包括國營企業，亦有民營企業。

How can resources be effectively allocated? This is where the concept of "market" comes in. In this concept of "market", there are many different "shareholders", including state-run enterprises and private enterprises.

我國的國營企業自上世紀 80 年代開始，經歷了幾個不同的階段。

China's state-run enterprises have gone through several stages since the 1980s.

第一個階段，是重新思考自己的角色和定位，以至功能。在計劃經濟下，當時國營企業最大的問題是生產效率很低。80 年代的「國營企業改革」，聚焦於減少過多的冗員和提高生產效率等。如國營企業無法產生盈利，甚至出現嚴重虧損時，就要將國營企業私有化。

The first stage was to rethink their role and positioning, as well as their function. Under the planned economy, the biggest problem of state-run enterprises at that time was low production efficiency. The "reform of state-run enterprises" in the 1980s focused on reducing redundant staff and improving production efficiency, etc. If state-run enterprises could not generate profits, or even suffer serious losses, they might be privatised.

及至 90 年代中期，國營企業基本的冗員問題和生產效率問題已得到解決，改革的焦點轉為國營企業在市場的定位，即國營企業應參與哪些範疇的生產、有哪些範疇不應參與。

By the mid-1990s, the basic problems of redundant staff and low production efficiency of state-run enterprises had been resolved, and the focus of reform had shifted to the

positioning of state-run enterprises in the market, that is, which fields of production state-run enterprises should participate in and which fields they should not participate in.

在社會經濟不景氣或是經濟混亂的時代，的確需要國營企業為人民提供一些最基本的服務。但當整個社會的經濟發展成熟，社會開始穩定的時候，國營企業便不應包攬所有業務。

In times of economic downturn or chaos, it was necessary for some state-run enterprises to provide some basic services to the people. But when the entire society's economic development became mature and the society began to stabilise, state-run enterprises should not take over all businesses.

第二個階段，在改革開放過程中，國營企業開始退出一些行業，並進行私有化。有部份經營不善的國營企業，更需要退出市場。

In the second stage, during the process of reform and opening up, state-run enterprises began to withdraw from some industries and undergo privatisation. Some state-run enterprises which were poorly managed had to withdraw from the market.

由此「國營企業」和「非國營企業」在市場上的分工開始理順。有些「戰略性行業」，由「國營企業」去營運，例如俗稱「三桶油」的石油公司（三間石油企業的簡稱：中石油、中石化、中海油）、電力公司、金融公司、電訊公司、交通運輸公司等。這類「戰略性行業」由「國營企業」去營運，其中一個重要原因是保障經濟和保障民生。例如 2022 年內地出現缺電的情況。導致缺電的因素很多。其中一個因素，就是因為俄烏戰爭爆發，令煤價急劇上升。但由於不少國企承擔了電費上升的成本，所以即使煤價急劇上升，內地的電費基本上沒有增加過，仍然維持在一個基本上平穩的價格。華潤電力控股有限公司是內地重要的電力供應商，當時為承擔當中的價格成本上升而倒貼了 70 多億。由此可見，屬於民生事務及國家「戰略性行業」，就需要有國企去參與經營。

As a result, the division of labour between “state-run enterprises” and “non-state-run enterprises” in the market began to be straightened out. Some “strategic industries” are operated by state-run enterprises, such as oil companies commonly known as the “three barrels of oil” (that is the three oil companies: PetroChina, Sinopec and CNOOC), power companies, financial companies, telecommunication companies, and transportation companies, etc. Such “strategic industries” are operated by “state-run enterprises”. One of the important reasons is to safeguard the economy and people's livelihood. For example, in 2022, the Mainland experienced a power shortage. There were many factors that caused the power shortage. One of the factors was the outbreak of the Russo-Ukrainian war, which led to a sharp increase in coal prices. However, since

many state-run enterprises bore the cost of the increase in electricity prices, even though the coal prices in the mainland increase sharply, the electricity prices in the Mainland did not increase significantly, but remained at a basically stable price. China Resources Power Holdings Company Limited is an important power supplier in the Mainland, and at that time, it bore a cost increase of over 7 billion yuan. This shows that when it comes to people's livelihoods and the "strategic industries", state-run enterprises need to participate in the operation of such industries.

一些「非戰略性行業」例如經營家居電器、日用品，互聯網行業等，由「非國營企業」去經營便已經足夠，例如珠海格力電器股份有限公司、美的集團等民企便是知名的例子。

For some "non-strategic industries" such as household appliances, daily necessities and the Internet industry, it is sufficient for "non-state-run enterprises" to operate them. Gree Electric Appliances Inc. of Zhuhai and Midea Group Co., Ltd. are well-known examples of private enterprises.

現在經濟發展到第三個階段，國營企業，特別是多元化的集團性國營企業，其定位、角色、營運模式漸漸轉變，國企可更大程度以投資者的身份參與經營和投資商業活動。

At present, the economic development has reached the third stage, state-run enterprises, especially diversified state-run enterprises, have gradually undergone changes in their positioning, roles and operating models. State-run enterprises can have a greater extent of participation in operating and investing in commercial activities in the role of investors.

我國的經濟發展一個最大的特點在於出現了「市場經濟」。在「市場經濟」中，有些行業屬於「戰略性行業」，例如「三桶油」石油企業，又有些屬於壟斷性行業，例如通訊企業。但市場上同時存在很多非壟斷性的行業，國營企業需要在市場中和其他企業競爭，這就是整個中國改革開放中一個很重要的基礎，亦是中國的經濟模式。

One of the greatest features of China's economic development is the emergence of a "market economy". In the "market economy", some industries are "strategic industries", such as "three barrels of oil" oil companies, and some are monopoly industries, such as telecommunication companies. However, there are many non-monopolistic industries in the market, and state-run enterprises need to compete with other companies. This is a very important foundation for China's reform and opening up, and it is also China's economic model.

## 國家的行政區劃

### **Administrative Division of Our Country**

國家的行政區域劃分包括 23 個省、5 個自治區、4 個直轄市和 2 個特別行政區。  
The administrative division of the country includes 23 provinces, 5 autonomous regions, 4 municipalities directly under the Central Government and 2 special administrative regions.

五個自治區包括新疆維吾爾自治區、西藏自治區、寧夏回族自治區、內蒙古自治區和廣西壯族自治區。

The five autonomous regions include Xinjiang Uygur Autonomous Region, Xizang Autonomous Region, Ningxia Hui Autonomous Region, Inner Mongolia Autonomous Region and Guangxi Zhuang Autonomous Region

民族自治區有屬於自己的、專門針對少數民族的政策，其政策的授權和其他行政區域不同。

The autonomous regions for ethnic minorities have their own policies specifically targeting ethnic minorities, and the delegation of power in these policies differs from other administrative regions..

中國的行政架構分為四級。這樣的劃分方法能讓政府的管治深入到基層。

China's administrative structure is four-tiered. This division method allows government governance to go deep into the grassroots.

中央政府之下有省、地、縣、鄉共四級行政區劃。

省級行政區包括省、直轄市、自治區及特別行政區；

地級行政區包括地級市、自治州等；

縣級行政區包括縣級市、縣、自治縣等；

鄉級行政區包括鎮、鄉、街道辦事處等。

同樣是稱為市，發展規模也有所不同，有些市是地級市，比較發達，有些發展規模較小一點的市，屬縣級市。

Under the Central Government, there are four levels of administrative divisions: provinces, prefectures, counties and townships.

Provincial-level administrative regions include provinces, municipalities directly under the Central Government, autonomous regions and special administrative regions;

Prefecture-level administrative regions include prefecture-level cities, autonomous prefectures, etc.;

County-level administrative regions include county-level cities, counties, autonomous

counties, etc.;

Township-level administrative regions include towns, townships and subdistrict offices. Even though they are all called cities, the scale of development is also different. Some cities are prefecture-level cities and are relatively developed, while some cities with a smaller development scale are county-level cities.

在鄉級行政區有鄉、鎮，分別設有「鄉政府」和「鎮政府」。中國共產黨在鄉、鎮設有黨支部，所以，政府的管治能深入到社會基層。

There are townships and towns in township-level administrative regions, and there are “township governments” and “town governments” respectively. The Communist Party of China has party branches in townships and towns, so government governance can go deep into the grassroots level of society.

有時在一些省級行政單位內會設有民族自治區。例如四川省、貴州省內有某些少數民族聚居，在他們聚居的地方，會設有少數民族的自治區。

Sometimes there are ethnic autonomous regions within some provincial-level administrative units. For example, in Sichuan Province and Guizhou Province, there are certain ethnic minority settlements, and in those areas, autonomous regions for ethnic minorities are established.

## 基層治理

### **Grassroots Governance**

基層治理是中國政治體制中一個非常重要的部份。「街道辦事處」便是屬於這個層級。「街道辦事處」就是居民或者村民（在城市的人口稱為居民，在農村的人口稱為村民）所成立的委員會。很大程度上，我國「街道」是以自我管理的模式管理居民或村民。

Grassroots governance is a very important part of China’s political system. “Subdistrict offices” belong to this level. A “subdistrict office” is a committee formed by residents or villagers (in urban areas, the population is called residents, while in rural areas, they are called villagers). To a large extent, our country’s “subdistricts” manage residents or villagers in a self-management model.

在基層治理上，基層有相關的選舉，選出居民委員會或村民委員會（即「街道辦事處」），管理自己的地方事務及日常運作。

In terms of grassroots governance, there are relevant elections at the grassroots level to elect residents’ committees or villagers committees (i.e. “subdistrict offices”) to manage

their own local affairs and daily operations.

## 我國政策制定的過程

### **The Policy Formulation Process in Our Country**

我國政府的政策制定的醞釀時間很長，其帶來的好處是使國家政策的穩定性很強。The Chinese government takes a long time to formulate policies. The advantage of this is that the stability of national policies is very strong.

每個政策背後都存在一個深思熟慮的過程。政策一旦出台，其延續性往往比較強，以及比較穩定。例如在十九大的報告中，提到「一國兩制」的地位，是一個長期的中國特色社會主義的「基本方略」。而到了二十大，就進一步指出，「一國兩制必須長期堅持」。

Behind each policy, there is actually a deliberate and thoughtful process. Once a policy is introduced, its continuity and stability is often strong. For example, in the report to the 19th National Congress of the Communist Party of China (CPC National Congress), the status of “one country, two systems” was mentioned as a long-term “basic strategy” for socialism with Chinese characteristics. By the 20th CPC National Congress, it was further emphasised that “one country, two systems must be upheld in long term”.

其實「一國兩制」在國家體制中的地位問題，早在中國共產黨第十六屆中央委員會第四次全體會議已經被提出來。

In fact, the issue of the status of “one country, two systems” in the national system was actually raised at the Fourth Plenary Session of the 16th Central Committee of the Communist Party of China.

在十九大公布的國家重要政策，早在 2004 年的十六屆四中全會已開始醞釀，可見每一個政策，都是經過一個深思熟慮的過程才敲定的。

The important national policy announced at the 19th CPC National Congress had already been discussed since the Fourth Plenary Session of the 16th Central Committee in 2004. It can be seen that each policy is finalised after thoughtful and lengthy deliberations.

內地制定政策時，首先，有關當局會開始研究一些「課題」，研究了兩、三年之後，如這些嶄新社會課題被認為對國家重要、有用處，就會被提升為「重大課題」。政策構思被提升為「重大課題」之後，下一步會明確公布國家會實施這個政策，最後政策才會「出台」。

When formulating policies in the Mainland, the relevant authorities first start studying



some “issues”. After two or three years of research, if these new social issues are considered important and useful for the country, it will be elevated to a “major issue”. Once the policy concept is elevated to a “major issue”, the government will announce that the country will implement this policy. Finally, the policy will be “launched”.

所以，內地政府制定一個政策，一般是在十三年至十五年前就開始計劃和籌備。換言之，留意政府推出的「課題」，便可推算國家未來十年、十三年或十五年之後，可能會推出的重大舉措。

Therefore, the Chinese government usually plans and prepares a policy for 13 to 15 years before it is launched. In other words, by paying attention to the “issues” introduced by the government, we can predict the major measures that the country may introduce in the next ten, thirteen or fifteen years.

當然，不是每一個「課題」最終都會變成一個「重大課題」，有時經過專家研究後，發現該「課題」並沒有太重大的意義，便會放棄繼續研究下去。但政府制定政策的過程，會融合政府中的專家乃至學者，去一起研究一些「課題」，然後慢慢醞釀出來，過程一般歷時十多年。例如有關粵港澳大灣區的規劃，《粵港澳大灣區發展規劃綱要》是在 2019 年 2 月推出，但其實粵港澳大灣區課題在 2008 至 2009 年已經開始醞釀。「粵港澳大灣區」這個官方名稱，在 2013 年出現。

Of course, not every “issue” will eventually become a “major issue”. Sometimes after expert research, they find that the “issue” does not have too much significance, and further research is abandoned. However, the policy formulation process will integrate experts and even scholars in the government to study the “issues” together, and then discuss them prudently. The process usually takes more than ten years. For example, regarding the planning of the Guangdong-Hong Kong-Macao Greater Bay Area, the “*Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area*” was launched in February 2019, but in fact the project of the Guangdong-Hong Kong-Macao Greater Bay Area had already been discussed since 2008-2009. The official name “Guangdong-Hong Kong-Macao Greater Bay Area” appeared in 2013.

另一個例子，是「依法治國」。十九大報告中明確提到「依法治國」，但其實「依法治國」這個政策，大概是在十五大的時候開始醞釀和構思，然後經過逐步的優化，最終發展成為一個政策。

Another example is “governing the Country according to law”. The report to the 19th CPC National Congress clearly mentioned “governing the Country according to law”,

but in fact, the policy of “governing the Country according to law” began to be discussed and conceived at the time of the 15th CPC National Congress. It was then gradually optimised and finally developed into a policy.

由此可見，我國政府在制定政策的過程，由政策的構思，到醞釀，到政策出台，都在經歷一個仔細考量和研究的過程。

From this, it can be seen that in the process of policy formulation, the Chinese government goes through a process of careful consideration and research, from policy conception to discussing and finally to policy introduction.

國家政策的制定過程的另一個特色，就是當中有很多學者參與，背後的治國理念，近乎於一種所謂「專業治國」的模式。這是一種獨特的「中國模式」。

Another feature of the national policy-making process is that many scholars are participating in it. The governance philosophy behind it is close to a so-called “professional governance” model. This is a unique “Chinese model”.

國家的政策在出台之前，都一定要經過學者多少次反覆的論證。當有新的「課題」出現時，政府往往第一步就會將「課題」交給學者們去研究，然後寫一些「課題」的報告，然後再思考政策是否該繼續草擬下去。政府非常重視學界、學者，或者專業研究人員的參與。制定政策的整個過程，經歷了很長的時間。當政策實施時，便有一個較強的延續性，以及穩定性。

Before a national policy is introduced, it must go through multiple rounds of justification by scholars. When a new “issue” arises, the government’s first step is often to hand over the “issue” to scholars for research, and then they write reports on these “issues”, and then considers whether the policy should continue to be drafted. The government attaches great importance to the participation of the academic community, scholars or professional researchers. The entire process of policy formulation takes a long time. When the policy is implemented, there will be stronger continuity and stability.