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DEMOCRACY IN PROGRESS

China's top legislative body advances the rule of law six decades after its inception



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EDITOR'S DESK

Governance That Works

The system of people's congresses, which enables the public to have a say in political affairs through elected deputies, was formally established in 1954, five years after the founding of the People's Republic of China (PRC). Since the First National People's Congress (NPC) was held six decades ago, the system has proven to be a democratic political system that reflects the common will of Chinese people.

This brand-new representative democracy features leadership by the Communist Party of China, government by the people and the rule of law. It fits the realities of modern-day China. More than two decades before the founding of the PRC, China tried the separation of powers under the Beiyang Government, eventually opting instead for its current method. History shows that the former did not work well for the nation.

The NPC not only serves as China's top legislature, but also elects China's head of state, approves the Central Government's budget and oversees the operations of the State Council, the country's cabinet, as well as its top judicial bodies. Likewise, people's congresses of provinces, cities, counties and towns provide the floor for deputies to discuss and decide on all important local issues.

The people's congress system has been continually improved over the past 60 years. For example, many aspects of the electoral system have been reformed. Before 1979, voters would directly elect their representatives only to the people's congresses of their towns. Direct election has since been expanded to the selection of deputies to the people's congresses of counties. These deputies will then elect a county's deputies to the people's congress of a city. City repre-

sentatives will elect provincial ones, who will, in turn, elect deputies to the NPC.

Moreover, in the past, when the rural population far exceeded the urban one, each rural representative was a proxy for a greater number of citizens. Since 2010, the number of people each rural and urban representative speaks for has been the same, as an electoral law amendment granted equal representation in people's congresses to rural and urban residents.

In addition to the electoral system, the functions of the NPC Standing Committee have been improved. The committee exercises legislative power and supervises the implementation of the Constitution together with the NPC, which holds a full session once a year. Also, the NPC's special committees, ranging from the Law Committee to the Education, Science, Culture and Public Health Committee, have become more competent.

Although China has established a policy-making system that pools people's wisdom and serves their interests, further reforms are needed. The people's congress system will have to face new challenges, become better-rounded and keep its vitality.

China has already recognized the importance of further reforming its governance system. At a conference celebrating the 60th anniversary of the founding of the NPC on September 5, President Xi Jinping cautioned against putting forth the appearance of power in lieu of its absence, speaking to the Western criticism of people's congresses as "rubber stamps." In addition, those taking part in people's congresses should avoid making empty promises during elections, a phenomenon that also plagues Western elections. ■

WRITE TO US



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AN HONORABLE PROFESSION

Chinese President Xi Jinping (center) talks with primary school teachers attending a training program at Beijing Normal University during a visit to the campus on September 9, the eve of Teachers' Day in China.

Xi said in a speech that good teachers are the hope of a nation. "To become a good teacher, one must have lofty ideals, solid knowledge and a kind heart," he said. He also promised that the government will give priority to education, with increased investment and greater reforms to the system.

The Chinese Government designated September 10 as Teachers' Day in 1985 to honor the teaching profession.



Cultural Relics Reopen

Tourists visit the Mogao Grottoes in Dunhuang, northwest China's Gansu Province, on September 10.

The largest-ever preservation project at Dunhuang's Mogao Grottoes, a collection of ancient Buddhist cave artworks, has been completed with the official opening of an affiliated visitor center on September 10.

Occupying the caves on a 1,700-meter-long cliff, the Mogao Grottoes feature some of the world's finest Buddhist frescos and sculptures, which were made as early as 1,600 years ago. It was listed as a UNESCO World Heritage Site in 1987.

Starting from September 11, visitors are required to undergo an online reservation process in order to visit the Mogao Grottoes.

Pollution Warning

China plans a monitoring and warning system to respond to heavy air pollution, according to a revised draft of the Air Pollution Law which was released on September 9.

The document released by the Legislative Affairs Office of the State Council says that if smog is likely, provincial governments must issue warnings, and governments above the county level should have an emergency response contingency in place to cope with the situation, including restricting traffic and closing businesses or limiting production.

The government will control and reduce air pollution caused by coal consumption and production. A discharge permit system will control the

emission of other major air pollutants.

Better public transportation and use of energy-saving and environment-friendly vehicles will be encouraged and the number of cars on the road kept under control. Governments above the county level can mark out areas forbidden to heavily polluting vehicles.

The draft has been put forward public opinion.

Punishing Smugglers

A new judicial explanation by the Supreme People's Court (SPC) on September 9 clears up ambiguities about the punishment of smugglers.

The document, jointly released by the Supreme People's Procuratorate, states that if the amount of customs

duty which a person evades through smuggling reaches 100,000 yuan (\$16,200), the person will face a criminal charge.

If the amount reaches 500,000 yuan (\$79,365), the case will be considered serious and, if it reaches 2.5 million yuan (\$396,830), the case will be deemed extremely serious.

These articles fill the blank left by the current Criminal Law that does not set clear conditions for criminal penalties in smuggling cases, said an SPC statement.

The judicial explanation also clarifies the definition of arms smuggling. Current law uses the terms "military arms" and "non-military arms." The new document defines "firearms" and those powered by other means, such as air guns.

Unemployment Rates

A survey of 31 large and medium-sized Chinese cities found the unemployment rate remained at around 5 percent in the first eight months of the year, despite an economic slowdown, Premier Li Keqiang revealed on September 10.

It was the first time China formally disclosed a surveyed urban unemployment rate.

"More than 9.7 million urban jobs were created [by the end of August], which is over 100,000 more compared with the same period last year," Li said in a keynote speech at the opening of the Summer Davos forum.

China introduced the registered urban unemployment rate in the 1980s as an important indicator for macro-economic adjustment.

Nursing Homes in Tibet

Tibet plans to build nursing homes for monks and nuns inside large monasteries.

Nursing homes will be set up in 45 monasteries with more than 100 clergy each in southwest China's Tibet Autonomous Region, said Be Tsering, Deputy Director of the region's Religious Affairs Office. There are more than 46,000 monks and nuns in over 1,700 temples in Tibet.

The regional government contributes 26 million yuan (\$4.24 million) annually toward the health insurance, pensions and accident insurance of

MAGIC WORLD

The Prince of Illusion from Holland performs on the stage of the 2nd Beijing International Magic Carnival, which closed on September 7



monks and nuns, and offers a free medical checkup every year.

Exam Reform

China plans to overhaul its college entrance exam and university enrollment system by 2020, to improve fairness and transparency.

The plan, outlined in a circular released by the State Council on September 4, will ease the intense pressure on students, as vice education minister Du Yubo told a press conference.

Targeting existing issues, the plan contains several steps to ensure the college recruitment system becomes fairer, centering on better selection of students based on their actual skills and talents.

Currently, most students enter university by taking a fixed, universal diet of exam subjects in science or arts.

Students may now submit the scores of three subjects taken throughout high school from a pool of six—biology, chemistry, geography, history, physics and politics—together with mandatory scores from their exams in Chinese, math and English. Students may resit their English proficiency test once, and submit the better score.

Pilot programs in the first grade of high schools in Shanghai and Zhejiang Province will begin this year and will be expanded nationwide after three years. Usually held in early June, the exam—or *gaokao* as it is called in China—is the sole entrance criteria for most colleges and widely regarded as a fair path upward in society. These will be the biggest changes to the national college entrance exam since it was reintroduced in 1977.

“The region can get 25.8 billion cubic meters of water annually, 70 percent of which is groundwater—but this still falls 6.8 billion cubic meters short.”

Li Yuanyuan, Deputy Director of the Water Resources and Hydropower Planning and Design General Institute



IAN CHAN/HAO

Huge Waves

Excited crowds watch the Qiantang River tidal in Yanguan Town of Haining, east China's Zhejiang Province, on September 11. The tidal bore of the river stages highest waves during the eighth month on the Chinese lunar calendar, which lasts from August 25 to September 23 this year.

Water Protection

The Ministry of Water Resources published a water conservation plan on September 10, part of the integrated development of north China's Beijing, Tianjin and Hebei Province.

The plan urges the region to save, protect and properly allocate water resources, ensure drinking water safety and restore water ecology. The region

will replace groundwater sources, reduce irrigation areas, make better use of diverted water and surface water, and mitigate issues groundwater overexploitation.

Beijing, Tianjin and Hebei Province cover an area of 216,000 square km, less than 2.3 percent of the country. Using 1 percent of China's water, they contain nearly 8 percent of the population.

Space Plan

Yang Liwei, China's first astronaut and deputy chief of China's Manned Space Agency, said at a press conference of the annual meeting of the Association of Space Explorers that after the launch of the *Tiangong-2* space lab around 2016, the *Shenzhou-11* spacecraft and *Tianzhou-1* cargo spacecraft will be launched to dock with it.

Yang announced an ambitious space program timetable building up to the country establishing its first space station by 2022.

Around 2018, a core experimental space module will be launched ahead of the space station being completed in about eight years' time, according to Yang.



GONG LI

Moderate Inflation

China's consumer price index (CPI), a main gauge of inflation, eased to 2 percent year on year in August, marking the lowest level in four months, according to data released by the National Bureau of Statistics (NBS) on September 11.

For the first eight months, CPI rose 2.2 percent from a year ago, which was far lower than the government full-year inflation control target of 3.5 percent.

The producer price index (PPI), which measures inflation at the wholesale level, dropped 1.2 percent year on year in August, according to the NBS.

The PPI declined for the 30th month in a row and at a faster pace than the previous month, confirming pressure from slowing economic growth.

The PPI dropped 0.9 percent in July, 1.1 percent in June and 1.4 percent in May.

Yu Qiumei, a senior statistician of the NBS, attributed the decline to prices falling for a series of industrial products

and material. Prices of crude oil and oil products ended their rising streak and started falling in August, while prices of coal, steel, concrete and cement continued to decline.

Delegating Powers

The State Council said on September 10 that it will further cut administrative approvals and delegate power to lower-level governments this year in order to promote efficiency and clear obstacles standing in the way of economic growth.

The move is aimed at eliminating up to 200 administrative approval items by the end of 2014. Over the past year, the State Council has cut or adjusted 632 administrative approval items, according to a news conference held by the State Council in Beijing on September 10.

These efforts are being made to spur market dynamics and to ensure that the market is allowed to play a



THE GRASS IS ALWAYS GREENER

Workers at the Saibei Farm in the northern part of north China's Hebei Province harvest oat grass on September 7

decisive role in resource allocation, said Li Zhangze, spokesman for the Leading Group Office on Reform of the Administrative Approval System of the State Council.

Up for adjustment are approval of investment plans by businesses, daily operation of enterprises and scrutiny of the qualifications of enterprises, organizations or individuals.

"The next step is to speed up the process to transfer government functions and relax restrictions on approvals and confirmations of some professional qualifications," Li said.

He said the abolished items cover a wide range of industries, from telecommunications businesses to aviation and coal mining. Other items, such as freight shipped by water and rail, which previously required Central Government approval, now will only need approval at the provincial level.

Global Financial Reform

China on September 9 called for emerging markets and developing countries to have a greater say in the global financial system, claiming that the system should be further reformed in this direction.

Wang Min, China's Deputy Permanent Representative to the United Nations, made the remarks when speaking at the UN General Assembly after it approved a resolution to negotiate and adopt a multilateral legal framework for sovereign debt restructuring processes to improve the global financial system.

China and 123 other UN member states voted in favor of the resolution, drafted by Bolivia on behalf of the Group of 77, composed of developing nations, and China. Eleven countries, including the United States, voted against it and 41 abstained.

"China maintains that the international financial system needs to be further reformed, and efforts should be made to further improve the international norms governing sovereign debt restructuring in order to enhance the voice of emerging markets and developing countries," Wang said.

Meanwhile, Wang voiced his hope that the international community will soon join hands for the prudent establishment of an efficient, effective and



Bird on a Wire

A remote-controlled helicopter is used to place wires to connect the power grids across the Yellow River during the construction of a 750-kilovolt power transmission and transformation project in Ningxia Hui Autonomous Region on September 10.



SUN CAN

Freight Train Coming

The first express freight train in the Yangtze River Delta leaves Nanjing West Railway Station on September 9. The train carried over 1,500 items weighing more than 40 tons.

development-oriented mechanism of sovereign debt restructuring and settlement.

Pollution Charges Up

China's top economic planner announced on September 5 that it will double charges for pollutant disposal in the latest move against pollution.

Charges on pollutants in sewage and exhaust gas disposal will be respectively set at no less than 1.4 yuan (\$0.23) and 1.2 yuan (\$0.19) per pollution equivalent, according to a notice jointly released by the National Development and Reform Commission, Ministry of Finance and Ministry of Environmental Protection.

Currently, the rates are 0.7 yuan (\$0.11) and 0.6 yuan (\$0.09). The notice requires local authorities to properly adopt the change before the end of June 2015.

Thermal power, steel, cement and papermaking industries will be the most affected by the policy, analysts said.

In the meantime, the government

SOLAR BREW

A farmer in Liucheng County of Liuzhou, Guangxi Zhuang Autonomous Region, picks White Dew Tea on September 9. White Dew, the 15th of the 24 Chinese solar terms, begins this year on September 8 and ends on September 23



DING KEN

will encourage regions that are both highly polluted and developed to formulate higher standards for such charges.

"Regions should set up differentiated charging mechanisms to impose higher standards on enterprises that have surpassed the emission limits, while adopting lower standards on businesses that have made greater efforts to treat pollution," read the notice.

Wang Jinnan, an official with the Ministry of Environmental Protection, said the new standard will bring the charges closer to the actual cost of pollution treatment.

China started charging for pollutant disposal in 2003, but the low fees have thus far created little incentive for companies to cut emissions.

Cross-Straits Investment

Investment between the Chinese mainland and Taiwan has surged this year, an official said on September 10.

In the first seven months, mainland authorities approved 1,284

projects featuring investment by Taiwanese businesses, a 10.2-percent increase from the same period last year, while \$1.47-billion Taiwanese investment has been put into use, said Ma Xiaoguang, spokesman of the State Council Taiwan Affairs Office.

The authorities have also approved 34 investment projects or mainland enterprises to operate in Taiwan, totalling \$195 million, which exceeds the annual total of \$177 million last year.

The mainland has long encouraged Taiwanese enterprises to develop on the mainland, issuing a number of favorable policies. Measures have also been taken to make it more convenient for the Taiwanese to travel across the Straits and find jobs as well as to receive education and medical care.

Ma said that mainland authorities will continue their economic reform to provide better conditions and policies for Taiwanese business people to invest on the mainland.

Railway Construction

China has accelerated railway construction to fulfill its annual targets in this area, new data have indicated.

Fixed-asset investment in the sector in the first eight months amounted to 405 billion yuan (\$66 billion), up 20 percent from a year ago, according to data released on September 9 by the China Railway Corp. (CRC).

The figure suggested China is more than halfway to hitting the expected 2014 railway investment, and marked the most rapid progress in the railway industry in recent years.

The CRC said it has prepared enough capital for the remaining investment and is confident of meeting the construction targets based on current progress.

At the start of 2014, China set targets of investing 800 billion yuan (\$130.4 billion) in railway construction, putting 7,000 km of railway into operation and starting construction on 64 new rail projects this year.

As of August, 46 of the 64 new projects had been approved and 14 railways had started operation, with the rest of the work expected to be finished on schedule.



IRAQ

Parliament members vote on Iraq's new government line-up in Baghdad on September 8, naming Haidar al-Abadi as prime minister



VIET NAM

A young girl browses traditional souvenirs at a lantern fair in Ho Chi Minh City on September 8, which was held to celebrate the Mid-Autumn Festival, a centuries-old celebration in many East Asian countries



GERMANY

Following an explosion, smoke rises in the sky as an old Bergolin lacquer-producing plant burns near Bremen on September 9



THE UNITED ARAB EMIRATES

Local hunters showcase their tamed falcons at the 12th Session of the Abu Dhabi International Hunting and Equestrian Exhibition that kicked off on September 10



THE UNITED STATES

Apple CEO Tim Cook introduces new products, including the iPhone 6 and iPhone 6 Plus, during an event in Cupertino, California, on September 9



MALAYSIA

Transport Minister Liow Tiong Lai holds up a preliminary report on Malaysia Airlines flight MH17's downing over east Ukraine at a press conference in Putrajaya, outside Kuala Lumpur, on September 9. The plane split into pieces after being hit by numerous high-speed projectiles on July 17, said the report released by the Dutch Safety Board

↓ ADMIRABLE TEACHER

Zhou Lina, the only ethnic Han teacher at a bilingual kindergarten in Artux, northwest China's Xinjiang Uygur Autonomous Region, was honored with the title of Most Gracious Village Teacher in China along with nine other people on September 10 for their outstanding contributions.

Zhou, 47, was born and raised in northeast China's Liaoning Province. She and her Uygur husband, Nasrula Umar, met in 1993 in Shenyang, capital of Liaoning. In 2000, Zhou moved to her now-husband's hometown, a township in Artux. Zhou was a full-time homemaker until 2006, when she was invited to be an entry-level Mandarin teacher at the central primary school in the township. She was appraised as an excellent teacher several times. In 2010, Zhou was awarded tenure and works at a nearby kindergarten. She and her husband have been providing assistance from their slender income to impoverished local students every month.



Old Cities on the Brink of Extinction

Oriental Outlook
September 11

Recently, Qiqihar in northeast China's Heilongjiang Province was designated a "national historical and cultural city." By August 21, 125 cities had been awarded the title by the Central Government. However, experts say many of them have not lived up to their names.

Alarming, areas that exemplify the cultural atmosphere of these time-honored cities have been damaged or have disappeared. The list of "historical and cultural cities" on the verge of extinction jointly proposed by the State Administration of Cultural Heritage and the Ministry of Housing and Urban-Rural Development in 2011 will be released later this year. Those famous locales that have not been well-preserved or are seriously damaged will be included on the list as a warning.

The protection of cities of historical and cultural interest has once again come to a crossroads; the last time was during the "cultural revolution" (1966-76), when multitudes of ancient architecture and artifacts were destroyed. However, some consider the situation to be even worse this time around as many local officials, driven by the pursuit of increasing GDP in their cities, view protection of historical relics as a hindrance to economic growth. Some even argue that even if the old buildings are preserved, they cannot represent the area's achievements.

In order to better protect old cities, local officials must change these misconceptions. They must know which artifacts and buildings should be preserved and how to promote a city's development by the culture passed down through it.



How Are Leading Officials Selected?

China Newsweek
September 8

A revised regulation on the selection and appointment of leading officials of the Communist Party of China (CPC) and government agencies was published in the beginning of this year, marking the first revision since the original regulation was made 12 years ago. According to the new regulation, the convention of choosing leaders from reserve officials will be changed.

Training reserve officials was considered to be vital during the early 1980s, when capable civil servants were in severe shortage in China. In 1984, a list of reserve provincial- and ministerial-level officials, including around 1,100 people, was finalized. All members of the Standing Committee of the Political Bureau of the current and previous CPC Central Committees, China's top policy-makers, were on that list, with the exception of two.

Today, the importance of reserve officials is no longer as critical as it was in the 1980s. China is facing new challenges in selecting and appointing officials, as

"Only with a clear idea of the nature and soul of Confucianism can it play a greater role in China's reform drive."

Yang Chaoming, head of the Qufu-based Confucius Research Institute, at a seminar on the role of traditional culture in today's society held on September 6 in Qufu, east China's Shandong Province, the birthplace of ancient Chinese philosopher Confucius

"First we need to clear up rights to reside, rights to run businesses, and residential ownership rights; then we can worry about gradually harmonizing the two-tiered registration system."

Li Yining, a renowned Chinese economist, on China's urbanization process at the St. Petersburg State University of Economics and Finance on September 8



malpractices like under-the-counter dealings and corruption are often involved. President Xi Jinping has vowed to further reform the personnel system for public servants in order to address these problems and improve the public trust. The Organization Department of the CPC Central Committee, which is mainly responsible for the system, is expected to be more transparent and open in its operations.

Equal Education Rights

Yangcheng Evening News September 9

September marks the start of a new semester in schools across China. It is estimated that around 60 million children countrywide will have to be left behind by migrant worker parents, and their education—particularly on the family side—will undoubtedly be negatively affected. Meanwhile, a growing number of children who travel with their parents to large cities are also facing problems.

Take the south coastal province of Guangdong, for example: At the end of 2013, the province had about 4.5 million migrant children under the age of 17. Most of them were from rural areas, making up one fifth of the pro-

vincial population of minors.

Compared with those who are left behind, these children are at the very least able to live together with their parents, who are often too busy working to take care of them. Thus, these young people are easily harmed in big cities. The most serious problem they face, however, is that due to the lack of local *hukou* (household registration), migrant children are unable to receive an education as good as their urban peers.

The pressing task now is for the government to adopt measures ensuring migrant children's right to an education of equal quality. Given the huge migrant worker populations now inhabiting Chinese cities, a giant step forward is needed so that these rural minors can enjoy the same level of education as their peers in the cities that their parents have worked so hard to develop.

↓ SEARCH ENGINE BOSS

Zhang Yaquin, a former top executive for Microsoft Corp. in China, was appointed president of Beijing-based Baidu Inc., the world's largest Chinese-language Internet search provider, on September 10. Zhang was born in 1966 in Taiyuan, north China's Shanxi Province. He was selected to study electrical engineering at age 12 at the prestigious China University of Science and Technology as part of a special program for gifted kids. At age 18, he began attending George Washington University, earning a Ph.D five years later. In 1997, he was honored as a Fellow with the U.S. Institute of Electrical and Electronic Engineers, becoming the youngest scientist to earn the title in the institute's history. Zhang also possesses over 60 U.S. patents.



The 48-year-old Microsoft veteran had been a corporate vice president and chairman of the company's Asia-Pacific Research and Development Group for more than a decade, controlling the company's largest research and technology incubator outside the United States.

Baidu Board Chairman and CEO Robin Li Yanhong said that he hopes Zhang will help Baidu edge into emerging fields with his rich technology expertise and service experience.

“What we cannot allow is undermining the country's interests while doing business in this market and profiting from it.”

Lu Wei, Minister of the State Internet Information Office, elaborating on the Chinese Government's Internet management policy on September 9

“Treating China as an entirely non-market economy might have been a reasonable policy two or three decades ago, but it's not a reasonable policy today.”

Nicholas Lardy, a senior fellow at the Peterson Institute for International Economics in Washington, D.C., commenting on the transformation of China's economy in an interview with Xinhua News Agency on September 10

孤儿保障大行动

Safeguarding Orphans' Health Program



每50元善款即可为一名孤儿提供一年期、保障额度为100,000元

全面覆盖12种少年儿童常发重大疾病的公益保险

Every USD 8 donated will provide USD 15,000 of protection
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COVER STORY

PEOPLE'S DEMOCRACY

A retrospective on the transformation of China's legislature into a mature political system with Chinese characteristics By Yin Pumin



IN SESSION: The Second Plenary Session of the 12th National People's Congress closes on March 13 in Beijing

On September 5, China held a conference to celebrate the 60th anniversary of establishing its National People's Congress (NPC), the country's top legislature. President Xi Jinping addressed attendees of the event. While reiterating the role of the people's congress as China's fundamental political system, he called on the whole nation to continue to hold high the banner of democracy.

"In new situations, we should adhere to and further improve the system of the people's congress as required by the times," he said.

China's people's congress system was established in 1954. On September 15 that year, the First NPC convened its First Plenary Session, declaring the official formation of the system. After 60 years of development, the system has evolved into a mature legislative mechanism, governing the country's socialist democracy.

A legal framework

According to China's current Constitution, the NPC and its Standing Committee exercise the legislative power of the state. The people's congress has played a significant role in uniting China under the rule of law.

In 2011, Wu Bangguo, then Chairman of the NPC Standing Committee, declared that a comprehensive socialist system of law with Chinese characteristics had been established in China as of 2010. Under the system, the Constitution is the most fundamental law of the country.

In the initial years of the People's Republic of China (PRC), the Common Program of the Chinese People's Political Consultative Conference (CPPCC), adopted by the First Plenary Session of the First CPPCC in September 1949, served as a temporary constitution for the country.

In September 1954, right after the People's Congress was established in China through election, the First Session of the First NPC adopted the PRC's first Constitution. It established

democracy, basic socialist principles, the Party's general political line in the country's transitional period, as well as the state system and the basic rights and obligations of citizens.

In the following years, the NPC and its Standing Committee formulated a series of laws and regulations, such as the Marriage Law, Trade Union Law and the Electoral Law, all of which ensured the smooth operation of the state and society.

However, during the two decades from 1957 when the country launched the "anti-rightist movement" through the "cultural revolution" (1966-76), China's drafting of legislation slowed down, even halting for periods of time. In 1975, China enacted its second Constitution during the First Session of the Fourth NPC. In 1978, the Third Plenary Session of the 11th Central Committee of the Communist Party of China opened the door again for the development of the country's legal system.

In 1979, seven laws including the Criminal Law, Criminal Procedure Law, Organic Law of the Local People's Congresses and Local People's Governments of the PRC, Electoral Law for the National People's Congress and Local People's Congresses, Organic Law of the People's Courts, Organic Law of the People's Procuratorates, and Law on Chinese-Foreign Equity Joint Ventures were passed at the Second Session of the Fifth NPC. Since then, laws and regulations have been passed at every NPC session and plenary meeting of its Standing Committee.

In 1978, China had its third Constitution, which, however, soon proved inconsistent with social changes in the country after the implementation of the reform and opening-up policy.

In 1980, the NPC set up a Constitutional Amendment Committee, starting the amendment work to the Constitution. In April 1982, a draft of the new Constitution was released for a four-month-long nationwide debate, which eventually involved nearly 80 percent of Chinese citizens and

resulted in around 100 changes.

In December 1982, the Fifth Session of the Fifth NPC passed the revised Constitution, popularly known as the 1982 Constitution.

"In the 1982 Constitution, the chapter on the fundamental rights and duties of citizens is put ahead of the chapter on the structure of the state," said Han Dayuan, President of the Constitutional Law Institute of the China Law Society and Dean of the Law School of Beijing-based Renmin University of China.

Han said that the Constitution adds some new stipulations regarding the fundamental rights and duties of citizens that were not included in the 1975 and 1978 constitutions.

"The change in the sequence of chapters suggests that state power is subordinate to citizen's rights, that is, the state cannot infringe upon citizen's rights," said Guo Daohui, a consultant at the Jurisprudence Research Association of the China Law Society.

In addition, the 1982 Constitution terminated the lifelong tenure of top state leaders. "Regular leadership reshuffles ensure overall social stability," Han commented.

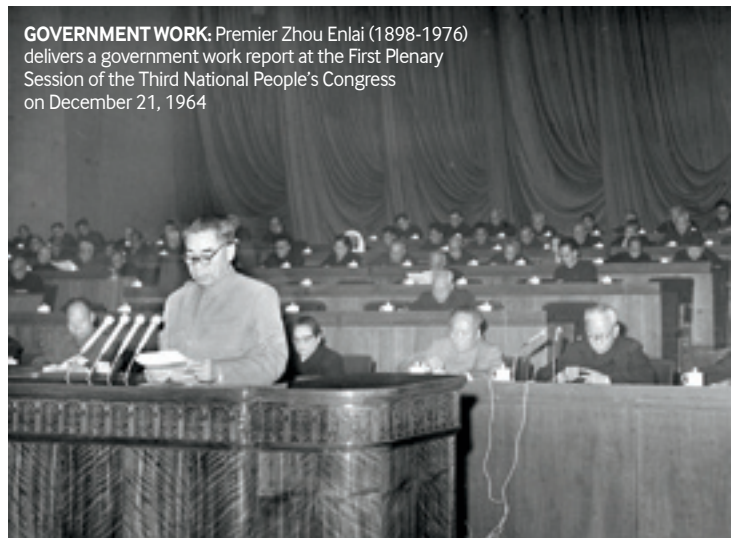
In the following years, Chinese society underwent dramatic changes. Correspondingly, the text of the 1982 Constitution was revised respectively in 1988, 1993, 1999 and 2004 to keep up with the rapidly changing times.

In 1988, the private sector was officially acknowledged. The first amendment to the Constitution reads: "The state permits the private sector of the economy to exist and develop within the limits prescribed by law ... The state protects the lawful rights and interests of the private sector of the economy, and exercises guidance, supervision and control over the private sector of the economy."

In 1993, as China transformed from a planned economy into a market economy, the Constitution was again amended to declare, "The state has put into practice a socialist market economy." In addition, the national goal ►►



MASTERS OF THEIR OWN DESTINY:
Deputies from northwest China's Xinjiang
Uygur Autonomous Region cast their votes at
the First National People's Congress in 1954



GOVERNMENT WORK: Premier Zhou Enlai (1898-1976)
delivers a government work report at the First Plenary
Session of the Third National People's Congress
on December 21, 1964

described in the preamble of the Constitution, to "turn China into a socialist country with a high level of culture and democracy" was amended to "turn China into a socialist country that is prosperous, powerful, democratic and culturally advanced."

In 1999, "rule of law" was added to the Constitution. Article 5 was thus amended to read, "The People's Republic of China governs the country according to law and makes it a socialist country under the rule of law."

In the most recent amendment in 2004, the concept of "human rights" was included. Article 33 provides, "The state respects and protects human rights."

"The explicit recognition of the constitutional status of 'human rights' is generally seen as significant progress in the development of Chinese constitutional values and ideas," said Zhang Qianfan, a law professor at Peking University.

Meanwhile, such clauses as "lawful private property is inviolable" was also added to the Constitution. "The amendments will eliminate entrepreneurs' hidden worries about the security of their assets and boost their confidence in long-term investment," said Tang Haibin, an official with the All-China Federation of Industry and Commerce.

Along with the changes of the Constitution, many practical laws were also adopted by the NPC to reflect the distinct characteristics of the times and social changes in China.

In 1986, the NPC adopted the Law on Enterprise Bankruptcy on a trial basis. To the

surprise of many Chinese people, the law allowed state-run companies to file for bankruptcy even though China is a socialist country.

Later, the top legislature issued laws on securities, trademarks, intellectual property rights and many others aimed at promoting the country's economic reform and establishing a socialist market economy.

The NPC also enacted many other laws based on Chinese people's practices in social and economic administration such as the Law on Land Contract in Rural Areas, which grants farmers long-term and guaranteed land-use rights, and the law to supervise and prevent loss of state-owned assets.

In 1989, the NPC passed the Administrative Procedure Law, which challenges all illegal administrative acts.

According to statistics from the Supreme People's Court (SPC), Chinese courts accepted more than 1.4 million administrative procedure lawsuit cases from 1989 to 2008, many of which were suing governments.

Between 2000 and 2010, China's legal system gradually became complete. Many important support laws, such as the Property Law, Social Insurance Law, Tort Liability Law and Food Safety Law, were enacted by the NPC.

The Social Insurance Law, which was passed by the NPC on October 28, 2010, is an important sign of China establishing its social laws, said Zheng Gongcheng, a professor at Renmin University of China.

"Social law is a new legal concept, mainly dealing with affairs concerning social security,

social assistance, public welfare and community special care," said Zheng.

"The Social Insurance Law is the first law in China's social laws. It is a basic law," said Zheng.

"We now have a complete set of laws covering all aspects of social relations, with basic and major laws of each type already in place, together with comprehensive corresponding administrative regulations and local statutes," said Wu, then China's top legislator, at a plenary meeting of the NPC's annual session in 2011.

According to him, by the end of 2010, China had enacted 236 laws, more than 690 administrative regulations and more than 8,600 local statutes, and reviewed all current laws, administrative regulations and local statutes.

"The formation of the system has solved the problem by having laws for all government departments and people to guide their behavior," said Li Lin, Director of the Institute of Law of the Chinese Academy of Social Sciences (CASS).

The electoral system

In 1979, the NPC revised the Electoral Law of the National People's Congress and Local People's Congresses. The law was then amended five times in 1982, 1986, 1995, 2004, and 2010, respectively.

According to the amended Electoral Law, political parties and people's organizations may either jointly or separately recommend candidates for deputies, and a joint group of at least 10 voters or deputies may also recommend



A GREAT THEORY: The Second Plenary Session of the Ninth National People's Congress ratifies the amendment which incorporated Deng Xiaoping's theory and "rule of law" into the Constitution on March 15, 1999



BIG CELEBRATION: China holds a conference on September 5 to celebrate the 60th anniversary of establishing the National People's Congress system

candidates, which undoubtedly enhances voters' nomination rights.

In view of the sharp gap between rural and urban populations in the early years of the PRC, the population ratio based on which NPC deputies were elected between rural and urban areas was 8 to 1, but in the most recent NPC, deputies were elected based on their make-up of the population, so as to guarantee equal rights for all citizens.

In addition, deputies to people's congresses at and below county level are now elected di-

rectly by their constituents. Previously, the rule was only practiced at lower levels such as urban towns or rural townships. "The change enables the people to better exercise their right to govern the state," Li with the CASS said.

Another major breakthrough regarding the electoral system for deputies to the people's congresses is a shift from non-competitive to competitive elections. "This not only enables voters and deputies to better exercise their rights to vote, but also encourages candidates to better perform their duties and represent the

interests of their constituents, so as to realize the ultimate goal of elections—selecting the most capable," Li said.

The NPC and local people's congresses at different levels are constituted by deputies elected via democratic election. Along with the diversification of China's economic entities and society, deputies to people's congresses at all levels have also seen a tendency to become more diverse.

In 1983, Bai Shiming, who operated a private photo studio in Harbin of northeast China's Heilongjiang Province, was elected a deputy to the Sixth NPC, a significant breakthrough in an era when the private economy was relatively new to the country.

In 1993, Liu Guansong, a private entrepreneur in south China's Guangdong Province, was elected an NPC deputy. According to the Constitution amended later, non-public sectors of the economy were placed at a higher position, becoming an "important component of the socialist market economy." From that point on, more and more private entrepreneurs have been found amongst NPC deputies.

The social identities of NPC deputies are increasingly diversifying, with three migrant workers being elected NPC deputies in 2008. The amended Electoral Law states that among deputies to the people's congresses at all levels, "there shall be an appropriate number of grassroots deputies, especially from among workers, farmers and intellectuals."

Moreover, increasing numbers of young people born in the 1980s and 1990s have become deputies to people's congresses at every level.

Statistics show that 74 deputies to the 12th NPC were born in the 1980s in addition to two born in the 90s. Despite their lack of social and political experience, these young deputies have shown great interest in state affairs and impressed veterans with their creativity. For instance, Sun Xiaolei, a 1990s-born senior at Fudan University who was elected a deputy to the Shanghai Municipal People's Congress, impressively gathered public opinion via microblogging platforms.

"Along with China's social progress, the people's congress system is improving accordingly and will serve as a solid foundation for realizing the people's dream of national rejuvenation," said Li. ■



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