

The Communist Party of China and
China's Political Democracy

Zhang Zhiming *translated by Li Guoqing*

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The People's Rights to Subsistence and Development Are Guaranteed

Citizens Civil and Political Rights Are Guaranteed

People's Economic, Social and Cultural Rights Are Guaranteed

The Legitimate Rights and Interests of the Special and the Underprivileged Groups of People Are Guaranteed

Democratic Rule: Fundamental Belief of the CPC

Reforming and Improving the Leadership System and Working Mechanism

Developing Inner-Party Democracy

Expanding Democracy in Cadre and Personnel Work

Tightening Restraints and Supervision over the Use of Power

Building a Democratic Government of the People

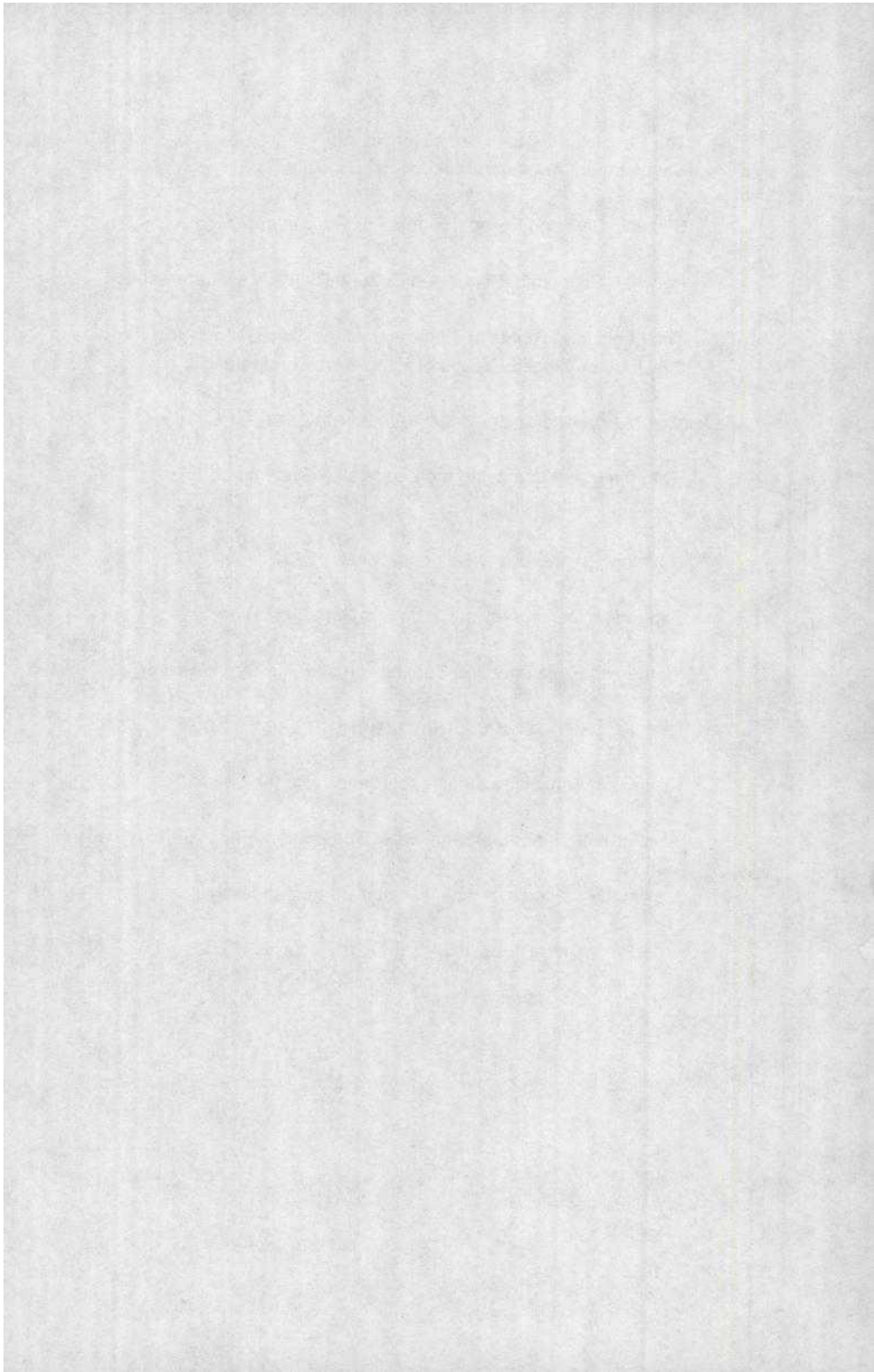
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Foreword

Maurice Meisner, an American scholar, said in late 1980s in his book *Moo's China and After*: "It's a great success of historical significance setting up for the first time after a hundred years a relatively rational political system and a trustworthy and dependable government, even it is unable to give political freedom and democracy to its people. The success of the Communist Party of China brought no political chaos, and instead, it put an end to a chaotic century in Chinese modern history. China, 'a disunited nation like a pile of loose sand' called by Sun Yat-sen, quickly changed into a powerful and modern country with a strong sense of duty." These words, among the voices from the West, made a fair statement about the Communist Party of China (CPC) in spite of its allegation "unable to give political freedom and democracy to its people."

History is a mirror. For over 80 years after it was founded in 1921, the CPC has led the nation's heroic struggles for liberation, prosperity and people's political democracy.

All Marxists in the early years of the CPC had been, for a period of time, enthusiastic believers in bourgeois democracy, and all once taken Western democracy and a bourgeois democratic republic as the only hope.

However, painful lessons one after another made them think again. They realized that neither Western constitutional monarchy nor Western democratic republic was feasible to Chinese situation. The breakout of the First World War dawned on them that Western democratic system was not a miraculous cure for a Chinese political disease. After many

failed attempts in exploration, the Russian October Revolution drew their attention, in which they saw hope for Chinese democratic revolution.

They accepted Marxism not because they gave up their pursuit for political democracy, but because they wanted to find a brand-new road to genuine people's democracy. After inheriting the experience from the people before them, the CPC successfully found the road. Ever since, they have become a flag, unselfish defender, dauntless explorer and firm practitioner for people's democracy.

Probably no any other political party in the world has ever fought as bravely, made as much sacrifice for its people, as the CPC has done for Chinese nation's happiness and their status as the master of the country.

From the past experiences, we know about future. The past over 80 years have proved, and future years will still do, that the CPC is the only dedicator, organizer and leader for the cause of Chinese democracy. The CPC was, is and still will be working whole-heartedly for Chinese people's happy life.

China's Revolution and Political Democracy

The first issue of "Guidance," a publication founded by CPC in 1922, said the following: Constitutionalism is a warrant the state issues to its people about the right they have. In 1940, the hardest year during Chinese Anti- Japanese War, a famous overseas Chinese leader Chen Jiageng, who described himself as a "non-party, non-official individual," became tremendously worried after a trip to Chongqing under the rule of Kuomintang. However, a trip to Yan'an, the seat of CPC Central Committee, left him much excited. He was deeply impressed by "the Yan'an spirit" he had seen. "If more people are working down-to-earth and as hard as they are," he predicted, "China will surely become the most powerful country in the world."

From Democratic Believers to Marxists

The thinking and acceptance of Western constitutional democracy by advanced Chinese intellectuals in modern years followed two lines: salvaging Chinese nation and rejuvenating it. It was the same when they accepted Marxism and socialist democracy. The breakout of the First World War and the victory of Russian October Revolution made them give up their original thinking about democracy and turn to the democratic approach the Russian working class had taken. China's May 4th Movement, a patriotic, democratic and anti-imperialism event, accomplished their change.

The Opium War in 1840 and the signing of the humiliating Treaty of

Nanking in 1842 deeply hurt Chinese feelings. Yet they made Chinese nation realize the huge difference in politics, economy and culture between China and foreign powers. Chinese intellectuals were forced to rise and fight for a national salvation. The approach to be taken was learning from the West.

However, all their attempts failed, from the Westernization Movement in late Qing Dynasty, the Reform Movement in 1898, to the 1911 Revolution for a democratic republic system. "Chinese nation worked hard learning from the west," Mao Zedong said, "but what they learned failed in Chinese situation. Their ideal was never realized. All the past attempts, even the 1911 Revolution, failed to change China. Instead, the situation was getting worse and people felt unable to go on. People became more doubtful than before."¹ Lin Boqu, one of the CPC founders later, also said with much emotion when looking back to these years, "Before the 1911 Revolution, people felt all they needed was to overthrow the Qing government. After so many setbacks, they began to realize the goal of democracy was still far, far away."²

When the pursuit for China's political democracy came to crossroads, some intellectuals, the best of the best in Chinese nation, began to re-think about constitutional democracy in Chinese situation. These people were Marxists in early years.

The breakout of the First World War in 1914 perplexed Chinese intellectuals, who were then working hard in the pursuit. Just as their doubt grew stronger with the intensified war, the October Revolution happened in Russia in 1917, and the May 4th Movement in China in 1919. The latter event awakened Chinese nation and facilitated the spread of socialist thinking in China.

After the May 4th Movement, a group of Marxist intellectuals appeared, very active in promoting materialist concepts of history and scientific socialist thinking. Armed with them, these intellectuals explored for an effective approach to a thorough change on China's political and social situation. Most of them had been radical in old democratic thinking. Facing the question

"how to view democracy," they began to doubt about their past belief.

After the breakout of the First World War, intellectuals of democratic school began to re-consider Western bourgeois democracy. Liang Qichao believed the Western parliament democracy should be a form only for a small number of elites. To him, "power in people's hand" was an "extreme idea," an "impractical thinking." Sun Yat-sen, the forerunner of China's democratic revolution, thought differently. To him, "power in a small number of elites" was nothing but "dictatorship by a few." The question was how to avoid the defects of Western parliament democracy while realizing a genuine political democracy. This question was answered, though not fundamentally, by early Marxists.

The first one who probed into proletarian democracy was an antifeudalism fighter named Tan Pingshan. He believed that everyone was entitled to equal rights in politics, industry and society, and to a position that enabled him to develop wisdom and talents. No class in the society was to be privileged to act against others, and no one had such a privilege." To him, this was genuine equality and freedom. Li Dazhao, one of the CPC founders, held that "genuine civil democracy" was to break all privileges some classes had enjoyed in politics, economy and social life, and was to make every one contribute to the society and the country; no political organ was necessary to rule, because a political organ was just for the people, belonging to the people, and being a tool of the people. Every organization, region, nationality or individual was to have a domain of freedom non-violable to others. There was no ruler or subjects among them, all being equal and free to associate with one

1 Mao Zedong. *The Selected Works of Mao Zedong*. Volume 4. p 1470.

2 Lin Boqu. "The Past Three Decades," *Liberation Daily*, October 10, 1941.

3 Tan Pingshan. *The Collection of Tan Pingshan's Works*. People's Publishing House. 1986. pp.51-57.

another by their own wish.¹ What they were talking about, either the "modern democracy" by Tan Pingshan or "genuine civil democracy" by Li Dazhao, was early Marxists' comprehension of socialism, which was closely related to their experiences and pursuit for a kind of political democracy more advantageous than that in the West.

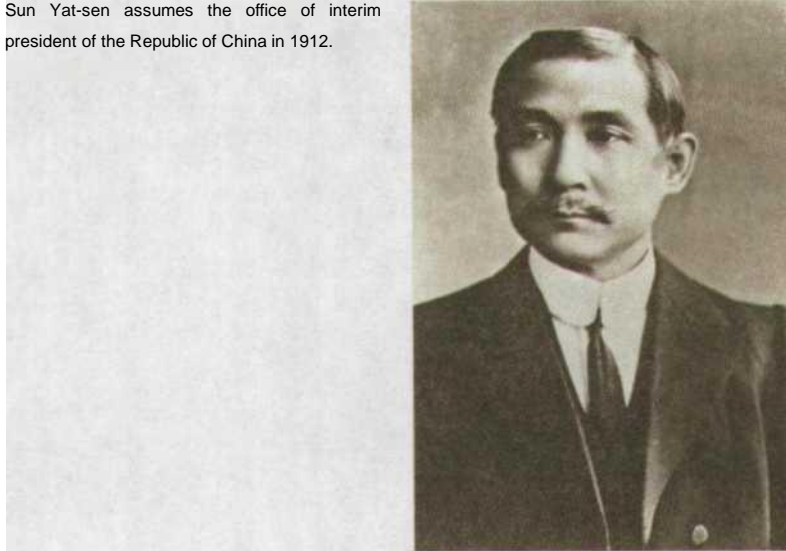
Realizing such socialism took more than just recognition of it. The primary question was how to conduct a democratic revolution in China. After Chen Duxiu (one of the CPC founders) came to the conclusion that Marxism was the cure for Chinese problems in 1920, he immediately devoted himself to probing for a solution for practical Chinese revolutionary issues. To him, "The study of Marxism is not an urgent task, but the establishment of a Communist Party in China is."² After the May 4th Movement, for a period of time, Mao Zedong advocated a no-blood revolution and the autonomy of Hunan, his hometown. However, that winter, he abandoned the belief, accepted without reserve the mode of Russian Revolution. When explaining about the change, Mao Zedong said, "Advocating Communism but acting against working class dictatorship, seeking reform through peaceful means for fear of jeopardizing freedom, causing war or shedding blood, are only theoretically right but impossible in reality." To him, "Ideal is important but reality comes first. After all, the Russian mode of revolution is a choice, the last resort in China when other means have failed."¹

Then, how to take a democratic road with Chinese characteristics? What was the relationship between a democratic road and a revolutionary one? The person who successfully answered these two questions, both in theory and in practice, was Mao Zedong.

¹ Li Dazhao. *The Collection of Li Dazhao's Works*. Second Volume, pp. 607-609.

² Zhang Guoiao. *My Memories*, volume 1. p.92.

Sun Yat-sen assumes the office of interim president of the Republic of China in 1912.



The Qing government was forced to sign the humiliating Treaty of Nanking in 1842 after British gunboats blasted the gate of China. Following Britain, more Western powers came to grab a share.

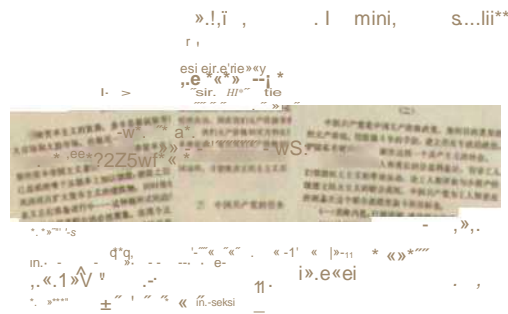
The three articles published in 1918 and 1919 by Li Dazhao, the earliest Marxist advocator and later one of the founders of the CPC.



Shanghai workers rallied in June 5th, 1919 to show their support for the May 4th Movement initiated by students from Peking University, a patriotic movement against imperialism.

The first CPC National Congress held between July 23 and early August, 1921, announced the founding of the Communist Party of China.

The Second CPC National Congress held in Shanghai in July 1922 publicized a declaration, in which for the first time, the CPC made clear its antifeudalism, anti-imperialism, democratic and revolutionary program.



The CPC Had to Take a New Road

Huang Yanpei, a famous democratic person and educator, after a visit to Yan'an in July 1945 at the invitation of Mao Zedong, said emotionally to the latter, "During my sixty years of life, I have seen much thriving out of diligence and destruction out of negligence. In every dynasty or every period of history, people were concentrated and devoted to what they did at beginning, probably because of a hard situation and the need for a change. However, when situation took a better turn, people slackened their efforts and negligence set in, first seen on some people, then on majority, until no force, no matter how big it was, was able to change the situation. Our history is a cycle of diligence and negligence, thriving and destruction, honor and disgrace. No one has ever been able to break this cycle. To my understanding, the Communist Party people, from the past to present, are working hard to get an upper hand on this cycle." At this, Mao Zedong replied confidently, "Yes, we have found a road to break the cycle, which is called democracy. When supervised by people, no government dares to slack its work; when every one takes responsibility, that circle is gone."³

What Mao Zedong said made an accurate expression of what the CPC had done. It was also a summarization of the new democratic constitutional movement led by the CPC. In short, the road was people's road to democracy, seeking power through revolution by proletarian classes, establishing a proletarian dictatorship and socialist system to materialize a democracy more advanced than the capitalist one, a road to the objective of working people being the master of society.

The new road to democracy was actually a question of how to

³ Huang Yanpei. *Returning from yan'an*. p.36

realize political democracy, an objective several generations of Chinese people had dreamed for. The question was needed by the national salvation. However, its answer depended on another question, what road was pragmatic and feasible for the salvation of Chinese nation? Without a systematic revolutionary theory, correct answers for essential questions about the nature, contents, status, function, mode and approach of China's political democracy, were entirely impossible and no successful democratic practice was in sight. Pooling the wisdom from the whole party, Mao Zedong advanced a revolutionary theory able to answer long-standing questions in China's political democratic efforts. These questions were about the current situation, revolution process, their relationship with China's political democracy, the objective and periodical progress of the democracy, the relationship between national democratic revolution and people's dictatorship, the relationship between socialist revolution and proletarian dictatorship and so on and so forth.

From a new perspective, Mao Zedong re-studied the fundamental situation of Chinese society and the nature of Chinese revolution. His conclusion was: after the Opium War in 1840, "China has gradually been reduced to a colonial or semi-colonial and semi-feudal society." Because of this, "Chinese revolution has to take two steps, democratic revolution being the first and socialist revolution the second. They are entirely two different revolutionary steps." "The first one is not for the democracy seen in other countries, but for a kind very Chinese, special and new, called new democracy." The new democratic revolution was to "turn this colonial, semi-colonial and semi-feudal society into an independent democratic country." "This new form must be a new democratic republic for all anti-imperialism, anti-feudalism people under the leadership of proletariat. This new form, on one hand, differs from that of European or American countries; on the other hand, this form differs from that of Russian socialist republic under proletariat dictatorship. The

new democratic revolution, out of the need of the situation, is to clear a path for the development of capitalism, but actually, to open up a wider road for the development of socialism. A new democratic republic has a people's congress. Its delegates elect the government."⁴

Mao Zedong's theory pictured a brand-new political democracy to be realized in China, in a huge but very backward agricultural country in the East. It has the following features:

One, the democracy needed and how to establish the democracy needed depend on the country's fundamental situation and the nature of society, on the nature of a social revolution determined by the situation. Any talk about a country's democracy must be based on them. Only after the situation and nature are clearly defined, does the correct understanding of class components, status and function of the political democracy, of the government associated to the democracy, as well as the approach, become possible.

Two, state independence and national liberation precondition political democracy. In a colonial or semi-colonial society, neither bourgeois nor working class democracy is possible. Therefore, an endeavor for democracy must go hand in hand with the struggle for state independence and national liberation.

Three, at the life and death moment of the nation, any singular class democracy had to yield its priority to the political democracy of all anti-Japanese classes and social strata. For this reason, "The reactionary Kuomintang's system, based on one-party or one-class dictatorship, must be changed to a democratic one for all parties, classes and social strata."⁵ "The political democracy we need at the moment must be the new democracy that is good for Chinese situation. The constitutionalism to be implemented should be the new democracy." That constitutionalism is "democratic dictatorship by several revolutionary classes united together against traitors and reactionaries," and it is also "the constitutionalism based on the anti-Japanese united front."⁶

⁴ *The Selected Works of Mao Zedong*, volume 2. pp.622-677.

⁵ *The Selected Works of Mao Zedong*, volume 1. pp 256-257

⁶ *The Selected Works of Mao Zedong*, volume 2. pp 732-733.

Four, it takes a strong and correct political party to lead the country fighting for the political democracy based on national independence and emancipation, and an armed people's force led by that party. Without such a proletarian party, without a political backbone in China, political democracy will be disoriented; without a united front, mobilizing as many people as possible to fight for the victory of the Anti-Japanese War will be impossible; without a people's force, nothing is possible. "Today, whoever can lead people to expel Japanese imperialism and to implement political democracy is people's savior. History has proved that Chinese bourgeois class is unable to do so. So the task falls on the shoulders of the proletariat."+

Five, the nature of society determines the nature and key points of a revolution struggle; the development of the revolution struggle keeps changing the nature of the society (or part of it). The contents of political democracy evolve with the evolution of social nature. From the Workers and Peasants Soviet Republic to the democratic republic of all anti-Japanese classes, then further, to the republic of people's democratic dictatorship, then to the people's republic with proletarian democratic dictatorship, the evolution shows how China's political democracy has developed and its orientation.

Six, building people's political democracy is only possible when a people's government is consolidated. To be exact, seizing power and consolidating a people's government make the fundamental conditions for political democracy. To accomplish both tasks, powerful armed forces are absolutely necessary. This was repeatedly proved in the failure of the Soviet government established during the Agrarian Revolution (1927- 1937) due to the weak armed force insufficient to protect it, and the success of the democracy building in the liberated areas during the Anti- Japanese War (1937-1945) when a much stronger armed force was available.

Seven, only the people's army will fight for and consolidate people's power, and protect what is achieved in people's democracy. The fundamental difference between a people's army and a warlords' one is the former is led, organized and developed by the CPC following the principle of democracy. The formation and development of the people's army were process of building political democracy: officers and soldiers highly united to show equality, the basic principle of democracy; the set-up of soldiers' committee, discussion about military tactics, and all army's expenditure made public; supporting government and loving people, both the army and civilians were of the same family. These practices showed a new democratic relation between the army and the society. Back to 1928, Mao Zedong said, "Not only the country, but also the Chinese army needs democracy. The democracy practiced inside our army is a very powerful weapon against feudal and mercenary armies." How to build and run an army by the democratic principle, how to keep the army a democracy defender instead of a threat, is still a crucial subject in democracy construction worldwide, which concerns the life or death of political democracy.

Eight, make democracy function through legislation. This was a feature of political democracy construction in all revolutionary, Anti-Japanese and liberated bases. By incomplete statistics, from the "Outline for the Constitution Program of China's Soviet Republic" made in January 1934, to the "Common Program" promulgated in September 1949, revolutionary and liberated bases under the leadership of the CPC made

over 50 laws and decrees about constitution, people's delegates, election, government organization and human rights, not counting the criminal and civil decrees. It was remarkable to have made so many in the then very difficult conditions.

In short, the new democratic theory reflects the thinking of the CPC with Mao Zedong as its representative, and the thinking with Chinese democratic characteristics. The theory was formed by the CPC in its untiring pursuit for the national independence and emancipation. After it had taken shape, it quickly became an ideological weapon for Chinese revolution, effectively facilitating the democratic progress in Chinese society during the revolutionary years and bringing a success in political democracy construction.

Achievements in Political Democracy during the Revolutionary Period

Shortly after it was founded, the CPC made clear its position for Chinese human rights: In order to gain the right of survival for Chinese nation, imperialist forces must be expelled out of China, all unequal treaties must be abolished, and the CPC must continue to fight for the nation's independence and emancipation. These musts made the precondition for Chinese people's basic human rights. Overthrowing the reactionary government by a social revolution, conducting a thorough reform on politics, economy, culture and social system, made the basic guarantee for Chinese people's human rights.

After the Great Revolution (1924-1927) failed, the CPC decided to adopt a different strategy, enclosing cities with countryside, seizing power by armed struggles, and establishing revolutionary bases in countryside. In November 1931, the first All-China Soviet people's congress was held in Ruijin, Jiangxi, on which the establishment of the temporary central government of the Soviet republic was announced, and

"Outline of the Constitution of China Soviet Republic" was passed. The establishment of the central government marked the birth of a new-type state government and constitutionalism. The features and progress of its political democracy construction were seen in the following three:

One, "Outline of the Constitution of China Soviet Republic" had epoch-making significance, as it was the first constitution about people's democracy ever made in Chinese history. Different from any other kinds made in Chinese history, this constitution stated clear that people were the master of the country. It gave the broad masses of workers and peasants the right needed in running their own country. Besides acknowledging the success of revolution already made, it stated the future objective and administrative measures to be taken.

Two, the democracy building by China Soviet government on grassroots level. Combined with the strength of the broad masses, the grassroots-level governments displayed tremendous force. Not only able to display the initiative of the people, they also helped the improvement on administrative ability of the broad masses being their majority. This was particularly significant for democracy to grow in an environment dictatorship had existed for ages.

Three, give emphasis to election and guarantee its success by law. All local governments in revolutionary bases attached great importance to elections and the law related. From the first workers and peasants authority established to the set-up of the Soviet republic, all the laws and decrees promulgated by CPC Central Committee or local governments followed a general line, which was to guarantee the democratic rights of working people. In order to implement the election law and make elections successful, in spite of the extremely difficult situation in anti-encirclement struggles, the CPC made detailed arrangements for organization, implementation and procedure.

During the Anti-Japanese War between 1937 and 1945, while calling for democracy against Kuomintang's one-party dictatorship, the

CPC was probing for a road to Chinese political democracy, for a mode good for Chinese situation. Its efforts could be seen in the following three:

One, successful elections. All local governments in anti-Japanese bases had two parts, a government and a consultative committee. Beginning from the latter half of 1937, elections were held successively in all anti-Japanese bases in Hebei, Shanxi, Shandong, Henan, central and southern parts of China. Local governments and consultative committees on various levels were elected. Due to the big difference in cultural and political quality in war time, elections were conducted in different forms. In most places, an election conference was held for a collective voting. Mobile ballot boxes were also available. By statistics, during the first election in 1937 in Shaanxi, Gansu and Ningxia Base, voters' percentage was 80 percent the highest in some places and over 50 percent the lowest in others. Elections in the bases behind the enemy's line were also successful with a fairly high percentage of participation.

Two, the "one-third practice" in democracy building for governments. "One-third" was an idea advanced by Mao Zedong in 1940, meaning CPC members taking up no more than one third of the seats in governments. This one-third practice was popular between 1940 and 1941 in all revolutionary bases. CPC's leadership on such a government was not direct and compulsive, but by correct and sounding suggestions fully understood by everyone before they were approved as a government decision by the majority of the government and consultative members. The "one-third practice" was a government form to enjoy a much larger political basis. Politically, it was led by one party, but in organization and system, the party's leadership and government administration were separated by the democratic election following the principle of minority subordinate to majority. This government form contained more democracy in it, very significant to the progress of political democracy in China.

Three, a guarantee for human rights. Making laws to protect human rights was a significant policy of the CPC during the Anti-Japanese War, as important experience from all anti-Japanese bases. Almost all bases had a law in concern. The promulgation of the law began a new era in which law was used to protect human rights.

The CPC's active promotion and practice of democracy during the Anti-Japanese War was of great significance to the democratic progress in China. The efforts not only boosted democratic progress, spread democratic ideas, increased political involvement by all social strata and classes, but also facilitated people's belief in political democracy. It also increased CPC's influence in domestic political arena, drawing a large group of people around it to form a powerful force which was to affect the outcome of the then already intensified political struggle between the CPC and Kuomintang. To some extent, it served the intended purpose.

After the victory of the Anti-Japanese War in 1945, while conducting a tit-for-tat struggle against Kuomintang's one-party dictatorship, the CPC made a big success leading people in liberated areas in democracy building, which evolved in three periods following the changes of national political, class and military struggles.

The first period was from the victory of the Anti-Japanese War to June 1946 before the all-round civil war broke out. In order to implement the principle of establishing a new country, the CPC and people's governments in liberated areas continued the political and legal system practiced during the Anti-Japanese War.

The second period was from the breakout of the civil war in June 1946 until July 1947 before the People's Liberation Army switched to a strategic offensive. During this period, democratic building in liberated areas had new features: 1. Due to the outbreak of the civil war, the constitution-making process stopped; 2. Inner Mongolia had its autonomous regional government, the first in China's autonomous practice; 3. With the intensified class struggle going on in China, mainly seen in the

confrontation between peasants and landlords, people's governments in liberated areas, by an instruction from the CPC Central Committee issued in May 4 1946, changed the former "reduction of the rent for land and interests on loans" practice to "seizing all lands from landlords and distributing them to peasants." This was a significant change in liberated areas.

The third stage was from July 1947 to October 1, 1949, when the People's Republic of China (PRC) was founded. During this period of time, the PLA entered a strategic offense and the liberation war was winning one success after another. The legal construction in this period had different features: in terms of the fundamental law, every liberated area made its governing program; in terms of the government construction, people's congress on different levels were formed in liberated areas and a military control commission established in newly liberated cities; in terms of land, "Outline of China's Agrarian Law" promulgated in October 1947 became a fundamental law in all liberated areas.

Mao Zedong founded a revolutionary base in Jinggang Mountain in October 1927, the first one ever founded in China's countryside.



During the Anti-Japanese War, a revolutionary base local government was explaining its policies to the people.

Farmers in Jinggang Mountain Revolutionary Base were very excited after getting lands during the Agrarian Revolution.





The CPC promulgated "Agrarian Law" in 1928 in the revolutionary base in Jiangxi. By the law, lands were given back to farmers, whose social status and life began to change.

The first meeting of the Central Workers and Peasants Government Executive Committee was held in November 1931 in Ruijijin, Jiangxi.



Lin Boqu, Chairman of the Shaanxi-Gangsu-Ningxia Revolutionary Base Government (right) and Li Dingming, a famous nonparty personage, vice chairman of the Revolutionary Base Government. Li's suggestion made to the CPC, "better troops and simpler administration" greatly helped the establishment of democratic governments.

All government workers in revolutionary bases were elected by the people.





Farmers in Fuping County, Hebei Province, are excitedly copying the terms of "The Outline for the Agrarian Law of China."



Liu Shaoqi is delivering a speech on a CPC Central Committee meeting about lands held between July and September in Xibaipo, Hebei Province. The meeting passed "The Outline for the Agrarian Law of China."

Entering the Era of People's Democracy

After a couple of days' contact with the CPC people in Yan'an in 1944, Hurley, the special envoy from the US president, was deeply impressed. In great admiration, he described Mao Zedong as "a person of great wisdom and fair attitude," "an unselfish leader working for Chinese people's happiness."

Failure of One-party Dictatorship and the Victory of New Democracy

China was at a crossroads after the victory of the Anti-Japanese War. For a period of time, peace and democracy seemed appearing on horizon. Together with democratic personnel, the CPC continued untiring efforts for them.

The only possibility to form a national united effort against Japan and cooperation with Kuomintang to establish a new country after the war was to have a democratic coalition government without Kuomintang's one-party dictatorship. For this purpose and the future of China, Mao Zedong and Zhou Enlai held a talk of great significance with the US president's envoy Hurley, and with utmost sincerity, trying to win the support and influence from the US government for China's peace and democratic progress. In August 1945, Mao Zedong personally went to Chongqing for a talk with Kuomintang led by Chiang Kai-shek. The trip

brought much hope to the people in the rear, made them know the CPC's sincerity and determination for peace and democracy. While happy to see a hope, many democratic persons were worried for Mao Zedong's safety. Yet Mao Zedong was dauntless. After many rounds of hard talks, he left with a hard-earned "October 1 Oth Agreement," also called "Summary of the Talks between Kuomintang and CPC Representatives." After joint efforts from the CPC and all democratic people of the country, also under international pressure, a truce agreement was signed on January 5, 1946. On the 10th, a political consultative conference was held in Chongqing. By then, CPC's sincerity and position for China's democracy and peace were widely known. All the slandering Kuomintang had made about the CPC broke.

During the first year after the victory of the Anti-Japanese War, China saw a very special period in Chinese modern history. In appearance, different parties and groups contented one another peacefully with different political positions. Peaceful means for a political purpose had been seen only in the early years of the Republic of China. The CPC and democratic parties earnestly hoped the situation to continue into a period of peace and democracy building.

However, all hopes, no matter how beautiful, were smashed by Kuomintang army's tanks. On June 26, 1946, the Kuomintang bloc scrapped the truce agreement signed with the CPC. Over 300 thousand Kuomintang troops attacked CPC's liberated area in the central plain of China. On July 12 that year, Kuomintang instructed its troops to attack CPC's liberated area in north Jiangsu. An all-round civil war broke out. Finally, the confrontation between democracy and dictatorship was conducted in the form of blood and fire. While conducting a ruthless attack on the liberated areas, Kuomintang suppressed activities and efforts for democracy and against the civil war by advanced political groups. This painful lesson made everybody see through the nature of Chiang Kai-shek and the Kuomintang bloc. Democratic parties quickly adjusted



Mao Zedong (second from left), Zhou Enlai (second from right) and Wang Ruofei (far right) flew to Chongqing on August 28, 1945 for a peace talk with Kuomintang government. They were joined at the Yan'an Airport by the Kuomintang government representative Zhang Zhizhong (far left) and Hurley (middle), the US ambassador to China.

Chongqing people gave the CPC group a warm welcome. At Chongqing airport, Mao Zedong (sixth from left) was greeted by Kuomintang representatives and democratic people: Zhang Lan (far left), Shao Lizi (second from left), Guo Moruo (third from left) and Zhang Zhizhong (fifth from left).



Students from Yanjing University are rallying in May 1947 to protest against Kuomintang's policy. People in the areas ruled by Kuomintang government called for an immediate stop to the civil war and freedom for the people.

In late June 1946, the Kuomintang government scrapped the truce agreement signed with the CPC by attacking the revolutionary base in the central plain. Part of the CPC troops managed to get to Yanqin.

their positions and policies. They sided with the CPC or stayed closer to it in the hope to establish a new country and to realize people's democracy.

New Political Consultative Conference and the Foundation of People's Democratic System

With the victories in battlefields, the CPC Central Committee publicized on April 30, 1948, "Memorizing the International Labor Day," in which it called on "all democratic parties, people's groups and social celebrities to join a political consultative conference to discuss about the holding of a people's congress and the preparation for the establishment of a democratic coalition government."

The call received an unprecedented warm response. Within a few days, all democratic parties and almost all social celebrities answered by telegram, public speech or announcement to support CPC's call.

After a year's careful preparation and organization, Chinese People's Political Consultative Conference (different from the one of 1946) was held between September 21 and 30 in 1949 in the Huaren Hall inside Zhongnanhai, Beijing. This was the first grand occasion for people's democracy in New China. On the conference, Mao Zedong made an opening speech, announcing that "the Chinese nation, one fourth of the world population, stands up from now on." At these words, a thunderous applause rose and many people shed tears.

The inevitable outcome of China's modern history was the founding of New China. The CPC becoming a ruling party was the selection of history and the people. By comparison, practice and activities, people were able to find their genuine leader. Numerous people had tried hard for national salvation but none of them succeeded. After the founding of the CPC, Chinese nation eventually found the hope for national independence and prosperity. What the CPC had done since its founding convinced beyond any doubt that it embodied the just struggles against

dual oppression from imperialism and feudalism. The CPC was the hope for national salvation. Its solid basis among the people made its governance solid.

On October 1, 1949, Mao Zedong proudly announced from the Tian'anmen Tower the establishment of the People's Republic of China (PRC), the symbol of Chinese people's victory led by the CPC in the new democratic revolution, also the fundamental change of people's status: from then on, they would be the true master of their country, society and fate. The establishment of the PRC put an end to the feudalistic dictatorship that had lasted for over 2,000 years, during which time numerous attempts for a change failed, including those trying to copy a Western mode. Proudly, China entered an era of people's political democracy.

The preparation and the holding of the people's political consultative conference, the law it passed and the first central government it elected, showed the spirit of democracy and multi-party cooperation. The success of the people's political consultative conference was ascribable to CPC's earnest and untiring efforts. As the initiator of the conference, leader of the victorious Chinese revolution, director of several-million armed troops, the CPC didn't take the conference as a show, but a platform to cooperate with other parties, to discuss with them for a consensus about anything, the time, place and schedule of the conference, the list of participants, documents to be drafted and revised. Without a party like the CPC as the core, even all other democratic parties and prominent personage agreed, the smooth holding of the conference was unlikely.

After the birth of the central people's government under the leadership of the CPC, it began to build up rules and regulations, a necessary process to consolidate the new government, also to build up a democratic legal system.

Firstly, by the principle of people's democracy and multi-party cooperation, the supreme administrative body of the state, "Administration

Council" was born, with the premier, vice premiers, consul members, secretary-general and deputy secretary-generals, 26 in all. Among them 14 were non-CPC people, taking up over a half. Among the 21 ministries directly under the Administrative Council, non-CPC people took up one third of the leading positions, and in some ministries or commissions, over a half. Non-CPC deputies had a bigger percentage. This situation exhibited a "coalition government," also a respect to the national bourgeois class and intellectuals as an important political force, showing CPC's wisdom and broad vision.

Secondly, the CPC in power correctly handled the relationship between party and state affairs. How to handle this relationship properly has become a universal headache to many countries with one-party ruling. The CPC's practice during the early years of the People's Republic was successful. After laws were formulated according to people's wish and for people's benefits, a Communist government must execute them earnestly and abide by them. This is a requirement from democracy. In these years, the Central People's Government and the Administration Council made fine examples, completely different from the practice in the old China when laws were ignored and Kuomintang meddling with state affairs. By the "Organization Law of the Central People's Government," every commission under it must hold a meeting at least every two months to discuss and decide on significant matters. By statistics, beginning from October 1, 1949, when the first meeting of the Central People's Government was held, until September 9, 1954, the Central People's Government held 34 meetings in total, exceeding the minimum requirement. Meanwhile, during the same period, the Administration Council held 223 meetings. These figures showed the CPC Central Committee was able to handle the relationship correctly.

Thirdly, consolidated democracy building and the holding of people's congress. Within two years, the Central People's Government issued 6 organization laws for local people's congresses, people's courts

and people's procuratorates. The Administration Council did over 10 to regulate practices of local governments. Among them, in 1953, the Central People's Government promulgated "Election Law of the People's Republic of China for the National People's Congress and the People's Congresses on Local Levels," by which the first general election in China's history was conducted nationwide. By voting, the people exercised their power as the master of the country in electing delegates to the People's Congress from a lower to a higher level. In September 1954, the first National Congress was held, which marked the system officially established in the country. The Central People's Government drafted the constitution to be discussed on the first meeting of the First National People's Congress.

Fourthly, held local people's representative congress participated by different walks of society, and practiced the ethnic regional autonomy. Even before the founding of the PRC, the CPC took holding such meetings and practicing the ethnic regional autonomy system as important tasks for people's democracy and the nation's unity.

To the CPC Central Committee and Mao Zedong, such a meeting was a fine embryonic form for a people's congress, because it was a direct and extensive contact with the masses, an approach to publicizing the party's policies, to collect people's opinions, and a preparation for holding a people's congress. By the instructions from the Party Central Committee and Mao Zedong, before a people's congress was held, people's representatives meetings were to be held in local places, to act in the capacity of a people's congress for the election of governments on various levels. This practice was a big step forward in building democracy in New China.

Another side of people's democracy in New China was the practice of ethnic regional autonomy. While establishing people's representatives meeting on various levels, the CPC began ethnic regional autonomy in well-measured paces. By the "Common Program" promulgated

in 1949, "Ethnic regional autonomy is to be practiced in a place where an ethnic minority lives together, and an autonomous government corresponding to the size of the place and the population in it is to be set up." In 1952, the Administration Council issued "Outline for the Implementation of the Ethnic Regional Autonomy in the People's Republic of China," which stated, "An autonomous region's government should guarantee equal rights for all ethnic groups living in that place;" and "to guide all ethnic groups in an autonomous region to act like members of one family, the family of the PRC, in which all members unite together, assist, help and care for one another." On March 16, 1953, Mao Zedong drafted for the CPC Central Committee an article titled "Criticism on Han-chauvinism" as an inner-party instruction. The promulgation of these laws, rules and regulations vigorously helped the progress of ethnic regional autonomy in China.

The Principle of People's Democracy in the Constitution

If the success of the Chinese People's Political Consultative Conference and the adoption of the "Common Program" laid a foundation for democracy in New China, then, the drafting and promulgation of the first Constitution, and the successful holding of the First National People's Congress (NPC), on which the Constitution was passed, was a milestone in democracy building.

Mao Zedong said to his assistants in the autumn of 1953 that he was to write an important article in Hangzhou. The article was the "Constitution of the People's Republic of China". Because it was adopted on the first meeting of the First NPC, it was also called 1954 Constitution.

Mao Zedong personally led the drafting group. In January 1953, on the 22nd meeting of the Central People's Government, "Decision to Hold the National People's Congress and the Congresses on Different

Local Levels" was passed. A constitution drafting group was set up, Mao Zedong being its chairman. For drafting it, Mao Zedong stayed in Hangzhou for three months, during which time he was devoted completely to the drafting work. Once, he said to workers, "The Constitution is the fundamental law of a country and from the chairman of the party down to everyone must abide by it. In future, after I retire from the position of the state president, the successor shall go by it and this is a rule we must establish."¹³

On the 30th meeting of the Central People's Government, Mao Zedong said, "A people's group must have a rule, so does a country. Constitution is a general rule, a fundamental law. With it, we establish the principles of people's democracy and socialism, showing Chinese people a clear-cut road to take. This will tremendously raise their zeal."¹⁴ From the formulation of "The Outline of the Constitution of China Soviet Republic," to the drafting of the Constitution of PRC, the CPC and Chinese notion, led by Mao Zedong, took a constitutional road after borrowing successful experience from all civilizations, ancient and contemporary, in the world. It was also a constitutional road with Chinese characteristics.

Mao Zedong compared all constitutions made in other countries and absorbed their successful experience. The successful formulation of the Constitution of the PRC was largely ascribable to Mao Zedong's scientific attitude throughout the formulation.

Before drafting the 1954 Constitution, Mao Zedong already had tremendous prestige in Chinese nation. When drafting the Constitution, some people suggesting writing in a paragraph to praise Mao Zedong. They actually did so in the first draft. Mao Zedong insisted on taking that part out. To some people, this was an act of "modesty."
Mao Zedong

¹³"Reminiscence of Ye Zilong", p.205.

¹⁴-The Selected Works of Mao Zedong", volume 5. p 129.

said in great earnesty, "No, this is not an act of modesty. Writing in these words is improper, irrational, and un-scientific. It should not happen in a people's democratic country like ours. It has nothing to do with modesty." Mao Zedong was learned in both Chinese and foreign history of constitutionalism. Only the Qing-dynasty "constitution" made by its emperor had words to praise the ruler. None of the written constitutions by bourgeois class had such a part, unbelievable if we wrote eulogies for an individual into the fundamental law of our country. Such an act was entirely against science. Mao Zedong emphasized repeatedly, "Science has no room for modesty. Formulating a constitution is a scientific action and except for science, we should trust nothing, less saying superstition. To every one, Chinese or foreign, dead or alive, the right is right and the wrong is wrong. No room for superstition in any form, ancient or contemporary. Trust the right and criticize the wrong. This is a scientific attitude." These words, apart from showing his firm belief in scientific formulation of the Constitution, exhibited his vigilance against and a strong dislike of the cult of the individual.

The drafting group held seven meetings to discuss about the draft, which was finally passed on the seventh meeting held on June 11, 1954. Three days later, on June 14, presided over by Mao Zedong, the 30th meeting of the Central People's Government passed it, and made it public for the broad masses to discuss and to revise for two months, involving over 150 million people. The Central People's Government further discussed it on the 34th meeting held on September 9, 1954, and on an added one on September 14 before it finally passed the revised edition to be submitted to NPC for examination and approval. NPC delegates did a very careful examination before it was finally passed on its first meeting held on September 20 by a secret ballot. The first

1577)e Selected Works of Mao Zedong, volume 5. p 131

Constitution of the People's Republic of China was born.

The whole process, from drafting to passing, showed the democratic working style of Mao Zedong as the people's leader, a style to follow the mass line, always to trust, depend on the people, to listen to their ideas and to pool their wisdom.

The 1954 Constitution had far-reaching significance to the democratic process of PRC.

One, its promulgation provided a legal structure for the PRC, a democratic republic established by the Constitution formulated by the national legislation body through a very democratic process.

Two, the 1954 Constitution, as a legal basis, provided a powerful weapon for the implementation of people's democracy. As the state's fundamental law, the Constitution inherited the basic principle of people's democracy from the "Common Program." It established multi-class and multi-party cooperation as the framework of the state's political system. The Constitution made the basic principle, spirit and framework from the "Common Program" a regular practice guaranteed by state force.

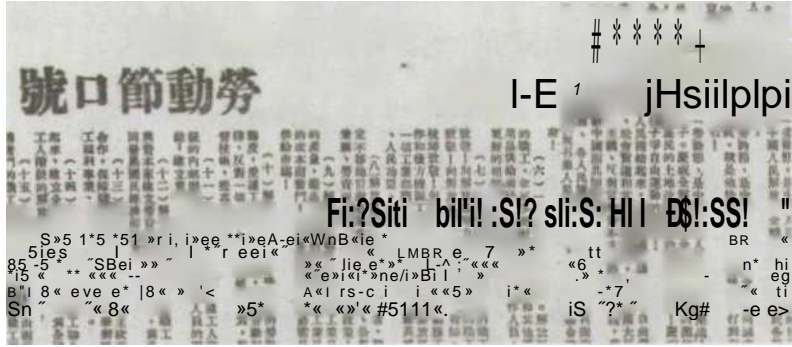
Three, the 1954 Constitution made it clear the NPC was a political system of the country. Based on the Constitution, the state's structure had state leaders, administration, court and legal supervision bodies. The Constitution prescribed their emergence, organization structure, power, working procedure, and corresponding relations, and by doing so, enable them to function properly. Setting up a complete state machine by the principle of democracy was the hallmark of a democratic country.

Four, the 1954 Constitution reflected the basic requirements of democracy and the rule of law. The Constitution also provided constitutional basis for the development of both. The supreme principle in the Constitution, "All the power of the state belongs to people," "requires all government workers to remain loyal to the democratic system, constitution and law, and to work hard for the people." The 1954

Constitution established the legislation system, empowered the NPC and its standing committee to supervise the implementation of the Constitution, empowered procuratorate on various levels to supervise all government workers and citizens to make sure they were law abiding, made it clear that the People's Court was independent when trying a case, and law was the only thing to follow. The Constitution also prescribed that local procuratorial organs on various levels were independent in exercising their duty, not to be interfered with by other agencies.

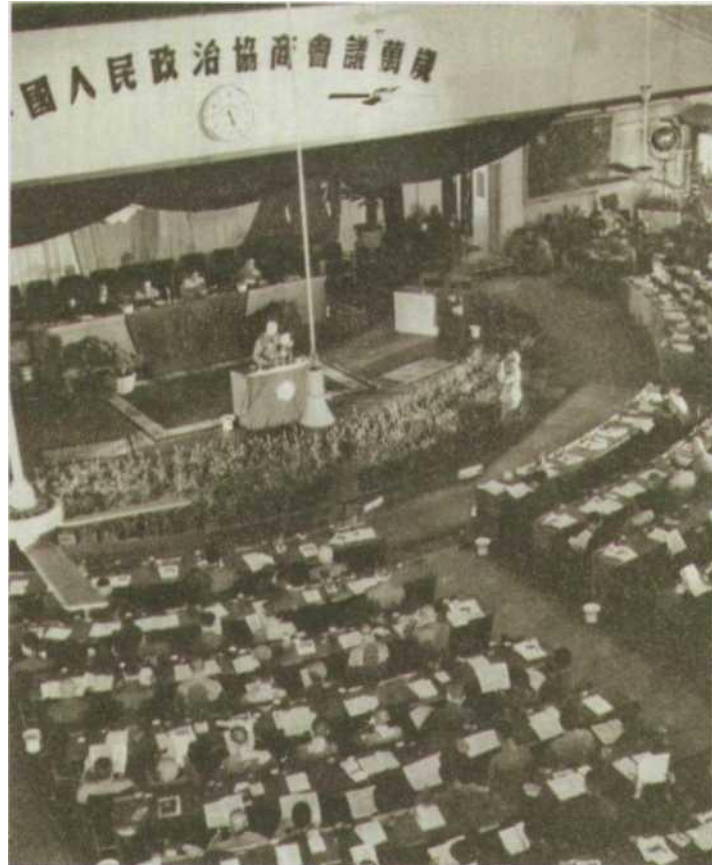
It must be emphasized that the 1954 Constitution prescribed clearly the rights and freedom citizens had, their political right in particular. These rights, unseen in China's modern history, exhibited CPC's firm belief in people's democracy.

The 1954 Constitution marked the official establishment of the state political system in the PRC. It was the cornerstone for further development of democracy and the rule of law in New China. Nevertheless, the democracy building in the country started by the 1954 Constitution only meant the end of the past. Future was just beginning.



On the International Labor Day of 1948, the CPC Central Committee called for holding a new political consultative meeting to prepare for a coalition democratic government.

Democratic personages and CPC leaders in Harbin. Invited by the CPC Central Committee, beginning from the autumn of 1948, democratic-party leaders and nonparty representatives came to the liberated area to discuss about the new political consultative meeting.



The First Session of the Chinese People's Political Consultative Conference is held in Zhongnanhai, Beijing, between September 21 and 30, 1949.

Between 1953 and 1954, democratic elections are held nationwide for the delegates to the First National People's Congress, a fundamental political system in New China



People in Beijing celebrating the National Day after the First National People's Congress is held on September 15, 1954, on which "Constitution of the PRC" is passed.



People in Lhasa celebrating the founding of the preparation committee for the Tibet Autonomous Region on April 22, 1956, in front of the Potala Palace. The ethnic regional autonomy is a fundamental policy the CPC implements.

People's Democracy: Frustrated Attempts and Hopes

Mao Zedong once said with confidence, "We should have 'let' in leading our country, let people speak out what they think, courageously make criticism or enter a discussion." "Only by doing so," he said, "literature, art, science and technology will gain progress and vitality, and people's cause will become more prosperous, and China be a powerful but very friendly country."

People's Democracy and Contradictions among the People

Chinese society experienced a significant change in the year of 1956, a change coming from two things: the 20th national congress of the Communist Party of the Soviet Union disclosed Stalin's serious mistakes; the eighth CPC National Congress announced that China had entered a socialist society. With the beginning of a large-scale socialist construction, China's socialist democracy building saw a new situation. The CPC worked hard exploring for the approach to the realization of people's democracy in a new situation.

The 20th National Congress of the Communist Party of the Soviet Union, held in February 1956, unveiled Stalin's errors committed when leading the Soviet Union's socialist cause, and the outcome from cult of the individual. This event shocked both the Soviet Union and the international society. The CPC responded by an article in April and another

one in December that year, which were successively titled "On the Historical Experience of the Proletarian Dictatorship" and "More on the Historical Experience of the Proletarian Dictatorship." The CPC made its position clear by these two articles, first, didn't agree to complete negation of Stalin, second, the disclosure of his mistakes helped the CPC to do away the superstition and blind faith, emancipate the mind and look for a road good for Chinese situation.

While the international Communist movement became very cold due to the disclosure by the Soviet Union Communist Party, the CPC firmly continued its endeavor for democracy building, emphasizing to pool all forces and to unite as many people as possible for the socialist construction cause by democracy. Mao Zedong's "On Ten Major Relationships" published in April 1956 made a theoretical exploration into Chinese socialist construction and socialist democracy building. It was also a retrospect on the errors Stalin had made. In the article, the principle for science, cultural and literary work was described as: Let a hundred flowers blossom and a hundred schools of thought contend.

Between September 15 and 27, 1956, the 8th CPC National Congress was held in Beijing. This was the first CPC national congress ever held after the founding of New China. The congress declared that socialist system had been successfully established in China. The congress called for more democratic practices, further struggles against bureaucracy, consolidation of people's democratic united front, improvement on law making and the rule of law, and by doing so, making everything the party and government did within a legal framework. The new Party Constitution passed on the 8th CPC National Congress added: When it is needed as deemed by the Party Central Committee, the Committee may have an honorary Chairman position. This was because, Mao Zedong, the then Chairman of the CPC Central Committee, Chairman of the state and Chairmen of the Central Military Commission, suggested to the Party Central Committee that he was not to hold the

party and state chairman positions for another term. He suggested a revision on the Constitution to stipulate that the state chairman and vice chairmen could only be reelected once. By no longer working as a state chairman, Mao Zedong believed he would have more time to study theoretical issues. Even he was no longer the party and state chairman, he was still to hold the membership of the Party's Central Committee Political Bureau, and when necessary, to deliver a theme report on a Party's meeting. What Mao Zedong suggested was actually an attempt for abolishing the lifelong tenure for top leaders. The Party Constitution passed on that Congress stipulated a five-year term for a party congress delegate, and the national congress was to be held once every year. The 8th CPC National Congress made a significant structural preparation for the progress of inner-party democracy.

After the happenings on the Soviet Union Communist Party's 20th National Congress, demonstrations and riots happened in Poland in June and in Hungary in October and November. In China, contradictions among the people became more and prominent. From late 1956, along with an instable international situation, a hasty domestic socialist reform added tension in economic and political life. This rash attempt brought instability too. Intellectuals, most sensitive to a situational change, were very active in ideology, airing many different opinions about culture, education and science after the "letting a hundred flowers blossom and letting a hundred schools of thought contend." Some criticized the Party and government for their mistakes in work. Some criticisms were very sharp. A large number of party members and cadres were unprepared.

From the beginning, Mao Zedong had a very correct and accurate judgment about the situation. This was shown in the speech he made on the supreme government meeting held in February 1957. In his speech, Mao Zedong answered the following questions, "Will a happening like the Hungarian Incident occur in China?" "Will contradictions still exist after the Communist Party becomes a ruling party, or after a socialist

system is set up?" "How should party members view prominent contradictions among the people?" A British newspaper said in one of its editorial article that Mao Zedong's speech was more influential than Nikita Khrushchev's secret speech, for Mao was actively advancing new thinking and policies, while Khrushchev was just negating the past in a passive manner.

After the theory about correct handling the contradictions among the people, the CPC was facing another issue: how to implement the theory in reality, and how to build socialism by the initiative from everyone through democratic practices. In such a background, a movement involving all the party to rectify incorrect working styles and thinking, under the theme of "how to handle correctly the contradictions among the people," began in early 1957.

Mao Zedong made the above-mentioned speech in March 1957, on a government meeting about propaganda work. On April 27, the CPC Central Committee issued "Instructions on the Movement to Rectify Incorrect Working Styles and Thinking." On April 30, on the Tian'anmen Tower, Mao Zedong broke the news about the coming movement to the leaders of democratic parties and non-party personages, who were then attending the celebration. Later, in an article titled "Situation in the Summer of 1957," Mao Zedong further explained, "Our objective for the movement is to have a brand-new political situation with freedom, centralization, happy feelings in a lively and pleasant environment."

The movement began alright, but as it progressed, abnormal things happened about which the Party Central Committee decided to interfere by "letting all erroneous talks be said to show the speakers' true colors." Before this, the CPC never allowed such a practice, now taking it as "a weapon surrendered by the right-wingers." To the CPC, such a practice could disclose issues, expose right-wingers and train the masses, a practice

16 Bo Yibo, "Recollections on Decisions Made about Some Significant Happenings History", second volume, p.595.

more beneficial than harmful. Quickly, speaking whatever one likes, writing big-character posters and holding debates spread to all collages and the party and government organizations. A tense political situation was seen everywhere in the country. But things didn't stop there, and by summer of 1957, the movement became a nationwide anti-rightist campaign, quickly out of hand in the summer of 1958.

The out-of-hand campaign brought a disastrous impact on the process of socialist democracy building.

One of the outcomes was the deviation made by party top leaders, Mao Zedong in particular, from the correct judgment about the situation made on the 8th CPC National Congress in 1956, to an erroneous belief in class struggles, which eventually resulted in a class contradiction to involve every one, even innocent people. The enlarged antirightist campaign seriously violated the freedom of speech, a right stipulated by the Constitution. Such an enlarged anti-rightist campaign seriously jeopardized the democracy building process. The rule of law yielded its place to "rule of people," a welcomed change to party leaders. After that anti-rightist campaign, more political movements came to involve the whole nation. Massive involvement became the form for all political movements that followed, very detrimental to democracy and the rule of law. The anti-rightist campaign began the party's highly centralized leadership in everything, unquestionable to any one. Instead of being addressed, defects in the political system were getting worse.

The movement to rectify incorrect working styles and thinking can be described by the following: beginning from a wish to avoid mistakes made by Stalin, meant to display the initiative from all sides in building socialism, taking handling contradictions among the people as a content, the movement ended in the opposite: an overwhelming belief in class struggle and repetition of Stalin's errors that made the CPC and Mao Zedong stop on the road of socialist democracy. The rule of law was replaced by the rule of people.

Retrospect on Erroneous "Big Democracy"

Under this detrimental influence, from 1956 to 1957, Chinese political democracy stopped, like a motor vehicle after its driver applied brake hard. Mao Zedong, as the leader of the people, was disoriented in his democracy exploration. With his class-struggle theory occupying a dominant position from 1962, the "Left-deviation" thinking was onto a road of no return to the disastrous Cultural Revolution (1966-1976).

Mao Zedong didn't start the Cultural Revolution by a sudden impulse. From his intension, we can see how his mind was occupied by a significant theoretical issue: after the CPC becoming a ruling party, how to avoid being cut off from the masses, how to realize the objective that the people were the master of the country in a brand-new political system? When he talked with Huang Yanpei in 1945 about the CPC ready to break the age-old historical cycle in china, he had already begun the thinking out of a strong and firm belief in people's democracy. His hope was to find a road free of the defects seen in the Soviet Union's political structure, and superior to the mode of Western capitalist countries. To Mao Zedong, such a road could not be done without the involvement of the broad masses. The successful experience out of war years convinced him that, if a mass movement was a powerful weapon to defeat enemies in battlefield, it would certainly work after the revolutionary victory to help the masses become the real master of the country. When he pushed this belief to extremes, the Cultural Revolution, a massive movement labeled as "proletarian big democracy" to involve the whole nation spreading from the grassroots-level upward, inevitably become a political disaster.

Why did Mao Zedong's good wish fail to realize, and instead, turn to its opposite? After all analysis, it was a far-fetched idea to build socialist democracy over night in a country very backward in economy and culture, a country never experiencing a capitalist period. The desperate

means to materialize a good wish brought the disastrous Cultural Revolution, which was supposed to realize a political mode like Paris Commune. Instead, due to different political forces existent then, the Cultural Revolution ended at "a military control" that had nothing to do with democracy.

If activities like rallies, demonstrations, organizing groups, big character posters, heated discussions and loud propaganda on streets had nothing to do with serious violation of human rights, personal attacks and taking over governmental and military departments, they might be political activities involving millions of people in a scale never seen since the founding of the PRC. That "big democracy" as called in these years might bring something meaningful. Unfortunately, the Cultural Revolution, from its very beginning, was conducted at the expense of democracy and the rule by law. It was doomed from the beginning.

From the failure of the Cultural Revolution, we find that the small peasant economy, the basic social structure throughout Chinese history, was impossible to get rid off the "rule of people" and to realize a transition from a traditional to modern society. Looking back to the past history, at foreign invasions and the impact from Western cultures, Chinese democratic forerunners during the May 4th Movement failed to realize democracy by rebelling against traditional culture. Facts proved that a large-scale system revolution might be effective against superstructure, but that revolution was not to remove "rule of man." Even a great leader like Mao Zedong ended up in "political chaos and rectification," in a cycle that seemed endless. History has proved beyond doubts that, the most effective weapon to root out "rule of man" is by market economy, by its birth, growth and maturity. Only when we walked resolutely out of the cycle of "cultural denunciation and moral rectification," only by taking a road of market economy, by utilizing it as a lever in a reform on the deep-rooted traditional culture, will socialist democracy and rule of law become possible.

Bearing these lessons on mind, the CPC began an era of opening-up

and reform by structural changes. The CPC advanced the theories about socialist market economy, making it closely combined with the socialist fundamental system, laying solid bedrock for the people's democratic cause and giving it much driving force.

After Mao Zedong died in 1976, the leader then in charge of the Party Central Committee said, "We are to continue any policy Chairman Mao made, and any instruction Chairman Mao gave us." This was later called the "two anys" principle by Hua Guofeng. Their nature was to continue the Left-wing errors Mao Zedong committed in his late years. Beginning from May 1978, a huge discussion began in the country about the criteria of truth. It was a big movement for the emancipation of the mind and education about dialectic and historical materialism. It made a breakthrough on the long-standing cult of the individual, dogmatism, on the ideological bondage from the Left thinking and "two anys." This discussion advanced the process of rectification of erroneous practices, a necessary preparation for the later nationwide redressing of past wrong cases, also being an ideological preparation for the Party's Third Plenum of the 11th Central Committee. During that discussion, many Chinese people were back to senses, beginning to think from the perspective of people's rights, freedom and dignity, which were the core of democracy.

The Inner-party Democracy Led to the Reform and Opening-up

That huge discussion, which brought a change of historical significance, had a precondition: retrieval of the party's political line: emancipation of the mind and seeking truth from facts. This line was impossible unless inner-party democracy came back. The retrieval of the line was seen on the Third Plenum of the 11th Party Central Committee held in December 1978, and also on a preparatory meeting held prior to it. The Third Plenum of the 11th Party Central Committee resolutely

switched the party's working focus from class struggle to economic construction. It was on this plenum that the great reform and opening-up policy was made.

On this meeting, the familiar inner-party democracy initiated by the 8th CPC National Congress came back. Before the plenum, the CPC Central Committee held a preparatory meeting between November 10 and December 15. It was an unusual meeting with many new practices never seen, or viewed as impossible after the founding of the New China. One of the examples was a proposal made by Chen Yun, about redressing the wrong cases occurring during the Cultural Revolution. It was not on the meeting's schedule, but received a warm response from all the participants. The proposal triggered off a significant theoretical discussion, what was the criterion for truth any way and how to view the "two anys." The discussion progressed quickly to cover adjustment of working focus, the policy of reform and opening-up, consolidating inner-party democratic centralization, even a public criticism was made to the then Party's top leader Hua Guofeng, about the mistakes he made. Hua Guofeng did self-criticism on the meeting. It was very encouraging to see a democratic practice just two years after the end of the Cultural Revolution. On the meeting, Deng Xiaoping made a speech titled "Emancipate the Mind, Seek Truth from Facts, and Unite Together to Look Forward." Its major points were: one, the emancipation of the mind is a significant political issue; two, democracy makes a pre-condition for the emancipation of the mind; three, redressing wrong cases left from the Cultural Revolution is for looking ahead; four, study new situations and solve new problems. His speech set the key tone for the Third Plenum of the 11th Party Central Committee, ready to break the bondage from the "two anys," a declaration before taking a new road in a new era.

After the plenum, China's reform and opening up set sail for a great voyage.

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A copy of Mao Zedong's speech, "On Ten Major Relationships," made on the enlarged meeting of CPC Central Committee Political Bureau in April 1956.



The 11th Plenum of the 8th CPC Central Committee held in August 1966 marked the beginning of the Cultural Revolution.

The New Driving Force and Direction for the People's Democracy

China's reform began first in its countryside, and then expanded to cities, from economic structural reform to the reforms in other fields, from an active domestic situation to an all-round opening-up to the outside world.

The Progress of Democracy and the Rule of Law Advanced by the Reform

After the Party's Third Plenum of the 11th Central Committee, Chinese farmers were probably the first to break an ideological bondage by a new "contracted responsibility system based on the household with remuneration or income linked to output" practice, an invention in Chinese history supported by the CPC with the respect to people's wish. The practice quickly spread to the whole country. The 800 million Chinese farmers acquired the right for independent decision-making about farming. The new practice quickly pulled the national agricultural production out of years of difficult situation. As the result, life for both city and countryside people was getting better. The establishment of farmers' right for decision-making about their farming activities on their own land laid a rational foundation for their autonomy in near future. With the progress of the reform, the CPC decided to expand it from agriculture to structures of other fields, economy, science, technology and education.

The Chinese government decided to set up Special Economic Zones in coastal areas. Ever since the implementation of the reform policy, the economic achievements in China have won great admiration from all over the world. While pushing ahead the economic structural reform, the CPC systematically advanced the political structural one. Political democracy gained much progress.

The political structural reform began with the change taking place in the inner-party leading structure. In February 1980, the Fifth Plenum of the 11th Central Committee decided to resume the practice of Secretariat of the Party Central Committee as a body to handle day-to-day work under the Central Committee's Political Bureau and its Standing Committee. In 1982, the 12th CPC National Congress made another important change on the Party's organizational structure: first, set up the Central Advisory Commission and the Central Discipline Inspection Commission. The former was a significant change on the old life-long tenure for leading cadres, a correction to the defect it had brought. The set-up of the latter was to enforce supervision over party cadres and organizations on all levels. Second, the congress decided to replace the party chairman position with the position of General Secretary. The Party no longer had Chairman and vice Chairmen, but would have General Secretary from one of the Standing Committee members of the Political Bureau, to hold the Political Bureau and its Standing Committee's meetings, and to take charge of the Secretariat's work. This significant change was meant to redress the past situation of over centralized power on a few top leaders, the Party Chairman in particular. It was very important to consolidate the Party's collective leadership, and to prevent arbitration by an individual. The 12th CPC National Congress Constitution, the foundation for CPC's governance in accordance with law, stipulated that the Party would act strictly within the framework of the Constitution and law.

These Changes facilitated the progress of inner-party democracy

and raised people's awareness of it. In June 1981, the Sixth Plenum of the 11th Party Central Committee passed "Decision on Some Historical Issues that Happened after the Founding of the PRC", which said, "Due to various historical causes, we have failed to make inner-party democracy and political and social democracy as a system and a law. We have made some laws but failed to give them the authority they should have. These failures gave rise to the over-centralized power on individuals, to inner-party arbitration and cult of the individual, which made it almost impossible to prevent a disastrous happening like the Cultural Revolution." The decision called on the whole Party to work hard for the enforcement of the Constitution and law, making them a sacred force not to be violated by any one. Building a highly developed socialist democracy, the 12th CPC National Congress made it clear, was one of the ultimate objectives of the CPC, and for this purpose, the socialist democracy had to be practiced in all the fields of the country. In July 1986, the Party Central Committee issued another document, which said, "Building a socialist legal system with Chinese characteristics is the fundamental guarantee for the country's fast and peaceful development." In September of the same year, the Sixth Plenum of the 12th CPC Central Committee passed another document titled "Decision of the CPC Central Committee about Promoting Socialist Virtues", which said, one of the objectives of socialism was building a highly developed democracy in social and political life of the state. In October 1 987, the 13th CPC National Congress advanced a more systematic, more detailed concept for a political structural reform which aimed to correcting the past errors and malpractices. The long-term objective of the reform was to build a highly developed democratic, very energetic and efficient socialist political system. The short-term objective was to build an efficient and lively leading structure able to bring out initiative from every aspect of the society.

With the ongoing reform on the Party's leading system, and the

deepening recognition of the whole about the necessity of building democracy and the rule of law, political structural reform spread from inside the Party to the leadership the Party applied to the state.

Initiated by Deng Xiaoping in August 1980, and approved by the enlarged meeting of the CPC Central Committee Political Bureau, the CPC Central Committee submitted to the third meeting of the Fifth NPC the list of candidates for the State Council. The then Party Chairman Hua Guofeng no longer held the position of the Premier of the State Council, and many old-generation revolutionists like Deng Xiaoping, Li Xionnian and Chen Yun, no longer held leading positions in NPC or the State Council. The CPC Central Committee began from itself the reduction of concurrent posts and too many deputy posts, and the reduction soon spread to lower levels as the first step in correctly handling the Party- Government relationship, in remedying the past malpractice of individual arbitration from over-centralized power on some or even just one top leader.

With the ongoing leadership structural reform, unwieldy and overlapping organizations, very low efficient in the political system, became a serious problem. Under the leadership of the CPC Central Committee and the State Council, between 1982 and 1984, the country had a nationwide structural streamlining. All Party and governmental organizations cut their staff to a reasonable size, with a contingent of cadres that was more revolutionary, younger in average age, better educated, and professionally more competent. During the organizational reform, the CPC Central Committee and the State Council promulgated rules and regulations to abolish the life-long tenure of cadres.

The organizational reform conducted by the Party's Central Committee and the Central Government inevitably accelerated the democracy building on local organizations, on their set-up and reform. On July 1, 1979, the second meeting of the Fifth NPC passed "The Decision on the Amendment for the Constitution of the PRC," "Organization Law

for Local People's Congresses and Governments" and "The Election Law for NPC and the People's Congresses on Local Levels." The first document stipulated that the people's congress on county level or above, should have a standing committee, and the standing committee on provincial level had the power to make local laws. Election for the people's congresses was changed from the same number of candidates for the same number of posts, to a competitive election, and the direct election was extended up to cover the county level. Beginning from September 1979, "The Organization Law for Local People's Congresses and Local Governments" began to take effect on provincial level, and beginning from January 1, 1980, on county level. Over 2000 counties established a people's congress standing committee. Also, beginning from January 1, 1980, the "Election Law for NPC and Local People's Congresses" began to take effect. Following these laws, from the winter of 1980 and the spring of 1981, the first nationwide direct election for delegates to county-level people's congress was held.

The new "Constitution of the People's Republic of China," passed on the fifth session of the Fifth NPC held on December 4, 1982, had new stipulations about the system of NPC. It made affirmative acknowledgement about the reform since 1979 on local people's congresses. The session, while passing the new Constitution, promulgated laws about the reform on the systems of NPC and local people's congresses. The session, taking a suggestion from the CPC Central Committee, enlarged the power of the Standing Committee of the NPC, requiring state organs in concern to exercise independent legislation, administration, jurisdiction and procuratorial duties prescribed by the Constitution.

"Regulations about the Direct Election for the People's Congress Bellow the County Level," passed on the 26th Session of the Standing Committee of the Fifth NPC held on March 5, 1983, made further rules about the direct election since 1979. When conditions were ready, direct

election was necessary for socialist democracy. It was the direction of the socialist democratic progress, beneficial to people's direct involvement in the state and local management and supervision. It also benefited the improvement of socialist political system. The reality proved that the direct election practiced below the county level was a big step on the democratic road.

The CPC took another two significant measures to consolidate the foundation of the CPC's governance. The first one was to abolish the people's commune practiced since 1958, but to establish township governments separated from agricultural production in countryside. This was a necessary step for rural development and prosperity. It provided a system guarantee for grassroots democracy construction in countryside. The second measure was to reform the leading structure of state-owned enterprises, replacing the old "manager's responsibility under the leadership of the enterprise's Party committee" with "the manager's entire responsibility." The CPC also resumed and improved multi-party cooperation and political consultation systems.

Legal construction made much headway too. Between 1978 and 1988, laws, regulations and rules promulgated amounted to 1 760 (not counting the rules issued in 1988 by localities). Among them, 80 were newly made by the NPC or its Standing Committee and 58 were revised or added as subsidiary ones. The State Council made 550 administrative ones, and provinces, autonomous regions and municipalities directly under the jurisdiction of the Central Government made 1081. The new Constitution passed in 1982 was another milestone after the first one promulgated in 1954.

Interaction between Market Economy and People's Democracy

The reform beginning in 1978 proved beyond any doubt that socialist

system was compatible to the market economy. When combined, the two showed huge vitality. In the spring of 1992, during his south inspection tour, Deng Xiaoping made a speech, in which he said, "We shall not put planned economy on a par with socialism, for capitalism has plans too; market economy is not a privilege of capitalism only, for socialism has it too." The 14th CPC National Congress held in autumn that year made it even clearer, "The objective of our economic reform is to build a socialist market economic system." The market economy and socialist system going hand in hand was emphasized.

The socialist market-economy theory was a significant step made by the CPC, possessing a great influence on the cause of people's democracy the CPC initiated.

The interaction between the socialist market economy and people's democracy is determined by the former's independent features and functions. Because of the former's independent features, the growing consciousness of the socialist workers as the master of the country was necessary for socialist democracy building. The growth was not coming from ideological instillation, but from the awareness of protecting one's own legal rights. While protecting one's legal rights, one was required to respect other people's rights, and the respect would, in return, benefit one's own development. A strong sense of responsibility to oneself, others and society was required. Otherwise, no individual development was possible. A matured awareness of the duty to oneself and to others and to the whole society from one's own heart marked a matured political character, his thinking and behavior mode. Without the awareness out of the market economy, there will be no politically qualified people for socialist legal construction.

Contrary to the independence of the market economy, the planned economy is to monopolize by nature. The bad thing about it is not planning but its orders, in which there is no room for the initiative of both workers and enterprises. In fact, the planned economy deprived the

masses of their independence and the right of involvement in economic progress, and in return, the planned economy lost the chance in nurturing a political democratic thinking, making the growth of democratic awareness impossible. This is the fundamental contradiction existent between the planned economy and socialist democracy. In a planned economic situation, no independent economic and political awareness was possible, neither was a politically matured individual to exercise democratic rights. By "big democracy," the Cultural Revolution tried to turn the masses overnight into runners of the state with matured democratic awareness. The result was nothing but chaos. When one can not determine one's own economic fate by his own wish, and if he has no idea about the responsibility his economic acts to the social economic structure, how can he be responsible for political involvement?

Changing from the planned economy to the market economy is not simply to replace the former with the latter. The core of the change is to replace "instruction economy" with "independent economy," to replace a blind following with conscious thinking, and to replace arbitration with a scientific rational judgment. By replacing them, the socialist democracy is able to progress in a desirable way. At the very beginning of the reform and opening-up, Deng Xiaoping made it clear, saying that the reform and opening-up was to have market as the lead to benefit the masses, to acknowledge people's economic interests and their pursuit for them, also to make modernization a more affluent, more virtuous, more tolerant and more diversified life. It was a process of displaying people's wisdom and creativity. The deepening reform and market economy provide bigger room for the display, keeps changing people's thinking and improving the system. By reform and opening-up, China's socialist political democracy has a bright future ahead.

Governing by Law Guarantees People's Democracy

After the 14th CPC National Congress, with the growing market economy, the unsuitable parts in the old political structure became prominent. Meanwhile, the awareness of political and social involvement in an independent way kept growing among the broad masses, in company to the ongoing socialist market economy. As a ruling party, the CPC was delighted to see this. The next question was, after 19 years of the reform and opening up, where was Chinese political development heading for? After a successful road found for China's economic development, could the CPC find a rational path for China's political progress?

The 15th CPC National Congress held in 1997 made a scientific answer: China's political development was, under the leadership of the CPC, to develop socialist democracy on the bases of people as the master of the country and the rule of law. It stipulated, "The rule of law means under the leadership of the CPC, following stipulations of the Constitution and laws, the broad masses of the people are to be involved in different forms and by different approaches in managing state affairs, managing economic and cultural undertakings, managing the society, thus making all work of the country guided by law, making socialist democracy as a law not to change with the change of leaders or the change of their views or attention. Governing the country by law was the fundamental strategy for the Party, an objective needed by the market economy, also a symbol of social progress, and a guarantee for everlasting peace and stability of the country." Governing the country by law needs the Party's leadership, firm adherence to people's democracy and observance of law. To accomplish this objective, both system and disciplines are required to implement the Party's fundamental line, to keep the Party's leadership and maintain its key position in coordinating

in the overall situation.

These words described a significant change on the CPC's state governance.

That was a big step forward in CPC's governing mode, more scientific, systematized and legalized. The CPC's leadership on society was changing accordingly, from the past by instructions to now by service, which created much room in system for further state and social democratic development.

Also, with the development of market economy and the significant change on social structure, with the fast growing citizen-type society, and with the public power that kept changing and being reformed, the CPC, as a ruling party, was facing another historical issue: how to qualify itself as a leading party for further development in a socialist country governed by law?

The Three Representatives and Political Democracy

During the twenty years of reform and opening up, from the socialist market economy established on the 14th CPC National Congress to governing the country by law, a decision made on the 15th, China had experienced huge changes in economy, politics, culture and society. These changes made a great challenge to the CPC, a party used to lead the nation seizing power, now becoming a ruling party, from one that led the construction cut off from the outside world, to a party leading construction in reform and opening-up and in a socialist market economy situation. The practice of reform, opening up, market economy, while bringing a huge driving force to social progresses, brought a fast growth of independent, democratic and self-determination awareness, which also constituted a challenge. To meet these challenges, the CPC must improve its leading method and governing mode, making its governance

more scientific, legalized, democratic and systematized, and making it more capable in dealing with a complicated situation.

Then, at the turn of centuries, where was the CPC heading for? How did the CPC meet the above mentioned challenges? How to make itself, through self-construction, a party capable of guiding the country in a sustainable economic, political, cultural and social progress?

Jiang Zemin, the then General Secretary of the CPC, said in February 2000 on his inspection tour in Guangdong Province, "It depends on our party, our party's ideology, working style, organization, discipline, leading and fighting ability to do a better job in China's construction. We will be undefeatable and forever supported by all nationalities in our country, and able to lead them in further development, so long as the Party represents the development of China's advanced production forces, the orientation of China's advanced culture and the fundamental interests of the overwhelming majority of the Chinese people." These words, later called "the important thinking of the three representatives," answered clearly the above questions. Governance by law, taking the important thinking of the three representatives as the criteria to regulate and build our party, the CPC will be able to find a road of Chinese characteristics to China's economic modernization and political and democratic advance.

The Scientific Development Concept and the Orientation of the People's Democracy

In an essay titled "Random Thoughts" written in 1925, Lu Xun said the following: What is Chinese people's basic need at present? Number one, survival, number two, enough food and clothing and number three, development. Guided by Mao Zedong thought, Deng Xiaoping's theory and the important thinking of the Three Representatives, the Chinese nation has accomplished the first two and entered a new era of an

all-round development. Where is the development orientated? How to develop and what kind of development that is required by socialism with Chinese characteristics? What kind of the development that was compatible with the kernel value of Chinese socialism, not going against it? What kind of the development was it able to win the extensive support from all the strata of Chinese society? All these theoretical questions were waiting for urgent answers from the new generation of CPC top leaders.

After the 16th CPC National Congress held in 2002, the CPC has advanced a series of innovated theories centralizing around the scientific development concept. All of them have won an extensive and sincere support from the broad masses of people. Why have they received such a popular support? Because they reflected the features and basic law of Chinese social development, followed the intrinsic requirements of the development, and scientifically answered the key question: Where was the contemporary China heading for? They have also solved new problems popping up during the development of both the society and the Party, the problems never seen before. Among all the innovated practices, the people-centered concept has involved political democracy into the basic concepts of the CPC in governing, and this gives China's political democracy a brighter future.

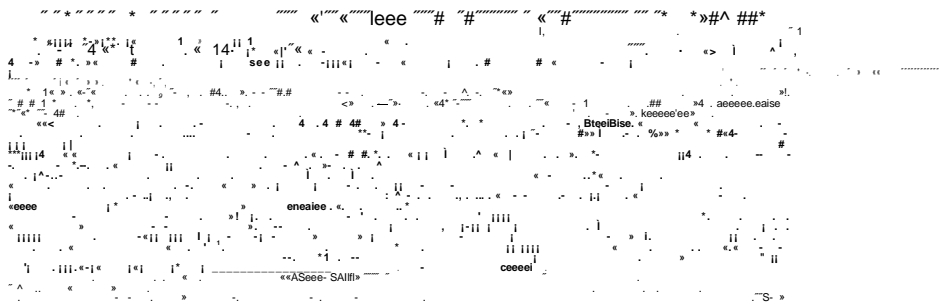
The basic requirement of the scientific development concept is taking economic construction as the center, advancing economic, political, cultural and social construction and realizing the economic and social progress in an all-round way. The scientific development concept aims to solving three key issues: one, realizing a sustainable economic development, and through a new economic mode finding a developing road of lower cost, a road with Chinese characteristics; two, the sustainable political development, through the development of socialist political democracy to realize a sustainable progress of socialist political civilization; three, the sustainable development of human society, through

socialist ideological, cultural and moral construction and the construction of a harmonious society to realize man's and social development in an all-round manner. General Secretary Hu Jintao, Jiang Zemin's successor, described the scientific development concept this way, "The first objective of the scientific development concept is to develop fast, with the people-centered idea as the core, sustainability and all-round coordination as the need, and over-all planning and all-round consideration as the fundamental approach." He also said, "From the very beginning, we should take the fundamental interests of the broad masses as the starting point and the foothold of our work, realize, safeguard and develop them, make the development for the people, by the people and its achievements shared by the people." "To make economic development shown more in people's life," Hu Jintao continued, "priorities should be given to the development of education, employment increase, the reform on distribution system, social security coverage for all in cities and countryside, a basic medical care and improved social management to benefit the nation ."

By the scientific development concept, people should be the main body in economic and social development, be respected, cared for, understood, emancipated and developed, to share achievements of the reform and opening up, to enjoy an nice environment in which every one is able to display his wisdom and ability, in a society that is able to satisfy people's increasing demand for material and cultural needs, a society that takes man's all-round development as the final objective for a progress. The people-centered concept explains two crucial issues, "for whom" and "by whom." It stresses the objective of the development, which is the interests of the broad masses, whom the development depends upon. The implementation of the people-centered idea requires consolidation of the political democracy, a system guarantee for citizen's equal rights to share political, economic and cultural benefits. It also ensures for every citizen to exercise his right in

democratic election, democratic decision-making, democratic management and democratic supervision, as well as the right to get involved in other social activities.

The scientific development concept ensures the position of Chinese people as the master of the country under the leadership of the CPC. It broadens the vision and shows a bright future for socialist political democracy.



Guangming Daily published an article, "Practice: the Only Criterion for Truth" in May 1978, which led to a nationwide discussion about truth criterion, a preparation for the holding of the Third Plenum of the 11th CPC Central Committee.



Deng Xiaoping is delivering a speech on the Third Plenum of the 11th CPC Central Committee held between December 18 and 22, 1978, in Beijing. The meeting rectified past errors in the party's guiding principle and decided to take socialist modern construction as the focus in work.

"Resolutions on Some Historical Issues after the Founding of the PRC passed on the Sixth Plenum of the 11th CPC Central Committee made fair conclusions about political events happening during the past 32 years, the Cultural Revolution in particular.



Farmers in Beijing suburbs are celebrating the 35th anniversary of the PRC. The "contracted responsibility system based on the household with income linked to output" was a great invention by Chinese farmers.

Shenzhen, the first SEZ in China after the beginning of the reform and opening-up, has turned from a small fishermen's village to a cosmopolitan city.



A ship for export built by a private business in Zhejiang. Privately owned business units have become an important force in China's economic and technological advance.



Promoting legal knowledge on streets to improve people's legal awareness in the city of Kaifeng.



On April 8, 1980, an over 20-year old board of "people's commune" is taken down in Xiangyang Township, Guanghan County, Sichuan Province. It is replaced by a new one "Township Government". During the reform and opening up in countryside, the old "people's commune" practice for both administration and agricultural production was abolished.

Jiang Zemin is delivering a speech on the 15th CPC National Congress on September 12, 1997, a report titled "Holding High the Banner of Deng Xiaoping Theory and Advancing the Socialist Cause with Chinese Characteristics to the 21st Century."

The Development of Political Democracy

Since the reform and opening-up in 1970s, while deepening economic structural reform, China has firmly advanced its political structural reform. The result is very encouraging as seen in improved democratic system, diversified forms of democratic practices, the development of socialist political democracy with Chinese characteristics, and the vitality and vigor exhibited. Particularly since the 16th CPC National Congress held in 2002, China's socialist political democracy has gained an even faster progress.

People's Democratic System Continuously Improved

The people's democratic system with Chinese characteristics, comprising the people's congress, multi-party cooperation and political consultation system led by the CPC, and ethnic regional autonomy, has been continuously improved for the last 30 years.

The People's Congress System

The people's congress system is the fundamental political system by which the Chinese people act as masters of the state. The Chinese people exercise state power through the National People's Congress and the local people's congresses at various levels. The NPC of the PRC is the highest organ of state power. In China, all administrative, judicial

and procuratorial organs of the state are created by the people's congresses to which they are responsible and by which they are supervised. All major issues of the state are decided by the people's congresses.

The NRC and the local people's congresses at various levels are established through democratic elections. They are responsible to the people and subject to their supervision. The Chinese Constitution states that all citizens who have reached the age of 18 have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious belief, education, property status or length of residence, except for persons deprived of political rights in accordance with the law. The deputies to the local people's congresses at county and township levels are elected directly by the electors. Over the years, the population that has enjoyed the right to vote and stand for election has accounted for more than 99 percent of the number of citizens at or above the age of 18, and the ratio of participation in elections has been around 90 percent. Due to China's realities, the deputies to the people's congresses above the county level are elected indirectly, that is, by the people's congress at the immediately lower level. A competitive election system is adopted in both direct and indirect elections in accordance with the law. The electors and the electoral units have the power to recall or replace deputies they have elected according to the procedures prescribed by law. At present, there are more than 2.8 million deputies to the people's congresses at all levels nationwide, and they are from various ethnic groups, trades, social strata and political parties and therefore highly representative. The deputies from workers and farmers account for a considerable proportion of deputies to people's congresses at different levels. For instance, worker and farmer deputies account for 18.4 percent of the total number of deputies to the 10th NPC. To ensure that state power is truly in the hands of the entire people, the deputies must convey and represent the interests and will of the people when exercising their functions and powers. They have the right to propose bills, examine and discuss bills and reports, and vote on bills in accordance with the law, and may not be held legally

liable for the speeches or votes at the meetings of the people's congresses.

The Chinese Constitution and law stipulate that the term of office of each NPC and each of local people's congresses at various levels is five years, and the NPC meets in sessions once a year, and local people's congresses at various levels meet at least once a year. The Election Law of People's Congresses also prescribes that the number of deputies to each NPC shall not exceed 3,000. Since the number of deputies to the NPC is fairly large and makes it inconvenient to hold frequent meetings, the NPC Standing Committee is established in accordance with the stipulation of the Constitution to exercise the functions and powers of the highest organ of state power when the NPC is not in session. Standing Committees have also been established by local people's congresses at and above the county level. The members of the Standing Committee of the NPC and standing committees of the local people's congresses at and above the county level are elected from among the deputies to the people's congresses in competitive elections, and for the same term as the NPC and local people's congresses at the corresponding levels.

The people's congresses and their standing committees pursue a democratic style of work, draw on the wisdom of all deputies, and represent and convey the will and basic interests of the people. The principle of absolute majority is observed when the people's congresses and their standing committees vote on bills, that is, a bill can only be adopted by the agreements of more than half of the total number of members. Amendments to the Constitution are adopted by a vote of more than two-thirds of all the deputies to the NPC. The people's congresses have four main functions and powers: legislation, supervision, appointment and removal of officials, and making decisions on major issues. These functions are a major reflection of the way the Chinese people exercise their power as masters of the state through the system of people's congress.

The Political Party System with Chinese Characteristics

What kind of political party system to adopt is determined by the

nature of the country, the national conditions, as well as the demands of national interests and social development. The political party system China has adopted is multi-party cooperation and political consultation under the leadership of the CPC, which is different from both the two-party or multi-party competitions system of Western countries and the one-party system practiced in some other countries. This system was established and has been developed during the long-term practice of the CPC and democratic parties in the course of the Chinese revolution, construction and reform. It is a result of the united struggle of the CPC and the democratic parties through thick and thin and is a basic political system in contemporary China.

The salient characteristics of China's political party system are: multiparty cooperation under the leadership of the CPC, with the CPC holding power and the democratic parties participating fully in state affairs. These democratic parties are close friends of the CPC. They unite and cooperate with the latter in their participation in state affairs, instead of being opposition parties or out-of-power parties. They participate in the exercise of state power, the consultation in fundamental state policies and the choice of state leaders, the administration of state affairs, and the formulation and implementation of state policies, laws and regulations. The Chinese People's Political Consultative Conference (CPPCC) is an organization of the patriotic united front of the Chinese people. It is an important organ of multi-party cooperation and political consultation under the leadership of the CPC, and an important instrument of democracy in the country's political life.

The increasing importance of the system of multi-party cooperation and political consultation under the leadership of the CPC in the state's political and social life can be specified as follows:

One, political consultation between the CPC and the democratic parties and personages without party affiliation has been gradually institutionalized and standardized. The CPC Central Committee routinely

invites leaders of the democratic parties and representative personages without party affiliations to consultative conferences, small scale meetings and forums at which CPC leaders inform the participants of major events, hear their opinions and suggestions, and discuss state affairs with them.

Two, members of the democratic parties and personages without party affiliation play an important role in the people's congresses. Members of the democratic parties and personages without party affiliation hold an appropriate proportion in the deputies to the NPC, the Standing Committee and the special committees of the NPC. Through their activities in the people's congresses, they reflect the wishes of the people, participate in decision-making on major state issues and in the formulation of laws, and supervise the work of the government. In 2003, when a new term of office began, 1 76,000 members of the democratic parties and personages without party affiliation were elected deputies to the people's congresses at various levels nationwide. Among them, seven are vice chairpersons of the NPC Standing Committee and 50 are members of the NPC Standing Committee; 41 are vice chairpersons of the standing committees of provincial-level people's congresses and 462 are members of such standing committees; and 352 are vice chairpersons of the standing committees of municipal-level people's congresses and 2084 are members of such standing committees.

Three, members of the democratic parties and personages without party affiliation hold leading positions in governments and judicial organs at various levels. Among them, 19 held leading posts in the Supreme People's Court, the Supreme People's Procuratorate as well as the various ministries and commissions under the central government; 27 served as deputy governors, vice chairpersons or deputy mayors in the 31 provinces, autonomous regions and municipalities on the mainland of China; 354 served as deputy mayors in the people's governments of 397 cities (prefectures, leagues or districts); 19 were vice presidents of courts or deputy chief procurators of procuratorates at the

provincial level; and 87 were vice presidents of courts or deputy chief procurators of procuratorates at the prefecture level. By October 2007, tens of thousand of non-CPC personages have been involved in the administration of state affairs. Engaging in mutual support with CPC officials, they play a significant role in the organs of state power.

Four, members of the democratic parties and personages without party affiliation play an important role in the CPPCC. As deputies to the CPPCC, members of the democratic parties and personages without party affiliation can air their opinions, put forth bills and motions, and participate in the administration and discussion of state affairs. They also hold a fairly big proportion in the members, standing committees members and leaders of the CPPCC at various levels. The latest CPPCC election, held in 2003, saw 337,000 members of the democratic parties and personages without party affiliation elected CPPCC members at various levels nationwide. About 60.1 percent of the members of the 10th CPPCC National Committee and 65.2 percent of the members of its Standing Committee were members of the democratic parties and personages without party affiliation; and of 24 vice chairpersons of the 10th CPPCC National Committee, 13 are members of the democratic parties and personages without party affiliation.

Five, members of the democratic parties and personages without party affiliation exercise democratic supervision over the work of the party in power through diversified channels and means. In recent years, government departments and judicial organs have appointed members of democratic parties and personages without party affiliation as special inspectors, invited and organized members of democratic parties and personages without party affiliation to examine the work style of the CPC, and to take part in other special checks and supervision over law enforcement, thus further opening up the channels of, and constantly strengthening, democratic supervision.

Six, members of the democratic parties and personages without

party affiliation actively participate in the country's reform and opening-up and modernization drive, and make suggestions to promote the reunification of the motherland and overall social progress. Since 1989, the central committees of the democratic parties have submitted to the CPC Central Committee, the State Council and departments concerned nearly 180 important proposals on the overall work of the CPC and the state, as well as on issues that are key to the national economy and the people's livelihood, especially the two major tasks of economic construction and peaceful reunification, on the basis of investigations they have conducted, and their local organizations have submitted more than 80,000 proposals and motions. Many of the proposals and motions have been adopted. The local organizations of the democratic parties at various levels have devised more than 40,000 consulting programs, run more than 1,000 schools of various kinds and trained about 3 million people in various special skills.

In February 2005, the CPC promulgated the "Opinions of the CPC Central Committee on Further Strengthening the Building of the System of Multi-Party Cooperation and Political Consultation Under the Leadership of the CPC," which, on the basis of summing up historical experience and successful operations in multi-party cooperation and political consultation, further clarified the principles, contents, ways and procedures of the system of multi-party cooperation and political consultation, and pointed the direction for improving the socialist political party system with Chinese characteristics.

The System of Ethnic Regional Autonomy

To solve the problems of ethnic groups, different systems have been adopted by different multi-ethnic countries around the world, and what China practices is the system of ethnic regional autonomy. Ethnic regional autonomy means that, under the unified leadership of the state, organs of self-government are established for the exercise of autonomy

and regional autonomy is practiced in areas where people of ethnic minorities live in compact communities. The system of ethnic regional autonomy is a basic political system of China.

In accordance with the Constitution and the law on ethnic regional autonomy, the organs of self-government of ethnic autonomous areas are the people's congresses and people's governments of autonomous regions, autonomous prefectures and autonomous counties. In addition to exercising the functions and powers of local state organs at the corresponding level, they also exercise the power of autonomy. First, independently managing the internal affairs of their ethnic groups in their autonomous areas. Among the chairpersons or vice chairpersons of the standing committees of the people's congresses of all 155 autonomous areas in China, there are citizens of the ethnic group or groups exercising regional autonomy in the area concerned. The chairperson of an autonomous region, the prefect of an autonomous prefecture and the head of an autonomous county are all citizens of the ethnic group or groups exercising regional autonomy in the area concerned. In the working departments of the self-government organs in these autonomous areas, a rational proportion of officials from the ethnic group or groups exercising regional autonomy as well as members of other minorities living in the area concerned are appointed in accordance with the law. At present, minority officials total more than 2.9 million nationwide. Second, having the power to formulate regulations on the exercise of autonomy and separate regulations. Third, using and developing their own spoken and written languages. At present, 22 ethnic minorities in China use 28 written languages of their own. Now available are coded character sets, national standards for fonts and keyboards in the Mongolian, Tibetan, Uyghur, Korean and Yi languages, software in these languages can be run using the Windows system, and laser photo-typesetting in these languages has been realized. Fourth, respecting and protecting the freedom of religious belief of ethnic minorities. In addition, regional

autonomous areas have the right to preserve or reform their own folk ways and customs, independently arrange, manage and develop the economic construction of the locality concerned, independently manage local revenues, and independently develop undertakings of education, science and technology, culture, public health and sport.

The state assists ethnic autonomous areas to accelerate their economic and social development through various measures. Primarily they are: giving strategic prominence to speeding up the development of ethnic autonomous areas, giving priority to, and rationally allocating, infrastructure construction projects in these areas, strengthening financial input and support to these areas, attaching importance to ecological and environmental protection in these areas, adopting special measures to help these areas develop education, science and technology, augmenting assistance to impoverished habitats or ethnic minorities, expediting input into the social undertakings in these areas, helping them open wider to the outside world, pairing them up with more developed areas for support, and attending to the special needs of ethnic minorities in their life and work. From 2000, when the grand strategy for development of western China was adopted, to the end of 2004, 60 key projects, involving transportation, energy, education, public health and environmental protections, had been launched in succession. All the five autonomous regions, 27 autonomous prefectures, and 83 of the 120 autonomous counties are covered in the strategy. Assisting the ethnic minority areas to accelerate their development has been listed as a major task in the state's "Seven-year Program for Delivering 80 Million People from Poverty" and "Outline for Poverty Alleviation and Development in China's Rural Areas," as well as in the pairing-off assistance between the more-developed east coast and the western regions, the "National Project of Compulsory Education in Poor Areas," the "Food and Clothing Fund for Impoverished Ethnic Minority Areas," "The National Natural Forest Protection Project" and the "Broadcast and TV to Every Village Project."

The state has made special arrangements for the development of Tibet. From 1994 to 2001, 30 projects were constructed there, with 3.9 billion Yuan in total investment directly from the Central Government. During the 10th Five-Year Plan (2001-2005), the Central Government has invested 31.2 billion Yuan in Tibet to construct 117 projects.

With the energetic assistance and support from the state and the more developed areas, the ethnic autonomous areas have fully exploited their own advantages and maintained a sound situation featured by economic growth, political stability, social progress and harmony between ethnic groups. The successful implementation of the system of regional autonomy for ethnic minorities has enabled the ethnic minorities to manage their own affairs in accordance with the law and participate in the democratic management of state and social affairs. It has also ensured that all ethnic groups in China, whether their populations are big or small, enjoy equal economic, political, social and cultural rights and work together to safeguard the unification of the country and the unity of the ethnic groups and fight against any attempts to split the country and destroy national solidarity, thus form among them harmonious relations characterized by mutual support, mutual help, striving in unison and common prosperity.

Grassroots Democracy

Expanding the scope of grassroots democracy is an inevitable trend and the important base for the improvement and development of political democracy with Chinese characteristics. Along with China's development and progress, the scope of grassroots democracy in urban and rural areas has been expanding continuously, with more channels for citizens' orderly political participation and ever-increasing ways to realize democracy. China has now established a grassroots democratic self-government system, which mainly includes the rural villagers' committee, urban neighborhood committee and the conference of workers and staff

in enterprises. In these grassroots mass organizations of self-government in urban and rural areas, the Chinese people directly exercise their legal rights of democratic election, democratic decision-making, democratic management and democratic supervision, so that they can manage the public affairs and welfare undertakings of their grassroots organizations and communities by themselves. This has become the most direct and broadest practice of democracy in China today.

Building of Grassroots Political Democracy in Rural Areas

Among China's population of 1.3 billion, over 800 million are rural residents. So, it is an issue of great importance in China's building of political democracy to expand and develop rural grassroots democracy, so that the farmers can fully exercise their democratic rights as real masters in their villages. After years of exploration and practice, the CPC has led the hundreds of millions of Chinese farmers to find, in view of China's realities, an appropriate way to promote the building of grassroots political democracy in rural areas - villagers' self-government.

Self-government by villagers is a basic system by which the broad masses of the rural people directly exercise their democratic rights to run their own affairs in accordance with the law and carry out selfadministration, self-education and self-service. Burgeoning in the early 1980s, developed in the 1980s and popularized in the 1990s, this system has become an effective way to develop grassroots democracy and improve the level of governance in rural China.

The Chinese Constitution prescribes the legal status of the villagers' committee as a mass organization of rural grassroots self-government. The Law of the People's Republic of China on Organizations of the Villagers' Committees expressly specifies the nature, functions, procedures of establishment, term of service and other issues related to villagers' committees to ensure the healthy development of grassroots democratic self-government in rural areas. The implementing rules of the Law on

Organization of the Villagers' Committees or the measures of election of villagers' committees have been enacted or revised in 31 provinces, autonomous regions and municipalities directly under the central government on the mainland of China, which provides a more specific legal guarantee for the villagers' self-government. Democratic election, democratic decision-making, democratic management and democratic supervision are the major contents of villagers' self-government.

According to incomplete statistics, the average participation rate in such elections is above 80 percent in rural China, with some places even boasting over 90 percent. As situations differ greatly from place to place in the rural areas of China, the villages vary in size and it is especially difficult to organize and hold a meeting of villagers to make a decision in big villages with villagers scattered around a wide area, the problem is solved by holding meetings of villagers' representatives. To date, 85 percent of the villages in China have established the system of villagers' meetings or villagers' representative meetings for democratic decisionmaking. More than 80 percent of the villages in China have enacted villagers' self-government rules or villagers' code of conduct and established systems of democratic financial management and auditing, and for village affairs management.

The successful experience of villagers' self-government is a great creation of hundreds of millions of Chinese farmers led by the CPC in developing socialist political democracy with Chinese characteristics. The promotion of rural grassroots democracy and the practice of villagers' self-government have greatly aroused the enthusiasm of the broad masses of rural people to act as the masters of their own affairs, enhanced their creativity and sense of responsibility, thus opening up a new chapter in the building of political democracy in rural China.

Building of Political Democracy in Urban Communities

The urban neighborhood committee is a mass self-government

organization of urban residents in China for self-management, self-education and self-service. It is an important form of direct grassroots democracy in Chinese cities.

After the founding of New China, neighborhood committees were set up in cities all over the country to make urban residents carry out democratic self-government over public affairs in their residential areas. In 1982, the system of urban neighborhood committee was, for the first time, written into the Constitution of the People's Republic of China. The Law of the People's Republic of China on the Organization of Neighborhood Committees in the Cities, enacted by the NPC Standing Committee in 1989, provides the legal basis and institutional guarantee for the development of urban neighborhood committees. In 1999, the state experimented with community building in 26 municipal districts, and then activities for community building demonstration were held all over the country. At present, urban community building is spreading from selected places to wider areas, from large cities to medium-sized and small cities, and from eastern to western areas. To improve the level of urban residents' self-government, a new type of urban communities with well-organized management and services as well as a pleasing environment and harmonious neighborhood relationships are being built throughout the country.

Like rural villagers' self-government, the major contents of the urban residents' self-government are also democratic election, democratic decision-making, democratic management and democratic supervision. In terms of democratic election, the form of election has developed from candidate nomination to self-nomination, from nominating one candidate for election to each post to multi-candidate election, and from indirect election to direct election, breaking down the limitations on place and status, and continuously enhancing the degree of democracy. In recent years, direct elections have been promoted vigorously in urban communities. A survey made by the government department concerned on the 26 experimental urban locations shows that the urban community

residents participate actively in the direct elections of neighborhood committees and over 90 percent of them turn out to vote. As a result of the direct elections, neighborhood committee members have tended to become younger, better educated and more professional. In terms of democratic decision-making, the residents of a community, as the mainstay in this respect, exercise their decision-making power by holding residents' meetings, forums, hearings and through other effective forms and channels. In the aspect of democratic management, the neighborhood committees work within the framework of law, standardize their work according to the community residents' self-government rules and regulations, in an effort to make the residents more conscious of being the masters of their own affairs and concerned about public affairs in the community. In the aspect of democratic supervision, the neighborhood committee practices open management; all issues of public concern, difficult problems and important matters involving the residents' interests are made public to the residents in a timely manner and subject to their discussions, comments, suggestions and supervision.

Building of the System of Conference of Workers and Staff

The conference of workers and staff is a basic system ensuring the democratic management of an enterprise or public institution by its workers and staff members. In China, this democratic right as masters of an enterprise or public institution enjoyed by all the members of an enterprise or public institution is largely exercised through the system of conference of workers and staff.

This conference system was adopted in the publicly owned enterprises after the founding of New China, and was widely promoted in the whole country after 1957. There are related stipulations on the system of conference of workers and staff in China's Constitution, the Law on Industrial Enterprises Owned by the Whole People, the Labor Law, the Trade Union Law, and the Regulations Concerning the Conference of

Workers and Staff in Industrial Enterprises Owned by the Whole People.

The conference of workers and staff enjoys broad mass support in China, and among its representatives are not only workers but also technological staff, managerial personnel and other members. It can represent all workers and staff in the democratic management of an enterprise. While the conference is in recess, the committee of the trade union of the enterprise will function as its work organ and take care of the day-to-day work of the conference. Since 1998, the system of making factory affairs public has been adopted in state-owned enterprises, collective enterprises and the enterprises whose equities are controlled by the two, and has also been extended to non-publicly owned enterprises. Now, 52.8 percent of the publicly owned enterprises with trade union organizations have set up conferences of workers and staff, covering 35.026 million employees and accounting for 72.9 percent of the employees in publicly owned enterprises with trade union organizations; 32.6 percent of the non-publicly owned enterprises with trade union organizations have introduced the system of conference of workers and staff, covering 27.87 million employees and accounting for 46.7 percent of the employees in non-publicly owned enterprises with trade union organizations.

Since the reform and opening-up policies were instituted, the conference of workers and staff and other forms of democratic administrative system have been playing an irreplaceable role in democratic management, coordinating labor relations, guaranteeing and safeguarding the legitimate rights and interests of the employees and promoting reform, development and stability in enterprises and public institution. The state will continue to adhere to the principle of running enterprises by depending on the workers and staff wholeheartedly. With the deepening of the reform and opening-up, the state will make great efforts to promote the establishment and improvement of democratic management systems in enterprises and institutions under all forms of ownership and take practical measures to tackle salient problems in these respects,

so as to ensure that the employees really enjoy their democratic rights and legitimate rights and interests.

New Chapter in China's Human Rights Development

In March 2004, an Amendment to the Constitution was adopted by the Second Session of the Tenth National People's Congress, which included the statement "the State respects and safeguards human rights" in the Constitution, this ushering in a new chapter in the progress of China's human rights undertakings.

The Peoples Rights to Subsistence and Development Are Guaranteed

The CPC focuses on economic construction and has made tremendous efforts to realize the people's rights to subsistence and development. After more than 50 years of hard work, two great historical leaps have been accomplished in people's life - from being poverty-stricken to having enough food and clothing, and then to reaching the moderate well-off stage. China has successfully solved the problem of feeding 22 percent of the world's population with just 7 percent of the world's arable land. From 1979, China's economy has kept growing rapidly, its GDP soared from US\$ 451.8 billion in 1980 to 2000.94 billion in 2006, the first time in Chinese history that average GDP exceeding US\$ 2000. The annual per-capita income of both urban and rural residents, and the average housing space per person increased sharply. The rural poverty-stricken population went down year by year. The Chinese people's overall health level has surpassed the average of countries with a medium level of income, leading most developing countries in this aspect. In recent years, the Chinese government has promulgated and implemented a series of regulations and measures, such as the

National Plan for the Construction of an Information System for Public Health Monitoring and the National Plan for the Construction of a System for Medical Rescue and Treatment in Public Health Emergencies, thus greatly strengthening the protection of citizens' rights to health and life.

Citizens Civil and Political Rights Are Guaranteed

China's Constitution and law protects citizens' rights to freedom of religious belief, of speech, of the press, and of association. Citizens' rights to property, reputation, personal name, honor, personal dignity and personal safety as well as the right to keep one's residence from encroachment are also acknowledged and protected. China has set up and improved an open information system and other related systems to ensure that the citizens enjoy full democratic rights to information, supervision and participation in public affairs. The state actively encourages the development of the press and publishing undertakings. In recent years, the Internet has developed with a great momentum in China, and by January 2006, the amount of Internet users had exceeded 111 million, including 64.3 million broadband users. The state respects and protects citizens' freedom of religious belief, and guarantees that the legitimate rights and interests of religious adherents and religious groups, and venues for religious activities are not violated. By incomplete statistics, up to now, China has over 100 million religious adherents, about 300,000 members of the clergy, and more than 100,000 venues for religious activities. The state guarantees that citizens have the legal freedom of association. By the end of 2006, there were over 354,000 NGOs of various types, including 192,000 social organizations, 161,000 private non-enterprise units and 1144 foundations playing an very active role in political affairs, economy, culture and other social undertakings.

People s Economic, Social and Cultural Rights Are Guaranteed

In recent years, the state has taken various measures to solve the

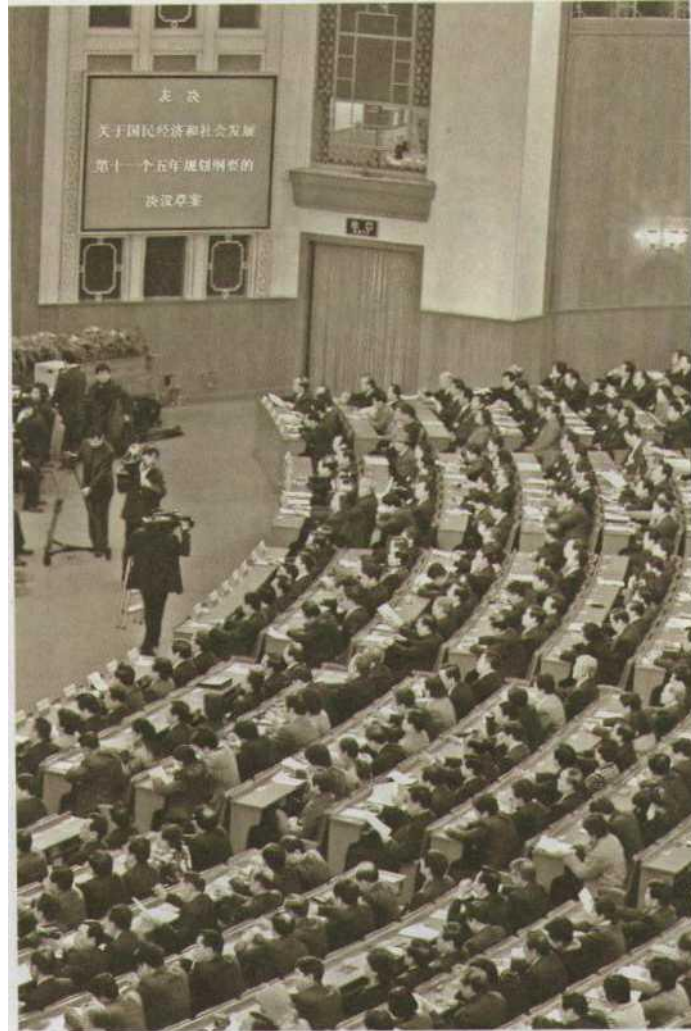
problems of employment and re-employment, stepped up efforts in the establishment of a social security system, increased support to education, science and technology, culture, public health and other social undertakings, and striven to ensure that citizen's economic, social and cultural rights are guaranteed. China has basically universalized nine-year compulsory education and eradicated illiteracy among young and middle-aged people. In 2006, there were 25 million students in institutions of higher learning in China, bringing the gross enrollment ratio for higher education to 22 percent. By the end of 2006, the numbers of urban people taking out policies of basic pension insurance, unemployment insurance, medical insurance and industrial injury insurance had reached 22.409 million (10.28 million households), and 15.091 million in rural areas of 7.434 households. The government has made continuous efforts to strengthen the protection of the legitimate rights and interests of migrant workers from rural areas, and formulated the Provisional Measures for the Management of Payment of Wages to Migrant Construction Workers from Rural Areas in 2004, which provided for an overall clearing-up and settlement of defaults on payment of project fees as well as wages of migrant construction workers from rural areas.

The Legitimate Rights and Interests of the Special and the Underprivileged Groups of People Are Guaranteed

China has enacted the Law on the Protection of the Rights and Interests of Women, the Law on the Protection of the Rights and Interests of the Aged, the Law on the Protection of Minors and the Law on the Protection of the Disabled to provide special stipulations for the protection of special social groups, such as women, the aged and minors, and the underprivileged groups such as the disabled. Women's right to participate in the management of state affairs is protected in China. Among the deputies to the NPC, women made up more than 20 percent of the total. At present, the scope of employment, pay for work and educational

level for women are basically the same as for men. As China is becoming an aging society, aged people receive special care from the government and society. There are 376 million people below the age of 18 in China, more than a quarter of the total population. The Chinese Government formulated "The Outline Plan for the Development of Chinese Children in the 1990s" in 1992 and "The Outline for the Development of Chinese Children, 2001 -2010," to promote the development of children in the aspects of health, education, legal protection and environment. There are 60 million disabled people in China, almost the population of an average medium-sized country. The government has adopted many measures to improve their life quality. Their employment ratio has steadily gone up. By statistics, by now, over 22 million disabled people are being employed in China.

After the 16th CPC National Congress, the CPC Central Committee and the State Council have attached great importance to the rectification of unhealthy trends that harm the interests of the people, taking it as a major content of economic, political, cultural, social and party construction. Significant plans and measures have been made for it. The disciplinary and supervision organs on various levels have firmly implemented the policies made by the Party Central Committee, taking the rectification of work style as a critical part throughout the economic and social development. By the people-centered principle, and putting people's life in a key position, the disciplinary and supervision departments have taken firm actions against erroneous trends of various kinds. Dealing with party members and cadres who violate disciplines and laws, the party disciplinary and supervision departments maintain intensifying pressure. By incomplete statistic, for the last five years, the party disciplinary and supervision departments have wound up 750 thousand cases and disciplined 6,812 persons.



"The 11th Five-year Program for the Development of National Economy and Social Advance" is passed on March 14, 2006, on the 4th meeting of the 10th National Congress.



After the 5th meeting of the 10th CPPCC, delegates are walking out of the People's Great Hall in Beijing. The multi-party cooperation under the leadership of the CPC and the political consultation system are part of the political foundation of the PRC.



In their holiday best, young people of the Bai nationality are celebrating the 50th anniversary of the founding of Dali Bai Autonomous Prefecture in Yunnan. The ethnic regional autonomy enables ethnic groups to exercise the power as the master of their homelands.



An election is being held in Zhichang Village, Heilongjiang Province, for the villagers' committee, an autonomous body to administrate village affairs. All the members of the committee are elected directly.

Mothers' group from Luomaqiao neighborhood, Jingdezhen City, Jiangxi Province, is doing an inspection round on streets to guard against fire. Neighborhood committees in cities are self-management and self-service bodies of urban people.



Democratic Rule: Fundamental Belief of the CPC

In its practice of ruling the country over the past five decades and more, the CPC has developed a series of important theories on, and established an institutional system of, democratic rule, and is actively exploring new ways and new methods of democratic rule. The sense of democracy among the CPC members has been continuously enhanced, and notable progress has been made to improve the democratic work style of Party officials at all levels. Democratic rule means that the CPC sticks to the principle of ruling the country for the people and relying on the people in its rule, guarantees that the people are the masters of the state, upholds and improves the people's democratic dictatorship and the democratic centralism of the Party and the state, and promotes people's democracy by enhancing inner-Party democracy. In September 2004, the Decision of the CPC Central Committee on the Enhancement of the Party's Governance Capability was adopted at the Fourth Plenum of the 16th CPC Central Committee. The document made democratic rule, scientific rule and rule in accordance with the law the three basic pillars of the Party in ruling the country, thus marking a new stage in strengthening the building of the Party's capacity of democratic rule and enhancing the level of its democratic rule.

Reforming and Improving the Leadership System and Working Mechanism

Leadership of the state and society by the CPC mainly refers to its political, ideological and organizational leadership, that is, the Party exercises leadership in line with its basic theory, program and line, by formulating major principles and policies, making suggestions on legislation, recommending cadres for important positions, conducting ideological education, and giving full play to the role of the Party

organizations and members.

In practice, the CPC sticks to scientific and democratic rule and rule in accordance with the law, constantly reforms and improves the leadership system and working mechanism, and, acting on the principle that the ruling party commands the overall situation and coordinates the efforts of all quarters, standardizes relations between Party committees and the people's congresses, the governments, the CPPCC organizations as well as the mass organizations. The Party committees, playing the role as the core of leadership over all other organizations at corresponding levels, support these organizations in assuming their responsibilities independently and making concerted efforts in their work, and make sure that the Party's line, principles and policies as well as major decisions and work arrangements of Party committees are implemented through the Party organizations and Party members in these organizations. At the same time, Party committees support the people's congresses in carrying out their functions as organs of state power in accordance with the law, ensuring that the Party's views become the will of the state and that candidates recommended by the Party organizations become leading cadres of the organs of state power through democratic discussions and legal procedures, and exercising supervision over them. They support the governments in fulfilling their statutory functions and performing their official duties in accordance with the law; support the judicial organs and procuratorial organs in exercising their judicial and procuratorial authorities independently and justly in accordance with the law; support the CPPCC committees in performing their functions of political consultation, democratic supervision and participating in the administration and discussion of state affairs by focusing on the two major principles of unity and democracy; strengthen cooperation with the democratic parties and bring into full play the characteristics and advantages of China's socialist political party system; and support the trade unions, Communist Youth League organizations, women's federations and other

mass organizations to work independently in accordance with the law and their respective constitutions so as to act better as a bridge and link between the Party and the masses of all walks of life.

Developing Inner-Party Democracy

Promoting people's democracy by improving inner-Party democracy is an important component of the CPC's democratic rule. Since the 16th CPC National Congress, the Party Central Committee, with Comrade Hu Jintao as the General Secretary, put forward new requirements on the party building to meet the new situation and for the new tasks the Party is undertaking. Promotion of the inner-Party democracy building is a crucial task in maintaining the advanced nature of the Party. The inner-Party democracy is developed actively with a spirit of reform. Progress is made both in theory and practice.

Making efforts to establish and improve a mechanism to guarantee the democratic rights of Party members. In September 2004, the CPC Central Committee promulgated the revised regulations on the Guarantee of the Rights of CPC Members, which on the basis of the rights and obligations prescribed in the Constitution of the CPC and by summarizing the new experience gained in developing inner-Party democracy, improves the procedures for CPC members to exercise their democratic rights, thus further institutionalizing and standardizing the experience of such rights.

Improving and perfecting the system of Party congress. The CPC has established the system of congress in its organizations at and above the county level. The national congress and the congresses of the provinces (autonomous regions and municipalities directly under the central government), cities divided into districts, autonomous prefectures, counties (banners), autonomous counties, cities not divided into districts, and municipal districts are held once every five years. To give full scope to the Party congresses at all levels, since the end of the 1980s, the CPC

has tried out the system of permanent Party congress in 12 cities, counties and urban districts in five provinces, with satisfactory results. The CPC Central Committee has decided to adopt the system of motion-raising by Party congress delegates, extend the experiment with the system of permanent Party congress to more cities and counties, and actively explore ways and forms that can give better play to the role of delegates when Party congress are not in session.

Giving full play to the role of plenary session of Party committees. In accordance with the principle of collective leadership, democratic centralism, individual consultation and decision-making by meetings, the CPC endeavors to improve the rules of procedure and the decisionmaking mechanism within Party committees, with priority given to strengthening the role of plenary sessions of Party committees at all levels. At the third, fourth and fifth plenums of the 16th CPC Central Committee, General Secretary Hu Jintao of the CPC Central Committee, on behalf of the Standing committee of the Political Bureau, delivered a work report to the Central Committee. This represented a significant move taken by the new generation of the central collective leadership to give better play to the role of the plenum. Leaders of local Party committees at all levels now, at the requirement of the CPC Central Committee, report on their work to and accept the supervision of the plenums of the Party committees at the corresponding level.

Reforming and improving the inner-Party election system. The CPC has constantly reformed and improved the method of candidacy nomination in inner-Party elections, and the nominations by Party organizations and Party members are combined in democratic recommendations. The ratio in competitive elections has been raised appropriately and the scope of direct elections for leaders of grassroots Party organizations has been gradually expanded. Over 300 districts and townships in the country have conducted direct elections for their leading groups. The successful holding of the 17th CPC National

Congress is a big event in China's political life, also being a window for the outside world to gain knowledge about the political trend in China. To increase inner-Party democracy, the election for the delegates to the 17th CPC National Congress has adopted several new measures. When a delegate was being elected, the ratio for a competitive election was bigger, commonly over 15 percent, five percent increase from that of the 16th CPC National Congress. Each election organization made it public the information about a candidate, for the supervision from Party members. Before provinces, autonomous regions and municipalities finalized their preparatory candidates, democratic parties and non-party personages were consulted for their opinions. Many places established hot lines for feedback. Any question collected from the masses was examined thoroughly and less qualified candidates were replaced timely. Different from any practice before, the delegates, all elected by strict observance of rules and procedures, were made public two month prior to the conference. If a candidate was less than a year in the current unit, the examination was extended to his previous working unit. The CPC Central Committee International Relations Department and the Party Central Committee Disciplinary Commission, both had been mysterious to foreign media, were made public for the first time. All these practices have exhibited a more democratic, open and transparent CPC in power.

Establishing and improving the mechanism of inner-Party supervision. In December 2003, the CPC Central Committee promulgated the Regulations on Inner-Party Supervision of the CPC (trial version), which for the first time and in the form of inner-Party code, makes comprehensive provisions concerning the focus, ways, methods and other major issues regarding inner-Party supervision. In the same month, the CPC Central Committee promulgated the revised regulations of the CPC on Disciplinary Punishments, which specifies the punishments for all breaches of discipline by Party members in the new situation.

Expanding Democracy in Cadre and Personnel Work

Over the years, the CPC has continuously reformed its cadre and personnel system and intensified efforts to make its cadre and personnel work more scientific, democratic and institutionalized.

First, establishing and improving a scientific mechanism for selection, appointment, management and supervision on cadres. In 2002, the CPC Central Committee issued the Regulations on the Work of Selecting and Appointing Leading Party and Government Cadres, which contained comprehensive provisions on all links in selecting and appointing leading cadres, thus further improving work in this regard.

Second, introducing the system of open selection and competition for leading posts. The Regulations on the Work of Selecting and Appointing Leading Party and Government Cadres, as well as the Provisional Regulations on the Open Selection of Leading Cadres of the Party and Government and the Interim Provisions on the Work of Competition for Posts in the Party and Government, both of which were issued by the General Office of the CPC Central Committee in 2004, all included clear provisions on the scope of application, procedure of selection, and methods of examination and review, discipline and supervision regarding open selection and competition in this field, thus making the work more regularized and institutionalized.

Third, improving the mechanism of democratic decision-making by Party committees regarding the selection and appointment of cadres. On the basis of summing up past experience, the Voting Methods for the Plenum of CPC Local Committees Concerning Candidates Nominated and Recommended as Head of a Party Committee or Government of an Immediate Lower level, issued by the CPC Central Committee in 2004, clearly stipulates that the would-be head of a Party Committee or government of a city (prefecture, league) or county (county-level city, district or banner) shall be, in usual circumstance, nominated by the standing

committee of the Party committee at a higher level and submitted to the plenum of the said Party committee for a secret vote. If an urgent appoint is needed while the plenum concerned is not in session, the plenum members shall be consulted.

Fourth, introducing the civil service system. Since the Provisional Regulations on Civil Servants of the state was put into effect in October 1993, a large number of outstanding young talented people with higher education have been recruited as civil servants through open examination and selection. In April 2005, the Law of the People's Republic of China on Civil Servants was deliberated and adopted by the NPC Standing Committee, and announced to take effect as of January 2006. The implementation of this law symbolizes an important step forward in pursuit of a scientific, democratic and institutionalized practice for cadre and personnel work, and has a great bearing on the execution of the strategy of ruling the country by law and the building of socialist political democracy.

Tightening Restraints and Supervision over the Use of Power

With the goal of establishing a mechanism for the exercise of power featuring a rational structure, scientific disposition, rigorous procedures and effective restraint, the CPC has combined reinforcing the building of the system of restraint over power with effective supervision over cadres. First, it has augmented supervision over leading organs and cadres, especially principal ones in leading bodies at all levels. The supervision covers the implementation of democratic centralism and the rules of procedure for leading bodies, and the implementation of the system under which leading cadres report on major matters, their work and their efforts to perform their duties honestly and the system of democratic appraisal, instruction and admonishment, and the system that requires leading cadres to reply to letters of inquiry from Party organizations. Second, it has beefed up supervision over the use of power at key links and sectors, such as the selection and

appointment of cadres, the supervision of funding operation and the oversight of state-owned assets and finances. Third, it has given full scope to various supervision bodies to raise overall efficiency. This means strengthening inner-Party supervision, and supporting and guaranteeing supervision by the people's congresses, special government organs and judicial departments, democratic supervision by CPPCC organizations and the supervision of public opinion.

After long-term unremitting efforts, the CPC has developed a set of systems, mechanisms and methods to restrict and monitor the exercise of power, building a clean government and combat corruption, which is in accordance with the national condition. In January 2005, the CPC Central Committee promulgated the Implementation Outline for Building and Improving the System to Punish and Prevent Corruption with Equal Stress on Education, System and Supervision, which represents an overall arrangement in line with the principle of addressing both the symptoms and the root causes of corruption, taking comprehensive measures to rectify both and trying both methods of punishment and prevention, with priority given to the latter.

Since the 16th CPC National Congress, led by the Party Central Committee and the State Council, disciplinary and supervision organs on various levels have wound up a number of big cases. The Party's disciplines are enforced and organizations purified. The punishments meted out, besides effectively deterring corrected people, tremendous elevated people's and the Party members' awareness of a clean government. As a result, apart from the Party's increased fighting ability, there is a very nice political, economic and social result.

Building a Democratic Government of the People

The Chinese government is the government of the people. The fundamental purpose of the entire work of the Chinese government is to

serve the people, be responsible to the people and support and guarantee the people's rights as the masters of the state.

Promoting Administration in Accordance with the Law

In November 1999, the State Council promulgated the Decision on Pushing Forward Administration by Law in an All-Round Way, and identified the tasks and requirements with regard to administration by law. In March 2004, it issued the Implementation Outline for Pushing Forward Administration by Law in an All-Round Way, and announced the goal of basically realizing a law-abiding government in 10 years. On July 1, 2004, the Law of the People's Republic of China on Administrative Licensing went into effect. Under the principle of "rational and legal, efficient and convenient for the people, and supervision and responsibility," the law sets a series of principles and systems for administrative licensing, and, while requiring the government to administer according to law, highlights the major contents of democracy in the government's exercise of power.

Strengthening the legislation work of the government. Since 1978, the State Council has submitted to the Standing Committee of the NPC several hundred bills for deliberation according to law, formulated more than 650 administrative regulations that are still in effect today. In recent years, the Chinese government has persisted in putting the people first and governing for the people, set great store by legislation directly related to the immediate interests of the people, and promoted the coordinated development of economic and social undertakings in an allround way. The State Council has submitted to the NPC Standing Committee a number of bills for deliberation, including the Production Safety Law (draft), the Law on Prevention and Treatment of Infectious Diseases (revised draft) and the Law on Civil Servants (draft), promulgated or amended such administrative regulations as the Regulations on Unemployment Insurance, the Regulations on Guarantee of Minimum

Subsistence Allowances for Urban Residents, the Regulations on Labor Security Supervision, the Regulations on Religious Affairs, the Regulations on Industrial Injury Insurance, the Methods on the Aid to and Management of Indigent Vagrants and Beggars in Cities, the Regulations on Marriage Registration, the Regulations on Legal Aid, and the Regulations on the Implementation of the Law on Road Traffic Safety. The care shown for disadvantaged people is fully reflected in such legislation, showing the government's humanistic concern in administration. In 2005, once again the State Council amended and promulgated the Regulations on Letters of Petition and Personal Petition, which protects in accordance with the law the rights of citizens to criticism, suggestion, appeal, accusation and impeachment, emphasizes the responsibilities of the government departments in charge, and gives prominence to the spirit of "unification of power and responsibility, open operation to facilitate petitioning and guarantee of the rights of citizens."

Improving administrative enforcement of the law. The Chinese Government stresses exercising powers and functions strictly in line with the legal limits of authority and legal procedures, introduces in an allround way the responsibility system in administrative enforcement of law, strictly investigates and affixes the responsibility for mistakes in law enforcement, constantly strengthens the law enforcers' sense of administration in accordance with the law, and reduces and eventually eliminates acts of enforcing law at liberty. In the course of enforcing the law, attention has been placed on protecting the legitimate rights and interests of the parties concerned and the parties of interest, and on resolute rectifying misconduct that encroaches on the interests of the people, abuse of power for personal gain and other breaches of the law, so as to ensure that the laws are enforced in a strict, just and civilized manner. Over the past few years, the government has made sincere efforts to rectify illegal administrative acts of infringements on people's rights in the work of demolition and relocation in cities and land expropriation

and requisition in rural areas.

Improving the systems of administrative supervision. While accepting the supervision of the NPC and CPPCC, judicial organs, public opinion and the masses, the Chinese Government has established and improved a set of systems of administrative supervision. The first is the system geared to tracking down the responsibility for erroneous administrative decision. Based on the principle of "he who makes the decision will be held responsible," where massive losses are caused because of stepping beyond the bounds of one's power or because of violation of procedures, the decision-makers shall be held strictly accountable. The second is the introduction of the system of affixing administrative responsibilities, under which government officials are held responsible if their administrative conduct violates the law. The third is the implementation of the administrative review system and the filing and examination system of regulations and regulatory documents so as to promptly and effectively ensure that subordinate departments and governments act in accordance with the law. The fourth is strengthening supervision by auditing and monitoring organ. The National Audit Office is empowered to conduct careful auditing of the implementation of the central financial budget and other financial revenues and expenditures before making relevant reports to the NPC Standing Committee and the State Council, and make penalty decisions for the violation of financial laws and regulations. China decided in 2005 to enlarge the auditing of economic responsibilities to all leading cadres at department (bureau) level while continuing a similar practice among provincial-level (ministerial-level) officials.

Accelerating the Transformation of Government Functions

In line with the requirements of democratic administration, the Chinese government has accelerated its structural reform and the transformation of government functions, pressed ahead with innovations

in management structures and systems, with special focus on efficiency of administration, and striven to build a clean, efficient and pragmatic government.

First, defining the administrative functions of the government in accordance with the law. Guided by the principle that things that can be handled by citizens, legal persons or other organizations independently, or be regulated by the market competition mechanism, or be solved by industrial organizations or intermediaries through self-disciplinary mechanism, shall not be solved through administrative ways by administrative organs, the relations between government and enterprise, government and the market, and government and society have been rationalized gradually, and things that the government need not bother about shall be shifted to enterprises, the market or society correspondingly.

Second, deepening the reform of the system of administrative examination and approval. To solve the problem of excessive administrative examination, and approval and uproot corruption, the Chinese government has pressed forward with reform of administrative examination and approval comprehensively sorted out projects subject to administrative examination and approval, and scrapped or adjusted the examination and approval of such projects. From 2002 to 2004, the State Council eliminated or moderated 1,806 such projects in three batches. By the end of 2004, the number of projects that needed review and approval by State Council departments had been cut by 50.1 percent. In the meantime, local governments have also endeavored to streamline similar projects and standardize their conducts of examination and approval. The Chinese government will continue to deepen the reform of the system of administrative examination and approval, improve the examination and approval methods, and reinforce follow-up supervision and control, so as to build a scientific and rational mechanism of administrative management and supervision.

Third, strengthening social management and public services. The

Chinese government has made great efforts to improve its social management system and pattern, and maintain social order and stability to promote social justice. The State Council has promulgated 106 plans for emergency, including the Regulations on Response to Public Health Emergencies and the Regulations on Preventing and Dealing with Geological Disaster, worked out the State General Plan for Handling Public Health Emergencies, and is constantly improving its capacity to deal with all emergencies of various kinds. To make itself a better supplier of public services, the Chinese government is paying more attention to responding to the common demands of society, and gradually improving and completing its public policy and service system. In addition, it is shoring up financial support for education, science and technology, culture, public health and other social undertakings, and pushing forward the commercialization process of some public products and services in an active and steady way.

Making Decisions in a Scientific and Democratic Way

The Chinese government has kept reforming and improving its decision-making mechanism, made efforts in introducing a scientific and democratic practice in decision-making, and encouraged and expanded all forms of effective participation of the masses in government decisionmaking.

Establishing a system of open administration. The Chinese government requires its subordinate departments at all levels to make public their administrative affairs as far as possible, so as to enhance the transparency of government work and guarantee the people's right to know, participate in and supervise the work of the government. In particular, it requires schools, hospitals, as well as water, power, gas, public transportation and other public departments and units that are closely related to the people's interests to adopt the system of open administration in an all-round way. In recent years, the work of the government has become



A hearing about medical insurance to cover city people is being held in Zhengzhou, Henan Province. Hearings, a practice just a few years old, have become popular for anything related to the interests of people before it is decided. They are no longer limited to the price of daily necessities, but having covered governments' administrative decisions too.

more transparent with the establishment of government web sites and promotion of e-government, as well as the introduction and improvement of the system of press spokesmen and the mechanism of media reporting on emergencies. Now, the Chinese government is enacting regulations to enhance the transparency of government administration with the aim to provide institutional guarantees to standardizing open administration.

Increasing the public's participation in government legislation. By way of media publicity of drafts of laws and regulations, consultation and discussion with experts, seminars and hearings, the Chinese government has stepped up the practice of open government legislation to ensure the effective participation of the public in the work. On the basis of summing up past experience, the Implementation Outline for Pushing Forward Administration by Law in an All-Round Way has codified and improved relevant systems and mechanisms, so as to ensure that the wisdom of the masses and the will of the people are embodied in government.

Establishing a system of expert consultation, discussion and appraisal. When making important decisions, governments at all levels earnestly listen to and accept the opinions of experts. In recent years, the state has organized experts to complete several important strategic study reports on development, including the state medium-and long-term development plans for science and technology, the development plan for agricultural science and technology, the national strategy on sustainable development of water resources, and the plan for building a public health system, thus providing intellectual support for government decision-making. When formulating or revising administrative regulations, the State Council extensively solicits the opinions of experts, accepts their suggestions, and makes great efforts to ensure that the regulations are in accordance with reality and are practical.

Building a system of public hearing and publicity. Public hearing

and publicity are increasingly becoming a common practice adopted by governments at all levels when making decisions. The Law on Legislation, the Law on Price, the Law of Administrative Licensing, the Law on Administration of Toll Highway, and other rules and regulations include expressly specified provisions on public hearings. Some local governments have also worked out their own rules on hearings concerning administrative decision-making. In January 2002, the government departments concerned conducted a hearing on the "plan for government-guided pricing of some passenger train tickets", the first national hearing on an administrative decision in Chinese history, which attracted wide attention from the society. In recent years, several thousand hearings of various kinds have been held across the country, and the public's enthusiasm for participating in government decision-making is higher than ever before.

New Development of Judicial Democracy

China's judicial structure and system are important components of the country's system of socialist political democracy. Over the years, China has endeavored to build and improve its judicial system and working mechanism, strengthen the building of judicial democracy, and guarantee the legitimate rights and interests of citizens and legal persons through judicial justice, and realize social fairness and justice.

China has set up separate judicial organs and procuratorial organs under the people's congresses, and practices a judicial system with separation between judicial organs and procuratorial organs. The judicial system reveals the nature of the socialist system in which the people are the masters of the country, and also learns from the experience of other countries in their building of judicial systems. Chinese judicial organs use facts as the basis and law as the yardstick, and punish crimes in strict accordance with the law to protect the legitimate rights and inter

ests of citizens.

As the judicial organs of the state, the people's courts take judicial justice as the aim, reform and complete the trial system in line with the principle of independence in trial, and punish criminals and protect the people through trials; they practice the system of defense in criminal trial, attach importance to evidence, not give credence to confessions and see to it that the rights of the accused are protected. In civil trials, they pay attention to protecting the rights of the litigants and provide judicial guarantees for citizens to exercise their democratic rights and for litigants to enjoy their civil rights. In administrative trials, they protect citizens' legitimate rights from infringement by illegal conduct of administrative organs. In recent years, the people's courts have been constantly improving litigation procedures to protect legal rights and interests of citizens and legal persons, and truly solve the issue of difficulty in enforcement.

As the state organs for legal supervision, the people's procuratorates bear, in accordance with the law, the responsibility of cracking down on criminal offenses, investigating embezzlement, bribery, misconduct and infringement of the people's rights by state functionaries, as well as exercising legal supervision over lawsuits and safeguarding judicial justice and legal uniformity. With regard to the legal supervision over criminal lawsuits, they supervise in an all-round way the placing of cases on file, investigation, trial and execution of penalties, and give equal stress to both the extirpation of crime and the protection of human rights. In legal supervision over civil and administrative lawsuits, they protect the legitimate rights and interests of the parties on an equal footing, with priority given to cases of unjust judgments caused by serious violation of legal procedures, taking bribes and bending the law, and committing irregularities for personal gain. In recent years, the procuratorial organs have made public their operations, adopted the system of notifying litigants of their rights and obligations, the system of public review of non-prosecution

cases, criminal appeals and civil administrative counter-appeals, and a working mechanism that guarantees that lawyers perform in accordance with the law in handling criminal lawsuits, in an effort to ensure judicial justice.

Chinese judicial practice abides, both in institutional and procedural terms, by the principle that all people are equal before the law and the principle that the punishment must be made to fit the crime. The systems of trial by levels, challenge, open trial, people's jurors, people's supervisors, lawyers, legal assistance and people's mediation have been introduced to safeguard judicial justice, and guarantee the democratic rights of the people and the legitimate rights and interests of citizens.

First, the system of open trial. The system of open trial is prescribed in both the Chinese Constitution and relevant laws. In recent years, the Supreme People's Court requires courts at all levels to try cases openly and in strict accordance with the law, in open courts and with evidence openly submitted, question the witness openly, and announce all judgments openly. The people's courts at various levels have further reinforced the system of open trial. Except for cases which should be tried in camera, as specified by law, they now hear all cases in public. Notice of cases to be tried in public shall be announced in advance to open the entire process to the auditing of ordinary citizens and the press. The people's courts also, on their own initiative, invite deputies to the people's congress and members of CPPCC organizations to audit open trials so that the NPC deputies can supervise and the CPPCC members can inspect judicial activities.

Second, the system of people's jurors. After New China was founded in 1949, the state prescribed the system of people's jurors in relevant laws, and made detailed provisions for such a system in the Organization Law of People's Courts and other laws enacted later. The Decision on Improving the System of People's Jurors, adopted by the NPC Standing Committee in August 2004, clearly states the scope of trials in which

jurors could participate, as well as the qualifications and selection, and rights and obligations of jurors. In line with the law, and relevant provisions, the people's courts implement the system of people's jurors in earnest to ensure people's direct participation in and supervision of judicial activities.

Third, the system of people's supervisors. Adopting the system of people's supervisors and placing procuratorial work under the effective supervision of the people embody the requirements of lawsuit democracy. Since October 2003, the procuratorial organs began to try out the system of people's supervision in 10 provinces, autonomous regions and municipalities directly under the central government. Later, this system was spread to 86 percent of all procuratorates nationwide. People's supervisors are selected at the recommendation of various organs, groups, institutions and enterprises, with such major duties as conducting independent appraisals and submitting supervisory comments on cases the procuratorial organs have directly placed on file for investigation but have later decided to withdraw or halt the prosecution of, and in cases of refusal to submit to arrest. They can also participate, upon invitation, in other law-enforcement examination activities organized by the people's procuratorates regarding crimes committed by civil servants, and make suggestions and comments on violations of law and discipline discovered.

Fourth, the system of lawyers. The Lawyers Law, promulgated in 1996, initially established the basic framework of a system of lawyers with Chinese characteristics, and it contains provisions on the rights and obligations of lawyers in the course of judicial and administrative procedures, and other social activities. The establishment and improvement of the system of lawyers enable the lawyers to make use of legal means to protect the rights and interests of the litigants, and ensure correct application of law and social fairness and justice.

Fifth, the system of legal assistance. Legal assistance is a key measure to guarantee the legitimate rights and interests of the disadvantaged

groups and achieve judicial justice. Since 1994, China has explored the building of a legal assistance system with Chinese characteristics. Provisions on the status of the system are stipulated in the Criminal Procedure Law, the Lawyers Law and other laws. The Regulations on Legal Assistance, which came into effect in September 2003, set the basic framework for the system, thus initially forming a basic network giving access to people with various difficulties in both urban and rural areas. Over the past decade, legal assistance organizations throughout the country have organized lawyers, grassroots legal service workers and volunteers to handle some 1.1 million legal assistance cases, providing such services to more than 1.6 million people. In recent years, many social groups, NGOs and institutions of higher learning have also participated in legal assistance work.

Sixth, the system of people's mediation. By people's mediation, it means to, under the guidance of people's mediation committees established in accordance with the law, on the basis of voluntariness from parties to a dispute and taking the state laws, regulations, rules, policies and social morality as the yardstick, help the parties to a dispute to reach an agreement by way of ample reasoning and patient persuasion. To date, over 860,000 people's mediation committees have been established nationwide. Manned by 6.6 million people's mediators, they provide mediation services to about 6 million civil disputes of various kinds, and the rate of success exceeded 95 percent.

To further meet the demands for rule of the country by law and building a harmonious socialist society, China is, in accordance with the requirements of judicial justice and strict enforcement of law, improving the establishment of judicial organs, the delimitation of their functions and powers and their management systems, in the hope of establishing a better judicial system that features clearly specified powers and responsibilities, mutual coordination and restraint, and highly efficient operation, so as to ensure, institutionally, that the judicial and procuratorial

organs exercise adjudicative power and procuratorial power independently and impartially in accordance with the law, better safeguard the judicial authority, safeguard the democratic rights as well as legitimate rights and interests of the people and maintain fairness and justice for the society.



The 17th CPC National Congress begins in the People's Great Hall in Beijing on October 15, 2007.

Hu Jintao, after elected once again the General Secretary of the CPC on the 17th CPC National Congress, meets public media. In his speech at the congress, for the first time in the CPC history, he advanced the significant idea, "People's democracy is the life of socialism."

Concluding Words: “ Prospect of the Development of China’s Political Democracy

China’s socialist political democracy has enabled the Chinese people, who account for one fifth of the world’s population, to become masters of their own country and society, and enjoy extensive democratic rights. This is a great contribution to the development of the political civilization of mankind.

China’s socialist political democracy accords with the national conditions, ensures that the people given full play to their enthusiasm, initiative and creativity in building and managing the state as masters of the country and society, and promotes China’s economic development and social progress in an all-round way. Despite the tremendous achievements scored in building a socialist political democracy, the CPC and the Chinese people are clearly aware of the many problems yet to be overcome. The major ones include: The democratic system is not yet perfect; the people’s right to manage state and social affairs, economic and cultural undertakings as masters of the country in a socialist market economy is not yet fully realized, laws that have already been enacted are sometimes not fully observed or enforced, and violations of the law sometimes go unpunished; bureaucracy and corruption still exist and spread in some departments and localities; the mechanism of restraint and supervision over the use of power of the whole society needs to be further enhanced; and the political participation of citizens in an orderly way should be expanded. There is still a long way to go in China’s

building of political democracy, which will be a historical process of continuous improvement and development.

The history and reality of human political civilization have proved that there is no one single and absolute democratic mode in the world that is universally applicable. To say whether a political system is democratic or not, the key is to see whether the will of the overwhelming majority of the people is fully reflected, whether their rights as masters of the country are fully realized, and whether their legitimate rights and interests are fully guaranteed.

The arduous explorations and struggles made by the Chinese people over the past 100 years and more in order to realize democracy, and especially China's success in building a socialist political democracy, have made the CPC and the Chinese people realize that China must base the building of political democracy on its reality, review its own experience gained in practice, treasure its own achievements, and learn from the experience and achievements of the political civilization of other countries. But, it must not copy any model of other countries.

The socialist system has been introduced and practiced in China for only a few decades, which is a short period compared with other social systems adopted in the history of mankind. To keep improving and developing socialist political democracy to enable the people to fully enjoy and exercise their rights as the masters of the country has always been the firm goal of all the endeavor of the CPC and the Chinese people. At present and for a period to come, the CPC and the Chinese government will actively and steadily push forward the reform of the political system, stick to and improve the socialist democratic system, strengthen and improve the socialist legal system, reform and improve the methods of leadership and rule of the CPC, reform and improve the government's decision-making mechanism, promote the reform of the system of administrative management, boost the reform of the judicial system, deepen the reform of the cadre and personnel system, reinforce

the restraint and supervision over power, strive to maintain social stability, and promote economic development and social progress in an all-round way.

"Firmly develop socialist political democracy" was an important part in the speech Hu Jintao made on the opening ceremony for the 17th CPC National Congress held in October 2007. For the first time in the CPC history, he made it clear the significant subject of "people's democracy being the life of socialism." Developing socialist political democracy, he said, was the unswerving objective the CPC pursued for. Deepening the political structural reform, he emphasized, must adhere to a correct political orientation, make sure that people as the masters of the country, increase the vitality of the party and the state, bring people's initiative to a full display, enlarge socialist democracy, build a socialist country in accordance with the law, and advance socialist political civilization. The party must maintain its key position in the control of the over-all situation and the coordination of all sides. The party must elevate its ability in scientific administration, the administration by law to ensure the effectiveness of the party in leading the people in administrating the country. The party must keep to the principle that all power belongs to the people and make sure of an orderly political involvement by citizens in all levels and fields. The party must in maximum mobilize and organize the people in administrating state and social affairs, in economic and cultural undertakings. By keeping to the basic principle of administrating the country by law, building up the socialist legal awareness, realizing legalization of the work in all fields, and by protecting citizens legal rights, adhering to the features and advantages of the socialist political system, the party would continuously make socialist political democracy a systemized, regularized and standardized procedure in order to guarantee the everlasting peace and stability of the country under the protection of the law. For these purposes, people's democracy must be enlarged and people's status as the master of the

country guaranteed. The grassroots level democracy must be developed to guarantee that people would have more substantial democratic rights. The fundamental principle of administrating the country by law must be implemented in an all-round way, and the paces of building a socialist country ruled by law must be accelerated. The patriotic united front must be consolidated to unite all forces possible. The speed of administrative management structural reform must be accelerated too for a government that serves the people by nature. Also, the restraint and supervision mechanisms would be improved to make sure that the power given by the people was always for the people's benefits.

What Hu Jintao said showed clearly the direction for the development of China's socialist political democracy.

The immense achievements of the building of socialism with Chinese characteristics have made the CRC and the Chinese people full of confidence in the road of political development chosen by themselves. Along with economic development and social progress, China's socialist political democracy will be further perfected, and with its great advantages and strong vitality, fully demonstrated. In future, the Chinese people will surely enjoy more and more substantial fruits of their political civilization.

WINDOW TO CHINA

6 *Selected Letters of Mao Zedong*. Peoples Publishing House. 1983, pp.5-7.

11 *The Selected Works of Mao Zedong*, volume 2, p.674.