

China's Government Structure & Administrative Operation

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I. China's Basic Political System

According to the Constitution of the People's Republic of China (PRC),

China's political system is mainly made up of

- multi-party cooperation and political consultative system,
- people's congress system,
- system of self-government of ethnic autonomous areas and ,
- system of self-management at the grass roots level.

1. Multi-Party Cooperation & Political Consultative System

The Communist Party of China (CPC) is the vanguard both of the Chinese working class and of the Chinese people and the Chinese nation. The CPC has held the leading position since October 1949

The eight democratic parties in China

• The Revolutionary Committee of the Chinese Kuomintang The China

Democratic League

• The China Democratic National Construction Association The China

Association for Promoting Democracy

• The Chinese Peasants and Workers Democratic Party The China Zhi

Gong Party

• The Jiu San Society

• The Taiwan Democratic Self-government League

The eight democratic parties participate in and deliberate on state affairs. As participating parties, the eight democratic parties are the political alliances of socialist working people, builders of socialism and patriots who support socialism or reunification of the country.

The CPC is the ruling party and the leading core of the cause of socialism with Chinese characteristics.

The NPC is the highest organ of state power.

The State Council is the executive body of the NPC as well as the highest organ of state administration.

The CPPCC is an important institution of the patriotic united front and multiparty cooperation and political consultation



The Constitution is the basic code of conduct for the CPC and the democratic parties.

Within the scope of constitutional rights and obligations, these parties enjoy political freedom, organizational independence and equal legal status.

The Constitution provides that the system of multi-party cooperation and political consultation under the leadership of the CPC will long exist and develop.

China's party system is distinct from the multi-party or two-party systems in Western countries, as well as the one-party system in a few countries.

Its evident features are as follows: The CPC acts as the ruling party while, under the leadership of the CPC, the eight democratic parties participate in the discussion and management of state affairs, Cooperative relations between the CPC and the eight democratic parties are based on the principle of "long-term coexistence and mutual supervision, treating each other with full sincerity and sharing weal or woe".

It can not only avoid the problem of insufficient supervision under one party system but also political chaos and a lack of stability under multi party system.

Organizations of the Communist Party of China (CPC)

The National Congress

- The highest power organ of CPC, the National Congress, hold once every five years, is convened by the Central Committee.
- Its functions and powers are to hear and examine the report of the Central Committee, to hear and examine the report of the Central Commission for Discipline Inspection, to discuss and decide on major issues of the Party, to revise the Party Constitution and to elect the Central Committee and the Central Commission for Discipline Inspection.

The Central Committee

- It is elected by the National Congress.
- When the National Congress is not in session, the Central Committee leads all the work of the Party and represents the CPC.
- It is elected for a term of five years.

Political Bureau, Its Standing Committee & the General Secretary

- They are all elected by the plenary session of the Central Committee. When the plenary session of the Central Committee is not in session, the Political Bureau and its Standing Committee exercise the functions and powers of the Central Committee.
- The Secretariat of the Central Committee is the administrative body of the Political Bureau and its Standing Committee. The general secretary of the Central Committee is responsible for calling sessions of the Political Bureau and its Standing Committee, and is in charge of the work of the Secretariat of the Central Committee.

- Under the Central Committee of the CPC are such offices and departments as
- > the General Office
- > the Organization Department
- > the Publicity Department
- > the International Liaison Department
- > the United Front Work Department and
- > the Policy Research Office.

第十八届中共中央 组织架构图

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♦Local or Primary Organizations of the CPC

- CPC establish local organizations of at various level.
- The CPC local congresses at various level are held once every five years. The committees elected by the local congresses serve a term of five years.
- Primary organizations of the Party, where there are more than three full members of the Party, are set up in enterprises, rural villages, social organizations, schools, research institutions, the PLA and other basic units.

- Commissions for discipline inspection are also set up at various levels of the CPC.
- Their major tasks are to maintain CPC's constitution and other inner Party rules and regulations, to assist Party committees to strengthen the Party style and to organize and coordinate anti-corruption, to examine the implementation of the lines, policies, principles and decisions of the Party.
- The Central Commission for Discipline Inspection works under the Central Committee of CPC. The local commissions for discipline inspection work under the dual leadership of the Party committees at the same level and commissions for discipline inspection at the next higher level.

 A leading Party members' group may be set up in the leading body of a central or local state organ, people's organization, economic or cultural institution or other non-Party unit.

• The group plays the role of the core of leadership. Its main tasks are: to see to it that the Party's line, principles and policies are implemented, to discuss and decide on matters of major importance in its unit.

Chinese People's Political Consultative Conference

(CPPCC)



- The CPPCC is an organization of the <u>patriotic united front</u> of the Chinese people & <u>multi-party cooperation and political consultation</u> under the leadership of the CPC.
- It is composed of the CPC, the eight democratic parties, mass organizations, different ethnic groups and representative public personages from all walks of life, representatives of compatriots of Taiwan, Hong Kong and Macao as well as of returned overseas Chinese and other specially invited people.
- CPPCC' s major functions are to conduct political consultation and exercise democratic supervision, organize its members from all walks of life to take part in the discussion and management of state affairs.

Groups participating in the CPPCC

The CPPCC consists of different groups, there are 34 groups represented in the 12th CPPCC National Committee, as follows:

- The Communist Party of China (CPC)
- The Revolutionary Committee of the Chinese Kuomintang
- The China Democratic League
- The China Democratic National Construction Association
- The China Association for Promoting Democracy
- The Chinese Peasants and Workers Democratic Party
- The China Zhi Gong Party
- The Jiu San Society
- The Taiwan Democratic Self-government League
- Personages without party affiliation

- •The Communist Youth League of China
- The All-China Federation of Trade Unions
- The All-China Women's Federation
- •The All-China Youth Federation
- •The All-China Federation of Industry and Commerce
- The China Association for Science and Technology
- •The All-China Federation of Taiwan Compatriots
- The All-China Federation of Returned Overseas Chinese Literature and art Circles
- Science and technology Circles Social sciences Circle
- •Economic Circles Agriculture Circles
- Education Circles
 Sports Circles
- Press and publication Circles
 Medicine and health Circles
- •The group for friendship with foreign countries
- The group for welfare and social security
- •Ethnic minorities Religious bodies
- Specially invited figures from Hong Kong
- Specially invited figures from Macao
- Other specially invited figures

2.The People's Congress System

In China, the state organs apply the principle of democratic centralism.

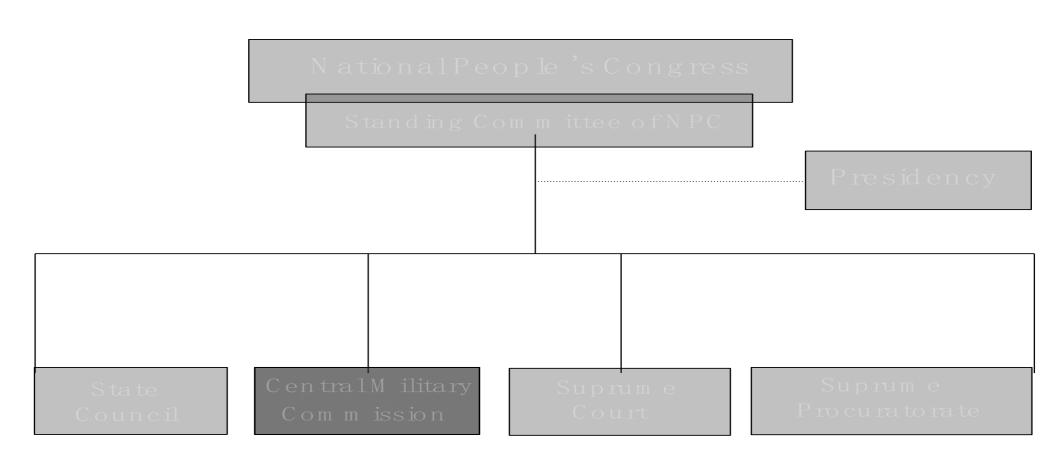
State administrative, judicial and procuratorial organs are created by, responsible to and supervised by the people's congresses.

This is different from the separation of powers in western countries.

中华人民共和国第十二届全国人民代表大会第一次会议

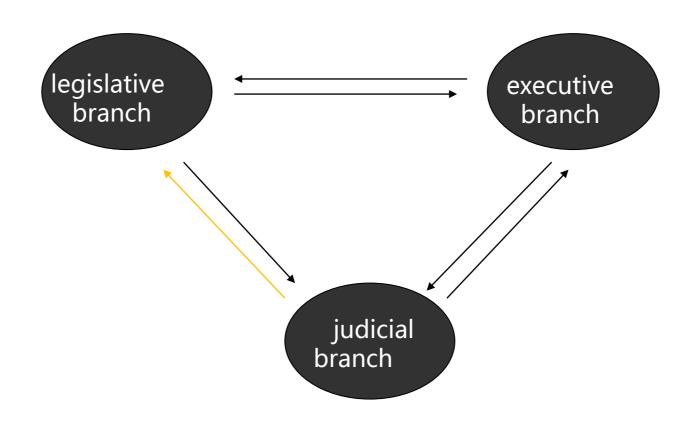








Separation of Powers and Checks and Balances



3.The System of Self-government of Ethnic Autonomous Areas

In accordance with the Constitution, under unified national leadership, self-government is exercised in areas heavily resided with ethnic minorities. Organs of self-government in these areas administer the right of self-government.

The organs of self-government of autonomous regions, prefectures and counties exercise the functions and powers of local organs of state as specified in the Constitution. At the same time, they exercise the power of autonomy

4. The System of self-management at the grass-roots level

The residents committees and villagers committees established among urban and rural residents on the basis of their place of residence are mass organizations of self-management at the grass-roots level.

The chairman, vice-chairmen and members of each residents or villagers committee are elected by the residents or villagers.

The government of a township, a nationality township or a town shall give guidance, support and help to the villagers committees in their work. The villagers committees shall assist the above-mentioned government in its work.

II. China's State Organs

CENTRAL STATE ORGANS

- National People's Congress
- Presidency of PRC
- State Council
- Central Military Commission
- Supreme Court
- Supreme Procuratorate

The National People's Congress (NPC)

- The NPC is the highest organ of state power.
 - The NPC is composed of deputies elected by the provinces, autonomous regions, municipalities directly under the Central Government, and special administrative regions, as well as by the armed forces.
- The NPC meets in session once every year and is convened by its Standing Committee.
- The major functions and powers of NPC are to amend the Constitution, to supervise the enforcement of the Constitution, to enact and amend basic laws, and approve the plan for national economic-social development and the state budget and to elect leaders of State etc..
- The Standing Committee of NPC is composed of the Chairman, the Vice-Chairmen, the Secretary-General and the members.

- The Standing Committee of the NPC exercises the functions and powers to interpret the Constitution and law, to supervise their enforcement, to enact and amend laws with the exception of basic laws, and to supervise the work of the State Council, the Central Military Commission, the Supreme Court and the Supreme Procuratorate, and etc.
- The chairman and vice chairmen shall serve no more than two consecutive terms. Normally the Standing Committee is convened once every two months.

Presidency of PRC

- The term of office of the President shall serve no more than two consecutive terms.
- The President of the PRC, in pursuance of the decisions of the NPC and its Standing Committee, promulgates laws, appoints or removes the Premier, Vice-Premiers, State Councillors, Ministers and the Secretary-General of the State Council; confers state medals and titles of honor; issues orders of special pardons; proclaims entering of state of emergency; proclaims a state of war; and issues mobilization orders.
- The President conducts the activities involving State affairs and receiving foreign diplomatic representatives on behalf of the PRC and; in pursuance of the decisions of the Standing Committee of NPC, appoints or recalls plenipotentiary representatives abroad, and ratifies or abrogates treaties and important agreements concluded with foreign states.

The State Council

- The State Council, that is, the Central Government, is the executive body of the NPC; it is the highest organ of state administration.
- The State Council is composed of the Premier, the Vice-Premiers, the State Councilors and the Secretary-General.
- The State Council is responsible and reports its work to the NPC or, when the NPC is not in session, to its Standing Committee.

十二届全国人大一次会议产生新一届

国务院总理、副总理、国务委员



中华人民共和国国务院总理













中华人民共和国国务委员











- The Premier assumes <u>overall responsibility</u> for the work of the State Council. The premier shall convene and preside over the plenary and executive meetings of the State Council. <u>Important issues in the</u> <u>work of the State Council must be discussed and decided by an</u> <u>executive or plenary meeting of the State Council.</u>
- Generally, the State Council shall hold an executive meeting once a week and a plenary meeting at least once a year.

The vice premiers and the state councilors shall be responsible for handling their respective work. Upon authorization of the premier, they may be responsible for the work in other aspects or special tasks, and may carry out activities of foreign affairs on behalf of the State Council as well.

The major functions and powers of the State Council are to enact administrative rules and regulations, to submit proposals to the NPC or its Standing Committee, to exercise unified leadership over the work of local governments at various levels, and to formulate the division of functions and powers between the Central Government and the governments of provinces, autonomous regions, and municipalities directly under the Central Government, and etc..

The organs of the State Council include:

- General Office
- Ministries and Commissions
- Special Agency directly under the State Council(SASAC)
- Agencies directly under the State Council
- Offices under the State Council
- Administrations and Bureaus under Ministries and Commissions
- deliberation and Coordination Organs
- Institutions directly under the State Council

The Central Military Commission (CMC)

- The Central Military Commission of the PRC directs the armed forces of China.
- The Central Military Commission is composed of the Chairman, the Vice-Chairmen and the members.
- The armed forces of China are composed of

- > the active and reserve forces of the Chinese People's Liberation Army
- ➤ the Chinese People's Armed Police Force
- > and the Militia.

The active & reserve forces of the PLA

The People's Liberation Army consists of active and reserve forces. The active forces are made up of the <u>Army, Navy, Air Force, 2nd Artillery Corps,</u> also known as the Strategic Missile Corps.

The active forces of the Chinese People's Liberation Army constitute the standing force of the State and mainly undertakes the task of defense operations and when necessary it may assist in maintaining public order in accordance with the provisions of law.

The reserve forces was organized in 1983. In peacetime the reserve forces shall undergo training and when necessary it may assist in maintaining public order in accordance with the law and carry out rescue and disaster relief, in wartime it shall be turned into active forces according to the mobilization order issued by the President of the PRC.

The Chinese People's Armed Police Force

As a component part of the armed forces of China, the Armed Police Force was organized in1982. Its headquarters were set up in Beijing in 1983. The Armed Police Force is under the dual leadership of the State Council and the Central Military Commission (CMC). It enjoys the same political status with the People's Liberation Army. The basic tasks of the Armed Police Force are to maintain state security and social stability, carry out rescue and disaster relief and assist the PLA in wartime in defensive operations, and participate in economic construction

The Armed Police Force is mainly made up of civil defense units, it also includes border units, fire brigades, garrison units, water and power units, transportation units, gold mine units and forestry units.

The Militia

The Militia, a mass force engaged in daily production, is a component part of the armed forces of the PRC.

Under the command of the military organs, the Militia undertakes such jobs as war preparation services, defense operation and assistance in maintaining social order and public security.

Before the founding of PRC, the PLA was founded and led by the Central Military Commission under Communist Party of China. Central Military Commission under CPC is the highest military leading organ.

After the founding of PRC in 1949, people's army led by CPC became a national army. 1954 Constitution provided for the establishment of the PRC National Defense Commission, but actually the National Defense Commission is a united front organization against the enemy. On September 28, 1954, the CPC Central Committee decided to reestablish the CPC Central Military Commission.

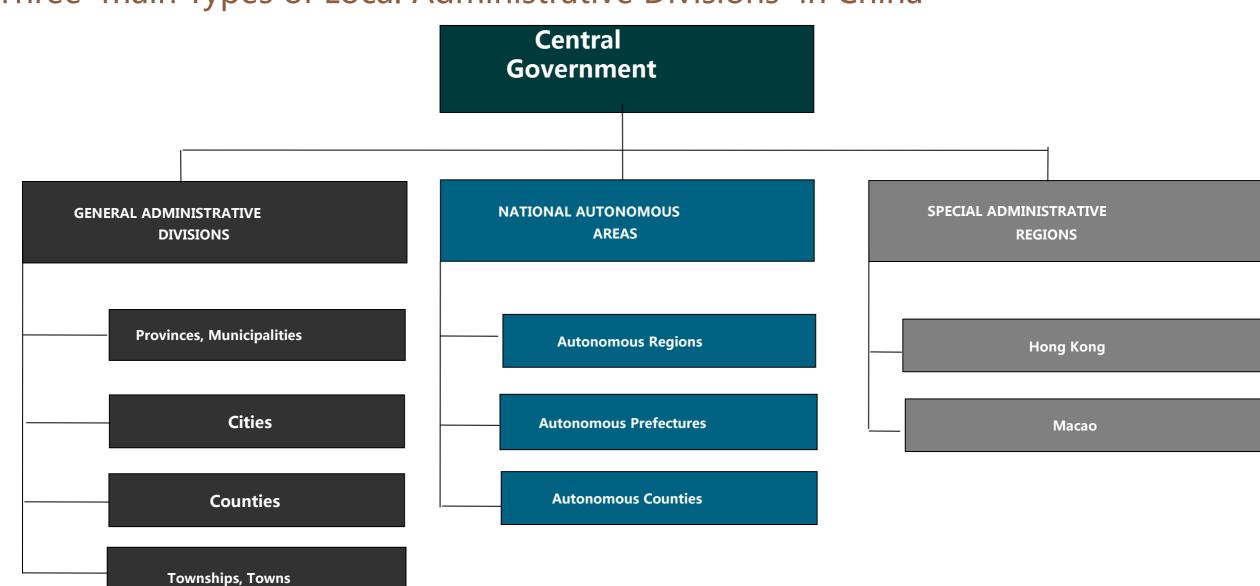
1982 Constitution provides for the establishment of the PRC Central Military Commission.

Therefore, the CMC of the PRC is the same body with CMC of the CPC, but they have two different names.

The courts and the procuratorates

- The courts of China are the judicial organs of the state. China establishes the Supreme Court and the local courts at different levels, special courts (military court and maritime court).
- The procuratorates of China are state organs for legal supervision. China establishes the Supreme Procuratorate and the local procuratorates at various levels, special procuratorates (namely military).

Three main Types of Local Administrative Divisions in China



Local People's Congresses at Various Levels

- Local people's congresses at various levels are local organs of state power. Local people's congresses at and above the county level establish standing committees.
- Deputies to the people's congresses of provinces, municipalities directly under the Central Government and cities divided into districts are elected by the people's congresses at the next lower level; deputies to the people's congresses of counties, cities not divided into districts, municipal districts, townships, nationality townships, and towns are elected directly by their constituencies.
- The term of office of the people's congresses at various levels is five years.

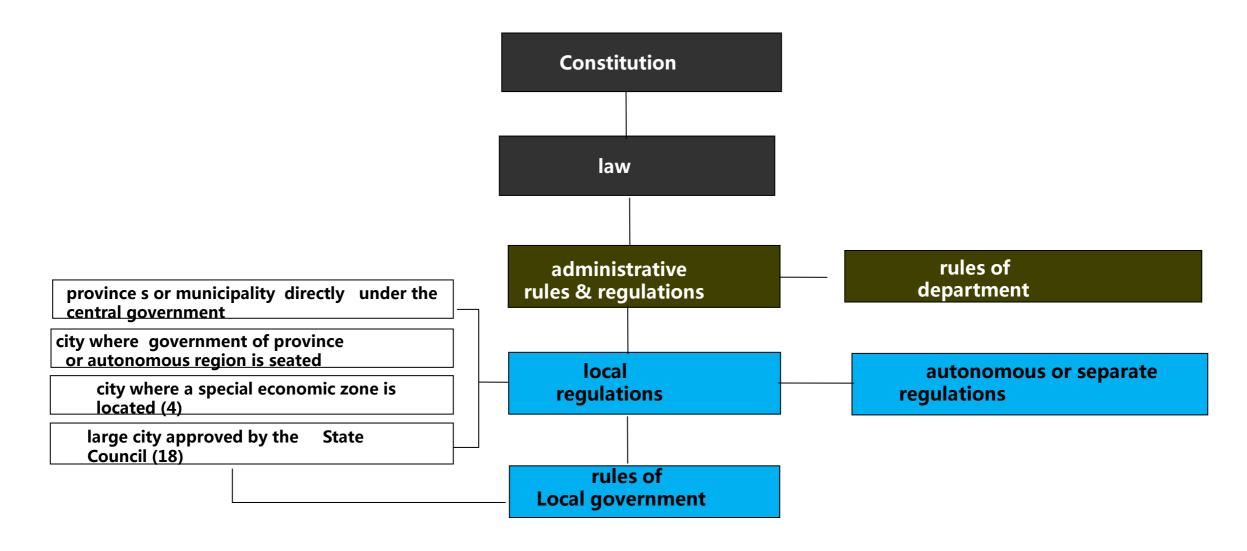
- Local people's congresses at and above the county level shall examine and approve the plans for economic and social development and the budgets of their respective administrative areas.
- The people' s congresses of provinces, municipalities directly under the Central Government and the large cities and their standing committees may adopt local regulations, which must not contravene the Constitution and the law and administrative rules and regulations.

Local Governments at Various Levels

- Local governments at various levels are the executive bodies of local organs of state power as well as the local organs of state administration at the corresponding levels.
- Local governments at and above the county level, within the limits of their authority as prescribed by law, conduct administrative work concerning the economy, education, science, culture, public health, physical culture, urban and rural development, finance, civil affairs, public security, nationalities affairs, judicial administration, supervision and family planning in their respective administrative areas.

- Local governments at various levels are responsible and report on their work to people's congresses at the corresponding levels. Local governments at and above the county level are responsible and report on their work to the standing committees of the people's congresses at the corresponding levels when the congresses are not in session.
- Local governments at various levels are responsible and report on their work to the state administrative organs at the next higher level. Local governments at various levels throughout the country are state administrative organs under the unified leadership of the State Council and are subordinate to it.

□ Legislative Power of the Central and Local State Organs



III. China's Political & Administrative Operation & Reform of Administration

• 1. Political & Administrative Operation

• As of July 2017, the CPC had a total member of about 87 million. According to constitution of CPC, Leadership by the CPC means mainly political, ideological and organizational leadership.

CPC must play the role as the core of leadership among all other organizations at the corresponding levels.

CPC must conduct its activities within the framework of the Constitution and laws. CPC shall ensure the legislative, judicial and administrative organs of the state and the economic, cultural and people's organizations work with initiative and independent responsibility

- The CPC has an important leadership role in economic, political, social and cultural work.
- The national economic and social development planning, major principles and policies, general plan and the people's livelihood and other important issues are discussed and decided collectively by the party committees
- But routine work shall be conducted by the government and its departments.

The new tasks of reform of administrative system are to deepen the transformation of government functions and reform of administrative approval system, to accelerate separation of functions of government and enterprise, to reduce unnecessary intervention to economic activities by the government, to speed up the construction of law government and service-oriented government, to continue to optimize government structure, administrative levels and functions and responsibilities, to reduce administrative costs, to firmly explore the ways to establish super ministries or departments with integrated functions as well as to promote reform of province directly management of county(city) in conditional places, to sound scientific and democratic decision-making mechanism, to promote openness of government affairs, to strengthen the public policy transparency and public participation and to enhance government credibility.

2. Administrative Reform

On the <u>transformation of government functions</u>, China's Government has adopted a set of actions as follows:

- to reduce or simplify the review and approval of investment projects to minimize the inconvenience and high costs;
- to reduce special transfer payment and to increase general transfer payment to local governments;
- to integrate identical or similar institutional functions etc.;
- to maintain an open and unified domestic market to ensure fairness and orderly competition;
- to increase the government procurement of services and give fair treatment to social organizations in supplying medical care, health, education, culture and community services;
- to establish a unified real estate registry regime to protect the security of property transactions and effectively protect the legal rights of property owners.

Thank you!

