The Authors	3
List of Abbreviations	13
Preface	15
General Introduction	17
Chapter 1. Brief Introduction of the Constitutional History of China	17
§1. CONSTITUTIONS BEFORE THE ESTABLISHMENT OF THE PEOPLE'S REPUBLIC OF CHINA (PRC) I. Preparations of Constitution-Making Late in <i>Ding</i> Dynasty II. Provisional Constitution III. Constitutions during the Periods of the Northern Warlords and the Nanjing National Government A. Constitutions during the Periods of the Northern Warlords B. Constitutions of the Nanjing National Government IV. Constitutional Documents in the Revolutionary Base Areas	17 17 18 18 18 19
 §2. CONSTITUTIONS AFTER THE ESTABLISHMENT OF THE PEOPLE'S REPUBLIC OF CHINA I. The Common Programme of the Chinese People's Political Consultation Conference II. The Constitution of 1954 III. The Constitution of 1975 IV. The Constitution of 1978 V. The Constitution of 1982 VI. Amendments to the Constitution of 1982 A. Amendments to the Constitution in 1988 (Articles 1–2) B. Amendments to the Constitution in 1993 (Articles 3-11) C. Amendments to the Constitution in 1999 (Articles 12-17) D. Amendments to the Constitution in 2004 (Articles 18-31) 	20 20 22 24 25 25 27 27 27 27 28 28

Chapter 2. PRC, A Socialist Country	30
§1. THE CLASS STRUCTURE OF POLITICAL POWER I. The People's Democratic Dictatorship is Led by the	30
Working Class II. The People's Democratic Dictatorship is Based on the A Workers and Peasants	Alliance of 31
III. The People's Democratic Dictatorship Perseveres in and Solidifies the Patriotic United Front	31
§2. THE ECONOMIC BASIS OF THE STATE I. The Socialist Public Ownership of the Means of Produc	32
Lays the Foundation of the Socialist Economic System	32
II. The Non-Public Sectors of the Economy Constitute an I Component of the Socialist Market Economy	mportant 33
§3. THE GUIDING IDEOLOGY OF THE STATE	33
I. The Decision of the Policy of Reform and Opening Mac the Guidance of Marxism	34
II. Guaranteeing the Socialist Character of Market-Oriented Economy Institution	35
III. Promoting the Building of a Moderately Prosperous Socin All Respects	
Chapter 3. PRC, A Developing Country	39
Chapter 4. The Basic Task of the Nation: Socialist Modernization	41
Part I. The Form of Government and the Political Sys	stem
of PRC	43
Chapter 1. The State Structure Form of PRC	43
Chapter 2. The Organization Form of Government of	
I. Relations between the People and State PowerII. Relations between the People and the Organs Who Exer	
State Power III. Relations between the Organs Exercising State Power as	
State Organs IV. Relations between the Central Authority and Local Organical Control of the Central Contr	ans of State 45
Chapter 3. The System of Multi-Party Cooperation ar Political Consultations under the Leadersh	

6

Part II. Form of Government of PRC	53
Chapter 1. General Review of the Structure of the State I. The Structure of the State in the Common Program of 1949 II. The Structure of the State in the Constitution of 1954 III. The Structure of the State in the Constitution of 1975 and the Constitution of 1978 IV. The Structure of the State and Its Development in the Constitution of 1982	53 53 54 54
Chapter 2. NPC	56
§1. NATURE AND STATUS OF NPC	56
§2. Composition, Terms of Service and Functions, and Powers of NPC	56
§3. Rules of Meetings and Procedures for NPC	57
§4. SPECIAL COMMITTEES AND COMMITTEES OF INQUIRY INTO SPECIFIC QUESTIONS OF NPC	58
§5. DEPUTIES TO NPC	59
Chapter 3. NPCSC	60
§1. NATURE AND STATUS OF NPCSC	60
§2. Composition, Term of Service, and Functions and Powers of NPCSC	60
§3. FUNCTIONS AND POWERS OF NPCSC	61
Chapter 4. The President of PRC	63
§1. ESTABLISHMENT AND DEVELOPMENT OF THE PRESIDENCY OF PRC	63
§2. ELECTION AND TENURE OF THE PRESIDENT OF PRC	63
§3. Functions and Powers of the President of PRC	64
Chapter 5. The State Council	65
§1. NATURE AND STATUS OF THE STATE COUNCIL	65

§2.	COMPOSITION, LEADERSHIP SYSTEM AND MEETINGS OF THE STATE	
	COUNCIL	65
	I. The Composition of the State Council	65
	II. The Leadership System of the State Council	66
	III. The Meetings of the State Council	66
§3.	FUNCTIONS AND POWERS OF THE STATE COUNCIL	67
§4.	STRUCTURE OF THE STATE COUNCIL	68
Ch	apter 6. The Central Military Commission	70
§1.	NATURE AND STATUS OF THE CENTRAL MILITARY COMMISSION	70
§2.	COMPOSITION OF THE CENTRAL MILITARY COMMISSION	70
§3.	LEADERSHIP SYSTEM OF THE CENTRAL MILITARY COMMISSION	70
§4.	FUNCTIONS AND POWERS OF THE CENTRAL MILITARY COMMISSION	71
Ch	apter 7. The Local People's Congresses and Local	
	People's Governments at Various Levels	72
§1.	LOCAL PEOPLE'S CONGRESSES AT VARIOUS LEVELS	72
	I. Nature and Status	72
	II. Composition and Term of Office	72
	III. Functions and Powers	72
	IV. Special Committees and Committees of Inquiry into Specific	
	Questions	73
	V. Deputies to Local People's Congresses at Various Levels	74
§2.	STANDING COMMITTEES OF THE PEOPLE'S CONGRESSES AT	
	AND ABOVE THE COUNTY LEVEL	74
	I. Nature and Status	74
	II. Composition and Term of Office	74
	III. Functions and Powers	74
§3.	THE PEOPLE'S GOVERNMENTS AT VARIOUS LEVELS	76
	I. Nature and Status	76
	II. Composition and the Leadership System	76
	III. Functions and Powers	77
Ch	apter 8. The Organs of Self-Government of the National	
	Autonomous Areas	79

8

§1.	A General Introduction of the Organs of Self-Government of National Autonomous Areas	79
§2.	NATURE AND STATUS OF THE ORGANS OF SELF-GOVERNMENT OF NATIONAL AUTONOMOUS AREAS	79
§3.	MEMBERS OF THE ORGANS OF SELF-GOVERNMENT OF NATIONAL AUTONOMOUS AREAS	80
§4.	Power of Autonomy of the Organs of Self-Government of National Autonomous Areas	80
Ch	apter 9. The People's Courts and the People's Procuratorates	83
§1.	THE PEOPLE'S COURTS I. Nature of the People's Courts II. Creation of the People's Courts III. Organization of the People's Courts IV. Functions and Powers of the People's Courts V. Principles of Judicial Work	83 83 84 84 84
§2.	 THE PEOPLE'S PROCURATORATES I. Nature and Status of the People's Procuratorates II. Creation and Organizational Structure of the People's Procuratorates III. Functions and Powers of the People's Procuratorates IV. Principles of Procuratorial Work 	85 85 86 87 88
Ch	apter 10. The Political System of the Special Administrative Region	89
§1.	THE 'ONE COUNTRY, TWO SYSTEMS' POLICY AND THE SYSTEM OF THE SPECIAL ADMINISTRATIVE REGION	89
§2.	STATUS AND CHARACTERISTICS OF THE ORGANS OF THE SPECIAL ADMINISTRATIVE REGION I. Status of the Organs of the Special Administrative Region II. Characteristics of the Organs of the Special Administrative Region	90 90 90
§3.	THE CHIEF EXECUTIVE OF THE SPECIAL ADMINISTRATIVE REGION	91
§4.	THE EXECUTIVE AUTHORITIES OF THE SPECIAL ADMINISTRATIVE REGION	93

§5. THE LEGISLATURE OF THE SPECIAL ADMINISTRATIVE REGION	93
§6. THE JUDICIAL ORGAN OF THE SPECIAL ADMINISTRATIVE REGION	95
Part III. Fundamental Rights and Freedom of Citizens of PRC	97
Chapter 1. Human Rights and Fundamental Rights of Citizens	97
§1. CLASSIFICATION OF FUNDAMENTAL RIGHTS	98
§2. NATURE OF FUNDAMENTAL RIGHTS	98
Chapter 2. Right of Equality and Political Rights	99
§1. RIGHT OF EQUALITY I. Conception of the Right of Equality II. Contents of the Right of Equality	99 99 99
§2. POLITICAL RIGHTS I. Conception of Political Rights II. The Right to Vote and Stand for Election III. Freedom of Speech IV. Freedom of the Press V. Freedom of Association VI. Freedom of Assembly, of Procession, and of Demonstration	100 100 100 100 101 102 103
Chapter 3. Freedom of Religious Beliefs	105
Chapter 4. Freedom of the Person	107
§1. Safeguarding the Right to Life	107
§2. Freedom of the Person is Inviolable	107
§3. PERSONAL DIGNITY IS INVIOLABLE	108
§4. RESIDENCE IS INVIOLABLE	110
§5. Freedom and Privacy of Correspondence are Protected	110
Chapter 5. Social and Economic Rights of Citizens	112
§1. RIGHT TO PROPERTY	112
§2. RIGHT TO WORK	112

§3. Labourer's Right to Rest	112
§4. RIGHT TO SOCIAL SECURITY	113
§5. RIGHT OF ACCESS TO MATERIAL ASSISTANCE	113
Chapter 6. Cultural and Educational Rights	115
§1. CONCEPT OF CULTURAL AND EDUCATIONAL RIGHTS	115
§2. THE RIGHT TO RECEIVE EDUCATION	115
§3. RIGHT TO ENGAGE IN CULTURAL PURSUITS	116
Chapter 7. The Right of Supervision and the Right to Claim	117
§1. THE RIGHT OF SUPERVISION I. The Right to Criticize and the Right to Make Suggestions II. The Right to File Complaints and Charges III. The Right of Appeal	117 117 117 117
§2. THE RIGHT TO CLAIM	118
Chapter 8. The Consistency between the Fundamental Rights and Duties of Citizens	119
§1. GENERAL INTRODUCTION	119
§2. PRINCIPAL CONTENTS OF FUNDAMENTAL DUTIES OF CITIZENS I. The Duty to Safeguard the Unification of the Country and	119
the Unity of All Its Nationalities II. The Duty to Abide by the Constitution and Other Laws III. The Duty to Safeguard the Security, Honour, and the Interests	119 119
of the Motherland IV. The Duty to Perform Military Service in Accordance with Law V. The Duty to Pay Taxes in Accordance with the Law	120 120 120
Selected Bibliography	121
Appendices	123
Appendix I. The Administrative Division of the People's	100
Republic of China	123

Appendix I	I. The System of the People's Congress in the People's Republic of China	124
Appendix I	II. The Central People's Government of the People's Republic of China from 1949 to 1954	125
Appendix I	V. The Central State Structure of China prescribed by the 1954 Constitution of the People's Republic of China	126
Appendix V	7. The Central State Structure of China prescribed by the 1975 Constitution of the People's Republic of China	127
Appendix V	7I. The Central State Structure of China prescribed by the 1978 Constitution of the People's Republic of China	128
Appendix V	/II. The Central State Structure of China prescribed by the 1982 Constitution of the People's Republic of China	
Index		131