CHAPTER EIGHT

THE PEOPLE’S CONGRESS SYSTEM IN REFORMING CHINA

The People’s Congress System (PCS) is the basis of China’s political system and is also the cornerstone of Chinese democracy. Modern democracies rely on different forms of representation, and PCS is one such representative system. Chinese representative democracy emerged as part of the country’s process of modernization, and its origins can be traced back to the start of the twentieth century.

In the mid-nineteenth century, the Qing Dynasty was compelled to undergo certain reforms such as the Westernization Movement (Yangwu Yundong), which initiated China’s modernization process. Economic modernization also forced political modernization, both directly and indirectly. The Qing Dynasty attempted to imitate Japan and Great Britain by introducing constitutional monarchy to China; on September 1, 1906, an imperial edict was issued to “prepare to draw up a constitution” and to establish democracy. In August of 1907, the Emperor Guangyu issued an order establishing the Consultative Assembly as the first step of a future Congress: “the constitutional government shall be dependent on public opinion, and require both an upper and lower chamber, which are the essence of the government. China is not presently able to establish both houses, but shall establish a Consultative Assembly as a first step toward this end.”1 On August 27, 1908, the Qing Dynasty issued a Constitutional Outline Drawn up by Imperial Edict, which set the term for preparing a constitutional monarchy at nine years. The Congress would be held at this time, and democracy would henceforth be practiced in China. The Qing Government formulated the Regulations of the Consultative Assembly, which specified its functions: 1) discussing the policies announced by the Emperor; 2) drawing up new laws; 3) setting the government budget; 4) setting taxes and government bond issues; and 5) handling citizens’ petitions. The functions of the Consultative Assembly suggest that it was an embryonic form of modern congress.

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1 The Records of the Emperor Guangyu’s Life, p. 5736.
However the Qing authorities’ initiative was in fact an underhanded attempt to confuse and divide public opinion, as they were in essence opposed to modern democracy. As a result, the Qing Dynasty was overthrown by a new, progressive force at that time, the Nationalist Party.

Underpinning the legitimacy of the Nationalist Party—and the main weapon with which it came to power—was representative democracy. On November 29, 1911, the revolutionaries of the Nationalist Party held an Assembly of Representatives of All Governors, which acted as a temporary legislature. This Assembly passed a provisional constitution, the Basic Organizational Law of the Temporary Government of the Republic of China, and elected the President of State. On January 28, 1912, a temporary Congress was established, consisting of deputies from all of the provincial governments. This was China’s first formal representative Congress in the modern democratic sense, and the Basic Organizational Law gave this temporary Congress the sovereign power of state. Basically, its powers included the abilities to 1) draft laws and review and pass bills governing the budget, taxes, the monetary system, bonds, etc., submitted by the temporary government or the President; 2) review and pass bills governing declarations of war, conclusion of treaties, as well as the administration, appointment and removal of leading officials of the central government, etc. On March 8, 1912, the Provisional Constitution of the Republic of China, the first formal constitution in Chinese history, was promulgated in the name of President Sun Yatsen. The Provisional Constitution established the basis for Chinese democracy by regulating fundamental democratic principles such as the sovereignty, freedom and equality of its citizens. This democratic framework saw no great change until the Nationalist regime was overthrown in 1949.

However, the Nationalist Party regime never wholeheartedly implemented US-style democracy in China, and was eventually forced to flee to Taiwan by a new standard-bearer for democracy and progress, the Chinese Communist Party (CCP). Ironically, the CCP’s legitimacy and one of the main weapons it used to come to power came from the same source as the Nationalist Party when it overthrew the Qing Dynasty: from modern democracy, for as the CCP fought to remove the Nationalist regime, it gradually established a system of People’s Congresses in areas that fell under its control.

The People’s Congress System has its roots in the Chinese Soviet Representative Assembly. In November 1931, the CCP held the Chinese Soviet Representative Assembly’s first plenary session in Ruijin, Jiangxi Province. The Assembly approved the Draft Constitution of the Chinese