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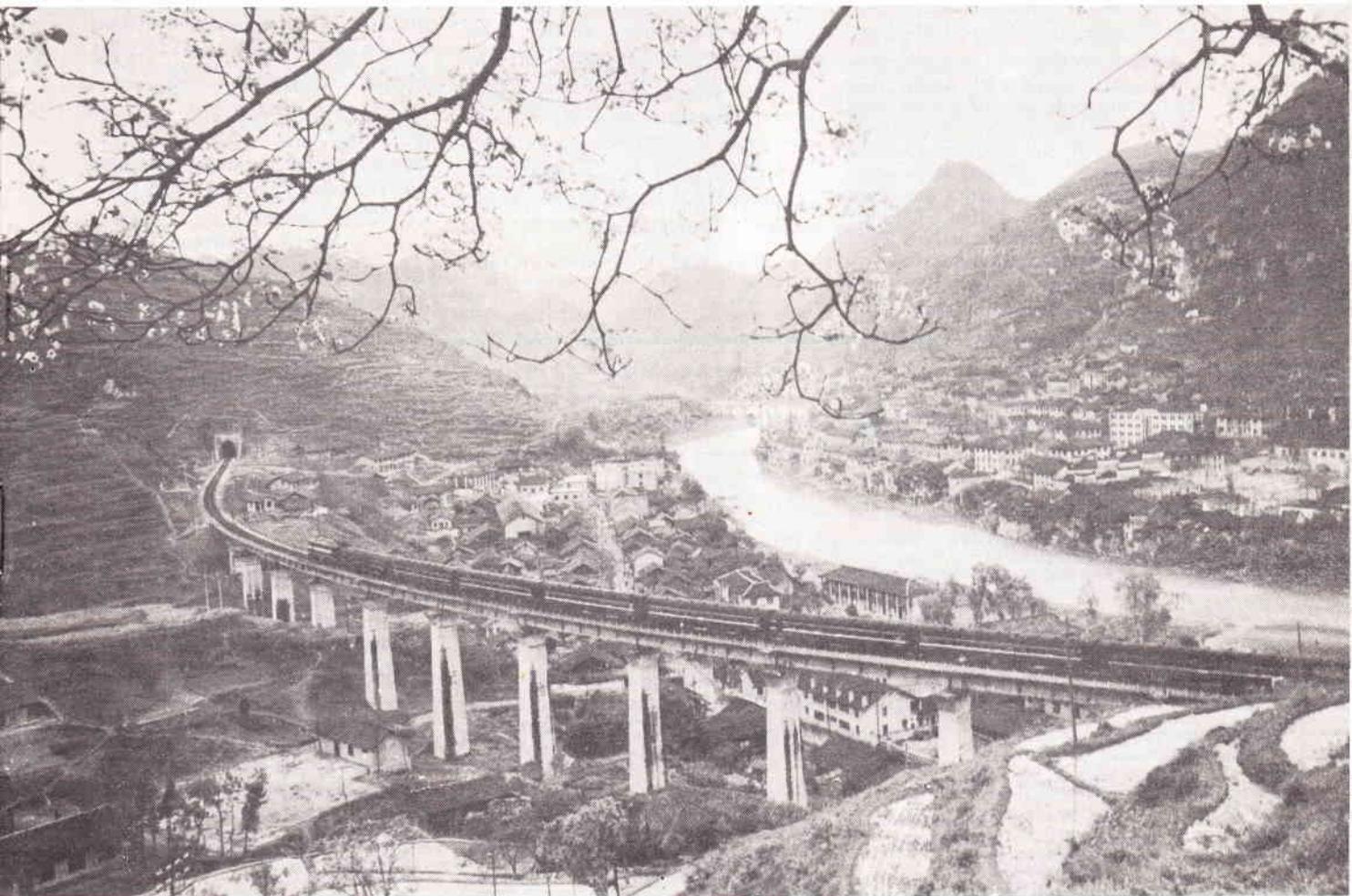
December 27, 1982

BEIJING REVIEW



A CHINESE WEEKLY OF
NEWS AND VIEWS

- **Constitution of the People's Republic of China**
- **More Railways for the Modernization Drive**
- ***Beijing Review* Subject Index (Nos. 27-52, 1982)**



LETTERS

Achievable Goals

My regular reading of your magazine has acquainted me with China's efforts and achievements. To build socialism in a country with such an immense population, a quarter of humanity, is truly a long-term, arduous task.

You have recently announced comprehensive plans. It is said that man can accomplish anything he puts his mind to and this is applicable to the Chinese people as your long, glorious history clearly confirms.

Therefore, I think your goals can be realized.

I am convinced that by seeking truth from facts the Chinese people will surely advance and win great victories.

Mario Bernal R.
Bogota, Colombia

An Additional Column

I have been reading *Beijing Review*, *China Pictorial*, and *China Reconstructs* since 1975 but have never written to any of you because I believe that as Chinese magazines, they should have their own ways of expression and contents so as to reflect Chinese thinking and social customs. People visit a strange country not to

draw examples for their own land but to know that country as it is.

However, since you solicit readers' criticisms to improve your work and win new readers, I feel obliged to venture some of my own opinions about *Beijing Review*.

First, a magazine with both articles and pictures — more photos than *Beijing Review* and more articles than *China Pictorial*, like *China Reconstructs* — is more suitable to West European readers.

Second, an extensive column, containing, for instance, information about package tours for individuals and groups, reports about tourism including articles written by the travellers themselves and coverage of foreigners who work in China, should be started. I know many of my acquaintances would be interested in this.

Matthias Hirsch
Nenmuster, FRG

Chinese Sociology

Congratulations to you in publishing the article entitled "A Chinese-Style Sociology" (issue No. 43). I have been reading *Beijing Review* for two years. I read this article thoroughly, and I'm very happy to see such an article as I am a post-graduate student of sociology and cultural anthropology in our country.

I hope that the newly estab-

lished departments of sociology will pave the way to modernize and consolidate the political and socio-economic work of your country. This field is beneficial to the third world countries' students and scholars.

J. Prasain
Kathmandu, Nepal

Clarifying Chinese Government Policy

There is a lot of rumour about Chinese Government policy. I think it would help your foreign readers if there could be published interviews with government leaders on key issues to clarify the situation.

I think that a section on trade and investment in China would be welcomed by many foreign readers.

L.A. Rayner
Xianggang (Hongkong)

Tibet and Dance

The latest charm of your magazine is the articles about Tibet: "Policy Towards Dalai Lama" (issue No. 46) and the interview with a Tibetan leader (issue No. 47).

Further, it is the first time an interesting and informative article has been published in your magazine (issue No. 46) about the long history of dance in China.

Sheraz Manzoor Haider
Sargodha, Pakistan

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The Third World Needs No Leader

Do you have any comment about the view that China occupies a special position in the third world and is its leader?

Why should the third world need a leader? All the third world countries are independent sovereign states. They have freed themselves from foreign yokes after prolonged struggles and are now safeguarding their independence, developing their national economy and building up their own countries. They do not need a force above them ordering them about.

All the third world countries, big or small, are political equals. They can discuss and solve their problems in the spirit of unity and mutual assistance; they should have no leader/follower relations among them. On some worldwide issues, they support and cooperate with each other, thus influencing international relations to move in the direction of democracy and equality. These include the struggle against maritime hegemony, the struggle to support the oil-exporting countries and the struggle to change the irrational international economic order. Today, third world states are playing an increasing role and exerting a growing influence in world affairs.

Any country which attempts to pose as a leader and control others will be spurned.

Although China is a big country, it has never sought a special position in the third world. It is not the leader of the third world today, nor will it be tomorrow, because this kind of "leadership" does not conform

to the principles guiding its foreign relations.

China has consistently supported other third world countries in their struggles against imperialism, hegemonism and colonialism. It has also made great efforts to provide aid, to strengthen economic cooperation and exchanges with

Are you optimistic about prospects for improving Sino-Indian relations?

China and India are close neighbours and do not threaten each other. There are no disputes in bilateral relations, with the exception of the border issue. The strengthening of contacts and co-operation is beneficial to both countries. There is no reason, therefore, that relations between them cannot be improved.

Both China and India belong to the third world and are developing countries. Both are big countries with large populations and rich natural resources. Their combined population is 1,700 million, more than one-third of the world's total. With similar past experiences, the two nations now face the similar tasks of developing their economies and building up their countries.

The peoples of China and India have a long-standing friendship and their close cooperation in the 50s is remembered with warmth by both peoples. The Five Principles of Peaceful Coexistence initiated then by Premier Zhou Enlai and Prime Minister Nehru have become universally recog-

them and to encourage learning from each other and supplying each other's needs on the basis of equality.

Because our relations with other third world countries have been guided by these policies, we are respected and trusted by their governments and peoples, for which we feel honoured.

— *International Editor*
Mu Youlin

Sino-Indian Relations

nized principles guiding the relations between states.

A short time ago Beijing commemorated two Indian doctors who made invaluable contributions to the Chinese people's war against Japanese aggression. (See p. 6.) The Chinese people will never forget these internationalist fighters.

The border issue between China and India is a problem left over from history and complicated by many factors. This problem should be settled as quickly as possible for the cause of peace in Asia and the world as a whole. The Chinese Government has expressed its willingness to make positive efforts to this end. Given the sincerity and willingness to work together in the spirit of mutual understanding and mutual accommodation, the issue can be solved without difficulty and a comprehensive and reasonable settlement can be achieved.

Even if an agreement cannot be reached for the time being, it should not affect friendly exchanges and co-operative relations in the economic, technological and cultural fields.

— *International Editor*
Mu Youlin

POLITICAL

Communist Youth League Congress Opens

The 11th National Congress of the Chinese Communist Youth League opened in the Great Hall of the People in Beijing on December 20, attended by more than 1,900 delegates from 56 nationalities all over China.

Party and state leaders Hu Yaobang, Deng Xiaoping, Chen Yun, Deng Yingchao and others attended the opening ceremony and extended their greetings to the delegates.

Hu Qili, Member of the Secretariat of the Party Central Committee, addressed the congress on behalf of the Party Central Committee. Hu Qili said that the Party and the state now expect more than ever before that the young people heighten their consciousness, work hard and carry forward the fine traditions of the youth movement nurtured by the Party.

Hu stressed that two important historical conclusions are recorded in the glorious history of China's youth movement. First, the Communist Party must arouse the consciousness of the young people, rely on their strength and bring their vanguard role into full play in all undertakings so as to lead the Chinese revolution and construction to victory. Second, the young people must follow the leadership of the Communist Party and the guidance of Marxism-Leninism, be one with the people and firmly keep to the correct political orientation

in order to be useful in revolution and construction.

He noted that fulfilment of China's goal to quadruple the gross output value of industry and agriculture by the end of this century relies to a great extent on the young people of today. They should shoulder this great historical task.

Wang Zhaoguo, First Secretary of the Central Committee of the Chinese Communist Youth League, delivered a work report on behalf of the 10th Central Committee of the Youth League. Entitled "Youth of the Whole Country Unite and March Towards the Brilliant Future of Socialist Modernization," his report was divided into three parts.

He first summed up the role played by the Communist Youth League since it was restored and developed in the past four years. He pointed out that 26 million of the Youth League's 48 million members were recruited in the past four years. Of which, 2.7 million outstanding members have been admitted into the Communist Party. He said that the youth of China have withstood the test and are becoming a more promising generation that will accomplish much in the days to come.

In the second part of his report, he said that young people between 15 and 28 years old account for one-fourth of China's population. Their main task in the modernization drive is to work hard and study hard and set an example in promoting socialist morality.

In conclusion, he urged that the Communist Youth League become the core in uniting and educating the younger genera-

tion. He said that untiring efforts should be made to enhance the consciousness and fine qualities of the young people and actively serve them. Youth League organizations at various levels, he said, should be worthy of the name of assistants and reserve force of the Party.

ECONOMIC

Railways: Today and Tomorrow

Upgrading the railway networks features prominently in China's recently published Sixth Five-Year Plan.

In the next three years (1983-85), China will build 1,700 kilometres of new railways, double-track 1,500 kilometres and electrify another 2,000 kilometres. Thus by 1985, the nation's railways will be able to handle 1,200 million tons of freight and 1,100 million passengers a year.

Most of the new lines will be in north, southwest and east China to facilitate the shipping of mineral resources from these areas, especially coal from Shanxi Province.

Shanxi Province boasts a verified coal reserve of 202,100 million tons, or one-third of the nation's total. Its coal is of fine quality and is located in shallow deposits that can be easily mined. The province's annual coal output has hit 100 million tons in the last few years and is expected to top 140 million tons this year. However, owing to an acute transportation shortage nearly 10 million tons of coal get stuck there every year.

Turkish President Visits China

President Kenan Evren of the Republic of Turkey paid an official visit to China from December 13 to 17.

President Evren's visit was the first by a Turkish head of state to China, and it was also his first visit abroad since becoming President.

Premier Zhao Ziyang held talks with the Turkish President. Their talks showed that both sides shared similar or converging views on many major international issues. The two leaders agreed that foreign troops must be withdrawn from Afghanistan and Kampuchea and that the issues of Afghanistan and Kampuchea should be settled in accordance with the relevant UN resolutions.

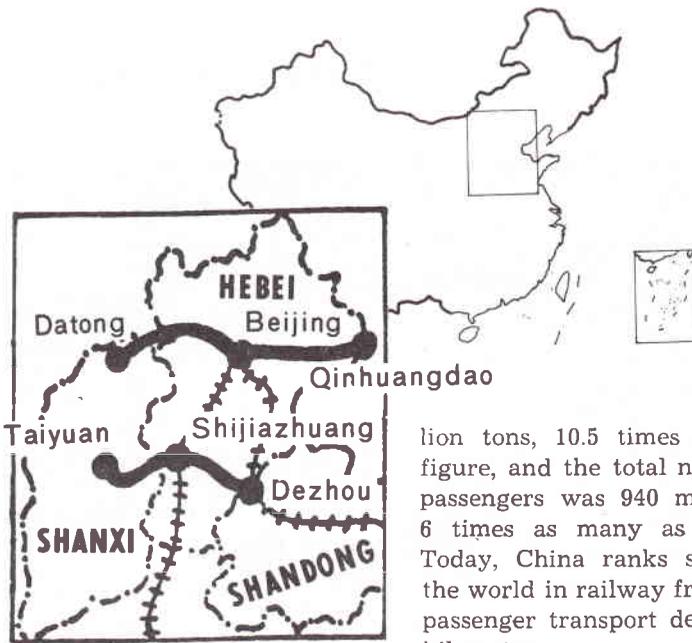
Condemning Israel's policy of aggression and expansion, the two leaders reiterated that China and Turkey support the Palestinian and other Arab people in their just struggle to recover the lost land and to restore their national rights; they also expressed support for the unremitting efforts of the Arab

lion tons, 10.5 times the 1950 figure, and the total number of passengers was 940 million, or 6 times as many as in 1950. Today, China ranks second in the world in railway freight and passenger transport density per kilometre.

These achievements notwithstanding, China's railways still fall short of the needs of the fast-growing national economy.

The 12th Party Congress included the expansion of the means of transport and communications (including railways) as one of the three strategic tasks so as to ensure the quadrupling of the nation's total industrial and agricultural output value by the end of the 20th century. By 1990, the number of passengers and the volume of freight handled by the railways will be 40 per cent greater than they are today.

Premier Zhao Ziyang welcomes President Kenan Evren at the Great Hall of the People in Beijing.



A number of railways are being constructed to solve this problem. A 379-kilometre-long electrified double-track railway line is near completion, leading from Datong, a major coal centre in Shanxi, to Fengtai on the outskirts of Beijing, and it will be connected with the railway line from Beijing to the port city of Qinhuangdao in Hebei Province. An electrified double-track line from Taiyuan, the capital of Shanxi Province, to Shijiazhuang, the capital of Hebei Province, was opened in September; and another double-track line from Shijiazhuang to Shandong Province's Dezhou was commissioned in December. All this will greatly improve the transportation of coal from Shanxi Province.

China is a vast country with a big population and rich natural resources. Its railways handle 70 per cent of the nation's total volume of freight and 60 per cent of the total number of passengers. Since liberation, railway lines have been extended from about 10,000 kilometres in 1950 to 50,000 kilometres in 1981. The total volume of freight the trains carried reached 1,048 mil-

countries in seeking a comprehensive and just solution to the Middle East problem.

Premier Zhao and President Evren expressed satisfaction with the development of Sino-Turkish relations.

Zhao Ziyang said that the two countries should explore ways to expand their co-operation on the basis of equality and mutual benefit. Such a relationship should enable China and Turkey to learn from each other, make up for each other's deficiencies, supply each other's needs and achieve common development. He said that there are great potentials and bright prospects for trade, economic and technical co-operation between the two countries.

President Evren expressed the hope that the two countries would strengthen co-operation in various fields on the basis of mutual understanding.

Commemorating Two Indian Doctors

More than 3,000 people from all walks of life in the capital met on December 15 to commemorate the 40th anniversary of the death of Dr. Dwarkanath S. Kotnis and the 25th anniversary of the death of Dr. Menhanlal Atal.

The two doctors came to China as members of an aid-China medical mission sent by the Indian Congress Party in 1938 to help the Chinese people in their struggle against Japanese aggression. They joined in the medical work of the Eighth Route Army in Yanan and on the north China front. Kotnis was a young doctor on the medical team who died of an illness and overwork when he was 32 years old. Atal, who



At the commemoration meeting for Kotnis and Atal.

was the leader of the team, died in Beijing during his second trip to China in 1957.

Speaking at the commemoration meeting, Wang Bingnan, President of the Chinese People's Association for Friendship With Foreign Countries, said that in honouring the memory of the two Indian doctors, the best way is to learn from their great spirit of internationalism, their utter devotion to work and their spirit of selflessness. He called on all present to carry forward the cause of Indian-China friendship, to which the two doctors dedicated their lives, and strengthen mutual support and mutual assistance between the Chinese and Indian peoples, so that their traditional friendship will be continually consolidated and developed.

An All-India Memorial Committee for Dr. Kotnis led by Dr. Basu, the only survivor of the aid-China medical mission that came to China in 1938, Dr. Kotnis' relatives and the Indian Ambassador to China attended the meeting.

Nie Rongzhen, Member of the Political Bureau of the Chinese Communist Party Central Committee and Vice-Chairman of

the Military Commission of the CPC Central Committee, met with the Indian guests before the meeting. He was with Kotnis in the front of the struggle fighting against the Japanese invaders in the 1940s.

Chairman Ye Jianying of the Standing Committee of the National People's Congress also met with the delegation and other Indian friends at his residence. He had forged a profound friendship with Kotnis and Atal during the war against Japanese aggression.

Commemoration meetings were also held in early December at the Norman Bethune International Peace Hospital of the Chinese People's Liberation Army, of which Dr. Kotnis was the first director, and at the Norman Bethune Medical College where Dr. Kotnis had taught.

The People's Publishing House brought out a book in commemoration of Dr. Kotnis. In the book, there are inscriptions by Ye Jianying, Deng Xiaoping and Nie Rongzhen, as well as inscriptions and articles by his friends and relatives. The book also contains some of Dr. Kotnis' letters.

Sea Law Convention Battle

THE third UN Conference on the Law of the Sea concluded in Montego Bay, Jamaica, on Dec. 10 with the signing of a new Law of the Sea Convention after nine years of arduous negotiations. The representatives of 117 nations and two other organizations signed the new convention, far more than the 60 countries needed to make it effective. This is a great victory for the world, especially for the third world countries who united to successfully confront the repeated attempts of the superpowers to weaken the convention.

Third World Stand Upheld

The new convention is fundamentally different from the four conventions adopted at the first UN Conference on the Law of the Sea in 1958. At that conference, of the 80 countries attending, only half were Asian and African countries. This represented the limited historical conditions of the time. The four conventions adopted under the manipulation of the big powers were entirely advantageous to the maritime hegemony of the superpowers and were disadvantageous to the just struggles of the developing countries attempting to defend their sovereignty and safeguard their national economic interests.

The new convention embodies the long-held demands and principled stand of the third world countries: coastal territorial waters extending 12 nautical miles off shore and an exclusive economic zone up to 200 nautical miles out to sea. Beyond that point, the seabed

and its resources are the common heritage of all mankind. The new convention does not consider just the interests of the developing countries, but it also considers the interests of the developed countries. It embodies the interests of both coastal and landlocked countries. Therefore, this is the most reasonable and acceptable convention for most countries to date.

However, there are still shortcomings and even serious defects in the provisions of quite a few articles in the new convention. As the Chinese representative pointed out, the articles relating to innocent passage through territorial waters contain no clear provisions regarding the passage of foreign warships. In addition, the convention also fails to adequately define the continental shelf, or the principle for delimiting the exclusive economic zones and continental shelf between opposite or adjacent states. Thus a number of articles of the convention will undergo further refinement as they are implemented in the future.

The new convention is a hard-won victory over many difficulties and obstacles.

The third UN Law of the Sea Conference officially opened at the UN in December of 1973. It held many sessions over several years. After years of revisions and corrections, the overall draft convention on the exploitation of maritime resources was adopted in April of 1980. After further revisions it became the official draft convention. The revised draft con-

vention adopted at the 10th Session of the UN Law of the Sea Convention in August of 1981 made possible the official sea law convention.

Task Not Yet Ended

After the conclusion of the 10th Session of the Third UN Law of the Sea Conference, the United States roped some developed countries into agreeing on a "mini-treaty" alternative to the Law of the Sea Convention. The United States refused to sign the convention on the excuse that the deep-sea mining provisions do not conform to US interests. At the US initiative, the United States, Britain, France and West Germany then signed an agreement on deep-sea mining, i.e., the "mini-treaty," aiming at using their abundant capital and advanced technology to divide among themselves the ocean resources belonging to the whole of mankind.

At the Jamaica conference the United States not only refused to sign, it also urged as many countries as it could not to sign. Its attitude has been criticized by the third world countries. Prime Minister of the host country, Edward Seaga pointed out that the "mini-treaty" signed by the United States and some West European countries has no legal status. "It is contrary to the provisions of the Law of the Sea Convention." Actually, one member of the "mini-treaty," France, has signed the new convention. This shows that the US attempt to enlist the support of others for its boycott of the new convention was not easy.

The new convention stipulates that as of Dec. 10, 1982,

the convention will remain open for signature in the Foreign Ministry of Jamaica for two years. It also may be signed in the UN Headquarters, from July 1, 1983 to Dec. 9, 1984.

The birth of the new convention marks a great change in the balance of the international political forces. Its implementa-

tion will undoubtedly face many obstacles which will demand continued joint efforts and steadfast struggles on the part of the participating countries, particularly the third world countries, to protect the gains already achieved and finally turn the sea into a real asset of all humanity.

— Wang Shifang

South Africa Denounced For New Crime

STRONG condemnations of the South African Dec. 9 attack on Lesotho were adopted by the UN General Assembly and Security Council on Dec. 14 and 15, respectively.

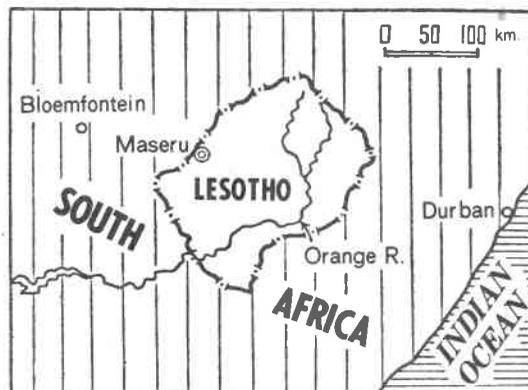
The Dec. 9 raid by South African troops on Maseru, the capital of Lesotho, is yet another in the series of serious crimes committed by the South African racist regime against its neighbours. More than 40, including women and children, were killed in the surprise raid.

Lesotho, a small landlocked country surrounded by South Africa on all sides, has sustained several South African attacks in recent months. South African troops also have repeatedly invaded Angola, Mozambique and Botswana and have carried out harassing and subversive activities against Zimbabwe and other countries.

In violation of the basic principles governing international relations, these barbarous acts by the South African authorities have gravely infringed on the

independence and sovereignty of these countries and have aggravated tensions in southern Africa. The South African racist regime is clearly the main source of trouble in that region.

The repeated South African acts of aggression are obviously aimed at destabilizing its neighbours by sabotaging their domestic construction and at dis-



couraging their support for the South African and Namibian peoples' just struggles, so as to weaken liberation movements in southern Africa as a whole. But these schemes will never succeed.

The cold-blooded massacre in Lesotho has evoked widespread protests in Africa and throughout the world. Chairman of the Organization of African

Unity and President of Kenya, Daniel Arap Moi, pointed out in his Dec. 10 statement that the continued South African aggression against independent countries in southern Africa cannot stop the liberation struggles in the region. These struggles will continue until their final victory, he added. Many African governments and leaders have condemned the South African apartheid regime for its latest atrocity and have pledged solidarity with Lesotho's government and people.

The UN resolutions denouncing the latest South African attack on Lesotho demand full and adequate compensation by South Africa for the losses in life and property suffered by Lesotho. They also call for measures to prevent further aggression by South Africa against its neighbours. These follow the 10 UN resolutions of December 9 condemning earlier South African aggression.

The Chinese Government and people strongly urge that strict sanctions be applied to halt South African aggression. Chinese Permanent Representative to the United Nations Ling Qing pointed out at the Dec. 15 Security Council meeting that the big power which has all along indulged and shielded South Africa is duty-bound to exert pressure to stop the South African authorities from continuing their atrocities.

— Wang Dadao

CORRECTIONS: Vol. 25, No. 51, pp. 36 and 37, "Pagoda of Ten Thousand Buddhas" should read "Pagoda of One Hundred Thousand (100,000) Buddhas," and p. 37, left column, line 18, "10,000" should read "100,000."

The caption on the illustration on the right-hand column of p. 28, No. 46, should read: "A line drawing of a dancer from the Dunhuang murals of the Tang Dynasty (618-907)."

Who Was Really Responsible For the Beirut Massacre?

THE recent report of the Israeli judicial commission investigating the Beirut massacre demands that Israeli Prime Minister Menachem Begin and others answer for their "negligent and irresponsible actions" concerning this affair. The part that Begin and Defence Minister Ariel Sharon played in planning and directing this criminal act already is becoming clear to all. The fact is that they deliberately used the hostility between the Palestinians and the Lebanese Phalange to manufacture this incident, hoping that by this scheme of indirect assassination they could weaken the revolutionary strength of the Palestinians. Begin and his accomplices already stand accused before the bench of world public opinion.

Israel's Inescapable Culpability

Following the Beirut massacre, officials of Israel, of the Lebanon Phalange and of Major Sa'ad Haddad's Free Lebanon militia all denied any responsibility for the massacre. The Israeli government also issued a statement declaring that since Israel condemns all terrorist activities, as soon as the killing was discovered, the government used every possible means to control and stop the massacre. However, these lies fooled no one. The Arab nations and world public opinion angrily accused Israel of having directed this frightening and criminal massacre. This also

aroused a powerful movement within Israel itself.

Forced by circumstances, the Israeli authorities on Sept. 24 agreed to let a judicial commission formed by the highest Israeli court investigate the massacre of the Palestinian refugee camps in Beirut.

The judicial commission has now completed the preliminary phase of its investigation. In his testimony on Oct. 25, Defence Minister Sharon told the commission that Begin's cabinet decided on Sept. 15 to send Lebanese Phalangist militiamen into the Sabra and Shatila Camps and to give them a wider role in the combat. He said that he then made a personal visit to an Israeli observation post overlooking the camps in accordance with the cabinet's decision, and agreed to the mopping-up operations against "terrorists" (Palestinian fighters), so as to minimize Israeli casualties.

Israeli Brig. General Amos Yaron, commander of Israeli forces in Beirut, admitted in his testimony that he had reports from his officers on the night of Sept. 16 that civilians were being killed in the camps and the next morning he told Amir Drori, Israel's northern commander.

He also testified that Israel's Chief of Staff Rafael Eitan arrived in Beirut in the afternoon of Sept. 17, that Eitan and top Israeli officers met with Phalange commanders at 4 p.m.,

Sept. 17. During their meeting, Eitan praised the Phalange's operation in the camps. Yaron said Eitan allowed the Phalange to remain in the camps until 5 a.m. of Sept. 18. In his Oct. 25 testimony, Sharon acknowledged that he had received a phone call from General Eitan at 9 p.m., Sept. 17, about the atrocities committed against civilians in the two camps.

Israel's Communication Minister Mordechai Zippori testified that he called Foreign Minister Shamir on Sept. 17 to say the Phalange were "carrying out a slaughter." Shamir testified Zippori used the expression "running amok" and not "slaughter."

Prime Minister Begin testified that the first he heard of the massacre was on the British news broadcast on Sept. 18. He said, "It was never imagined that the Lebanese forces would want — or be able — to perpetrate a massacre." But Begin acknowledged that Deputy Prime Minister David Levy warned at the cabinet meeting of Sept. 16 that the Phalange might avenge the death of their leader, president-elect Bashir Gemayel who was assassinated two days before.

Too Lenient a Charge

The Israeli judicial commission only charged Begin, Sharon and Shamir with responding "irresponsibly" to the Beirut massacre. This indictment, is rather too lenient.

The facts already show that Begin, Sharon and company were really responsible for creating the Beirut massacre.

— Zhong Tai

Constitution Of the People's Republic of China

Adopted on December 4, 1982 by the Fifth National
People's Congress of the People's Republic of China
At Its Fifth Session

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Preamble

CHINA is one of the countries with the longest histories in the world. The people of all nationalities in China have jointly created a splendid culture and have a glorious revolutionary tradition.

Feudal China was gradually reduced after 1840 to a semi-colonial and semi-feudal country. The Chinese people waged wave upon wave of heroic struggles for national independence and liberation and for democracy and freedom.

Great and earth-shaking historical changes have taken place in China in the 20th century.

The Revolution of 1911, led by Dr. Sun Yat-sen, abolished the feudal monarchy and gave birth to the Republic of China. But the Chinese people had yet to fulfil their historical task of overthrowing imperialism and feudalism.

After waging hard, protracted and tortuous struggles, armed and otherwise, the Chinese people of all nationalities led by the Communist Party of China with Chairman Mao Zedong as its leader ultimately, in 1949, overthrew the rule of imperialism, feudalism and bureaucrat-capitalism, won the great victory of the new-democratic revolution and founded the People's Republic of China. Thereupon the Chinese people took state power into their own hands and became masters of the country.

After the founding of the People's Republic, the transition of Chinese society from a new-democratic to a socialist society was effected step by step. The socialist transformation of the private ownership of the means of production was completed, the system of exploitation of man by man eliminated and the socialist system established. The people's democratic dictatorship led by the working class and based on the alliance of workers and peasants, which is in essence the dictatorship of the proletariat, has been consolidated and developed. The Chinese people and the Chinese People's Liberation Army have thwarted aggression, sabotage and armed provocations by imperialists and hegemons, safeguarded China's national independence and security and strengthened its national defence. Major successes have been achieved in economic development. An independent and fairly comprehensive socialist system of industry has in the main been established. There has been a marked increase in agricultural production. Significant progress has been made in educational, scientific, cultural and other undertakings, and socialist ideological education has yielded noteworthy results. The living standards of the people have improved considerably.

Both the victory of China's new-democratic revolution and the successes of its socialist cause have been achieved by the Chinese people of all nationalities under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, and by upholding truth, correcting errors and overcoming numerous difficulties and hardships. The basic task of the nation in the years to come is to concentrate its effort on socialist modernization. Under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, the Chinese people of all nationalities will continue to adhere to the people's democratic dictatorship and follow the socialist road, steadily improve socialist institutions, develop socialist democracy, improve the socialist legal system and work hard and self-reliantly to modernize industry, agriculture, national defence and science and technology step by step to turn China into a socialist country with a high level of culture and democracy.

The exploiting classes as such have been eliminated in our country. However, class struggle will continue to exist within certain limits for a long time to come. The Chinese people must fight against those forces and elements, both at home and abroad, that are hostile to

China's socialist system and try to undermine it.

Taiwan is part of the sacred territory of the People's Republic of China. It is the lofty duty of the entire Chinese people, including our compatriots in Taiwan, to accomplish the great task of reunifying the motherland.

In building socialism it is imperative to rely on the workers, peasants and intellectuals and unite with all the forces that can be united. In the long years of revolution and construction, there has been formed under the leadership of the Communist Party of China a broad patriotic united front that is composed of democratic parties and people's organizations and embraces all socialist working people, all patriots who support socialism and all patriots who stand for reunification of the motherland. This united front will continue to be consolidated and developed. The Chinese People's Political Consultative Conference is a broadly representative organization of the united front, which has played a significant historical role and will continue to do so in the political and social life of the country, in promoting friendship with the people of other countries and in the struggle for socialist modernization and for the reunification and unity of the country.

The People's Republic of China is a unitary multinational state built up jointly by the people of all its nationalities. Socialist relations of equality, unity and mutual assistance have been established among them and will continue to be strengthened. In the struggle to safeguard the unity of the nationalities, it is necessary to combat big-nation chauvinism, mainly Han chauvinism, and also necessary to combat local-national chauvinism. The state does its utmost to promote the common prosperity of all nationalities in the country.

China's achievements in revolution and construction are inseparable from support by the people of the world. The future of China is closely linked with that of the whole world. China adheres to an independent foreign policy as well as to the five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence in developing diplomatic relations and economic and cultural exchanges with other countries; China consistently opposes imperialism, hegemonism and colonialism, works to strengthen unity with the people of other countries,

supports the oppressed nations and the developing countries in their just struggle to win and preserve national independence and develop their national economies, and strives to safeguard world peace and promote the cause of human progress.

This Constitution affirms the achievements of the struggles of the Chinese people of all nationalities and defines the basic system and basic tasks of the state in legal form; it is the fundamental law of the state and has supreme legal authority. The people of all nationalities, all state organs, the armed forces, all political parties and public organizations and all enterprises and undertakings in the country must take the Constitution as the basic norm of conduct, and they have the duty to uphold the dignity of the Constitution and ensure its implementation.

Chapter One General Principles

Article 1

The People's Republic of China is a socialist state under the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants.

The socialist system is the basic system of the People's Republic of China. Sabotage of the socialist system by any organization or individual is prohibited.

Article 2

All power in the People's Republic of China belongs to the people.

The organs through which the people exercise state power are the National People's Congress and the local people's congresses at different levels.

The people administer state affairs and manage economic, cultural and social affairs through various channels and in various ways in accordance with the law.

Article 3

The state organs of the People's Republic of China apply the principle of democratic centralism.

The National People's Congress and the local people's congresses at different levels are

instituted through democratic election. They are responsible to the people and subject to their supervision.

All administrative, judicial and procuratorial organs of the state are created by the people's congresses to which they are responsible and under whose supervision they operate.

The division of functions and powers between the central and local state organs is guided by the principle of giving full play to the initiative and enthusiasm of the local authorities under the unified leadership of the central authorities.

Article 4

All nationalities in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any acts that undermine the unity of the nationalities or instigate their secession are prohibited.

The state helps the areas inhabited by minority nationalities speed up their economic and cultural development in accordance with the peculiarities and needs of the different minority nationalities.

Regional autonomy is practised in areas where people of minority nationalities live in compact communities; in these areas organs of self-government are established for the exercise of the right of autonomy. All the national autonomous areas are inalienable parts of the People's Republic of China.

The people of all nationalities have the freedom to use and develop their own spoken and written languages, and to preserve or reform their own ways and customs.

Article 5

The state upholds the uniformity and dignity of the socialist legal system.

No law or administrative or local rules and regulations shall contravene the Constitution.

All state organs, the armed forces, all political parties and public organizations and all enterprises and undertakings must abide by the Constitution and the law. All acts in violation of the Constitution and the law must be looked into.

No organization or individual may enjoy the privilege of being above the Constitution and the law.

Article 6

The basis of the socialist economic system of the People's Republic of China is socialist public ownership of the means of production, namely, ownership by the whole people and collective ownership by the working people.

The system of socialist public ownership supersedes the system of exploitation of man by man; it applies the principle of "from each according to his ability, to each according to his work."

Article 7

The state economy is the sector of socialist economy under ownership by the whole people; it is the leading force in the national economy. The state ensures the consolidation and growth of the state economy.

Article 8

Rural people's communes, agricultural producers' co-operatives, and other forms of co-operative economy such as producers', supply and marketing, credit and consumers' co-operatives, belong to the sector of socialist economy under collective ownership by the working people. Working people who are members of rural economic collectives have the right, within the limits prescribed by law, to farm private plots of cropland and hilly land, engage in household sideline production and raise privately owned livestock.

The various forms of co-operative economy in the cities and towns, such as those in the handicraft, industrial, building, transport, commercial and service trades, all belong to the sector of socialist economy under collective ownership by the working people.

The state protects the lawful rights and interests of the urban and rural economic collectives and encourages, guides and helps the growth of the collective economy.

Article 9

Mineral resources, waters, forests, mountains, grassland, unreclaimed land, beaches and other natural resources are owned by the state, that is, by the whole people, with the exception of the forests, mountains, grassland, unreclaim-

ed land and beaches that are owned by collectives in accordance with the law.

The state ensures the rational use of natural resources and protects rare animals and plants. The appropriation or damage of natural resources by any organization or individual by whatever means is prohibited.

Article 10

Land in the cities is owned by the state.

Land in the rural and suburban areas is owned by collectives except for those portions which belong to the state in accordance with the law; house sites and private plots of cropland and hilly land are also owned by collectives.

The state may in the public interest take over land for its use in accordance with the law.

No organization or individual may appropriate, buy, sell or lease land, or unlawfully transfer land in other ways.

All organizations and individuals who use land must make rational use of the land.

Article 11

The individual economy of urban and rural working people, operated within the limits prescribed by law, is a complement to the socialist public economy. The state protects the lawful rights and interests of the individual economy.

The state guides, helps and supervises the individual economy by exercising administrative control.

Article 12

Socialist public property is sacred and inviolable.

The state protects socialist public property. Appropriation or damage of state or collective property by any organization or individual by whatever means is prohibited.

Article 13

The state protects the right of citizens to own lawfully earned income, savings, houses and other lawful property.

The state protects by law the right of citizens to inherit private property.

Article 14

The state continuously raises labour productivity, improves economic results and develops

the productive forces by enhancing the enthusiasm of the working people, raising the level of their technical skill, disseminating advanced science and technology, improving the systems of economic administration and enterprise operation and management, instituting the socialist system of responsibility in various forms and improving organization of work.

The state practises strict economy and combats waste.

The state properly apportions accumulation and consumption, pays attention to the interests of the collective and the individual as well as of the state and, on the basis of expanded production, gradually improves the material and cultural life of the people.

Article 15

The state practises economic planning on the basis of socialist public ownership. It ensures the proportionate and co-ordinated growth of the national economy through overall balancing by economic planning and the supplementary role of regulation by the market.

Disturbance of the orderly functioning of the social economy or disruption of the state economic plan by any organization or individual is prohibited.

Article 16

State enterprises have decision-making power in operation and management within the limits prescribed by law, on condition that they submit to unified leadership by the state and fulfil all their obligations under the state plan.

State enterprises practise democratic management through congresses of workers and staff and in other ways in accordance with the law.

Article 17

Collective economic organizations have decision-making power in conducting independent economic activities, on condition that they accept the guidance of the state plan and abide by the relevant laws.

Collective economic organizations practise democratic management in accordance with the law, with the entire body of their workers electing or removing their managerial personnel and deciding on major issues concerning operation and management.

Article 18

The People's Republic of China permits foreign enterprises, other foreign economic organizations and individual foreigners to invest in China and to enter into various forms of economic co-operation with Chinese enterprises and other economic organizations in accordance with the law of the People's Republic of China.

All foreign enterprises and other foreign economic organizations in China, as well as joint ventures with Chinese and foreign investment located in China, shall abide by the law of the People's Republic of China. Their lawful rights and interests are protected by the law of the People's Republic of China.

Article 19

The state develops socialist educational undertakings and works to raise the scientific and cultural level of the whole nation.

The state runs schools of various types, makes primary education compulsory and universal, develops secondary, vocational and higher education and promotes preschool education.

The state develops educational facilities of various types in order to wipe out illiteracy and provide political, cultural, scientific, technical and professional education for workers, peasants, state functionaries and other working people. It encourages people to become educated through self-study.

The state encourages the collective economic organizations, state enterprises and undertakings and other social forces to set up educational institutions of various types in accordance with the law.

The state promotes the nationwide use of *Putonghua* (Common Speech based on Beijing pronunciation).

Article 20

The state promotes the development of the natural and social sciences, disseminates scientific and technical knowledge, and commends and rewards achievements in scientific research as well as technological discoveries and inventions.

Article 21

The state develops medical and health services, promotes modern medicine and traditional

Chinese medicine, encourages and supports the setting up of various medical and health facilities by the rural economic collectives, state enterprises and undertakings and neighbourhood organizations, and promotes sanitation activities of a mass character, all to protect the people's health.

The state develops physical culture and promotes mass sports activities to build up the people's physique.

Article 22

The state promotes the development of literature and art, the press, broadcasting and television undertakings, publishing and distribution services, libraries, museums, cultural centres and other cultural undertakings, that serve the people and socialism, and sponsors mass cultural activities.

The state protects places of scenic and historical interest, valuable cultural monuments and relics and other important items of China's historical and cultural heritage.

Article 23

The state trains specialized personnel in all fields who serve socialism, increases the number of intellectuals and creates conditions to give full scope to their role in socialist modernization.

Article 24

The state strengthens the building of socialist spiritual civilization through spreading education in high ideals and morality, general education and education in discipline and the legal system, and through promoting the formulation and observance of rules of conduct and common pledges by different sections of the people in urban and rural areas.

The state advocates the civic virtues of love for the motherland, for the people, for labour, for science and for socialism; it educates the people in patriotism, collectivism, internationalism and communism and in dialectical and historical materialism; it combats capitalist, feudalist and other decadent ideas.

Article 25

The state promotes family planning so that population growth may fit the plans for economic and social development.

Article 26

The state protects and improves the living environment and the ecological environment, and prevents and remedies pollution and other public hazards.

The state organizes and encourages afforestation and the protection of forests.

Article 27

All state organs carry out the principle of simple and efficient administration, the system of responsibility for work and the system of training functionaries and appraising their work in order constantly to improve quality of work and efficiency and combat bureaucratism.

All state organs and functionaries must rely on the support of the people, keep in close touch with them, heed their opinions and suggestions, accept their supervision and work hard to serve them.

Article 28

The state maintains public order and suppresses treasonable and other counter-revolutionary activities; it penalizes actions that endanger public security and disrupt the socialist economy and other criminal activities, and punishes and reforms criminals.

Article 29

The armed forces of the People's Republic of China belong to the people. Their tasks are to strengthen national defence, resist aggression, defend the motherland, safeguard the people's peaceful labour, participate in national reconstruction, and work hard to serve the people.

The state strengthens the revolutionization, modernization and regularization of the armed forces in order to increase the national defence capability.

Article 30

The administrative division of the People's Republic of China is as follows:

(1) The country is divided into provinces, autonomous regions and municipalities directly under the Central Government;

(2) Provinces and autonomous regions are divided into autonomous prefectures, counties, autonomous counties and cities;

(3) Counties and autonomous counties are divided into townships, nationality townships and towns.

Municipalities directly under the Central Government and other large cities are divided into districts and counties. Autonomous prefectures are divided into counties, autonomous counties, and cities.

All autonomous regions, autonomous prefectures and autonomous counties are national autonomous areas.

Article 31

The state may establish special administrative regions when necessary. The systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People's Congress in the light of the specific conditions.

Article 32

The People's Republic of China protects the lawful rights and interests of foreigners within Chinese territory, and while on Chinese territory foreigners must abide by the law of the People's Republic of China.

The People's Republic of China may grant asylum to foreigners who request it for political reasons.

Chapter Two

The Fundamental Rights And Duties of Citizens

Article 33

All persons holding the nationality of the People's Republic of China are citizens of the People's Republic of China.

All citizens of the People's Republic of China are equal before the law.

Every citizen enjoys the rights and at the same time must perform the duties prescribed by the Constitution and the law.

Article 34

All citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of nationality, race, sex, occupation, family

background, religious belief, education, property status, or length of residence, except persons deprived of political rights according to law.

Article 35

Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.

Article 36

Citizens of the People's Republic of China enjoy freedom of religious belief.

No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion.

The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state.

Religious bodies and religious affairs are not subject to any foreign domination.

Article 37

The freedom of person of citizens of the People's Republic of China is inviolable.

No citizen may be arrested except with the approval or by decision of a people's procuratorate or by decision of a people's court, and arrests must be made by a public security organ.

Unlawful deprivation or restriction of citizens' freedom of person by detention or other means is prohibited; and unlawful search of the person of citizens is prohibited.

Article 38

The personal dignity of citizens of the People's Republic of China is inviolable. Insult, libel, false charge or frame-up directed against citizens by any means is prohibited.

Article 39

The home of citizens of the People's Republic of China is inviolable. Unlawful search of, or intrusion into, a citizen's home is prohibited.

Article 40

The freedom and privacy of correspondence of citizens of the People's Republic of China are protected by law. No organization or individual

may, on any ground, infringe upon the freedom and privacy of citizens' correspondence except in cases where, to meet the needs of state security or of investigation into criminal offences, public security or procuratorial organs are permitted to censor correspondence in accordance with procedures prescribed by law.

Article 41

Citizens of the People's Republic of China have the right to criticize and make suggestions to any state organ or functionary. Citizens have the right to make to relevant state organs complaints and charges against, or exposures of, violation of the law or dereliction of duty by any state organ or functionary; but fabrication or distortion of facts with the intention of libel or frame-up is prohibited.

In case of complaints, charges or exposures made by citizens, the state organ concerned must deal with them in a responsible manner after ascertaining the facts. No one may suppress such complaints, charges and exposures, or retaliate against the citizens making them.

Citizens who have suffered losses through infringement of their civic rights by any state organ or functionary have the right to compensation in accordance with the law.

Article 42

Citizens of the People's Republic of China have the right as well as the duty to work.

Using various channels, the state creates conditions for employment, strengthens labour protection, improves working conditions and, on the basis of expanded production, increases remuneration for work and social benefits.

Work is the glorious duty of every able-bodied citizen. All working people in state enterprises and in urban and rural economic collectives should perform their tasks with an attitude consonant with their status as masters of the country. The state promotes socialist labour emulation, and commends and rewards model and advanced workers. The state encourages citizens to take part in voluntary labour.

The state provides necessary vocational training to citizens before they are employed.

Article 43

Working people in the People's Republic of China have the right to rest.

The state expands facilities for rest and recuperation of working people, and prescribes working hours and vacations for workers and staff.

Article 44

The state prescribes by law the system of retirement for workers and staff in enterprises and undertakings and for functionaries of organs of state. The livelihood of retired personnel is ensured by the state and society.

Article 45

Citizens of the People's Republic of China have the right to material assistance from the state and society when they are old, ill or disabled. The state develops the social insurance, social relief and medical and health services that are required to enable citizens to enjoy this right.

The state and society ensure the livelihood of disabled members of the armed forces, provide pensions to the families of martyrs and give preferential treatment to the families of military personnel.

The state and society help make arrangements for the work, livelihood and education of the blind, deaf-mute and other handicapped citizens.

Article 46

Citizens of the People's Republic of China have the duty as well as the right to receive education.

The state promotes the all-round moral, intellectual and physical development of children and young people.

Article 47

Citizens of the People's Republic of China have the freedom to engage in scientific research, literary and artistic creation and other cultural pursuits. The state encourages and assists creative endeavours conducive to the interests of the people that are made by citizens engaged in education, science, technology, literature, art and other cultural work.

Article 48

Women in the People's Republic of China enjoy equal rights with men in all spheres of life, political, economic, cultural and social, including family life.

The state protects the rights and interests of women, applies the principle of equal pay for equal work for men and women alike and trains and selects cadres from among women.

Article 49

Marriage, the family and mother and child are protected by the state.

Both husband and wife have the duty to practise family planning.

Parents have the duty to rear and educate their minor children, and children who have come of age have the duty to support and assist their parents.

Violation of the freedom of marriage is prohibited. Maltreatment of old people, women and children is prohibited.

Article 50

The People's Republic of China protects the legitimate rights and interests of Chinese nationals residing abroad and protects the lawful rights and interests of returned overseas Chinese and of the family members of Chinese nationals residing abroad.

Article 51

The exercise by citizens of the People's Republic of China of their freedoms and rights may not infringe upon the interests of the state, of society and of the collective, or upon the lawful freedoms and rights of other citizens.

Article 52

It is the duty of citizens of the People's Republic of China to safeguard the unity of the country and the unity of all its nationalities.

Article 53

Citizens of the People's Republic of China must abide by the Constitution and the law, keep state secrets, protect public property and observe labour discipline and public order and respect social ethics.

Article 54

It is the duty of citizens of the People's Republic of China to safeguard the security, honour and interests of the motherland; they must not commit acts detrimental to the security, honour and interests of the motherland.

Article 55

It is the sacred obligation of every citizen of the People's Republic of China to defend the motherland and resist aggression.

It is the honourable duty of citizens of the People's Republic of China to perform military service and join the militia in accordance with the law.

Article 56

It is the duty of citizens of the People's Republic of China to pay taxes in accordance with the law.

Chapter Three

The Structure of the State

Section I

The National People's Congress

Article 57

The National People's Congress of the People's Republic of China is the highest organ of state power. Its permanent body is the Standing Committee of the National People's Congress.

Article 58

The National People's Congress and its Standing Committee exercise the legislative power of the state.

Article 59

The National People's Congress is composed of deputies elected by the provinces, autonomous regions and municipalities directly under the Central Government, and by the armed forces. All the minority nationalities are entitled to appropriate representation.

Election of deputies to the National People's Congress is conducted by the Standing Committee of the National People's Congress.

The number of deputies to the National People's Congress and the manner of their election are prescribed by law.

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Article 60

The National People's Congress is elected for a term of five years.

Two months before the expiration of the term of office of a National People's Congress, its Standing Committee must ensure that the election of deputies to the succeeding National People's Congress is completed. Should exceptional circumstances prevent such an election, it may be postponed by decision of a majority vote of more than two-thirds of all those on the Standing Committee of the incumbent National People's Congress, and the term of office of the incumbent National People's Congress may be extended. The election of deputies to the succeeding National People's Congress must be completed within one year after the termination of such exceptional circumstances.

Article 61

The National People's Congress meets in session once a year and is convened by its Standing Committee. A session of the National People's Congress may be convened at any time the Standing Committee deems this necessary, or when more than one-fifth of the deputies to the National People's Congress so propose.

When the National People's Congress meets, it elects a presidium to conduct its session.

Article 62

The National People's Congress exercises the following functions and powers:

- (1) to amend the Constitution;
- (2) to supervise the enforcement of the Constitution;
- (3) to enact and amend basic statutes concerning criminal offences, civil affairs, the state organs and other matters;
- (4) to elect the President and the Vice-President of the People's Republic of China;*
- (5) to decide on the choice of the Premier of the State Council upon nomination by the President of the People's Republic of China, and to decide on the choice of the Vice-Premiers, State Councillors, Ministers in charge of ministries or commissions and the Auditor-General and the Secretary-General of the State Council upon nomination by the Premier;

* Previously translated as Chairman and Vice-Chairman of the People's Republic of China. — Tr.

(6) to elect the Chairman of the Central Military Commission and, upon his nomination, to decide on the choice of all the others on the Central Military Commission;

(7) to elect the President of the Supreme People's Court;

(8) to elect the Procurator-General of the Supreme People's Procuratorate;

(9) to examine and approve the plan for national economic and social development and the reports on its implementation;

(10) to examine and approve the state budget and the report on its implementation;

(11) to alter or annul inappropriate decisions of the Standing Committee of the National People's Congress;

(12) to approve the establishment of provinces, autonomous regions, and municipalities directly under the Central Government;

(13) to decide on the establishment of special administrative regions and the systems to be instituted there;

(14) to decide on questions of war and peace; and

(15) to exercise such other functions and powers as the highest organ of state power should exercise.

Article 63

The National People's Congress has the power to recall or remove from office the following persons:

- (1) the President and the Vice-President of the People's Republic of China;
- (2) the Premier, Vice-Premiers, State Councillors, Ministers in charge of ministries or commissions and the Auditor-General and the Secretary-General of the State Council;
- (3) the Chairman of the Central Military Commission; and others on the Commission;
- (4) the President of the Supreme People's Court; and
- (5) the Procurator-General of the Supreme People's Procuratorate.

Article 64

Amendments to the Constitution are to be proposed by the Standing Committee of the National People's Congress or by more than one-

fifth of the deputies to the National People's Congress and adopted by a majority vote of more than two-thirds of all the deputies to the Congress.

Statutes and resolutions are adopted by a majority vote of more than one half of all the deputies to the National People's Congress.

Article 65

The Standing Committee of the National People's Congress is composed of the following:

- the Chairman;
- the Vice-Chairmen;
- the Secretary-General; and
- members.

Minority nationalities are entitled to appropriate representation on the Standing Committee of the National People's Congress.

The National People's Congress elects, and has the power to recall, all those on its Standing Committee.

No one on the Standing Committee of the National People's Congress shall hold any post in any of the administrative, judicial or procuratorial organs of the state.

Article 66

The Standing Committee of the National People's Congress is elected for the same term as the National People's Congress; it exercises its functions and powers until a new Standing Committee is elected by the succeeding National People's Congress.

The Chairman and Vice-Chairmen of the Standing Committee shall serve no more than two consecutive terms.

Article 67

The Standing Committee of the National People's Congress exercises the following functions and powers:

(1) to interpret the Constitution and supervise its enforcement;

(2) to enact and amend statutes with the exception of those which should be enacted by the National People's Congress;

(3) to enact, when the National People's Congress is not in session, partial supplements and amendments to statutes enacted by the Na-

tional People's Congress provided that they do not contravene the basic principles of these statutes;

(4) to interpret statutes;

(5) to examine and approve, when the National People's Congress is not in session, partial adjustments to the plan for national economic and social development and to the state budget that prove necessary in the course of their implementation;

(6) to supervise the work of the State Council, the Central Military Commission, the Supreme People's Court and the Supreme People's Procuratorate;

(7) to annul those administrative rules and regulations, decisions or orders of the State Council that contravene the Constitution or the statutes;

(8) to annul those local regulations or decisions of the organs of state power of provinces, autonomous regions and municipalities directly under the Central Government that contravene the Constitution, the statutes or the administrative rules and regulations;

(9) to decide, when the National People's Congress is not in session, on the choice of Ministers in charge of ministries or commissions or the Auditor-General and the Secretary-General of the State Council upon nomination by the Premier of the State Council;

(10) to decide, upon nomination by the Chairman of the Central Military Commission, on the choice of others on the Commission, when the National People's Congress is not in session.

(11) to appoint and remove the Vice-Presidents and judges of the Supreme People's Court, members of its Judicial Committee and the President of the Military Court at the suggestion of the President of the Supreme People's Court;

(12) to appoint and remove the Deputy Procurators-General and procurators of the Supreme People's Procuratorate, members of its Procuratorial Committee and the Chief Procurator of the Military Procuratorate at the request of the Procurator-General of the Supreme People's Procuratorate, and to approve the appointment and removal of the chief procurators of the people's procuratorates of provinces, autonomous regions and municipalities directly under the Central Government;

(13) to decide on the appointment and recall of plenipotentiary representatives abroad;

(14) to decide on the ratification and abrogation of treaties and important agreements concluded with foreign states;

(15) to institute systems of titles and ranks for military and diplomatic personnel and of other specific titles and ranks;

(16) to institute state medals and titles of honour and decide on their conferment;

(17) to decide on the granting of special pardons;

(18) to decide, when the National People's Congress is not in session, on the proclamation of a state of war in the event of an armed attack on the country or in fulfilment of international treaty obligations concerning common defence against aggression;

(19) to decide on general mobilization or partial mobilization;

(20) to decide on the enforcement of martial law throughout the country or in particular provinces, autonomous regions or municipalities directly under the Central Government; and

(21) to exercise such other functions and powers as the National People's Congress may assign to it.

Article 68

The Chairman of the Standing Committee of the National People's Congress presides over the work of the Standing Committee and convenes its meetings. The Vice-Chairmen and the Secretary-General assist the Chairman in his work.

Chairmanship meetings with the participation of the Chairman, Vice-Chairmen and Secretary-General handle the important day-to-day work of the Standing Committee of the National People's Congress.

Article 69

The Standing Committee of the National People's Congress is responsible to the National People's Congress and reports on its work to the Congress.

Article 70

The National People's Congress establishes a Nationalities Committee, a Law Committee, a Finance and Economic Committee, an Education, Science, Culture and Public Health Com-

mittee, a Foreign Affairs Committee, an Overseas Chinese Committee and such other special committees as are necessary. These special committees work under the direction of the Standing Committee of the National People's Congress when the Congress is not in session.

The special committees examine, discuss and draw up relevant bills and draft resolutions under the direction of the National People's Congress and its Standing Committee.

Article 71

The National People's Congress and its Standing Committee may, when they deem it necessary, appoint committees of inquiry into specific questions and adopt relevant resolutions in the light of their reports.

All organs of state, public organizations and citizens concerned are obliged to supply the necessary information to those committees of inquiry when they conduct investigations.

Article 72

Deputies to the National People's Congress and all those on its Standing Committee have the right, in accordance with procedures prescribed by law, to submit bills and proposals within the scope of the respective functions and powers of the National People's Congress and its Standing Committee.

Article 73

Deputies to the National People's Congress during its sessions, and all those on its Standing Committee during its meetings, have the right to address questions, in accordance with procedures prescribed by law, to the State Council or the ministries and commissions under the State Council, which must answer the questions in a responsible manner.

Article 74

No deputy to the National People's Congress may be arrested or placed on criminal trial without the consent of the Presidium of the current session of the National People's Congress or, when the National People's Congress is not in session, without the consent of its Standing Committee.

Article 75

Deputies to the National People's Congress may not be called to legal account for their speeches or votes at its meetings.

Article 76

Deputies to the National People's Congress must play an exemplary rôle in abiding by the Constitution and the law and keeping state secrets and, in production and other work and their public activities, assist in the enforcement of the Constitution and the law.

Deputies to the National People's Congress should maintain close contact with the units which elected them and with the people, listen to and convey the opinions and demands of the people and work hard to serve them.

Article 77

Deputies to the National People's Congress are subject to the supervision of the units which elected them. The electoral units have the power, through procedures prescribed by law, to recall the deputies whom they elected.

Article 78

The organization and working procedures of the National People's Congress and its Standing Committee are prescribed by law.

Section II

The President of the People's Republic Of China

Article 79

The President and Vice-President of the People's Republic of China are elected by the National People's Congress.

Citizens of the People's Republic of China who have the right to vote and to stand for election and who have reached the age of 45 are eligible for election as President or Vice-President of the People's Republic of China.

The term of office of the President and Vice-President of the People's Republic of China is the same as that of the National People's Congress, and they shall serve no more than two consecutive terms.

Article 80

The President of the People's Republic of China, in pursuance of decisions of the National People's Congress and its Standing Committee, promulgates statutes; appoints and removes the Premier, Vice-Premiers, State Councillors, Min-

isters in charge of ministries or commissions, and the Auditor-General and the Secretary-General of the State Council; confers state medals and titles of honour; issues orders of special pardons; proclaims martial law; proclaims a state of war; and issues mobilization orders.

Article 81

The President of the People's Republic of China receives foreign diplomatic representatives on behalf of the People's Republic of China and, in pursuance of decisions of the Standing Committee of the National People's Congress, appoints and recalls plenipotentiary representatives abroad, and ratifies and abrogates treaties and important agreements concluded with foreign states.

Article 82

The Vice-President of the People's Republic of China assists the President in his work.

The Vice-President of the People's Republic of China may exercise such parts of the functions and powers of the President as the President may entrust to him.

Article 83

The President and Vice-President of the People's Republic of China exercise their functions and powers until the new President and Vice-President elected by the succeeding National People's Congress assume office.

Article 84

In case the office of the President of the People's Republic of China falls vacant, the Vice-President succeeds to the office of President.

In case the office of the Vice-President of the People's Republic of China falls vacant, the National People's Congress shall elect a new Vice-President to fill the vacancy.

In the event that the offices of both the President and the Vice-President of the People's Republic of China fall vacant, the National People's Congress shall elect a new President and a new Vice-President. Prior to such election, the Chairman of the Standing Committee of the National People's Congress shall temporarily act as the President of the People's Republic of China.

Section III

The State Council

Article 85

The State Council, that is, the Central People's Government, of the People's Republic of China is the executive body of the highest organ of state power; it is the highest organ of state administration.

Article 86

The State Council is composed of the following:

- the Premier;
- the Vice-Premiers;
- the State Councillors;
- the Ministers in charge of ministries;
- the Ministers in charge of commissions;
- the Auditor-General; and
- the Secretary-General.

The Premier has overall responsibility for the State Council. The ministers have overall responsibility for the respective ministries or commissions under their charge.

The organization of the State Council is prescribed by law.

Article 87

The term of office of the State Council is the same as that of the National People's Congress.

The Premier, Vice-Premiers and State Councillors shall serve no more than two consecutive terms.

Article 88

The Premier directs the work of the State Council. The Vice-Premiers and State Councillors assist the Premier in his work.

Executive meetings of the State Council are composed of the Premier, the Vice-Premiers, the State Councillors and the Secretary-General of the State Council.

The Premier convenes and presides over the executive meetings and plenary meetings of the State Council.

Article 89

The State Council exercises the following functions and powers:

(1) to adopt administrative measures, enact administrative rules and regulations and issue decisions and orders in accordance with the Constitution and the statutes;

(2) to submit proposals to the National People's Congress or its Standing Committee;

(3) to lay down the tasks and responsibilities of the ministries and commissions of the State Council, to exercise unified leadership over the work of the ministries and commissions and to direct all other administrative work of a national character that does not fall within the jurisdiction of the ministries and commissions;

(4) to exercise unified leadership over the work of local organs of state administration at different levels throughout the country, and to lay down the detailed division of functions and powers between the Central Government and the organs of state administration of provinces, autonomous regions and municipalities directly under the Central Government;

(5) to draw up and implement the plan for national economic and social development and the state budget;

(6) to direct and administer economic work and urban and rural development;

(7) to direct and administer the work concerning education, science, culture, public health, physical culture and family planning;

(8) to direct and administer the work concerning civil affairs, public security, judicial administration, supervision and other related matters;

(9) to conduct foreign affairs and conclude treaties and agreements with foreign states;

(10) to direct and administer the building of national defence;

(11) to direct and administer affairs concerning the nationalities, and to safeguard the equal rights of minority nationalities and the right of autonomy of the national autonomous areas;

(12) to protect the legitimate rights and interests of Chinese nationals residing abroad and protect the lawful rights and interests of returned overseas Chinese and of the family members of Chinese nationals residing abroad;

(13) to alter or annul inappropriate orders, directives and regulations issued by the ministries or commissions;

(14) to alter or annul inappropriate decisions and orders issued by local organs of state administration at different levels;

(15) to approve the geographic division of provinces, autonomous regions and municipalities directly under the Central Government, and to approve the establishment and geographic division of autonomous prefectures, counties, autonomous counties and cities;

(16) to decide on the enforcement of martial law in parts of provinces, autonomous regions and municipalities directly under the Central Government;

(17) to examine and decide on the size of administrative organs and, in accordance with the law, to appoint, remove and train administrative officers, appraise their work and reward or punish them; and

(18) to exercise such other functions and powers as the National People's Congress or its Standing Committee may assign it.

Article 90

The Ministers in charge of ministries or commissions of the State Council are responsible for the work of their respective departments and convene and preside over their ministerial meetings or commission meetings that discuss and decide on major issues in the work of their respective departments.

The ministries and commissions issue orders, directives and regulations within the jurisdiction of their respective departments and in accordance with the statutes and the administrative rules and regulations, decisions and orders issued by the State Council.

Article 91

The State Council establishes an auditing body to supervise through auditing the revenue and expenditure of all departments under the State Council and of the local governments at different levels, and those of the state financial and monetary organizations and of enterprises and undertakings.

Under the direction of the Premier of the State Council, the auditing body independently exercises its power to supervise through auditing in accordance with the law, subject to no interference by any other administrative organ or any public organization or individual.

Article 92

The State Council is responsible, and reports on its work, to the National People's Congress or, when the National People's Congress is not in session, to its Standing Committee.

Section IV

The Central Military Commission

Article 93

The Central Military Commission of the People's Republic of China directs the armed forces of the country.

The Central Military Commission is composed of the following:

the Chairman;
the Vice-Chairmen; and
members.

The Chairman of the Central Military Commission has overall responsibility for the Commission.

The term of office of the Central Military Commission is the same as that of the National People's Congress.

Article 94

The Chairman of the Central Military Commission is responsible to the National People's Congress and its Standing Committee.

Section V

The Local People's Congresses and the Local People's Governments at Different Levels

Article 95

People's congresses and people's governments are established in provinces, municipalities directly under the Central Government, counties, cities, municipal districts, townships, nationality townships and towns.

The organization of local people's congresses and local people's governments at different levels is prescribed by law.

Organs of self-government are established in autonomous regions, autonomous prefectures and autonomous counties. The organization and working procedures of organs of self-government are prescribed by law in accordance with the basic principles laid down in Sections V and VI of Chapter Three of the Constitution.

Article 96

Local people's congresses at different levels are local organs of state power.

Local people's congresses at and above the county level establish standing committees.

Article 97

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 number of deputies to local people's congresses at different levels and the manner of their election are prescribed by law.

Article 98

The term of office of the people's congresses of provinces, municipalities directly under the Central Government and cities divided into districts is five years. The term of office of the people's congresses of counties, cities not divided into districts, municipal districts, townships, nationality townships and towns is three years.

Article 99

Local people's congresses at different levels ensure the observance and implementation of the Constitution, the statutes and the administrative rules and regulations in their respective administrative areas. Within the limits of their authority as prescribed by law, they adopt and issue resolutions and examine and decide on plans for local economic and cultural development and for the development of public services.

Local people's congresses at and above the county level examine and approve the plans for

economic and social development and the budgets of their respective administrative areas, and examine and approve reports on their implementation. They have the power to alter or annul inappropriate decisions of their own standing committees.

The people's congresses of nationality townships may, within the limits of their authority as prescribed by law, take specific measures suited to the peculiarities of the nationalities concerned.

Article 100

The people's congresses of provinces and municipalities directly under the Central Government, and their standing committees, may adopt local regulations, which must not contravene the Constitution, the statutes and the administrative rules and regulations, and they shall report such local regulations to the Standing Committee of the National People's Congress for the record.

Article 101

At their respective levels, local people's congresses elect, and have the power to recall, governors and deputy governors, or mayors and deputy mayors, or heads and deputy heads of counties, districts, townships and towns.

Local people's congresses at and above the county level elect, and have the power to recall, presidents of people's courts and chief procurators of people's procuratorates at the corresponding level. The election or recall of chief procurators of people's procuratorates shall be reported to the chief procurators of the people's procuratorates at the next higher level for submission to the standing committees of the people's congresses at the corresponding level for approval.

Article 102

Deputies to the people's congresses of provinces, municipalities directly under the Central Government and cities divided into districts are subject to supervision by the units which elected them; deputies to the people's congresses of counties, cities not divided into districts, municipal districts, townships, nationality townships and towns are subject to supervision by their constituencies.

The electoral units and constituencies which elect deputies to local people's congresses at different levels have the power, according to procedures prescribed by law, to recall deputies whom they elected.

Article 103

The standing committee of a local people's congress at and above the county level is composed of a chairman, vice-chairmen and members, and is responsible, and reports on its work, to the people's congress at the corresponding level.

The local people's congress at and above the county level elects, and has the power to recall, anyone on the standing committee of the people's congress at the corresponding level.

No one on the standing committee of a local people's congress at and above the county level shall hold any post in state administrative, judicial and procuratorial organs.

Article 104

The standing committee of a local people's congress at and above the county level discusses and decides on major issues in all fields of work in its administrative area; supervises the work of the people's government, people's court and people's procuratorate at the corresponding level; annuls inappropriate decisions and orders of the people's government at the corresponding level; annuls inappropriate resolutions of the people's congress at the next lower level; decides on the appointment and removal of functionaries of state organs within its jurisdiction as prescribed by law; and, when the people's congress at the corresponding level is not in session, recalls individual deputies to the people's congress at the next higher level and elects individual deputies to fill vacancies in that people's congress.

Article 105

Local people's governments at different levels are the executive bodies of local organs of state power as well as the local organs of state administration at the corresponding level.

Local people's governments at different levels practise the system of overall responsibility by governors, mayors, county heads, district heads, township heads and town heads.

Article 106

The term of office of local people's governments at different levels is the same as that of the people's congresses at the corresponding level.

Article 107

Local people's governments at and above the county level, within the limits of their authority as prescribed by law, conduct the 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; issue decisions and orders; appoint, remove and train administrative functionaries, appraise their work and reward or punish them.

People's governments of townships, nationality townships and towns carry out the resolutions of the people's congress at the corresponding level as well as the decisions and orders of the state administrative organs at the next higher level and conduct administrative work in their respective administrative areas.

People's governments of provinces and municipalities directly under the Central Government decide on the establishment and geographic division of townships, nationality townships and towns.

Article 108

Local people's governments at and above the county level direct the work of their subordinate departments and of people's governments at lower levels, and have the power to alter or annul inappropriate decisions of their subordinate departments and people's governments at lower levels.

Article 109

Auditing bodies are established by local people's governments at and above the county level. Local auditing bodies at different levels independently exercise their power to supervise through auditing in accordance with the law and are responsible to the people's government at the corresponding level and to the auditing body at the next higher level.

Article 110

Local people's governments at different levels are responsible, and report on their work, to people's congresses at the corresponding level. Local people's governments at and above the county level are responsible, and report on their work, to the standing committee of the people's congress at the corresponding level when the congress is not in session.

Local people's governments at different levels are responsible, and report on their work, to the state administrative organs at the next higher level. Local people's governments at different levels throughout the country are state administrative organs under the unified leadership of the State Council and are subordinate to it.

Article 111

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. The relationship between the residents' and villagers' committees and the grass-roots organs of state power is prescribed by law.

The residents' and villagers' committees establish committees for people's mediation, public security, public health and other matters in order to manage public affairs and social services in their areas, mediate civil disputes, help maintain public order and convey residents' opinions and demands and make suggestions to the people's government:

Section VI

The Organs of Self-Government of National Autonomous Areas

Article 112

The organs of self-government of national autonomous areas are the people's congresses and people's governments of autonomous regions, autonomous prefectures and autonomous counties.

Article 113

In the people's congress of an autonomous region, prefecture or county, in addition to the

deputies of the nationality or nationalities exercising regional autonomy in the administrative area, the other nationalities inhabiting the area are also entitled to appropriate representation.

The chairmanship and vice-chairmanships of the standing committee of the people's congress of an autonomous region, prefecture or county shall include a citizen or citizens of the nationality or nationalities exercising regional autonomy in the area concerned.

Article 114

The administrative head of an autonomous region, prefecture or county shall be a citizen of the nationality, or of one of the nationalities, exercising regional autonomy in the area concerned.

Article 115

The organs of self-government of autonomous regions, prefectures and counties exercise the functions and powers of local organs of state as specified in Section V of Chapter Three of the Constitution. At the same time, they exercise the right of autonomy within the limits of their authority as prescribed by the Constitution, the law of regional national autonomy and other laws, and implement the laws and policies of the state in the light of the existing local situation.

Article 116

People's congresses of national autonomous areas have the power to enact autonomy regulations and specific regulations in the light of the political, economic and cultural characteristics of the nationality or nationalities in the areas concerned. The autonomy regulations and specific regulations of autonomous regions shall be submitted to the Standing Committee of the National People's Congress for approval before they go into effect. Those of autonomous prefectures and counties shall be submitted to the standing committees of the people's congresses of provinces or autonomous regions for approval before they go into effect, and they shall be reported to the Standing Committee of the National People's Congress for the record.

Article 117

The organs of self-government of the national autonomous areas have the power of au-

onomy in administering the finances of their areas. All revenues accruing to the national autonomous areas under the financial system of the state shall be managed and used by the organs of self-government of those areas on their own.

Article 118

The organs of self-government of the national autonomous areas independently arrange for and administer local economic development under the guidance of state plans.

In exploiting natural resources and building enterprises in the national autonomous areas, the state shall give due consideration to the interests of those areas.

Article 119

The organs of self-government of the national autonomous areas independently administer educational, scientific, cultural, public health and physical culture affairs in their respective areas, protect and cull through the cultural heritage of the nationalities and work for the development and prosperity of their cultures.

Article 120

The organs of self-government of the national autonomous areas may, in accordance with the military system of the state and concrete local needs and with the approval of the State Council, organize local public security forces for the maintenance of public order.

Article 121

In performing their functions, the organs of self-government of the national autonomous areas, in accordance with the autonomy regulations of the respective areas, employ the spoken and written language or languages in common use in the locality.

Article 122

The state gives financial, material and technical assistance to the minority nationalities to accelerate their economic and cultural development.

The state helps the national autonomous areas train large numbers of cadres at different

levels and specialized personnel and skilled workers of different professions and trades from among the nationality or nationalities in those areas.

Section VII

The People's Courts and the People's Procuratorates

Article 123

The people's courts in the People's Republic of China are the judicial organs of the state.

Article 124

The People's Republic of China establishes the Supreme People's Court and the local people's courts at different levels, military courts and other special people's courts.

The term of office of the President of the Supreme People's Court is the same as that of the National People's Congress; he shall serve no more than two consecutive terms.

The organization of people's courts is prescribed by law.

Article 125

All cases handled by the people's courts, except for those involving special circumstances as specified by law, shall be heard in public. The accused has the right of defence.

Article 126

The people's courts shall, in accordance with the law, exercise judicial power independently and are not subject to interference by administrative organs, public organizations or individuals.

Article 127

The Supreme People's Court is the highest judicial organ.

The Supreme People's Court supervises the administration of justice by the local people's courts at different levels and by the special people's courts; people's courts at higher levels supervise the administration of justice by those at lower levels.

Article 128

The Supreme People's Court is responsible to the National People's Congress and its Standing Committee. Local people's courts at different levels are responsible to the organs of state power which created them.

Article 129

The people's procuratorates of the People's Republic of China are state organs for legal supervision.

Article 130

The People's Republic of China establishes the Supreme People's Procuratorate and the local people's procuratorates at different levels, military procuratorates and other special people's procuratorates.

The term of office of the Procurator-General of the Supreme People's Procuratorate is the same as that of the National People's Congress; he shall serve no more than two consecutive terms.

The organization of people's procuratorates is prescribed by law.

Article 131

People's procuratorates shall, in accordance with the law, exercise procuratorial power independently and are not subject to interference by administrative organs, public organizations or individuals.

Article 132

The Supreme People's Procuratorate is the highest procuratorial organ.

The Supreme People's Procuratorate directs the work of the local people's procuratorates at different levels and of the special people's procuratorates; people's procuratorates at higher levels direct the work of those at lower levels.

Article 133

The Supreme People's Procuratorate is responsible to the National People's Congress and its Standing Committee. Local people's procuratorates at different levels are responsible to the organs of state power at the corresponding levels which created them and to the people's procuratorates at the higher level.

Article 134

Citizens of all nationalities have the right to use the spoken and written languages of their own nationalities in court proceedings. The people's courts and people's procuratorates should provide translation for any party to the court proceedings who is not familiar with the spoken or written languages in common use in the locality.

In an area where people of a minority nationality live in a compact community or where a number of nationalities live together, hearings should be conducted in the language or languages in common use in the locality; indictments, judgments, notices and other documents should be written, according to actual needs, in the language or languages in common use in the locality.

Article 135

The people's courts, people's procuratorates and public security organs shall, in handling criminal cases, divide their functions, each taking responsibility for its own work, and they shall co-ordinate their efforts and check each other to ensure correct and effective enforcement of law.

Chapter Four

The National Flag, the National Emblem and The Capital

Article 136

The national flag of the People's Republic of China is a red flag with five stars.

Article 137

The national emblem of the People's Republic of China is Tian An Men in the centre illuminated by five stars and encircled by ears of grain and a cogwheel.

Article 138

The capital of the People's Republic of China is Beijing. □

Exercising Power on Behalf of the People

—Sidelights on Fifth Session of Fifth National People's Congress

by Our Correspondent Zhi Ye

*Arise, all ye who refuse to be slaves!
With our flesh and blood,
Let us build our new Great Wall. . . .*

AS the majestic notes of the *March of the Volunteers* filled the Great Hall of the People in Beijing, the Fifth Session of the Fifth National People's Congress (NPC) came to a triumphant end on the afternoon of December 10, after 15 days of intense yet well co-ordinated work.

The song, which evokes the determination of battles won 40 years ago, urges listeners not to forget the hardships and dangers of the past. Perhaps more than any other single element of the NPC, the anthem reminded the deputies that they were, right in that hall, exercising the power delegated to them by the people.

March of the Volunteers, a clarion call to defend the motherland, with words by Tian Han and music by Nie Er, became very popular in the 1930s and 40s. It was adopted as a

temporary national anthem in 1949 by the Chinese People's Political Consultative Conference that declared the founding of the People's Republic.

Then, during the "cultural revolution," (1966-76), Tian Han, who had become a leading figure in the literary and art circles, was labelled one of the "Four Villains of Liu Shaoqi" and charged with being a counter-revolutionary, a revisionist and a traitor.

The words were banned and the music was only performed on instruments.

Although the "cultural revolution" ended in 1976 with the exposure of the gang of four, by 1978 the nation was only beginning to grasp the profundity of the errors committed during that period. Tian Han had died in prison in 1968 so could not be called upon to defend himself, and the charges against him were serious and unresolved. Simultaneously, the old call for more updated words was revived. The First Session of the Fifth NPC in February 1978 de-



Chen Jingrun (right, front row), a well-known mathematician as well as a deputy to the NPC, tells a group discussion meeting how he plans to contribute to the Sixth Five-Year Plan.

cided to choose words from among a number that had been submitted.

But the original words remained deep in the hearts of the people, who never took up the new ones with much enthusiasm.

Then, in 1979, Tian Han was completely exonerated. At subsequent NPC sessions, voices repeatedly were heard calling for restoring the original words. At the Fifth Session of the Fifth NPC, Guan Shanfu and 10 other Beijing deputies submitted a motion to restore the anthem's original words, arguing that they had been changed for unfounded reasons at a time when many wrongs had not yet been righted. Perhaps the words were not current, but the appropriateness of their call to patriotism was borne out in the people's persistent loyalty to them.

Thus it was a popular decision of the Fifth Session to approve a resolution that restored the words of the *March of the Volunteers*.

Constitutional Revision

The national anthem was but one item on the agenda of the Fifth Session, which began on November 26. The session's major topics were to examine, discuss and adopt the revised Constitution and the Sixth Five-Year Plan. The session was a fine example of how the National People's Congress exercises its power as China's supreme organ of power; it also marked a steady improvement of the Chinese people's democratic life.

The work to revise the Constitution was accomplished in 26 months. The draft of the revised Constitution, published in April, was discussed among 80 per cent of the nation's adults in 29 provinces, municipalities and autonomous regions. Compatriots from Taiwan, Xianggang (Hongkong) and Aomen (Macao) and overseas Chinese also voiced suggestions and comments. Such a large-scale constitutional revision was unprecedented in China and rare in the world. Numerous discussion meetings on the draft were held throughout the country. In the remote province of Guizhou, 2,286 such meetings were called, attended by a total of 46,200 experts, scholars and members of various circles.

At the Fifth Session, the draft again came under careful examination and discussion. With a high sense of responsibility as masters of the state, the deputies made exhaustive studies of the Constitution — from the cardinal state policies to phrasing and punctuation. Group dis-

National Anthem

(March of the Volunteers)

Arise, all ye who refuse to be slaves!
With our flesh and blood,
Let us build our new Great Wall.
The Chinese nation faces its greatest danger,
From each one the urgent call for action
comes forth:
Arise! Arise! Arise!
Millions with but one heart,
Braving the enemy's fire, march on!
Braving the enemy's fire, march on!
March on! March on! On!

cussion meetings allowed full exchanges of opinions. Clerical staff worked in relays, recording and compiling every suggestion and opinion before submitting them to the Working Group on the Constitutional Revision set up during the session.

Members of this working group worked day and night during the session. On the basis of nationwide discussions, more than 100 amendments to the draft were adopted by the presidium on December 3 for deliberation at the session; 30 of these revisions were made by the session.

In group discussions, the deputies expressed satisfaction with the draft, but said they were afraid that its implementation might be impeded. Many deputies pointed out that the Constitution promulgated in 1954 was quite good because it was compatible with the situation of the time. But it was thrown overboard in the 10-year turmoil and confusion that began in 1966, bringing major catastrophe to the state and the people. This served as a bitter lesson. The deputies were unanimous that it should be stipulated that violations of this Constitution must be dealt with seriously. As a result, a clause was added to Article 5 of the draft: "All acts in violation of the Constitution and the law must be looked into."

Motions

The Fifth Session received 2,102 proposals from the deputies or their electorates. Staff members of the Motions Examining Committee are now busy registering, classifying and printing these motions. The committee will then present opinions about how to respond to them.



Deputy Yu Shuzhen, a famous soloist, sings for fellow deputies and service workers during dinner.

After the session, the motions that are passed will be forwarded to appropriate departments to be dealt with promptly, and the results will be reported to deputies who submitted them. "We received 2,318 proposals last year," said a responsible member of the Motions Examining Committee. "They have all been dealt with and the deputies have been informed of the results. Of the problems presented in these proposals, 70 per cent have been completely solved or are being solved. Conditions are being created for the solution of 20 per cent of them, and the methods for solving the remaining 10 per cent."

Qin Yongji, a deputy of the Mulao nationality from the Guangxi Zhuang Autonomous Region, was delighted that his suggestion made at the previous session was accepted. On the request of his constituency, the local Mulaos, he had requested that his home county of Luocheng be renamed a Mulao autonomous county. In response, the departments concerned sent an investigation group to canvass the local people and reached the conclusion that the Mulaos are a nationality native only to China and that since they live in compact communities in Luocheng, its name should be changed according to relevant state laws. With the government approval, preparations are under way for the establishment of the Luocheng Mulao Autonomous County.

To enable the people's deputies to better exercise their power, the methods for presenting opinions and suggestions will be improved at the next National People's Congress. According to the new Organic Law Governing the People's Congresses, deputies are entitled to present suggestions and opinions to the Standing Committee of the National People's Congress even if it is not in session. After the Standing

Committee considers them, it will brief the deputies on the results.

The Fifth Session of the Fifth NPC received many letters and cables from citizens across the land. In its first six days, the session received 4,300 letters, an average of more than 700 each day. Written by the people with a high sense of being the masters of the country, they addressed miscellaneous topics ranging from the transformation of the legal system and the restructuring of government organizations to industrial and farm production, culture and education and family planning. The Fifth Session will respond to letters and cables directly related to its work, according to the session's secretariat. Others will be forwarded to departments concerned. □

RADIO PEKING BECOMES RADIO BEIJING

"Radio Peking" becomes "Radio Beijing" as of Jan. 1, 1983. The spelling of "Peking" was changed to "Beijing" in 1979 when China's State Council decided to use the Chinese phonetic alphabet to Romanize Chinese names and places. The name "Radio Peking" was temporarily retained so as to allow time for listeners abroad to get used to the new Romanization of Chinese names and places.

This change on Jan. 1, 1983 affects the station's services in the English, French, Hindi, Urdu, Sinhalese, Hausa and Swahili languages.

LITERATURE

Study of Lu Xun

Research into the literature of Lu Xun (1881-1936) is now in ascendancy. At a national symposium recently held in Hangzhou, the results of studies conducted since the Lu Xun centennial symposium in 1981 were presented.

Though two of Lu Xun's short stories, *The Madman's Diary* and *The True Story of Ah Q*, were breakthroughs in the development of realism in Chinese literature and his few poems were magnificent, it was his essays that attracted the most attention. His critical essays, which unmasked social abominations, had strong artistic qualities and occupied the predominant position in his later creations.

The assessment of Shao Bozhou, an associate professor from Shanghai, that Lu Xun's essays are rich in content and can serve as an encyclopaedia of Chinese society of his time was widely accepted at the symposium. Lu Xun reflected China's anti-imperialist and anti-feudal struggles with his unique form, style and artistry. His writings are a literary treasure house which deserves further research.

Thirteen of the 49 papers presented at the symposium were on Lu Xun's essays. They analysed his style, aesthetic ideas and art as well as the themes: jibes at reactionaries, quips at backwardness, refutation of wrong ideas and clarifications of philosophical points.

Another issue which the symposium grappled with was how

the people engaged in socialist modernization could draw strength from Lu Xun's literature of decades ago. In his time, Lu Xun was respected by the Chinese people as a leader of the new culture movement, a thinker and a revolutionary, and he, in turn, devoted much energy to gain a deep understanding of the national character of China. At the symposium, some papers on his philosophy highly praised his spirit of thoroughgoing opposition to imperialism and feudalism, his militancy and optimism, faithfulness to truth, and diligence in study as well as his patriotism and internationalism. Wu Jinru, a middle school teacher from Hangzhou, emphasized that it was imperative to carry forward Lu Xun's faith that "hope lies in the future" in order to fire the people's enthusiasm for modernization.

In the 1981 symposium, papers were read which analysed how Lu Xun was influenced by Friedrich Nietzsche and Russian, Japanese and other foreign authors and classical Chinese literature. Others compared him with the patriotic poet Qu Yuan of 2,000 years ago, his *The Madman's Diary* with the story of the same title by Gogol and his famous character Ah Q with Don Quixote. At this year's symposium comparisons between Lu Xun and Victor Hugo, Sou Seki Nazume (a 19th century Japanese author) and educator Cai Yuanpei were presented. Another paper was on Lu Xun's contributions to the study of the theoretical work *Wen Xin Diao Long* (*Literary Critique*) of the fifth-sixth century.

STAGE

Beijing Opera Artist Commemorated

Special performances and forums were held in Beijing to commemorate Tan Fuying, a famous Beijing opera artist who died five years ago.

Tan Fuying masterfully revealed the mood and thoughts of the characters he performed through his singing and dialogue, while his acrobatic skills added vividness to his portrayals.

A native of Wuchang (part of today's Wuhan), Hubei Province, Tan Fuying was born into a family of Beijing opera artists. His grandfather Tan Xinpei and father Tan Xiaopei were both famous artists of *laosheng* who made remarkable contributions to the development of Beijing opera. (*Laosheng* is a role-type in Beijing opera which usually represents middle-aged or old positive male characters.) Tan Xinpei's creative endeavours led to a new *laosheng* acting style, later known as the Tan style.

Tan Fuying began to learn Beijing opera singing when he was five and at 12 enrolled in Fu Liancheng's training course. After his graduation at 18, he became a student of Yu Shuyan, another well-known Beijing opera actor, and performed in troupes headed by Mei Lanfang, Cheng Yanqiu and others. With nourishment from various acting schools, he did much to enrich the Tan style.

After the founding of New China, Tan Fuying organized the Taiping (Pacific) Beijing Opera Troupe, which later



Left: Tan Yuanshou as Hua Yun (foreground) refusing to betray the Emperor in "Battle of Taiping."

Right: Chen Shimei, played by Tan Xiaozeng (right), being sentenced to death for his attempted murder of his wife and children.



merged with other groups to form the Beijing Opera Troupe of Beijing.

Tan Fuying helped reform Beijing opera. During his last two decades, he performed in newly created operas on historical subjects, including *Reconciliation Between the General and the Prime Minister*, *Eliminating Three Pests* and *Song of Justice*.

Tan Fuying trained scores of Tan-style artists. His son Tan Yuanshou and grandson Tan Xiaozeng are both well-known Beijing opera actors. As part of the commemoration activities recently, they performed 16

Tan-style operas with other artists.

Beijing opera developed 200 years ago when opera performers from across the country gathered in Beijing, learning from and influencing each other. Beijing opera was a synthesis of numerous folk melodies, various opera styles and traditions from Jiangsu, Hubei, Shaanxi and Gansu Provinces. Gradually, it evolved and perfected its own artistic style and acting system.

Traditional Beijing opera is performed with simple props and scenes to the accompaniment of an orchestra of Chinese

musical instruments. The actors and actresses have different facial make-ups and costumes according to their roles. Sometimes, exaggerated movements are applied to reflect the inner-world and the changing situations of the characters.

ARCHAEOLOGY

Ancient Bone Carving

A human head carved out of an animal bone 6,000 years ago was recently discovered by archaeologists in Shaanxi Province when excavating in Xi-xiang County.

The relic, 2.5 cm. high and 1.6 cm. in diameter, was carved with hard-stone tools after the animal bone was rubbed into the outline of a human head, archaeologists say. The face contains thick eyebrows above two big eyes, a high-bridged nose and a protruding mouth, thus skilfully capturing the image of a man.

Archaeologists believe the head was originally part of a complete figure but the body was not discovered.

Announcement

Beginning with issue No. 1, 1983, we will run a series of nine or more articles on Chinese-type modernization.

This series, written at our request by the staff of the Economic Research Centre under the State Council, provides systematic analyses and explanations that will help our readers better understand our ongoing modernization drive—the whys and wherefores, the background and prospects, present policies and other related questions. It is our hope that these articles will be of help to all interested in this topic.

*Sketches by
Liu Wenxi*

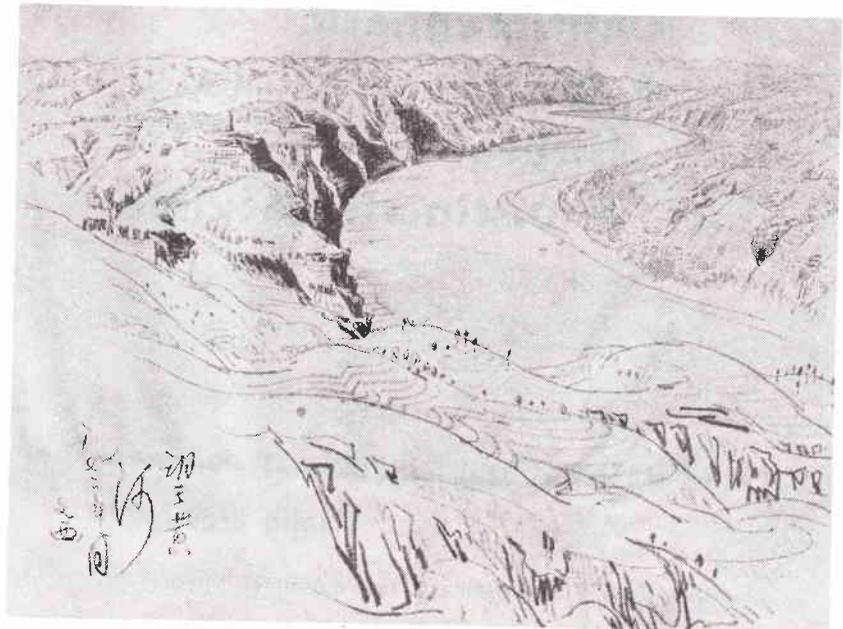


Northern Shaanxi Girl.



An Elderly Peasant.

The Huanghe (Yellow) River.



Liu Wenxi was born in Zhejiang, a coastal province, in 1933. After graduation from an art academy in 1958, he worked in the former revolutionary base area of north Shaanxi. The simplicity and industriousness of the peasants there inspired him to serve them with his pencil. His later attainments in traditional Chinese painting owe a lot to his extensive sketching. He now teaches at the Shaanxi Academy of Fine Arts.

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