In today’s China, everyone from the authorities to the common people share the same views on two points. The first point is that, in the twenty-plus years of reform and opening, China has for the first time established an economic system oriented toward market transition, and material civilization has developed on a significant scale. The second point is that a matching political system oriented toward democratization is very far from being able to emerge, and the lagging political system has already proven to be a serious impediment to economic, social, and cultural development.

The Chinese Communist Party acknowledged this fact when the concept of political civilization was introduced into the documents of the 16th Party Congress in November 2002. I define political civilization as civilized political ideas, a civilized political system, and civilized political conduct, all contributing to five essential aspects of reform: the sovereignty of the people, separation of powers, parliamentary democracy, election of the President by the people, and separation of the Party and Government.

I believe that reform of the political system is imminent, that is it is not optional and cannot come slowly. If we agree that there is a need for political civilization then the current system must be uncivilized and a slow reform process simply becomes an argument to remain barbaric longer. In practice, if the current political system is not reformed into a civilized political system, it is entirely possible that tragedies like the Cultural Revolution will happen again.
Today, the sword of Damocles can fall on the head of any individual in China at any time.

If political reforms do not occur in a timely manner to accelerate the movement towards political civilization, the problem of corruption will remain and the positive results of more than twenty years of reform will be forfeited to public anger and resentment. There is no use talking of social stability, of social development, or of the comprehensive development of a well-to-do society, without political reforms.

In a civilized political society the people are sovereign and any power officials may have is vested in them by the people. Citizens confer part of their power to the state for the state to act as the citizens’ public servant, to perform functions that ordinary people cannot, such as national defense, etc. The public servant can exercise only as much power as the citizens confer on him.

Once citizens have conferred the legislative power, executive power and judiciary power to the appropriate state institutions, only then do these institutions agencies wield power. The most important characteristics of these three branches of power are, first, that they are conferred by citizens and vested in public servants, and second, that they check and balance each other and cannot be held concurrently, which is referred to as the “separation of powers.”

I believe, rather, that there are four powers that must be separated. The first three are the legislative, executive and judiciary branches, or the three “official powers.” The fourth power is that of society’s “public opinion.” The common people have never vested their power of public opinion into any state “authority.” Thus, apart from engaging in propaganda abroad on behalf of the state, public servants have no right to own or control the media or public opinion. A society’s power of public opinion quintessentially belongs to the people!

The principle of a free press existing as a fourth power is based on two important premises. One is an economic belief in privatization, and the other is that political civilization must fairly balance divergent interests.

The feasibility of establishing a parliamentary democracy in China is quite real and, in fact, the National People’s Congress has already become an embryonic parliamentary democracy. However, I also believe further separation of powers can be achieved by transforming China’s People’s Political Consultative Conference into a kind of senate.

The basic problem in the Chinese political system is the long-standing lack of separation between the Party and Government. The ruling party has
traditionally controlled everything in state and society, such that it has been impossible to check and balance official power. Since the 1980s, the Chinese Communist Party also has become aware of the problem, and on many occasions has suggested reforming the party and state leadership structure to separate the Party and government.

Despite this, separation never happened. The current Chinese Constitution stipulates that the Premier is accountable to the National People’s Congress, but at the same time must also be accountable to the Politburo of the Central Committee of the Chinese Communist Party. How then can the Party and Government be separated?

I recommend that the separation of the Party and government be solved by granting the president the most important source of legitimacy: direct election by the people. It is also possible to conduct indirect elections following the selection of candidates by political parties. A president of the People’s Republic of China elected through such a process would have legitimacy independent of the national legislative body. He would be able to ensure the separation, checking, and balancing of the nation’s executive, legislative, and judiciary powers, and be responsible only to voters and not the Politburo.

Such a president would be both the head of state and the head of government, with the power of ultimate decision on executive matters and related appointments. The president would also be the commander-in-chief and have supreme command authority over the nation’s armed forces. The president would nominate the cabinet, and appoint the Premier and members of the national military commission, subject to the approval of the National People’s Congress.

If this type of presidential system is to be implemented, the current Chinese Constitution will certainly have to be amended. First it must clearly specify the scope of the president’s responsibilities and rights, and second, it must grant the National People’s Congress the power to impeach the president, while giving the president no right to dissolve the People’s Congress. In this manner, voters control the term of office, and can exercise removal of the president through the national legislative body. Under this system, although the president has real authority, presidential powers are not unlimited and a president cannot turn into the Qin Shi Huang of ancient China or the Mao Zedong of modern Chinese history.

1 The despotic ruler who united China, the first emperor of Qin (259 – 210 B.C.)
With consideration to a transitional period, the National People’s Congress could elect the first president of the People’s Republic of China from two candidates nominated by the ruling party, and have the same term of office as the People’s Congress. But, starting with the second presidency, direct election by the people would be fully implemented. The president of the state could not concurrently hold a leading position in the ruling party or serve more than two consecutive terms.

The ruling party should not be directly involved in national legislative, executive or judiciary affairs. Rather, it should promote its ideas and opinions by constitutional and lawful methods. This is a paramount characteristic of modern political civilization. In order to establish a parliamentary democracy in China, apart from reforming the system of people’s deputies, I suggest two basic processes of political reform: one is amending the Constitution; the other is reforming the very institution of the Chinese Communist Party.

The Constitution’s three basic provisions--the absolute supremacy of citizens’ rights, the provision guaranteeing the implementation of the Constitution, and the principle of transparency--should be enhanced with new amendments establishing that the private property of citizens and public property are equally sacred and cannot be encroached upon.

I recommend five key reforms in the book.

- First, re-write the general principles of the Chinese Communist Party to read, “The Chinese Communist Party works in the interest of the entire people. Proceeding from the prerequisites of the supremacy of citizens’ rights and the sovereignty of the people, it develops democratic policy and lawful rule. Based on protection of private property, it develops a market econom. In an atmosphere of freedom, equality and universal fraternity, it creates a multi-faceted humanistic culture, and strives toward the realization of a prosperous, harmonious socialist society with a continually expanding citizens’ self-government.”

- Second, I recommend changing the name of the Chinese Communist Party to the Chinese Social Party.

- Third, I call for allowing competition within the Party.

- Fourth is the separation of four powers within the Party. The Party Congress and the resulting Party Congress Standing Committee should hold the decision-making power in the Party. The Party’s Executive Committee chosen by the Party Congress should hold the executive power.
power in the Party, and the Party’s Commission for Inspecting Discipline should hold the oversight power in the Party. The members of the three bodies should not hold concurrent positions. Party papers and magazines should be operated by party members on their own.

- Fifth is establishing a system for generating Party revenues from privately collected voluntary contributions and not government funds.

Civilized political views and the civilized political system must find their implementation in the civilized political conduct of individual citizens and legal entities. This includes renouncing violence as a principle, gaining an attitude of tolerance, dialogue and negotiation, doing things in a lawful manner, and promoting the social climate of active citizen participation in the administration and discussion of state affairs. The ability of citizens, under the protection of a legal system, to actively participate in the administration and discussion of state affairs is the best general indicator of the degree to which the political conduct in a given society is civilized.

Currently, China has a Constitution but no Constitutional rule, a widespread belief that China cannot blindly copy foreign experience, a system in which the Commission on Politics and Law of the Chinese Communist Party undermines the independence of the judiciary, a system of “labor education,” and a double standard that violates civil rights. I hope that the ideas I have put forward will offer the 1.3 billion Chinese a clear overall picture of political reform that can serve as fodder for debate.