

NOT FOR PUBLICATION

INSTITUTE OF CURRENT WORLD AFFAIRS

ADB-32

% U.S. Consulate
Hongkong
September 4, 1949

Mr. Walter S. Rogers
Institute of Current World Affairs
522 Fifth Avenue
New York 18, N.Y.

Dear Mr. Rogers:

The Chinese Communists have established local governments throughout the territory under their control, and these governments form the basic structure upon which a Communist central government will be superimposed. The pattern of local government may be modified after the establishment of a central government, which is believed to be imminent, but many characteristics of existing governmental organizations in Communist China, provisional as they are, can be expected to continue.

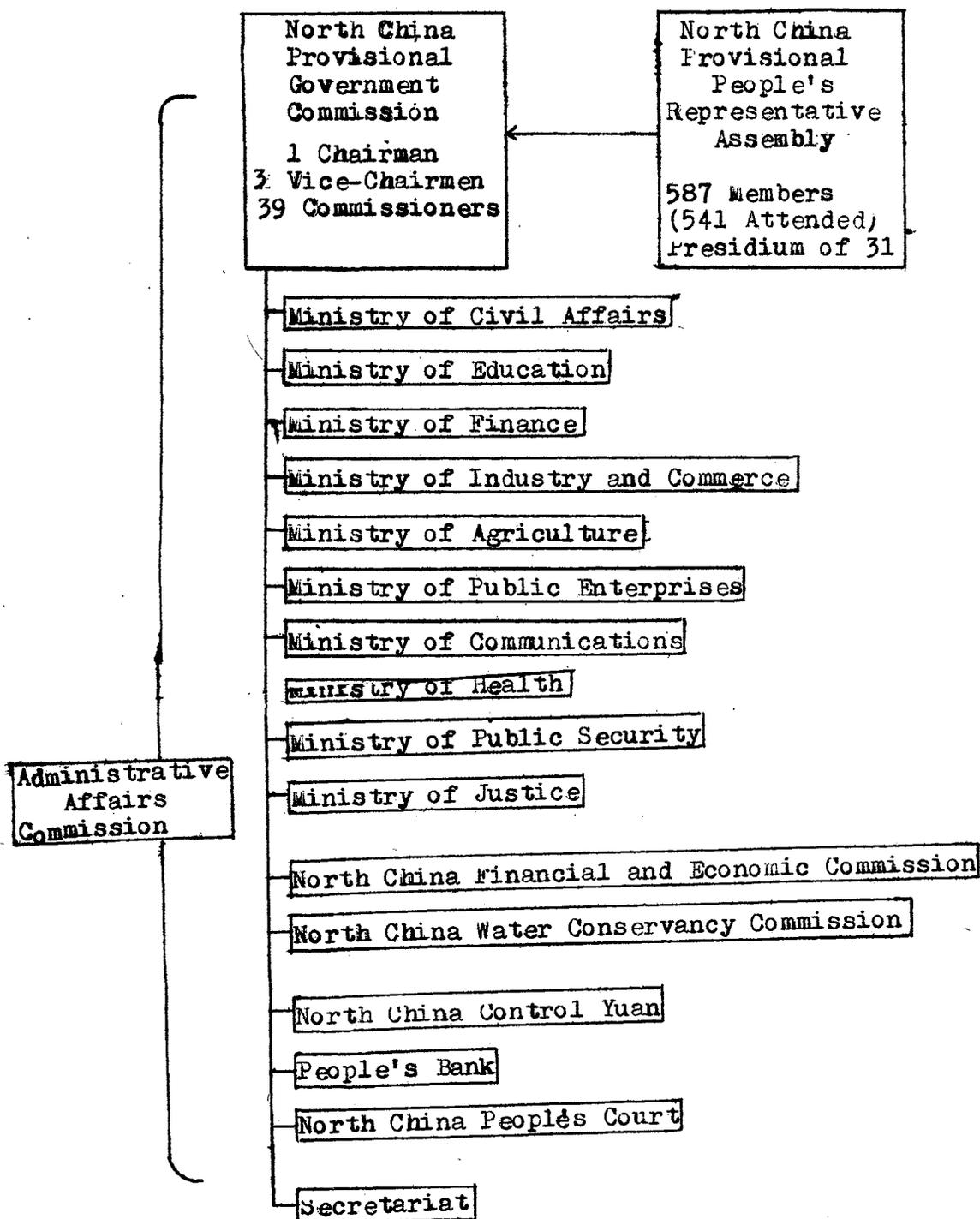
The highest-ranking governments in Communist China today are local, regional governments over areas which include several provinces or parts of provinces. Of these regional governments, the oldest and most highly-organized is the North China People's Government, which now has its seat in Peiping.

The North China People's Government was established in August 1948. At that time a North China Provisional People's Representative Assembly with over five hundred delegates, met at Shihchiachuang, passed an Organic Outline for the new government and elected the highest body in the government, the Government Commission (See attached Chart).

There is no purely legislative body in the North China People's Government. The Representative Assembly elects a Government Commission and grants it the powers of a combined executive-legislative governing body. According to the Organic Outline the Assembly may adopt "administrative policy and other resolutions", but "power to promulgate laws and issue orders" is reserved to the combined executive-legislative Government Commission chosen by the Assembly. The Organic Outline speaks of "subsequent sessions" of the Representative Assembly, but there is no specific provision for regular sessions, and the election of the Assembly is one of the matters controlled by the Government Commission.

The Government Commission is, therefore, the repository of actual governing powers. It has 43 Commissioners. They elect one of their number to be Chairman of the North China People's Government and three others to be Vice-Chairmen. These officers are given a veto

North China People's Government (Simplified Organizational Chart)



over all government business by the provision that all Commission resolutions must bear their signatures. The Organic Outline contains a long list of powers to be exercised by the Government Commission, and these include law-making, administration, appointments and financial and economic policy. The Commission, therefore, does the whole job of governing, and the system as it is set up lacks any checks or balances.

Under the Government Commission, and appointed by it, are ten ministries, two commissions, a North China Control Yuan, a North China People's Court, a regional Bank and a Secretariat. The ten ministries are for Civil Affairs, Education, Finance, Industry and Commerce, Agriculture, Public Enterprises, Communications, Health, Justice, and Public Security. The two commissions are the North China Conservancy Commission and the North China Financial and Economic Commission, the latter a general coordinating body for economic policy. "As a principle", says the Organic Outline, the heads of all these bodies will be members of the Government Commission, that is the Commission appoints its own members to fill these posts, although others may be appointed if necessary. A sort of cabinet, called the Administrative Affairs Council, is provided for; it includes the heads of all important organizations in the government, and the Chairman of the North China Government "shall have the power of making final decisions".

This structure is a hybrid between a provincial and a national government. Its organization is more complicated and its powers much greater than has been the case with provincial governments in the past, but it lacks certain functions and departments (mainly those connected with the conduct of foreign affairs and control of a military establishment) which a national government would have. The fact that it has considerable law-making powers, in theory at least, is a new feature for local government in China, however. As a rule, local governments such as provinces in the past have been designed more for administrative functions under the direction of a central authority than for law-making on a regional basis. Once a central government is established the powers of the North China People's Government, and its counterparts in other regions, may be reduced, but if even a part of its present powers are retained, it will be an innovation in the field of local government in China.

One interesting point is the fact that the so-called "Five-Power System of government" (with legislative, executive, judicial, control and examination divisions), proposed by Sun Yat-sen and accepted by the Kuomintang as the basis for government organization at the top level, has been abandoned. Despite this fact, however, a Control Yuan is included in the North China People's Government. It is an organization of five to nine members appointed by the Government Commission "to investigate, impeach and sentence public employees of all ranks in administrative and judicial organs and in

public enterprises guilty of breaches of law, neglect of duty, acts of embezzlement and waste, and other offences detrimental to the interests of the Government and the people." This peculiarly Chinese institution seems to be firmly established in modern Chinese governmental practice (as it was in the past; in pre-1911 days it was called the censorate), and the Communists have even added certain new features to it. Early in June of this year the North China People's Government announced a system of "Corresponding Investigators" by which representatives in all government organs and institutions will be appointed to serve as watchdogs and will be empowered to write to the Control Yuan accusing any public servant of neglect of duty, breach of the law, and so on.

The most striking organizational feature of the North China People's Government is the centralization of power. It is very similar in this respect to the Chinese Communist Party. In both cases power is delegated to a small group which combines executive and legislative functions and is the final authority. The North China People's Government is an example of "democratic centralization" in the field of government.

Not all the other major regions in Communist China have local governments as complicated and complete as the North China People's Government, but the trend seems to be to establish them gradually. A Central Plains (Central China) People's Government was set up in March this year. Although smaller, and containing fewer ministries, than the North China People's Government it follows the same pattern. The Northeast until recently has been governed by a special Administrative Commission, but steps were taken in June and July to set up a Northeast People's Government. About a week ago the Communists announced that this government has now been formally established, although no details of its organization have been revealed yet. The highest government organ in the Northwest Liberated Area is still the Shensi-Kansu-Ningsia Border Area Government, a wartime creation centered originally at Yen-an. No regional governments have yet taken shape in East China or South China.

At the bottom level of local government, developments in Peiping during the past six months indicate that the Communists' plans, at least in urban areas, are still in the process of formation. These developments also reveal the direction in which Communists seem to be going, however.

A long-standing, major, political plank in the Communists' program has been the promise to abolish the Kuomintang's system of local government - in particular the Pao-Chia system - which has been the target for some of the Communists' choicest epithets.

The first reorganization move made by the Communists after they entered Peiping was the appointment of new District Governments in the twenty urban and suburban districts in the city. These new bodies were larger and had greater authority than the previous district administrative organs. In each District Government there was a Chief and Sections for Civil Affairs, Census, Education and Culture, Economic, and Mediation, and each of these sections was supposed to carry out a program under the general direction of the Peiping People's Municipal Government. The importance of mediation of disputes of all kinds at the District level was stressed, and explicit instructions were issued by the North China People's Court specifying the procedures for this type of mediation. The personnel in these District Governments was composed of Communist-appointed cadres, but in theory the posts were eventually to become elective.

The Pao-Chia system, previously comprising two levels of administration below the district level, was formally abolished, and Communist cadres were sent into local areas to organize Street Governments, the base of the new administrative system. Each Street Government was to replace both Pao and Chia, and was to include the area of several former Pao. The organization was to consist of a Chief, a Deputy Chief (if necessary), two Census Officers, a Civil Administration Officer, a Finance Officer, a Cultural and Educational Officer, and two minor functionaries. The cadres sent to set up these organs proceeded to interview the people in their areas, and subsequently they held many discussions and meetings, generally concentrating on the poorer people. Finally they picked persons to serve with them on Working Groups to establish the Street Governments. Some of the Street Governments were finally organized; others never got that far. (The Street Governments, it was said, were eventually to become elective also. However, I have talked with persons from other large cities which have been in Communist hands for long periods of time, and they have said that at last report the existing Street Governments still had not been made elective.)

The suburbs of Peiping were to be organized along similar lines, but with variations. Places near the city wall with 200 to 500 households were to be formed into Autonomous Villages. Market towns in the suburbs were to have Town Governments, their organization identical with that of Street Governments except for the addition of an Industry and Commerce Officer. Under the Town Governments were to be subdivisions: in the towns, Lu consisting of about 2,000 households; around the towns, Hsiang (Villages) consisting of about 1,000 households, each Lu and Hsiang to have a Chief.

Although this new system was never completely implemented in Peiping, the average citizen seemed to feel that as far as it went it was basically the same as the former Pao-Chia system.

The whole Street Government system has now been abandoned by the Communists, however. This first took place in Tientsin about mid-June, and was carried out gradually in Peiping a few weeks later. A New China News Agency editorial (the medium used often for minor policy statements) appearing the day the Tientsin People's Municipal Government announced the abolishment of the Street Governments indicated that the same step would be taken in all major cities. This official statement explained that the system had been based upon Communist experience in rural areas but was not suitable for urban centers where the population was concentrated and the economy centralized. It also explained that, "...the citizens of the city felt that government affairs were too troublesome." Furthermore, it said, the Street Government system was too "anarchistic," that is, lacking in centralization.

The new city administration, now being established, abolishes both the District Governments and the Street Governments, concentrates all authority in the Municipal Government at the top, eliminates (even in theory) all local representative bodies, and establishes a system of direct control through appointed officers. In place of the District Governments there are to be two bodies in each district. One is a district Office, appointed by and representing the Municipal Government, which is to carry out policies and orders passed on to it. Each of these Offices is to have a Chief, a Secretary and five assistants and clerks. Each district is also to have a Police Branch under the Bureau of Public Safety. Of the functions formerly the responsibility of the District Governments, the future assignments, although not entirely specific, seem to be as follows; civil affairs to the District Office, census and mediation to the Police Branch, and education and culture and economic affairs to branches of the Municipal Bureau of Industry and Commerce, Bureau of Health and Cooperative Society which are to establish these branches to carry on their work directly. In place of the Street Governments there are to be Police Stations under the Police Branches. All direct liaison with the public, therefore, at the lowest level will be through these Police Stations, each organized with a Chief, a Deputy Chief (if necessary), a Census Officer, and a Secretary, whose collective duties include taking the census, carrying out social surveys, protecting public property, promoting sanitation, preserving law and order, suppressing secret service activities by opponents of the regime, and stamping out gambling and opium smoking. This is a system of complete centralization with no participation in the local government by ordinary citizens, even in theory. It is "police rule" in a literal sense. The base of governmental authority has been narrowed, even when compared to the Pao-Chia system.

From an examination of existing local governments, at both the highest and lowest levels, in Communist territory, it is possible to define certain characteristics or trends in the Communists'

governmental practices. One of these is the extreme centralization of authority at all levels. Other characteristics which seem to be fairly general include: the delegation of governing power to small executive groups by existing representative bodies whose main function seems to be the choosing of these groups, the mixing of executive and legislative functions, and the concentration of decision-making power without any system of checks and balances. These are not new phenomena in China. Government under the Kuomintang for most of its twenty year rule has exhibited these same tendencies to a greater or lesser degree. The trend under the Communists, however, as far as it is distinguishable at present, seems to be to reinforce these features and perhaps to establish them more firmly than before as accepted practices.

It is also possible to define other general principles of government practiced by the Chinese Communists. One of these is the system of representation on an occupational basis in the existing representative bodies. This derives from the Soviet system of political organization, but as now practiced occupational representation is combined with geographical representation. Occupational representation now seems to be generally accepted in China, and has been practiced by the Kuomintang as well as by the Communists. A few specific examples will illustrate how it is used by the Communists. Of 587 seats in the North China Provisional Representative Assembly, 384 were assigned to delegates on a regional basis and 203 on an occupational basis. Of 81 representatives in the Central Plains Provisional Representative Assembly, 52 represented geographical districts and the rest came from various organizations and groups. Of 358 representatives in the Northeast Provisional Representative Assembly, 164 were chosen in geographical districts and 194 by various group organizations including those representing racial minorities, the army, students, women, organized labor, intellectuals, and so on; the largest single bloc of seats was assigned to labor, and it was specified that one-half of the geographical representatives must be farmers. (Direct representation for the army has not been practiced by the Kuomintang, but the other groups represented have been about the same. Labor and farmers' groups have received much more attention and emphasis under the Communists, however.) The apportioning of seats in both the forthcoming New Political Consultative Conference and its Preparatory Committee, which has already been formed, also combines geographical and group representation. This system of occupational representation makes possible, of course, a weighting of representation along both political and class lines. It can be said, in fact, that a strong "class bias" occurs throughout Communist political and governmental practices. There is discrimination of many sorts in favor of certain class groups such as organized laborers and farmers, and the weighting of representation in elective or consultative bodies is only one example.

Another characteristic feature of Communist practice is the fact that often governmental or semi-governmental functions are assigned to extra-governmental groups and organizations. The Communists work on the principle that the majority of the population, or at least of key groups in the population, should be organized along occupational lines in bodies under Communist leadership, and at present they are intensifying efforts to develop organizations to serve this purpose. Since the beginning of this year the All-China General Labor Union, the All-China Democratic Youth Federation, the All-China Democratic Women's Federation, the All-China Democratic Students' Federation, the All-China Writers' and Artists' Association and the New Democratic Youth Corps have been established, and in rural areas Farmers' Unions and Poor Farmers' Leagues have been organized throughout Communist territory. National organizations for scientists, newspapermen and others are being set up. Many of these organizations are used to implement laws and policies and carry out functions which more normally might be expected to fall under the government itself. Perhaps the most striking example of this is in connection with land reform. The present Communist land law, passed September 13, 1947, states, "The legal executive organs of the reform of the agrarian system will be the Village Peasant Unions (Farmers' Unions) and the committees elected by them; the poor Peasants' Leagues organized by the landless and landpoor peasants of the villages and the committees elected by them; District, Hsien, Provincial and other area peasant congresses and the committees elected by them." Thus, implementation of the most important part of the whole Communist reform program in rural areas is the job not of regular government organs but of special group organizations outside of the government. Other similar examples could be cited.

These are a few of the characteristics of government as it exists in Communist China today. This is a transitional period, and changes will undoubtedly take place, but at least some of the existing characteristics will be lasting, and will influence the structure of government as a whole in Communist China after the New Political Consultative Conference meets and establishes a central government over all the territory under Communist control.

Sincerely yours,

A. Doak Barnett

A. Doak Barnett