

**PROCLAMATION OF
THE NATIONAL PEOPLE'S CONGRESS OF
THE PEOPLE'S REPUBLIC OF CHINA**

It is hereby proclaimed that on March 5, 1978, the First Session of the Fifth National People's Congress adopted the Constitution of the People's Republic of China.

**The Presidium of the First Session of
the Fifth National People's Congress of
the People's Republic of China**

**March 5, 1978
Peking**

**THE CONSTITUTION OF
THE PEOPLE'S REPUBLIC
OF CHINA**

**(Adopted on March 5, 1978 by the Fifth National
People's Congress of the People's Republic
of China at its First Session)**

PREAMBLE

After more than a century of heroic struggle the Chinese people, led by the Communist Party of China headed by our great leader and teacher Chairman Mao Tsetung, finally overthrew the reactionary rule of imperialism, feudalism and bureaucrat-capitalism by means of people's revolutionary war, winning complete victory in the new-democratic revolution, and in 1949 founded the People's Republic of China.

The founding of the People's Republic of China marked the beginning of the historical period of socialism in our country. Since then, under the leadership of Chairman Mao and the Chinese Communist Party, the people of all our nationalities have carried out Chairman Mao's proletarian revolutionary line in the political, economic, cultural and military fields and in foreign affairs and have won great victories in socialist revolution and socialist construction through re-

peated struggles against enemies both at home and abroad and through the Great Proletarian Cultural Revolution. The dictatorship of the proletariat in our country has been consolidated and strengthened, and China has become a socialist country with the beginnings of prosperity.

Chairman Mao Tsetung was the founder of the People's Republic of China. All our victories in revolution and construction have been won under the guidance of Marxism-Leninism-Mao Tsetung Thought. The fundamental guarantee that the people of all our nationalities will struggle in unity and carry the proletarian revolution through to the end is always to hold high and staunchly to defend the great banner of Chairman Mao.

The triumphant conclusion of the first Great Proletarian Cultural Revolution has ushered in a new period of development in China's socialist revolution and socialist construction. In accordance with the basic line of the Chinese Communist Party for the entire historical period of socialism, the general task for the people of the whole country in this new period is: To persevere in continuing the revolution under the dictatorship of the proletariat, carry forward the three great revolutionary movements of class struggle, the struggle for

production and scientific experiment, and make China a great and powerful socialist country with modern agriculture, industry, national defence and science and technology by the end of the century.

We must persevere in the struggle of the proletariat against the bourgeoisie and in the struggle for the socialist road against the capitalist road. We must oppose revisionism and prevent the restoration of capitalism. We must be prepared to deal with subversion and aggression against our country by social-imperialism and imperialism.

We should consolidate and expand the revolutionary united front which is led by the working class and based on the worker-peasant alliance, and which unites the large numbers of intellectuals and other working people, patriotic democratic parties, patriotic personages, our compatriots in Taiwan, Hongkong and Macao, and our countrymen residing abroad. We should enhance the great unity of all the nationalities in our country. We should correctly distinguish and handle the contradictions among the people and those between ourselves and the enemy. We should endeavour to create among the people of the whole country a political situation in which there are both

centralism and democracy, both discipline and freedom, both unity of will and personal ease of mind and liveliness, so as to help bring all positive factors into play, overcome all difficulties, better consolidate the proletarian dictatorship and build up our country more rapidly.

Taiwan is China's sacred territory. We are determined to liberate Taiwan and accomplish the great cause of unifying our motherland.

In international affairs, we should establish and develop relations with other countries on the basis of 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. Our country will never seek hegemony, or strive to be a superpower. We should uphold proletarian internationalism. In accordance with the theory of the three worlds, we should strengthen our unity with the proletariat and the oppressed people and nations throughout the world, the socialist countries, and the third world countries, and we should unite with all countries subjected to aggression, subversion, interference, control and bullying by the social-

imperialist and imperialist superpowers to form the broadest possible international united front against the hegemonism of the superpowers and against a new world war, and strive for the progress and emancipation of humanity.

CHAPTER ONE
GENERAL PRINCIPLES

ARTICLE 1

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

ARTICLE 2

The Communist Party of China is the core of leadership of the whole Chinese people. The working class exercises leadership over the state through its vanguard, the Communist Party of China.

The guiding ideology of the People's Republic of China is Marxism-Leninism-Mao Tsetung Thought.

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 various levels.

The National People's Congress, the local people's congresses at various levels and all other organs of state practise democratic centralism.

ARTICLE 4

The People's Republic of China is a unitary multi-national state.

All the nationalities are equal. There should be unity and fraternal love among the nationalities and they should help and learn from each other. Discrimination against, or oppression of, any nationality, and acts which undermine the unity of the nationalities are prohibited. Big-nationality chauvinism and local-nationality chauvinism must be opposed.

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

Regional autonomy applies in an area where a minority nationality lives in a compact community. All the national autonomous areas are inalienable parts of the People's Republic of China.

ARTICLE 5

There are mainly two kinds of ownership of the means of production in the People's Republic of China at the present stage: socialist ownership by the whole people and socialist collective ownership by the working people.

The state allows non-agricultural individual labourers to engage in individual labour involving no exploitation of others, within the limits permitted by law and under unified arrangement and management by organizations at the basic level in cities and towns or in rural areas. At the same time, it guides these individual labourers step by step onto the road of socialist collectivization.

The state sector of the economy, that is, the socialist sector owned by the whole people, is the leading force in the national economy.

Mineral resources, waters and those forests, undeveloped lands and other marine and land resources owned by the state are the property of the whole people.

The state may requisition by purchase, take over for use, or nationalize land under conditions prescribed by law.

ARTICLE 7

The rural people's commune sector of the economy is a socialist sector collectively owned by the masses of working people. At present, it generally takes the form of three-level ownership, that is, ownership by the commune, the production brigade and the production team, with the production team as the basic accounting unit. A production brigade may become the basic accounting unit when its conditions are ripe.

Provided that the absolute predominance of the collective economy of the people's commune is ensured, commune members may farm small plots of land for personal needs, engage in limited household side-line production, and in pastoral areas they may also keep a limited number of livestock for personal needs.

ARTICLE 8

Socialist public property shall be inviolable. The state ensures the consolidation and development of the socialist sector of the economy owned by the whole people and of the socialist sector collectively owned by the masses of working people.

The state prohibits any person from using any means whatsoever to disrupt the economic order of the society, undermine the economic plans of the state, encroach upon or squander state and collective property, or injure the public interest.

ARTICLE 9

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

The state applies the socialist principles: "He who does not work, neither shall he eat" and "from each according to his ability, to each according to his work."

Work is an honourable duty for every citizen able to work. The state promotes socialist labour emulation, and, putting proletarian politics in command, it applies the policy of combining moral encouragement with material reward, with the stress on the former, in order to heighten the citizens' socialist enthusiasm and creativeness in work.

ARTICLE 11

The state adheres to the general line of going all out, aiming high and achieving greater, faster, better and more economical results in building socialism, it undertakes the planned, proportionate and high-speed development of the national economy, and it continuously develops the productive forces, so as to consolidate the country's independence and security and improve the people's material and cultural life step by step.

In developing the national economy, the state adheres to the principle of building our country independently, with the initiative in our own hands and through self-reliance, hard struggle, diligence and thrift, it adheres to the principle of taking agriculture as the foundation and industry as the leading factor, and it adheres to the principle of bringing the initiative of both the central and local authorities into full play under the unified leadership of the central authorities.

The state protects the environment and natural resources and prevents and eliminates pollution and other hazards to the public.

ARTICLE 12

The state devotes major efforts to developing science, expands scientific research, promotes technical innovation and technical revolution and adopts advanced techniques wherever possible in all departments of the national economy. In scientific and technological work we must follow the practice of combining professional contingents

with the masses, and combining learning from others with our own creative efforts.

ARTICLE 13

The state devotes major efforts to developing education in order to raise the cultural and scientific level of the whole nation. Education must serve proletarian politics and be combined with productive labour and must enable everyone who receives an education to develop morally, intellectually and physically and become a worker with both socialist consciousness and culture.

ARTICLE 14

The state upholds the leading position of Marxism-Leninism-Mao Tsetung Thought in all spheres of ideology and culture. All cultural undertakings must serve the workers, peasants and soldiers and serve socialism.

The state applies the policy of "letting a hundred flowers blossom and a hundred schools of thought contend" so as to promote the develop-

ment of the arts and sciences and bring about a flourishing socialist culture.

ARTICLE 15

All organs *of* state must constantly maintain close contact with the masses of the people, rely on them, heed their opinions, be concerned for their weal and woe, streamline administration, practise economy, raise efficiency and combat bureaucracy.

The leading personnel of state organs at all levels must conform to the requirements for successors in the proletarian revolutionary cause and their composition must conform to the principle of the three-in-one combination of the old, the middle-aged and the young.

ARTICLE 16

The personnel of organs of state must earnestly study Marxism-Leninism-Mao Tsetung Thought, wholeheartedly serve the people, endeavour to perfect their professional competence, take an

active part in collective productive labour, accept supervision by the masses, be models in observing the Constitution and the law, correctly implement the policies of the state, seek the truth from facts, and must not have recourse to deception or exploit their position and power to seek personal gain.

ARTICLE 17

The state adheres to the principle of socialist democracy, and ensures to the people the right to participate in the management of state affairs and of all economic and cultural undertakings, and the right to supervise the organs of state and their personnel.

ARTICLE 18

The state safeguards the socialist system, suppresses all treasonable and counter-revolutionary activities, punishes all traitors and counter-revolutionaries, and punishes new-born bourgeois elements and other bad elements.

The state deprives of political rights, as prescribed by law, those landlords, rich peasants and reactionary capitalists who have not yet been reformed, and at the same time it provides them with the opportunity to earn a living so that they may be reformed through labour and become law-abiding citizens supporting themselves by their own labour.

ARTICLE 19

The Chairman of the Central Committee of the Communist Party of China commands the armed forces of the People's Republic of China.

The Chinese People's Liberation Army is the workers' and peasants' own armed force led by the Communist Party of China; it is the pillar of the dictatorship of the proletariat. The state devotes major efforts to the revolutionization and modernization of the Chinese People's Liberation Army, strengthens the building of the militia and adopts a system under which our armed forces are a combination of the field armies, the regional forces and the militia.

The fundamental task of the armed forces of the People's Republic of China is: To safeguard the socialist revolution and socialist construction, to defend the sovereignty, territorial integrity and security of the state, and to guard against subversion and aggression by social-imperialism, imperialism and their lackeys.

CHAPTER TWO
THE STRUCTURE OF THE STATE

Section I
The National People's Congress

ARTICLE 20

The National People's Congress is the highest organ of state power.

ARTICLE 21

The National People's Congress is composed of deputies elected by the people's congresses of the provinces, autonomous regions, and municipalities directly under the Central Government, and by the People's Liberation Army. The deputies should

be elected by secret ballot after democratic consultation.

The National People's Congress is elected for a term of five years. Under special circumstances, its term of office may be extended or the succeeding National People's Congress may be convened before its due date.

The National People's Congress holds one session each year. When necessary, the session may be advanced or postponed.

ARTICLE 22

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

- (1) to amend the Constitution;**
- (2) to make laws;**
- (3) to supervise the enforcement of the Constitution and the law;**
- (4) to decide on the choice of the Premier of the State Council upon the recommendation of the Central Committee of the Communist Party of China;**

(5) to decide on the choice of other members of the State Council upon the recommendation of the Premier of the State Council;

(6) to elect the President of the Supreme People's Court and the Chief Procurator of the Supreme People's Procuratorate;

(7) to examine and approve the national economic plan, the state budget and the final state accounts;

(8) to confirm the following administrative divisions: provinces, autonomous regions, and municipalities directly under the Central Government;

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

(10) to exercise such other functions and powers as the National People's Congress deems necessary.

ARTICLE 23

The National People's Congress has the power to remove from office the members of the State Council, the President of the Supreme People's Court and the Chief Procurator of the Supreme People's Procuratorate.

The Standing Committee of the National People's Congress is the permanent organ of the National People's Congress. It is responsible and accountable to the National People's Congress.

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

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

The National People's Congress elects the Standing Committee of the National People's Congress and has the power to recall its members.

ARTICLE 25

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

- (1) to conduct the election of deputies to the National People's Congress;**

(2) to convene the sessions of the National People's Congress;

(3) to interpret the Constitution and laws and to enact decrees;

(4) to supervise the work of the State Council, the Supreme People's Court and the Supreme People's Procuratorate;

(5) to change and annul inappropriate decisions adopted by the organs of state power of provinces, autonomous regions, and municipalities directly under the Central Government;

(6) to decide on the appointment and removal of individual members of the State Council upon the recommendation of the Premier of the State Council when the National People's Congress is not in session;

(7) to appoint and remove Vice-Presidents of the Supreme People's Court and Deputy Chief Procurators of the Supreme People's Procuratorate;

(8) to decide on the appointment and removal of plenipotentiary representatives abroad;

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

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

- (11) to decide on the granting of pardons;**
- (12) to decide on the proclamation of a state of war in the event of armed attack on the country when the National People's Congress is not in session; and**
- (13) to exercise such other functions and powers as are vested in it by the National People's Congress.**

ARTICLE 26

The Chairman of the Standing Committee of the National People's Congress presides over the work of the Standing Committee; receives foreign diplomatic envoys; and in accordance with the decisions of the National People's Congress or its Standing Committee promulgates laws and decrees, dispatches and recalls plenipotentiary representatives abroad, ratifies treaties concluded with foreign states and confers state titles of honour.

The Vice-Chairmen of the Standing Committee of the National People's Congress assist the Chairman in his work and may exercise part of the Chairman's functions and powers on his behalf.

The National People's Congress and its Standing Committee may establish special committees as deemed necessary.

ARTICLE 28

Deputies to the National People's Congress have the right to address inquiries to the State Council, the Supreme People's Court, the Supreme People's Procuratorate, and the ministries and commissions of the State Council, which are all under obligation to answer.

ARTICLE 29

Deputies to the National People's Congress are subject to supervision by the units which elect them. These electoral units have the power to replace at any time the deputies they elect, as prescribed by law.

Section II
The State Council

ARTICLE 30

The State Council is the Central People's Government and the executive organ of the highest organ of state power; it is the highest organ of state administration.

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

ARTICLE 31

The State Council is composed of the following members:

the Premier;
the Vice-Premiers;
the ministers; and
the ministers heading the commissions.

The Premier presides over the work of the State Council and the Vice-Premiers assist the Premier in his work.

The State Council exercises the following functions and powers:

(1) to formulate administrative measures, issue decisions and orders and verify their execution, in accordance with the Constitution, laws and decrees;

(2) to submit proposals on laws and other matters to the National People's Congress or its Standing Committee;

(3) to exercise unified leadership over the work of the ministries and commissions and other organizations under it;

(4) to exercise unified leadership over the work of local organs of state administration at various levels throughout the country;

(5) to draw up and put into effect the national economic plan and the state budget;

(6) to protect the interests of the state, maintain public order and safeguard the rights of citizens;

(7) to confirm the following administrative divisions: autonomous prefectures, counties, autonomous counties, and cities;

(8) to appoint and remove administrative personnel according to the provisions of the law; and

(9) to exercise such other functions and powers as are vested in it by the National People's Congress or its Standing Committee.

Section 11 I

The Local People's Congresses and the Local Revolutionary Committees at Various Levels

ARTICLE 33

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; and

(3) Counties and autonomous counties are divided into people's communes and towns.

Municipalities directly under the Central Government and other large cities are divided into dis-

fricts and counties. Autonomous prefectures are divided into counties, autonomous counties, and cities.

Autonomous regions, autonomous prefectures and autonomous counties are all national autonomous areas.

ARTICLE 34

People's congresses and revolutionary committees are established in provinces, municipalities directly under the Central Government, counties, cities, municipal districts, people's communes and towns.

People's congresses and revolutionary committees of the people's communes are organizations of political power at the grass-roots level, and are also leading organs of collective economy.

Revolutionary committees at the provincial level may establish administrative offices as their agencies in prefectures.

Organs of self-government are established in autonomous regions, autonomous prefectures and autonomous counties.

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

Deputies to the people's congresses of provinces, municipalities directly under the Central Government, counties, and cities divided into districts are elected by people's congresses at the next lower level by secret ballot after democratic consultation; deputies to the people's congresses of cities not divided into districts, and of municipal districts, people's communes and towns are directly elected by the voters by secret ballot after democratic consultation.

The people's congresses of provinces and municipalities directly under the Central Government are elected for a term of five years. The people's congresses of counties, cities and municipal districts are elected for a term of three years. The people's congresses of people's communes and towns are elected for a term of two years.

Local people's congresses at various levels hold at least one session each year, which is to be convened by revolutionary committees at the corresponding levels.

The units and electorates which elect the deputies to the local people's congresses at various levels have the power to supervise, remove and replace their deputies at any time according to the provisions of the law.

ARTICLE 36

Local people's congresses at various levels, in their respective administrative areas, ensure the observance and enforcement of the Constitution, laws and decrees; ensure the implementation of the state plan; make plans for local economic and cultural development and for public utilities; examine and approve local economic plans, budgets and final accounts; protect public property; maintain public order; safeguard the rights of citizens and the equal rights of minority nationalities; and promote the development of socialist revolution and socialist construction.

Local people's congresses may adopt and issue decisions within the limits of their authority as prescribed by law.

Local people's congresses elect, and have the power to recall, members of revolutionary committees at the corresponding levels. People's congresses at county level and above elect, and have the power to recall, the presidents of the people's courts and the chief procurators of the people's procuratorates at the corresponding levels.

Deputies to local people's congresses at various levels have the right to address inquiries to the revolutionary committees, people's courts, people's procuratorates and organs under the revolutionary committees at the corresponding levels, which are all under obligation to answer.

ARTICLE 37

Local revolutionary committees at various levels, that is, local people's governments, are the executive organs of local people's congresses at the corresponding levels and they are also local organs of state administration.

A local revolutionary committee is composed of a chairman, vice-chairmen and other members.

Local revolutionary committees carry out the decisions of people's congresses at the corresponding levels as well as the decisions and orders of the organs of state administration at higher levels, direct the administrative work of their respective areas, and issue decisions and orders within the limits of their authority as prescribed by law. Revolutionary committees at county level and above appoint or remove the personnel of organs of state according to the provisions of the law.

Local revolutionary committees are responsible and accountable to people's congresses at the corresponding levels and to the organs of state administration at the next higher level, and work under the unified leadership of the State Council.

Section IV

The Organs of Self-Government of National Autonomous Areas

ARTICLE 38

The organs of self-government of autonomous regions, autonomous prefectures and autonomous

counties are people's congresses and revolutionary committees.

The election of the people's congresses and revolutionary committees of national autonomous areas, their terms of office, their functions and powers and also the establishment of their agencies should conform to the basic principles governing the organization of local organs of state as specified in Section III, Chapter Two, of the Constitution.

In autonomous areas where a number of nationalities live together, each nationality is entitled to appropriate representation in the organs of self-government.

ARTICLE 39

The organs of self-government of national autonomous areas exercise autonomy within the limits of their authority as prescribed by law, in addition to exercising the functions and powers of local organs of state as specified by the Constitution.

The organs of self-government of national autonomous areas may, in the light of the political,

economic and cultural characteristics of the nationality or nationalities in a given area, make regulations on the exercise of autonomy and also specific regulations and submit them to the Standing Committee of the National People's Congress for approval.

In performing their functions, the organs of self-government of national autonomous areas employ the spoken and written language or languages commonly used by the nationality or nationalities in the locality.

ARTICLE 40

The higher organs of state shall fully safeguard the exercise of autonomy by the organs of self-government of national autonomous areas, take into full consideration the characteristics and needs of the various minority nationalities, make a major effort to train cadres of the minority nationalities, and actively support and assist all the minority nationalities in their socialist revolution and construction and thus advance their socialist economic and cultural development.

Section V
The People's Courts and the
People's Procuratorates

ARTICLE 41

The Supreme People's Court, local people's courts at various levels and special people's courts exercise judicial authority. The people's courts are formed as prescribed by law.

In accordance with law, the people's courts apply the system whereby representatives of the masses participate as assessors in administering justice. With regard to major counter-revolutionary or criminal cases, the masses should be drawn in for discussion and suggestions.

All cases in the people's courts are heard in public except those involving special circumstances as prescribed by law. The accused has the right to defence.

ARTICLE 42

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

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

The Supreme People's Court is responsible and accountable to the National People's Congress and its Standing Committee. Local people's courts at various levels are responsible and accountable to local people's congresses at the corresponding levels.

ARTICLE 43

The Supreme People's Procuratorate exercises procuratorial authority to ensure observance of the Constitution and the law by all the departments under the State Council, the local organs of state at various levels, the personnel of organs of state and the citizens. Local people's procuratorates and special people's procuratorates exercise procuratorial authority within the limits prescribed by law. The people's procuratorates are formed as prescribed by law.

The Supreme People's Procuratorate supervises the work of local people's procuratorates at various levels and of special people's procuratorates; people's procuratorates at the higher levels supervise the work of those at the lower levels.

The Supreme People's Procuratorate is responsible and accountable to the National People's Congress and its Standing Committee. Local people's procuratorates at various levels are responsible and accountable to people's congresses at the corresponding levels.

CHAPTER THREE
THE FUNDAMENTAL RIGHTS AND
DUTIES OF CITIZENS

ARTICLE 44

All citizens who have reached the age of eighteen have the right to vote and to stand for election, with the exception of persons deprived of these rights by law.

ARTICLE 45

Citizens enjoy freedom of speech, correspondence, the press, assembly, association, procession, demonstration and the freedom to strike, and have the right to "speak out freely, air their views fully, hold great debates and write big-character posters."

Citizens enjoy freedom to believe in religion and freedom not to believe in religion and to propagate atheism.

ARTICLE 47

The citizens' freedom of person and their homes are inviolable.

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

ARTICLE 48

Citizens have the right to work. To ensure that citizens enjoy this right, the state provides employment in accordance with the principle of overall consideration, and, on the basis of increased production, the state gradually increases payment for labour, improves working conditions, strengthens labour protection and expands collective welfare.

Working people have the right to rest. To ensure that working people enjoy this right, the state prescribes working hours and systems of vacations and gradually expands material facilities for the working people to rest and recuperate.

ARTICLE 50

Working people have the right to material assistance in old age, and in case of illness or disability. To ensure that working people enjoy this right, the state gradually expands social insurance, social assistance, public health services, co-operative medical services, and other services.

The state cares for and ensures the livelihood of disabled revolutionary armymen and the families of revolutionary martyrs.

ARTICLE 51

Citizens have the right to education. To ensure that citizens enjoy this right, the state gradually

increases the number of schools of various types and of other cultural and educational institutions and popularizes education.

The state pays special attention to the healthy development of young people and children.

ARTICLE 52

Citizens have the freedom to engage in scientific research, literary and artistic creation and other cultural activities. The state encourages and assists the creative endeavours of citizens engaged in science, education, literature, art, journalism, publishing, public health, sports and other cultural work.

ARTICLE 53

Women enjoy equal rights with men in all spheres of political, economic, cultural, social and family life. Men and women enjoy equal pay for equal work.

Men and women shall marry of their own free will. The state protects marriage, the family, and the mother and child.

The state advocates and encourages family planning.

ARTICLE 54

The state protects the just rights and interests of overseas Chinese and their relatives.

ARTICLE 55

Citizens have the right to lodge complaints with organs of state at any level against any person working in an organ of state, enterprise or institution for transgression of law or neglect of duty. Citizens have the right to appeal to organs of state at any level against any infringement of their rights. No one shall suppress such complaints and appeals or retaliate against persons making them.

ARTICLE 56

Citizens must support the leadership of the Communist Party of China, support the socialist system, safeguard the unification of the mother-

land and the unity of all nationalities in our country and abide by the Constitution and the law.

ARTICLE 57

Citizens must take care of and protect public property, observe labour discipline, observe public order, respect social ethics and safeguard state secrets.

ARTICLE 58

It is the lofty duty of every citizen to defend the motherland and resist aggression.

It is the honourable obligation of citizens to perform military service and to join the militia according to the law.

ARTICLE 59

The People's Republic of China grants the right of residence to any foreign national persecuted for supporting a just cause, for taking part in revolutionary movements or for engaging in scientific work.

CHAPTER FOUR
THE NATIONAL FLAG, THE NATIONAL
EMBLEM AND THE CAPITAL

ARTICLE 60

The national flag of the People's Republic of China has five stars on a field of red.

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

The capital of the People's Republic of China is Peking.

