

Plsg sem II general.
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THE CHINESE PREMIER

Introduction to the Chinese Premier:

State Council as the executive and highest organ of State power, and the Premier as the powerful head of the State Council. The State Council bears the imprint of the ideas, views and personality of the Premier.

As the head of the State Council, as a person upon whose recommendation all other ministers are appointed and as a person who guides, directs and controls the working of the State Council, the Chinese Premier occupies a powerful position which can be favourably compared with the positions of Indian or British Prime Ministers.

The Chinese Premier, like his Indian and British counterparts, is the head of the real executive and the real government. The President of China is only a ceremonial head of state. Because of his position as well as because of the strong position that he always holds in the hierarchy of the Communist Party, the Chinese Premier is always a powerful and active actor in the Chinese political system.

2 . Method of Appointment of the Chinese Premier:

The 1982 Constitution of China provides for a unique method for the appointment of the Premier. The President of the People's Republic of China suggests the name for the office of the Premier. If the National People's Congress approves the Presidential recommendation, the President appoints the Premier.

However, it is only a formality. In reality, the Communist Party decides who is to be the Premier. The choice usually falls upon the second most important leader of the Communist Party, because the leader at the top usually likes to control the Communist Party as its Chairman or General Secretary.

3. Tenure of the Chinese Premier:

The Premier holds office for a term of five years. The Constitution further states that no person can remain Premier for more than two consecutive terms. In other words, like the US President, the Chinese Premier can enjoy only two consecutive terms.

However, the Chinese Constitution is silent whether a person who has served as premier for ten years can again become the Premier after a gap of few years or not. Implicitly, it appears he can. In the USA however, no person can ever remain President for more than two full terms. The National People's Congress has the power to remove the Premier before the expiry of his term. In practice, such a decision is always made by the top leaders of the Communist Party of China.

4. Powers and Functions of the Chinese Premier:

The Chinese Premier performs several important functions in the Chinese constitutional system which makes his position a pivotal one.

The account of his powers and functions is as follows:

(1) It is upon the recommendations of the Premier that the National People's Congress, or the Standing Committee in the absence of the NPC, appoints the Vice-Premiers, State Councilors, Ministers and the Secretary General of the State Council.

(2) The Premier heads the State Council. He directs and coordinates the work of the councilors and the Vice-Premiers. The Vice-Premiers, the State Councilors and the Secretary General always

assist the Premier.

(3) The Premier convenes, presides over and controls the proceedings of the both the Plenary and the Executive meetings of the State Council.

(4) The Premier has the overall responsibility in respect of the effective working of the State Council. He guides, directs, coordinates and controls the working of all the ministries and commissions.

(5) As head of the real government (State Council) and the real executive, the Premier plays an active role in formulating the policies of the state. He conducts the foreign relations of China and represents China in the international conferences he attends.

5. Position and Role of the Chinese Premier:

The office of the Chinese Premier is a powerful office both because of his headship of the real government—the State Council as well as due to the pivotal position that the holder of this office always occupies in the leadership hierarchy of the Communist Party of China.

The 1982 Constitution has restored his position, which had got eroded during the period of the Cultural Revolution. It has made the Premier powerful by giving it the headship of the real executive and by vesting it with the overall responsibility regarding the effective working of the State Council. Now, the Premier is appointed by the President after his nominee's name is approved by the National People's Congress.

The Premier is neither chosen nor removed by the Standing Committee. All other members of the State Council are appointed by the NPC or the Standing Committee upon the recommendations of the Premier. The special method of his appointment gives him higher status in the State Council. His position as the head of the State Council further makes his role very powerful and active in the working of the Chinese Government.

Despite all this, the position of the Chinese Premier is not as powerful as the position of the Prime Minister in a parliamentary system like the one which is at work in India. In China, the Premier is powerful not because of the powers and functions assigned to him by the Constitution but because of the fact of being a powerful leader, rather one of the two or three most powerful leaders of the Communist Party.

The Premiership in China has been a powerful institution not because of the constitutional provisions but because of the fact that it has been held by powerful leaders like Chou En-Lai and Li Peng, who were strong leaders of the CPC. The success with which he implemented his Martial Law decision in June 1989 demonstrated Li Peng's strong position in the Chinese political system.

To sum up, we can say that whereas the Indian and British Prime Ministers are powerful largely because of their pivotal constitutional positions, the Chinese Premier is powerful largely because of his powerful position in the Communist Party. The Chinese Premier is the most important person in the State Council and one of the two or three most powerful communist leaders of the Chinese political system.