

Legislative input points for the public

Outreach offices provide means for grassroots participation in nation's legislature

GD TODAY

Local legislative outreach offices provide shining examples of the "whole-process people's democracy" advocated in China. GD-Today shares the practice of the mechanism in Guangdong and some other regions in China in the following story. The Chinese version was initially published in Southern Weekly.

"Now we can discuss national affairs on our doorstep," said villagers in Guangdong village, Sanjiang Dong autonomous county, Liuzhou city, Guangxi Zhuang autonomous region, 1,675 kilometers away from the Great Hall of the People in Beijing. When they talk about national affairs, they mean participating in legislation.

As a local legislative outreach office, or LLOO, the Sanjiang county people's congress standing committee has identified 13 units, including Guangdong village, as legislative information collection points.

Villagers' suggestions can be conveyed to the Standing Committee of the National People's Congress through a direct submission mechanism.

The establishment of LLOOs is a requirement put forward by the fourth plenary session of the 18th Central Committee of the Communist Party of China. In October 2014, the Decision of the CPC Central Committee on Major Issues Pertaining to Comprehensively Promoting the Rule of Law proposed: "Improve the mechanism for soliciting legislative opinions from grassroots-level people's congresses and establish an LLOO system."

One year later, the Legal Affairs Committee of the NPC Standing Committee designated four units, including the Hongqiao subdistrict office of Changning district, Shanghai, and the standing committee of the people's congress of Lintao county, Gansu province, as the first batch of pilot LLOOs.

In November 2019, the top Chinese leader proposed for the first time that "people's democracy is a whole-process people's democracy" when inspecting the LLOO in the Hongqiao subdistrict, Shanghai.

In 2020, Sanjiang county was identified as part of the second batch of LLOOs of the Legal Affairs Committee of the Standing Committee of the NPC. It is also the only ethnic autonomous county with national-level LLOOs.

2024 is the 10th year since the establishment of the first batch of national-level LLOOs. The number of national LLOOs has increased to 45, covering 31 provinces, municipalities and autonomous regions across the country.

These LLOOs provide a wealth of input to the nation's top legislative body. The latest statistics show that since March 2023, the NPC Standing Committee has solicited 9,394 suggestions and opinions from the public through the LLOOs on 27 draft laws and draft legislative plans.

In an interview with Southern Weekly in February 2023, Sun Zhenping, then director of the Legal Affairs Committee Office of the NPC Standing Committee, who is currently deputy director of the Legal Affairs Committee of the NPC Standing Committee, said the area covered by LLOOs has shifted from the initial southeastern coastal areas, economically developed areas, and urban areas to border areas, northeastern regions and rural areas, and the involved population is also gradually increasing.

"This promotes people's participation in the country's legislation and is a vivid practice of whole-process people's democracy," he said.

Persistent efforts

How to explain the role of an LLOO? In July 2015, the Hongqiao subdistrict office in Changning district, Shanghai, became one of the first batch of LLOOs, and soon encountered its first difficulty.

"If you don't know how the contact point works, you won't be able to give suggestions at all," said Liang Yingyan, an official of the Hongqiao subdistrict working committee of the Changning district people's congress.

Before soliciting legislative opinions, the Hongqiao subdistrict office visited local communities and solicited public opinion on how to introduce an LLOO.

A resident drew a cartoon, which was posted on the wall of the LLOO exhibition hall. The picture shows that on one side is the subdistrict's landmark broadcasting building, and on the other side is the Great Hall of the People, connecting with a rainbow bridge on which a pigeon holds a letter in its beak.

"The opinions and suggestions of residents on legislation can be directly submitted to the top legislature through the LLOO," Liang said on March 4, one day prior to the opening of the ongoing second session of the 14th NPC in Beijing.

After being recruited as one of the first batch of information officers, Wu Xinhui, director of Shanghai Kangming Law Firm, shared her experience of this system.

In September 2015, the LLOO of Hongqiao subdistrict received a notice from the NPC for the first time, soliciting opinions on



The local legislative outreach office in Jianghai district, Jiangmen city, Guangdong province, holds a promotional event to popularize the Law on the Protection of Minors. PHOTOS PROVIDED TO CHINA DAILY



From left: The Jianghai district people's congress is designated as a national-level local legislative outreach office in July 2020. Hosting meetings under the banyans has become a major approach for the Jianghai LLOO to solicit opinions from local residents.



the Anti-Domestic Violence Law (Draft). At that time, Wu was representing a case in which a paralyzed old man in his 90s was beaten by his daughter.

Based on this, Wu proposed that the elderly also be included in the protection targets of the Anti-Domestic Violence Law, and suggested adding legal provisions to protect the elderly from domestic violence. After the law was officially promulgated, she found this suggestion was adopted and included in the law.

The legislature also has other ways of soliciting opinions.

Feng Yujun, executive vice-president of the Association of Legislation of the China Law Society and a professor at the Law School of Renmin University of China, told reporters that when making legislation, the authorities will solicit opinions from all levels on "whether a certain law should be enacted, how it should be enacted, and when it should be promulgated."

However, according to Qiu Yangjun, deputy director of the standing committee of the Sanjiang county people's congress, some government departments have a lot of daily work, and they are worried about troubles "if they say something bad", so they will say they have "no opinions", while residents with no government positions can give their opinions bluntly.

But getting public opinions even after establishing LLOOs isn't accomplished overnight.

Extensive engagement

In May and November 2015, the standing committee of the people's congress of Jianghai district, Jiangmen city, Guangdong province, became the LLOO for the standing committee of the Jiangmen city people's congress and the Standing Committee of the Guangdong Provincial People's Congress.

In July 2020, the Jianghai district people's congress standing committee was identified as an LLOO of the Legal Affairs Committee of the NPC Standing Committee.

Li Yanhua, a staff member at the contact point, told the media that at the beginning, the office of the standing committee of the Jianghai district people's congress was located in the government office building, "so residents had no idea where to express their opinions". When posting notices for soliciting opinions on the official WeChat account, there were only a few dozen views, with almost no replies.

Through practice, she found that people are more motivated to participate in laws that involve their own interests. Therefore, it is particularly important to first make a plan. It should determine the objects, scope, and methods of soliciting opinions based on the characteristics of draft laws

and regulations or legislative projects.

When the standing committee of the Jianghai district people's congress solicited opinions on the Rural Collective Economic Organization Law (Draft), the discussion was heated. The farmers and village cadres who participated in the meeting "were about to start a quarrel".

This law will regulate the rural collective economy and involve the qualifications of shareholder members. One of the issues in focus is whether rural residents who do not live in rural areas can enjoy collective economic dividends.

Currently, Jianghai district's LLOO has completed a standardized legislative opinion collection process. As of February 2024, the "three-level" legislative contact point at the municipal, provincial and national levels has completed a total of 82 legislative opinion collection tasks and reported 1,875 opinions and suggestions. Of the 64 legislative items that have been reviewed and passed, 1,204 opinions and suggestions have been submitted.

The elite or the public?

Listen to scholars, or listen more to ordinary people?

After working at an LLOO for nearly three years, Liang Yingyan found that the NPC Standing Committee conducts differentiated consultations for lawmaking, based on the regional characteristics and resource endowment.

In recent years, Shanghai's Hongqiao subdistrict office was entrusted to launch consultation on the Value-added Tax Law, Financial Stability Law and Customs Tariff Law.

In her opinion, the reason why the consultations are focusing on the financial field is that "Shanghai is an international center".

At the end of 2023, the Hongqiao subdistrict was entrusted a new task, launching the consultation about the amended draft of the Frontier Health and Quarantine Law. Liang felt shocked initially, but the doubt soon vanished: there are many residential areas for foreigners in the subdistrict, as well as international schools, foreign enterprises and 21 consulates general in Shanghai.

"Quite a lot of people enter and exit China from Shanghai," Liang said.

As one of the first batch of LLOOs, the subdistrict felt pressure from the competition of its peers.

Compared with the legislative contact points at city level, a subdistrict has limited resources. Since 2022, the Hongqiao subdistrict office has strengthened its connection with 25 legislative contact points at city level to receive opinions from the public.

During the consultation, Liang noted that the residents are usually emotional

when giving opinions and focus more on the actual result of the law. However, experts or legal workers in the subdistrict put more attention on the accuracy of words and whether the law can be implemented.

Who should the subdistrict office listen to, the public, or the experts or legal workers?

"It seems that the public has more weight," Liang said. In her opinion, the NPC Standing Committee will organize seminars with a large number of legal experts. At the grassroots level, public opinion is more important.

Across-the-board involvement

In some experts' opinion, an LLOO is the most important form of whole-process people's democracy.

Tan Huosheng, deputy director of the School of Social Sciences at Tsinghua University, wrote an article to explain whole-process people's democracy. In his opinion, the "wholeness" means all people are involved in the process of democracy. In addition, the channel for vulnerable groups and the marginal population to involve themselves in democracy should be available constitutionally and fundamentally.

Additionally, the "wholeness" also needs to be found in democratic elections, democratic decision-making, democratic management and democratic supervision at national, local and grassroots level, which cover legislation, administration and social life.

In Feng's opinion, the whole-process people's democracy is not only seen in the work of the NPC, but also manifested in the work of the government, judicial system and the people's political consultative conference.

"Society is more complex, which requires highly specialized skills," Feng said. He used to give suggestions to the work of the CPPCC.

The understanding and feeling were also found in this year's two sessions, which refers to the annual gatherings of the NPC and the CPPCC.

"I have a deep understanding of the whole-process people's democracy," said Liu Xiya, an NPC deputy from Chongqing, in an article published on her WeChat account on March 3.

From sending to ordering

As the introduction of whole-process people's democracy, the Legal Affairs Committee of the NPC Standing Committee further requires LLOOs "to extend their work from soliciting opinions during a legislation process to soliciting opinions before and after the process".

In September 2020, the Anti-Food Waste Law (Draft) had not yet been publicly con-

sulted. The LLOO in Jianghai district of Jiangmen city, where Li Yanhua was working, received a research assignment on stopping food and beverage waste sent by the legal affairs committee.

The research outlined three issues: the status quo of food waste in the region, the practices, experiences and problems of preventing food waste in the region, as well as the opinions and suggestions on special legislative work to stop food and beverage waste.

Ultimately, the Jianghai LLOO accomplished a 15-page research report containing more than 7,000 words.

By institutional mechanism, according to Feng Yujun, LLOOs belong to the legislative system. However, fundamentally, they possess strong attributes of grassroots-level governance and democracy.

Sun Long, an associate professor of the National Academy of Development and Strategy at Renmin University of China, agreed and noted that legislation needs to follow three principles — scientific legislation, democratic legislation and legislation in accordance with the law. Building LLOOs is "mainly about following the principle of democratic legislation".

A task written in the report of the 20th CPC National Congress in 2022 was "improving the working mechanisms for drawing on public opinions and pooling the wisdom of the people, and ensuring that LLOOs are well run".

This was in the section on Advancing Whole-Process People's Democracy and Ensuring that the People Run the Country, rather than in the one of Exercising Law-Based Governance on All Fronts and Advancing the Rule of Law in China.

Until this moment, LLOOs were only in the Party documents.

In 2023, the amended legislative law clarified that the working organs of the Standing Committee of the NPC should set up local legislative outreach offices in accordance with actual needs. According to Feng, drafting this into the law would be beneficial to legalize and standardize LLOOs.

After nearly a decade, many of LLOOs are now facing a common problem, namely, how to keep the people's enthusiasm for the national legislation and high participation all the time?

Li Yanhua is deeply concerned by the issue. The NPC Standing Committee issued the Foreign Sovereign Immunity Law (Draft) to collect opinions but with very few participants. Li found scholars from Sun Yat-sen University who proposed just over 20 suggestions.

The approach of Sanjiang county is posting proposers' photos, whose opinions and suggestions had been adopted after comparison and those who put forward proposals on the bulletin board at the local landmark square, a move to keep people's enthusiasm. Qiu Yangjun's acquaintance dragged his friend to the square to see his suggestions, saying "Look, I made the suggestion."

The NPC also made changes, from issuing orders to accepting orders from different regions.

Earlier in 2024, the NPC Standing Committee sent the legislation plans to LLOOs, and the LLOOs chose from the plans to solicit opinions according to the region's reality.

According to Qiu, the move will be more targeted, "truly encouraging people to participate in the legislation".

Many interviewees said that the NPC Standing Committee has not introduced a mechanism in assessing the work by the LLOOs, such as opinions and suggestions reported and adopted.

In Qiu's words, in remote areas like Sanjiang county, it is more important to practice whole-process people's democracy, "rather than falling into a competition over the number of opinions solicited and adopted".

He said that Sanjiang county has compiled the Medium and Long Term Development Plan for Local Legislative Outreach Offices.

The next move will be to build a platform for ethnic minority people in six counties from provincial-level regions including Guangxi, Hunan and Yunnan to express their demands and reflect public opinions. At the same time, local authorities will expand the regional collaboration. Based on serving national legislation, they will expand the collaboration to matters such as supervision by local people's congress, popularization and enforcement of laws, and grassroots-level governance. Thus, regional collaborative legislation can be deployed and promoted in the same way as the regional development.

In Qiu's view, LLOOs reach remote areas such as Sanjiang county, connecting the last kilometer of the implementation of whole-process people's democracy.



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