

Study report on the introduction to the Constitution and the Basic Law

Yuan Mengyao

This semester, we studied the Constitution and the Basic Law of Mr.Mou of law School. In this class, Mr.Mou led us to explore many real cases together, which changed my stereotype of the Constitution and the basic law, and made me interested in understanding them more. In the class, I have gained a lot of professional knowledge of the Constitution, which I will report from two parts. The first part is my understanding of the Constitution and the Basic Law after learning the introduction to the Constitution and the Basic Law, and the first part is my feelings after learning the Constitution and the Basic Law in this semester.

1. Understanding of the Constitution and the Basic Law

(1) An understanding of the Constitution

Since the formulation of the first Constitution of New China in 1954, the Constitution has undergone five important revisions. When it comes to the Constitution, most people think that it is the fundamental law of China, the general constitution

for governing the country, the legal basis for maintaining national unity, ethnic unity, economic development, social progress, and long-term public security, and the basis of other legal legislation. At the same time, the Constitution is also the fundamental national system that stipulates the basic rights and obligations of citizens, and is the fundamental law with the highest legal effect. In our lives, the law is indispensable. Because of it, the society will be stable, people can live a stable life, our home will be more harmonious.

From Mr.Mou's class, I learned that the comprehensive implementation of the Constitution is the primary task and basic work of comprehensively promoting the rule of law and building a socialist country under the rule of law. In order to enhance the awareness of the Constitution of the whole society, carry forward the spirit of the Constitution, strengthen the implementation of the Constitution, and comprehensively promote the rule of law, the 11th session of the Standing Committee of the 12th National People's Congress also decided that December 4 was set up as the National Constitution Day. On the basis of the Constitution, our country establishes other laws to maintain social stability and safeguard social fairness and justice to the maximum extent. Mou teacher told the class, and our life the most appropriate cases, such as the college entrance examination immigration problem, as well as beware of personal safety, ideological safety, property credit safety,

cheating and so on, is through the law has been well adjusted and controlled. Through the study of the Constitution, we have also firmly established the consciousness of being a strong country under the law, and made a deeper understanding of a strong country under the rule of law from the dimensions of confidence in the road, theory, system and culture.

While studying the Constitution and the Basic Law, I deeply agree with the view that in order to make our country's rule of law have a stable governance standard, the amendment procedure of the Constitution as the basis of legislation must be "rigid" and cannot be easily changed. The revision of the Constitution "rigid" can better guarantee the stable implementation of the rule of law.

And the "rigid" is not only the revision of the Constitution. In order to ensure that China can rule the country by law in an orderly manner, China chooses the unitary system structure, and takes the distinct people's congress system as our fundamental political system. From the results of the structural features of the single system country and the federal system country in chapter 4, I think the power division of the single system structure is clearer and more stable, which is more conducive to the sustainable development of our country. However, compared with the structure of federal countries, the democracy of China's national structure still needs to be strengthened. I think, it needs to strengthen the

implementation of democratic election, democratic consultation, democratic decision-making, democratic management, democratic management and democratic supervision, and give full play to the role of social conditions and public opinion reflection system and other channels to make democracy more implemented.

Through learning from Mr.Mou's professor, I understand the necessity of the basic rights granted to us by the Constitution, the embodiment of the basic principles of the Constitution and the realization of its value. Generally speaking, the basic rights granted to citizens by our Constitution reflect the universality, equality, authenticity and the unity of power and interests. The main principles of the Constitution (the principle of democracy, the rule of law and the principle of basic human rights) tell us that all the power of the country belongs to the people, so that all of us can become the master of the country. While enjoying the power on an equal footing, we should also actively fulfill their due obligations and actively participate in political life.

(2) Understanding of the Basic Law

I believe that the Basic Law is an important support for the realization of the basic state policy of "one country, two systems". Article 31 of the Constitution of China stipulates that, if necessary, a special administrative region may be established when necessary, and the system implemented in the special

administrative region shall be decided by law by the National People's Congress in accordance with specific circumstances. This regulation has strongly promoted the process of peaceful recovery of Hong Kong, Macao and Taiwan. Through the establishment and perfection of the Basic Law, China has realized the coexistence of the capitalist system and socialist system. Although the capitalist society of the Macao special administrative region enjoys a high degree of autonomy, but this does not mean that it has become an independent system, it is still straight in the central people's government, the basic law of article 13,14 also made clear that the central government has the foreign affairs of the Macao special administrative region, and the appointment of the chief executive, the chief government officials and the power of the attorney general. These laws ensure that the mainland still maintains close ties with the Macao Special Administrative Region under the principle of "one country, two systems". This is what I felt after learning chapter 5 and chapter 6.

The Macao Special Administrative Region enjoys the right of political autonomy, but the basic rights and obligations of Macao citizens are basically the same as those of mainland citizens. In Chapter 7, Mr.Mou introduced to us the rights and obligations of the residents of the Macao Special Administrative Region. The Macao residents, while enjoying the rights of equality, political rights, personal freedom, and personal dignity,

shall also fulfill the obligation to abide by the laws implemented by the Macao Special Administrative Region. This also proves that the basic rights and obligations of the residents of the Macao SAR are almost similar to those of the mainland.

In chapter 8, Mr.Mou opened the door for us to understand Macao's political system. The Chief Executive of the Macao Special Administrative Region is the head of the Macao Special Administrative Region. This position has a very high power to formulate and decide on government policies, formulate administrative rules and regulations. Therefore, the competition for this position also has very strict requirements. The Chief Executive will lead the Government of the Macao Special Administrative Region, namely the administrative organ, along with the legislature, the Legislative Council and the judicial organs. However, what the political system of Macao adopts is the administration-led system, which is conducive to ensuring the stable development of Macao and implementing the "governance of Macao people and Macao" and a high degree of autonomy.

In the last chapter, we learned about the national symbol of China- -the national flag. In fact, both the mainland and Macao should follow the National Flag Law. Mr.Mou shared with us two cases related to the national flag, one was the "national flag throwing incident" in Hong Kong, the other was the burning of the national flag in the United States. Together, these two

events demonstrate different choices for different situations when freedom of speech and flag protection conflict. But in the end, any disrespect for the national flag will be punished by the law.

That is just my understanding of the Constitution and the Basic Law. The content of the Constitution is abstract, while the Basic Law is more specific, in other words, the Basic Law is the embodiment of the Constitution; and the Basic Law is based on the Constitution, they are inseparable. As far as I understand it, the Basic Law is a strong plan for the implementation of the principle of "one country, two systems". It cleverly solves the problems left over from history and ensures the stable development of Macao.

2. Study the constitution and the basic law this semester

Before I studied this class, the law was a rigid rule for me, a rule that I must be careful and not cross the line. But after this semester of study, I began to change. Mr.Mou shared with us a lot of real cases and his own insights, I gradually understand that in these cold cases also revealed the human touch. Perhaps there are still some loopholes in some judgments and regulations today, but countless legal workers are doing their best to try to add humanity to the cold law.

I began to understand that I was not merely fulfilling my obligations, that I also had the broad powers that the law gave me. As a member of the People's Republic of China, I should more actively participate in political life and exercise my equal right, supervision right, voting right and election right; I should also learn to use the weapon of law to safeguard my legitimate rights and interests. I remember in the first class and the last class of this semester, Teacher Mou talked about the constitution and patriotic feelings are interworking. When we actively participate in political life, truly feel the "people are the master of the country, all the power belongs to the people" of the connotation, our sense of belonging to the country will enhance, will think "people through various ways and forms, management of state affairs" this sentence is true, our patriotism will naturally deepen step by step.

Finally, I believe that the relationship between the Constitution and the Basic Law is not only the relationship between mother law and self-law. The Basic Law is the embodiment of the Constitution under the principle of "one country, two systems", which successfully practices the political concept of "Macao people govern Macao and are highly self-consistent". The Basic Law is a relatively independent part of Chinese laws, and mainland landers should also deepen their understanding of the Basic Law of Macao, so as to build a wider and closer bridge for exchanges between the legal community.

Only through communication can they truly respect, understand and support each other in the legal field.