Vol.6 Iss.3 2025
Modern Law Research
https://doi.org/10.37420/j.mlr.2025.024

On the Relationship Between the Constitutional Oversight System and the People's Congress Oversight System

Bixia Huang*

Juris Master in Constitutional Law, The Fifth Academy, Beijing Institute of Technology, Beijing,China

***Corresponding author, E-mail:305634424@qq.com**

Abstract

General Secretary Xi Jinping pointed out: "Adhering to the rule of law must first adhere to the rule of constitution, and adhering to governance by law must first adhere to governance by constitution." This statement profoundly elucidates the supreme status of the Chinese Constitution. The distinct feature of the Chinese Constitution lies in the creation of various types of oversight systems, such as People's Congress oversight, procuratorial oversight, and citizen oversight, demonstrating powerful power oversight functions. Especially the constitutional oversight system and the People's Congress oversight system, these two oversight systems make our country's overall constitutional oversight function more robust. This article attempts to discuss the relationship between the constitutional oversight system and the People's Congress oversight system, clarify their connections and differences, form a comprehensive and effective legal oversight mechanism, jointly promote the in-depth development of our country's rule of law, and embody the superiority of the socialist system with Chinese characteristics.

Keywords

Constitutional oversight system; People's Congress oversight system; oversight

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1 Introduction

The report of the the National Congress of the Communist Party of China pointed out the need to "strengthen the implementation and oversight of the Constitution and improve the institutional system for ensuring the full implementation of the Constitution." The Constitution, as our country's fundamental law, is not only the cornerstone of the national legal system but also the fundamental guarantee for maintaining the order of national governance and safeguarding citizens' rights. Its effective implementation and careful maintenance are directly related to the long-term stability of the country and the harmony and stability of society. Since the promulgation of the Constitution, China has initially established a constitutional oversight system with the highest representative organ—the supreme state power organ—as the oversight body. The establishment of this system also marked a crucial step for China in constitutional implementation and maintenance.

The constitutional oversight system and the People's Congress oversight system, as important components of our country's national power oversight system, complement each other and jointly build a legal defense line. However, because both oversight systems center on the supreme power organ, they are often easily confused in operation, and sometimes even mistakenly regarded as the same system. This article aims to explore the relationship between these two oversight systems, clarify their connections and differences, and jointly promote the in-depth development of our country's rule of law.

2 Overview of the Constitutional Oversight System

2.1 Definition of the Constitutional Oversight System

When deeply exploring the constitutional oversight system in our legal system, it is necessary to clarify its concept. The constitutional oversight system is divided into broad and narrow senses. Broad constitutional oversight refers to various types of oversight systems with different subjects explicitly stipulated in the Constitution, including People's Congress oversight, superior oversight, procuratorial oversight, audit oversight, and citizen oversight. Oversight, as a high-frequency word in our Constitution, appears in twelve oversight clauses in the constitutional text. Among them, Articles 3, 11, 27 belong to the "General Principles" clauses, and Articles 62, 67, 77, 91, 102, 104, 109, 132, 134 belong to the "State Organs" clauses. Narrow constitutional oversight refers to the constitutionality review mechanism. The core of this mechanism is that specific constitutional oversight bodies, in accordance with established legal procedures, conduct meticulous reviews of normative legal documents promulgated by legislative bodies, as well as the constitutionality of actions of state organs, the military, political parties, social organizations, enterprises, institutions, and even individuals. This process involves not only the interpretation of legal texts but also the assessment of whether actions comply with constitutional spirit and principles. The main responsibility of these constitutional oversight bodies is to accurately determine whether the review object conflicts with constitutional provisions, and when unconstitutional acts are found, to take necessary corrective measures in accordance with legal provisions. In this context, specific constitutional oversight bodies specifically refer to the National People's Congress and its Standing Committee, which play a crucial role in our country's

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constitutional oversight system. The focus of this article is precisely this narrow sense of constitutionality review system.

2.2 Evolution and Development of the Constitutional Oversight System

From the first Constitution in 1954 to the constitutional amendment in 2018, the oversight system has undergone a tortuous development process. The Constitution explicitly stipulated in Article 27, Item 3, that the National People's Congress exercises the power of "supervising the implementation of the Constitution." From the 50s to the 70s, the expansion of the "anti-rightist" movement and the decade-long catastrophe of the "Cultural Revolution" severely impacted the constitutional oversight system, interrupting the country's rule of law construction, leading to many unconstitutional and illegal acts not being corrected and dealt with in a timely manner. Even in The Constitution text in 1975, relevant provisions on constitutional oversight were completely deleted, and the dignity and authority of the Constitution were greatly weakened. After the reform and opening, China's political system and legal system underwent profound changes. The Constitution restored the constitutional oversight system to a certain extent, but it did not eliminate the legacy issues from the "Cultural Revolution."The Constitution 1982, based onThe Constitution 78, further stipulated and improved our country's constitutional oversight system. The most prominent change was that it altered the legislative precedent where this power was exclusively vested in the National People's Congress, allowing the Standing Committee of the National People's Congress to exercise constitutional oversight power during its recess, laying the foundation for the further development of our country's constitutional oversight system and greatly safeguarding the authority of the Constitution. In fact, the three Constitutions before The Constitution 1982, as well as the "Common Program" which served as a provisional constitution, did not stipulate that the Constitution had supreme legal effect, nor did they specify how to deal with situations where laws conflicted with the Constitution. The promulgation of the "Legislation Law" in 2000 marked an important step in China's mechanism for ensuring constitutionality (legality). Article 100 explicitly stipulated the relevant procedures for the constitutionality review by the special committees of the National People's Congress and the working bodies of the Standing Committee regarding "administrative regulations, local regulations, autonomous regulations, and separate regulations that conflict with the Constitution or laws. In 2012, China's constitutional oversight system entered a new stage of development. On December 4th of that year, General Secretary Xi Jinping delivered an important speech at a gathering of people from all walks of life in the capital to commemorate the 30th anniversary of the promulgation and implementation of the current Constitution, emphasizing the Constitution's core status and role in national governance. He pointed out: "Fully implementing the Constitution is the primary task and foundational work for building a socialist rule of law country. ... The National People's Congress and its Standing Committee and relevant state oversight organs should undertake their responsibilities for constitutional and legal oversight, strengthen supervision and inspection of the implementation of the Constitution and laws, improve oversight mechanisms and procedures, and resolutely correct unconstitutional and illegal acts." The "Legislation Law" revised in 2015 further improved the filing and review system, stipulating that special committees and working bodies of the Standing Committee of the People's Congress can conduct proactive reviews and include judicial interpretations within the scope of filing and review.The Constitutional amendment further strengthened the constitutional oversight system, clarifying that the National People's Congress would establish a "Constitution and Law Committee" to promote constitutionality review work.

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Our current Constitution, through the provisions on the effectiveness of the Constitution in Article 5, the provisions on the powers of the National People's Congress in Article 62, the provisions on the powers of the Standing Committee of the National People's Congress in Article 67 , and the provisions on the special committee for supervising the implementation of the Constitution in Article 70, collectively form the legal basis of our country's constitutional oversight system. The establishment of these clauses not only ensures the supreme authority of the Constitution in the legal system but also provides a solid institutional guarantee for maintaining the unity and integrity of national rule of law.

3 Overview of the People's Congress Oversight System

3.1 Definition and Composition of the People's Congress Oversight System

As our country's fundamental political system, it is an important component of the socialist system with Chinese characteristics. It embodies the essential characteristic of the people's democratic dictatorship, ensuring that the people are the masters of the country. This system achieves the people's management of state and social affairs by electing representatives to People's Congresses at all levels, who exercise legislative power, decision-making power, oversight power, and electoral power on behalf of the people. The People's Congress system is an important channel and the highest form for the people to be masters of their own affairs, and an important institutional carrier for realizing whole-process people's democracy. Whole-process people's democracy is the inherent attribute of socialist democratic politics, and oversight is an important function of the People's Congress and its Standing Committee, while democratic oversight is an important link in whole-process people's democracy. The People's Congress oversight system is an important part of it, which refers to the oversight exercised by People's Congresses at all levels and their Standing Committees over state organs and their staff generated by People's Congresses at various levels, through legal procedures, to safeguard the fundamental interests of the people, consolidate the fundamental status of the people as masters of their own affairs, ensure the complete implementation of the Constitution and laws, and prevent administrative and judicial organs from abusing power.

Our country's People's Congress oversight scope includes legal oversight and work oversight. Legal oversight, through methods such as filing and review and law enforcement inspections, supervises whether normative documents comply with constitutional and legal provisions to ensure the correct implementation of laws and regulations. Its core is to ensure the implementation of the Constitution and laws and maintain the unity and dignity of the national legal system. Work oversight, on the other hand, focuses on supervising the daily work of state organs such as "one government and two courts," including listening to work reports and reviewing the implementation of plans and budgets. Its purpose is to promote efficient, honest, and lawful administration and impartial justice by state organs, and to promote economic and social development. In the overall positioning, legal oversight is regarded as the foundation of People's Congress oversight, ensuring the authority of the Constitution and laws, while work oversight is the concrete manifestation of legal oversight, promoting the implementation of laws and regulations through practical operations.

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3.2 History of the People's Congress Oversight System

In the early days of the People's Republic of China, the "Common Program" attached great importance to oversight and established a special people's oversight organ. In the "Organic Law of the Central People's Government" of that year, one of the four committees established by the government was the People's Supervisory Committee, responsible for supervising whether government organs and civil servants performed their duties. The Constitution established the National People's Congress as the highest organ of state power with oversight functions, exercising oversight power on behalf of all the people. Article 31 , Items 6 and Item 7 explicitly stipulated that the Standing Committee of the National People's Congress exercises the powers of "revoking resolutions and orders of the State Council that contradict the Constitution, laws, and decrees" and "changing or revoking inappropriate resolutions of state power organs of provinces, autonomous regions, and municipalities directly under the Central Government." During the 60s and 70s, our country's People's Congress oversight system experienced an extremely difficult period, especially during the disastrous decade of the Cultural Revolution, during which this system suffered unprecedented damage, the National People's Congress could not convene normally, and the oversight functions of the People's Congress could not be performed. After the reform and opening, the Party Central Committee insisted on placing the improvement of the People's Congress system in an important position in promoting the construction of socialist democratic politics. As mentioned earlier,The Constitution in 1982, in addition to granting the Standing Committee of the National People's Congress the power to supervise the implementation of the Constitution, further improved and strengthened the oversight powers of the Standing Committee of the People's Congress, including supervision over the work of the State Council, the Supreme People's Court, and the Supreme People's Procuratorate, as well as inspection and supervision over the implementation of the Constitution and laws. The oversight work of the People's Congress also gradually became institutionalized and standardized. People's Congresses at all levels and their Standing Committees explored and practiced how to effectively exercise oversight powers, forming a consensus on how to do a good job in oversight, including: People's Congress oversight is oversight conducted on behalf of the state and the people with legal effect; this oversight is both a restraint and a support and promotion; regular oversight by the People's Congress is legal oversight and work oversight; it is necessary to adhere to the Party's leadership, collectively exercise oversight powers, not monopolize or substitute, and focus on the central tasks, highlight key points, and emphasize practical results. In practice, listening to and deliberating work reports, reviewing and supervising plans and budget and final accounts, law enforcement inspections, special inquiries, and filing and review have gradually become the main forms of People's Congress oversight. To implement oversight work, the Standing Committee of the People's Congress formulated the "Rules of Procedure of the Standing Committee of the National People's Congress," which included the Supreme People's Court and the Supreme People's Procuratorate within the scope of the Standing Committee's inquiries, and through the "Several Provisions on Strengthening Inspection and Supervision of the Implementation of Laws," specifically stipulated the objects, content, and procedures of law enforcement inspections. The "Supervision Law of the Standing Committees of People's Congresses at All Levels of the People's Republic of China" was promulgated in 2006 , providing legal basis for People's Congress Standing Committees at all levels to exercise oversight powers.The Constitutional amendment in 2018 added the National Supervisory

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Commission, and Article 67 of the Constitution was amended to "supervise the work of the State Council, the Central Military Commission, the National Supervisory Commission, the Supreme People's Court, and the Supreme People's Procuratorate."

During the 70 years of constitutional implementation, People's Congress oversight has played an indispensable role in the national oversight system. It ensures that state power organs can effectively supervise and restrain the work of other state organs and guarantee the correct implementation of national laws and policies. On September 14th, General Secretary Xi Jinping delivered a speech at the conference celebrating the 70th anniversary of the founding of the National People's Congress. He pointed out the important role of People's Congress oversight in the Party and state oversight system. People's Congresses at all levels and their Standing Committees should undertake the oversight responsibilities endowed by the Constitution and laws, improve the People's Congress oversight system over "one government, one commission, and two courts," and strengthen oversight over the implementation of the Constitution and laws... Administrative organs, supervisory organs, judicial organs, and procuratorial organs at all levels should consciously accept People's Congress oversight, earnestly perform their respective oversight responsibilities, and use institutions to manage power.

4 Connections Between the Constitutional Oversight System and the People's Congress Oversight System

General Secretary Xi Jinping pointed out: "We must adhere to the institutionalization and legalization of constitutional implementation and oversight," emphasizing the core position of oversight in national governance. Our Constitution and laws not only stipulate the constitutional oversight system but also consolidate the People's Congress oversight system, ensuring that these two systems are interconnected and complementary.

4.1 Same Legal Basis

The constitutional oversight system and the People's Congress oversight system, as important components of the political system of the People's Republic of China, are both established based on the Constitution, the fundamental law of the country. The Constitution is not only the core of the national legal system but also the fundamental code of conduct for all state organs, organizations, and individuals. It establishes the fundamental tasks and fundamental systems of the country, clarifies the basic rights and obligations of citizens, and grants the supreme organ of state power—the National People's Congress and its Standing Committee—the authoritative responsibilities to implement People's Congress oversight and constitutional oversight. All activities of the National People's Congress and its Standing Committee, including oversight activities, must adhere to the principle of constitutional supremacy and take the Constitution as their guide. For example, in 2017, the Standing Committee of the National People's Congress initiated the interpretation procedure for Article 104 of the Basic Law of the Hong Kong Special Administrative Region, which is an important manifestation of constitutional oversight in handling legal issues in special administrative regions.

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4.2 Consistent Goals

The Decision of the Fourth Plenary Session of the Eighteenth Central Committee of the Communist Party of China explicitly required "improving the constitutional oversight system of the National People's Congress and its Standing Committee, and improving the constitutional interpretation procedures and mechanisms," and pointed out that "People's Congress oversight, first and foremost, is oversight of constitutional implementation. Oversight of constitutional implementation is the top priority of People's Congress oversight work." As the highest organ of state power, the National People's Congress is responsible for supervising the implementation of the Constitution and laws, ensuring that state organs exercise power in accordance with the law, and maintaining the unity and dignity of the socialist legal system. In recent years, the Standing Committee of the National People's Congress has continuously strengthened its oversight over the implementation of the Constitution, promptly correcting issues inconsistent with the Constitution and laws through organizing law enforcement inspections, listening to and deliberating work reports, and conducting filing and review, effectively safeguarding the unity of the legal system.

4.3 Complementary Functions for Enhanced Effectiveness

Constitutional oversight and People's Congress oversight are complementary in their functions. Constitutional oversight maintains the fundamental status of the Constitution by ensuring the constitutionality of laws and regulations, while People's Congress oversight ensures the implementation of the Constitution and laws by supervising state organs and their staff. Constitutional oversight and People's Congress oversight play different roles in the oversight system. The former ensures that all legislative activities, government regulations, and local regulations comply with constitutional provisions, preventing any acts that violate constitutional principles. By reviewing the constitutionality of laws and regulations, it guarantees the Constitution's status and effectiveness as the fundamental law of the state. According to Article 67 of our Constitution, the Standing Committee of the National People's Congress has the power to interpret the Constitution and supervise its implementation. This article not only provides a legal basis for constitutional oversight but also clarifies the key role of the Standing Committee of the National People's Congress in maintaining constitutional authority. Specifically, paragraphs seven and eight respectively stipulate the power of the Standing Committee of the National People's Congress to revoke administrative regulations, decisions, orders, as well as local regulations and resolutions that conflict with the Constitution and laws, which further strengthens the practical operability of constitutionality review. Article 70 of the Constitution stipulates the subjects exercising constitutional oversight power. In addition to the Standing Committee of the National People's Congress, the special committees under the National People's Congress also need to assist in exercising this power. The fifth article at the beginning of the Constitution emphasizes the principle that all laws, administrative regulations, and local regulations must not conflict with the Constitution, and requires all state organs, armed forces, political parties, social organizations, and enterprises and institutions to abide by the Constitution and laws. Article 5 provides a clear legal basis for accountability for unconstitutional acts, but constitutional oversight does not include unconstitutional acts within its scope of oversight. Instead, People's Congress oversight regulates the supervision of state organs and their staff, ensuring that they exercise their powers and perform their duties in accordance with the law. Through People's Con-

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gress oversight, it is ensured that any act that violates the Constitution and laws will be held accountable, and no organization or individual can enjoy privileges beyond the Constitution and laws.

The implementing bodies of constitutional oversight and People's Congress oversight are closely related but not completely overlapping. Although there may be some overlap in their personnel composition, they each bear different functions and responsibilities, and are not simply a "one team, two systems" model. As can be seen from the above, the Standing Committee of the National People's Congress has the power to supervise the implementation of the Constitution, but the organ exercising this power is not the only one. The Constitution and Law Committee is also, to some extent, one of the subjects exercising constitutional oversight. The "Decision of the Standing Committee of the National People's Congress on the Responsibilities of the Constitution and Law Committee of the National People's Congress" explicitly stipulates that one of its important functions is to promote constitutionality review. Although it does not have the power to make final constitutional oversight decisions, the Constitution and Law Committee, under the leadership of the National People's Congress and its Standing Committee, conducts constitutionality review of laws, regulations, etc., provides professional review opinions and suggestions, and also participates in important aspects of constitutional oversight. And the subject of People's Congress oversight, as the name suggests, is the National People's Congress at all levels and its Standing Committees, meaning that People's Congresses at all levels, including local ones, and their Standing Committees have the right to conduct legal oversight and work oversight over their respective governments. At the highest level, the subjects of constitutional oversight and People's Congress oversight are unified, namely the National People's Congress and its Standing Committee. This further demonstrates that at the national level, constitutional oversight and People's Congress oversight are interconnected and mutually supportive. The National People's Congress and its Standing Committee play a core role in constitutional oversight, and at the same time, occupy a dominant position in the national People's Congress oversight system.

The constitutional oversight system and the People's Congress oversight system jointly build on the same legal basis, are inseparable in the overall national legal system, and are functionally complementary. The two cooperate with each other, forming a comprehensive and effective legal oversight mechanism, providing a solid guarantee for maintaining the unity and authority of the national legal system.

5 Distinctions Between the Constitutional Oversight System and the People's Congress Oversight System

Unlike Western countries, the distinction between the constitutional oversight system and the representative organ's oversight system is clear, and it is easy to see that they are two distinct oversight systems. In our country, the constitutional oversight system and the People's Congress oversight system originate from the same source and are co-existent. Both are powers exercised by state power organs to ensure the correct implementation of national laws and regulations and to maintain the unity and dignity of the socialist legal system. While they may be easily confused in their top-level design, there are still objective differences in the details.

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5.1 Differences in Oversight Subjects and Functions

As can be seen from the above, the constitutional oversight system and the People's Congress oversight system have significant differences in oversight subjects and functions. The subjects of constitutional oversight, such as constitutional courts or constitutional committees, primarily function as legal oversight, meaning reviewing whether laws, regulations, policy decisions, etc., violate the Constitution. The purpose of constitutional oversight is to ensure the supremacy of the Constitution and that all laws and policies comply with constitutional requirements. In contrast, the subject of People's Congress oversight is the National People's Congress and its Standing Committee, whose primary function is political oversight, meaning supervising and reviewing the work of state administrative organs, judicial organs, and procuratorial organs. This oversight involves reviewing government work reports, budget implementation, law and regulation implementation, and other aspects.The purpose of People's Congress oversight is to ensure that state organs exercise their powers in accordance with the law and to maintain the unity and dignity of the national legal system.

5.2 Differences in Oversight Forms and Legal Basis

Constitutional oversight focuses on the constitutionality of legal norms, including the constitutionality review of laws, administrative regulations, local regulations, autonomous regulations, and separate regulations. In addition, constitutional interpretation also serves as an important form of constitutional oversight. Constitutional interpretation is an activity in which a specific subject, according to specific procedures, clarifies the meaning of constitutional norms with legal effect. It is both a manifestation of constitutional implementation and closely related to the supervision of constitutional implementation and the self-guaranteed mechanism of the Constitution. When The Constitution was drafted in 1982, the official idea was to establish a special constitutional committee for constitutional oversight and interpretation. The core of constitutional oversight is to ensure the consistency within the legal system

and the implementation of constitutional provisions.At the current stage, the promotion of constitutionality review work is mainly achieved through the filing and review system. People's Congress oversight, on the other hand, focuses more on the implementation of national policies and administrative management. For example, the People's Congress has the right to supervise the implementation of national economic and social development plans and national budgets, and to raise inquiries and make suggestions on the work of the government and its departments. In practice, listening to and deliberating work reports, reviewing and supervising plans and budget and final accounts, law enforcement inspections, special inquiries, and filing and review have gradually become the main forms of People's Congress oversight. In addition, the People's Congress also has the right to evaluate the work of the State Council, the Supreme People's Court, and the Supreme People's Procuratorate. The National Supervisory Commission is also an important exercise of People's Congress oversight. After the supervisory system reform in 2018, by integrating various oversight bodies into the National Supervisory Commission, a comprehensive oversight body, and granting the People's Congress the power to appoint and remove its personnel, the national supervisory system reform increased the People's Congress's control over the aforementioned oversight bodies, indirectly guaranteeing the substantive and effective nature of the People's Congress's oversight power within the political framework of the People's Congress system.

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5.3 Differences in Oversight Procedures and Effectiveness

In terms of oversight procedures, constitutional oversight usually involves more stringent and professional procedures such as constitutional interpretation and unconstitutionality review, often requiring specialized legal knowledge and rigorous argumentation. Specific procedural requirements stipulate that after review by the special committees of the National People's Congress or the Legal Work Committee of the Standing Committee of the National People's Congress, if the reviewed object is deemed not to conflict with the Constitution, the General Office of the Standing Committee of the National People's Congress should be informed in writing; if it is deemed to conflict with the Constitution, a written review opinion should be submitted to the formulating organ. If the reviewed object is deemed to conflict with the Constitution, the relevant organ has the right to request the formulating organ to amend it. If the formulating organ refuses to amend, a written review opinion and a proposal for revocation can be submitted to the Chairmen's Meeting of the Standing Committee of the National People's Congress, and the Chairmen's Meeting decides whether to submit it to the Standing Committee meeting for deliberation and decision. People's Congress oversight is usually conducted by listening to and deliberating work reports, conducting special inquiries, and other means. These procedures are relatively flexible and can be adjusted according to actual circumstances. For example, the Standing Committee of the People's Congress has the right to conduct special investigations on specific issues and put forward handling opinions. In terms of oversight effectiveness, constitutional oversight has legal binding force, such as declaring a certain law or administrative act invalid through unconstitutionality review. This oversight result is final and has direct legal consequences for the supervised object. The effectiveness of People's Congress oversight is mainly reflected in its political influence. For example, the People's Congress can criticize, suggest, or request corrections for inappropriate decisions. Although this oversight does not have direct legal binding force, its political influence cannot be ignored.

In summary, the constitutional oversight system and the People's Congress oversight system each perform their respective duties in the national governance system and play different roles. Constitutional oversight focuses on the constitutionality review of legal norms, while People's Congress oversight focuses on political and administrative oversight. The two complement each other and jointly maintain the national legal order and constitutional dignity.

Reference

[1]Liu Lianjun. Normative Analysis of the Constitutional Power Oversight Function in China [J]. Chinese Social Sciences, 2024, (09): 31-41.

[2]Liu Lianjun. Typological Analysis of Oversight Clauses in the Constitution [J]. Journal of Law, 2023, (02): 112-120.

[3]Hu Jinguang, Su Kai. On the Constitutionality Review of Laws in Our Country [J]. Zhejiang Social Sciences, 2024, 32(08): 37-50.

[4]Qiu Jiasheng. The Development History and Rational Reflection of China's Constitutional Oversight System Since the Founding of New China [J]. Journal of the Party School of Leshan Municipal Committee of the Communist Party of China (New Theory), 2019.

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[5]Li Lin. Research on China's Constitutional Oversight System [M]. Beijing: Law Press, 2017.
[6]Cai Dingjian. Strengthening Oversight Functions and Improving the People's Congress System [J]. Legal Research, 2004, (03): 46-57.
[7]Chronicle of Improving the People's Congress Oversight System [EB/OL]. National People's Congress Website, 2014-09-15[2024-01-01].
[8]The Thirteenth Special Lecture of the Fourteenth National People's Congress Standing Committee – The Development History of the People's Congress System [EB/OL]. China National People's Congress Website, 2024-11-13[2024-01-01].
[9]Xi Jinping. Writing a New Chapter in the Practice of China's Constitution in the New Era – Commemorating the 40th Anniversary of the Promulgation and Implementation of the Current Constitution [EB/OL]. (2022-12-19)[2024-01-01].
[10]Editorial Department of China People's Congress System Theory Research Society Journal (Trial Issue). China People's Congress System Theory Research Society Journal (Trial Issue) [J]. 2018, (02).
[11]Cai Dingjian. The People's Congress System [M]. Beijing: China University of Political Science and Law Press, 2003.
[12]Hu Jinguang. On the Functional Positioning of Different Subjects in Our Country's Constitutionality Review Mechanism [J]. Jurist, 2020: (05).
[13]Wang Liming. Theory and Practice of Constitutional Oversight [M]. Beijing: Renmin University of China Press, 2017.
[14]Zhang Zhongxing. Chinese Constitutional Law [M]. Beijing: Law Press, 2018.
[15]Key Textbook of Marxist Theory Research and Construction Project. Constitutional Law [M]. Beijing: Higher Education Press; People's Education Press, 2011: 35.
[16]Chen Duanhong. Guardians of the Constitution: On Constitutional Oversight [M]. Beijing: China University of Political Science and Law Press, 2016.
[17]Li Lin. Research on the People's Congress System [M]. Beijing: China Social Sciences Press, 2019.
[18]Jiao Hongchang, Yang Lipang. On the Relationship Between Supervisory Oversight and People's Congress Oversight in the Party and State Oversight System [J]. Theory and Reform, 2024, (06).
[19]Han Dayuan. Theory and Practice of Constitutional Oversight [M]. Beijing: Law Press, 2018.

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