

**Human Rights and Their Discontents:  
Hannah Arendt's Question and Human Rights  
Debates in Mao's China**

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Het onbehagen over mensenrechten:  
het probleem van Hannah Arendt  
en het debat over mensenrechten in het China van Mao

(met een samenvatting in het Nederlands)

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## Introduction

The Rights of Man, which had never been philosophically established but merely formulated, which had never been politically secured but merely proclaimed, have, in their traditional form, lost all validity.

-----Hannah Arendt<sup>1</sup>

One of the greatest controversies in the long debate on human rights is the discrepancy between the rhetoric of such rights and their implementation. Hannah Arendt argues that claims to human rights fail to provide any institutional protection to human beings. The human rights of individuals who are excluded from the nation state and have lost their citizenship are hardly protected.<sup>2</sup> Sovereign states protect only the rights of their citizens. Claims to human rights generally do not compel nation states to protect the human rights of non-citizens, such as stateless people and displaced persons. The inalienability and universality of human rights have proven unenforceable; human rights have been only conditionally enjoyed. As Michael Ignatieff points out, “the idolatry of human rights” means that these rights are viewed as an unquestionable absolute, while ignoring that their implementation entails an institutional guarantee in a particular political and social context.<sup>3</sup> This institutional guarantee, as Arendt highlights, includes the holding of citizenship, the

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<sup>1</sup> Hannah Arendt, *The Origins of Totalitarianism*. (Cleveland: The World Publishing Company, 1958), 447

<sup>2</sup> Arendt, *The Origins of Totalitarianism*, 267- 302.

<sup>3</sup> Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2003).

protection of a political community, as well as the possibility of political action in case human rights are not respected. Since the sovereign state is still the basic unit of political community in the international arena, the protection of human rights depends on citizenship and state sovereignty and can only be enacted through political action.

Arendt's critique on human rights underscores the urgency of the need to rethink human rights in modern politics. Because too much emphasis has been placed on the philosophical and legal discussion on human rights in an attempt to justify what human rights should be, few studies have investigated how they are in fact practiced.<sup>4</sup> This dissertation avoids the purely conceptual disputes on human rights; instead, by following Hannah Arendt's reformulation of human rights, it sheds light on human rights in their particular historical context. Specifically, it explores the practice of human rights by focusing on their relation with citizenship, state sovereignty and political action in the specific and much ignored historical context of China from 1949 to 1976, under Mao's rule.<sup>5</sup> The main question this dissertation attempts to answer is: how were human rights actually understood and practiced in the early decades of the People's Republic of China (PRC)? This main question leads to three sub-questions: how were human rights embodied in the notion of

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<sup>4</sup> Only a few articles and books study human rights from a historical perspective, such as: Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: Harvard University Press, 2010). Kenneth Cmiel, "The Recent History of Human Rights," *The American Historical Review* 109 (2004): 117-135.

<sup>5</sup> Mao refers to Mao Zedong, the first Chinese president of the People's Republic of China who ruled from 1949 until his death in 1976. Although the Mao era ran from 1949 to 1976, this dissertation primarily focuses on cases stemming from 1949 to the early 1960s.

citizenship? How were human rights related to state sovereignty as exercised by the Chinese state? And how did political action embody the human rights ideas present in political movements in Maoist China?

## **1. The case of China**

This dissertation takes China as a case through which to discuss human rights in a historical context. For many reasons, China is a very special case to investigate the questions listed above: China's economic development, military force and cultural impact have not only contributed to its superpower status in the international community, but have also attracted more international attention to its human rights conditions. Since the 1990s, the subject of human rights in China has been vigorously debated both domestically and internationally. The current debate generally focuses on the post-1989 period, when the language of human rights explicitly re-entered the Chinese political arena as well as academic discourse.<sup>6</sup> Various arguments have been raised either to defend China's position on human rights by invoking the argument of cultural relativism which relates human rights to "Asian Values" or Confucianism, or to criticize China's human rights record by highlighting the state's repression of political dissent, its treatment of

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<sup>6</sup> Some Chinese people supported human rights during the civil war; however this term was dismissed during the Mao period as a bourgeois concept. I will return to this point in the following discussion. Scholarship on human rights in post-1989 China is discussed in: Ann Kent, *China, the United Nations, and Human Rights: the Limits of Compliance* (Pennsylvania: University of Pennsylvania Press, 2013).

Tibet and many other political issues.<sup>7</sup> To date, little scholarly light has been shed on the history of human rights in China during Mao's rule. Human rights scholars generally disregard this period as they argue that human rights discourse hardly existed in Mao's China, in the sense that the term "human rights" was rejected as a bourgeois concept and incompatible with Chinese political culture due to its Western origins.<sup>8</sup> What little scholarship exists on human rights in Maoist China falls into two categories: some Chinese scholars identify human rights ideas in Mao's works and in the policies of the Chinese Communist Party (CCP). This literature formulates a well-developed theory of human rights but reveals little about the practice of human rights at the time;<sup>9</sup> while others conclude that human rights were severely violated amid the turbulence of Mao's era, but pay little attention to human rights discourse during that

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<sup>7</sup> See William Theodore De Bary, *Confucianism and Human Rights* (Columbia: Columbia University Press, 1998); Joanne R. Bauer and Daniel A. Bell, ed., *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999).

<sup>8</sup> The term "human rights taboo" is used to describe the absence of human rights in China between 1949 and 1976. This term is mentioned in many books, such as Marina Svensson, "Human Rights in China as an Interdisciplinary Field," in *Handbook of Human Rights*, eds., Thomas Cushman (New York: Routledge, 2012), 685. Stephen C Angle and Marina Svensson, ed., *The Chinese Human Rights Reader: Documents and Commentary, 1900-2000* (New York: M.E.Sharpe, 2001).

<sup>9</sup> Zhong Ruitian, "Qianlun Mao Zedong de Renquanguan (on Mao Zedong's human rights idea)," *Guangxi Shifan Daxue Xuebao* (Journal of Guangxi Normal University) 3 (1998): 3-9. Feng Wanling, "Zhongguo Gongchandang Lishishang Renquan Lilun de Lishi yu Shijian (The Formation and Practice of Human Rights Theory of the CCP in History)," *Xueshu Jiaoliu* (Academic Communication) 2 (1999): 107-109. Xie Yibiao, *Mao Zedong Renquan Sixiang Yanjiu* (Beijing: The Press of the Chinese Social Science, 2010).

period.<sup>10</sup> The question of how the Chinese people understood and acted upon human rights in this historical context remains insufficiently answered. This dissertation reviews the ideas and performance with regard to human rights from the perspectives of both ordinary Chinese people and the Chinese government from 1949 to 1976. It delves into discourses and actions in the Mao period which can be related to human rights. Ultimately I will argue that human rights awareness, both in terms of political discourse and political action, emanated from the context of Maoist China, and did so in spite of the harsh policies and politics of the CCP in many of these cases.

An obvious argument against my approach to investigating human rights in Maoist China would be that human rights were never explicitly mentioned at the time. However, I agree with Joseph Chan's "ecumenical approach" which "encourages different cultures to justify human rights in their own terms and perspectives" in an attempt to reach a consensus on the norms of human rights.<sup>11</sup> I also concur with Marina Svensson's view that human rights can be understood across different cultures and over time.<sup>12</sup> I therefore identify ideas equivalent to human rights in the context of Chinese political discourse, such as rights (*quanli* in Chinese),

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<sup>10</sup> The criticism of human rights violations in China during Mao's period can be found in a number of books and articles, such as: Ann Kent, *Between Freedom and Subsistence: China and Human Rights* (Hong Kong: Oxford University press, 1993). Frank Dikötter, *Mao's Great Famine: The History of China's Most Devastating Catastrophe, 1958-62* (London: Bloomsbury Publishing, 2014).

<sup>11</sup> Joseph Chan, "A Confucian Perspective on Human Rights for Contemporary China," in *The East Asian Challenge for Human Rights*, ed., Joanne R. Bauer and Daniel A. Bell (Cambridge: The Cambridge University Press, 1999), 212- 240.

<sup>12</sup> Marina Svensson, *Debating Human Rights in China: A Conceptual and Political History* (New York: Rowman & Littlefield, 2002), 7.

people's rights, equality, freedom, independence and human dignity. These general ideas, I contend, constitute the most important elements of human rights and their presence in Mao's China therefore demonstrates an awareness of human rights in this period of Chinese history. However, Marina Svensson also reminds us that it is wrongheaded to search for equivalents to human rights in aspects of traditional Chinese culture such as Confucianism, because the application of human rights in China "does not depend or hinge on the establishment or identification of Confucian equivalents."<sup>13</sup> It is worth mentioning that ideas in Chinese political discourse are neither necessarily rooted in Chinese traditions nor representative of universally valid norms. The notions related to human rights need to be sketched in a concrete historical context. This dissertation starts from the assumption that human rights discourse makes sense not in an abstract discussion of universal values, but only in a historical analysis of its relation to citizenship, state sovereignty and political action.

This study of human rights in Mao's China therefore does not focus on the conceptualization of human rights ideas, but probes the practice of human rights in Chinese political movements. Therefore, this dissertation is not exclusively devoted to a conceptual history of human rights, but also to a political history of human experience with relation to human rights. I trace the human rights ideas and practice in practical political

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<sup>13</sup> Svensson, *Debating Human Rights in China: A Conceptual and Political History*, 11. Svensson points out that some values of Confucianism, such as its advocacy of the submission of women and hierarchical system, are incompatible with human rights norms.

movements; both human rights discourse and human rights practice as embodied in political actions are the primary concern of my work here. In addition, this dissertation is meant neither to evaluate the human rights situation in China nor to criticize the country's human rights violations. It instead analyzes the historical conditions of human rights by reviewing a series of Chinese political movements, in an attempt to dissect how Chinese people thought about and acted upon human rights in Mao's China.

The Mao period offers a rich body of sources to understand human rights from this perspective. The communist ideology, Mao's political ideas, the harsh political struggle as well as the confrontational Cold War contribute to a particular understanding of human rights in Mao's China. Domestically, the CCP's treatment of Chinese citizens and non-citizens in a series of Maoist political movements throws a clear light on Arendt's distinction between human rights and citizenship rights; internationally, China's diplomacy towards the USA, the Soviet Union and the countries known in Mao's time as the Third World demonstrated the tension between human rights and state sovereignty as well as the strategic use of human rights in its foreign policy. Meanwhile, Chinese political movements, though in most cases considered highly repressive, at the same time manifested a clear awareness of human rights. A historical investigation into human rights in this period not only helps us to understand Arendt's questioning of human rights, but also demonstrates how an understanding of human rights hinges upon a specific political and social environment as well as cultural practices.

## **2. Three case studies**

This dissertation selects three case studies to respond to the three sub-questions listed above. These cases were chosen on the basis of Arendt's critique of human rights. First, the land reform movement of 1950 to 1953 is analyzed to address the issue of the relation between human rights and citizenship. During the course of land redistribution, the CCP made a distinction between the 'the People' (primarily including poor and hired farmers) and 'the People's enemy' (including rich farmers and landlords) in rural areas. The land reform movement introduced a particular definition of citizenship, in which the rights of citizens (such as poor farmers) differed considerably from those of non-citizens (such as rich farmers and landlords). At the same time and in response to these distinctions, both the CCP and Chinese people suffering under these policies referred to notions of rights and human dignity beyond the formal regulations of citizenship. The case of the land reform movement in this respect serves as one way to answer the question of what human rights and citizenship mean in a sovereign state.

My exploration of the relation between human rights and citizenship in a domestic context is followed by a study of the tension between human rights and state sovereignty at the international level. The second study case focuses on China's foreign policy towards Third World countries, the United States and the Soviet Union in Mao's time. It answers the question: how did China wield the concepts of human rights and state

sovereignty in its foreign policy? Chinese foreign policy during Mao's rule showed considerable concern for state sovereignty while simultaneously using human rights discourse to criticize other countries. For instance, the Chinese delegation at the Bandung Conference in 1955 skillfully invoked the issue of human rights to shape China's image as a peace-loving country, even though this was viewed with suspicion by many other participating countries. Exploring China's polemics with the Soviet Union since the end of 1950s and its support for the American civil rights movement provides an understanding of how the Chinese dealt with human rights and state sovereignty.

The third case focuses on the Hundred Flowers Campaign and the Rectification Movement in Mao's time. The Hundred Flowers Campaign initially created a relatively liberal environment in which the Chinese people gained some freedom of expression, assembly, press and so on. Examination of the early days of the Hundred Flowers Campaign, the period before it turned far more repressive, reveals that the public had an awareness of human rights. By studying this time, we see how people in the movement used these rights. Human rights ideals were expressed in many political debates, but that is not all; the movement itself enabled political action and implicitly exercised human rights.

### **3. Methodology**

In this work, I apply a historical perspective to investigate the idea and practice of human rights in the specific political and social context of

Maoist China. This approach will demonstrate that human rights are not a static, timeless ideal but a part of dynamic practice in history. The second approach is related to a philosophical analysis of the problem of human rights. Hannah Arendt's discussion of the relations between human rights, citizenship, political community and political action serves as a reference point. Although this dissertation traces Arendt's arguments, it is neither entirely consistent with her theory of human rights nor a way to test her theory against Chinese history. After all, Arendt's theory of human rights has encountered much criticism and does not explain all aspects of human rights history in every particular context. Rather, Arendt provides a special perspective from which to rethink China's human rights by distinguishing between human rights and citizenship rights, understanding the paradox between human rights and state sovereignty, and exploring the power of political action in embodying human rights in a particular context.

Another methodology applied in this dissertation is case study. One might feel that the selected cases are too particular to reach a general conclusion. However, the debates and actions in these cases are similar to those which have occurred in many other Chinese political movements. For instance, the way the CCP divided the rural population in the land reform movement was also used in the Thought Reform Movement, The Anti-Rightist Movement and many others. Yet, it is not the purpose of this dissertation to come to a general evaluation of human rights in China. Instead, I attempt to demonstrate how human rights were practically embodied in a period of Chinese history during which these rights were

generally hard to find.

#### **4. Primary sources**

I draw on many types of primary sources in this dissertation. The first of these is the writings of the Chinese leadership. The works of Mao Zedong, one of the most influential political figures in Chinese history, open a window to the party line, government policy and the management of mass movements in China. Therefore, his works are highly relevant to the policy of the land reform movement, Chinese foreign policy and domestic political action. Mao's works include speeches, investigative reports, letters, telegrams, editorials, interviews, essays, et cetera. Currently available works include his writings from 1917 to 1976. I primarily focus on what he wrote in the period from 1949 to 1976. The writings of some other political leaders, such as former Chinese premier Zhou Enlai and Vice Chairman Liu Shaoqi, also deserve the same attention as they reveal the CCP's policy towards political movements, citizenship and foreign affairs, and are useful in an analysis of China's human rights stance.

Official documents of the Chinese and other governments are the second kind of source I draw upon. These documents primarily consist of Chinese laws, resolutions passed in meetings of the CCP central committee, statements and reports from local and central government, and the proceedings of international conferences (such as the Bandung

Conference in 1955 and the 14<sup>th</sup> UN General Assembly). Most of this body of sources has been edited as volumes and published in Chinese, which I have gathered from Chinese archives, the Universities Service Center at the Chinese University of Hong Kong (USC), and the Peace Palace Library in The Hague. Some volumes are also available online.

In addition, newspapers, journals and magazines provide plenty of research material. *People's Daily*, as the mouthpiece of the CCP, reflected the government position on human rights; *Guangming Daily* gave voice to the opinions of Chinese intellectuals. Other publications, such as *Liberation Daily* (*Jiefang Ribao* in Chinese) and *Literary Study* (*Wenyi Xuexi* in Chinese), are also relevant to my research. I gathered such sources primarily at the USC and the Asian library at Leiden University.

The archival materials I use, most of which are related to the land reform movement, were collected in the Hubei Archive and Shanxi Archive in China. Other sources in the dissertation, such as memoirs and diaries, are all published and were gathered both in China and the Netherlands. Due to distance and limited time, I was unable to collect some materials myself and could only cite from the secondary literature. For example, the archives on the Bandung Conference and the Tibet revolt are located in the USA and Australia.

## **5. The framework of the dissertation**

This dissertation consists of seven chapters. This introductory chapter

sets out the general framework of the dissertation as a whole. It introduces the research questions and explains the case studies, details the methodology and lists the primary research sources. This is followed by Chapter One, which is devoted to a philosophical analysis of Hannah Arendt's theory of human rights and the proposal of a theoretical construction with which I will explore the relations between human rights, citizenship, state sovereignty and political action. This chapter contributes to a better comprehension of Arendt's critique of human rights and a clear grasp of the interrelations between the four above-mentioned concepts. Chapter Two introduces the history of human rights in China. It begins with an overview of the current debate on this subject, discusses human rights during the Chinese Civil War<sup>14</sup> period and the post-Mao period, and then gives special attention to human rights in the Mao era. At the end of this chapter, the three case studies are contextualized in Maoist China.

In Chapter Three of this dissertation, the relation between human rights and citizenship is viewed through the prism of the land reform movement (1950-1953). It first describes Chinese rural society and social relations among the rural population; then it investigates how class divisions played a role in the formation of citizenship at the time. Based on this exploration, Chapter Four rounds off by pinpointing the dynamic between human rights and citizenship. Chapter Five delves into the issue

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<sup>14</sup> The Chinese Civil War pitted the forces of the Kuomintang government of the Republic of China against the forces of the Chinese Communist Party. It started in 1927 and ended in 1950.

of human rights and state sovereignty by analyzing Chinese foreign policy in Mao's China. The first section introduces Chinese foreign policy and China's human rights stance since the 1930s; the second section discusses the international critiques and responses to China's human rights position. The third section dissects the strategic use of human rights discourse in Chinese foreign policy with the primary focus on China's foreign relations with the Third World, the USA and the Soviet Union in Mao's period. The fifth chapter also addresses the issue of human rights and political action. It looks at the case of the Hundred Flowers Campaign and the Rectification Movement in the 1950s. The chapter firstly contextualizes the conditions of political action by looking at the CCP's new policy on intellectuals. Then it focuses on the political action in the Hundred Flowers period. The identities of Chinese intellectuals and their actions are discussed to show how political actions that hinged on the plurality of actors and a free public sphere embodied human rights. The final chapter of this dissertation answers the primary questions and provides a general conclusion based on the three case studies.

## **Chapter 1. Human Rights and Their Discontents: Hannah Arendt's Critique**

### **1. Introduction**

The issue of human rights has received increasing attention in recent decades not only because of the lessons from the two World Wars, but also because human rights norms have come to be thought of as a fundamental part of our civilization and a source of moral legitimacy for many political aspects of our lives, such as governmental policies, the establishment of institutions and state interventions in the affairs of other nations. However, claims to human rights are also criticized as impotent rhetoric, as values that remain meaningless as long as they are not implemented in institutions and political agency. Hannah Arendt is one of the many scholars who have pointed out the powerlessness of human rights in practice. Arendt argued that while human rights are presumed universal and inalienable, they are in fact only enjoyed given certain conditions: political belonging and the guarantee of political action. She formulated a paradox of human rights, which focused mainly on her analysis of the interrelation between human rights, citizenship, state sovereignty and political action. This chapter refers to Hannah Arendt's critique of human rights and analyzes three interrelated issues: the relation between human rights and citizenship, the tension between human rights and state sovereignty, and the dynamic between human rights and political action. The discussion of these three dimensions is an attempt to establish a clear analytical framework for the discussion of human rights in Maoist China.

## 2. The right to have rights

For Arendt, the rhetoric of human rights based on Western liberal tradition was rendered meaningless by the fact that millions of stateless people had no recourse to human rights throughout the two World Wars. In practice, the human rights of those deprived of citizenship prove vulnerable. Arendt argues that “the Rights of Man, which had never been philosophically established but merely formulated, which had never been politically secured but merely proclaimed, have, in their traditional form, lost all validity.”<sup>1</sup> In response to the problems of stateless people, displaced people and refugees in the twentieth century and the impotence she perceives in human rights rhetoric, Arendt proposes a ‘right to have rights.’ As she writes in *The Origins of Totalitarianism*, “[w]e become aware of the existence of a right to have rights (and that means to live in a framework where one is judged by one’s actions and opinions) and a right to belong to some kind of organized community, only when millions of people emerge who had lost and could not regain these rights because of the new global political situation.”<sup>2</sup>

According to Frank I. Michelman’s interpretation, Arendt’s notion of the right to have rights entails the social recognition and acceptance of one’s juridical status by equals within a shared political community.<sup>3</sup> A legal and political status, first of all, is vital to secure one’s human rights, which could either be conceived as citizenship in a specific state or

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<sup>1</sup> Arendt, *The Origins of Totalitarianism*, 447.

<sup>2</sup> Arendt, *The Origins of Totalitarianism*, 296- 297.

<sup>3</sup> Frank I. Michelman, “Parsing ‘A Right to Have Rights’,” *Constellations* 3 (1996): 203.

membership in a polity within a state. The loss of such status inevitably leads to a rightless situation in which individuals find no institutional protection for their human rights. The loss of legal and political status is more damaging than the loss of liberty or equality. As Arendt reveals: “The calamity of the rightless is not that they are deprived of life, liberty, and the pursuit of happiness, or of equality before the law and freedom of opinion—formulas which were designed to solve problems within given communities—but that they no longer belong to any community whatsoever.”<sup>4</sup> The right to membership turns out to be more fundamental than any other rights. From Arendt’s perspective, membership creates the capacity to enjoy other specific rights. In addition, Arendt’s discussion highlights the importance of a political community that connects to one’s membership. The political community, according to Arendt, is a shared public space where the actualization of human rights is secured through collective actions of a plurality of individuals. Arendt emphasizes that “[n]ot the loss of specific rights, then, but the loss of a community willing and able to guarantee any rights whatsoever, has been the calamity which has befallen ever-increasing numbers of people.”<sup>5</sup>

According to her historical analysis of the rightless situation of stateless people, Arendt opposes the establishment of human rights on the basis of universal human nature, as in her view this step would do nothing to protect the human rights of those who are stripped of state citizenship. She tries to validate human rights by arguing that “the concept of human rights can again be meaningful only if they are redefined as right to the

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<sup>4</sup> Arendt, *The Origins of Totalitarianism*, 295- 296.

<sup>5</sup> Arendt, *The Origins of Totalitarianism*, 297.

human condition itself, which depends upon belonging to some human community, the right never to be dependent upon some inborn human dignity which *de facto*, aside from its guarantee by fellow men, not only does not exist but is the last and possibly most arrogant myth we have invented in all our long history.”<sup>6</sup> Although Arendt rejects an abstraction of human nature as the foundation of human rights, she does not formally offer a new basis for her right to have rights. In this respect, she is criticized for providing no philosophical foundation of human rights.<sup>7</sup> However, Seyla Benhabib argues that Arendt is not a foundationalist thinker and has no interest in offering a philosophical justification of the right to have rights.<sup>8</sup> Benhabib gives a more detailed explanation of Arendt’s attempt at redefining human rights. She articulates the different meanings of ‘right’ implied in Arendt’s right to have rights: the first ‘right’ invokes a moral claim to membership of a political and legal community; the second ‘right,’ based on the prior claim of membership, entails the human entitlements and reciprocal obligations in a shared human group, and are usually referred to as “civil and political rights or

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<sup>6</sup> Hannah Arendt, *The Burden of Our Time* (London: Secker & Warburg, 1951), 439; quoted from Serena Parekh, *Hannah Arendt and the Challenge of Modernity: A Phenomenology of Human Rights* (New York: Routledge, 2008), 11.

<sup>7</sup> The lack of a philosophical justification of human rights in Arendt’s right to have rights is discussed by many scholars, such as, Jeffrey C. Isaac, “New Guarantee on Earth: Hannah Arendt on Human Dignity and the Politics of Human Rights,” *The American Political Science Review* 90 (1996): 61-73; Seyla Benhabib, *The Reluctant Modernism of Hannah Arendt* (Thousand Oaks, Calif.: Sage Publications, 1996); Claude Lefort, *Democracy and Political Theory*, trans. David Macey (Minneapolis: University of Minnesota Press, 1988).

<sup>8</sup> Seyla Benhabib, *Transformations of Citizenship: Dilemmas of the Nation State in the Era of Globalization: Two Lectures* (Amsterdam: Uitgeverij Van Gorcum, 2001), 15-16.

as citizens' rights."<sup>9</sup> Michelman puts forward a similar argument in the sense that he interprets Arendt's right to have rights as a moral claim to citizenship, as he argues that "the notion of the right to have rights arises out of these modern-statist conditions and it is equivalent to the moral claim of a refugee or other stateless person to citizenship, or at least juridical personhood, within the social confines of some law-dispensing state."<sup>10</sup> Such an explanation not only distinguishes the right to membership from other concrete rights, but also emphasizes that the former right makes the enjoyment of the latter one possible. In a similar vein to Benhabib, Natalie Oman analyzes the relation between these two kinds of rights in Arendt's right to have rights. She concludes that the first right implies the imperatives of political membership as a condition under which the having of rights is possible; in addition, the second right shows that "we each attribute and enjoy rights in our particularity as members of specific law-governed, rights-bestowing political communities, in other words, insofar as we are recognized legal persons within identifiable states."<sup>11</sup>

Following Benhabib's interpretation, Roger Berkowitz identifies two rights central to Arendt's thinking in her concept of the right to have rights: the right to act and the right to speak. He refers to Aristotle's definition of man as a political animal with the capacity to act and speak,

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<sup>9</sup> Seyla Benhabib, "The Right to Have Rights': Hannah Arendt on the Contradiction of the Nation-State," in *The Rights of Others, Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004), 56-57.

<sup>10</sup> Michelman, "Parsing 'A Right to Have Rights'," 203.

<sup>11</sup> Natalie Oman, "Hannah Arendt's 'Right to Have Rights': A Philosophical Context for Human Security," *Journal of Human Rights* 9 (2010): 286.

and argues that “the only truly human rights, for Arendt, are the rights to act and speak in public.”<sup>12</sup> Different from those scholars who stress membership and political community, Berkowitz relates the discussion of human rights to another important issue in Arendt’s political thought: political action, which is manifested in types of acting and speaking in a public space. By interpreting Arendt’s right to have rights as the right “to live in a framework where one is judged by one’s actions and opinions,” Berkowitz argues, Arendt excludes the traditional civil rights of life and liberty from her understanding of human rights and limits the right to have rights to the right to act and the right to speak.<sup>13</sup> Berkowitz’s discussion implies at least two important points. Firstly, the right to have rights entails not only membership and a political community, but also the ability to take political action within such a political community. Secondly, the rights to act and to speak have priority over the rights to freedom and life; only if one acts and speaks as an equal member in a political entity can his other basic rights, such as the rights to liberty and life, be secured. In addition, Oman establishes a link between the right to community membership and political action by arguing that the right to membership in a political entity generates a capacity to take political action that makes political engagement and participation within the shared community possible.<sup>14</sup>

Although Arendt did not postulate a systematic theory of the right to have

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<sup>12</sup> Roger Berkowitz, “Hannah Arendt on Human Rights,” in *Handbook of Human Rights*, eds., Thomas Cushman (New York: Routledge, 2011), 64.

<sup>13</sup> Berkowitz, “Hannah Arendt on Human Rights,” 64.

<sup>14</sup> Oman, “Hannah Arendt’s “Right to Have Rights,” 286.

rights and the idea has been criticized as incoherent,<sup>15</sup> the concept can be understood within the framework of her critique of modern human rights discourse, her emphasis on membership in a political community and her concept of political action. This becomes particularly clear in light of the calamity of mass statelessness in the first half of the twentieth century. Arendt saw that the statelessness and deprivation of citizenship led directly to rightlessness, and that the imperatives of state sovereignty and the priority of national interest always outweigh human rights claims. It was in the face of such problems regarding the application of human rights that Arendt proposed the right to have rights, and this in turn inspires further thinking on the rhetoric and practice of human rights in modern states. More specifically, Arendt's right to have rights encourages reconsideration of citizenship in modern states, and reflection on the tension between state sovereignty and human rights, and on the route of political action as a means of exercising human rights.

### **3. Human rights and citizenship**

The rightless situation of the stateless in the interwar period reveals a crucial problem regarding human rights: how is it possible to protect the human rights of those who have been deprived of citizenship? Arendt uses the idea of 'absolute rightlessness' to highlight the devastating result of the loss of citizenship. The situation of absolute rightlessness not only implies the loss of citizenship rights and human rights altogether, but

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<sup>15</sup> For the critique of such concept, see Christoph Menke, "The 'Aporias of Human Rights' and the 'One Human Right': Regarding the Coherence of Hannah Arendt's Argument," *Social Research* 74 (2007):739-762.

more fundamentally refers to “the deprivation of a place in the world which makes opinions significant and actions effective,”<sup>16</sup> namely, the loss of the right to have rights. The deprivation of one’s citizenship, as shown in the case of stateless people, means that one is excluded from a political community and finds nothing in the world protecting one’s human rights. In this regard, human rights are proven not inalienable but highly contingent upon the condition of belonging to some political community. But the paradox implied here is that if human rights are enjoyed on the premise of membership in, and protection from, political community, how could human rights be actualized for those who are already excluded from political community? This paradox is also reflected in Andrew Schaap’s discussion. He argues that Arendt establishes an aporia by invoking her right to have rights, by asking, “if statelessness corresponds not only to a situation of rightlessness but also to a life deprived of public appearance, how could those excluded from politics possibly claim the right to have rights?”<sup>17</sup>

To respond to Schaap’s question, one must work out the relation between human rights, citizenship rights and the right to have rights. According to Arendt, the problem of universal human rights lies in the fact that they are based on human nature rather than specific laws or political authorities, and that they therefore lack specific authorities to enforce them. Inalienable human rights imply that once a person is denied his citizenship, he has nothing left to rely on but his humanity. The discourse

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<sup>16</sup> Arendt, *The Origins of Totalitarianism*, 296.

<sup>17</sup> Andrew Schaap, “Enacting the Right to Have Rights: Jacques Rancière’s Critique of Hannah Arendt,” *European Journal of Political Theory* 10 (2011): 22.

of human rights implies the loss of membership in a specific body politic. The full citizenship of individuals in a specific state is thus regarded as the primary guarantee of human rights. In this case, it is the citizen and not the singular human being that benefits from human rights. Arendt insists that only concrete rights based on citizenship in a state, and not the abstract rights of human beings, carry weight in our history. She further points out that “no one seems able to define with any assurance what these human rights, as distinguished from the rights of citizens, really are.”<sup>18</sup> It is not Arendt’s intention to give a clear redefinition of human rights; rather, she attempts to emphasize how the source and meaning of rights have been misunderstood. By pointing out that human rights only become meaningful under the protection of a state, Arendt exposes the confusion between human rights and citizenship rights in their application.

In an interpretation of Arendt’s critique, Serena Parekh argues that human rights have long been confused with citizen’s rights. “From the beginning of modern human rights, this tension – that the subject of human rights was not a person in the concrete but rather an abstract human being that seemed to exist nowhere – has existed. The image of man, the source of rights, was not the individual but the people. Civil rights, the rights of citizens, were conflated with the inalienable and eternal rights of man.”<sup>19</sup> Similarly, in considering human rights and their relation to citizenship, Oman concludes that human rights are civil rights whose actualization

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<sup>18</sup> Arendt, *The Origins of Totalitarianism*, 293.

<sup>19</sup> Serena Parekh, “A Meaningful Place in the World: Hannah Arendt on the Nature of Human Rights,” *Journal of Human Rights* 3 (2004): 44.

primarily relies on a political community.<sup>20</sup> In view of the conflation between human rights and citizenship rights, Arendt proposes the concept of the right to have rights rather than redefining or reformulating human rights. She tries to distinguish this unique idea from traditional human rights and citizenship rights discourse. As Ayten Gündoğdu asserts, Arendt's right to have rights cannot be equated to either human rights or citizenship rights.<sup>21</sup> The right to have rights, as previously analyzed, connotes a moral claim to citizenship and the enjoyment of citizens' rights as members of some sovereign state on the basis of that citizenship. This right provides the most important precondition for the actualization of human rights. In this sense, the right to have rights is more fundamental than human rights and citizenship rights.

In contrast with these arguments, Jean L. Cohen points out that citizenship has not in all circumstances been able to shield people from losing the right to have rights. She refers to the fact that stateless people not only consist of minorities, denaturalized citizens and refugees but also to people who once possessed full citizenship by birth in their respective countries. Cohen points out the potential risk of being deprived of citizenship by a sovereign state and thus being situated in a rightless condition.

Citizenship did not protect political opponents or others deemed enemies of the state regardless of their membership in the national community. The state, any state, can exercise its sovereignty to define internal enemies, to construct them as the other, and to

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<sup>20</sup> Oman, "Hannah Arendt's 'Right to Have Rights,'" 281.

<sup>21</sup> Ayten Gündoğdu, "'Perplexities of the Rights of Man': Arendt on the Aporias of Human Rights," *European Journal of Political Theory* 11 (2012): 14.

denude them of their citizenship status despite ethnic or cultural belonging.<sup>22</sup>

The right to have rights was Arendt's response to the rightless situation of the stateless who were deprived of their citizenship. The loss of such citizenship and of a political entity that could guarantee human rights prompted Arendt to emphasize the importance of citizenship rights. But given Cohen's argument, Arendt seems to offer no good explanation of how her right to citizenship can be secured in the face of the threat from sovereign state.

Arendtian citizenship is obviously different from the modern concept of citizenship which is based on exclusivity and primarily relies on the guarantee of sovereign states. Cohen points out that Arendt's idea of citizenship is defined not on the basis of nationality but on legal criteria which could contribute to the solidarity of the whole political community. This kind of citizenship implies a legal personality status in the sovereign state.<sup>23</sup> In addition, Phillip Hansen argues that Arendt's citizenship is the important component of genuinely political life in which individuals can participate in public affairs as equal co-participants.<sup>24</sup>

Arendt emphasizes the categories of participation, solidarity and equality as the essential characteristics of her concept of citizenship. However, as Cohen shows, she offers no viable solution to the threat of losing the

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<sup>22</sup> Jean L. Cohen, "Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism," *Constellations* 3 (1996): 171.

<sup>23</sup> Cohen, "Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism," 171.

<sup>24</sup> Phillip Hansen, *Hannah Arendt: Politics, History and Citizenship* (Cambridge: Polity Press, 1993), 7.

right to citizenship. In her earlier 1949 essay on human rights, Arendt attempts to secure the right to citizenship under the protection of the community of nations. In *The Origins of Totalitarianism*, Arendt refers to humanity as the only guarantee for the right to have rights, but she admits that the idea of humanity still “operates in terms of reciprocal agreements and treaties between sovereign states.”<sup>25</sup> Cohen is critical of the fact that Arendt cannot resolve the aporia of human rights she establishes. She claims that “the right to have rights appears to be parasitic on a moral principle which Arendt is hard put to justify given her disdain for universalistic argumentation and her generalized critique of human rights discourse that attempts to ground such a claim in the indeterminate idea of ‘man.’”<sup>26</sup> Cohen concurs instead with Claude Lefort, arguing that it is the indeterminacy of the concept of man as the subject of human rights that leaves a “groundless ground” to human rights discourse. Instead of relying on the right to citizenship to guarantee human rights, Cohen refers to international human rights institutions: “the existence of international human rights documents and an international regime that increasingly refers to them as articulating universally valid norms is a powerful weapon in the hands of anyone for the protection and expansion of their rights.”<sup>27</sup> Cohen’s alternative offers a perspective from which to reconsider the protection of human rights in a new global situation, in which the impact of international human rights organizations is growing

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<sup>25</sup> Arendt’s solution to the protection of the right to have rights is referred to in Cohen’s paper. See Cohen, “Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism,” 172.

<sup>26</sup> Cohen, “Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism,” 183.

<sup>27</sup> Cohen, “Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism,” 182.

more influential and human rights institutions are attaining more legal legitimacy and greater power to enforce laws. In this sense, Cohen poses a challenge to Arendt's solution.

#### **4. Human rights and state sovereignty**

The other problem implied in Arendt's critique is the conflict between the imperatives of state sovereignty and the claims to human rights. By presenting the experience of stateless people in the twentieth century, Arendt highlights the perversion of the state from a polity which is responsible for protecting the human rights of all inhabitants in its territory regardless of their nationality, into an instrument serving the nation only.<sup>28</sup> In other words, the state is transformed from "an impartial instrument of the law" committed to guaranteeing the human rights of all individuals into "an ideological instrument of the nation" whose primary task is to protect the rights of its members as nationals.<sup>29</sup> In this regard, Arendt argues that national sovereignty "lost its original connotation of freedom of the people and was being surrounded by a pseudo-mystical aura of lawless arbitrariness."<sup>30</sup> Arendt derives her critique of nation-state and national sovereignty largely from her observation of the tension between nation and state, which existed at the birth of modern nation-state and unfolded in two dimensions. First, "the same essential rights were at once claimed as the inalienable heritage of all human

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<sup>28</sup> Arendt, *The Origins of Totalitarianism*, 230- 231.

<sup>29</sup> Patrick Hayden, "From Exclusion to Containment: Arendt, Sovereign Power, and Statelessness," *Societies without Borders* 3 (2009): 252.

<sup>30</sup> Arendt, *The Origins of Totalitarianism*, 230- 231.

beings and as the specific heritage of specific nations.”<sup>31</sup> Second, “the same nation was at once declared to be subject to laws, which supposedly would flow from the Rights of Man, and sovereign, that is, bound by no universal law and acknowledging nothing superior to itself.”<sup>32</sup> For Arendt, human rights are supposedly invoked to protect against “the new sovereignty of the state and the new arbitrariness of society.”<sup>33</sup> However, the nation-state, by placing inviolable sovereignty over its internal matters, has the potential to render its citizens second class and even non-citizens and jeopardize their rights correspondingly. Oman argues in favor of Arendt, writing that the contradiction emerges between the “exceptionless inclusivity implied by the notion of human rights” and the “necessary boundedness and exclusivity of political communities” in the form of nation-states.<sup>34</sup>

Cohen, on the other hand, argues that the tension in the nation-state system has more to do with the conflict between state sovereignty and constitutionalism than the conflict between state and nation. She adds that the real danger to rights and legality comes from unimpeded state sovereignty.<sup>35</sup> For Arendt, the loss of full citizenship in the state is the primary and direct reason for the rightlessness. But Cohen ascribes the loss of human rights to the problem of state sovereignty. She argues that it is the very logic of state sovereignty, rather than the deprivation of

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<sup>31</sup> Arendt, *The Origins of Totalitarianism*, 230.

<sup>32</sup> Arendt, *The Origins of Totalitarianism*, 230.

<sup>33</sup> Arendt, *The Origins of Totalitarianism*, 291.

<sup>34</sup> Oman, “Hannah Arendt’s “Right to Have Rights,” 281.

<sup>35</sup> Cohen, “Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism,” 171.

national identity, that enables the state to deprive citizens and non-citizens of their basic rights.<sup>36</sup> Based on this view, Cohen claims that Arendt provides no good resolution to the threat posed by state sovereignty. Yet to some extent she ignores Arendt's concern about the threat national sovereignty poses to human rights and her primary reason for discussing the problem of national sovereignty. In *The Origins of Totalitarianism*, Arendt spares no effort in criticizing national sovereignty and opposing the establishment of citizenship on the basis of nationality. In so doing, she attempts to emphasize how the nation-state deprived its inhabitants of their citizenship and made them rightless in the name of national sovereignty. Arendt therefore highlights how important membership rights are in resisting arbitrary treatment by the nation-state. Nevertheless, Arendt's appeal for the right to citizenship does not mean that human rights are, in her view, solely contingent upon the protection of a state. After all, as she pointed out, some states deprived their citizens of national membership and violated their human rights in inter-war period. Rather, Arendt tries to justify a moral claim to membership in a political community that all states should acknowledge. But Arendt proposes no convincing means of securing this right to membership. At first she relies on the idea of humanity, but later has to admit that this idea still operates within the mutual agreement and treaties among sovereign states. Cohen, for her part, refers to international human rights treaties, norms and laws and argues that international human rights documents and regimes serve as a powerful tool to limit state sovereignty

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<sup>36</sup> Cohen, "Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism," 175.

and to protect the human rights of both citizens and non-citizens.<sup>37</sup>

Arendt's critique reveals an implicit relation between human rights, state sovereignty and citizenship in the nation-state. According to Arendt, the danger of the nation-state system lies in the fact that it defines citizenship on the basis of nationality. As a result, non-nationals are excluded from the nation-state, and this exclusion coincides with the loss of legal status in that state and the overall loss of their human rights. Citizenship or nationality becomes a precondition for the possession of human rights, which in turn demonstrates that human rights are only protected by a particular nation-state as national rights or civil rights. The human rights of those people who have been deprived of citizenship always give way to national interests or state sovereignty. The contradiction between human rights and state sovereignty, as Patrick Hayden concludes in his reading of Arendt, is that states are capable of excluding their citizens from the condition of citizenship which would ensure them human rights despite the fact that human rights protection is inseparably related to state sovereignty.<sup>38</sup> In view of the arbitrary sovereign power of nation state and the danger of basing citizenship on nationalism or nationality, Arendt calls for a new form of citizenship which is not grounded on nationality but on the principal of solidarity and equality, and the new form of political community. It is not so clear how Arendt concretizes the form of this political community, but as she emphasizes, such community entails

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<sup>37</sup> Cohen, "Rights, Citizenship, and the Modern Form of the Social: Dilemmas of Arendtian Republicanism," 175. In this paper, Cohen is critical of Arendt's right to have rights, and gives her solution to the problem of human rights.

<sup>38</sup> Hayden, "From Exclusion to Containment: Arendt, Sovereign Power, and Statelessness," 253.

civic participation of and mutual recognition among its members.<sup>39</sup>

Furthermore, in their interpretations of Arendt's analysis of national sovereignty, Jeffrey C. Isaac and Serena Parekh acknowledge the mutual incompatibility of national sovereignty and human rights. Isaac points out that "the principle of national sovereignty supports not peaceful cosmopolitanism and moral respect but imperial expansion, geopolitical intrigue, enormous violence, and, perhaps most troubling of all, a pervasive indifference to human suffering outside the confines of the nation."<sup>40</sup> Similarly, Parekh asserts that the imperatives of state sovereignty overrule the demand that the state protect individuals who are not its citizens.<sup>41</sup> Such arguments are pertinent to the conflict between human rights and state sovereignty, but on the other hand, there are also some which attempt to reconcile the tension between them. For instance, Matthew S. Weinert argues for a new concept of democratic sovereignty which "qualifies the hierarchy of political space by redefining authority in the more human rights friendly language and logic of a common good."<sup>42</sup> It entails the government's obligation to protect its citizens and empowers dissenting movements, local communities and

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<sup>39</sup> Arendt emphasizes the principles of solidarity and equality, which could serve to establish the national organization of peoples, and should be guaranteed by the idea of humanity. See Arendt, *The Origins of Totalitarianism*, 161. She also discusses world government as a potential form of political community, but she quickly rejects this proposal as she thinks that a world government displaces the problems of the sovereign nation states on a higher level. See Hannah Arendt, "Karl Jaspers, Citizens of the World", in *Men in Dark Times* (New York: Harcourt, Brace, 1968), 81- 94.

<sup>40</sup> Jeffrey C. Isaac, "New Guarantee on Earth: Hannah Arendt on Human Dignity and the Politics of Human Rights," *The American Political Science Review* 90 (1996): 63.

<sup>41</sup> Parekh, "A Meaningful Place in the World", 44.

<sup>42</sup> Matthew S. Weinert, "Bridging the Human Rights—Sovereignty Divide: Theoretical Foundations of a Democratic Sovereignty," *Human Rights Review* 8 (2007): 27.

transnational organizations that serve common good projects such as human rights, environmental protection and the global extension of the rule of law.<sup>43</sup> Furthermore, in view of human rights atrocities brought on by actions such as the United States' self-proclaimed 'humanitarian intervention' in the Vietnam War and the Indonesian invasion of East Timor in 1975, Justin Conlon questions the role of human rights intervention and argues that the protection of sovereignty involves the protection of human rights in two senses: firstly, sovereignty protects human rights by reducing the "scourge of war" and human rights abuse in the context of war; secondly, the doctrine of sovereignty promotes the right to self-determination and a mechanism for the actualization of many other human rights.<sup>44</sup>

## **5. Human rights and political action**

"The right to have rights" is Arendt's most straightforward response to the plight of the rightless. It not only refers to the right to political membership but also entails political action. As Isaac points out, Arendt's notion of political action is an attempt to validate human rights in practical politics: "Such rights [human rights] are mute, and invisible, unless spoken for, unless made actionable."<sup>45</sup> According to Arendt, political action refers to the ability to act and to express an opinion as equal members in a political community. It entails the recognition of all

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<sup>43</sup> Weinert, "Bridging the Human Rights—Sovereignty Divide: Theoretical Foundations of a Democratic Sovereignty," 29.

<sup>44</sup> Justin Conlon, "Sovereignty vs. Human Rights or Sovereignty and Human Rights?" *Race & Class* 46 (2004): 75–100.

<sup>45</sup> Isaac, "New Guarantee on Earth," 67.

human beings as equal fellows in a political group. Because the right to have rights implies the right to act and the right to speak, political action bears a close affinity with the right to have rights in the sense that the latter is primarily embodied in the concrete form of the former. By taking political action in terms of acting and speaking, one simultaneously demonstrates that one has a right to community membership and is capable of enjoying other basic rights as a member of that community. By the same logic, the loss of words and deeds in a public space actually implies the loss of human rights. As Arendt puts it:

The fundamental deprivation of human rights is manifested first and above all in the deprivation of a place in the world which makes opinions significant and action effective. [...] The people deprived of human rights are in fact “deprived not of the right to freedom, but the right to action; not the right to think whatever they please, but of the right to opinion. Privileges in some cases, injustices in most, blessings and doom are meted out to them according to accident and without any relation whatsoever to what they do, did, or may do.”<sup>46</sup>

In fact, Arendt neither offers an exhaustive account of the relation between human rights and political action, nor asserts that political action is intended to or inevitably can improve human rights in all circumstances. Nevertheless, the subtle relationship between human rights and political action can still be detected in Arendt’s concept of political action, particularly with regard to human plurality, natality, freedom and equality. For Arendt, plurality and natality constitute two primary human conditions of political action. Speech ensures the distinctness and plurality of actors; action on the other hand indicates the

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<sup>46</sup> Arendt, *The Origins of Totalitarianism*, 296.

human condition of natality.<sup>47</sup> More specifically, plurality indicates that one has to live and act in a public space with his fellows; only living in the condition of plurality can individuals reveal and communicate their uniqueness with each other, can their action and speech be meaningful to a plurality of audiences. Parekh points out that plurality in the Arendtian sense embodies two almost paradoxical characteristics: equality and distinction. Human beings are equal in the sense that they have the same capacity to communicate and understand each other. Human beings are also distinct in the sense that their action and speech would be meaningless and unnecessary if they were not distinct from each other.<sup>48</sup> Political action is closely connected to plurality, as Parekh concludes; without the company of a plurality of equals, political action would not occur, and “our equality in difference is made actual by our disclosure of ourselves in speech and action.”<sup>49</sup>

The other condition of natality embodies the value of freedom. According to Arendt, natality not only means a birth of man, but refers to a principle of beginning that brings something unexpected into existence. The actualization of freedom is thus deeply rooted in the condition of natality. Nevertheless, freedom in Arendt’s view is not the free ability to choose, but the capacity to act, to begin, and to set something new into motion.<sup>50</sup> In view of this point, Peg Birmingham argues that Arendt’s natality has two principles: the principle of beginning which is related to plurality,

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<sup>47</sup> Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1958), 177-178.

<sup>48</sup> Parekh, “A Meaningful Place in the World,” 47.

<sup>49</sup> Parekh, “A Meaningful Place in the World,” 47.

<sup>50</sup> Arendt, *The Human Condition*, 177- 181.

and the principle of givenness which means that a human being is given his existence by birth and can thus show his uniqueness and singularity in the public space.<sup>51</sup>

Bearing the characteristics of plurality and natality, political action is by no means isolated or imposed action but rather collective action that only occurs with other equals. Political action in this sense entails a political community, a place for “sheer human togetherness” in Arendt’s view, to enable mutual deeds and opinions among equal fellows.<sup>52</sup> Arendt argues that “the space of appearance comes into being wherever men are together in the manner of speech and action, and therefore predates and precedes all formal constitution of the public realm and the various forms of government, that is, the various forms in which the public realm can be organized.”<sup>53</sup> The appearance of public realm is only secured through the realization of collective speech and action. The loss of human togetherness entails the disappearance of public space. In addition, Phillip Hansen explains Arendt’s political community in relation to freedom. He argues, in Arendt’s favor, that genuine freedom is only guaranteed by political community and the historical possibility of establishing communal arrangements. Hansen further stresses that Arendt’s concept of liberty is about the liberty of the political community rather than that of the individual against the community. The relation between freedom and action, Hansen concludes, lies in the fact that “freedom is a political or communitarian phenomenon while action is at

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<sup>51</sup> Peg Birmingham, *Hannah Arendt and Human Rights: the Predicament of Common Responsibility* (Bloomington: Indiana University Press, 2006), 87.

<sup>52</sup> Arendt, *The Human Condition*, 180.

<sup>53</sup> Arendt, *The Human Condition*, 177- 178.

the heart of a genuine politics.”<sup>54</sup> Given that freedom is ensured through political action in a political community, the deprivation of a place in political community therefore not only leads to the loss of freedom, but also makes political action impossible.

Political action has a great affinity with freedom and equality, yet it is by no means so that political action exists in order to realize the freedom and equality, the important elements of human rights. Rather, such human rights values are embodied and exercised through political action. In this sense, political action does not equate to human rights activism, which strives for the protection and realization of human rights. Arendt distinguishes instrumental agency (such as labor and work) which aims to achieve some purpose, from political agency (such as political action) which brings about nothing but itself. This distinction is also reflected in Arendt’s discussion of power and violence:

Power cannot be stored up and kept in reserve for emergencies, like the instrument of violence, but exists only in its actualization. [...] Power is actualized only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities.<sup>55</sup>

For Arendt, power is derived from collective action among acting and speaking individuals. It is the crucial agency that keeps the public realm in existence. The substance of violence, on the other hand, “is ruled by the means-end category, whose chief characteristic, if applied to human affairs, has always been that the end is in danger of being overwhelmed

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<sup>54</sup> Hansen, Hannah Arendt: Politics, History and Citizenship, 57.

<sup>55</sup> Arendt, *The Human Condition*, 200.

by the means which it justifies and which are needed to reach it.”<sup>56</sup> The power of political agency could be undermined when political action is used as a means to achieve goals, like social justice or economic wealth, which would also inevitably lead to the destruction of political community. In this respect, political action must be “free from motive on the one side, from its intended goal as a predictable on the other”, and it is “neither under the guidance of the intellect nor under the dictate of the will.”<sup>57</sup>

However, Arendt’s distinction between political action and instrumental action provokes debates from many of her readers. For instance, Kirk Thompson asserts that Arendt’s political action excludes any motives and purposes, and thus “fade ways into an existential life-process and lose all clarity of purpose”.<sup>58</sup> In a similar vein, Martin Jay argues that Arendt’s political action “saw politics not merely as irreducible to socioeconomic forces, but also as unhampered by all normative and instrumental constraints as well.”<sup>59</sup> In this respect, Jay condemns Arendt’s political action for containing a totalitarian implication, as no constraint is placed on it and there are no criteria to judge it. In a response to the critiques by Thompson and Jay, James T. Knauer argues that the critics misread Arendt’s view on political action’s relation to specific motives and goals.

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<sup>56</sup> Hannah Arendt, *On Violence* (London: Harcourt Brace Jovanovich, Publishers, 1969), 4.

<sup>57</sup> Hannah Arendt, *Between Past and Future: Eight Exercises in Political Thought* (New York: Viking Press, 1968), 151- 152.

<sup>58</sup> Kirk Thompson, “Constitutional Theory and Political Action,” *Journal of Politics* 31 (1969): 659.

<sup>59</sup> Martin Jay, “Hannah Arendt: Opposing Views,” *Partisan Review* 45 (1978): 352-353.

As he puts it:

Action is a combination of the particular, e.g., goals, and the universal principles of human association. Arendt's point is not that action must have no goals but that it cannot be defined in terms of them. The particular ends of action are always transcended by the general principle which give them significance and meaning.<sup>60</sup>

Although Knauer insists on this subtle relation between political action and specific goals, he still emphasizes that action which could be completely understood in a means-ends framework would construct human relations in an instrumental way and is absolutely not Arendtian political action at all.<sup>61</sup> Knauer's contribution lies in the fact that he highlights the distinction between a single act which involves an actor with motives and purposes and political action which transcends motives and goals and manifests itself in the state of sheer human togetherness. More specifically, human togetherness is emphasized here to show the importance of the principle of human association to political action, which, as Knauer stresses, "gives meaning to the intentions and goals of actors, rescuing them from mere instrumentality."<sup>62</sup>

Given that political action does not exist in order to achieve specific goals, it therefore cannot be conceived of as a mean to protect human rights. Nevertheless, some crucial elements of human rights are still embodied in political action in the sense that freedom and equality are

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<sup>60</sup> James T Knauer, "Motive and Goal in Hannah Arendt's Concept of Political Action," *The American Political Science Review* 74 (1980): 725.

<sup>61</sup> Knauer, "Motive and Goal in Hannah Arendt's Concept of Political Action," 729.

<sup>62</sup> Knauer, "Motive and Goal in Hannah Arendt's Concept of Political Action," 732.

inherent in the meaning of political action. By acting and speaking among equals, by transcending any specific goals and motives, individuals gain genuine freedom to engage in political life in a public realm. In addition, when it comes back to Arendt's right to have rights, political action entails the principle of human association and belonging to a political community, which furthermore indicates that once individuals have the ability to take political action, they are actually entitled to membership and thus enabled to enjoy more basic rights as members of that community. In this sense, it is also reasonable to argue that political action facilitates the right to have rights.

## **6. An analytical framework**

Arendt's right to have rights is an attempt to validate human rights in the political field. She neither gives an exhaustive theoretical account of human rights nor exclusively focuses on the justification of moral and legal issues involved in human rights. Instead, Arendt appeals to the reconstruction of political identity, the reformation of political community and political action in that community to resist the situation of rightlessness in modern states. Such an approach not only highlights the importance of full citizenship and political participation, but also exposes the incompatibility between human rights and state sovereignty. Yet Arendt's approach to the problem of human rights, as previously discussed, has faced much criticism. It is not entirely clear whether Arendt's right to have rights is based on a solid foundation and how this right is realized in practical politics. Arendt's thinking serves as an inspiration for this dissertation, but not because it offers an effective way

to implement or evaluate human rights. Rather, her critique offers us a way to rethink human rights in their crucial relation to citizenship, state sovereignty and political action. With this in mind, this dissertation constructs an analytical framework in three dimensions by referring to Arendt's approach to the problem of human rights.

The first dimension focuses on the relation between human rights and citizenship in a sovereign state. For Arendt, having the right to full citizenship is essential for anyone to enjoy human rights in a sovereign state. The deprivation of citizenship inevitably endangers the actualization of human rights. Furthermore, a state can arbitrarily revoke its citizens' citizenship and force them into a rightless state, or redefine citizenship in a way that caters to the government's political aims as the Chinese government did under several political movements during Mao's rule. Citizenship is not exclusively limited to legal status in a sovereign state, but has a broader meaning. As Kate Nash writes, citizenship not only provides opportunities for political participation but also involves an identity which shows that one belongs to a "bounded and exclusive political community with a shared history and prospective future."<sup>63</sup> The broad connotations of citizenship and its importance to human rights inspire a series of questions central to the interrelation between citizenship and human rights in a sovereign state: If citizenship is redefined or reconstructed in a specific context, how is this done and what impact does this redefinition/reconstruction have on the individual enjoyment of human rights? Is the loss of human rights related to the loss

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<sup>63</sup> Kate Nash, "Between Citizenship and Human Rights," *Sociology* 43 (2009): 1067–1083.

of citizenship, and if so how? How do citizenship rights and human rights operate respectively or interactively in a sovereign state? By situating these questions in a particular state and exploring them in a concrete historical context, this dissertation attempts to describe the specific relation between human rights and citizenship.

The second dimension consists of the tension between human rights and state sovereignty in a sovereign state. The universalist ideal of human rights claims that individual human beings as the bearers of human rights should be entitled equal basic rights regardless of their citizenship or nationality. However, the supremacy of state sovereignty puts the interest of the state over that of all individuals residing in its territory, enables the state to determine who are its citizens, and therefore makes the enjoyment of human rights conditional and exclusively premised on the qualification of full citizenship. Arendt's critique of human rights underlines this fundamental contradiction between human rights discourse and the principle of state sovereignty. As Hayden points out, Arendt's critique of national sovereignty demonstrates that states have been historically empowered with sovereign rights to determine who is entitled to citizenship and thus to human rights.<sup>64</sup> In this regard, the sovereignty of states, as many interpreters of Arendt observe, always outweighs the human rights of individuals.<sup>65</sup> In recent decades, however, some have posited human rights as a major challenge to state sovereignty, particularly due to the increasing influence of globalization and

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<sup>64</sup> Hayden, "From Exclusion to Containment: Arendt, Sovereign Power, and Statelessness," 253.

<sup>65</sup> For this argument, see Serena Parekh, Jeffrey C. Isaac and Seyla Benhabib.

humanitarian intervention.<sup>66</sup> In this respect, it is interesting to look at how states wield state sovereignty and human rights in dealing with their internal and external affairs. To be more specific, how does a state strategically deploy human rights and state sovereignty in its foreign policy? How does a state react to external criticism of its domestic human rights practices? In what situations does a state compromise on the issue of human rights? Do human rights always conflict with state sovereignty? An exploration of these questions contributes to a better understanding of the tension between human rights and state sovereignty, and to the application of human rights by sovereign states at the international level.

The third dimension explores the dynamic between human rights and political action in a sovereign state. In Arendt's view, human rights cannot be protected merely on the basis of citizenship but also rely on the right to have rights. Political action, the ability to act and to speak freely in a political community, embodies two concrete rights inherent in Arendt's right to have rights: the right to act and the right to speak. By engaging in political action, individuals demonstrate that they have the freedom to act and to speak as equal members of a political community, and more importantly, that they have the fundamental right to have rights. However, this does not mean that political action exists in order to secure human rights, as in Arendt's view such action has no specific purpose. The relation between human rights and political action lies in the fact that

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<sup>66</sup> The challenge of human rights to state sovereignty is discussed in several papers, such as, Louis Henkin, "Human Rights and State Sovereignty," *Georgia Journal of International and Comparative Law* 25 (1995): 31-46.

political action *per se* is the practice and embodiment of freedom, equality and human dignity attributed in the meaning of human rights. Arendt's idea of political action, in addition to her claims of citizenship and her critique of state sovereignty, leads to another way of thinking about the application of human rights. Does political action, if not entirely in Arendtian sense then at least in a way largely similar to it, take place in a sovereign state? If so, how? What does political action imply for the enjoyment of human rights? And what is the precise dynamic between human rights and political action?

The three-dimensional analytical framework presented here is inspired by, but not limited to, Hannah Arendt's critique of human rights. I will use this framework to situate the problem of human rights in a specific case study. Therefore, the interrelations between human rights, citizenship, state sovereignty and political action are discussed in a concrete historical context, which of course places the human rights debate in a particular social, cultural and political setting. This approach is also consistent with Arendt's idea that human rights should be analyzed in a specific historical context as they are not static but historically developed. Nevertheless, Arendt's emphasis on citizenship, her analysis of the threat posed by state sovereignty, and her unique notion of political action provide valuable guidance to this dissertation. On the basis of the analytical framework, I focus on human rights in the Chinese context of the Mao period (1949-1976), and research three corresponding case studies of the land reform movement (1950-1953), Chinese foreign policy (1950s-1970s) and the Hundred Flowers Campaign (1955-1957). In so doing, this dissertation investigates the relations between human

rights and citizenship, state sovereignty and political action in Maoist China, and then reflects on Arendt's critique of human rights in the specific context of China under Mao. Before delving into the concrete case studies, I provide an overview of China's human rights history and an impression of the Chinese historical background in which the case studies are situated, the issue of human rights has been contested and Arendt's question of human rights is contextually analyzed.

## **Chapter 2. The history of human rights in China**

### **1. Introduction**

The history of human rights in the People's Republic of China, or PRC, can be divided into three periods. Before the republic was formed in 1949, the CCP used human rights concepts in its opposition to the ruling Kuomintang (KMT) and the invading Japanese army; from 1949 to 1976, the CCP repressed discussion of human rights in domestic China amidst large-scale human rights violations; this changed after 1976 with the introduction of Deng Xiaoping's reform and opening policy. The development of human rights in China has led to various debates on human rights concepts and the exercise of these rights in Chinese history. This chapter presents an overview of the discussion on human rights in China, paying particular attention to human rights under Mao. It presents the historical trajectory of human rights in China and sketches the contexts for the case studies: the land reform movement (1950-1953), Chinese foreign policy (1950s-1970s) and the Hundred Flowers Campaign (1955-1957).

### **2. The historiography of human rights in China**

The issue of human rights in China has gained increasing attention since the 1980s both in domestic China and in the international community. Scholars primarily focus on the philosophical and legal aspects of human rights in China, and on the development of human rights after Mao's

time.<sup>1</sup> Researchers have paid less attention to human rights ideas and practices before and during Mao's rule. Ann Kent presents human rights discourse from the imperial period to Communist China by analyzing Chinese policies regarding law and human rights. Her analysis of human rights debates centers on the constitutional and institutional framework of these rights.<sup>2</sup> Her approach is similar to that of Edward Wu, who analyzes the constitutional framework with regard to human rights in China during Mao's period and afterwards.<sup>3</sup> Both Kent and Wu primarily focus on the legal aspects of human rights. Andrew Nathan looks at the CCP's historical use of human rights at international level since Mao, but his article lacks a systematic analysis of the deployment of human rights in Chinese history.<sup>4</sup> Merle Goldman describes the human rights discourse at domestic level. She focuses on cultural aspects and discusses the human rights practices of Chinese intellectuals since the early

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<sup>1</sup> For instance, some scholars relate the idea of human rights to Confucianism; see Michael C. Davis, ed., *Human Rights and Chinese Values* (Hong Kong: Oxford University Press, 1995). William Theodore De Bary, *Asian Values and Human Rights: A Confucian Communitarian Perspective* (Cambridge MA: Harvard University Press, 2000). Stephen C. Angle, *Human Rights and Chinese Thought: A Cross-Cultural Inquiry* (Cambridge: Cambridge University Press, 2003). Some others focus on the legalization of human rights norms in China, see Clarke, Donald C., and James V. Feinerman, "Antagonistic Contradictions: Criminal Law and Human Rights in China," *The China Quarterly* 141 (1995): 135-154. Samuel S. Kim, "Reviving International Law in China's Foreign Relations," in *Chinese Defense and Foreign Policy*, ed. June Teufel Dreyer (New York: Paragon, 1989), 87-131. Wan Ming, "Human Rights Lawmaking in China: Domestic Politics, International Law, and International Politics," *Human Rights Quarterly* 29 (2007): 727-753.

<sup>2</sup> See Ann Kent, *Between Freedom and Subsistence: China and Human Rights* (Hong Kong: Oxford University Press, 1993).

<sup>3</sup> Edward Wu, "Human rights: China's Historical Perspective in Context," *Journal of the History of International Law* 4 (2002): 335-373.

<sup>4</sup> Andrew Nathan, "Human Rights in Chinese Foreign Policy," *The China Quarterly* 139 (1994): 622-643.

twentieth century.<sup>5</sup> However, Goldman limits her discussion to intellectual history and pays less attention to debates within the CCP. Marina Svensson gives a more systematic discussion of the various human rights debates in several historical periods in China.<sup>6</sup> She makes an important contribution to the study of human rights discourse in Chinese history. But Svensson gives only limited attention to the CCP's wielding of human rights in Mao's period. Unlike Svensson, Edmund S. K. Fung compares the ideas of the Human Rights Group (a social organization founded by Western-educated Chinese intellectuals in late 1920s) with those of human rights activists during the 1970s and 1980s in China.<sup>7</sup> Fung's primary focus is the short history of the Human Rights Group between 1929 and 1931. As the time span of his research is primarily limited to the period between 1929 and 1931, Fung is unable to present a clear discussion of human rights debates in the history of the PRC.

Some other scholars discuss the changing human rights context at the international level. Roberta Cohen explores the external reasons why China was exempted from international human rights supervision in Mao's period and the impact of international human rights institutions on China's changing human rights attitude in the post-Mao period.<sup>8</sup>

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<sup>5</sup> Merle Goldman, "Human Rights in the People's Republic of China," *Daedalus* 112 (1983): 111-138.

<sup>6</sup> Marina Svensson, *Debating Human Rights in China: A Conceptual and Political History* (New York: Rowman & Littlefield Publishers, 2002).

<sup>7</sup> Edmund S. K. Fung, "The Human Rights Issue in China, 1929-1931," *Modern Asian Studies* 32 (1998): 431-457.

<sup>8</sup> Roberta Cohen, "People's Republic of China: the Human Rights Exception," *Human Rights Quarterly* 9 (1987): 447-549.

Similarly, Rosemary Foot explains the role of international human rights regimes in attracting more attention to the issue of human rights in China from 1976 to 1989.<sup>9</sup> These works provide a broader view of the international debates on human rights in China, but do not address China's reaction to the international debate. In the Chinese academia, only a few scholars have done historical research into human rights in China before 1989. Most relevant is Qu Xiangfei's mainly descriptive discussion of the CCP's concept of human rights in the 1930s and 1940s.<sup>10</sup>

The above-mentioned literature is valuable source material for the study of human rights discourse in different historical periods in China, and of the specific historical background in which human rights debates emerged and developed. However, the existing literature still primarily focuses on the post-Mao period and leaves the history of human rights in Maoist China in relative obscurity.

### **3. Human rights in Chinese history: a short overview**

The western notion of human rights was introduced in China in the late nineteenth century. Confronted with foreign invasion, the late Qing reformers strove to save their country by embracing Western values,

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<sup>9</sup> Foot Rosemary, *Rights Beyond Borders: the Global Community and the Struggle over Human Rights in China* (OUP Oxford, 2000):83-112.

<sup>10</sup> Qu Xiangfei, *Renquan li Women Youduoyuan: Renquan de Gainian Jiqi Zai Zhongguo de Fazhan yanbian* (How Far are Human Rights away From Us: the Concept of Human Rights and Their Evolution in China) (Beijing: Qinghua University Press, 2015). For other similar work, see Dong Yunhu, Liu Wuping, *Shijie Renquan Yuefa Zonglan* (The Overview of Provisional Constitution of International Human Rights) (Sichuan: Sichuan People's Publisher, 1993).

ideas and political structures. Radical thinkers, such as Liang Qichao, Yan Fu and Kang Youwei, referred to human rights in order to promote political reform. However, because these thinkers were first of all concerned with national salvation, they interpreted human rights as group rights rather than individual rights.<sup>11</sup> In the early twentieth century, a group of Western-educated liberals asked for individual liberation from the constraints of Confucianism during the New Culture Movement<sup>12</sup>. The claims of democracy and independent thinking by these liberal thinkers inspired a number of students in the subsequent May Fourth Movement.<sup>13</sup> The desire for cultural pluralism and intellectual autonomy contributed to the May Fourth spirit, which not only indicated the spread of a wide range of Western ideas but also exerted a far-reaching impact on Chinese intellectuals in the following decades.<sup>14</sup>

The period from 1929 to 1931 saw a vigorous discussion of human rights by the Human Rights Group (*Renquanpai*) which consisted of a small number of Western-educated intellectuals. In the early Republic period, the Human Rights Group invoked “natural rights” and Rousseau’s contract theory to support their call for constitutional and political reform

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<sup>11</sup>See Yan Fu, *Qinji Quanji Lun* (On the Boundaries between Community and Self) (Shanghai: Shanwu Press, 1935). For the more detailed discussion, see Wang Ban, “Human rights, Revolutionary Legacy, and Politics,” *Boundary 2* 38 (2011):136-163.

<sup>12</sup> The New Culture Movement was initiated in the mid-1910s by Chinese literati who had received a Western education. Among the representatives of the group were Chen Duxiu and Li Dazhao, who criticized traditional Chinese culture and Confucianism in particular. Claiming that China could learn much from the West, they called for democracy and science.

<sup>13</sup> The May Fourth Movement was initiated by a group of students at Beijing University on May 4, 1919, with the aim of fighting against the warlord government's weak response to the Treaty of Versailles.

<sup>14</sup> Svensson, Debating human rights in China, 129- 158.

of the Nanjing government. Their debates covered a wide range of issues, such as the one-party system, constitutional reform, human rights violations, thought control and governmental corruption, etc.<sup>15</sup> The Human Rights Group preferred gradual reform to a revolutionary method, and ultimately failed to persuade the government to respect human rights. After 1931, the Group was forced to disband in the face of persecution by the Kuomintang (KMT). Soon afterwards, China found itself engulfed in war with Japan; amidst the urgency of national unity, the group gradually lost influence. However short-lived it was, the Human Rights Group undeniably constituted a milestone in Chinese human rights history. As Edmund S. K. Fung argues, the Human Rights Group “can be understood as representing the first generation of Chinese human rights advocates and a precursor of contemporary China's human rights movement.”<sup>16</sup>

During the Second Sino-Japanese War, both liberals and the CCP used human rights as a propaganda weapon. In magazines such as *Shidai pinglun*, *Guancha* and *Xinyue*, liberals criticized the KMT's authoritarian rule by claiming that individual rights should not be violated in the name of national salvation. Most liberals admitted the inalienability and universality of human rights yet emphasized that rights were not natural but enjoyed in the state.<sup>17</sup> The CCP, in the same vein, charged the KMT of persecuting political dissidents, controlling freedom of speech and

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<sup>15</sup> Fung, “The Human Rights Issue in China, 1929-1931,” 431-457.

<sup>16</sup> Fung, “The Human Rights Issue in China, 1929-1931,” 431-457.

<sup>17</sup> The human rights criticism was expressed by liberals like Zhou Jingwen, Shi Zifan and Han Youtong. For relevant discussion, see Svensson, *Debating Human Rights in China*, 188-189. And Angle, *Chinese Human Rights Reader* 192-206.

committing other human rights violations.<sup>18</sup> The CCP appropriated the language of human rights for its rhetorical value, but rejected the universality of human rights from the outset, arguing that rights were enjoyed on the basis of one's class position and political standpoint.<sup>19</sup> Mao particularly dismissed the Western ideas of freedom, democracy, equality and fraternity, and argued that any discussion of them should serve the proletarian revolution.<sup>20</sup> Although "human rights" was not a prominent feature in the CCP's revolutionary rhetoric, the communists selectively deployed rights discourse to deal with a variety of political situations. During the Second Sino-Japanese War, the CCP acknowledged the political and civil rights of all Chinese people, including landlords and capitalists, provided they were willing to participate in the resistance against Japan. During the Civil War with the KMT, the CCP used the language of human rights to criticize its competitor's highly repressive policies. Such a human rights strategy continued to play an important role in dealing with domestic problems and in foreign diplomacy in the post-1949 period. Despite the use of human rights discourse at several points in Maoist China, this period on the whole was characterized by massive human rights violations. Scholars discuss different kinds of human rights violations in Mao's time. As Roberta Cohen writes, millions of Chinese suffered serious persecution and public abuse during the Cultural Revolution, and hundreds of thousands of intellectuals suffered arrest, demotion and even death in the Anti-Rightist

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<sup>18</sup> Svensson, *Debating Human Rights in China*, 187.

<sup>19</sup> Svensson, *Debating Human Rights in China*, 198.

<sup>20</sup> See "Letter to Peng Dehuai, (June 6, 1943)," in *Mao's Road to Power: Revolutionary Writings*, Volume 8, eds, Stuart Schram, Timothy Cheek and Roderick MacFarquhar, (New York: Routledge, 2015).

Movement.<sup>21</sup> Frank Dikötter argues that “coercion, terror, and systematic violence were the very foundation of the Great Leap Forward.”<sup>22</sup>

Similarly, Jonathan Mirsky claims that villagers who failed to complete tasks in the Great Leap Forward were subjected to “detention, torture, death, and the suffering of entire families.”<sup>23</sup> The Tiananmen Square protests of 1976, which began in response to the death of Zhou Enlai, were violently repressed, leading to massive human rights violations including killings, beatings and torture. Even though a more liberal policy emerged after Deng Xiaoping rose to power, human rights were still fragile.<sup>24</sup>

The post-Mao period witnessed an increasing awareness of human rights. During the Tiananmen incident of 1976, citizens began to use their power when confronted with the political conspiracy of the Gang of Four.<sup>25</sup> One group of radical protesters wrote poems expressing their dissenting views on the party. Some even called for open protest against passive acquiescence to political repression.<sup>26</sup> The “Beijing Spring” from 1978 to 1979 sparked a period of political liberalization during which citizens

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<sup>21</sup> Cohen, “The Human Rights Exception,” 447- 549.

<sup>22</sup> Frank Dikötter, *Mao's Great Famine: The History of China's Most Devastating Catastrophe, 1958-62* (New York: Bloomsbury Publishing USA, 2010). pp. x, xi.

<sup>23</sup> Jonathan Mirsky, “China: The Shame of the Villages,” *The New York Review of Books* 53 (2006): 37- 39.

<sup>24</sup> Amnesty International, “China: No One Is Safe,” Amnesty International Publications, 1996.

<sup>25</sup> The Gang of Four was a political faction composed of four Chinese Communist Party officials: Zhang Chunqiao, Yao Wenyuan, Wang Hongwe and Mao Zedong’s last wife Jiang Qing. They came to prominence during the Cultural Revolution (1966–76) and were later charged with a series of treasonous crimes.

<sup>26</sup> Merle Goldman provides a simple introduction to the Tiananmen Incident with regard to human rights protests, see Goldman, “Human Rights in the People’s Republic of China,” 118.

were given more freedom to criticize the government than they had previously had.<sup>27</sup> However, it was only when the Tiananmen Square Movement of 1989 drew far wider international attention that China was forced to at least partly face the issue of human rights head on.

In the 1990s, a more specific and systematic human rights discussion has emerged in domestic China. This trend of increasing interest in human rights is described by Ann Kent as a wave of “human rights fever.”<sup>28</sup> In the academic arena, human rights institutes were established to facilitate academic exchange; hundreds of books and articles were published, often with financial support from the government.<sup>29</sup> The Chinese government took a more positive attitude toward human rights discourse. In 1991, in the face of the human rights pressure from the international community,<sup>30</sup> the Chinese government issued its first Human Rights White Paper, in which it stressed that human rights research should be based on one country’s national condition (*Guoqing*). The right to subsistence was thus emphasized to justify the legitimacy of economic reform in China.<sup>31</sup> In 1993, China attended the UN World Human Rights Conference in Vienna. Soon afterwards, it signed the International Covenant on Economic,

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<sup>27</sup> “Beijing Spring” is also called “Chinese Democracy Wall Movement” that lasted from November 1978 to December 1979. Thousands of people put up “big character posters” on the street wall in Xidan district, Beijing, to express their dissatisfaction with the government and the claim for democracy. As for the human rights claims in this movement, see Goldman, “Human Rights in the People’s Republic of China,” 111-138.

<sup>28</sup> Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*, 149.

<sup>29</sup> For relevant discussion, see Chen Dingding, “Explaining China’s changing discourse on human rights, 1978-2004,” *Asian Perspective* 29 (2005): 155-182.

<sup>30</sup> The human rights pressure came primarily from the European Union, the United Nations and the United States. Most criticism was focused on the crackdown on the Tiananmen Square Protest of 1989.

<sup>31</sup> Xu Xianming, “On the System and Classification of Human Rights,” *Social Science in China (Zhongguo Shehui Kexue)* 6 (2006): 95-96.

Social and Cultural Rights (ICESCR) in 1997 and the International Covenant on Civil and Political Rights (ICCPR) in 1998. However, China has faced suspicion and criticism from many human rights institutions for its failure to ratify the ICCPR. The Chinese government also restricts labor rights in Article 8 of ICESCR in a manner consistent with the Chinese constitution and domestic law.<sup>32</sup> In March, 2004, the idea of respecting and promoting human rights was written into the Chinese Constitution. However, this increasing acceptance of universal human rights has not prevented China from developing its own understanding of “human rights with Chinese characteristics.”<sup>33</sup> As previously discussed, the reasoning is that many Chinese scholars have traced human rights ideas in Confucianism.<sup>34</sup> The Chinese government has on many occasions also emphasized the priority of economic and

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<sup>32</sup> See Katie Lee, “China and the International Covenant on Civil and Political Rights: Prospects and Challenges,” *Chinese Journal of International Law* 6 (2007): 445-474. Wei Zhang, eds., *Human Rights and Good Governance* (Leiden: Martinus Nijhoff Publishers, 2016). Lehl, Aaron N. “China’s Trade Union System under the International Covenant on Economic, Social and Cultural Rights: Is China in Compliance with Article 8?” *U. Haw. L. Rev.* 21 (1999): 203.

<sup>33</sup> For references to the phrase “human rights with Chinese characteristics”, see Zhang, *Human Rights and Good Governance*, 177. Phil C. W. Chan, *China, State Sovereignty and International Legal Order* (Leiden: Brill, 2015), Chapter 4.

<sup>34</sup> Relevant articles, see Li Shian, “Cong Zhongxi Bijiao de Jiaodu kan Rujia Wenhua Zhong de Renquan Sixiang (Human Rights Ideas in Confucianism in a Comparative Perspective Between the West and the East),” *Historiography Quarterly* 3 (2004): 29-34. Li Cunshan, “Rujia de Minben yu Renquan (Humanistic Thought and Human Rights in Confucianism),” *Confucius Studies* 6 (2001): 4- 12.

social rights in the face of Chinese national condition, and the priority of state sovereignty over the enjoyment of human rights.<sup>35</sup>

#### **4. Human rights in the Mao era**

Critiques of human rights violations in Mao's China are problematic in two senses. Firstly, some critiques adopt a universal and ahistorical concept of human rights, neglecting to investigate the problem of human rights in its specific historical context. Secondly, the existing literature primarily focuses on human rights violations in Mao's period, paying too little attention to the human rights ideas and practices that existed in this era and denying the importance of the human rights awareness Chinese people acquired during a series of political movements under Mao. As a result, a commonly-held impression is that human rights discourse disappeared altogether in Mao's China and only reemerged after Mao's death and the fall of the Gang of Four.<sup>36</sup>

The assumption in this study is that human rights awareness was not altogether absent in Mao's China, but that, despite widespread human rights violations and severe repression, human rights awareness and practices were conveyed by Chinese people through public debates, wall

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<sup>35</sup> See Robert Weatherley, *The Discourse of Human Rights in China: Historical and Ideological Perspectives* (London: Macmillan, 1999). Mab Huang, "Human Rights in a Revolutionary Society: the Case of the People's Republic of China" in *Human Rights: Cultural and Ideological Perspectives*, ed. Admantia Pollis and Peter Schwab. (New York: Praeger, 1979). Sun Pinghua, *Human Rights Protection System in China* (New York: Springer Science & Business Media, 2013). Jennifer M. Ramos, *Changing Norms through Actions: The Evolution of Sovereignty* (New York: OUP, 2013), 101.

<sup>36</sup> This view is expressed in many articles and books. For relevant sources, see Svensson, *Debating Human Rights in China*.

posters, demonstrations, and many other forms of expression. In addition, the CCP's policies sometimes involved the strategic use of human rights in Chinese politics. The CCP redefined human rights in the domestic context, and paid lip service to human rights on the international stage. An investigation of human rights in Mao's China constitutes an essential part of the whole historical trajectory of human rights in Chinese history.

#### **4.1 The CCP's early attitude towards human rights: 1930s-1940s**

Although in the pre-1949 period the CCP had seldom explicitly used the phrase 'human rights,' it had invoked human rights language to criticize the KMT government as part of its struggle for power. On the one hand, the CCP charged the KMT for repression of the press and liberal thought, curtailment of individual rights, and persecution of political dissents. On the other, CCP members frequently emphasized the rights of assembly, speech and publication as a way to gain more popular support. These latter rights were also stipulated specifically in the Constitution of the Chinese Soviet Republic, the regime established by the CCP in 1931.<sup>37</sup>

Human rights notions could also be found in Mao's early works and speeches. In 1940, Mao wrote in his article "On Policy" that all landlords, capitalists, workers and peasants enjoyed the "same rights to person and property, the same rights to vote and the same freedom of speech, assembly, association, political conviction and religious belief."<sup>38</sup>

However, as Mao affirmed these rights, he restricted them to particular

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<sup>37</sup> For more details about the strategic use of human rights by the CCP, see Svensson, *Debating Human Rights in China*, 196-200.

<sup>38</sup> Mao Zedong, "On Policy" in *Selected Works of Mao Zedong*, Volume 2 (Beijing: Foreign Language Press, 1965), 447.

groups of people who were in favor of the war against Japan and the revolutionary struggle in general. Mao excluded those he considered traitors from the realm of human rights. As he pointed out in early 1937, freedom was to be used in order to fight the Japanese.<sup>39</sup> This indicated that Mao's view of human rights was not universal, but largely contingent on the individual's political stance. Senior CCP cadres, like Qu Qiubai, also criticized the universality and supra-class nature of human rights by claiming that human rights were ensured on the basis of social class. Mao later lent his support to this view on human rights. In his paper "On Practice," Mao emphasized the class nature of the concept of human rights in the Marxists' view: "In class society everyone lives as a member of a particular class, and every kind of thinking, without exception, is stamped with the brand of a class."<sup>40</sup>

On other occasions, Mao and the CCP seemed to express an understanding of human rights in a Western sense. In 1945, Mao strongly advocated the ideas of democracy and freedom in domestic China. In an interview with Reuters, Mao explained that his idea of freedom was the "four freedoms" proposed by Franklin D. Roosevelt (freedom of speech, freedom of worship, freedom from want and freedom from fear).<sup>41</sup> He also suggested the Chinese people had the right to govern themselves.<sup>42</sup> In 1948, when the Universal Declaration of Human Rights (UDHR) was

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<sup>39</sup> Mao Zedong, "For the Mobilization of All the Nation's Forces for Victory in the War of Resistance", in *Selected Works of Mao Zedong*, vol 2, (Beijing: Beijing, Foreign Language Press, 1965), 23-29.

<sup>40</sup> Mao Zedong, *Selected Works of Mao Zedong*, Volume 1, (Beijing: Beijing: Foreign Language Press, 1965), 296

<sup>41</sup> "Da Lutoushe Jizhe Wen (Response to the Journalist of Reuters)", *Xinhua News*. September 27, 1945.

<sup>42</sup> "Da Lutoushe Jizhe Wen (Response to the Journalist of Reuters)."

promulgated, the Republic of China was among the more than 40 countries that supported it. The CCP had not yet seized power at that point; therefore the party could not legitimately sign the document as a representative of China. Nevertheless, when the UN invited delegations from different countries to discuss the draft of the UDHR, senior CCP leader Dong Biwu<sup>43</sup> was on the Chinese delegation. He finally signed the UDHR.<sup>44</sup> Dong's signature to some extent reflected the CCP's acceptance of the UDHR, and more generally, the CCP's advocacy of universal human rights. However, support for universal human rights did not prevent the CCP from criticizing the Western notion of human rights. In September, 1937, Mao criticized the idea of individual liberalism:

Liberalism is extremely harmful in a revolutionary collective. It is a corrosive which eats away unity, undermines cohesion, causes apathy and creates dissension. It robs the revolutionary ranks of compact organization and strict discipline, prevents policies from being carried through and alienates the Party organizations from the masses which the Party leads. It is an extremely bad tendency [...] Liberalism stems from petty-bourgeois selfishness, it places personal interests first and the interests of the revolution second, and this gives rise to ideological, political and organizational liberalism.<sup>45</sup>

Mao's critique of individual liberalism to some extent reflected the fact that his idea of human rights was not based on individualism or other

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<sup>43</sup> Dong Biwu (5 March 1886 – 2 April 1975), was one of the founding members of the Chinese Communist Party and an important political leader during Mao's period. He was Vice Chairman of the People's Republic of China from 1959 until 1975.

<sup>44</sup> Yu Haocheng, "Zhongguo Renquan Wenti Zhi Xianzhuang yu Qianjing (The Present Situation and Future of Human Rights in China)," *Modern China Studies*, 1999. Issue 1, accessed February 4, 2017, <http://www.modernchinastudies.org/us/issues/past-issues/64-mcs-1999-issue-1/484-2012-01-01-10-06-23.html>

<sup>45</sup> Mao Zedong, "Combat Liberalism," in *Selected Works of Mao Zedong*, Volume 2 (Beijing: Foreign Language Press, 1965), 31-33.

Western liberal notions, but referred to a kind of collective rights representing the interests of the Chinese people rather than the interest of individuals. In addition, Mao's critique of petty-bourgeois selfishness implied his emphasis on national rights and interests over the rights of individual citizens. From Mao's perspective, human rights also entailed individual citizens' responsibilities toward their country. Individual sacrifice was necessary for the sake of national interest.

Mao's rejection of Western human rights can also be seen in his critique of Peng Dehuai.<sup>46</sup> In a June, 1943 letter to the military officer, Mao expressed his dissatisfaction with Peng's "Talk on democratic education":

Your talk, for example, starts from the definition of democracy, liberty, equality, fraternity, and so on, rather than from the necessities of the current struggle against Japan. You also do not emphasize that democracy is for resisting Japan; instead, you stress that it is for opposing feudalism. Furthermore, you do not say that freedoms of speech and the press are for mobilizing the initiative of the people to resist Japan and for winning and protecting the political and economic rights of the people; instead, you start from the principle of freedom of thought [...] you also do not say that traitors and elements who destroy our anti-Japanese unity should be deprived of the freedoms of residence, mobility, communication, and any other political freedoms; you just make a

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<sup>46</sup> Peng Dehuai, (October 24, 1898 – November 29, 1974) was a prominent Chinese Communist military leader who also served as China's Defense Minister from 1954 to 1959.

sweeping statement that people's freedoms should not be subjected to any interference.<sup>47</sup>

Apparently, Mao attached more importance to the mobilization of anti-Japanese support than to Western ideas such as democracy and freedom. His advocacy of free speech, the right to assembly and other basic rights was intended to mobilize mass participation in the war against Japan. Mao's letter alluded to his particular understanding of rights and freedoms, which was primarily shaped in the specific political context of anti-Japanese imperialism and based on considerations of the CCP's political interests.

#### **4.2 China's human rights stance after 1949**

After the CCP came to power in mainland China in 1949, human rights were not used to fight against Japan or the KMT, but were understood in the new social context. Domestically, the CCP distinguished "the People" from "the People's enemy". On the basis of this distinction, human rights were allocated to "the People," who were generally in favor of communism and the CCP's leadership. The Chinese provisional constitution of 1949 stipulated that the People had the right to elect and to be elected according to law; they have freedom of thought, speech, publication, assembly, association, correspondence, person, domicile, change of domicile, religious belief and the freedom to hold processions

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<sup>47</sup> Mao Zedong, *Collected Works of Mao Zedong*, volume 9. Edited by the U.S. Government's Joint Publications Research Service, accessed on November 2, 2015, <https://www.marxists.org/reference/archive/mao/works/collected-works-pdf/> pp. 130-131. See also *Mao's Road to Power: Revolution Writings*, vol.8, eds., Stuart R. Schram and Timothy Cheek. (London: M.E. Sharpe, 2015).

and demonstrations.<sup>48</sup> By contrast, the constitution deprived the People's enemy, such as feudal landlords, bureaucratic capitalists and reactionary elements in general, of their political rights in accordance with law for a necessary period.<sup>49</sup> Interestingly, landlords were supposed to enjoy democratic rights as long as they fought against Japan in the pre-1949 period. But after 1949, they were deprived of such rights in the early political campaign, the land reform movement. The CCP's benchmark for who should enjoy human rights was neither one's attitude towards Japan or the KMT, nor an abstract humanity, but class background and attitude towards the new regime. Human rights in this respect were not universal but quite conditional premised on people's political identity.

For Mao, only the People, who he defined as the working class, the peasantry, the urban petty bourgeoisie and the national bourgeoisie, were entitled to a certain range of rights. Those excluded from this group were deprived of such rights.<sup>50</sup> If the definition of the People could be a parameter of citizenship, then the rights Mao referred to could be understood as citizenship rights rather than human rights.

In comparison with its domestic rejection of human rights, China's human rights stance in the international arena was more ambiguous. This became clear when the CCP had to negotiate on the UDHR at the

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<sup>48</sup> "The Common Program of the Chinese Peoples," in *The Common Program and Other Documents of the First Plenary Session of the Chinese People's Political Consultative Conference* (Beijing: Foreign Languages Press, 1950), 3.

<sup>49</sup> "The Common Program," 4.

<sup>50</sup> Mao Zedong, *Selected Works of Mao Zedong*, Volume 9, (Beijing: Foreign Language Press, 1961), 417-418.

Bandung Conference of 1955. Contrary to the CCP's supportive position towards the UDHR before 1949, the Chinese delegation in Bandung led by Premier Zhou Enlai took a dim view of the declaration. It claimed that the PRC was not a UN member and therefore had no obligation to subscribe to UN human rights regimes.<sup>51</sup> It was mainly due to international pressure from many other participating countries that the Chinese delegation agreed to acknowledge the relevance of this international human rights document. When the PRC joined the UN in 1971, Chinese leaders reaffirmed their acceptance of the UDHR. But similarly, the UDHR did not receive much attention in domestic China until 1979 when China began to actively engage with the UN human rights perspective.<sup>52</sup> Some scholars who have reviewed the attitude China assumed in this period describe the country's human rights stance as developmental. In other words, China's acceptance of the universality of human rights was contingent upon its requirement of development.<sup>53</sup> This developmental view was also reflected in China's 1991 White Paper: "different historical stages had different human rights requirements".<sup>54</sup>

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<sup>51</sup> Carlos P. Romulo, *The Meaning of Bandung* (North Carolina: The University of North Carolina Press, 1956), 4.

<sup>52</sup> See Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*, 40.

<sup>53</sup> Greg Moore, "China's Cautious Participation in the UN Human Rights Regime," *Human Rights & Human Welfare* 1 (2001): 23- 29. In this paper, Moore cites similar views expressed by Michael Sullivan and Peter Van Ness. See Michael Sullivan, "Developmentalism and China's Human Rights Policy: Should June 4th be Forgotten?" (This paper was presented at the 47th Annual Meeting of the Association of Asian Studies, Washington, DC, April 6-9, 1995); Peter Van Ness, "Addressing the Human Rights Issue in Sino-American Relations," *Journal of International Affairs*, 49/2 (1996): 309-32.

<sup>54</sup> See China 1991 White Paper, "Human Rights in China," accessed on January 6, 2017, <http://china.org.cn/e-white/7/index.htm>.

The human rights ideas and practices expressed in Mao's China challenge the widespread scholarly consensus about the absence of human rights discourse between 1949 and 1976. In this respect, a study of human rights history in Mao's China contributes to existing scholarship. By applying the analytical framework based on Hannah Arendt's critique of human rights to the history of Maoist China, the following chapters address three main issues. The first is how to understand the relation between human rights and citizenship in Mao's China. Was citizenship, as Arendt argued, a condition for the enjoyment of human rights in this Chinese context? The land reform movement of 1950-1953 is a pertinent case in this regard, not only to see how the CCP formulated citizenship on the basis of class status and political standing, but also to identify the conditions in which Chinese people referred to the notions of human rights or citizenship.

A second issue addressed in subsequent chapters is how to understand the tension between human rights and state sovereignty in Mao's China. In varying ways, Chinese foreign policy from the 1950s to the 1970s deployed the language of human rights and state sovereignty at the international level. This provides a perspective from which to assess the strategic roles of human rights and state sovereignty in Chinese foreign policy as well as the tension between them.

The third issue is about the relation of human rights to political action in Maoist China. To what extent and in what way did political action embody human rights? Mao's China saw many political movements, and many of them led to human rights violations. Yet there were also political

actions manifesting an awareness of, and concern for, human rights. The Hundred Flowers Campaign is among those political actions that created a free environment for Chinese people to act and speak in a shared public realm. The equality, plurality and freedom reflected in this campaign embodied the most basic elements of Arendtian political action and core values of human rights. In addition, some Chinese intellectuals criticized government and referred to human rights during this campaign. However, the human rights dynamic in the Hundred Flowers Campaign is largely ignored by many scholars, partly because this campaign was seen as Mao's conspiracy to identify his political enemies and was closely connected to the subsequent political persecution of Chinese intellectuals in the Anti-Rightist Movement of 1957. Nevertheless, I would argue that the Hundred Flowers Campaign also presents an embodiment of human rights, and that it offers a view of the relation between human rights and political action under Mao's rule.

The history of human rights in Mao's China shapes a contrast to that of pre-Mao and post-Mao periods in the sense that human rights were not explicitly discussed. Nevertheless, the above-mentioned three case studies still indicate an abundant of source to explore the ideas and practice of human rights by Chinese people. This part of human rights experience is no doubt an essential part of the history of human rights in the PRC.

## **Chapter 3. Human rights and citizenship: the case of the land reform movement (1950-1953)**

### **1. Introduction**

While human rights are usually understood as pre-national and trans-historical, Hannah Arendt challenges such universal concepts by claiming that human rights are contingent on a particular context with regard to citizenship, state sovereignty and political action.<sup>1</sup> Her argument inspires further thought on the relation between human rights, citizenship, state sovereignty and political action. Citizenship consists of a set of rights that only individuals with a specific legal status, within the context of an institution, can enjoy. By contrast, human rights are regarded as inalienable rights that every human being enjoys on the basis of their humanity. In her discussion of the discrepancy between human rights and citizenship, Arendt critically pointed out that individuals hardly enjoy human rights unless they possess state citizenship.<sup>2</sup> Arendt's critique of the contingency of human rights on citizenship is two-pronged. Firstly, she points out that the protection of human rights requires citizenship; secondly, Arendt shows that there is tension between the universality of human rights and the exclusion of citizenship. To what extent does citizenship trump human rights or *vice versa*? Under what condition is the tension between human rights and citizenship reconciled? To answer these questions, we will first explore the dynamic

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<sup>1</sup> Hannah Arendt, "The Rights of Man, What Are They?" *Modern Review* 3:1 (1949b): 24-36.

<sup>2</sup> Arendt, "The Rights of Man, What Are They?" 24- 36.

interaction between human rights and citizenship in a sovereign state. This chapter sheds light on the human rights discourse in the constitutional context of citizenship in Mao's China. It explores the situation in which citizens and non-citizens in Maoist China respectively enjoyed citizenship rights and human rights.

In this chapter, I consider the Chinese land reform movement from 1950 to 1953 as a case study of the relation between human rights and citizenship in Maoist China. When the CCP achieved victory in Mainland China in 1949, it quickly launched a large-scale land reform program throughout the country. In fact, a first land reform movement had already been implemented in the old liberated areas (including North, Northeast and Northwest China) from 1946 to 1948 during the Chinese Civil War, with the aim of winning more allies in the countryside to fight against the Japanese army. After the foundation of the People's Republic of China in 1949, the land reform movement was expanded to the newly liberated areas, such as the Yangzi Delta and South China, primarily to promote rural productivity, industrialization and modernization throughout China. Compared to the first land reform movement (1946-1948), the second one (1950-1953) involved many more people and had a more profound impact. It not only changed the traditional structure of rural society, but also transformed the lives of the hundreds of millions of villagers who constituted the majority of the Chinese population.<sup>3</sup> In this sense, the

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<sup>3</sup> For more records on these two stages of land reform, see *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), eds., Chinese Academy of Social Science (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People's Liberation Army), 1988). Where I do not specify otherwise, the land reform movement discussed in this chapter refers to the second one, which ran from 1950 to 1953.

second land reform movement was one of the most important mass movements in Mao's period. In the course of the program, those rural residents labeled as landlords and rich farmers were likely to have their human rights violated, though their human rights were protected by certain Chinese laws.<sup>4</sup> By contrast, poor peasants were entitled to a large share of political and economic rights which were exclusively limited to those individuals identified by the CCP as citizens.<sup>5</sup> Mao supported and legitimated the disparity between landlords and poor peasants with regard to citizenship rights. In his theory of people's democratic dictatorship, Mao ideologically divided Chinese citizens into two groups: 'the People' and 'the People's enemy.' The former referred to the working class, the peasantry (primarily poor and middle peasants), the urban petty bourgeoisie and national bourgeoisie. These classes were endowed with a broad set of citizenship rights, such as suffrage and the freedoms of expression and assembly.<sup>6</sup> The latter group, the People's enemy, included the landlord class, the bureaucrat-bourgeoisie and their representatives, the Kuomintang reactionaries and their accomplices.<sup>7</sup> In

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<sup>4</sup> The Land Reform Law of People's Republic of China guaranteed landlords the right to live and to their property, but these rights were largely violated during land distribution. See, "The Land Reform Law of People's Republic of China," in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), eds., Chinese Academy of Social Science (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People's Liberation Army), 1988), 642-646.

<sup>5</sup> The relevant land reform documents include governmental policy on land reform, such as the Land Reform Law of People's Republic of China; local governmental reports, such as *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), and some land reform archives and diaries. For more details, see following discussion.

<sup>6</sup> For individuals recognized as citizens, citizenship rights were regulated in the first Chinese Constitution of 1949. See "The Common Program of the Chinese Peoples," 1-20.

<sup>7</sup> Mao Zedong, "On the People's Democratic Dictatorship," in *Selected Works of Mao Zedong*, Volume 4, (Beijing: Foreign Language Press, 1961), 417-418.

sharp contrast with the People, the CCP stated that these classes should be “deprived of their political rights in accordance with law for a necessary period.”<sup>8</sup> This ideological division was applied in the land reform movement as an instruction to classify the rural population. Poor and hired farmers became a fundamental part of the People, while landlords and rich farmers were+ considered the People’s enemy.<sup>9</sup> By means of class division, the CCP successfully established a solid community from which landlords and rich farmers were excluded.

The evidence cited above shows that social status was an important factor in determining who could enjoy citizenship rights in the land reform movement. This finding tells us what human rights and citizenship rights mean in a sovereign state, and explains the dynamic between them. The land reform movement offers a good perspective to explore these matters further. Both the process of class division and the struggle over land properties provide cues that help us to understand how human rights affected the CCP’s land reform policy and how citizenship and human rights interacted. In this chapter, I will first do a sociological analysis of the social relations in rural areas before the land reform. Then, I will shift my focus to the classification of the rural population, an important step towards the establishment of a new form of citizenship. One aim is to show how citizenship and the role of human rights took shape in this process; another is to dissect how human rights and citizenship rights, respectively, were interpreted in Chinese law after the class division.

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<sup>8</sup> The Common Program legally deprived these classes of their citizenship rights. For more details, see “The Common Program,” 4.

<sup>9</sup> Mao Zedong, “How to Differentiate the Classes in the Rural Areas,” in *Selected Works of Mao Zedong*, vol. 1 (Beijing: Foreign Language Press, 1965), 137-139.

Finally, this chapter analyzes the practical struggle between each rural class and how corporal punishment was used during the land reform. In other words, I look at how human rights and citizenship rights interacted in practice after the creation of the new citizenship.

## **2. Rural society and its inhabitants before the land reform movement**

Before 1949, Chinese villages varied in terms of size and population. The biggest village could contain hundreds of households while the smallest one perhaps had only a few. Traditional Chinese villages, whether big or small, were primarily lineage communities in which almost all villagers were deemed to descend from the same ancestors.<sup>10</sup> Lineage and kinship played an important role in the structure of a village and its institutions. Each village was divided into several lineage groups (clans) in which the sub-lineage heads were selected to administrate the lineage affairs. The larger and stronger lineage branches had a profound impact on the village. They almost monopolized decision making over public affairs, leaving the weaker branches in a powerless position.<sup>11</sup> The imbalance of power partly increased the wealth gap in the villages. Over the years, the stronger clans accumulated wealth. Bigger clans and individual rich

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<sup>10</sup> Richard Madsen, "The Countryside under Communism" in *The People's Republic, Part 2, Revolutions within the Chinese Revolution, 1966–1982*, vol. 15 of *The Cambridge History of China*, vol. 15, ed. Roderick MacFarquhar and John K. Fairbank (Cambridge: Cambridge University Press, 1991), 619-620.

<sup>11</sup> Kung-Chuan Hsiao, *Rural China: Imperial Control in the Nineteenth Century* (Seattle: University of Washington Press, 1960), 331-333; Maurice Freedman, *Lineage Organization in Southeastern China* (London: The Athlone Press, 1958), 106-113. For more discussion of Chinese clans and kinship, see Morton Fried, *The Fabric of Chinese Society: A Study of the Social Life of a Chinese County Seat* (New York: Atlantic Press, 1956).

households had relatively more land. They rented their extra land to those with less or no land at all. Poor peasants paid rent in different ways, from cash to surplus goods. Some poor breadwinners could hardly afford the rent and support their families. Meanwhile, the rich landowners could live off the income they gained by renting out their surplus land, so they did not need to work. In addition, the land shortage forced some poor farmers to work as tenant or hired laborers.<sup>12</sup> Aside from landlords and tenants, the other important force in the complex relations of rural production were the self-sufficient laborers. This group consisted mainly of peasants who had a parcel of land for subsistence farming. They were self-employed in the sense that they neither produced surplus goods for landlords nor had to rent land from others.<sup>13</sup>

The pattern of land ownership in rural China contributed to strained political and economic relations. Politically, landlords monopolized key official positions and seized majority power of the local government, which largely reinforced a hierarchical political system serving the interests of big clan families and local gentry.<sup>14</sup> Poor peasants could hardly mount a challenge to the predominance of landlords, not only because the landlords held a monopoly on political power, but also because of the enormous financial burdens they faced. Land tenants not only had to pay rent to their landlords, but also taxes to government

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<sup>12</sup> Madsen, "The Countryside under Communism," 619-620.

<sup>13</sup> For a discussion on the self-supporting peasants see, Satya J. Gabriel, "Capitalism, Socialism, and the 1949 Chinese Revolution: What Was the Cold War All About?" *Satya Gabriel's Online Papers: China Essay Series*, August, 1998, accessed March 2, 2017, <http://www.satya.us>

<sup>14</sup> Gabriel, "Capitalism, Socialism, and the 1949 Chinese Revolution: What Was the Cold War All About?"

authorities, interest to local creditors from whom they borrowed in order to buy land or other means of production, contributions to collective funds used to build infrastructure and other projects for the public good, and so on. Heavy taxes and loan repayments often trapped poor peasants in a cycle of perpetual poverty. Even self-supporting peasants faced a great risk of losing their economic independence in the face of such high taxes and loan payments.<sup>15</sup> In short, political and economic relations in rural areas consolidated the advantages landlords held over poor peasants. Dominated by such a hierarchical system, the peasantry was capable of neither changing its social status nor improving its economic situation.

Nevertheless, social relations in Chinese villages were not completely antagonistic. Some landlords enjoyed a good reputation in their villages thanks to their contribution to the public good, for instance for establishing public schools, building roads or engaging charitable causes.<sup>16</sup> Landlords or gentry were often linked with the peasantry by kinship in so-called clans, which increased the complexity of rural social relations.<sup>17</sup> In addition to such lineage affinity, landlords also enjoyed the respect of the peasantry in their personal relationships. *Ganqing*, a word which literally means ‘feeling,’ was frequently used by villagers to describe their social relationship. A good *ganqing* in the village depended on many factors. Personal character and the quantity and quality of the goods exchanged were two factors which directly affected social

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<sup>15</sup> Wang Yeh-chien, *Land Taxation in Imperial China, 1750-1911* (Cambridge: Harvard University Press, 1973).

<sup>16</sup> Chang Chungli, *The Chinese Gentry: Studies on Their Role in Nineteenth Century Chinese Society* (Seattle: University of Washington Press, 1955), 51-70.

<sup>17</sup> Eric R. Wolf, *Peasant Wars of the Twentieth Century* (Oklahoma: University of Oklahoma Press, 1969), 105-106.

relations in the countryside. Landlords who promoted the public good usually had good relations in the village. Their benevolent activities were appreciated by rural residents. In some cases, landlords did not accumulate much wealth by exploiting their tenants but lived simple lives like other villagers and in this way cultivated good relations with them. Sometimes, poor tenants felt genuine loyalty towards, and respect for, their landlords because of the patronage and benefits they received from them. In smaller villages, the landlords were not so wealthy; their relationship with other residents was primarily based on kinship ties.<sup>18</sup> A good ganqing in the countryside largely influenced peasants' judgements and attitudes towards landlords during the land reform movement. This apolitical feeling sparked a debate over the fight against landlords in the 1950s.

A factor that played an indispensable role in consolidating rural China's hierarchical social system was feudal culture. Confucianism was an important aspect of the legitimization of the political system and feudal ethics, for it served to justify the authority of emperors over ministers, parents over sons, and husbands over wives. The feudal tenets set a strict hierarchical order that no one was permitted to challenge. Even in the 1950s, the impact of this old feudal culture could still be detected in rural China. In villages, women in particular were bound to the "Three Obediences and Four Virtues." The former consisted of obedience to the father as a daughter; obedience to the husband as a wife; and obedience to the sons when widowed. The latter referred to women's morality,

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<sup>18</sup> For the discussion of "Ganqing", see Fried, *The Fabric of Chinese Society*, 99-134. Madson, "The Countryside under Communism," 619-620.

proper speech, appearance and diligent housework. Such doctrines deprived women of personal freedom and the right to participate in public affairs.<sup>19</sup> The bondage of women, as I will discuss later, contrasted sharply with the position of women during the land reform movement, when their social status was improved and their basic rights were secured.

Fatalism, a mindset that was deeply ingrained in feudal culture, had a profound effect on peasant mentality and encouraged them to accept all hardships in life. Chinese people believed that all bad and good things were doomed, and that all attempts to alter one's fate would be in vain. Peasants were often heard using sayings such as 'heaven's will' and the 'decrees of heaven' to explain their miserable situation. As Hinton wrote:

They [poor peasants] could always blame the fates. The rich were rich, so their tenants were taught to reason, because they were born under a lucky star; and the poor were poor because the heavens were out of joint when they emerged from the womb. This could be determined by an examination of the eight characters [a Chinese conceptual term used to predict one's destiny]. An even more potent variation on this theme was belief in geomancy, or the magical influence of burial grounds.<sup>20</sup>

By advocating such fatalism, the privileged class convinced the peasantry that social inequality was a natural order which should not be challenged. The peasants, who also believed in the mandate of heaven, in this respect

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<sup>19</sup> For the Confucian doctrines and the bondage of women in China see, Fu Wen, "Doctrine of Confucius and Mencius: the Shackle That Keeps Women in Bondage," *Peking Review*, 10 (1974), 16-18. For more women's life in the countryside, see Margery Wolf, Roxane Witke and Emily Martin, *Women in Chinese Society* (California: Stanford University Press, 1975).

<sup>20</sup> William Hinton, *Fanshen: A Documentary of Revolution in a Chinese Village* (California: University of California Press, 1966), 48.

resigned themselves to adversity and acquired personal contentment in the face of repression.<sup>21</sup> When the CCP initiated the land reform in Chinese villages, the fatalism that was deeply rooted in peasants' daily life was a primary obstacle, because many peasants led by this mind set would not dare participate in the changes land reform required. They regarded any attempt to challenge the privileges of landlords as an offence against 'heaven's will.' Feudal culture justified social inequality and limited poor peasants' ability to envision an egalitarian society. But this culture was successfully challenged in the later stage of the land reform movement, leading to a new recognition of equality and freedom.

### **3. Class division in the land reform movement: an attempt to create new citizens**

The land reform movement got underway in the winter of 1950 with the introduction of a new set of class divisions. Village residents were classified as landlord, rich peasant, poor peasant or hired peasant. Rather than creating entirely new social classes, the CCP based these distinctions on the existing social groups such as landlords, rich peasants, self-employed peasants, poor and hired peasants. In old China, these social groups were primarily distinguished by their economic status. But when the CCP started to implement its land reform, those groups were imbued with political meanings rooted in Marxist theory. 'Class' was introduced to highlight the political differences between landlords and

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<sup>21</sup> Stevan Harrell, "The Concept of Fate in Chinese Folk Ideology," *Modern China* 13 (1987), 90-109.

the peasantry, and as a further means to serve the CCP's aim of mobilizing class struggle, which Marxists and Socialists championed as the best way for the proletariat to fight the bourgeoisie.<sup>22</sup>

It was crucial for the CCP to implement class divisions from the very outset of the land reform movement. This enabled the CCP not only to target enemies in rural areas, but also to extend the reach of its power into the countryside. More importantly, the process was accompanied by a new concept of citizenship which distinguished poor peasants from landlords and rich peasants. On the basis of that distinction, the rights endowed to landlords and poor peasants were differentiated as well.<sup>23</sup>

The new citizenship posed serious challenges to the political and economic preeminence of the landlord and rich peasant class. This gives rise to important questions for scholars. What was this new citizenship based on? And what rights did citizens and non-citizens, respectively, enjoy based on that citizenship?

Mao's analysis of rural classes played an important role in politicizing rural social groups. As early as the 1930s, Mao had outlined four classes in rural society:

1) A landlord is a person who owns land, does not engage in labor himself, or does so only to a very small extent, and lives by exploiting the peasants [...] 2) Rich farmers

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<sup>22</sup> By early 1926, Mao had already made a political distinction between rural residents; he identified the classes of landlords and the proletariat. For more details, see Mao Zedong, "Analysis of the Classes in Chinese Society," in *Selected Works of Mao Zedong*, vol.1 (Beijing: Foreign Languages Press, 1965), 13- 21.

<sup>23</sup> See "The Land Reform Law" and Mao Zedong, "How to Differentiate Classes in Rural Areas," in *Selected Works of Mao Zedong*, vol. 1 (Beijing: Foreign Languages Press, 1965), 137- 140. I will discuss the enjoyment of rights and the division of rural classes below.

generally has rather more and better instruments of production and more liquid capital than the average and engages in labor himself, but always relies on exploitation for part or even the major part of his income [...] 3) Many middle peasants own land. Some own only part of their land and rent the rest. Others own no land of their own at all and rent all their land. All of them have a fair number of farm implements [...] 4) Among the poor peasants some own part of their land and have a few odd farm implements, others own no land at all but only a few odd farm implements. As a rule poor peasants have to rent the land they work on and are subjected to exploitation, having to pay landrent and interest on loans and to hire themselves out to some extent. <sup>24</sup>

Mao's rural class distinctions, though primarily based on land ownership, were intended to stress the exploitative relations between the landlord and rich peasant classes and those of the poor and hired peasants. Landlords principally exploited others through land lease, money loans or investment of industry and commerce. Rich peasants exploited others primarily by means of labor or land lease. Middle peasants were self-employed laborers and usually did not exploit others. Poor peasants and rural wage-workers were exploited by landlords and rich peasants. This relationship was emphasized by Liu Shaoqi<sup>25</sup> on the eve of the land reform movement. On June 14, 1950, Liu wrote that "in old China, landlords and rich peasants, who comprise no more than 10 percent of the rural population, monopolize seventy to eighty percent of the land, by which they exploit other peasants cruelly. However, more than ninety percent of poor peasants, hired peasants, middle peasants and other people in rural areas only account for twenty to thirty percent of the land.

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<sup>24</sup> Mao, "How to Differentiate Classes in Rural Areas," 137- 140.

<sup>25</sup> Liu Shaoqi (1898-1969), was a Chinese revolutionary, statesman and theorist. He was chairman of the NPC Standing Committee from 1954 to 1959 and President of the People's Republic of China, China's head of state, from 1959 to 1968.

They work all year around without enough to eat and wear.”<sup>26</sup> In their writings, Mao and Liu stressed the inequality between landlords and peasants with regard to land ownership and exploitation. Their discussion of inequality played a major role in sparking the mass struggle for economic and political equality during the land reform movement.

On August 20, 1950, the Central People's Government Council promulgated the decision to identify different rural classes. Mao's analysis of rural classes would serve as the basis to introduce a new social classification throughout rural China. However, this classification differed slightly from Mao's previous description of the rural classes. The “Central People's Government Council Decision on the Division of Rural Classes” was more precise in the sense that specific standards were set up distinguish different classes and exploitation was precisely defined to facilitate the identification of landlords and rich peasants. According to the decision, the families whose working time exceeded four months per year belonged to the rich peasant class, while those who labored for themselves less than four months per year and primarily exploited others for their living were landlords. ‘Middle,’ ‘poor’ and ‘hired’ peasants usually were self-employed and did not exploit others. But the decision made particular mention of the distinction between rich peasants and rich

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<sup>26</sup> Liu Shaoqi, “Guanyu Tudi Gaige de Baogao (Report on Problems of the Land Reform, June 14, 1950),” in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), eds., Chinese Academy of Social Science (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People's Liberation Army), 1988), 633- 641. Joseph W. Esherick contests Liu's figures on the percentage of land possessed by landlords and peasants and the respective size of the peasantry and landlord class relative to the total rural population. Esherick asserts that the Chinese government overstated the disparity of land ownership between landlords and poor peasants. For more details see, Joseph W. Esherick, “Number Games: A Note on Land Distribution in Prerevolutionary China,” *Modern China* 7(1981): 387-411

middle peasants, the latter of whom belonged to the middle peasant class but sometimes exploited others slightly. The rich middle peasantry consisted of those households whose income from exploitation accounted for less than 15% of their annual gross income. The households whose exploitation income exceeded 15% of their gross income were classified as rich peasants. The decision also emphasized the role of the *ganqing* (social relationship) in its classification. It stipulated that families whose exploitation income exceeded 15% but was less than 30% of annual gross income could be classified as middle peasants on condition that their rural residents agreed to this.<sup>27</sup> In practice, it proved very difficult to calculate the real value of each household's land and its actual income through exploitation. The classification process therefore encountered many challenges. For the CCP, however, it was imperative to promote the new class divisions in rural China to establish a new, solid community based on class status.

An obstacle the CCP faced was that the rural population lacked a clear class consciousness. The new class divisions met more resistance from villagers than the CCP had counted on. In order to mobilize peasants, so-called 'work teams' were dispatched to many villages. Normally, these teams consisted of communist cadres, who were the leaders, local poor peasants who were familiar with the village, and intellectuals such as university lecturers and urban students who were responsible for

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<sup>27</sup> For all classification regulations, see "Zhengwuyuan Guanyu Huaifen Nongcun Jieji Chengfen de Jueding (The Decision of Special Authorization of the Central People's Government on the Division of Rural Class)," in *Jianguo Yilai Zhongyao Wenxian Xuanbian* (Selected Works of Important Literature since the Foundation of the PRC), vol. 1, ed. The Research Institution of the Archives of the CCP (Beijing: Zhongyang wenxian chubanshe (Publishing House of Central Party's Literature), 1992), 382- 407.

teaching the locals. All land reform work teams were required to live in the countryside and experience village life, so that cadres could gain a better understanding of the local situation and complete their task effectively.<sup>28</sup> The process of class division started with an explanation of ‘exploitation’ in an attempt to instill class consciousness in poor and hired peasants. Intellectuals interpreted the exploitative relationship between landlords and poor peasants at public meetings. They tried to explain that the inequality of rural society was not ‘heaven’s will’ but a result of inequality in political and economic status. According to the diary of a professor who participated in the land reform movement in Anhui province, the concept of an ‘exploitation relationship’ was explained repeatedly to poor peasants so that the poor could blame their miserable lives on exploitation by the landlord class.<sup>29</sup> This education was followed by face-to-face talks conducted by cadres to foment among the poor a commonly-held feeling of hatred towards landlords. Poor peasants were carefully selected and encouraged to share their sufferings with other poor or hired peasants. One example of this can be found in a diary from in Liuxiu, a village in the Guangdong province, where some poor peasants were gathered in a private home to discuss how they had been cruelly exploited by their landlords. After realizing that he had been robbed of 50,000 kilograms of millet over the preceding four decades, a poor peasant named Yang Taimu who knew little about exploitation

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<sup>28</sup> Many diaries of the land reform mention the term ‘work team,’ such as: Yang Hansheng, *Yang Hansheng Riji xuan* (Selected Diary of Yang Hansheng) (Chengdu: Sichuan Wenyi Chubanshe (Sichuan Literature and Art Press), 1985). The methods of implementing class division were also discussed in such diaries.

<sup>29</sup> Tan Qixiang, *Tan Qixiang Riji* (The Diary of Tian Qixiang), ed. Ge Jianxiong (Guangzhou: People’s Publisher of Guangdong province, 2013), 1- 15.

suddenly became furious and shouted that he would kill his landlords.<sup>30</sup> Cadres eventually saw that face-to-face talks were a more effective way to explain exploitation by the landlord class than theoretical explanation, and a better way to persuade poor peasants. For most poor and hired peasants, the only meaningful sense of equality was based on the loss and gain of property such as land and grain. Similarly, the methods of self-assessment and public discussion were applied to the concepts of class division. All village households were first instructed to complete a rough evaluation of their class status and to register at the office of the local land reform committee. The classification was to be based on the size of family landholdings and the percentage of family income derived from the exploitation of leased land or hired laborers.<sup>31</sup> Then, the work team convened a series of public meetings to discuss the rural residents' self-evaluations. In order to make a precise classification, an association composed of poor and hired peasants was established.<sup>32</sup> Politically, the CCP favored poor and hired peasants. They believed that poor and hired peasants were more familiar with their locality and could help make an accurate assessment of their rural fellows' class identity.<sup>33</sup> In this sense, poor and hired peasants were given more opportunity to participate in public affairs than landlords and rich peasants.

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<sup>30</sup> Yang, *Yang Hansheng Riji Xuan* (Selected Diary of Yang Hansheng), 514.

<sup>31</sup> See governmental document, "Zhengwuyuan Guanyu Huafen Nongcun Jieji Chengfen de Jueding (The Decision of Special Authorization of the Central People's Government on the Division of Rural Class. August 20, 1950)," 382-407.

<sup>32</sup> See "The Land Reform Law," 642-646.

<sup>33</sup> "Zhengwuyuan Guanyu Huafen Nongcun Jieji Chengfen de Jueding (The Decision of Special Authorization of the Central People's Government on the Division of Rural Class. August 20, 1950)," 382-407. On the CCP's political trust of poor peasants, see Richard Madsen, *Morality and Power in a Chinese Village* (California: University of California Press, 1986), 42.

Classification of the rural population paved the way for the establishment of a new form of citizenship in rural China. This citizenship had a very narrow meaning in the particular context of the land reform movement and was based on Mao's distinction between 'the People' and 'the People's enemy.' In March, 1926, Mao had outlined a clear division between the concepts of 'the People's friend' and 'the People's enemy.' As he discussed, the People's enemies were "the groups in league with imperialists — the warlords, the bureaucrats, the comprador class<sup>34</sup>, the big landlord class and the reactionary section of the intelligentsia attached to them." The People's enemies, in Mao's view, were "the entire semi-proletariat and petty bourgeoisie."<sup>35</sup> Obviously, Mao deemed the majority of the peasantry the People's friends; he saw poor and hired peasants in particular as the backbone of the People in rural China. When the CCP rose to power nationwide in 1949, this close relation between the peasantry and the People was enhanced in Mao's theory of "People's democratic dictatorship," a paper in which he asked:

Who are the people? At the present stage in China, they are the working class, the peasantry, the urban petty bourgeoisie and the national bourgeoisie. These classes, led by the working class and the Communist Party, unite to form their own state and elect their own government.<sup>36</sup>

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<sup>34</sup> The Opium Wars left China a semi-colonized country. Many foreign imperialists who conducted their business in China hired Chinese people to work for them. The comprador class refers to the Chinese merchant class who aided Western traders in China in the late 18th, 19th, and early 20th centuries. For more on this, see Hao Yeping, "A 'New Class' in China's Treaty Ports: The Rise of the Comprador-Merchants," *The Business History Review* 44 (1970): 446-459.

<sup>35</sup> According to Mao's definition, the semi-proletariat included the semi-owner peasants, the poor peasants, the small handicraftsmen, the shop assistants and the wage workers. For more details, see Mao, "Analysis of the Classes in Chinese Society," 13-20.

<sup>36</sup> Mao, "On the People's Democratic Dictatorship," 417-418.

It was according to Mao's definition of the People and the People's enemy that an ideological division was created between rural classes. Poor peasants, middle peasants and hired rural laborers belonged to the People, while landlords and rich peasants were regarded as the People's enemy.<sup>37</sup> When the class division was completed in the countryside, all rural residents could be ideologically categorized as the People or the People's enemy according to their class status. In addition, a political community was constituted when middle peasants, poor peasants and hired laborers were united under the leadership of the CCP. However, this political community was exclusive, as few landlords or rich peasants could become members. In this respect, membership in the community of the People was equated with citizenship. In the context of land reform, 'the People' could be understood as citizens.

Given that class status had become an important key to identify the People, social classification therefore determined who could enjoy citizenship in the land reform movement. The first provisional Chinese constitution of the PRC (The Common Program of the Chinese People's Political Consultative Conference), promulgated in 1949, entitled the People to a broad range of citizenship rights. For instance, Article 4 states that "the People of the People's Republic of China shall have the right to elect and to be elected according to law." Article 5 gives the People "freedom of thought, speech, publication, assembly, association, correspondence, person, domicile, change of domicile, religious belief

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<sup>37</sup> I conclude that rich peasants were also categorized as the People's enemy for two reasons: one is the nature of exploitation they engaged in based on land reform documents and the other is that they suffered similar experiences during land reform and were deprived of citizenship rights. For more details, see my following discussion.

and the freedom of holding processions and demonstrations.” Article 6 states that the People's Republic of China “shall abolish the feudal system which holds women in bondage. Women shall enjoy equal rights with men in political, economic, cultural, educational and social life.”<sup>38</sup> And so, the political and civil rights of the People were specifically guaranteed in the constitution. Particularly women, as a social group, were freed from feudal rules when they gained rights equal to men. By contrast, the constitution deprived the People’s enemy of citizenship rights. Article 7 of the Common Program states that “As for feudal landlords, bureaucratic capitalists and reactionary elements in general, after they have been disarmed and have had their special powers abolished, they shall, in addition, be deprived of their political rights in accordance with law for a necessary period.”<sup>39</sup> In the same year when the Common Program was established, Mao interpreted the exclusive rights to be enjoyed by the People:

they [“the People”] enforce their dictatorship over the running dogs of imperialism — the landlord class and bureaucrat-bourgeoisie, as well as the representatives of those classes, the Kuomintang reactionaries and their accomplices — suppress them, allow them only to behave themselves and not to be unruly in word or deed. If they speak or act in an unruly way, they will be promptly stopped and punished. Democracy is practiced within the ranks of the people, who enjoy the rights of freedom of speech, assembly, association and so on. The right to vote belongs only to the people, not to the reactionaries.<sup>40</sup>

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<sup>38</sup> “The Common Program”.

<sup>39</sup> “The Common Program”, 4.

<sup>40</sup> Mao, “On People’s Democratic Dictatorship,” 417-418.

Mao's discussion and the provisions of the Common Program implied that only the People could enjoy political and civil rights, and that landlords and rich peasants were to be deprived of such rights given that they had been excluded from the political community of the People. However, the loss of citizenship did not mean landlords and rich peasants lost their rights altogether. The land reform law enacted in 1950 specifically regulated the protection of the legal property of landlords and rich peasants. For example, Article 2 stated that "the other properties of landlords that they earned by their own labor should not be confiscated." Article 4 stipulates that "the land and other properties which were invested in business and industry by landlords should not be confiscated." Article 6 calls for the protection of "the self-farmed land of rich peasants."<sup>41</sup> In addition, senior CCP leader Liu Shaoqi emphasized that the legal property of landlords should be protected so that landlords could make a basic living and engage in social production.<sup>42</sup> Purely in terms of the protection of landlords' basic rights, such as the right to legal property and the right to live, it is arguable that the CCP land reform law took some of the landlords' human rights into account. Nevertheless, it is still difficult to tell whether the CCP did so out of genuine respect for human rights, or just as a byproduct of other political motives such as the mobilization and control of land reform.

From a practical perspective, the CCP employed the idea of equality to promote the land reform movement. The CCP highlighted the inequality in rural areas by arguing that land was unevenly distributed among rural

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<sup>41</sup> "The Land Reform Law," 642- 646.

<sup>42</sup> Liu, "Guanyu Tudi Gaige de Baogao (Report on Problems of the Land Reform)," 633- 641.

residents and that a few rich families controlled most of the power and wealth in the countryside. It stressed the principle of equality and justice by claiming that land should be equally redistributed among the peasantry. The CCP's reference to equality served to legitimize the land revolution and mobilize mass participation. In my view, it is an indication that the CCP entertained notions of the rights and principles of distributive justice that were based on an interpretation of equality.

Class division gave a special meaning to Chinese citizenship in the particular context of the land reform movement. By dividing rural society into different classes, the CCP established a solid community in which poor and hired peasants constituted the major part of the People; these peasants enjoyed political and economic rights that contrasted sharply with those of landlords and rich peasants. So, class division was used to establish an ideologically-redefined citizenship in rural China that enhanced inequality between citizens (the People) and non-citizens (the People's enemy). This class division excluded a group of people like landlords and rich peasants from the community, whose citizenship rights were neither acknowledged by the Chinese Constitution, nor by the land reform law, nor by Mao himself. The People's enemy's exclusion from the political community coincided with the loss of citizenship rights in the land reform context. With this concept of citizenship in mind, the CCP found a way to distinguish the People from the People's enemy and furthermore to justify the disparity in its treatment of different groups in rural China. Nevertheless, the deprivation of citizenship did not inevitably lead to the loss of human rights in all circumstances; landlords still enjoyed the right to own property, the right to live, the right to petition, and so forth. Such protection of landlords' human rights, in

practical terms, demonstrates at the very least the CCP's awareness that human rights ideas could be used towards achieving its political goals.

#### **4. The interaction between human rights and citizenship in the practice of land reform**

As discussed above, the new citizenship based on a strong political ideology was applied to differentiate between citizens and non-citizens in the rural population. These two groups were endowed with different rights under the land reform law and the Common Program. However, there remained a huge difference between the legal regulation of citizenship rights and human rights on the one hand, and their practical application in the land reform on the other. The land reform movement encountered many problems from the outset. The process of class division and rural class struggle led to human rights violations in varying degrees. Yet, all the while, human rights played an essential role in mediating disputes and conflicts stemming from the land reform movement. This section analyzes the difficulties surrounding citizenship and the struggle of the rural classes in an attempt to pin down what roles citizenship and human rights played in the practice of land reform. I first describe the problems of class division, to demonstrate how this method of establishing citizenship led to human rights violations. Then, I assess rural class struggle as a means of exploring the difference between citizenship rights and human rights, and to see how human rights ideas played a role in mediating the problems these rural struggles created.

##### **4.1 Deviations of classification: the problems of citizenship**

Although the land reform law and relevant instructions explicitly expressed concerns about social equality and justice, the classification of the rural population provoked a serious debate over its implementation at both local and national level. The criteria for defining each rural class and the method chosen by the Chinese government to carry out the classification led in many cases to an incorrect classification, according to critics. Some local reports reflected this problem. For instance, the local land reform committee in Henan province reported that six out of 13 households of self-employed peasants were erroneously labeled as rich peasants. Another 35 households were incorrectly classified in another category.<sup>43</sup> Another report discussed a similar problem in Jiangjin district: about 10.6% households were labeled as landlord class, but it was finally demonstrated that about 43% of those classed as landlords, which was equivalent to 107 households, were in fact rich or middle peasants.<sup>44</sup>

The local land reform districts and the national land reform committee responded to such classification problems in a variety of ways. Some local land reform committees asked for the mistakes to be remedied and for a fairer classification by allowing villagers to defend their own view on the matter and by holding public debate on one's class identity. For example, an instruction from the local land reform committee in Shanxi

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<sup>43</sup> "Shangqiu Diwei Guanyu Qudong Jinchun Tugai Jingguo yu Zhuyao Jingyan de Zongjie (The Report of Land Reform Process and Experience from the Shangqiu Land Reform Committee)," in *Zhonggong Zhongyao Lishi Wenxian Huibian* (Selected Important Historical Archives of the CCP), vol. 15, ed. Service Center for Chinese Publication (Los Angeles: Service center for Chinese publication, 2000), 498-499.

<sup>44</sup> "Jiangjin Diwei Tugai Sanqi Qingkuang Jianbao (The Report of the Third Round Land Reform from the Land Reform Committee of Jiangjin District)," March 9, 1952, Chongqin Archives, D221/719/18-1/7.

province stated that a cautious procedure should be followed when categorizing rural residents as landlord class; the classification should be conducted in a face-to-face debate and through a public hearing; individuals who were labeled as landlords were to be given an opportunity to argue against this class identity; land reform cadres were to respond to all controversial cases by conducting more field investigation.<sup>45</sup> Similar regulations were also published in *Tugai Tongxun*, a leading official publication of land reform which claimed that some rich peasants were intentionally labeled as landlords for the sake of class struggle, leading to many errors; the journal argued that classification should be a realistic and rational process.<sup>46</sup> While these responses did not explicitly invoke the value of human rights, in retrospect they do indicate a degree of concern for some basic peasants' rights, such as the right to defend themselves when suffering injustice, and the right to a fair trial.

On close inspection, it appears that much of the criticism voiced about unjust class division was intended to further the CCP's political goal of uniting the peasantry, rather than an expression of concern for human rights. Instructions from the Northwest land reform committee explained the importance of making a just division of rural residents, stating that "the class division of the rural population directly affected the implementation of the land reform policy and the interest of peasants

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<sup>45</sup> "Guanyu Huafen Nongcun Jieji Chengfen de Jige Wenti (Several Problems on the Classification of the Rural Population)," ed. The Land Reform Committee of the Local Government of Shanxi Province, October 25, 1951. Shanxi Archives, D 6/ 15/ 76/ 7-8.

<sup>46</sup> *Tugai Tongxun*, vol. 30, June 1, 1951, documents about land reform, Shanxi Archives, D. 6/15/ 36, p. 10. *Tugai Tongxun* was an internal publication within the land reform work teams during the land reform movement from 1951 to 1952.

including their gains and loss in the land reform.”<sup>47</sup> The instructions on land reform from the Hebei provincial committee of the CCP argued that the redress of erroneous class division facilitated the CCP’s political goal of uniting the peasantry.<sup>48</sup> In fact, the CCP even gained political benefits by simply arguing for the need to remedy class division errors. The land reform report from the local committee of Henan province reflected how many peasants’ support for the CCP and Mao grew when the class identity of some peasants was redressed. In these peasants’ view, the CCP deserved credit not only because it admitted its mistakes in the course of class division, but also because it compensated those victims for their attendant suffering by distributing land, homes and other means of production to them.<sup>49</sup>

In order to maintain control of the land reform movement and to reduce the kinds of mistakes made in the early stages of land reform, the CCP introduced a strict procedure to precisely divide the rural population. The land reform teams were to take three steps to divide up the rural classes: first, a general class division was made at small group meetings in

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<sup>47</sup> “Shengwei Guanyu Huafen Jieji Chengfen de Zhishi (Instruction on the Class Division From the Local CCP Committee of Gansu Province),” in *Gansusheng Tudi Gaige Wenji* (The Collected Works of Land Reform in Gansu Province), ed. Zhongguo Gongchandang Gansusheng Weiyuanhui Nongcun Gongzuobu (Gansu Provincial Committee of the CCP), (Gansu: Gansu Provincial Committee of the CCP, 1954), 222.

<sup>48</sup> “Zhonggong Hebei Shengwei Guanyu Jieshu Tugai Gongzuo de Buchong Zhishi (The Complementary Instruction on the Land Reform from the Hebei Provincial Committee of the CCP)”, in *Hebei Tudi Gaige Dangan Shiliao Xuanbian* (The Collected Archives of Land Reform in Hebei Province), (Hebei: Hebei Renmin chubanshe (Hubei People’s Publisher), 1990), 680.

<sup>49</sup> “Xuchang Diwei Bagexiang Tugai Shiyang Zongjie Baogao (The Report on the Land Reform Experiment from the Xuchang Land Reform Committee)”, in *Zhonggong Zhongyao Lishi Wenxian Ziliao Huibian* (Selected Important Archives of the CCP), vol. 15, ed. Zhongwen Chubanshu Fuwu Zhongxin (Service Center on Chinese publication), (Los Angeles: Service Center on Chinese Publication 2000), 462.

villages, in which rural residents had the right to evaluate their own class status; second, the Poor Peasants' Association assessed each person's class status and submitted a report on the class division to the committee of the village council; third, the report was finally discussed and confirmed by the Peasants' Congress. Particular care was taken when it came to the class status of rich peasants, which had to be assessed and confirmed by the district people's government, and of landlords, which had to be double-checked by the municipal people's government. Furthermore, rural residents had the right to argue their own view on their rightful class identity and the right to appeal the decision within half a month after their classification was made known.<sup>50</sup> This three-step rule of class division was followed up by complementary regulations. In March of 1951, the CCP issued a policy which precisely distinguished between the small land lessors, the rich peasants and the middle peasants. Small land lessors were a group of peasants who rented out part of their land because of the absence of labor. Many had lost family members in the Chinese Civil War and the Second Sino-Japanese War, and therefore lacked sufficient labor to farm their own land. The complementary regulations also emphasized that rich peasants were those who gained more than 25% of their total income through exploitation, while middle peasants' exploitation-based income fell below that percentage.<sup>51</sup> Not only did the CCP take steps to prevent more mistakes, it also attempted

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<sup>50</sup> *Tugai Tongxun*, vol.2, November 24, 1950, Documents on Land Reform, Shanxi Archives, D 6-15-9, pp. 7-8.

<sup>51</sup> "Zhonggong Zhongyang Guanyu Huafen Nongcun Jieji de Buchong Guiding (The Complementary Regulation on the Rural Classification from the Central Committee of the CCP)," in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People's Liberation Army), 1988), 722- 729.

to remedy those that had already been made. The East China Administration of the land reform committee put special emphasis on the rectification of unjust class division, stating that “for the actual mistakes in the course of class division, we should definitely redress the class identity of landlords and rich peasants. Not only the working peasants who were wrongly classified as landlords should be rectified, but also rich peasants who were mistakenly classified as landlords should be redressed.”<sup>52</sup>

Classification caused many rural residents considerable anxiety. For some, the ambiguous standards used in the process were enough to cause distress, but for those classified as a landlord or rich peasant the anxiety was naturally of a more profound order. In most cases, social status determined who could enjoy a set of citizenship rights and who would be deprived of them. More importantly, once the class division was decided upon, it was rarely changed. In fact, the CCP never completely closed off all possibilities for landlords and rich peasants to change their social status. Land reform law specified villagers’ right to petition, stating that “by self-assessment and public discussion, class division is democratically made by the Peasants’ Congress and Peasant Associations. The person who is not in the Peasant Associations should also be invited to take part in the class division and has the right to defend [...] if he (she) disagrees with the result; he (she) can lodge a complaint with the County

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<sup>52</sup> “Zhonggong Zhongyang Huadongju Guanyu Tugai Gaige Guochengzhong Ruogan Wenti de Zhishi (Instructions on the Several Problems of Land Reform from the East China Administration of the Land Reform Committee of the CCP)”, in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People’s Liberation Army), 1988), 730.

People's court within 15 days after admission. The decision of the County People's court is final."<sup>53</sup> This provision endowed rural residents with the right to complain in case they had suffered unjust treatment. Similar regulations also appeared in other governmental land reform propaganda. One journal on land reform wrote that all villagers had the right to argue what their class status should be, and that they could lodge an appeal against the result within half a month after the initial decision was made.<sup>54</sup> The right to petition, as regulated in the above land reform documents, implied a certain universality of human rights in the sense that rural residents enjoyed such a right not as citizens (the People), but as humans.

The villagers who had confirmed their class status of landlords and rich peasants could also change class status by reforming themselves. In January, 1948, Ren Bishi<sup>55</sup> had discussed such a possibility. In his governmental report, Ren specifically mentioned that:

As long as landlords engage in agricultural work and do not exploit others for at least five years, they could have their class status changed. (to classify them into middle peasants, poor peasants and hired peasants according to actual condition); rich peasants who have not exploited others beyond three years should also be reclassified... Is it dangerous to change the class status of landlords and rich farmers if landlords labor by themselves for five years and rich farmers have not exploited others for three years? I think it is not dangerous, because their land property has already been equally

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<sup>53</sup> "The Land Reform Law," 645.

<sup>54</sup> *Tugai tongxun*, vol.2, November 24, 1950, Documents on Land Reform, Shanxi Archives, D 6-15-9, pp. 7-8.

<sup>55</sup> Ren Bishi (1904-1950) was a military and political leader in the early years of the Chinese Communist Party. He was also a member of the politburo of the Chinese Communist Party and the Secretariat of the Central Committee.

redistributed. (For rich peasants, we only confiscated their surplus property rather than all property). Furthermore, they have labored themselves for so many years.<sup>56</sup>

In October, 1948, the Central Committee of the CCP confirmed Ren's argument. It released an official document giving instructions on how to restore the citizenship rights of landlords and rich peasants in those areas where land reform had been completed. The document stated that all reformed landlords and rich peasants could regain their citizenship rights including the right to vote and to stand for election.<sup>57</sup> This rule also applied in newly-liberated areas in the early 1950s. In 1950, the government administration council approved a policy giving landlords a chance to change their social status. The policy stipulated that "when the land reform movement was completed, landlords could change their social status into working class or other classes if they absolutely obey government rules and actively engage in labor production or other business but no reactionary activities at least for five years."<sup>58</sup> On May 10, 1951, the central government issued another directive, claiming that all land reform cadres should persuade peasants to be friendly to those landlords who have been reformed. The directive also guaranteed the new role of reformed landlords by stating that landlords could engage in

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<sup>56</sup> Ren Bishi, "Tudui Gaigezhong de Jige Wenti (Some Problems in the Land Reform. January 12, 1948)," in *Renbishi Xuanji* (Selected Works of Renbishi) (Beijing: People's Publisher, 1987): 413- 437.

<sup>57</sup> "Zhonggong Zhongyang Guanyu Dizhu, Jiufunong de Xuanjuquan yu Beixuanjuquan wenti de zhishi (Directive on the Question of Landlords and Old Rich Peasants' Rights to Vote and to Stand Election from the Central Committee of the CCP)," in *Zhongguo Tudi Gaide Shiliao Xuanbian* (Selected archives of land reform in China), (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People's Liberation Army), 1988), 562.

<sup>58</sup> "Zhengwuyuan Guanyu Huafen Nongcun Jieji Chengfen de Jueding (The Decision of Special Authorization of the central people's government on the division of rural class)," 406- 407.

business, and that the government would not confiscate their property and other income earned through their own labor.<sup>59</sup>

These government regulations seemed to guarantee the possibility of modifying one's class status. The reality, however, was quite different. Rural residents actually could not change their class status by petition, and landlords and rich peasants were not able to change class status by reforming themselves. The implementation of class division stood in a huge contrast to its regulations. In many cases, rural residents were unable to exercise their right to petition. In one example from the village of Yangchang, there was a peasant named Sun Dianyuan who owned 62 mu of land.<sup>60</sup> Although he had a family of six, only one of them was engaging in productive labor. Sun was classified as a landlord because he hired his nephew as a helper during the busy season. The land reform cadres forced Sun to sign the document that determined his class status as landlord, even though Sun personally objected to this status. Another case involved a blind villager named Liu Fengxiang in the village of Xiwangge. Liu was not able to work independently. He was classified as a landlord, and when he tried to question his class status at the work

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<sup>59</sup> “Zhonggong Zhongyang dui Tudi Gaige Yeyi Wancheng Diqu de Dizhu Canjia Laodong Shengchan ji Jiuye Wenti de Zhishi (Indication of the Central Government on the Work of Landlords in the Areas Where Land Reform Has Completed),” in *Jianguo Yilai Zhongyao Wenxian Xuanbian (Selected Works of Important Literature since the Foundation of the PRC)*, vol. 2, ed. The Research Institution of the Archives of the CCP, (Beijing: Zhongyang Wenxian Chubanshe (Publishing House of Central Party's Literature), 1992), 259- 260.

<sup>60</sup> A “mu” is a land measurement unit which equates to 0.0667 hectares.

team's office, he was denied a chance to argue his case and detained.<sup>61</sup> A similar incident was exposed by the *News China Agency*, which revealed that some land reform cadres in Kaifeng, Hunan province, were using coercive methods. One cadre had seen a peasant who was putting wheat in bags instead of attending a village Peasants' Association meeting. The cadre indiscriminately judged the peasant to be a landlord who was trying to sell wheat on the black market, and slapped the peasant when he attempted to explain. The cadre then brought the peasant to the Peasants' Association meeting to receive a public trial. When the district mayor, who was giving a speech at the meeting, heard the cadre's report, he immediately slapped the peasant without giving him a chance to explain and threatened him with a gun, saying "I will shoot you if you still resist." Then the peasant was beaten by several cadres, the news agency reported.<sup>62</sup>

Similarly, landlords and rich peasants had difficulties changing their class status even though they tried to reform themselves. The primary obstacle was that many local land reform committees persisted in a long-term fight against landlords and rich peasants. The East China Administration of the land reform committee argued that "in the areas

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<sup>61</sup> "Zhonggong Hebeisheng Tongxian Diwei Guanyu Xinqu Tugai Gongzuo Jige Zhuyao Jingyan de Baogao (Report on the Main Experience of Land Reform in Newly Liberated Areas from Tongxian Land Reform Committee in Hebei Province)," March 7, 1950, Hebei Archives, 855/7/24/7-11. "Zhonggong Tongxian Diwei Guanyu Xianghexian zai Jieshu Tugaizhong suo Fasheng Jige Cuowu Wenti de Tongbao (Report on Some Mistakes Emerged in the Land Reform Movement in Xianghe County from the Land Reform Committee of Tong County)," February 2, 1951, Hebei Archives, 900/11/11/25.

<sup>62</sup> "Hennan Tugai zhong Ganbu Qiangpo Mingling Zuofeng Yanzhong (The Coercive Order of the Land Reform Cadres in Henan is Serious)," *Internal Reference*, June 2, 1950. p. 9.

where land reform has been completed, we have to strictly control landlords in order to prevent their restoration [...] we should force them to labor and educate them frequently.”<sup>63</sup> Reports from local land reform committees obviously drew the central government’s attention. In 1952, the central government confirmed to the Northeast Administration of the land reform committee that “considering the fact that landlords and rich farmers are still protesting and disobeying governmental regulations in many districts, we should carefully consider restoring the political rights of landlords and rich peasants.”<sup>64</sup> The directive from the central government surely encouraged the thinking in all local land reform committees that landlords and rich peasants should be kept out of the community of the People and their political rights limited. In this respect, it was not surprising when Mao exclaimed in 1960 that “we promised to change landlords and rich farmers’ class status after three to five years, but now it seems that we have to wait thirty to fifty years.”<sup>65</sup>

Class status had become a simple standard to divide the People from the People’s enemy. Once branded the People’s enemy, landlords and rich peasants could remain so for decades. As Richard Madsen said: “where

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<sup>63</sup> “Guanyu Tudi Gaige hou Guanzhi he Gaizao Dizhu de Guiding (Regulation on the Supervision and Reeducation of Landlords after the Land Reform),” in *Jianguo yilai zhongyao wenxian xuanbian* (Selected Works of Important Literature since the Foundation of the PRC), vol. 2, (Beijing: Zhongyang Wenxian Chubanshe (Publishing House of Central Party’s Literature), 1992), 347-349.

<sup>64</sup> “Zhongyang Guanyu Cunxuan zhong Gaibian Dizhu Chengfen yu Qude Gongminquan Wenti fu Dongbeiju dian (The Central Committee of the CCP’s Reply to Northeast Administration of Land Reform Committee on the Change of Landlords’ Social Status and the Restoration of Their Civil Rights in Village election),” November 12, 1952, *Shanxi Archives*, 123/24/9/94-95.

<sup>65</sup> “Mao Zedong Liu Shaoqi zai ge Zhongyangju Huibao shi de Chahua (The Speech of Mao Zedong and Liu Shaoqi in the Report to the Central Committee of the CCP)”, December 27, 1960.

one's name was listed on the official announcement posted by work teams at a village's central meeting place would not only determine who would gain or lose what in the redistribution of land, but for decades to come, it would decide who could officially be considered politically reliable and who could not."<sup>66</sup> Thus, the identification of one's class status fundamentally determined one's destiny. Not only were those villagers classified as landlords and rich peasants excluded from the political community of the People, they were also from that moment on considered untrustworthy. Such a reputation, too, prevented these individuals from enjoying citizenship rights. Given the importance of class status, the class division of the rural population was a major concern for all rural residents.

#### **4.2 Mistakes of class struggle: the questions of human rights protection**

In most Chinese villages, class struggle was implemented with rigor as soon as the classes were divided. Seen as the main weapon against landlords, class struggle had its own particular political meaning in all political movements during Mao's rule. From Mao's perspective, it simply meant that the proletarian class had to combat all reactionary classes, i.e. those that opposed the proletarian dictatorship. Mao believed every class had its own interests, and that conflict between classes was therefore inevitable. Mao had explained his theory of class struggle in 1937, when China was engaged in the Second Sino-Japanese War: "In a class society everyone lives as a member of a particular class, and every kind of thinking, without exception, is stamped with the brand of a

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<sup>66</sup> Madsen, "The Countryside under Communism," 625.

class.”<sup>67</sup> In September, 1949, prior to the land reform movement, Mao reemphasized the necessity of class struggle, writing that “in our country, although socialist reform in terms of ownership has already been completed, although the large scale of class struggle in the revolutionary period has already been ended, the residual of landlord and comprador classes still exists, the capitalists still exist, the petty capitalists are just beginning to be reformed, class struggle is not over. The class struggle between the proletariat and the bourgeoisie, between different political forces, between the ideology of the proletariat and that of the bourgeoisie, will persist for long.”<sup>68</sup> There was no doubt that Mao, in his promotion of class struggle, regarded landlords as the main target of the land reform movement. In rural areas, the class struggle increasingly evolved into a struggle between landlords and poor peasants.

The importance of class struggle for the CCP was that it confirmed the priority of the People over the People’s enemy. In the villages, poor peasants enjoyed far more citizenship rights than landlords; they had the right to participate in village affairs and they were allowed to express opinions about the class struggle. Landlords suffered criticism from poor peasants and were forced to confess their wrongdoing. Corporal punishment and public humiliation were commonplace. All in all, landlords and poor peasants experienced class struggle in sharply contrast ways. What became clear during the class struggle was that, poor

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<sup>67</sup> Mao Zedong, “On Practice,” in *Selected Works of Mao Zedong*, vol.1 (Beijing: Foreign Language Press, 1965), 296.

<sup>68</sup> Mao Zedong, “On the Correct Handling of Contradictions among the People,” in *Selected Works of Mao Zedong*, vol.5 (Beijing: Foreign Language Press, 1977), 384-421.

peasants, with membership in the political community of the People, enjoyed citizenship rights such as suffrage and freedom of expression. Landlords, on the other hand, having been excluded from the People, had not only lost their citizenship rights but frequently saw their own human rights violated as well. From today's perspective, the rightless situation of landlords in a very practical sense defies the idea of universal human rights, which holds that all human beings have certain rights regardless of their social status or citizenship. Although the formal land reform rules showed a concern for the human rights of all Chinese people, the human rights of landlords and some rich peasants were essentially disregarded, as evidenced in the violence perpetrated against landlords during the course of the class struggle. Citizenship appears to have entailed a set of exclusive rights whose formalization and implementation led to the disregard of non-citizens' human rights. And yet despite all this, I see evidence that the CCP's attempts to rectify the excesses of class struggle were informed by human rights notions. Faced with reports of beatings and killings, the CCP tried to halt the violence by means of policy making and persuasion.

My analysis of the class struggle provides two perspectives. One is to gain an understanding of the tension between universal human rights and exclusive citizenship rights, and the other is to more clearly perceive the role of human rights in normalizing citizenship. This section explores the implementation of human rights and citizenship rights in the class struggle. It firstly describes how all rural residents including poor peasants and landlords discussed human rights, and how they understood the concepts of human rights and citizenship rights. Then it focuses on the practice of class struggle with the aim of revealing which human

rights and citizenship rights rural residents actually enjoyed during the class struggle, and what the dynamic between these types of rights was like.

Although the class struggle gave poor peasants greater power at the landlords' expense, poor peasants were not as effectively mobilized as the CCP had initially anticipated. In a number of villages, land reform sparked discussions from which it became clear that some of the poor were hesitant to fight against landlords and rich peasants. Some peasants refused to redistribute the landlords' property, arguing that the property had been earned by landlords themselves; others argued that the social system rather than the landlords themselves was responsible for the evils of exploitation.<sup>69</sup> In one example, a Kuomintang soldier in the province of Shanxi questioned land reform, reasoning that not all landlords were evil. He explained that some landlords had become rich through hard work and some had inherited land from their ancestors rather than through exploitation.<sup>70</sup> In other cases, enlightened members of the gentry and patriotic generals from landlord families refused rigorous land reform based on the assertions that "landlords feed the peasants," "landlords and peasants depend on each other" and "the contribution of the landlord class to society cannot be completely denied."<sup>71</sup> In Southern Jiangsu province, some teachers and students from landlord and rich peasant families opposed land confiscation, arguing that "the land was bought by landlords; the peasants are exploiting landlords by confiscating

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<sup>69</sup> *Tugai Tongxun*, vol.1, November 15, 1950, Shanxi Archives, D. 6/ 15/ 9, pp. 4-5; 14.

<sup>70</sup> Wu Jingchao et al., *Tudi Gaige yu Sixiang Gaizao* (Land Reform and Thought Reform) (Beijing: *Guangming Daily*, 1951), 35.

<sup>71</sup> Li Weihuan, *Huiyi yu Yanjiu* (Memory and Research) (Beijing: Zhonggong Dangshi Chubanshe (The Publishing House of the Party history of the CCP), 1986), 711.

their land.”<sup>72</sup> Some poor peasants also refused to beat landlords even though they had not confessed their crimes.<sup>73</sup> Those who favored land confiscation the most were mainly the poorest peasants who were eager to get a parcel of land from which to make a living. Some of them were obviously imbued with the theory of class struggle and were aware of the theory of exploitation. Their contribution to the debate was to reveal the evils of landlords and the inequality between them and the poor peasants. A famous song at that time, entitled “Who Feed Who,” expressed the anger of the poor: “Who feed who? Let us have a look. Grain will not grow out without our hard work [...] we get up before dawn and get no rest until midnight [...] Landlords do not labor but their grain is heaped into dunes [...] without our hard work, landlords would starve.”<sup>74</sup> In Songjiang district, writer and land reform cadre Ye Zhicheng adapted “Who Feed Who” into another song entitled “Certain People Feed Certain People,” similarly describing the hardships of poor peasant life. As Ye recalled, his song immediately spread throughout the nine counties of Songjinag district. Many peasants sang it during public meetings to express their hatred for landlords.<sup>75</sup> These songs were not just a means

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<sup>72</sup> “Sunan Wuxi Jintan Dengdi Gejieceng dui Tudi Gaige de Fanying (The Reflections of the Land Reform Movement in Some Places like Wuxi and Jintan in Southern Jiangsu Province),” *Internal Reference*, October 11, 1950. p. 88.

<sup>73</sup> “Tudi Gaige Bixu Shi Yixilie Jijie de Douzheng (Land Reform Must be a Series of Fierce Struggle),” in *Tudi Gaige yu Sixiang Gaizao* (Land Reform and Thought Reform) (Beijing: *Guangming Daily*, 1951), 68.

<sup>74</sup> The song was reprinted in *Songjiang Newspaper*, see “Zhuming Tugai Gequ Dansheng yu Songjiang, ‘Sharen Yanghuo Sharen’ Changxiang Dajiangnanbei (Famous Land Reform Song Emerges in Songjiang, ‘Who Feed Who’ Becomes Popular throughout China),” *Songjiang News*, May 13, 2009, accessed on May 4, 2015, [http://news.idoican.com.cn/sjb/html/2009-05/13/content\\_34890705.htm](http://news.idoican.com.cn/sjb/html/2009-05/13/content_34890705.htm).

<sup>75</sup> Ye Zhicheng, *Zhicheng Liuzhong* (Beijing: Renmin Wenxue Chubanshe (People’s Literature Publishing House), 2010).

of mobilizing class struggle, but also a reflection of the desire for equality.

Faced with a peasantry who were hesitant to fight the landlords, land reform cadres attempted to mobilize poor peasants by explaining the importance of class struggle. The most effective way to educate peasants was to help them calculate how much wealth they had been deprived of by landlords. As professor Zheng Linzhuang<sup>76</sup> had suggested, when poor peasants realized how badly landlords had exploited them for years, resulting in gaping political and economic inequalities, the peasants would automatically be prepared to fight the landlords.<sup>77</sup> In this way, land reform cadres managed to mobilize many poor peasants for class struggle. Some land reform districts also widened the scope of the struggle, which led to unjust confiscation of landlords' property and excessive corporal punishment.

The legal property of landlords was formally protected by the land reform law and other governmental decrees. However, a large amount of property belonging to landlord families was indiscriminately confiscated during the land reform movement. As early as December, 1949, the land reform committee of North China specifically forbade the arbitrary confiscation of landlords' property. It stated that "we strongly oppose the arbitrary beating, arresting and confiscation... the confiscation of the landlords' property and the exploitative property of rich peasants refers

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<sup>76</sup> Zheng was a professor at Beijing University during the Land Reform Movement. He participated in the Land Reform in South Jiangsu province.

<sup>77</sup> Zheng Linzhuang, "Douzheng Dizhu Shi you Ganbu Tiaoqilai de ma (Is the Fight against Landlords because of the Mobilization of Cadres)," in *Tudi Gaige yu Sixiang Gaizao* (Land Reform and Thought Reform) (Beijing: *Guangming Daily*, 1951), 76.

to the confiscation of their houses, farming tools, draft animals, surplus cash and grains. Their other properties, such as clothes, blankets, desk, chairs and other movable properties are not to be confiscated and should be reserved for landlords and rich peasants.”<sup>78</sup> Even prior to the implementation of land reform, both the Common Program and the land reform law had claimed that certain property should be left to landlords and rich farmers so that they could sustain their daily lives.<sup>79</sup> The CCP leadership attached great importance to this regulation. Liu Shaoqi once pointed out that “by preserving such property for landlords, they could sustain their lives on the one hand, and engage in social production on the other, so this is also good for our society”<sup>80</sup>.

Restrictions on land confiscation did not work as effectively as the CCP had expected. Arbitrary confiscation continued to occur frequently in the countryside. In Qianjiang, Hubei province, 64 of 413 households were classified as landlord class, and 69 households were regarded as rich peasant class. The landlord families were forced to move out their homes and were reduced to begging in the streets. The rich peasant families were forced to relinquish most of their property, though they were allowed to remain in their homes.<sup>81</sup> In the autonomous region of Ningxia,

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<sup>78</sup> Huabei ju Guanyu Chongshen Zhengque Zhixing Tugai Zhengcezhong Jige Juti Wenti de Guiding (The Regulation on the Correct Implementation of the Land Reform Policy by the Land Reform Committee of North China), in *Selected Archives of Land Reform in China* (Beijing: Jiefangjun Guofang Daxue Chubanshe (Press of National Defense University of People’s Liberation Army), 1988), 617.

<sup>79</sup> See “The Common Program”, Article 7, and “The Land Reform Law,” Provision 2; 4; 6.

<sup>80</sup> Liu, “Guanyu Tudi Gai ge de Baogao (Report on Problems of the Land Reform),” 633- 641.

<sup>81</sup> *Tugai Tongbao*, vol. 5, ed. The Land Reform Committee of Hubei Province. February 17, 1951.

the villagers confiscated everything in the landlords' homes. Some peasants not only emptied the homes, but also removed the door planks, leaving nothing at all to the landlords.<sup>82</sup> Yang Hansheng's land reform diary gave a vivid description of the confiscation in Liucheng county, province of Guangxi:

The confiscation of the property of the landlord Yang Chaoda was conducted today. A mobilization meeting was held in the afternoon. All rural residents including men, women, old people and children went to Yang Chaoda's house. The director of the Peasants' Association asked Yang to hand over the title deed... then the peasants asked Yang to report his property. Many poor peasants began to berate him because they thought that Yang was lying to the public and hiding some property... the poor peasants removed everything from Yang's house, including clothes, blankets, tables, chairs, pans, plates, bowls, etc.<sup>83</sup>

In order to avoid the punishment, some landlords and rich peasants stashed their movable property in the woods, mountains or other hiding places.<sup>84</sup> But if this property was found, landlords and rich peasants would suffer more severe punishment, and in some cases were even killed. The confiscation of moveable property took place in many land reform districts. According to the memoirs of Zhang Kebiao, a writer

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<sup>82</sup> "Ningxia Zhongningxian Tudi Gaige zhong Luanda Luandou de Xianxiang hen Pubian (The Beating and Berating in the Land Reform Movement at Zhongning County of Ningxia Province is Frequent)," *Internal Reference*, January 16, 1952. p. 86.

<sup>83</sup> Yang, *Yang Hansheng Riji xuan* (Selected Diary of Yang Hansheng), 578-579.

<sup>84</sup> Moveable property possessed by landlords and rich peasants at the time of the Land Reform usually included money, clothes, jewelry, food, etc. In order to preserve such property, some landlords and rich farmers buried or otherwise hid them. For more discussion, see Li Lifeng, "Yundong zhong de Lixing ren---Huabei Tugai Qijian ge Jieceng de Xingshi Panduan he Xingwei Xuanze (Rational Man in the "Mass Movement": An Analysis of the Situational Judgments and Behavioral Choices Made by Various Classes in Rural Society in North China during the Land Reform Movement)," *Jindaishi Yanjiu* (Modern Chinese History Studies) 1 (2008), 3- 21.

who experienced the land reform movement, poor peasants were particularly fanatical in their confiscation of property: “the land, the surplus houses, the surplus property and all things in the houses could be regarded as moveable property, which should be completely confiscated [...] the work teams could take away all property in the house, but only if they thought this property was not needed by the landlords.”<sup>85</sup>

Arbitrary confiscation of landlords and rich peasants’ legal property was not the only problem in the class struggle. Corporal punishment was another one. Corporal punishment was usually meted out during ‘struggle sessions.’ A primary forum of the class struggle, the struggle session was usually a public humiliation carried out during a village meeting. Poor and hired peasants openly condemned the landlords as evil exploiters. They described the mistreatment suffered at the hands of their landlords.<sup>86</sup> Most landlords did not try to defend themselves, because any resistance would likely lead to a more serious berating. As we see from the description of the land reform movement in Chen village, the power relations between landlords and poor peasants were inverted during the class struggle:

The poor and middle peasants in Chen village were very conscious of their privileged position in the new society, and they were adept at using that privilege to their own advantage. For example, when an upper-middle peasant was put in charge of a production team, he could not push the poor and lower-middle peasants as hard as he might wish or as his role demanded because his upper-middle peasant status made him

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<sup>85</sup> Zhang Kebiao, *Shiji Huishou: Zhang Kebiao huiyilu* (The Memoirs of Zhang Kebiao) (Shen Zhen: Haitian Publisher, 1999), 269.

<sup>86</sup> Yang, *Yang Hansheng Rijixuan* (Selected Diary of Yang Hansheng).

vulnerable to political criticism from the poor and lower-middle peasants and he did not dare to offend them.<sup>87</sup>

In the course of the struggle session, poor peasants' criticism usually descended into outright hatred towards landlords. When that happened, the poor peasants vented their rage, humiliating the landlords in public. The most common form of humiliation included stripping the landlords of their clothes, cutting their hair or eyebrows, throwing stones at them, putting cats in the landlords' clothes, and so on. Sometimes, the punishment was more severe, including beatings or even death.<sup>88</sup> In one county of Shanxi province, four landlords and one rich peasant suffered corporal punishment in a struggle session. Two of them were whipped, and the remaining three were forced to hold heavy stones over their heads, while one of these three also had to hold a stone between his teeth. In Ankang district, the land reform cadres tied landlords up and encouraged poor peasants to beat them.<sup>89</sup> On May 28, 1950, *The News China Agency* reported 30 cases of beatings and killings in Henan province within a single month. Seven people were tortured to death within the span of 20 days in Kaifeng County.<sup>90</sup> More frighteningly still, peasants were imitating each other's corporal punishment methods. Several cases of this took place in Henan province, where in many land reform districts the poor peasants tortured the landlords until they

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<sup>87</sup> Madsen, *Morality and Power in a Chinese Village*, 42.

<sup>88</sup> Yang Kuisong, "Xinzhongguo Tugai Beijingxia de Dizhu Funong Wenti (The Problems of Landlord and Rich Peasants in the Land Reform Movement in China)," *Shilin*, 6 (2008): 1- 19.

<sup>89</sup> "Ankang Diwei gei Shanxi Shengwei Guanyu Tugai Gongzuo Jinkuangdian (The Telegram from the Land Reform Committee of Ankang to the Land Reform Committee of Shanxi)," *Shanxi Archives*. 123-24-39.

<sup>90</sup> "Hennan Tugai zhong Ganbu Qiangpo Mingling Zuofeng Yanzhong (The Coercive Order of the Land Reform Cadres in Henan is Serious)," 9.

revealed where their moveable property was hidden. Many of these landlords were hanged or whipped. When the corporal punishment happened in one of these villages, rural residents in other villages immediately treated their landlords the same way. About 250 people were tortured to death throughout Henan province, some of whom were in fact middle or poor peasants.<sup>91</sup> The way class struggle manifested itself in the shape of property confiscation and corporal punishment reveals a denial of landlords' human rights, such as the right to legally own property, to live, to have human dignity, and to petition. In addition, these aspects of class struggle also show us that poor peasants enjoyed political and economic privileges on the basis of their political identity.

The wave of indiscriminate confiscation and corporal punishment filled the families of landlords and rich peasants with hatred. A child from a landlord family in Shanxi province angrily exclaimed that "our family was criticized during the land reform movement, our house was pulled down by the communists, our lands were taken by poor peasants [...] the CCP is utilizing poor people to fight against poor people [...] this is much worse than what the bandits do."<sup>92</sup> Another diary, quoted by the *News China Agency*, expressed a landlord's son's resentment towards the land reform movement and the CCP. According to the diary, the boy's father was a famous doctor in the local village and had helped a lot of

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<sup>91</sup> "Henan Tudi Gaigequ Fanpohuai Mendou zhong zuo de Pianxiang Kishi Zizhang (The Left-leaning is Emerging in the Class Struggle in the Land Reform Districts in Henan Province)," *Internal Reference*, February 24, 1951. p.167.

<sup>92</sup> Li Qiaoling, "Xinqu Tugai zhong de Dou Dizhu (Struggle Against Landlords in the Newly Liberated Areas in the Land Reform Movement)," *Twenty-First Century* 6 (2007), accessed February 15, 2017, <http://www.cuhk.edu.hk/ics/21c/media/online/0701077.pdf>

patients. But during the land reform movement and other mass movements, his father was labeled a local bully and frequently beaten by fellow villagers. The son was convinced that his father had died from injuries incurred during his unjust corporal punishment and that the cadres would also try to kill him to prevent revenge. As the diary recorded, “when my father was persecuted to death, they [the communist cadres] wanted me to die as well. These things made me sad and angry [...] In the land reform movement, someone indeed attempted to eliminate the body of the exploitative class, to eliminate all innocent children like me [...] They treated us like prisoners. They could arbitrarily kill or beat us. Our lives were a misery [...] I hope there will be a free and equal society.”<sup>93</sup> While these diary entries make only scant references to the human rights of landlords, they do describe a context in which respect for human rights was clearly serious lacking.

In the face of such harsh corporal punishment, democratic parties in China expressed a different attitude towards landlords. This is reflected in a report from the land reform committee of Southwest China, which states that “the democratic parties and democrats on the one hand are fighting against the landlord class and supporting the land reform movement; on the other hand, most of them uphold humanitarian values. They cry for the sufferings of poor peasants but also sympathize with the landlords when the landlords are criticized [...] some democrats even think that landlords also belong to the People rather than to the

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<sup>93</sup> “Yige Dizhu Erzi de Fuchou Rijì (The Revenge Diary of The Son of A Landlord),” *Internal Reference*, June 26, 1963. pp. 14-15.

enemies.”<sup>94</sup> However, such sympathy for landlords was deemed a “dangerous tendency to the peaceful land reform” in the eyes of the committee.<sup>95</sup>

When the scale of corporal punishment came to the CCP’s attention, the central government released a series of official documents intended to rein the abuses in. As early as December 1947, the central government had insisted that “work teams or government officials themselves should not torture our enemies, as we communists should persuade people to consider our broader interests and regard landlords and rich farmers as our potential labor force which could be preserved and reformed.” At the same time, however, the central government in its effort to mobilize the masses also gave tacit approval to the abuse, stating that “when the masses feel extremely angry and beat their exploiting enemies, our communist members should stand on the side of the masses rather than discouraging them.”<sup>96</sup> These instructions reflected the central government’s dual attitude at that time; on the one hand, the government tried to control the abuse of power during class struggle, but on the other hand, it politically favored poor peasants and was even willing to allow corporal punishment for the sake of mobilizing peasants. Later on, when corporal punishment became more frequent in many land reform areas,

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<sup>94</sup> Xinanqu Tudi Gaige Yundong Ziliao Huibian (The Collection of the Land Reform Materials in Southwest China), vol.2, ed. Xinan Nongcun Gongzuobu (Peasantry Work Team of Southwest China) (Chongqing: Chongqing Publisher, 1954), 178.

<sup>95</sup> Xinanqu Tudi Gaige Yundong Ziliao Huibian (The Collection of the Land Reform Materials in Southwest China), vol.2, 178.

<sup>96</sup> “Zhonggong Zhongyang Shieryue Huiyi Jueyi (The Resolution of December Meeting of the Central Committee of the CCP),” December, 1947, accessed October 22, 2013,

<http://www.xibaipo.gov.cn/node2/node1318/node1321/node1329/userobject1ai164881.html>.

the CCP made a more concerted effort to control the excesses. Interestingly enough, the phrase ‘human rights’ was mentioned several times as part of this effort. In 1948, for instance, Ren Bishi issued a report based on an investigation of the first land reform movement during the Chinese Civil War. In this report, he drew lessons from the previous experience of land reform and gave new instructions for the benefit of the upcoming land reform movement in newly liberated areas. Ren pointed out that “The Communist Party is firmly opposed to killing and applying corporal punishment to criminals. Killing and the use of corporal punishment are the results of feudal society. Feudal landlords treat peasant slaves in this way; warlords treat soldiers in this way. A hundred years ago, when the bourgeois revolution happened in the West and in America, they [the Westerners] asked for the protection of human rights and the abolishment of corporal punishment. We are communists and democrats. Our revolution is much greater than the bourgeois revolution. If the bourgeoisie can have such a slogan, we should certainly oppose arbitrary killings and corporal punishment.”<sup>97</sup> It is interesting to see that Ren referred to human rights as a way to normalize the class struggle. A further implication of this reference to human rights is that Ren acknowledged the value of human rights and showed a clear awareness that corporal punishment was a violation of these rights.

A similar reference to human rights was penned by Peng Zhen.<sup>98</sup> On May 30, 1949, Peng drafted instructions for the management of land

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<sup>97</sup> Ren Bishi, “Tudui Gaige Zhong de Jige Wenti (Some Problems in the Land Reform, January 12, 1948)” in *Selected Works of Ren Bishi* (Beijing: People’s Publisher, 1987).

<sup>98</sup> Peng Zhen (1902-1997) was a leading member of the Chinese Communist Party. He led the party organization in Beijing in 1949.

reform in Beijing. These guidelines stated that “the People’s enemy has the right to submit an appeal to the People’s Court once they have been convicted, and no one should hinder them. But the masses should not resort to beating or other direct actions to violate these appellees’ property rights and human rights. They should honor the decision of the People’s Court.”<sup>99</sup> With these instructions, Peng reveals a concern for human rights in general, and for the right to own property and to petition in particular. Similarly, in December of 1949, the Hebei municipal government issued guidelines on how the judicial departments of the land reform districts should do their work. This document refers to human rights in its instructions to prevent the killing or beating of landlords: “The Judicial Department of People’s Democratic Regime is responsible for eliminating the feudal system and protecting the People’ rights. Therefore, the Judicial Department should study the land reform documents, understand land reform policy, deal with land reform cases properly [...] to protect human rights, to prevent arbitrary arrest, beating and killing [...]”<sup>100</sup>

The CCP policy against corporal punishment was disseminated through other channels as well. In December, 1950, the *People’s Daily* published the guidelines of the land reform movement, with emphasis on the policy

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<sup>99</sup> “Beipingshi Junshi Guanzhi Weiyuanhui Guanyu Beipingshi Xianqu Nongye Tudi Wenti de Jueding (The Decision on the Management of the Agricultural Land in Beiping from the Military Committee of Beiping),” in *Sunan Tudi Gaige Fangwenji* (Interviews about the Land Reform in Southern Jiangsu Province), ed. Pan Guangdan, Quan Weitian (Beijing: Sanlian shudian, 1952), 404.

<sup>100</sup> “Hebeisheng Tugai Diqu Sifa Bumen Gongzuo ji Zuzhi Zanzing Banfa (Provisional Regulation on the Work and Organization of the Judicial Department of the Land Reform Districts in Hebei Province),” in *Hebei Tudi Gaige Dangan Shiliao Xuanbian* (The Selected Archives of Land Reform in Hebei Province), ed. Hebei Archives, (Hebei: Hebei Renmin Chubanshe (Hebei People’s Publisher), 1990), 683.

that forbade corporal punishment. It stated that “the task of land reform is not to eliminate the bodies of landlords.”<sup>101</sup> Similarly, a land reform pamphlet was published explaining the problems encountered in the land reform movement. It addressed two important questions. One was how to deal with landlords in the land reform movement. The other was whether poor peasants could arbitrarily deal with landlords. In response to the first question, the pamphlet gave a clear answer: the land reform movement was only out to eliminate the landlord class, not the landlords’ bodies. After the confiscation of their land and other production materials, the CCP and the People should leave landlords a parcel of land and some production materials so they can support themselves by independent labor and reform themselves through work, the pamphlet stated.<sup>102</sup> On the second question, it explicitly opposed arbitrary corporal punishment and appealed for punishment of landlords by legal means. It pointed out that “according to the land reform law, we forbid the arbitrary arrest, beating, killing and other kinds of corporal punishment. The evil landlords, local bullies and criminals who resist the land reform should be sentenced by the People’s Court.”<sup>103</sup> Although the phrase ‘human rights’ was not explicitly mentioned, the pamphlet’s contents imply that the government was aware of various types of human rights violations such as arbitrary arrest and killing, and of the necessity of the right to a fair trial.

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<sup>101</sup> “Women Weishenme Kaizhan Tudi Yundong (Why We are Conducting the Land Reform Movement),” in *People’s Daily*, December 12, 1950.

<sup>102</sup> *Wenti yu Daan, Guanyu Tudi Gaige* (Questions and Answers about Land Reform). Shanxi Archives, 6/ 15/ 45/ 4.

<sup>103</sup> *Wenti yu Daan, Guanyu Tudi Aaige* (Questions and Answers about Land Reform). Shanxi Archives, 6/ 15/ 45/ 4.

Corporal punishment provoked a serious debate when it was implemented by local land reform committees. On the issue of killings and beatings, someone said: “we should not beat normal landlords, but have to beat some evil landlords.” Some also referred to Ren Bishi’s report, making statements such as “beating is necessary if peasants are extremely angry with evil landlords,” “we cannot resolve any problems without beating and killing,” and “we have to use corporal punishment even if it is not permitted, because peasants will not be mobilized without beating landlords.”<sup>104</sup> In the view of some local land reform committees, permitting poor peasants to use corporal punishment had become a way for cadres to show support for them. Professor Xing Qiyi of Beijing University, in his discussion of the role of land reform cadres in mobilizing poor peasants, wrote that “cadres should not stop poor peasants beating landlords [...] the poor peasants would think that the government did not stand firmly on their side if cadres discouraged them.”<sup>105</sup> In Sichuan province, the local party committee claimed that “the beating out of poor peasants’ anger should be distinguished from the

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<sup>104</sup> Zhonggong Hebei Shengwei Ganyu Jiancha Xinqu Tugai Gongzuo Wenti ji Jinhou Yijian (The Problems of, and Suggestions on Land Reform in New Liberated Areas from the Hebei Land Reform Committee), in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected archives of land reform in China), ed. Chinese Academy of Social Science (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People’s Liberation Army). 1988), 610.

<sup>105</sup> “Xiang Tudi Gaige Ganbu Xuexi, Xiang Tudi Gaige Ganbu Zhijing (Learning from the Land Reform Cadres, Saluting to the Land Reform Cadres),” in *Tudi Gaige yu Sixiang Gaizao* (Land Reform and Thought Reform) (Beijing: *Guangming Daily*, 1951), 81.

indiscriminate corporal punishment.”<sup>106</sup> The land reform administration of North China expressed this attitude more directly: “we have to torture landlords, otherwise their moveable property cannot be confiscated and the masses cannot be quickly mobilized [...] we cannot resolve any land problems if there is no beating, no killing and no mass mobilization [...] although we should not abuse all of them, when it comes to certain extremely evil landlords, we have to do so.”<sup>107</sup> Such support reflected the CCP’s more pragmatic approach to the class struggle: first, to mobilize the peasantry in the fight against the landlord class so as to consolidate the CCP’s regime in rural China; second, to sustain social stability in order to facilitate production in rural areas. This approach was confirmed in many land reform documents. For example, a report from the North China land reform committee specifically argued that mass

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<sup>106</sup> “Zhonggong Cuannanqu Dangwei Guanyu Qingfei Faneba Jianzu Tuiya Ruogan Wenti de Buchong Guiding (Supplementary Regulations on Eliminating Bandits, Fighting Against Bullies, Reducing Rents and Returning Deposit from the Party Committee of South Sichuan Province),” in *Xinanqu Tudi Yundong Gaige Ziliao Huibian* (The Collection of the Land Reform Materials in Southwest China), ed. Xinan Nongcun Gongzuobu (Peasantry Work Team of Southwest China) (Chongqing: Chongqing Publisher, 1954), 268-269.

<sup>107</sup> “Hebei Shengwei Huibao Jilu (Report of Hebei Provincial Party Committee),” November 8, 1949. *Hebei Archives*, 855/1/18. This source is cited from Yang, “Xinzhongguo Tugai Beijingxia de Dizhu Funong Wenti (The Problems of Landlord and Rich Peasants in the Land Reform Movement in China),” 13. “Zhonggong Hebei Shengwei Guanyu Jiancha Xinqu Tugai Gongzuo Wenti ji Jinhou Yijian (Problems of Land Reform in New Areas and Relevant Suggestions From Hebei Provincial Party Committee)” (November 11, 1949) in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People’s Liberation Army), 1988), 609-610.

killing and beating led to social chaos and hindered social production.<sup>108</sup>

Similarly, a professor from Beijing University highlighted the importance of mobilizing the masses in class struggle. As he emphasized, cadres could not stop peasants from beating landlords as it would discourage them, and the government would also lose the support of the peasantry for land reform.<sup>109</sup>

The widespread support for corporal punishment signaled that some cadres put the interests of poor peasants ahead of the landlords and rich peasants. Poor peasants enjoyed more political and civil rights throughout the course of the struggle session. They were not only encouraged to use these rights to fight against landlords, but they also gained the political trust of the CCP. As Richard Madsen concluded: “to be classified as poor peasant was to be given a uniquely privileged position in the new political order established by the communists. Poor peasants received first priority on the land and property redistributed from the landlords and rich peasants. More importantly, poor farmers were given a preeminent position of political trust. Wherever possible, the government was to rely on poor and lower-middle peasants to be the cadres and backbone elements of the new political order.”<sup>110</sup> The privileges and political trust also changed the mentality of poor peasants

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<sup>108</sup> “Huabeiju guanyu chongshen zhengque zhixing tugai zhengce zhong jige juti wenti de guiding (The regulation on the right way to implement some specific questions on the land reform policy from North China land reform committee),” in *Zhongguo Tudi Gaige Shiliao Xuanbian* (Selected Archives of Land Reform in China), (Beijing: Jiefangjun guofang daxue chubanshe (Press of National Defense University of People’s Liberation Army), 1988), 617.

<sup>109</sup> “Xiang Tudi Gaige Ganbu Xuexi, Xiang Tudi Gaige Ganbu Zhijing (Learn From Land Reform Cadres, Salute Land Reform Cadres),” in *Land Reform and Thought Reform*, 81.

<sup>110</sup> Madsen, *Morality and Power in a Chinese Village*, 42.

in the sense that they no longer looked up to the landlords as a group with higher status. In May, 1952, peasants in Liuxiu, Guangxi province, held a celebration of the land reform movement. One woman said “I have kept silent for decades. But I am the master of the village and can express myself boldly now.” Another man said “after thousands of years, we are really emancipated today.”<sup>111</sup> This sense of enjoyment of equality and freedom, if not the primary achievement of land reform, was at least a byproduct of it.

Although landlords and rich peasants were excluded from the People and deprived of political and civil rights, the central government still felt it necessary to endow them with some certain rights, such as the right to live, to represent themselves in court, and to own legal property. CCP leaders also invoked some basic human rights notions in their attempts to rectify corporal punishment during the class struggle. However, it cannot be denied that when class status became the primary way of distinguishing citizens from non-citizens, this led to a new situation in which citizenship rights were exclusively enjoyed by poor and hired peasants.

The land reform movement was broadly completed in 1953, but the struggle against landlords and rich farmers persisted much longer because of Mao’s ideas of class struggle. Class status not only determined the lives of landlords and rich peasants, but also deeply affected the fate of their descendants in the decades that followed. Family background and social status prevented descendants of landlords and rich

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<sup>111</sup> Yang, *Yang Hansheng Riji Xuan* (Selected Diary of Yang Hansheng), 608.

farmers from enjoying civil and political rights. On December 8, 1956, Mao Zedong discussed the education situation in a symposium. He pointed out that “70 percent of university students are the children of landlords and rich farmers. We should unite and educate them. We should help them to study in universities, to participate in the Communist Youth League [...] we should treat them equally. We should judge them by their personal behavior rather than their family background.”<sup>112</sup> However, Mao’s power had increasingly been challenged since the 1950s because of his failure in the Big Leap Forward. In order to consolidate his authority, Mao reemphasized the necessity of class struggle. In September of 1963, the central government issued a document on Mao’s orders which, on the one hand, stressed that the children of landlords and rich peasants should not be equated with their parents; but on the other hand, it emphasized that the class struggle should be kept in mind.<sup>113</sup> Actually, the descendants of landlords and rich farmers had scant opportunity to go to university or assume a local administrative post. In order to shed their social identity, the younger generations of landlords and rich peasants chose to marry people from poor families, but their marriages were strictly controlled by government regulations. On September 10, 1963, the CCP stipulated that “poor peasants, local cadres,

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<sup>112</sup> See Feng Jianhui, “Dang dui Dizhu Funong Jiqi Zinv Zhengce de Bianqian (Changes of the CCP’s Policy on Landlords, Rich Peasants and Their Descendants),” *Yanhuang Chunqiu* 12 (2000): 28-34.

<sup>113</sup> “Zhonggong Gongyang Guanyu Nongcun Shehui Zhuyi Jiaoyu Yundong zhong Yixie Juti Zhengce de Guiding (caoan), (The Central Government of the CCP’s Regulation on Some Detailed Problems of Socialist Education Movement in Rural Areas---Draft).” In *Jianguo Yilai Zhongyao Wenxian Xuanbian* (Selected Works of Important Literature since the Foundation of the PRC), vol. 17, edited by The Research Institution of the Archives of the CCP (Beijing: Zhongyang wenxian chubanshe (Publishing House of Central Party’s Literature), 1992), 383- 420.

or other working people should receive a socialist education if they marry the children of landlords and rich farmers. If they have been corrupted by bourgeois and feudal ideas, they should be seriously educated. If necessary, they will be deprived of their membership of the CCP and dismissed from any government positions.”<sup>114</sup> This regulation was obviously inconsistent with the provision of the Common Program, which specifically regulated that “freedom of marriage for men and women shall be put into effect.”<sup>115</sup>

## 5. Conclusion

The land reform movement was a process of establishing citizenship in rural China. By creating a new class division in Chinese villages, the CCP successfully established a strong political community in which middle, poor and hired peasants were entitled to membership and enjoyed a share of citizenship rights. Landlords and rich peasants were excluded from the political community and deprived of citizenship rights for decades. In this sense, the class division not only distinguished citizens and non-citizens in the countryside, but also determined who could enjoy a set of citizenship rights in China. Because class status had a large impact on one’s fate, the process of class division was carefully conducted and rechecked in many ways. But many errors occurred

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<sup>114</sup> See “Zhonggong Gongyang Guanyu Nongcun Shehui Zhuyi Jiaoyu Yundong zhong Yixie Juti Zhengce de Guiding (caoan), (The Central Government of the CCP’s Regulation on Some Detailed Problems of Socialist Education Movement in Rural Areas---Draft).”

<sup>115</sup> See “The Common Program,” Article 6, p. 3-4.

anyway in the course of classification. The people deemed to be landlords or rich peasants had few rights that could help them secure a reevaluation of their class status. Furthermore, the rural residents who were classified as landlords and rich peasants suffered mistreatment in the class struggle. Non-citizens, or the People's enemy, were subjected to mass beatings and killings. The different treatment of poor peasants and landlords reveals a tension between human rights and citizenship rights in the context of the land reform movement: the universal norms of human rights assume that all human beings should enjoy these rights on the basis of their humanity. However, when landlords were deprived of citizenship, their human rights were not protected. In this sense, the exclusion of landlords from citizenship was a way of giving the interests of the People priority at the expense of non-citizens. Nevertheless, the failure to respect landlords' human rights did not mean that human rights played no role at all in the land reform movement. The idea of human rights played a role in many debates on land reform. The rural residents used a general notion of human rights ideas to defend their interests, while the CCP referred to human rights language to justify the land reform, to introduce land reform policy and to rectify land reform mistakes. The whole process of land reform demonstrates that the CCP pragmatically used human rights in its political rhetoric to facilitate the institutionalization of citizenship.

## **Chapter 4. Human rights and state sovereignty in Chinese foreign policy: 1950s- 1970s**

### **1. Introduction**

To uphold human rights, as opposed to the rights of citizens, is to presuppose that all individuals are equally entitled to them without consideration of their citizenship, nationality, class, gender or any other distinction. By logical extension, individuals are assumed to have human rights even without the protection of the state. However, Arendt argues that the inalienability of human rights is hardly enforceable when there is no state to enforce it.<sup>1</sup> In Arendt's view, it is paradoxical that the concept of human rights is predicated upon universality and inalienability, while in practice human rights are hard to safeguard for individuals who lack the status of citizen in a state. Arendt points out that holding citizenship is key to the enjoyment of human rights. Looked out in another way, her critique indicates that in the existing international political system, an independent state is a precondition for the protection of human rights. Nevertheless, Arendt also warns that states sometimes violate human rights in the name of national interest or national sovereignty.<sup>2</sup>

As Arendt points out, human rights and state sovereignty present us with a conundrum. To begin with, a sovereign state can guarantee human rights, but the same state can also violate its citizens' most basic rights. Furthermore, human rights violations sometimes lead outside actors to

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<sup>1</sup> Hannah Arendt, "The Decline of the Nation State and the End of the Rights of Man", in *The Origins of Totalitarianism* (New York: Harcourt, Brace and Company, 1951), 288.

<sup>2</sup> Arendt, "The Decline of the Nation State and the End of the Rights of Man", 288.

interfere in the domestic affairs of such a state, challenging the state's sovereignty. But from the opposite perspective: by strictly upholding sovereignty, one limits the scope for outside intervention to protect human rights.<sup>3</sup> Thus, the practice of external human rights intervention is incompatible with the inviolability of state sovereignty. However, some scholars attempt to reconcile the tension between state sovereignty and human rights.<sup>4</sup> Justin Conlon asserts that state sovereignty guarantees human rights in two senses: firstly, state sovereignty protects human rights by reducing the incidence of war and the human rights abuses that occur in the context of war; secondly, the principle of state sovereignty promotes the right to self-determination and with it the conditions needed for the enjoyment of other specific human rights.<sup>5</sup>

Most debate on the relation between human rights and state sovereignty takes place in the fields of law and philosophy; scholars have paid little attention to the history of the human rights-state sovereignty dynamic. By exploring human rights and state sovereignty in Mao's China, this chapter can analyze their interrelations from a historical perspective. Starting in the 1950s, the CCP used human rights discourse to develop China's relations with the developing world and to criticize the United States government's oppression of African-Americans and the Soviet Union's violations of human rights. At the same time, Chinese

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<sup>3</sup> Janina W. Dacyl, "Sovereignty versus Human Rights: From Past Discourses to Contemporary Dilemmas," *Journal of Refugee Studies* 9 (June 1, 1996): 138-140. Justin Conlon, "Sovereignty vs. Human Rights or Sovereignty and Human Rights," *Race Class* 46 (2004): 75-100.

<sup>4</sup> Matthew S. Weinert, "Bridging the Human Rights Sovereignty Divide: Theoretical Foundations of a Democratic Sovereignty," *Human Rights Review* 8 (2007): 5-32.

<sup>5</sup> Conlon, "Sovereignty vs. Human Rights or Sovereignty and Human Rights," 75.

delegations expressed varying attitudes on human rights and state sovereignty on many international forums, such as the 1954 Geneva Conference and the Bandung Conference the following year. In addition, the Tibetan Uprising of 1959 led to an international human rights debate between China and the West. Analyzing these cases of Chinese foreign policy under Mao reveals one way of understanding the dynamic between human rights and state sovereignty. It is therefore of great interest to explore how China invoked the discourses of human rights and state sovereignty in its foreign policy and to consider what these instances indicated with regard to China's human rights policies in each specific context.

When it comes to the human rights aspect of Chinese foreign policy under Mao, the literature is scant. Andrew Nathan offers a fragmentary analysis of human rights discourse in the Mao era. He shows that throughout the 1950s and '60s, Mao's China criticized the United States and other Western countries for violating the right to self-determination and sovereignty of Third World countries such as Laos, The Philippines and Korea.<sup>6</sup> According to Nathan, the CCP used human rights in this context to justify its own foreign policy and stress the importance of sovereign independence in the struggle against colonial rule. Ann Kent's review of Chinese human rights policies before 1989 makes a similar point. Kent emphasizes the incompatibility between Beijing's understanding of human rights and Western human rights, which are associated with natural or individual rights and based on Western liberal

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<sup>6</sup> Andrew Nathan, "Human Rights in Chinese Foreign Policy," *The China Quarterly* 139 (1994): 622-643.

thinking. In her view, China's notions were primarily collective and economic rights arising from its own specific aspirations such as national independence, anti-colonialism and economic development.<sup>7</sup> Unlike Nathan, Kent limits her analysis by focusing on the interaction between China and UN human rights regime. She analyzes China's response to the mechanisms of this regime after its entry into the UN, and characterizes China's subsequent conduct as "selective compliance with the values and procedures of some UN human rights bodies."<sup>8</sup> Nathan and Kent's arguments indicate that human rights played a role in Mao's foreign policy, yet neither provides any detailed study of the historical context within which this policy took shape. Nathan lists a few cases where China used the words 'human rights' in its foreign policy, however his analysis of the government's human rights attitude is anything but systematic. Kent focuses more on UN human rights monitoring in China as well as China's response to UN human rights regimes. However, she hardly takes into account the impact of China's foreign policy on the country's own human rights stance. Other scholars, such as Chen Dingding, James Seymour and Wan Ming, also discuss the human rights policies that were part of Chinese foreign policy.<sup>9</sup> But these researchers

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<sup>7</sup> Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*.

<sup>8</sup> Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*, 47.

<sup>9</sup> James Seymour points out that China's domestic politics largely affected its human rights attitude, and Wan Ming considers national interest as the primary factor influencing China's human rights attitude. See Chen Dingding, "Explaining China's Changing Discourse on Human Rights, 1978-2004," *Asian Perspective* 29 (2005): 155-182. James D. Seymour, *Human Rights in Chinese Foreign Relations* (Boulder: Westview Press, 1994). Wan Ming, *Human Rights in Chinese Foreign Relations: Defining and Defending National interests*. (Philadelphia: University of Pennsylvania Press, 2001).

focus primarily on the post-Mao period, and thus provide limited inspiration for this chapter.

The current literature offers a broad overview of China's human rights attitude, but no systematic study of how human rights factored in Chinese foreign policy during Mao's period. Chapter Four supplies this missing piece of analysis, in order to answer the following questions: with regard to foreign policy, what was China's position on human rights and state sovereignty in this specific historical context? How did the government wield the principles of human rights and state sovereignty in its foreign policy? In what circumstances did China compromise on human rights or insist on the inviolability of its state sovereignty? This chapter argues that China's use of human rights was very selective and strategic at the international level and that the government deliberately employed human rights and state sovereignty in foreign affairs. The chapter considers various occasions from the 1950s until the 1970s when Chinese foreign policy explicitly referred to human rights and state sovereignty. The first section discusses China's human rights stance; this is followed by an analysis of international responses to this stance. The third and final section describes the strategic use of human rights discourse in China's foreign policy.

The Geneva Conference of 1954, the Bandung Conference of 1955 and the Tibet Uprising in the late 1950s are the cases I use to illustrate the government's early attitude on human rights. They also offer a view of the international response to China's policies. For a grasp of what state sovereignty meant to the CCP, I discuss the party's five principles of peaceful coexistence in the international arena: mutual respect for

territorial integrity and sovereignty, mutual non-aggression, mutual non-interference in domestic affairs, equality and mutual benefit, peaceful co-existence. To understand how China strategically used human rights discourse, I explore how the government encouraged national liberation movements in the Third World and the civil rights movement in the USA, and engaged in a polemic with the Soviet Union. I gathered most of the primary sources for these cases in China and the Netherlands; they include Chinese state documents and newspapers such as *People's Daily*, *Liberation Daily* and *China News Agency*, the proceedings of the Geneva Conference, the Bandung Conference and the 14th UN General Assembly, material from the Australian National Archives about a talk given by early UN diplomat Charles Malik, speeches and reports by Mao Zedong, Zhou Enlai and other leaders, and diaries written by Chinese officials who participated in the Bandung Conference.

## **2. China's human rights position as an element of foreign policy**

It would be inaccurate to say that human rights figured in Mao's foreign policy in any formal sense, since 'human rights' was neither mentioned nor upheld as a guiding principle of foreign affairs during his rule. Nevertheless, a number of instances in history reveal the tactical use of human rights in Chinese diplomacy and the CCP's implicit attitude towards human rights. In the Mao period, three main phases can be discerned. The first of these began even before the foundation of the PRC, when the CCP accused the Kuomintang (KMT) of violating the basic

rights of Chinese people. Through this instrumental use of human rights, the CCP attempted to expand its support base in the fight against Kuomintang. After the CCP rose to power in mainland China, its foreign policy went through another two important phases. One was in the mid-1950s when the five principles of peaceful coexistence played a vital role; the other, from the late 1950s and into the 1960s, was a period during which Mao's international communist revolution primarily affected China's human rights attitude abroad. This entire section considers the CCP's policy during these three phases, and analyzes China's human rights stance within each specific context. It begins with a general introduction to Chinese foreign policy under Mao's rule; after this, it discusses China's human rights position since 1949, and finally analyzes the alternatives to human rights in China's foreign policy under Mao.

### **2.1. China's foreign policy: 1940s-1960s**

China's foreign policy during this period was complex and influenced by many internal and external factors. According to Thomas Robinson, the primary themes of Chinese foreign policy under Mao were the aspiration of national unity and the desire to export communist ideology and restore China's primacy in Asia, while international factors, such as the foreign policies of the superpowers and global political and economic structures, played a secondary role.<sup>10</sup> This argument finds resonance in the views of scholars such as Chen Dingding, James Seymour and Wan Ming, who likewise emphasize the importance of Chinese national interests, the

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<sup>10</sup> Thomas W. Robinson, David L. Shambaugh, ed., *Chinese Foreign Policy: Theory and Practice* (New York: Oxford University Press, 1995), 555-556.

country's own history, its political forces, and other domestic factors.<sup>11</sup> Some scholars do stress the interaction between domestic and external factors and contend that Chinese foreign policy tended to become more prone to external influence as China's integration into world affairs progressed.<sup>12</sup> Be that as it may, any analysis of China's foreign policy under Mao must begin by exploring the chief domestic factors in that period. To begin with, Mao himself exerted great influence on Chinese foreign policy. Therefore it is crucial to understand his personality, his megalomania, and the communist ideology he espoused.<sup>13</sup>

In the aftermath of its Civil War and the Second Sino-Japanese War, China was eager to pursue three goals: national unity, social stability and economic rehabilitation. The CCP's policy therefore emphasized two priorities: to develop the domestic economy and thereby create a stable socialist society, and to improve its relations with the outside world.<sup>14</sup> In the first few years after the foundation of the PRC, the CCP attempted to consolidate the new socialist regime by pursuing a foreign policy of "cleaning the house before inviting guests," which meant eliminating all remnants of imperialism and revoking all privileges enjoyed by foreign

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<sup>11</sup> Seymour, Human Rights in Chinese Foreign Relations. Wan, Human Rights in Chinese Foreign Relations: Defining and Defending National interests.

<sup>12</sup> Liu Guoli, eds., *Chinese Foreign Policy in Transition* (Piscataway: Transaction Publishers, 2004), 2.

<sup>13</sup> Thomas W. Robinson, "Chinese Foreign Policy from the 1940s to the 1990s", in *Chinese Foreign Policy: Theory and Practice*, ed., Thomas W. Robinson, David L. Shambaugh (New York: Oxford University Press, 1995), 557.

<sup>14</sup> Zhang Shuguang, "Constructing 'Peaceful Coexistence': China's Diplomacy toward the Geneva and Bandung Conferences, 1954–55," *Cold War History* 7 (2007): 509-528.

forces on Chinese territory.<sup>15</sup> Top priority was the fight against imperialism, with a domestic focus. In 1953, however, China's defeat in the Korean War forced the government to adapt its policy. Eliminating imperialism would make way for the goal of strengthening the domestic economy.<sup>16</sup> In a meeting with Khrushchev,<sup>17</sup> Zhou Enlai had already said that "we've already lost too many men in Korea. That war cost us dearly."<sup>18</sup> It was in these dire circumstances that China implemented its first Five-Year Plan<sup>19</sup> with the aim of developing its national economy. The CCP felt this required a peaceful environment both at home and abroad. The party's desire for peace was accompanied by a certain optimism about international affairs in the 1950s. At that time, CCP leaders were predicting that global relations would enter a more tranquil phase. Mao himself once expressed this, countering the suggestion that there would soon be a third world war, by asking: "if even the US cannot

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<sup>15</sup> This policy is briefly discussed by Jian Chen and Michael Sheng. See Jian Chen, "The Myth of America's 'Lost Chance' in China: A Chinese Perspective in Light of New Evidence," *Diplomatic History* 21(1997): 77-86; Michael Sheng, "The United States, the Chinese Communist Party, and the Soviet Union, 1948-1950: A Reappraisal," *Pacific Historical Review* 63(1994): 521-536.

<sup>16</sup> Xu Yan, "Korean War: In the View of Cost-effectiveness," China.org.cn, July 29, 2003, accessed February 18, 2017, <http://japanese.china.org.cn/english/2003/Jul/71093.htm>. According to Xu Yan's data, China's total national income during the three years of the Korean War was 200 billion RMB, while it spent 6.2 billion RMB on the war effort and accrued billions of RMB of debt to the Soviet Union.

<sup>17</sup> Nikita Sergeevich Khrushchev (1984-1971) served as First Secretary of the Communist Party of the Soviet Union from 1953 to 1964.

<sup>18</sup> Nikita Sergeevich Khrushchev, *Khrushchev Remembers* (Boston: Little, Brown, 1974), 482.

<sup>19</sup> The PRC's Five-Year Plans were a series of social and economic policies decided upon in the plenary sessions of the Central Committee and at national party congresses. They generally included a strategy for economic development, growth targets for the economy and reform procedures. The first Five-Year Plan was initiated in 1953.

win the Korean War, how could it provoke another world war?”<sup>20</sup> In a later speech, in 1957, Mao’s outlook remained bright, as he claimed that “the current situation is characteristic of the east wind prevailing over the west wind, that is the force of the socialist is prevailing over that of the imperialist... world war is not inevitable.”<sup>21</sup> Assuming that the risk of another world war was slight, the CCP pursued a more conciliatory foreign policy to gain international support. In June, 1953, Zhou Enlai instructed Chinese diplomats to follow the principle of: “resolving all international disputes through peaceful negotiations... practicing peaceful coexistence and peaceful competition among all different systems.”<sup>22</sup> These instructions were later developed into a more concrete foreign policy to become known as the five principles of peaceful coexistence.

China initially proposed the five principles to its neighboring countries in the early 1950s. The principles gradually took hold, and by the latter half of that decade they were a dominant feature of China’s foreign policy. In December, 1953, when an Indian delegation visited Beijing to discuss problems related to the borders of Tibet, Zhou Enlai for the first time specifically raised the five principles of peaceful coexistence. He stated that “China has a series of principles to deal with Sino-Indian relations

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<sup>20</sup> Zhou Enlai, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), eds., Zhongyang Wenxian Yanjiushi (Research Institution of the CCP’s Archives) (Beijing: Zhongyang Wenxian Chubanshe (Publishing House of Central Party’s Literature), 1990), 58.

<sup>21</sup> Feng Xianzhi, Jin Chongji, ed., *Mao Zedong Zhuan (1949-1976)* (Biography of Mao Zedong: 1949-1976) (Beijing: Zhongyang wenxian chubanshe, (Publishing House of Central Party’s Literature), 2003), 846.

<sup>22</sup> Zhou, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 62.

since its foundation, which include mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, mutual non-interference in domestic affairs, equality and mutual benefit, peaceful co-existence. All pending problems can be discussed openly as long as we stick to these principles.”<sup>23</sup> The Indian delegation gave its approval to the principles and they were ultimately included in the preface to the Sino-Indian communiqué entitled the Agreement on Trade and Intercourse with Tibet Region.<sup>24</sup> Zhou restated the five principles on his visit to India in June, 1954. In his meeting with Indian premier Nehru,<sup>25</sup> Zhou suggested that the five principles be included in the Sino-India Joint Declaration. Both premiers expressed their support for these principles in the declaration. The Sino-Indian Joint Declaration pointed out that despite the different social systems that existed in Asia and other regions, the five principles were applicable not only to Sino-Indian relations, but also to international affairs in general.<sup>26</sup> The Sino-India Joint Declaration put particular emphasis on the principle that respect for territorial integrity and sovereignty was an important condition for world peace. At the Bandung Conference in 1955, Zhou stressed that “only by respecting sovereign and territorial integrity can world peace be preserved. Any intentions to violate sovereignty and to

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<sup>23</sup> Zhou, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 63.

<sup>24</sup> “Agreement on Trade and Intercourse with Tibet Region”, Ministry External Affairs, Government of India, April 29, 1954, accessed January 8, 2017, <http://www.mea.gov.in/bilateral-documents.htm?dtl/7807/Agreement+on+Trade+and+Intercourse+with+Tibet+Regi>.

<sup>25</sup> Jawaharlal Nehru (14 November 1889 – 27 May 1964), was the first Prime Minister of India.

<sup>26</sup> “Zhou Enlai Raised the Five Principle of Peaceful Coexistence On June 25, 1954,” News of the Communist Party of China, accessed November 14, 2013, <http://cpc.people.com.cn/GB/64162/64165/66003/4463085.html>.

interfere in domestic affairs of other countries will inevitably endanger world peace.”<sup>27</sup> National sovereignty and the principle of non-interference constituted the cornerstone of the five principles, Shuguang Zhang argues.<sup>28</sup>

China’s emphasis on the five principles at the Bandung Conference also inspired a notion of Asian-African Solidarity, a spirit of cooperation between African and Asian countries with the aim of developing economies on the one hand and combating imperialism and colonialism on the other. The Chinese supported Asian-African Solidarity and its five principles in a single breath. One outcome of the Bandung Conference was the Afro-Asian People’s Solidarity Conference, held in September, 1957, in Cairo, which in turn led to the establishment of the Afro-Asian People’s Solidarity Organization (AAPSO).<sup>29</sup> Some scholars claim that AAPSO played an essential role in Chinese policy towards the Third World, and particularly in facilitating Chinese foreign affairs in Africa.<sup>30</sup> In any case, this did not last; conflicts between AAPSO countries eroded

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<sup>27</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” in *Zhou Enlai Xuanji* (Selected Works of Zhou Enlai, vol.2), eds., Zhonggong Zhongyang Wenxian Yanjiushi (Research Group of the Archives of the Central Committee of the CCP) (Beijing: People’s Publishing House, 1984), 150.

<sup>28</sup> Zhang, “Constructing ‘Peaceful Coexistence’: China’s Diplomacy toward the Geneva and Bandung Conferences, 1954–55”, 512.

<sup>29</sup> The First Afro-Asian People’s Solidarity Conference, Held at Cairo from 26 December 1957 to 1st January 1958. Inaugural Addresses, Resolutions, Closing Addresses, eds., Permanent Organization for Afro-Asian Peoples’ Solidarity (Cairo: The Permanent Secretariat of the Organization for Afro-Asian People’s Solidarity, 1958), 7-12.

<sup>30</sup> Charles Neuhauser, *Third World Politics: China and the Afro-Asian People’s [sic] Solidarity Organization, 1957-1967* (Harvard: Harvard University Asia Center, 1968).

the goodwill built up after the Bandung Conference,<sup>31</sup> and China's emphasis on Asian-African solidarity was gradually replaced by Mao's international communist revolution in the 1960s.

With domestic economic development and world peace as their chief priorities, Chinese leaders in the 1950s focused their foreign policy on the five principles. This changed in the 1960s, as the five principles were supplanted by a more aggressive policy based on Mao's ambition to spearhead an international communist revolution. The shift was partly the result of internal disputes in the CCP, and partly a response to the emergence of national liberation movements in various countries in that decade. In the first years following the Bandung Conference, China had stayed true to the five principles, showing restraint rather than enthusiastically supporting revolutionary struggles in other countries. By the 1960s, however, it was clear that the five principles had failed to create a united front against imperialism. The CCP saw how, much to its chagrin, many African and Asian countries had been recruited into what it saw as a US-led neo-colonial empire.<sup>32</sup> In March, 1958, Zhou Enlai, who had advocated the five principles at Bandung, soul-searchingly expressed that "the Foreign Ministry's work under his direction had neglected the necessary struggle in dealing with nationalist countries, had maintained a kind of wishful thinking concerning imperialism."<sup>33</sup> This had become particularly apparent after 1956, when Sino-Soviet relations began to sour; Mao grew dissatisfied with both his Soviet counterparts abroad and

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<sup>31</sup> Guy J. Pauker, "The Rise and Fall of Afro-Asian Solidarity," *Asian Survey*, 5 (Sep., 1965): 425-432.

<sup>32</sup> George T. Yu, "China and the Third World," *Asian Survey*, 17(Nov., 1977), 1037.

<sup>33</sup> Chen, Jian, *Mao's China and the Cold War* (North Carolina: University of North Carolina Press, 2001), 73.

his CCP comrades at home. On the one hand, Mao criticized the revisionism which had led the Soviet Union to compromise with American imperialism. On the other, he slammed some CCP leaders for being frightened by international reactionaries and taking a “pro-revisionist” line.<sup>34</sup> The spectre of revisionism was one reason why Mao began to promote his own international liberation movement abroad and to call for a socialist education movement domestically.<sup>35</sup> Another development spurring Mao to promote a world communist movement was the emergence of liberation movements in Africa and Asia. For Mao, the anti-colonial wave was a great opportunity to promote his theory of world proletarian revolution and to establish himself as the leader of a global communist revolution.<sup>36</sup>

Once Mao’s idea of an international communist revolution crystallized, China gave it concrete shape in its foreign relations with the Third World, the USA and the Soviet Union. Encircled by the American and Soviet spheres of influence, Mao devised a way to break out. The idea was to stress China’s relations with the Third World as the main pillar of foreign policy, because “[w]hat imperialism fears most is the awakening of the Asian, African and Latin American peoples, the awakening of the peoples of all countries. We should unite and drive U.S. imperialism in Asia,

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<sup>34</sup> Chen, *Mao’s China and the Cold War*, 83.

<sup>35</sup> “Chinese Foreign Policy during the Maoist Era and its Lessons for Today,” online paper written by the MLM Revolutionary Study Group in the U.S, January, 2007, accessed October 20, 2015, <https://www.marxists.org/history/erol/nem-5/cpc-policy.pdf>. Chi-kwan Mark, *China and the World Since 1945: An International History* (London: Routledge, 2012), 51.

<sup>36</sup> Chen Jian, “Mao’s China and 1956 as a Turning Point in Cold War and Chinese History” (paper presented at the conference on Mao’s China, Non-communist Asia, and the Global Setting, 1949-1976, University of Hong Kong, Hong Kong, February 14-15, 2012).

Africa and Latin America back to where it came from.”<sup>37</sup> To some observers, this new interventionism in Chinese foreign policy may have confirmed what they had already feared. As early as the Bandung Conference of 1955, a number of participating countries viewed China’s five principles with suspicion, assuming they were an excuse for China to establish its hegemony in Asia rather than a pledge to maintain regional peace.<sup>38</sup> Even inside China, top CCP leaders were cautious about promoting Mao’s new ideology of international communist revolution. Defense Minister Lin Biao, a trusted follower of Mao, emphasized that the revolutionary struggles in Africa, Asia and Latin America should be achieved through self-reliant struggle.<sup>39</sup> Whenever the Chinese government released an official statement voicing support for revolutionary struggles in the Third World, which it did frequently, the wording was sure to express the rights of self-determination and development.<sup>40</sup>

In the 1960s, Mao’s theory of an international communist movement not only affected China’s Third World policy, but also its relations with the Americans and Russians. China and the USA had long been at loggerheads over the issues of Taiwan, Korea, Vietnam and many other hotspots, their relations belligerent. Now, however, China became more confrontational in its approach to the USA. Mao’s vision of world

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<sup>37</sup> Mao Zedong, *Chairman Mao Zedong’s Important Talks with Guests From Asia, Africa, and Latin America* (Beijing: Foreign Languages Press, 1960), 2-8.

<sup>38</sup> For relevant sources, see Carlos p. Romulo, *The Meaning of Bandung* (North California: The University of Carolina Press, 1956); George T. Yu, “China and the Third World,” *Asian Survey*, 17(1977): 1036-1048.

<sup>39</sup> Lin Biao, *Long Live the Victory of People’s War!* (Beijing: Foreign Languages Press, 1965).

<sup>40</sup> Nathan, “Human Rights in Chinese Foreign Policy,” 622.

communist revolution explicitly named the Americans as the main enemy of socialist countries. Chinese diplomats, under Mao's instruction, accused the United States government of violating its citizens' civil rights at home and implementing colonialism abroad.<sup>41</sup> As for Sino-Soviet relations, things started going sour in the late 1950s when Mao and other CCP leaders grew disgruntled by Khrushchev's de-Stalinization program. This provoked a polemic between the CCP and the Communist Party of Soviet Union (CPSU), signaling that China was ready to compete with the Soviet Union for the leading role in worldwide communist movement.<sup>42</sup> Throughout the Sino-Soviet polemic, Chinese newspapers spared no effort in accusing the Soviet government of violating the basic rights of its domestic opponents. China's emphasis on the human rights situation in both the US and Soviet Union indicates that Chinese diplomacy saw human rights as a useful tool, Andrew Nathan asserts.<sup>43</sup>

At first glance, it would appear that human rights notions were ascendant in official Chinese thinking in the 1950s and 1960s. However, more thorough consideration of the five principles of coexistence, the policy of international communist revolution, and Chinese ties with the Third World, the USA and the Soviet Union, leads to a more modest conclusion. Not human rights, but sovereign independence and national liberation were the primary focus of Chinese foreign policy. As Tomas Kane argues, the fundamental principles that guided China's foreign policy reflect a

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<sup>41</sup> Nathan, "Human Rights in Chinese Foreign Policy," 622.

<sup>42</sup> Chen, "Mao's China and 1956 as a Turning Point in Cold War and Chinese History." Conference on Mao's China, Non-communist Asia, and the global setting, 1949-1976, University of Hong Kong, 14-15 February 2012. Austin Jersild, *The Sino-Soviet Alliance: An International History* (North California: UNC Press Books, 2014).

<sup>43</sup> Nathan, "Human Rights in Chinese Foreign Policy," 622.

robust approach to state sovereignty.<sup>44</sup> This emphasis on state sovereignty not only influenced China's foreign policy but also largely shaped China's human rights attitude. According to Andrew Nathan, China prioritized the national rights of self-determination above the rights of individual citizens within countries.<sup>45</sup> More precisely, Chengqiu Wu points out that China viewed sovereignty as a precondition to human rights and that this centrality of sovereignty in Chinese political thinking is best reflected in China's foreign policy philosophy.<sup>46</sup> If the relation between human rights and state sovereignty is not exactly opposite, both Nathan and Wu suggest, it is at least deeply complex in the context of Chinese foreign policy.

## **2.2 Human rights in Maoist China's foreign policy: the 1955 Bandung Conference**

Human rights terminology occasionally crept into Chinese foreign policy discourse under Mao, but human rights were never more than a secondary focus. Although a CCP delegate signed the Universal Declaration of Human Rights in 1948, the party seldom discussed the UDHR in the 1950s. Official foreign policy statements did not mention the term "human rights." Only at the Bandung Conference in 1955 did party leaders openly discuss the UDHR; the CCP delegation had to take part in human rights debates with the other participating countries.

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<sup>44</sup> Tomas Kane, "China's Foundations, Guiding Principles of Chinese Foreign Policy," in *Chinese Foreign Policy in Transition*, eds., Liu Guoli (Piscataway: Transaction Publishers, 2004), 101-118.

<sup>45</sup> Nathan, "Human Rights in Chinese Foreign Policy," 623.

<sup>46</sup> Wu Chengqiu, "Sovereignty, Human Rights, and Responsibility: Changes in China's Response to International Humanitarian Crises," *Journal of Chinese Political Science*, 15 (2010):71-97.

Interestingly enough, close inspection of the human rights attitudes expressed by the Chinese delegation reveals strong inconsistencies. On April 18, Zhou Enlai, the head of the Chinese delegation, had emphasized the value and universality of human rights in his opening speech:

“All people of different nations should enjoy basic human rights regardless of their races and colors. They do not deserve discrimination and abuse... Nowadays, opposition to racial discrimination, the need for basic human rights, anti-colonialism, the goal of national liberation, and the safeguarding of state sovereignty and territorial integrity have become the common demands of African and Asian states.”<sup>47</sup>

A few days later, on April 20, Zhou expressed a negative attitude towards the UDHR. Charles Malik, the Lebanese representative at the Bandung Conference and a member of the UDHR draft committee, moved to discuss the human rights declaration in the first session of the Political Committee. This motion won support from Iran, Iraq, Japan, Pakistan, Thailand, Turkey and South Vietnam; the delegations opposed to it were China, India, Indonesia and North Vietnam.<sup>48</sup> As Philippines delegation leader Carlos Romulo recalls, China opposed the UDHR because “the People’s Republic of China was not a member of the United Nations, and therefore had no opportunity to participate in the formulation of such United Nations statement or policies,” and that China argued it “could

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<sup>47</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 150.

<sup>48</sup> Burke, “‘The Compelling Dialogue of Freedom’: Human Rights at the Bandung Conference,” 953.

not be expected to attach its name to any conference statements tied to the United Nations.”<sup>49</sup>

Several hours later on April 20, as the debates over human rights wore on, Zhou Enlai finally agreed to learn more about the context of the UDHR. As Charles Malik recalled:

In the smaller committee, the Chinese were scared of the text and we gave them three hours to read it. Mr. Chou En-lai [Zhou Enlai] read it. I had said it took us three years to work it out. He said you cannot expect me to digest it in three hours.

Finally---again---compromise has happened in all these gatherings. We said “take note of”.<sup>50</sup>

The UDHR finally won the approval of all participating countries, including China. The Final Communiqué of the Asian-African conference of Bandung, passed at the conclusion of the conference, proclaimed that “[t]he Asian-African Conference declared its full support of the fundamental principles of Human Rights as set forth in the Charter of the United Nations and took note of the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations.”<sup>51</sup> So ultimately, Zhou caved in; after refusing to recognize the UDHR, he finally signed the document and included China’s name in the Final Communiqué which confirmed all participating countries’ willingness to engage with the human rights declaration. Carlos Romulo

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<sup>49</sup> Romulo, *The Meaning of Bandung*, 14.

<sup>50</sup> Charles Malik, “Talk given by Dr. Charles Malik at Luncheon,” Canberra: Department of external affairs Australia, April 28, 1955. This source is cited from Burke, “‘The Compelling Dialogue of Freedom’: Human Rights at the Bandung Conference,” 956.

<sup>51</sup> “Final Communiqué of the Asian-African conference of Bandung (April 24, 1955),” in *Asia-Africa Speak from Bandung*, eds., The Ministry of Foreign Affairs, Republic of Indonesia (Indonesia: Djakarta: 1955), 161-169.

claims that China conceded under pressure from other states at the conference which strongly supported human rights.<sup>52</sup> However, another reason for Zhou's compromise on the UDHR was China's aim of improving relations with the Third World. Therefore, it would be inaccurate to interpret China's inclusion in the Final Communiqué as wholehearted support for UN human rights regimes. In Zhou's later report on the Bandung Conference to the CCP central committee, he concluded that "we [the Chinese delegation] agreed to support the UN Charter in the Final Communiqué, but used the term 'take note of' to deal with the concrete documents of the UDHR, so that we are not restrained by the UDHR."<sup>53</sup> Zhou had used the term "take note of" in Bandung to express China's ambivalence towards the UN human rights documents. It was also a very strategic move in the sense that China not only alleviated the tension with some other states, but also left itself more room to explain its position vis-à-vis UN human rights regimes in other specific contexts.

Zhou's diplomacy at Bandung indicates that the CCP's attitude towards the UDHR was more tactical than welcoming in the 1950s. Zhou showed an awareness that China could win more sympathy and support from other states by advocating human rights. In the same period, there were increasing signs of an emergent hostility towards Western human rights ideas in domestic China. Talking about Western notions of human rights

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<sup>52</sup> Romulo, *The Meaning of Bandung*, 14.

<sup>53</sup> *Zhongguo Daibiaotuan Chuxi 1955nian Yafei Huiyi* (The Chinese Delegation Attends the 1955 Bandung Conference), eds., *Zhonghua Renmin Gongheguo Waijiaobu Danganguan* (The Archives of the Ministry of Foreign Affairs of the People's Republic of China) (Beijing: Shijie zhishi chubanshe (World Affairs Press), 2007), 88.

was branded as reactionary and bourgeois.<sup>54</sup> Critics pointed out that human rights were not universal or inalienable, but limited to particular social classes and political stances. In the eyes of critics, only ‘the People’ should enjoy a set of human rights stipulated by the Chinese constitution.<sup>55</sup> Despite this resistance to human rights ideas from people loyal to the party, the CCP did not entirely stop using the vocabulary of human rights in the international arena. So even when the CCP sought to avoid acting on human rights principles by looking for alternative avenues of pursuing foreign policy, it still occasionally invoked human rights discourse to serve its diplomatic purposes.

### **2.3. China’s alternatives to human rights in its foreign policy**

With the end of Chinese Civil War and the Second Sino-Japanese War, human rights lost its importance in the CCP’s foreign policy. The party replaced it with other principles and values that were felt to better serve the restoration of China’s international image. At the Geneva and Bandung conferences of the early 1950s, the party’s foreign policy emphasized the five principles of peaceful coexistence. The selection of these particular five principles can be explained by looking at the specific circumstances of the PRC in its first decade. China’s domestic economy in 1949 could best be described as backward. Although rural productivity improved somewhat thanks to the land reform movement, China’s participation in the Korean War took a heavy toll on the domestic

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<sup>54</sup> For a relevant discussion, see Svensson, *Debating Human Rights in China: A Conceptual and Political History*, 199.

<sup>55</sup> The Chinese Constitution in 1949 regulated the subject of political and civil rights in China. For more details about the domestic human rights situation in Mao’s China, see my last chapter: human rights and citizenship, the case of the land reform movement.

economy.<sup>56</sup> The Chinese government launched its first Five-Year Plan in 1953. Given the desperate need for economic growth, the Chinese government had much to gain by avoiding regional conflicts and maintaining peace in Asia.<sup>57</sup> This would be no easy task, however, as the military confrontation with the USA in Korea had badly damaged Sino-US relations. Moreover, border disputes heightened tensions between China and neighboring countries, such as India and Burma, in the 1950s.<sup>58</sup> Mired in this precarious position, China steered clear of foreign interventions and struck a conciliatory tone to soothe international tensions. In this regard, the five principles served as an instrument to help China achieve its diplomatic aim of avoiding conflict. This is why the CCP shifted away from its more pro-human rights stance of the 1940s, to a foreign policy that championed state sovereignty.

The considerations just mentioned informed the position taken by Chinese diplomats at the Geneva Conference of 1954. As Wang Bingnan, the secretary general of the Chinese delegation recalled, the delegation had been instructed in advance that their objective was to break China out of its isolation and reduce international tensions.<sup>59</sup> Undoubtedly, the five principles played an important role in achieving this purpose. Zhou

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<sup>56</sup> During the Korean War, national defense became China's top priority. The war accounted for most public spending. China sank 6.2 billion RMB and 5.6 million tons of war material into the Korea conflict. See Liu Guoxin, "Yici Jiechu de Juece, Chen Yun yu Kangmei Yuancao Kaishi hou de Caijing Fangzhen (A Successful Decision: Chen Yun and Economic Policy after the Korean War)," *Dangdai Zhongguoshi Yanjiu* (Research of Contemporary Chinese History), 3 (1995): 25-32.

<sup>57</sup> See Zhang, "Constructing 'Peaceful Coexistence': China's Diplomacy toward the Geneva and Bandung Conferences, 1954-55," 509-528.

<sup>58</sup> Joseph A. Camilleri, *Chinese Foreign Policy: The Maoist Era and its Aftermath* (Oxford: Martin Robertson, 1980).

<sup>59</sup> Wang Bingnian, *Zhongmei Huitan Jiunian Huiyu* (Recollections of the Nine-Year Sino-American Talks) (Beijing: Shijie zhishi chubanshe (World Affairs Press), 1985), 7.

Enlai, who also headed the Chinese delegation in Geneva, proposed the five principles, especially the principle of non-intervention, to ease tensions that emerged during the conference. But he would also reveal another element of Chinese foreign policy. This occurred on April 28, when the debate had turned to the Korean question, focusing on demobilization, free elections, and a peaceful unification of Korea.<sup>60</sup>

Tensions reached a climax when John Foster Dulles, the U.S. representative, claimed that the Soviet Union wanted “to turn North Korea into a puppet state, and if possible, to expand its rule into the whole of Korea.”<sup>61</sup> When Dulles proposed that the United Nations supervise the post-war elections in Korea, the Chinese delegation demurred, insisting that no outside force should interfere in Asian affairs.<sup>62</sup> In his rebuttal to Dulles, Zhou revealed another principle of Chinese foreign policy, that of state sovereignty:

“Dulles’s speech is completely against the interest of Asian people, the American aggressive policy in Asia is the source of the tension in Asia... the peace of Asia should be kept, the independence and state sovereignty of each Asian country should be respected, the national rights and freedom of Asian people should be protected, the interference of internal affairs of Asian countries should be immediately stopped... we respect all people’s choices and protect their rights to keep their own live customs and

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<sup>60</sup> Zhai Qiang, “China and Geneva Conference of 1954,” *The China Quarterly*, 129 (Mar., 1992): 622-643.

<sup>61</sup> Dulles speech at Geneva Conference on Korea. April 28, 1954. *Department of State Bulletin* 30. (May 10, 1954).

<sup>62</sup> Some papers also argue that Beijing was skeptical about the neutral role of the UN because it thought the UN was being manipulated by the US. See Han Nianlong, *Dangdai Zhongguo Waijiao* (Contemporary Chinese diplomacy) (Beijing: Zhongguo Shehui Kexue Chubanshe (Chinese Social Science Press), 1987), 51-52.

state system without external interference. We believe all states could peacefully coexist in different political systems if they follow such principles.”<sup>63</sup>

Still in Geneva on May 20, Zhou made another statement at the third plenary session on the Indochina question, attempting to resolve divergent positions on the Vietnam War:

“Asian countries must mutually respect each other’s independence and sovereignty and not interfere in each other’s internal affairs; they must solve their disputes through peaceful negotiation and not through threats and military force; they must establish normal economic and cultural relations on the basis of equality and mutual benefit and disallow discrimination and limitation. Only in this way can the Asian countries avoid the neo-colonialist exploitation of the unprecedented catastrophe of Asians fighting Asians and achieve peace and security.”<sup>64</sup>

Zhou’s words not only stressed the principle of non-interference, but also championed the sovereign independence of Asian countries. At the same time, Zhou was also rebuking the USA for pursuing what he considered an imperialist agenda in Asia.

As the Geneva Conference drew to a close, the CCP felt China had successfully promoted the five principles and defended the sovereignty of Asian states in the face of American imperialism. On July 7, 1954, just before signing the Geneva Accords, Zhou returned to Beijing to report to the CCP politburo. In his report, he indicated that the five principles had proven effective at peacefully reducing international tensions and

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<sup>63</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), eds., Zhonggong Zhongyang Wenxian Yanjiushi (Research Group of the Archives of the Central Committee of the CCP) (Beijing: Zhongyang Wenxian Chubanshe (Central Party Literature Press), 1998), 363.

<sup>64</sup> Zhou Enlai, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 70.

promoting a united front against the Americans.<sup>65</sup> Zhou's report reiterated the five principles' importance as a foreign policy instrument for improving China's international standing. Soon after Geneva, the CCP leadership deemed the time ripe to open China's door to the outside world by proposing the five principles to other states. Mao realized that the five principles and the anti-imperialist stance could be promoted simultaneously to break China out of its U.S.-imposed isolation and improve relations with the Third World. In other words, Mao was abandoning his earlier policy of "cleaning the house before inviting guests" which had dominated Chinese diplomacy for the first few years of the PRC's existence. Mao asserted that "our call for relaxation of international tensions and for peaceful coexistence is now supported by both British Prime Minister Anthony Eden and Indian premier Nehru, which shows that the situation has greatly changed," and therefore "the door can no longer and should not be kept closed. We should venture out."<sup>66</sup>

The next opportunity for China to venture out was the Bandung Conference of 1955. Emboldened by its success in Geneva, the CCP tried to garner more support for the five principles in Bandung. The party's Draft Plan for Attending the Bandung Conference specified China's diplomatic aims for the gathering, which was "to strive for the extension of an international united front, promotion of national independence movements, and creation and strengthening of conditions thereby to

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<sup>65</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), 395.

<sup>66</sup> Jin Chongji, eds., *Zhou Enlai Zhuan* (The Biography of Zhou Enlai) (Beijing: Zhonggong Zhongyang Wenxian Chubanshe (Central Party Literature Press, 2008), 1147.

forge official and diplomatic relations with a number of Afro-Asian countries.” Importantly, the Draft stressed that “friendly cooperation must be guided by the five principles of peaceful coexistence and based on opposition to aggression and war.”<sup>67</sup>

In April, 1955, twenty-nine African and Asian countries convened for the Bandung Conference (Asian-African Conference) in Indonesia. In his opening speech, Zhou Enlai stated that “on the basis of the principles of mutual respect for each other’s territorial integrity and sovereignty, mutual non-aggression, mutual non-intervention in domestic affairs, equality and benefit, states with different social systems could live together in peace; all international disputes could also be resolved by endorsing these principles.”<sup>68</sup> Yet Zhou’s message did not meet with unequivocal approval. Some states were wary of China’s motives in promoting the five principles; they claimed that China, as a communist country, was attempting to establish hegemony in Asia.<sup>69</sup> In the face of such suspicion, Zhou Enlai exhibited flexible diplomacy. He proposed a solution “seeking common ground while reserving differences [qitong cunyi].” Zhou tried to persuade the skeptics that the common demands of the states should be honored at the conference, while the disagreements and differences could be noted but need not stand in the way of reaching agreements.<sup>70</sup> This solution eased the conflict between the Chinese and

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<sup>67</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), 460-461.

<sup>68</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 151- 152.

<sup>69</sup> For more details of debates, see Burke, “The Compelling Dialogue of Freedom: Human Rights at the Bandung Conference,” 947-965.

<sup>70</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Buchong Fayan (The Complementary Speech at the Asian-African Conference),” in *Zhou Enlai Xuanji* (Selected Works of Zhou Enlai, vol.2), (Beijing: People’s Publishing House, 1984), 154.

their critics somewhat, and therefore helped China to gain acceptance of the five principles from participating countries. That China succeeded in this is evident; the main thrust of the five principles was embodied in the Final Communiqué of the Asian-African conference of Bandung.

One reason Zhou still found support for his claims was that he appealed to an issue of common concern at the Bandung Conference:

anti-colonialism. Zhou stressed the experience of colonialism, which most participating countries had in common:

“Is there any basis for seeking common ground among us? Yes, there is. The overwhelming majority of the Asian and African countries and peoples have suffered and are still suffering from the calamities under colonialism. This is acknowledged by all of us. If we seek common ground in doing away with the sufferings and calamities under colonialism, it will be very easy for us to have mutual understanding and respect, mutual sympathy and support, instead of mutual suspicion and fear, mutual exclusion and antagonism.”<sup>71</sup>

This expression of anti-colonialism was by no means the first by Chinese diplomats. As early as October 19, 1954, Mao approved the anti-colonial position of the CCP after having pointed out, in a meeting with Indian premier Nehru, that “all the Orientals have in the past been bullied by Western imperialists [...] we are emotionally attached to one another and have the same feelings toward self-defense.”<sup>72</sup> At the Bandung Conference, Zhou felt confident that he had roused anti-colonialist sentiments among participating states. In his report to the CCP central

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<sup>71</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Buchong Fayan (The Complementary Speech at the Asian-African Conference), 153- 154.

<sup>72</sup> Mao Zedong, *Mao Zedong Waijiao Wenxuan* (Selected Diplomacy of Mao Zedong) (Beijing: Zhongyang Wenxian Chubanshe (Central Party Literature Press), 1994), 163.

committee, he wrote that anti-colonialism and the desire for world peace had provided a foundation of common concerns for all the participating Afro-Asian countries.<sup>73</sup>

That anti-colonialism would be part of Zhou's strategy in Bandung became apparent in his opening address, on April 19, when he appealed to Afro-Asian states to close ranks:

“Colonialism in this region [Asia] has not disappeared. Moreover, new colonialism is replacing the old one. Many Afro-Asian people are still enslaved by colonialists. They are still discriminated; their human rights are still violated.”<sup>74</sup>

At other points in his speech, Zhou argued that anti-colonialism was an important aspect of sovereign independence and the enjoyment of human rights:

“The Afro-Asian countries which are engaged in anti-colonialism and fight for national independence value more their national rights. Countries, no matter big or small, powerful or weak, should enjoy equal rights in international relations, and their sovereignty and territorial integrity should be respected rather than violated. All people in their country should enjoy the right to self-determination rather than being repressed and massacred. All human races should enjoy basic human rights without considering their race and color, rather than being maltreated and discriminated.”<sup>75</sup>

Clearly, Zhou invoked human rights and the right to self-determination here to promote his anti-colonialist agenda. Interestingly enough, the

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<sup>73</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), 474.

<sup>74</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 147.

<sup>75</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 149- 150.

Final Communiqué in Bandung also specifically referred to the issue of human rights and self-determination:

“The Conference declared its full support of the principle of self-determination of peoples and nations as set forth in the Charter of the United Nations and took note of the United Nations resolutions on the rights of peoples and nations to self-determination, which is a pre-requisite of the full enjoyment of all fundamental Human Rights... The Asian-African Conference deplored the policies and practices of racial segregation and discrimination which form the basis of government and human relations in large regions of Africa and in other parts of the world. Such conduct is not only a gross violation of human rights, but also a denial of the dignity of man.”<sup>76</sup>

It is not so clear how much impact Zhou’s anti-colonialism rhetoric had had on the wording of the Final Communiqué. It is significant, though, that both Zhou’s discussion and the communiqué indicated an important relationship between anti-colonialism and the protection of human rights: that the right to self-determination is a precondition of human rights, and that anti-colonialism is a main argument in the call for self-determination. That the Chinese delegation at Bandung was aware of this link became clear when Zhou referred to human rights as an argument supporting anti-colonialism. However, Zhou’s discourse should not be taken as evidence that China had placed human rights at the center of its foreign policy. His report to the standing committee of the CCP reveals that his delegation used human rights language as a tactical means of achieving its diplomatic aims: winning more sympathy and understanding from Afro-Asian countries. On April 29, 1955, Zhou admitted in his report that China’s diplomacy in Bandung was successful because it had stuck to the

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<sup>76</sup> “Final Communiqué of the Asian-African Conference of Bandung (April 24, 1955),” 161-169.

common desire of anti-colonialism.<sup>77</sup> In a later report to the politburo, Zhou repeated that it was “highly likely that all the Afro-Asian countries can cooperate peacefully on the basis of seeking common ground while reserving differences.”<sup>78</sup> Obviously, the CCP felt anti-colonialism was one such ‘common ground.’ So China used not only human rights, but even the appeal for anti-colonialism, to establish a united front with Afro-Asian countries.

At both the Geneva and Bandung conferences, we see signs of China’s diplomatic push to improve its ties with Afro-Asian countries. More specifically, China attempted to establish a sense of Asian solidarity. The Chinese diplomats at the conferences did not explicitly call for this, but Zhou did imply such a notion in his speeches, especially when he espoused the five principles and anti-colonialism. In Geneva, Zhou peppered his speeches with suggestions that Asian countries should stand united and that the sovereignty of Asian states should be respected.<sup>79</sup> At the Bandung Conference in particular, Zhou discussed China’s own experience of being colonized in order to galvanize a spirit of unity among Afro-Asian representatives in his audience. He claimed that “most Afro-Asian countries, including China, have a backward economy because of the domination of colonialism. Therefore, we not only ask for political independence but also want economic independence [...] we

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<sup>77</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), 474.

<sup>78</sup> *Zhou Enlai Nianpu* (A Chronicle of Zhou Enlai), 475-476.

<sup>79</sup> Zhou Enlai, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 70.

Afro-Asian countries are facing a similar situation and should unite together to live in peace.”<sup>80</sup>

In Geneva and Bandung, Zhou proposed the five principles as the basis of ‘Asian solidarity.’ He stressed in his speeches that Afro-Asian countries could cooperate on the basis of mutual respect for territorial integrity and sovereignty, mutual non-aggression, mutual non-interference in domestic affairs, equality and mutual benefit.<sup>81</sup> To highlight the importance of Asian solidarity in his conference speeches, Zhou used phrases such as “the rights of Asians,” “the freedom of Asian people,” “the right to self-determination” and so on. Although he occasionally used the words “human rights” as well, he more frequently referred to the “rights of Asians.” His notion of the “rights of Asians,” when analyzed in the context of all his speeches in Geneva and Bandung, appears to have been an appeal to collective rather than individual rights. This understanding of human rights meshed with the CCP’s appeals for the five principles, Asian solidarity and anti-colonialism, as we can see from Zhou’s speeches in Bandung. Firstly, Zhou asserted that Afro-Asian peoples could peacefully coexist and enjoy the right to self-determination and many other concrete human rights as long as the five principles were endorsed.<sup>82</sup> His emphasis on the five principles indicated that sovereign independence was essential for any people to enjoy the right of

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<sup>80</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 149.

<sup>81</sup> See “Zhou’s speech regarding Indo-China problem at the Geneva Conference”, in *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 70; Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 146- 153.

<sup>82</sup> See Zhou’s main speech in Bandung, which I discussed previously.

self-determination in a state. And the right to self-determination, as the Final Communiqué in Bandung stated, was a pre-condition to “the full enjoyment of human rights.”<sup>83</sup> Secondly, by emphasizing the common interests and rights of all Afro-Asian people, Zhou promoted an ideal of unity among Afro-Asian countries. And thirdly, Zhou argued in Bandung that colonialism enslaved people in Afro-Asian countries and was a serious violation of human rights.<sup>84</sup> Therefore, anti-colonialism promoted the achievement of national independence and the protection of human rights of citizens in a state.

### **3. International criticism and other responses to China’s human rights stance**

When the CCP rose to power in Mainland China, it envisaged China as communist nation which firmly endorsed Marxist-Leninist doctrine. Obviously, Maoism exerted a profound influence on all aspects of Chinese people’s lives. Marxism, Leninism and Maoism, as the principal ideologies in China, undoubtedly affected the understanding of human rights in communist China. Mao argued that in a class society, every kind of thinking was stamped with the brand of a class.<sup>85</sup> In his theory of People’s Democratic Dictatorship, Mao only acknowledged the collective rights of certain classes, such as poor farmers and workers; he excluded

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<sup>83</sup> See “Final Communiqué of the Asian-African Conference of Bandung (April 24, 1955),” 161- 169.

<sup>84</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 146- 153.

<sup>85</sup> Mao Zedong, “On Practice,” in *Selected Works of Mao Zedong*, vol.1 (Beijing: Foreign Language Press, 1965), 296.

from these rights any class that he considered “reactionary,” such as landlords.<sup>86</sup> One of the places where this understanding of rights manifested itself under Mao was in Chinese diplomacy. China’s resulting position on human rights, and more generally, its foreign policy, sparked a variety of responses from other countries. International criticism and suspicion surrounding the Bandung Conference and the Tibet Uprising posed big challenges to China’s human rights stance.

This chapter now focuses on the international response to China’s human rights position under Mao’s rule. I explore debates at the Bandung Conference and expressions of international human rights criticism related to the Tibet Uprising. In so doing, I attempt to prove that other countries’ reaction to China’s human rights stance was largely based on their assessment of Chinese foreign policy.

### **3.1 The debates at the Bandung Conference of 1955**

At the Bandung Conference, many participating countries endorsed the universality of human rights and enthusiastically supported the UDHR as a universal standard. As Prince Wan, the Thai representative, pointed out: “Buddhism, Islam and Christianity all teach the same lesson -- the dignity and worth of man, faith in fundamental human rights, and respect for fundamental freedom for all without distinction as to creed, color or race.”<sup>87</sup> The Lebanese prime minister, Sami Solh, said in his speech that “if human rights, as defined by the Charter of the United Nations, are

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<sup>86</sup> Mao Zedong, “On the People’s Democratic Dictatorship,” in *Selected Works of Mao Zedong*, vol. 3 (Beijing: Foreign Language Press, 1965), 227-228.

<sup>87</sup> “Thailand’s Opening Address”, in *Asian-African Conference, Bandung, Indonesia, 18<sup>th</sup>-24<sup>th</sup> April, 1955: Speeches and Communique*, eds., Jakarta, Ministry of Information, Republic of Indonesia, (Indonesia, 1955).

sacred, the rights of nations themselves, no matter how small, with respect to greater nations is at least as sacred. Furthermore, the opposed people, those who have not yet enjoyed freedom and independence as well as those who have been deprived of both, will find here, we hope, the best support.”<sup>88</sup>

Despite other countries warm support for the UDHR, the Chinese delegation initially opposed its unconditional approval. China acknowledged human rights only in connection with the five principles. Making a point he would repeat several times in Bandung, Zhou said in his opening speech that people could only enjoy human rights if they were citizens of an independent, sovereign state.<sup>89</sup> In all his speeches in Bandung, Zhou put great emphasis on the five principles, while seldom explicitly referring to the universality of human rights.

If the universality of human rights was controversial, the extension of this principle to social and economic rights was even more hotly contested, as the Bandung Conference revealed. According to Chares Malik, Zhou’s emphasis on social and economic rights led him into direct confrontation with countries that prioritized political and civil rights:

“What are the ultimate fundamental Human Rights? For the communists these rights are for the most part the social and economic rights; but for some of the rest of us the ultimate of human rights that should now be guaranteed by the world and by the diverse

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<sup>88</sup> *Asian-African Conference, Live & let live in 'Unity in Diversity'*, eds., Embassy of the Republic of Indonesia (New Delhi : [s.n.], 1955), 101-103.

<sup>89</sup> Zhou Enlai, “Zai Yafei Huiyi Quanti Huiyi shang de Fayan, Zhuyao Fayan (The Main Speech at the Asian-African Conference),” 146- 153.

nations are the personal, legal, political rights to freedom---to freedom of thought, to freedom of expression, and certainly of free elections. So on this issue too, of the concept of human rights, we were sharply divided.”<sup>90</sup>

The countries that argued for political and civil rights also expressed a different concept of freedom, which is an important connotation of human rights. Charles Malik recalled the serious debate on freedom in Bandung:

“There was no question on which points of view were more sharply and more poignantly divided than on this problem of freedom. Because to the Communists, in the present context of this Conference [Liberation] meant the liberation of the various nations and peoples of Asia and Africa from foreign Western rule. But to some of us, while this certainly belongs to the notion of freedom, freedom was much larger and much deeper than mere liberation from foreign rule. To us freedom meant freedom of mind, freedom of thought, freedom of press, freedom to criticize, to judge for yourself. Freedom, in short, to be the full human being.”<sup>91</sup>

Malik’s words suggest that China’s explanation of freedom won little support from some states because it focused solely on freedom from repression. As I have stated earlier, the CCP’s emphasis on freedom from foreign rule was consistent with its advocacy of anti-colonialism and the five principles. But some other countries did indeed have a broader concept of freedom which included freedom of thought, opinion, press,

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<sup>90</sup> Charles Malik, American Broadcast Corporation (ABC) Sunday Radio Program Transcript: Guest of Honor Charles Malik (5 May 1955). *Australian National Archives* (NAA), A1838/278. 3002/1 Pr5 at 2.

This source is cited from Burke, “‘The Compelling Dialogue of Freedom’: Human Rights at the Bandung Conference,” 954.

<sup>91</sup> The note is quoted from Burke, “‘The Compelling Dialogue of Freedom’: Human Rights at the Bandung Conference,” 954.

association and so on. Based on this wider concept, some participating countries accused China of violating freedom. The representatives from Turkey and Iraq, for instance, emphasized freedom of thought. They argued that neither political nor economic freedom existed in communist-controlled countries.<sup>92</sup> The Philippine delegation argued that the one-party political system was a violation of true political freedom, and stated that “autocratic rule, the control of the press, and the police power of a one-party state are exactly the worst features of some colonial systems against which free men have fought all their lives.”<sup>93</sup>

Such criticism of the violation of freedom implied an attack on communism. Fadhel Jamali, who represented the Iraqi delegation, argued that communism was a kind of subversive religion which created hostility between different classes and nations. He even asserted that communism was “a form of colonialism more deadly than the old.”<sup>94</sup> Philippine representative Carlos Romulo, who was devoted to the cause of national self-determination and human rights, argued that communist states exerted “rigid control of all thought and expression,” the “ruthless suppression of all opposition” and “pervasive control of human life in all spheres.”<sup>95</sup> Some charges were aimed at specific communist regimes. As the first session of the Bandung Conference drew to a close on April 18, the South Vietnamese delegate called North Vietnam a dictatorial regime which “completely disregards human values and personality and the

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<sup>92</sup> Chen Luwei, eds., *Yafei Huiyi Shilu* (Archives of the Asian-African Conference) (Jakarta: Yinhua Jingji Publisher, 1955), 7.

<sup>93</sup> Romulo, *The Meaning of Bandung*, 21-22.

<sup>94</sup> Romulo, *The Meaning of Bandung*, 21-22.

<sup>95</sup> Romulo, *The Meaning of Bandung*, 75.

basic rights of man.” Prince Wan of Thailand even directly accused China of threatening its territorial integrity.<sup>96</sup>

It was clear from the attacks on communism that some countries in Bandung were suspicious of the Chinese delegation’s motives. One obvious issue of concern was Taiwan, a flashpoint of military tension between the PRC and the USA. The Americans had signed a mutual defense treaty with the Jiang Jieshi government and provided Taiwan with military aid. In response, the CCP declared in October 1954 that China would liberate Taiwan.<sup>97</sup> Other Asian countries grew wary, seeing this as inconsistent with China’s five principles of peaceful coexistence. Furthermore, many states participating in Bandung maintained formal diplomatic relations with Taiwan rather than the PRC. Because of China’s lack of formal ties with other countries, in combination with its different political system and ideology, Chinese diplomats encountered a great deal of hostility in Bandung.

One particularly sharp conflict arose on April 21, when the Prime Minister of Ceylon, John Kotelawata, questioned China’s position on Taiwan. At a press conference, he asked “why does Taiwan need to be affiliated to any governments? Why cannot it belong to Taiwanese themselves [...] I think the only view on the Taiwan issue is that Taiwan should belong to Taiwanese, and should be an independent country

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<sup>96</sup> Li Shenzhi, Zhang Yan, *Yafei Huiyi Riji* (The Dairy of Asian-African Conference) (Beijing: Shijie Zhishi Chubanshe (World Affairs Press), 1955), 15-22; 28- 30.

<sup>97</sup> Zhang, “Constructing ‘peaceful coexistence’: China’s diplomacy toward the Geneva and Bandung Conferences, 1954-1955,” 520.

among us. This is in accordance with anti-colonialism.”<sup>98</sup> By focusing on the problem of Taiwan, Kotelawata framed communism as a new form of colonialism, arguing that there was “another form of colonialism [...] Think for example of those satellite states under Communist domination in Central and Eastern Europe... And if we are united in our opposition to colonialism, should it not be our duty to declare our opposition to Soviet colonialism as much as to Western colonialism?”<sup>99</sup>

The Bandung debates on freedom, anti-colonialism and communism give us some indication of the external reaction to China’s human rights concepts. However, Bandung offers only a limited perspective, because China’s human rights position was not a primary issue on the conference agenda, and it was not explicitly discussed by participating countries. For more explicit and systematic international criticism of China’s human rights situation, we turn now to the 14th session of the UN General Assembly and its discussion of the Tibet Uprising of 1959.

### **3.2 The debate on Tibet**

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<sup>98</sup> Zhang, “Constructing ‘peaceful coexistence’,” 520.

<sup>99</sup> Wen Xingxing, *Yafei Huiyi Jishi* (The Record of the Bandung Conference) (Shanghai: Shanghai Waiyu Jiaoyu Chubanshe (Shanghai Foreign Language Education Publishing House), 1993), 82-84.

In the early 1950s, China incorporated Tibet on the basis of the *Seventeen Point Agreement*,<sup>100</sup> which promised to sustain the existing political system in Tibet and granted Tibetan people the rights to exercise regional autonomy. However, this did not put a stop to the conflict between Lhasa and Beijing. In March 1959, following the introduction of Mao's Land Reform Movement and the Great Leap Forward, a revolt began in the Tibetan capital. The unrest quickly escalated into a large-scale uprising.<sup>101</sup> The 14th Dalai Lama, Tibet's political and spiritual leader, fled to India. On April 26, he declared Tibet independent and established a government-in-exile; shortly thereafter he sent a message to the U.S. government asking the Americans to recognize Tibet's independence.<sup>102</sup> This message offered the USA an opportunity to intervene. With funding from the U.S. Central Intelligence Agency (CIA), the International Commission of Jurists (ICJ) conducted a survey aimed at investigating the human rights situation in Tibet in the months that followed the

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<sup>100</sup> "The Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet" is also called the "Seventeen Point Agreement for the Peaceful Liberation of Tibet". It is the document signed by the delegates of the 14th Dalai Lama and the government of the People's Republic of China in 1951. This document is the basis of Chinese claims of sovereignty over Tibet. However, many scholars argue that China's incorporation was in fact an annexation. See, for instance Dagmar Bernstorff, Hubertus von Welck, ed., *Exile as Challenge: The Tibetan Diaspora* (Telangana: Orient Blackswan, 2003).

<sup>101</sup> The U.S. Central Intelligence Agency (CIA) was covertly involved in this uprising, training and arming Tibetan protesters from 1957 on. See "Memorandum for the Special Group, January 9, 1964," in *Foreign Relations of the United States (FRUS), 1964-1968*, ed., Kent Sieg, David S. Patterson, (Washington: U.S. Government Printing Office, 2002 ), For secondary literature, see Melvyn C. Goldstein, "The United States, Tibet, and the Cold War", *Journal of Cold War Studies*, 8(2006): 145-164.

<sup>102</sup> The Dalai Lama's letter was mentioned in a memorandum from Under Secretary of State C. Douglas Dillon to President Dwight D. Eisenhower. April 26, 1959, in *FRUS, 1958-1960*, vol, 19, p. 763.

Tibetan Uprising.<sup>103</sup> According to ex-CIA officer Philip Agee, the ICJ was set up and controlled by the CIA for propaganda operations.<sup>104</sup> Another former CIA officer, A. Tom Grunfeld also claimed that the ICJ was partly funded by the CIA during the Cold War, and was expected to “gather evidence and publish documented reports throughout the world of systematic Communist injustice behind the Iron Curtain.”<sup>105</sup> In June, 1959, the ICJ published a “Summary report on the question of Tibet” claiming that “fundamental rights and freedoms of the people of Tibet are systematically violated or affected” by the Chinese government.<sup>106</sup> This investigation can be considered a very early example of international criticism of China’s human rights record. It was also influential, leading to more international debate on the issue of human rights in Tibet in the 1960s.

In the months that followed the release of the ICJ report, the issue of human rights in Tibet found its way onto the UN agenda, with American help. The Dalai Lama had initially asked Washington to assist in the request for the recognition of Tibetan independence, but the Eisenhower administration declined. Instead, the U.S. government offered to raise the human rights issue at the UN. On September 10, 1959, the U.S. National

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<sup>103</sup> The ICJ is an international human rights NGO established in 1953. It aims to promote human rights and the rule of law both internationally and nationally. It initially received part of its funding from the CIA through the American Fund for Free Jurists. See, Richard Pierre Claude, “The International Commission of Jurists: Global Advocates for Human Rights (Book review),” *Human Rights Quarterly*, 16(1994): 576-578.

<sup>104</sup> Philip Agee, *Inside the Company: CIA Diary* (London : Lane, 1975), 611.

<sup>105</sup> A. Tom Grunfeld, *The Making of Modern Tibet* (London: Zed Books Ltd, 1987), 142.

<sup>106</sup> “The Question of Tibet and the Rule of Law (Geneva: International Commission of Jurists, 1959)”. In *FRUS, 1958-1960*, vol. 19, p. 767.

Security Council agreed that “the Dalai Lama should not, in his presentation to the U.N. emphasize aggression, since Tibet was for many years a part of China. In our view, his case is stronger on a human rights basis.”<sup>107</sup> U.S. Secretary of State Christian Herter therefore instructed the Dalai Lama on how to proceed, writing that in “[c]onsultation with other United Nations Members on this subject ‘the record of Chinese Communist activities in Tibet’ have confirmed our view, made known to you earlier, that wider support can be obtained for a hearing of Tibet’s case if the suppression of human rights aspects of it are stressed rather than matters relating to sovereignty.”<sup>108</sup> The Dalai Lama was thus persuaded to raise human rights violations in Tibet at the UN. On September 9, 1959, he sent an appeal to the UN Secretary General, accusing China of violating the Tibetans’ human rights, depriving them of their freedom and committing genocide.<sup>109</sup> The U.S. policy of treating the Tibet case as a human rights issue and not a matter of national independence was a deliberate attempt to skirt around China’s five principles based on recognition of independent sovereignty. The Americans were aware that it went over better internationally if the issue of human rights rather than the independence of the Tibet were proposed to the UN.

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<sup>107</sup> “Notes from NSC Meeting, September 10, 1959,” in *FRUS, 1958–1960*, vol. 19, p. 784. This source is cited from Goldstein, “The United States, Tibet, and the Cold War,” 152.

<sup>108</sup> “Letter from Secretary of State Herter to the Dalai Lama, October 6, 1959,” in *FRUS, 1958–1960*, vol. 19, p. 790.

<sup>109</sup> “China, Telegram from the Embassy in India to the Department of State,” in *FRUS, 1958–1960*, vol. 19, p. 777-780.

In the meantime, Washington mobilized other UN member states to raise the issue of human rights in Tibet at the 14<sup>th</sup> session of the UN General Assembly. The main argument of these countries represented by Ireland and Malaya was that the UN should give Tibetans a chance to reveal human rights violations in Tibet to the outside world.<sup>110</sup> Moreover, the Indian representative V. K. Krishna Menon also lent support to the Dalai Lama in his statement before the General Assembly, stating that “it would be right for us in this connection, when considering the concern that parties and countries and peoples have in regard to human rights and humanitarian affairs, to point out to the Assembly that, while we are not a Buddhist country, we alone of all countries in the world willingly undertook responsibilities in pursuit of human rights to give asylum to the Dalai Lama.”<sup>111</sup> Although the Indian delegation finally abstained from voting on the issue of Tibet, Menon emphasized at the end of his statement that the abstention did not mean they were unconcerned when the issue of human rights was raised at the Assembly.<sup>112</sup> Similarly referring to human rights, Pakistan voted for a discussion of the Tibet question in the General Assembly. Its representative argued that “the attempt to change the traditional way of life of the Tibetan people against their wishes constitutes a violation of their fundamental human rights” and that Pakistan believed that “the smaller nations who make up the vast

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<sup>110</sup> John Kenneth Knaus, *Orphans of the Cold War: America and the Tibetan Struggle for Survival* (New York: Public Affairs, 2000), 196.

<sup>111</sup> “Statement by Indian Representative V. K. Krishna Menon in the UN General Assembly on the Question of Tibet,” October 21, 1959, accessed December 10, 2015, [http://www.archieve.claudearpi.net/maintenance/uploaded\\_pics/5910KrishnaMenon\\_UN.pdf](http://www.archieve.claudearpi.net/maintenance/uploaded_pics/5910KrishnaMenon_UN.pdf).

<sup>112</sup> “Statement by Indian Representative V. K. Krishna Menon in the UN General Assembly on the Question of Tibet”.

majority of the membership of the United Nations have a moral obligation to rouse the conscience of the world whenever there is a grave violation of human rights and fundamental freedoms.”<sup>113</sup>

The concern many UN member states showed about human rights in Tibet was instrumental in the adoption of the Tibet question in the final UN resolution. On October 21, 1959, the UN General Assembly approved Resolution 1353 by a margin of 45 votes to 9, with 26 abstentions. The resolution, with references to the UN Charter, the Universal Declaration of Human Rights and the Dalai Lama’s appeal, declared that “the fundamental human rights and freedoms of the people of Tibet have been forcibly denied” and that “the fundamental human rights and freedoms to which the Tibetan people, like all others, are entitled include the rights to civil and religious liberty for all without distinction.”<sup>114</sup> China’s response was rapid. On October 23, Beijing released a statement condemning Resolution 1353 and asserting that the U.S. government had crudely interfered in China's internal affairs: “Tibet is China's territory. The putting down of the rebellion of the reactionaries in Tibet and the introduction of democratic reform in the Tibet region are entirely China’s internal affairs, in which neither the United States and other countries nor any international organizations have the right to

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<sup>113</sup> “Statement by the Representative of Pakistan in the UN General Assembly on the Question of Tibet,” October 20, 1959, accessed December 10, 2015, [http://www.archieve.claudearpi.net/maintenance/uploaded\\_pics/PakistanDeclaration1959.pdf](http://www.archieve.claudearpi.net/maintenance/uploaded_pics/PakistanDeclaration1959.pdf).

<sup>114</sup> “United Nations General Assembly 14<sup>th</sup> session, 834<sup>th</sup> plenary meeting, 1959 Pertaining to Human Rights in Tibet,” December 30, 1959, The 14<sup>th</sup> session of the UN General Assembly, accessed February 20, 2017, <http://www.tibetpolicy.eu/un-general-assembly-14th-session-834th-plenary-meeting-1959-pertaining-to-human-rights-in-tibet/>.

meddle.”<sup>115</sup> In the statement, the CCP also referred to the provision of the UN Charter which states that the UN will not intervene in internal affairs that fall within the domestic jurisdiction of any state. China’s statement concluded with the claim that “the discussion of the so-called ‘Tibet question’ by the United Nations has been in complete violation of the United Nations Charter” and that “it is a great mockery to carry out this intervention in the name of respect for the fundamental human rights of the ‘Tibetan people’.”<sup>116</sup>

The issue of Tibet is an interesting case because it sparked international debate about the human rights situation in China. To parry an external attack on its human rights record, China invoked the non-intervention principle of the UN Charter. Beijing claimed that Tibet was part of China and that other states had no right to interfere in its domestic affairs. This emphasis on the non-intervention principle was consistent with China’s earlier position based on the five principles of peaceful coexistence. At the UN General Assembly, as earlier in Bandung, Chinese diplomacy remained steadfastly committed to state sovereignty. The difference in Bandung was that China showed willingness to compromise on human rights if such a concession did no harm to its state sovereignty. When it came to Tibet, the Beijing government resolutely rejected external criticism because it saw the whole question as an encroachment on its

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<sup>115</sup> “Zhonghua Renmin Gongheguo Zhengfu Guanyu Lianheguo Dahui 14jie Huiyi Tongguo de Suowei ‘Xizang Wenti’ de Feifa Jueyi de Shengming (Chinese Government Statement on UN General Assembly Resolution on the Question of Tibet),” October 23, 1959, *Communique of the State Council of the PRC*, 26 (1959): 503- 504.

<sup>116</sup> “Chinese Government Statement on UN General Assembly Resolution on the Question of Tibet,” 503- 504.

state sovereignty under the guise of human rights. In this respect, it is reasonable to argue that the Chinese state favors state sovereignty whenever a conflict between human rights and state sovereignty cannot be avoided.

#### **4. The strategic use of human rights discourse in Chinese foreign policy**

While Chinese authorities emphasized state sovereignty over human rights in domestic affairs during the 1950s, they did wield human rights concepts in foreign policy. From the 1950s to the 1970s, China frequently mentioned freedom, equality and the rights of Asians when voicing support for the national liberation movements of the Third World. In relation to the US, China encouraged the African-American civil rights movement by condemning racial discrimination and emphasizing the value of freedom and equality. When it came to Moscow, China accused the Soviet government of violating its citizens' human rights in general. Such references to human rights offer us a window through which to analyze how human rights, as a diplomatic tool and not simply as a moral value, were used by the CCP.

It is important to note that Chinese foreign affairs statements did not explicitly use the phrase 'human rights.' The Chinese did use the words 'freedom,' 'equality,' and many others instead. This vocabulary represents the essential elements of human rights and constituted an implicit language of human rights at that time. This section discusses Chinese diplomacy vis-à-vis the Third World, the USA and the Soviet Union with a special focus on the human rights language China used. I

explore China's support for the national liberation movements in the Third World and the American civil rights movement of the 1960s, and at the Sino-Soviet polemic that began in the late 1950s. All three cases show that the CCP was very deliberately using human rights idea to achieve China's diplomatic aims.

#### **4.1 Human rights disputes in Sino-Third World relations: 1950s-1970s**

Under Mao, China's foreign policy towards the Third World had two priorities: to promote the world communist revolution in the Third World and to improve foreign relations with the various states. Chinese foreign diplomacy mentioned human rights whenever this helped China achieve one of these two diplomatic aims. In the early 1950s, shortly before China's first Five-Year Plan of 1953, Chinese foreign policy in the Third World was primarily aimed at mobilizing communist revolution and establishing a united front with the countries engaged in the national liberation struggle. Emboldened by the communist revolution's victory in China, the CCP leadership believed the country's revolutionary model would help other countries win their struggle for national liberation if the model could be exported there. In 1950, Liu Shaoqi claimed that the Chinese revolution "should be followed by all peoples of the colonial and semi-colonial countries so that they may achieve their independence and a people's democracy."<sup>117</sup> The following year, Zhou Enlai said the unity between China and other Asian countries was a "powerful and matchless

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<sup>117</sup> "Zhengqu Chijiu Heping, Zhengqu Renmin Minzhu (For A Lasting Peace, for A People's Democracy)", *Cominform Journal* (Bucharest), January, 1950.

force in the Far East.”<sup>118</sup> To some extent, supporting liberation movements in Third World countries was consistent with China’s diplomatic aims of strengthening ties with these countries and mobilizing communist revolution there. Although both the worldwide communist revolution and the national liberation movement stressed respect for the sovereign independence of states, China was well aware it was using human rights arguments to reinforce the effectiveness of its foreign policy on the Third World. The language of human rights, in one form or another, was always mentioned in official foreign policy statements. For instance, in 1950, when the anti-Apartheid movement emerged in South Africa, Mao dispatched a telegram to support the African people’s struggle against Apartheid. *People’s Daily*, under the directive of the CCP, did not hesitate to use the word ‘rights’ to criticize racism in South Africa: “the rights of the South African people have been encroached upon politically and economically [...] the Malan government enforces a policy of racial discrimination and national oppression, and humiliates the local non-Europeans with violence.”<sup>119</sup> In January 1952, Premier Zhou Enlai released his own statement against South Africa’s Apartheid regime: “I, on behalf of the Chinese people, completely support the non-white people in South Africa (including Indians and other Asians) to fight against racial discrimination and national oppression policies,

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<sup>118</sup> Zhou Enlai, “Report at the Third Session of the First National Committee Meeting of the Chinese People’s Political Consultative Conference, October 23, 1951,” *People’s Daily*, November 3, 1951, 1.

<sup>119</sup> “Nanfei Zhongyiyuan Tongguo Zhongzu Gelifa Gezu Renmin Jilie Fandui (The House of Representatives in South Africa Passes Segregation Law, All Nationals Oppose to It),” *People’s Daily*, June 17, 1950, 4.

support their just war of fighting for their basic rights.”<sup>120</sup> Besides criticizing the violation of collective rights, *People’s Daily* also condemned the South African government for violating its citizens’ specific rights of association, press freedom, and property, and for arbitrarily depriving dissidents of their citizenship. Arbitrary arrests and interrogations by South African security forces were also criticized in *People’s Daily*.<sup>121</sup>

By the mid-1950s, China’s policy of promoting worldwide communist revolution was at a low ebb; the leading doctrine with regard to the Third World was the five principles. While the more aggressive policy of global revolution had enhanced China’s prestige somewhat in the Third World, Beijing still found itself isolated by the West and especially by the USA.<sup>122</sup> From the mid-1950s, diplomatic isolation impelled the CCP to promote the more conciliatory foreign policy of the five principles. China showed commitment to the doctrine by frequently emphasizing sovereign independence and non-intervention. Gradually, the CCP stopped promoting communist revolution and scaled back its support for Third World liberation movements and revolutionary struggles. However, this shift did not stop China from using human rights arguments. To the contrary — just as China used human rights to justify its more aggressive

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<sup>120</sup> Zhou Enlai, *Zhou Enlai Waijiao Wenxuan* (Selected Works on the Diplomacy of Zhou Enlai), 47.

<sup>121</sup> “Nanfei Zhengfu Pohai Jinbu Renmin, Yihui Chudu Tongguo Fandong Faan (The South African Government Persecutes Its People, the Parliament Passes the Reactionary Act)”, in *People’s Daily*, June 17, 1950, 4.

<sup>122</sup> In late 1949, the Coordinating Committee for Multilateral Export Controls was established by Western bloc powers, imposing an arms embargo on China. After the Korean War, Sino-US relations deteriorated and the USA tightened the arms and trade embargo as part of its Containment Policy on China.

foreign policy in the early 1950s, it now used the same reasoning to promote the five principles and, in particular, to ease tensions with certain countries with a strong commitment to human rights. The Bandung Conference of 1955, where the CCP softened its position towards the UDHR, demonstrated such strategic use of human rights. The case of Bandung in many respects illustrates China's deliberations on the question of state sovereignty versus human rights in the formulation of its policy towards the Third World. While the Chinese understood the benefits of positioning themselves as champions of state sovereignty, they also saw the advantage of compromising on human rights.

In the long run, however, the Bandung line brought China less diplomatic success than expected. The united front of African and Asian countries failed because many neutralist countries were more or less dependent on the USA in a new neo-colonialist relationship in the aftermath of World War Two. In March 1958, Zhou Enlai, the advocate of the Bandung Spirit, displayed self-criticism when he stated that "the Foreign Ministry's work under his direction had neglected the necessary struggle in dealing with nationalist countries, had maintained a kind of wishful thinking concerning imperialism."<sup>123</sup> Zhou had been dismissed as foreign minister the previous month, in February 1958. In the late 1950s, the pendulum of foreign policy swung back; the Bandung line increasingly gave way to Mao's worldwide communist revolution. Mao himself was emboldened by the continuing spread of national liberation movements in

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<sup>123</sup> Chen, *Mao's China and the Cold War*, 73.

the Third World. Against this backdrop, China once again used the human rights argument in its foreign statements to justify a variety of national liberation movements. In the late 1950s, China supported the Cuban revolution and the Egyptian fight for sovereignty over the Suez Canal. And in the early 1970s, Mao threw his weight behind Chile's pro-democracy struggle. While championing the national rights of Third World people, China also criticized the violation of specific civil rights in South Vietnam. On September 6, 1963, *Beijing Review* released a statement from Mao in which he slammed the government of South Vietnam and the "U.S.-Ngo Dinh Diem clique," who he accused of having "intensified its sanguinary suppression of the Buddhists, students, intellectuals and the mass of the people."<sup>124</sup>

China used the human rights argument implicitly and explicitly, to promote both the communist revolution and the five principles at different stages of history. In contrast with China's strong commitment to state sovereignty, human rights never became the primary focus of Chinese foreign policy on the Third World. Nevertheless, it is clear that China strategically used human rights, alongside its support of national liberation movements and the world communist revolution, to achieve the diplomatic aim of uniting African and Asian countries and breaking out of Western-imposed isolation. Regardless of the real motive for China's use of human rights, Chinese foreign policy on the Third World reveals a concern for human rights, or at least an awareness of the role of

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<sup>124</sup> Mao Zedong, "Chairman Mao Tse-tung's Statement Opposing Aggression Against Southern Viet Nam and Slaughter of Its People by the U.S.-Ngo Dinh Diem Clique", *Beijing Review*, No. 36, September 6, 1963, accessed January 13, 2017, <https://www.marxists.org/subject/china/peking-review/1963/PR1963-36a.htm>.

human rights in international relations. As Ann Kent argues, “Chinese critiques of Western violations of the rights of Third World states sometimes appealed not just to the principle of state sovereignty, but also to the need for respect for fundamental human rights.”<sup>125</sup>

#### **4.2 China’s human rights strategy in Sino-US relations: the case of the American civil rights movement**

Sino-US relations in the 1960s had not recovered from the strains caused in the previous decade when Washington threw its support behind Jiang Jieshi in Taiwan and Mao alienated the Americans with his ideology of international communist revolution. In the 1960s, the failure of the Great Leap Forward forced Mao to divert his attention from economic development to the international communist revolution. Mao framed the USA as the main target of anti-imperialism and anti-colonialism. Meanwhile, in the United States, the civil rights movement was rapidly growing, providing Mao with an opportunity to lambast the U.S. government on the issues of racism and human rights violations. In his criticism, Mao gave full support to black Americans by employing human rights rhetoric.

It was African-American civil rights activists who first saw the link between Maoism and their own cause. In the 1960s, when anti-imperialism and anti-colonialism movements were booming in the Third World, some black Americans saw themselves pitted against white supremacy at home and the connection with Mao’s thinking was clear.

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<sup>125</sup> Kent, *China, the United Nations, and Human Rights: The Limits of Compliance*, 29.

While nowadays images of Dr. Martin Luther King Jr. and his famous “I have a dream” speech dominate the collective memory of the American civil rights movement, the impact and power of black radicalism<sup>126</sup> have gone underestimated, and it was this radical school of thought which linked black activism with the global anti-imperialist and anti-colonialist scene in the Third World, and specifically in China, Cuba, Vietnam, Indonesia and several African countries. It was through the efforts of black American radicals that Mao’s revolutionary ideology was able to spread in the USA.

The rise of black radicalism stemmed primarily from African-Americans’ frustration with the slow pace of progress by the civil rights movement. Thousands of black Americans had devoted themselves to defending America’s so-called democracy, freedom and equality in the Second World War and in Vietnam, but they realized their basic rights were still denied at home. Pervasive inequality in American society meant that black Americans could not enjoy the same rights as white citizens. As the authorities started cracking down on non-violent protests like the “freedom rides” in the late 1950s, some black rights activists began staking out a more radical approach to the fight for freedom and equality. Across the globe, meanwhile, Mao was busy winning support for his pro-Third World policy and expanding China’s international influence through forums like the Bandung Conference of 1955. Beijing’s vocal support for anti-racist and anti-colonialist movements in Africa gave

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<sup>126</sup> Black radicalism here means a school of thought, promoted by many rights activists, political thinkers and civil society organizations, whose aim was to combat capitalism and racism in a society dominated by white supremacy. Black radicalism was girded by various philosophies including Marxism, Socialism and Black Nationalism.

some African Americans confidence that Maoism was a viable alternative path to freedom.<sup>127</sup> Big name activists such as W.E.B. Du Bois, Robert Williams, Stokely Carmichael, Elaine Brown and Huey Newton grew interested in Mao's revolutionary theory. Du Bois paid his first visit to China in 1936, when the Chinese were still at war with Japan. In 1959, Du Bois returned to China and expressed admiration for the transformation of the people, and particularly the emancipation of Chinese women.<sup>128</sup> Robert Williams, a civil rights leader and once head of the Monroe, North Carolina chapter of the National Association for the Advancement of Colored People (NAACP), went further, actively promoting Mao's international revolution in the United States. Living in exile in Cuba, Williams—whose slogan was to “meet violence with violence”—asked Mao to support the African-American cause. After the assassination of Martin Luther King Jr., the chief advocate of non-violent protest, cities throughout the USA were engulfed in far more radical protests. Mao's revolutionary ideology grew more popular among black radicals as they found it provided them with a revolutionary model to challenge the privileges of white Americans.<sup>129</sup> In the late 1960s and

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<sup>127</sup> According to Peniel E. Joseph's analysis in the radical magazine *Liberator*, many black activists believed that “decolonization movements in Africa were intrinsically connected with African-American antiracist struggles at home”. See Peniel E. Joseph, “Waiting till the Midnight Hour: Reconceptualizing the Heroic Period of the Civil Rights Movement, 1954-1965”. *Souls*, 2 (2000): 11.

<sup>128</sup> W.E.B. Du Bois, *The Autobiography of W.E.B. Du Bois*, ed. Herbert Aptheker (New York : International Publisher Books, 1968), 404.

<sup>129</sup> For the impact of Maoism on black radicals, see Robin D. G. Kelley and Betsy Esch, “Black Like Mao: Red China and Black Revolution”, *Souls*, 1 (1999): 6-41.

early 1970s, the Black Panther Party<sup>130</sup> sold a large number of copies of Mao's book *Quotations of Chairman Mao Zedong* on the streets. Huey Newton, an early party leader, wrote that Mao realized "the people had been stripped of their birthright and their dignity, not by a philosophy or mere words, but at gunpoint. They [black Americans] had suffered a holdup by gangsters and rape; for them, the only way to win freedom was to meet force with force."<sup>131</sup> In addition to Newton and Du Bois, there were many more civil rights activists who visited China and reported that they were impressed by the country's human rights situation. As Huey Newton put it, his experience in China gave him "a sensation of freedom."<sup>132</sup>

Mao himself grew bolder in his support for worldwide revolution as anti-imperialist and anti-colonialist movements in the Third World started to see success. In his view, slamming the US on human rights issues was a way to increase China's political clout in the Cold War and to expand his personal prestige at home and abroad. As Sino-Soviet relations began to sour at the end of the 1950s, Mao fought a two-pronged battle against Soviet revisionism on the one hand and imperialism on the other. In response, he promoted the Anti-Rightist movement domestically, and reclaimed a leadership role in the communist revolution on the global stage. By the early 1960s, Mao's influence had spread to the United States, where the strength of black radicals within the civil rights

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<sup>130</sup> The Black Panther Party was a black revolutionary socialist organization active in the United States from 1966 until 1982. The party was founded in Oakland, California by Huey Newton and Bobby Seale on October 15, 1966. The party leaders supported socialist and Marxist doctrines and most embraced Mao's revolutionary ideology.

<sup>131</sup> Huey Newton, *Revolutionary Suicide* (New York: Ballantine Books, 1973), 111.

<sup>132</sup> Newton, *Revolutionary Suicide*, 110.

movement was rapidly growing. In 1963, the exiled rights activist Robert Williams sent a letter to Mao, asking him to support the anti-racism movement in the USA. On August 8, 1963, Mao made a public statement in which he used the term “human rights” to justify and encourage the black civil rights struggle. Mao wrote, “I wish to take this opportunity, on behalf of the Chinese people, to express our resolute support for the American Negroes in their struggle against racial discrimination and for freedom and equal rights [...] The overwhelming majority of the Negroes are deprived of their right to vote [...] In recent years the mass struggle of the American Negroes against racial discrimination and for freedom and equal rights has been constantly developing.”<sup>133</sup> Aside from explicitly stating the basic rights of African-Americans, Mao pointed out that imperialism and colonialism were the main forces constraining black people. One day after the release of this statement, *People’s Daily*, the CCP’s mouthpiece, republished Mao’s words, which included the exhortation that the Chinese, “the people who have triumphed in their own revolution should help those still struggling for liberation. This is our internationalist duty.”<sup>134</sup> On August 14, Robert Williams published a long paper in Cuba to thank Mao for his help. He lauded Mao’s statement as a new “Emancipation Proclamation” that promoted the struggle for African-Americans’ civil rights.<sup>135</sup>

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<sup>133</sup> “Statement on Supporting the Afro-Americans in Their Just Struggle against Racial Discrimination by U.S. Imperialism,” *People’s Daily*, August 8, 1963, 4.

<sup>134</sup> “Talk with African Friends,” *People’s Daily*, August 9, 1963, 4.

<sup>135</sup> “Black American leader Robert Williams Publishes Long Paper; Chairman Mao Claims to Raise Afro-American Civil Rights Movement at the International Level,” *People’s Daily*, August 27, 1963, 4.

From 1963 on, a growing number of American protestors regarded Maoism as their beacon. As Black Panther leader Stokely Carmichael said, most protestors had read the *Quotations of Chairman Mao*, and Chairman Mao had enlightened more and more black Americans.<sup>136</sup> The assassination of Martin Luther King Jr. in 1968 strengthened the black activists' resolve to "meet violence with violence." Race riots erupted in over one hundred cities. In this heated situation, Mao made a second statement in support of the civil rights movement. However, rather than explicitly mentioning human rights, he emphasized the relationship between the black American struggle and the international protest against American imperialism.<sup>137</sup>

#### **4.3 China's human rights strategy in the Sino-Soviet polemic**

During the days of Stalin, the Soviet Union and China had been staunch allies. Their strategic alliance broke up in the late 1950s, however. The first cracks in the wall became visible in 1956, when the Chinese delegation headed by Zhu De and Deng Xiaoping<sup>138</sup> attended the Twentieth Congress of the Soviet communist party, the CPSU. At the meeting, the new Soviet leader, Nikita Khrushchev, delivered a secret

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<sup>136</sup> "Meiguo Heiren de Juexing (The Awakening of Afro-Americans)", *Cankao Xiaoxi (Reference News)*, 43 (1968), 69- 70.

<sup>137</sup> "Statement by Comrade Mao Zedong, Chairman of the Central Committee of the Communist Party of China, in Support of the Afro-American Struggle against Violent Repression," *People's Daily*, April 17, 1968, 1.

<sup>138</sup> In 1956, Zhu De was the Vice-Chairman of the Communist Party and Vice-Chairman of the People's Republic of China. He was also a principal founder of the People's Liberation Army; Deng Xiaoping at that time was the Secretary General of the CCP Central Committee, the head of the Organization Department and the vice Chairman of the Central Military Commission.

report criticizing Stalin and his personality cult. The Chinese delegates had not been consulted in advance. Although they received a copy of Khrushchev's secret speech afterwards, Mao and his communist cadres still considered it an offence that the CPSU had launched this highly sensitive de-Stalinization campaign without discussing it with the Chinese in advance.<sup>139</sup> The crack widened sharply in September 1963, when the CCP decried Khrushchev's secret speech in its official political journal *Hongqi (Red Flag)*<sup>140</sup>, alleging that his radical repudiation of Stalin was a denial of all achievements of socialism and communism in Stalin's Soviet Union.<sup>141</sup>

Another matter the Chinese took issue with at the Twentieth Congress of the CPSU was Khrushchev's "three peacefuls" towards the USA: peaceful transition, peaceful competition and peaceful coexistence. This policy led to a harsh debate between Beijing and Moscow that lasted for the next few years. Following Khrushchev's "three peacefuls" line, the Soviet Union reduced its support for revolutionary movements in Africa, Asia and Latin America. Mao regarded the "three peacefuls" as an unacceptable compromise and a form of collusion with U.S. imperialism. In response, he reaffirmed his commitment to a "continuous revolution"

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<sup>139</sup> With China's successes at the Geneva and Bandung conferences in mind, the CCP considered China better capable of heading international communist affairs after Stalin's death. This is why Beijing felt the CPSU should have consulted with the CCP before initiating de-Stalinization campaign.

<sup>140</sup> *Hongqi (Red Flag)* was a theoretical political journal published by the CCP from 1959 to 1988. In Mao's period, *Hongqi* served as a crucial media outlet indicating the CCP's theoretical views and arguments.

<sup>141</sup> "Sugong Lingdao tong Women de Fenqi de Youlai he Fazhan. (Origins and Developments of the Divergence between the CCP and the CPSU: The First CCP Comment to the Open Letter of CC CPSU)". *Hongqi*, 17 (1963): 5- 32.

worldwide. As early as 1957, *People's Daily* published Mao's speech "On the Correct Handling of Contradictions among the People" which asserted that classes and class struggle persisted in socialist society.<sup>142</sup> Meantime, the CCP was certain that the de-Stalinization program had been a major factor behind the Polish and Hungarian crises of late 1956. Several *Xinhua News* reports circulated among Chinese leaders claimed that Khrushchev's de-Stalinization speech had caused great confusion in the Polish party leadership, contributing to the outbreak of protests.<sup>143</sup> From China's viewpoint, this not only revealed the profound repercussions of de-Stalinization in Eastern Europe, but also demonstrated Moscow's unsuitability to lead the international communist movement. China thus grew increasingly convinced that it was more capable of playing a central role in the socialist bloc.

As the Sino-Soviet split widened in the early 1960s, Chinese invectives against Moscow began to feature human rights language. An opening salvo from the Russians came on July 14, 1963, when the CPSU published an "Open letter to all organizations of the communist party and all communist members in the Soviet Union," in which it rebuked the Chinese Communist Party. In response, the CCP published nine articles

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<sup>142</sup> "Guanyu Zhengque Chuali Renmin Neibu Maodun de Wenti (On the Correct Handling of Contradictions among the People)", *People's Daily*, June 19, 1957, 1- 3. This paper is also compiled in Mao's work, see Mao Zedong, "On the Correct Handling of Contradictions among the People," in *Selected Works of Mao Zedong*, vol.5 (Beijing: Foreign Language Press, 1977), 384- 421.

<sup>143</sup> The relevant reports see, Xie Wenqing "Causes of the Poznan Reactionary Insurgence," July 12, 1956, Xinhua News Agency, *Neibu Cankao* (Internal Reference), 1945 (1956): 591-604; Xie Wenqing, "Situation and Opinions: Concerning the Poznan Violent Incident," July 25, 1956, *Neibu Cankao* (Internal Reference), 1952 (1956): 75-89.

in *People's Daily* and *Hongqi* from September 1963 to July 1964. In these writings, China accused the USSR of revisionism and described the Soviets as apologists for neocolonialism who had not only aligned themselves with U.S. imperialism and consolidated its own imperialist power in the socialist camp, but also cruelly oppressed its citizens domestically.<sup>144</sup> In the ninth article, the CCP claimed Khrushchev was:

“peddling bourgeois ideology, bourgeois liberty, equality, fraternity and humanity, inculcating bourgeois idealism and metaphysics and the reactionary ideas of bourgeois individualism, humanism and pacifism among the Soviet people, and debasing socialist morality. The rotten bourgeois culture of the West is now fashionable in the Soviet Union, and socialist culture is ostracized and attacked”.<sup>145</sup>

On the subject of the Soviet people's rights, the CCP argued that Khrushchev's privileged class ruled as dictators over the laboring masses, the peasants and the revolutionary intellectuals, and that it wielded state power to violate its citizens' rights to free speech and assembly:

Under the rule of the Khrushchev clique, there is no democracy for the Soviet working people [...] anyone who persists in the proletarian stand, upholds Marxism-Leninism and has the courage to speak out, to resist or to fight is watched, followed, summoned, and even arrested, imprisoned or diagnosed as 'mentally ill' and sent to 'mental

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<sup>144</sup> The writings published by *People's Daily* and *Hongqi* were compiled in the edited book, see *Jianguo Yilai Zhongyao Lishi Wenxian Xuanbian* (Selected Important Archives since the Foundation of the PRC), vol. 19, eds, Zhonggong Zhongyang Wenxian Yanjiushi (Research Institute of the Central Literature of the CCP) (Beijing: Zhongyang Wenxian Chubanshe (The Central Literature Press), 1998), 16- 78.

<sup>145</sup> “Guanyu Heluxiaofu de Jia Gongchan Zhuyi Jiqi zai Lishi shang de Jiaoxun (On Khrushchev's Brand of Communism and Its Historical Lessons for the World: Ninth CCP Comment on the Open Letter of the Central Committee of the CPSU),” *Hongqi*, 13 (1964), 1- 27.

hospitals' [...] Recently the Soviet press has declared that it is necessary to 'fight' against those who show even the slightest dissatisfaction, and called for 'relentless battle' against the 'rotten jokers' who are so bold as to make sarcastic remarks about Khrushchev's agricultural policy.<sup>146</sup>

China's reliance on human rights arguments in its relations with the Third World, the USA and the Soviet Union was quite limited in the Mao era, yet it still provides enough comparative material to help us understand the role of human rights in Chinese foreign policy. In relation to the Third World, China used human rights language as a carrot, to promote liberation movements and to draw Third World countries closer by claiming to defend the rights of their people. By contrast, China used human rights more as a stick vis-à-vis the USA and USSR, charging these two countries of violating the political rights of their citizens, decrying U.S. imperialism and attempting to seize a leading role in the world communist revolution. The different ways China's official foreign policy statements referred to human rights during the Cold War paint a picture of a very strategic approach. China gave top foreign policy priority to an international communist revolution, while human rights were a diplomatic means to encourage and promote worldwide revolution. Through this strategy, China actively expanded its global impact and developed its international identity in the aftermath of the Second World War. In a very fundamental sense, human rights strengthened China's capacity to influence international affairs amidst the competition of the Cold War. When China criticized human rights violations in the USA and

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<sup>146</sup> "On Khrushchev's Brand of Communism and Its Historical Lessons for the World: Ninth CCP Comment on the Open Letter of the Central Committee of the CPSU," 15-18.

Soviet Union, it was not held back by the consideration that this might be seen as interference in other countries' domestic affairs. The mission of the international communist revolution, in Mao's view, justified China's interventions in the name of human rights.

## **5. Conclusion**

Chinese foreign policy throughout the Mao era was characterized by thoroughly strategic use of human rights language. In the pre-1949 period, the CCP's supportive attitude towards human rights was mainly meant to condemn the KMT government and win support for the fight against the Japanese. After 1949, human rights became a taboo in domestic China; the CCP looked down on it as a bourgeois slogan. However, this did not prevent the CCP from obliquely referring to human rights at the international level, though it seldom explicitly used the term "human rights." The terms "human rights," "freedom," "equality" and some others were tactically included in Chinese foreign statements, which indicate that the CCP was deliberately using these ideas to achieve its diplomatic aims. The international response to China's human rights stance was sometimes hostile, an expression of distaste for China's political system and suspicion of its foreign policy. In these international critiques, too, there is evidence of strategic use of human rights discourse. In other words, many other states were also knowingly wielding human rights as a diplomatic weapon. Such selective use of human rights in international relations was apparent at the Bandung Conference, during the Tibet question at the 14<sup>th</sup> UN General Assembly, and elsewhere.

Needless to say, human rights as a moral value has some impact in regulating the behavior of states and normalizing international relations, but it is also important to study how human rights is used as an instrument in state policy and international politics.

China's use of human rights also opens a window for us to see how Beijing has navigated a course between human rights and state sovereignty. It is plain to see that since 1949, China has placed a higher value on sovereign independence. On many occasions, Chinese diplomats made clear that independent state sovereignty and the non-intervention principle were a precondition for human rights. Especially when faced with external human rights criticism, China tended to use the non-intervention principle and state sovereignty as a shield. By contrast, when assaulting the policies of other states, China sometimes also used human rights rhetoric to support its arguments. On the face of it, human rights seem not to have been an issue of internal concern to the state, but were somehow deserving of attention on the global state. This inconsistency is a reflection of the tactical and strategic use of human rights in international relations.

## Chapter 5. Political action in the Hundred Flowers period: 1955-1957

### 1. Introduction

Human rights cannot be guaranteed if they are based exclusively on citizenship and the protection of a political community. Aside from these two factors, the third condition for the enjoyment of human rights is political action. Unlike human rights activism or other types of action taken in the name of human rights, political action as the term is used in this chapter refers to Hannah Arendt's theory of "action," which emphasizes the condition of human plurality within the public sphere. In Arendt's view, political action consists of more than just the ability to speak and act freely; it also depends on the existence of a public realm where each individual reveals 'who he is' among equals.<sup>1</sup> In this sense, the term 'political action' implies freedom and equality. Arendt argues that political action is a precondition for human rights because it enables people to embody their human rights in words and deeds, to safeguard them through collective negotiation and communication. Thus, political action offers the possibility to actualize human rights. It is important to note, however, that political action in the Arendtian sense does not improve human rights *per se*, because no political aim—neither the actualization of human rights nor any other goal—is inherent to political action.

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<sup>1</sup> Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1998).

Western scholars tend to dismiss the notion that political action, by Arendt's definition, existed under Mao; instead they usually describe China in that period as a highly authoritarian country where political action was strictly controlled.<sup>2</sup> To say that Maoist China's political movements brought more human suffering than human rights improvement is an understatement, as is confirmed by a wealth of Western studies.<sup>3</sup> In this respect, it would be hard to argue that political action in the context of Mao's China embodied human rights. However, Western scholars have largely ignored the Hundred Flowers Campaign (1956-1957), a government-initiated political movement that offered Chinese intellectuals a relatively free political environment in which to speak, act and debate. In this period, intellectuals voiced opinions and took collective action in a way which not only expressed their concern for freedom, equality, human dignity and other basic elements of human rights, but which also captured the essential dynamic of human rights. In addition to the Hundred Flowers Campaign, the Rectification Movement of 1957 also opened the door to free debate and public demonstrations, though critics argue that this was a ruse through which Mao intended to identify dissidents, purge them, and consolidate his personal power.<sup>4</sup> Be that what it may, the political action which occurred in these two movements, consisting of public speech, debate, and protest, is a valuable

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<sup>2</sup> Kent, *Between Freedom and Subsistence: China and Human Rights* (New York: Oxford University Press, 1993), 51-53.

<sup>3</sup> Merle Goldman discussed the persecution of Chinese intellectuals during the Anti-Rightist Movement. see Merle Goldman, *Literary Dissent in Communist China* (Cambridge: Harvard University Press, 1967). Frank Dikötter focused on the suffering of the Great Leap Forward. See his book Dikötter, *Mao's Great Famine: The History of China's Most Devastating Catastrophe, 1958-1962*.

<sup>4</sup> Frank Dikötter, *The Tragedy of Liberation: A History of the Chinese Revolution 1945-1957* (London: Bloomsbury Press, 2015).

resource that can help us to understand the relation between human rights and Arendtian political action in the Chinese context. So what was the political context in which political action took place, and how did this political action embody human rights? To answer these questions, this chapter views the Hundred Flowers Campaign (HFC) and the Rectification Movement through the prism of Arendt's theory of political action. By examining the backgrounds and actions of the intellectuals who participated in the campaign, I demonstrate that a plurality of actors, and the creation of a public realm where they had freedom to act, enabled some people to embody human rights. Although the theoretical framework for this chapter is partly founded on Arendt's interpretation of 'political action,' the political action I discuss here is not necessarily consistent with the Arendtian notion. To be sure, political action in the HFC showed many of the hallmarks of Arendt's concept, such as a public sphere, a plurality of actors, and varying degrees of freedom. However, the HFC was conducted and controlled by the CCP with specific political purposes in mind, while Arendtian political action is by definition not constrained by motives and aims.<sup>5</sup>

This chapter is divided into two main parts. The first part introduces how political action emerged as a new condition in the PRC, from 1956 to 1957. I will view this primarily through the lens of CCP policy on the Hundred Flowers Campaign and the Rectification Movement. This part begins with a discussion of how the CCP redefined the identity of Chinese intellectuals at that time; then, I analyze how the authorities

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<sup>5</sup> For the characters of Arendt's political action, see Arendt, *The Human Condition*, 175-243.

created a public sphere in which intellectuals could participate in the HFC and the Rectification Movement. Lastly, I demonstrate that plurality and freedom were embodied within this intellectual public sphere. The second part of this chapter focuses on the political action taken by Chinese intellectuals and demonstrates how such action embodied human rights. The sources I draw from in this chapter include government documents, the writings and speeches of Mao and other CCP leaders, government-run newspapers such as *People's Daily*, newspapers like *Guangming Daily* which were published by democratic parties, intellectual journals and campus publications. I make extensive use of Merle Goldman's papers and books as additional secondary literature, as these are valuable not only in revealing more details of the intellectual history of Mao's China, but more pertinently, because they offer us a record of the various kinds of political action Chinese intellectuals took in the Hundred Flowers Campaign.

## **2. The new context for political action: 1955-1957**

A survey of the existing literature reveals a sharp debate centering on the question of whether the HFC was really a democratic period for intellectuals in Maoist China. Chinese scholars tend to arrive at the more positive, but mixed assessment that this campaign promoted the process of liberalization, but also caused demoralization.<sup>6</sup> On the other side of the debate, scholars point to the large-scale persecution that took place in

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<sup>6</sup> See Guo Guoxiang, Li Wenshan, "Shuangbai Fangzhen de Lishi Huigu Jiqi Fansi (Retrospect and Reflection on the Hundred Flowers Campaign)," *Tansuo yu zhengming* 8 (2005): 114-116.

the subsequent Rectification and Anti-Rightist movements, and conclude that the HFC was a trap, designed by the CCP, to identify intellectuals who were deemed threatening.<sup>7</sup> I do not delve deeply into this controversy here, but choose to concentrate instead on political action in the HFC and the Rectification Movement. I focus mainly on actions the state took to encourage intellectuals to participate in the campaigns. What the literature reveals is that the CCP, in its effort to solicit evaluations of its own cadres and the government's performance, tried to allay intellectuals' fears. We can conclude from these efforts that there was, for a time, a relatively free political sphere that generated a wide range of expression and actions. Based on evidence revealing the CCP's attitude towards Chinese intellectuals and its policy on the HFC and the Rectification Movement, this section describes a new environment of political action and attempts to address three questions: how the identity of Chinese intellectuals was redefined; to what extent a free public realm was created during the HFC; and to what extent the new political context ensured plurality and freedom during the HFC and the Rectification Movement.

## **2.1 Remolding the identity of intellectuals: the CCP's early policy (1955-1956)**

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<sup>7</sup> Precisely how many people were persecuted in the Anti-rightist Movement is not clear. Ding Shu estimated their number at 1.3 million. See Ding Shu, *Yangmou, Fanyou Yundong Qianhou* (Overt Trap: Before and After the Anti-Rightist Campaign) (Hong Kong: Kaifang zazhishe, 2006). According to an official Chinese report, approximately 550,000 people were persecuted. See "Request for Instruction on Various Issues Concerning the Continuous Implementation of Central Committee Document No. 55 [1978]", released by the Central Committee of the CCP, September 10, 1979.

Whether the members of a particular profession in China were designated as intellectuals primarily depended on the CCP's tactical considerations; the composition of this group was frequently redefined in the Mao era. As early as the Civil War, Mao generally included students, teachers, scientists, technicians and other professionals in the group. He saw the support of intellectuals as an important prerequisite for a successful revolution.<sup>8</sup> After the war ended, his longer-term views appear to have wavered. As the ruling party of the PRC, the Communists changed their policy on intellectuals many times. From People's Enemy to part of the People, the fate of Chinese intellectuals was closely tied to communist ideology and the role the party wanted them to play in the overall process of socialist construction, the transition from a capitalist to a socialist state. The CCP on the one hand insisted that intellectuals devote themselves to serving the new communist society, while on the other hand expressing suspicion that they were sympathetic or even loyal to the bourgeoisie.<sup>9</sup> In early 1950s, the CCP consolidated power through a series of political movements in which intellectuals became one of the main targets. Especially in the campaign to purge counterrevolutionaries, many intellectuals were deemed politically untrustworthy and marginalized from important positions in the arts, education, journalism, politics and other sectors. Party cadres appealed on many occasions for intellectuals to undergo socialist reeducation. In a report entitled *Problem on the*

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<sup>8</sup> Mao gave this definition in the note of his paper, see Mao Zedong, "Chinese Revolution and Chinese Communist Party", in *Selected Works of Mao Zedong*, vol.2 (Beijing: Foreign Language Press, 1965), 303.

<sup>9</sup> Theodore Hsi-en Chen, "The Thought Reform of Intellectuals," *The Annals of the American Academy of Political and Social Science* 321 (1959): 82-89. Merle Goldman, "The Unique 'Blooming and Contending' of 1961-62," *The China Quarterly* 37 (1969): 54-83.

*reform of intellectuals*, Zhou Enlai also took this position, arguing that the majority of Chinese intellectuals came from landlord or bourgeois families.<sup>10</sup> In earlier writings, he asserted that many intellectuals were either bound by feudal ideas or contaminated by bourgeois ideology.<sup>11</sup> Zhou's explanation implies that the CCP definition of intellectuals mainly had to do with their political background rather than their professional skills. Given that the CCP had such an ideological definition of intellectuals, it is not surprising that the party launched the Thought Reform Movement in 1951. Intellectuals were required to reform themselves through self-criticism and by learning Marxist-Leninist-Maoist ideology. The goal behind reeducation was to render intellectuals better able to serve the new socialist regime.<sup>12</sup> However, the reeducation movement exerted far-reaching ideological control over the intellectual arena. A large number of intellectuals were denounced or imprisoned for their dissenting views. Because the CCP branded them politically, intellectuals grew apprehensive about expressing themselves, especially after the Thought Reform Movement.

In 1955, the plight of intellectuals was eased in connection with the promotion of Mao's first Five-Year Plan. Introduced in 1953, this Five-Year Plan had led to a boom of large-scale industrial projects that necessitated more advanced technology and professional skills.

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<sup>10</sup> Zhou Enlai, "Lun Zhishi Fenzi Wenti (Problem on the Reform of Intellectuals)," in *Zhou Enlai Xuanji* (Selected Works of Zhou Enlai), vol. 2 (Beijing: The People's Publishing House, 1984).

<sup>11</sup> *Zhou Enlai Nianpu* (Chronological Biography of Zhou Enlai), 175.

<sup>12</sup> Theodore Hsi-en Chen, *Thought Reform of the Chinese Intellectuals* (Hong Kong: Hong Kong University Press, 1960). Chen, "The Thought Reform of Intellectuals," 82-89.

Mobilizing intellectuals, it was assumed, would benefit socialist construction by promoting science and technology in particular.<sup>13</sup> The CCP wanted to improve the social position of intellectuals in this context. In April, 1956, Mao and his peers decided to launch the Hundred Flowers Campaign, a movement that would grant intellectuals freedom to do more scientific research with less political control. In December 1955, *Guangming Daily* had pointed out that a new situation had arisen “in which intellectuals, particularly those of high standing in learning and technological accomplishment, must make greater contribution to society.”<sup>14</sup> Mao’s attitude towards intellectuals suggests that he saw it as a priority to give them an important role in socialist construction. As Vice Premier Bo Yibo later recalled, Mao started devoting more attention to intellectuals in 1955, emphasizing that: “we have had so many things to deal with in the last few years, and have no time to handle this thing [the intellectual problem]. Now it is the time that we should do it.”<sup>15</sup>

The CCP organized a nationwide mobilization to enlist the participation of intellectuals in the HFC. Starting on January 14, 1956, the party held a six-day conference on intellectual problems in Beijing, with the primary aim of explaining the CCP’s new policy on intellectuals. By contrast with

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<sup>13</sup> The importance of Chinese intellectuals in the first Five-Year Plan and their contribution to the socialist construction were expressed in Zhou Enlai’s report, see Zhou Enlai, “Report on Intellectual Problems” in *Communist China 1955-1959: Policy Documents with Analysis*, vol.1, ed., East Asian Research Center of Harvard University (Cambridge: Harvard University Press, 1962), 128-144.

<sup>14</sup> “Minmeng Zongbu Zuotan Zhishi Fenzi Gaizao Wenti (Discussion on the Reform of Intellectuals by the Democratic Party),” *Guangming Daily*, December 3, 1955, 1.

<sup>15</sup> Bo Yibo, *Ruogan Zhongda Juece yu Shijian de Huigu*, vol.1 (Review on Several Important Policies and Events) (Beijing: Zhongzhong Zhongyang Dangxiao Chubanshe (Publisher of the CPC Central Party School ), 1991), 499.

views he had expressed earlier, Zhou Enlai claimed that most intellectuals had been transformed by communist ideology and could now assume more responsibilities in the socialist construction. Zhou argued intellectuals were needed because science and technology were more urgently required in this era of national construction than in other periods in history. He also expressed remorse for the mistakes made in Thought Reform Movement. He asserted that such violence could not resolve problems and that “[v]iolence against scientists has still been happening recently, and we need to stop it.”<sup>16</sup> Zhou’s report was published in *People’s Daily*, the mouthpiece of the CCP on January 30. It is reasonable to assume that Zhou’s views on the intellectual class had been approved by the CCP, because the Central Committee subsequently published another important document pointing out that most intellectuals had joined the ranks of the working people and aligned themselves with programs and peasants serving the socialist construction.<sup>17</sup> By including intellectuals among the People, the CCP wanted to win them over as loyal, contributing supporters of the regime and the socialist construction. No longer were intellectuals meant to be the targets of class struggle; instead, the CCP set about rectifying wrongdoing towards them by the Party. The CCP document criticized some cadres for the prejudices they held against intellectuals, for mentioning only the mistakes and shortcomings of intellectuals while

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<sup>16</sup> Zhou, “Report on Intellectual Problems,” 128-144.

<sup>17</sup> “Zhonggong Zhongyang Guanyu Zhishi Fenzi Wenti de Zhishi (Instruction on the Problems of Intellectuals from the Central Committee of the CCP),” February 24, 1956, Xinhua Net, accessed December 12, 2014, [http://news.xinhuanet.com/ziliao/2004-12/30/content\\_2394529.htm](http://news.xinhuanet.com/ziliao/2004-12/30/content_2394529.htm). This document was published digitally on Xinhua Net, on the basis of the original copy provided by the Central Archive in Beijing.

overlooking the fact that many of them had been properly disciplined in recent years. Furthermore, the document claimed that cadres should treat intellectuals as the People, should work with them as comrades, and show respect for their work and opinions.<sup>18</sup>

Although Mao was enthusiastic about the Hundred Flowers Campaign, intellectuals were reluctant to join in because of their earlier experiences during the Thought Reform Movement. They feared being labeled the People's enemy once their dissident opinions were reexamined. Their lukewarm reception of the HFC was not what Mao had expected. In 1956, the Hungarian and Polish crises shook the leadership in Beijing. Conservatives among them insisted the HFC should be suspended or at least scaled back, for fear the spirit of dissent in Eastern Europe would spread to China at a time when many Chinese intellectuals still held bourgeois ideas.<sup>19</sup> However, Mao voiced a positive attitude towards intellectuals in his February 1957 speech entitled "On correctly handling contradictions among the people." He argued that intellectual disagreements were merely contradictions among the people that could be resolved through democratic means. Mao offered Chinese intellectuals his trust, on one condition. Intellectuals would be considered trustworthy and entitled to more citizenship rights as long as they showed a willingness to serve the socialist construction.<sup>20</sup> Whatever Mao's real motive was, his promise was significant. Most intellectuals were to be

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<sup>18</sup> "Zhonggong Zhongyang Guanyu Zhishi Fenzi Wenti de Zhishi (Instruction on the Problems of Intellectuals from the Central Committee of the CCP)."

<sup>19</sup> Richard H. Solomon, *Mao's Revolution and the Chinese Political Culture* (California: University of California Press, 1972), 272.

<sup>20</sup> Mao, "On Correct Handling Contradictions among the People," 384- 421.

considered citizens and could enjoy the rights guaranteed to citizens by the Chinese constitution: “the Constitution lays it down that citizens of the People's Republic of China enjoy freedom of speech, the press, assembly, association, procession, demonstration, religious belief, and so on [...] Democracy operates within the ranks of the people, while the working class, uniting with all others enjoying civil rights [...] By civil rights, we mean, politically, the rights of freedom and democracy.”<sup>21</sup>

## **2.2 The thawing of the public sphere: 1955-1957**

The Hundred Flowers policy not only granted a new citizenship to intellectuals, it also reflected a relatively free public sphere. From late 1955 to early 1957, the CCP loosened its restrictive regime in the hope of attracting intellectuals to the HFC. Although much resistance to this thaw came from the very top echelon of the party, Mao's personal adherence to the campaign facilitated the opening of a relatively free, though short-lived, public sphere in which intellectuals could act politically through free expression and exchange of ideas. This section explores the CCP's HFC policy and Mao's promotion of the campaign, to reveal how a public space was established and how the state and the intelligentsia interacted in this period.

The Thought Reform Movement had had a chilling effect on China's intellectual environment; public activity ceased to exist, giving way to ideological indoctrination. Mao's Hundred Flowers Campaign was meant to reinvigorate the intellectual community by relaxing the academic

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<sup>21</sup> Mao, “On Correct Handling Contradictions among the People,” 387- 388.

sphere, on the assumption that intellectuals with more freedom would be better able to do their work. Mao relayed his intentions in a response to a Central Propaganda Department report that was published on February 1, 1956. The report charged a Soviet scholar with expressing a dissenting view on Sun Zhongshan,<sup>22</sup> assessed this view as a challenge to the CCP's authority, and asked Mao to take disciplinary measures. Much to the Central Propaganda Department's surprise, Mao's response was tolerant. "I think we should not forbid free speech," he wrote. "Everyone should be allowed to discuss different opinions on academic issues. It has nothing to do with [political] authority... if there are differing opinions on academic topics and about Chinese leaders, we should not forbid this either. It is completely wrong if we try to prohibit [different ideas]."<sup>23</sup> Mao's reaction hinted at his intention to relax political control of the intelligentsia. On April 25, 1956, Mao crystallized his intentions in a speech: "We have purposely let the democratic parties remain, giving them opportunities to express their views... We unite with all those democratic personages who offer us well-intentioned criticism."<sup>24</sup> The speech was interpreted as a response to the problems that emerged in the Soviet Union after the death of Stalin. Following Khrushchev's secret speech denouncing Stalin at the Soviet Communist Party's Twentieth Congress in February 1956, there was an outpouring of criticism in the

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<sup>22</sup> Sun Zhongshan (1866-1925) was a Chinese revolutionary and a founding father and first president of the Republic of China. He was also the first leader of Kuomintang.

<sup>23</sup> Mao Zedong, *Jianguo Yilai Mao Zedong Wengao*, vol.6 (Mao Zedong's Works since the Foundation of the People's Republic of China), ed., The Party Literature Research Center of the CPC Central Committee (Beijing: The Central Literature Press of the CCP,1992), 42.

<sup>24</sup> Mao Zedong, "On the Ten Major Relationships," in *Selected Works of Mao Zedong*, vol.5 (Beijing: Foreign Language Press, 1977), 296.

USSR aimed at coercive state control and bureaucracy.<sup>25</sup> Faced with this threat, Mao proposed that some of the central government's power should be delegated to lower authorities. In his speech "On the Ten Major Relationships," he argued that China should not take the Soviet approach of concentrating all power centrally, but transfer it to local governments and other democratic parties instead.<sup>26</sup> Because intellectuals constituted the main body of the democratic parties, it was reasonable to assume that Mao intended to grant them more freedom and widen the public sphere.

In the early stages of the HFC, the opening of the public sphere applied only to the academic realm. Speeches by Mao and CCP propaganda chief Lu Dingyi clearly delineated this parameter. On April 28, 1956, Lu Dingyi discussed problems in literary and artistic circles in a report to Mao. In response, Mao for the first time clearly invoked the Hundred Flowers policy. "[O]n the question of art and literature," he explained, "let one hundred flowers bloom; on the question of scholarship, let one hundred schools of thought contend. Let this be our policy."<sup>27</sup> On May 26, Lu Dingyi interpreted Mao's policy during a meeting with intellectuals in Beijing, remarking that "we stand for freedom of independent thinking, of debate, of creative work, freedom to criticize and freedom to express, maintain and reserve one's opinion on questions

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<sup>25</sup> Solomon, *Mao's Revolution and the Chinese Political Culture*, 272.

<sup>26</sup> This view is implied in Mao's discussion of the relations between the central and local governments, between the Communist Party and other parties. For more details, see Mao, "On the Ten Relationships," 292-294; 296-297.

<sup>27</sup> Mao Zedong, *Mao Zedong Wenji* (Collected Works of Mao Zedong) (Beijing: People's Publishing House, 1999), 54-59.

of art, literature or scientific research.”<sup>28</sup> Lu told the intellectuals they could get on with their work in greater freedom, but at the same time he made it clear that this freedom was strictly limited to the intellectual arena. In his speech, he emphasized the distinction between political and intellectual activity, saying “we cannot fail to notice that although art, literature and scientific research have a close bearing on the class struggle, they are not, after all, the same thing as politics... we hold that there must be democratic liberties among the people, but that no freedom should be extended to reactionaries.”<sup>29</sup> Both Mao and Lu were creating room for free criticism in the intellectual realm while keeping political issues off limits. The CCP’s subtle intentions were explained further in the literary journal *Xuexi*, which wrote that “the aim of promoting independent thinking and free discussion in theoretical studies is not the same aim as in scientific research; scientific research is intended for the creative development of different branches of science on the basis of earnest scientific research; independent thinking and free discussion in theoretical work is for learning Marxism-Leninism.”<sup>30</sup>

The HFC underwent a dramatic development the following year, when Mao personally initiated the Rectification Movement which expanded the public sphere’s scope from the academic realm to politics. With this

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<sup>28</sup> Lu Dingyi, “Let a Hundred Flowers Blossom, A Hundred Schools of Thought Contend,” in *Communist China 1955-1959: Policy Documents with Analysis*, vol.1, eds., East Asian Research Center of Harvard University (Cambridge: Harvard University Press, 1962), 153.

<sup>29</sup> Lu, “Let a Hundred Flowers Blossom, A Hundred Schools of Thought Contend,” 153.

<sup>30</sup> “Promoting Independent Thinking and Free Discussion among Cadres in Their Theoretical Study”, *Xuexi* (Study) No. 10 (October 2, 1956); in *Extracts From China Mainland Magazines*. No. 65: 30.

move, he gave intellectuals a green light to air their opinions on the government's performance and many other political issues. Many ascribed the shift to Mao's considerations on the Hungary crisis and his discontent with some cadres. However, the move was not well received by conservative cadres, who had already felt reluctant to promote Mao's policies in the early stage of the Hundred Flowers Campaign because they faced increasing criticism from intellectuals. The conservatives warned they would lose grip on the power granted to intellectuals, and that sooner or later a groundswell of criticism would threaten the party's leadership. On April 17, 1956, *Guangming Daily* wrote that cadres feared the Hundred Flowers Campaign "would lead to the emergence of a privileged class with an undesirable sense of superiority."<sup>31</sup> In the party conservatives' view, intellectuals ought to restrict their criticism to the academic realm. However, Mao was convinced by the Hungary crisis that change was needed, so he expanded the intelligentsia's freedom of expression into the political realm. As he had done in the Yan'an Rectification period of the 1940s, Mao delivered a speech on February 27, 1957 that called on intellectuals to express their criticism of the party.<sup>32</sup> The speech signaled Mao's intention to launch the Rectification Movement, which would restore the leeway intellectuals had once had to discuss political issues.<sup>33</sup>

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<sup>31</sup> "Positively Improve the Working and Living Condition for Teachers in Institutes of Higher Education," *Guangming Daily* Editorial, April 17, 1956, 1.

<sup>32</sup> The Yan'an Rectification Movement (1942-1944), was the first ideological mass movement initiated by Mao, in the communist based district of Yan'an. Its aim was to combat subjectivism, sectarianism and stereotypical party writing within the CCP.

<sup>33</sup> Mao, "On Correct Handling Contradictions among the People," 384-421.

Unreceptive to Mao's initiative, many party members tried to obstruct any attempt to expand the public sphere for intellectuals. Writing in *People's Daily* in January 1957, Deputy Propaganda Director Chen Qiting of the People's Liberation Army asserted that "the number of essays describing socialism have dwindled and the number of satirical articles voicing dissatisfaction and disappointment are increasing... if we do not take action against this, we will see the end of politics and wind up limiting ourselves to describing trivial individual affairs and personal sentiments."<sup>34</sup> Observers believed this article could only have been published with the approval of senior figures in the Politburo. Liu Shaoqi, vice chairman of the CCP at the time, may have been one of them. Unlike Mao, Liu saw the Rectification Movement as merely a process of self-teaching and felt that the HFC should "be carried out as gently as a breeze or as mild as rain... Large meetings of criticism and struggle should not be held."<sup>35</sup> He was particularly adamant that criticism from non-party members could lead to antagonism inside the party.<sup>36</sup> So while Mao was trying to create more space for intellectuals to be politically active, Liu was pressing for limitations on political criticism in the Rectification Campaign. Liu insisted the Rectification Campaign was a process of criticism and self-criticism among cadres. In making this point, he was in fact warning Mao and his kindred spirits that contradictions

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<sup>34</sup> Chen Qítong, Chen Yading, Ma Hanbing, Lu Le, "Women dui Muqian Wenyi Gongzuo de Jidian Yijian (Some of Our Views on Current Literary and Art Work)," *People's Daily*, January 7, 1957, 7.

<sup>35</sup> "Zhonggong Zhongyang Guanyu Zhengfeng Yundong de Zhishi (Party Directive on Rectification Campaign)," *People's Daily*, May 1, 1957, 1.

<sup>36</sup> *Jianguo Yilai Zhongyao Lishi Wenxian Xuanbian* (Selected Important Archives since the Foundation of the PRC), vol. 10, 250-258.

within the party should be resolved by party members rather than by intellectuals from outside.

Despite the resistance, Mao's personal prestige and the confidence he showed in intellectuals gave a crucial impetus to the relaxation of the public sphere during the Rectification Movement. At the same time there was also suspicion from Mao's critics, who argued that his tolerant policy towards intellectuals and his support for the Rectification Movement were a means to purge party factions Mao disapproved of and consolidate his autocratic rule.<sup>37</sup> From all these divergent views on the Rectification Movement, one thing is clear: intellectuals were encouraged to express and publicize a variety of views, not only on technology and science, but also on the CCP leadership. The less restrictive environment was not only the work of the government; intellectual circles themselves were an important factor in promoting the relaxation process. During the HFC and the Rectification Movement, a large group of intellectuals initiated free expression, led public debates and voiced criticism of the government's performance. Wang Meng, Liu Binyan and many other novelists revived creativity on the literary scene; editors such as Qin Zhaoyang and Chu Anping tried to reform the dogmatic and sectarian attitudes of the press. Students at Beijing University challenged political authority. These actions and expressions helped to create a network of relationships and a platform for the exchange of opinions. In this context, therefore, a public space was created.

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<sup>37</sup> Dik ötter, *The Tragedy of Liberation: A History of the Chinese Revolution 1945-1957*.

## **2.3 Plurality and freedom in public realm: 1956-1957**

In Hannah Arendt's view, the public realm's primary characteristics are plurality and freedom; it is these two qualities that make political action possible in a public space. It may seem implausible to argue that the CCP sincerely meant to guarantee the plurality and freedom of actors in the Hundred Flowers Campaign and Rectification Movement. I would argue, nonetheless, that these movements did create a mechanism that encouraged free debate and action for a time. At the same time, it is important to note that the CCP's definition of freedom remained strictly within the confines of communist ideology, and differed sharply from the Western, liberal concept. This section focuses on the CCP's endeavor to encourage intellectuals to freely express themselves and participate in the HFC and Rectification Movement, and on how this effort embodied plurality and freedom in the public sphere.

The Hundred Flowers policy prescribed a relaxed political environment for Chinese intellectuals. However, most intellectuals approached this campaign with considerable caution; the memory of the Thought Reform Campaign, during which all professional work fell under strict CCP supervision, was still fresh. Plurality ceased to exist in this highly controlled environment. It is hardly surprising in this regard that intellectuals were reluctant to express dissenting opinions when Mao introduced his Hundred Flowers policy. Most intellectuals responded with apprehensiveness about the genuine intentions behind the HFC. Fei Xiaotong, a prestigious sociologist, expressed a common anxiety when

he wrote that “for the old intellectuals, it still seems to be an early spring... early spring means they [intellectuals] are mobilized... but they are still anxious about the Hundred Flowers Campaign. They do not dare to express or argue. They usually keep silent on issues that are highly related to politics.”<sup>38</sup> Zhang Bojun, a leading member of the China Democratic League who served as minister of transportation, expressed a similar fear: “intellectuals are still groping for their way and speculating whether the policy is sincere or a gesture, whether it is an end or means.”<sup>39</sup> The library director of Fudan University expressed uncertainty about whether he would later be punished by the CCP for his words.<sup>40</sup>

Intellectuals also had more concrete reasons to be hesitant, including active repression by a group of senior cadres. Not all CCP cadres wholeheartedly embraced Mao’s Hundred Flowers policy, to put it lightly. Obstructionism increased as the party leadership grew more anxious that the HFC would jeopardize the Communist Party’s authority and its ideological orthodoxy.<sup>41</sup> As a *People’s Daily* editorial explained, some cadres were “afraid that argument and debate [would] cause disunity in inner-Party thinking.”<sup>42</sup> Even *People’s Daily* and another party

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<sup>38</sup> Fei Xiaotong, “Zhishi Fenzi de Zaochun Tianqi (Early Spring for intellectuals),” *People’s Daily*, March 24, 1957, 7.

<sup>39</sup> “Many Scientists Think the Line of Letting All Flowers Bloom Should Be Further Implemented,” (*New China News Agency*, April 21, 1957), in *Survey of the China Mainland Press*, 1529 (May 14, 1957), 12.

<sup>40</sup> “Correctly Handling the Contradiction among the People and Improving the Relationship between the Party and the People,” *People’s Daily*, April 27, 1957, 1.

<sup>41</sup> For a similar argument, see Frederick C. Teiwes, “The Hundred Flowers Experiment,” in *Politics and Purges in China: Rectification and the Decline of Party Norms, 1950-1965* (New York: ME Sharpe, 1993), 175.

<sup>42</sup> “Buyao Haipa Fandui Yijian (Don’t be Afraid of Opposing Views),” *People’s Daily*, October 9, 1956, 1.

mouthpiece, *Liberation Daily*, seemed timid about propagating Mao's policy in the first half of 1956. And there was a backlash, too; literary journals such as *Literary Studies* printed a considerable number of articles denouncing young writers who allegedly held anti-party leadership views.<sup>43</sup>

Mao knew the Hundred Flowers Campaign would fail without the active participation of intellectuals. In an April 28, 1956 politburo meeting, he began encouraging intellectuals to engage in free discussion about periods in ancient China when many schools of thoughts contended with each other.<sup>44</sup> He used the Hundred Flowers as a metaphor to imply that the CCP was tolerant of a diversity of ideas. Mao continued fuelling the campaign with speeches in February and March of the following year. In February 1957, he reemphasized the need for different opinions, arguing that ideological and ethical disputes could not be resolved through administrative decrees or coercion. The only method to resolve such 'contradictions among the people' was the democratic path of discussion, critical debate, persuasion and education, he argued.<sup>45</sup> At a Propaganda Department meeting on March 12, Mao again tried to reassure intellectuals that while "Some people say they dare not write even when they have something to say, lest they should offend people and be criticized. I think such worries can be cast aside. [...] The policy of

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<sup>43</sup> More details of the debates will be discussed in the following section. For relevant debates, see Merle Goldman, "The Party and the Intellectuals," in *The Cambridge History of China*, vol.14, ed., Roderick MacFarquhar, John K. Fairbank (Cambridge: Cambridge University Press. 1987), 248-249.

<sup>44</sup> Mao was referring to the Spring and Autumn period (770-476 B.C.) and the Warring States period (475-211 B.C.)

<sup>45</sup> Mao, "On Correct Handling Contradictions among the People," 384-421.

letting a hundred flowers blossom and a hundred schools of thought contend offers additional guarantees for the flowering of science and the arts. [...] If what you say is right, you need not fear criticism, and through debate you can further explain your correct view.”<sup>46</sup> At the meeting, Mao also proposed a way to handle criticism from intellectuals, saying “let all people express their opinions freely, so that they dare to speak, dare to criticize and dare to debate; it means not being afraid of wrong views or anything poisonous; it means to encourage argument and criticism among people holding different views, allowing freedom both for criticism and for countercriticism”<sup>47</sup> Due in part to Mao’s personal commitment to the HFC and his authority within the party leadership, the Hundred Flowers policy was implemented nationwide. The Rectification Movement, the logical extension of the HFC, led to a flourishing and vigorous debate in which intellectuals sparred over issues ranging from excessive bureaucracy to the very leadership of the Communist Party.

The plurality guaranteed in the Hundred Flowers Campaign to a great extent related to the freedom of political action in the campaign. Mao’s speeches and debates between party members reveal that intellectuals gained more freedom when a plurality of actors were protected in the public realm. The HFC and Rectification Movement gave non-party intellectuals freedom to express dissenting views. However, this freedom was limited. As early as June of 1956, Lu Dingyi had offered his own

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<sup>46</sup> Mao Zedong, “Speech at the Chinese Communist Party’s National Conference on Propaganda Work,” in *Selected Works of Mao Zedong*, vol. 5 (Beijing: Foreign Language Press, 1977), 431.

<sup>47</sup> Mao, “Speech at the Chinese Communist Party’s National Conference on Propaganda Work,” 432.

interpretation of this freedom in a speech based on Mao's Hundred Flowers policy:

We advocate that the counter-revolutionaries should be denied freedom. We hold that we must practice dictatorship over counter-revolutionaries, but for the People we take the position that there must be democracy and freedom. This is a political line. In politics, we must distinguish ourselves from the enemy... Our policy of "letting all flowers bloom together and all schools contend in airing their view" stands for freedom for those who belong to the People. We advocate the broadening of this freedom in accordance with the consolidation of the People's regime.<sup>48</sup>

Lu's speech delineated freedom using the ideological distinction between the People and the People's enemy, a parameter also used in the earlier land reform movement. In February 1957, Mao responded to the crisis in Eastern Europe by tightening this restriction of freedom in a speech given at the Eleventh Session (Enlarged) of the Supreme State Conference. Mao argued that reactionaries should be deprived of their freedom of speech.<sup>49</sup> As for the People, their ideas would be assessed on the basis of specific criteria. He emphasized the two most important criteria in the speech: taking the socialist path and obedience to the party. In his justification for these criteria, Mao said they were "put forward not to hinder but to encourage the People to freely discuss issues. Those who disapprove of these criteria can still state their own views and argue their case. However, so long as the majority of the people have clear-cut criteria to go by, criticism and self-criticism can be conducted along

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<sup>48</sup> Lu, "Let a Hundred Flowers Blossom, A Hundred Schools of Thought Contend," 153.

<sup>49</sup> Mao, "On Correct Handling Contradictions among the People," 410-412.

proper lines, and these criteria can be applied to people's words and deeds so as to determine whether they are right or wrong, whether they are fragrant flowers or poisonous weeds.”<sup>50</sup>

Contrary to his original intentions when he launched the Hundred Flowers policy in 1956, Mao seemed more cautious about allowing free expression during the Rectification Movement. This shift of attitude appears to have been a response to the Hungary crisis and Khrushchev's secret report on Stalin. On the one hand, Mao attempted to improve the party's relations with its people and with the democratic parties by offering them more freedom. He emphasized that the Communist Party had a great need to hear different opinions and that supervising democratic parties had benefited the CCP's leadership. But on the other hand, Mao still emphasized the implementation of democratic centralism in the political campaigns. He imposed limits on freedom by claiming that democracy was correlated with centralism and that freedom had to be constrained by discipline. In his February 1957 speech, Mao argued that “within the ranks of the people, we cannot do without freedom, nor can we do without discipline; we cannot do without democracy, nor can we do without centralism. This unity of democracy and centralism, of freedom and discipline, constitutes our democratic centralism. Under this system, the people enjoy broad democracy and freedom, but at the same time they have to keep within the bounds of socialist discipline.”<sup>51</sup> One may question just how much freedom there actually was during the HFC and the Rectification Movement, given the CCP's regulations. Yet, even

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<sup>50</sup> Mao, “On Correct Handling Contradictions among the People,” 412.

<sup>51</sup> Mao, “On Correct Handling Contradictions among the People,” 389.

this limited freedom provided a way for people to vent a lot of criticism and to hold many debates.

### **3. Political action in the Hundred Flowers Campaign**

Intellectuals, whether they had to be persuaded to participate or voluntarily joined the HFC, demonstrated an ability to take political action. Political action in this narrow sense meant an ability to act freely, to participate in public affairs. This action took the shape of public debate and free discussion. In sharp contrast to the previous Thought Reform period, intellectuals, particularly writers and students, played a pivotal role by displaying their words and deeds in public. Free debate and public opinion immediately surfaced when the CCP widened the public sphere to include the realm of politics in the late 1950s. Intellectuals gained more freedom to express themselves by reasoning, debating and criticizing. Creating this diversity of opinion should not be seen as an action controlled by the CCP, however. It was actually a matter of people acting out of their own free will with less restrictions. It is useful to analyze the public life of intellectuals in this period of thaw, as it can help us understand political action in Maoist China and the dynamic in which it took place. This section focuses mostly on political action in the HFC and the Rectification Movement. Given that there can be no political action without actors, this section begins by describing several groups of intellectuals who participated in the campaigns and analyzing their positions in society and mutual relations. Then we turn to the debates and protests by intellectuals; this is where we gain an understanding of the

mechanism of political action at the time. Ultimately, this chapter demonstrates that through political action in the Hundred Flowers Campaign, intellectuals were in fact exercising their human rights, albeit for a very short period of time.

### **3.1. The emergence of a group of intellectuals**

The influences that shaped Chinese intellectuals were rather complex in the Mao era. To begin with, cultural and political indoctrination had contradictory impacts. On the one hand, intellectuals were educated in traditional Chinese culture, and in Confucianism in particular. This meant they were taught to be loyal to their country and to assume the burden of criticizing the misdeeds of government in writing, even at the risk of severe punishment. On the other hand, these same intellectuals were denounced, repressed and demoted in a series of political campaigns following Mao's rise to power in 1949, which subdued them into collective silence. After their ensuing ideological and political reeducation, they were mostly taciturn, seldom offering their opinions. Given their dilemma, it is understandable that intellectuals were hesitant and confused when the party granted them the freedom to voice criticism. Yet the same dilemma also provides us with some clues as to why some dared to speak up, while others defended the party in this period of thaw.

In Mao's China, intellectuals were an officially designated class that included scholars, students, writers, technicians, artists and other professionals. Although the CCP distinguished intellectuals from the peasantry and the working class, the group itself was internally divided in

terms of politics. Those intellectuals who were either Communist Party members or had close ties to party officials could hold important positions in the cultural bureaucracy; some non-party intellectuals could enjoy prestige in intellectual circles or have a leadership post in one of the democratic parties based on their expertise. On the whole, however, most key posts in the intellectual sphere were occupied by someone with ties to the CCP. A good example is Zhou Yang, one of Mao's favorite literary theorists. Like many other prestigious intellectuals, he held posts in both intellectual circles and the government. In the Hundred Flowers period, Zhou was associate president of the China Federation of Literary and Art Circles and deputy propaganda minister of the CCP. Some ordinary intellectuals were recruited to work for CCP-controlled publications and tasked with defending the CCP and debating with anyone who was considered a potential threat to the party leadership.<sup>52</sup> Most of the political action in the Rectification period consisted of debates between party- and non-party intellectuals, in which it became clear how sharply divided the participants were, politically speaking. The diversity of these intellectuals' motives, positions, aims and beliefs contributed to vibrant, free debate and embodied the meaning of political action.

There was a true plurality of participating intellectuals from a variety of scholarly and technical fields. When the HFC began, in 1956, the only groups that responded to the campaign were democratic parties, such as China Democratic League (CDL) and Jiu San Society. These parties had

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<sup>52</sup> For the conflict between party-member intellectuals and non-party intellectuals in the literary field, see Goldman, *Literary Dissent in Communist China*.

a natural connection with the Chinese intellectual class at the time, as most democratic party members were intellectuals themselves. Many leading professionals from various fields held important posts in these parties.<sup>53</sup> Intellectuals in the democratic parties wanted to rouse intellectual circles from stagnation. They saw an opportunity in Mao's HFC to awaken the academic realm and to promote free debate. Luo Longji, a leading figure and co-founder of the CDL, argued that it was time to reinvigorate intellectual activity after the period of chill brought on by the earlier Thought Reform campaign.<sup>54</sup> From May to July 1956, democratic parties followed Lu Dingyi's report on the Hundred Flowers policy by organizing several scholarly conferences where scientists and professors were invited to discuss this policy. The participants who made use of this opportunity to express their opinions were from the natural sciences, education, the arts, literature, philosophy, social science, publishing, and other fields. They included university professors, writers, scientists, technicians and artists. Zhou Yuanpei, the dean of Beijing University and Chen Kaijia, a professor from Nanjing University, were among those scholars who expressed discontent with the impact of ideological struggle on intellectual creativity. But their critiques were mild. In this early stage, many intellectuals only dared voice their

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<sup>53</sup> For more on ties between democratic parties and intellectuals, see the government news website, "Ge Minzhu Dangpai de Zhulijun he Daibiao Renwu Dadoushu shi Zhishi Fenzi (The Main Force and Representatives of Democratic Parties Are Primarily Intellectuals)", accessed October 30, 2014, <http://cpc.people.com.cn/GB/64107/65708/66072/66089/4471913.html>.

<sup>54</sup> "Wo Dui Gaoji Zhishi Fenzi de Liaoji he Yijian (My understating of and opinion on high intellectuals, the speech of the Minister of Timber and Industry Luo Longji)," *People's Daily*, June 29, 1956, 3

complaints within small circles.<sup>55</sup> Luo Longji took the lead by boldly criticizing the Thought Reform movements of the past. When Luo grew even more critical during the later Rectification Campaign, he became a target of the Anti-Rightist Movement.<sup>56</sup> Nevertheless, Luo was not the only person who dared respond to the policy. Various intellectuals, including members of democratic parties, university scholars, and even CCP members debated Luo's views; the discussion focused mostly on whether the HFC should be restricted.<sup>57</sup> Those debates can be considered very early responses to Mao's Hundred Flowers policy. Even during the late Rectification Movement in 1957, the democratic parties were still the major force behind the expression of alternative views. More importantly, they provided other intellectuals with a platform to criticize and debate policy. In May, 1957, Chu Anping, a democrat from the Jiu San Society, had become chief editor of the *Guangming Daily*. This official newspaper, which was co-sponsored by democratic parties, started to make more alternative viewpoints visible to the public. It published a large number of articles by non-CCP intellectuals in the Rectification period.<sup>58</sup>

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<sup>55</sup> For more information on these conferences, see Shen Zhihua, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign) (Hong Kong: The Chinese University of Hong Kong, 2008), 224-227.

<sup>56</sup> For Luo's speech, see Roderick MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals* (New York: Frederick A. Praeger, 1966), 42-44. For Luo's experience during the Anti-Rightist Campaign, see the memoirs of Zhang Yihe, *Wangshi Bingbu Ruyan* (The Miserable Past) (Beijing: People's Literature Publisher, 2004).

<sup>57</sup> See publications of *People's Daily* and *Guangming Daily* from May to June, 1956.

<sup>58</sup> Mu Xin, *Shu Xue Tan Wang: Zhuyi zai Guangming Ribao Shinian* (Memory of the Ten-Year Working Experience at *Guangming Daily*) (Beijing: Dongfang publisher, 2006).

A significant contribution to the Hundred Flowers debate came from the literary realm. In the early days of the Yan'an period,<sup>59</sup> writers had begun to use their literature as a means to condemn the Kuomintang Party and the Japanese invasion. Their works primarily evoked the spirit of anti-imperialism and anti-federalism. Partly out of disillusionment with the Kuomintang Party, many writers favored the CCP and put their hopes in the party to rescue China from its semi-colonial situation. At the same time, those writers also sought to maintain a literary realm which was independent from Communist Party indoctrination. This endeavor is visible in their early debates with CCP mouthpiece Zhou Yang over issues like the representative characters of literature and the relation between communist ideology and literature.<sup>60</sup> When the CCP rose to power in Mainland China, the party began to exert more ideological control over the literati. The Thought Reform Movement was conducted intermittently during the first five years of CCP rule, causing cultural stagnation.<sup>61</sup> But the diversity of voices gradually grew in the intellectual sphere as the HFC caught on. Although some were hesitant to express themselves at first, Chinese writers eventually responded to the policy and fulfilled the responsibility intellectuals were tasked with in traditional Chinese culture: to keep an eye on the government and to reveal social problems. Writers such as Qin Zhaoyang and Feng Xuefeng became increasingly outspoken in their debates with CCP loyalist and

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<sup>59</sup> The Yan'an period generally refers to the years from 1935 to 1948, during which the CCP regime was based in Shanxi province after the Long March.

<sup>60</sup> For the relation between writers and the CCP, see Merle Goldman's book, *Goldman, Literary Dissent in Communist China*, 9-17.

<sup>61</sup> Theodore Hsi-en Chen, "The Thought Reform of Intellectuals," 82-89.

leading literary figure Zhou Yang. Their discussion was not limited to literary questions; it also focused on the Communist Party bureaucracy.<sup>62</sup>

A more obvious sign that literary circles had reawakened was the large number of new publications during the Hundred Flowers period. In the latter half of 1956, a group of older writers including Zhou Zuoren, Shen Congwen, and Mu Dan reappeared on the literary scene and published a series of articles.<sup>63</sup> Joining them were several younger writers who had been raised under the communist regime. These newcomers were more critical of party officials than the older literary generation had been, understandably so, as they were more directly exposed to social problems like corruption, famine and oppression by the party bureaucracy.<sup>64</sup> Their radical expressions evoked debate in both the party and among the intelligentsia. A particularly sharp controversy began in September 1956, when Wang Meng's novel *A Young Newcomer in the Organization Department* was published in *People's Literary*. Articles defending and opposing the work proliferated many newspapers and journals. Party officials also got involved in the debate.<sup>65</sup> Apart from Wang Meng, other influential young writers, such as Liu Binyan, Liu Shahe and Liu

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<sup>62</sup> For more on the activities of intellectuals in the Hundred Flowers Campaign, see Goldman, *Literary Dissent in Communist China*, 158-202.

<sup>63</sup> See Chen Sihe, eds., *Zhongguo Dangdai Wenxueshi Jiaocheng* (Tutorial of the Contemporary History of Chinese Literature) (Shanghai: Fudan University Press, 2008), 90-108.

<sup>64</sup> For more on the young writers, see Shen, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign), 258-260. Goldman, "The Party and the Intellectuals," 244-250.

<sup>65</sup> Shen, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign), 258-260. Goldman, "The Party and the Intellectuals," 244-250.

Shaotang, engaged in debate with CCP cadres. The emergence of young writers was partly due to the thaw brought on by the HFC. Wang Meng himself admitted that he was encouraged by the Hundred Flowers policy, saying that because it created “a relaxed and free environment for literati, encouraging people to voice criticism.”<sup>66</sup> However, some suspected Mao was pursuing a hidden agenda in supporting young radical writers like Wang: not just to stoke criticism of party bureaucracies, but to oppose dissident party leaders like Liu Shaoqi.<sup>67</sup> This suspicion signaled an inner-party struggle between Mao, who felt that radical criticism was healthy for the CCP, and other senior leaders like Liu, who wanted to restrict such expression from the intellectual realm as it posed a potential threat to the party’s authority.

Credit for the publication of critical works must also go to the literary and journalistic editors who sought to expose real problems. Individual editors, such as Qin Zhaoyang of *People’s Literature*, Huang Qiuyun of *Literature Studies* (Wenyi xuexi), and Chu Anping of the *Guangming Daily*, showed great resolve in offering column space for alternative ideas.<sup>68</sup> When the Hundred Flowers policy came into effect, these editors, unlike the conservative editors of the *People’s Daily* and the *Liberation*

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<sup>66</sup> Wei Liming, “Wang Meng Biaoshi Xihuan Shuangbai, Xiwang Wenyi Piping Zhengchanghua (Wang Meng Expresses Support for the Hundred Flowers Policy and Hopes to Normalize Literary Critique)”, *Xinhua Wenzhai* (New China Abstracts), 7(1986), 156.

<sup>67</sup> For more on Mao’s support of Wang Meng and his power struggle against other CCP leaders in the HFC, see Xue Qiu, *Zhongguo Ershiyi Shiji Xuanyan* (The Declaration of China in The Twenty-First Century) (Miami: Academic Press Corporation, 2014), 97-115. Roderick MacFarquhar, *The Origins of the Cultural Revolution*, vol.1, (New York: Columbia University Press, 1974). Zhu Zheng, *Fanyoupai Douzheng Shimo* (The Whole Story of the Anti-Rightist Movement) (Hong Kong: Mingbao Publisher, 2004).

<sup>68</sup> Goldman, *Literary Dissent in Communist China*, 158-202.

*Daily*, actively engaged in Mao's new policy. They published many critical articles in journals such as *People's Literature* and *Literature Studies*, while government magazines and newspapers hardly dared do the same. Newspaper editors from *Wen Yi bao*, *Guangming Daily* and other papers also reprinted critical articles and publicized relevant debates.<sup>69</sup> Nevertheless, many editors were also writers or literary critics at the same time, and owed their editorship at a journal or newspaper to their achievements in the literary sphere. Some editors were even members of overlapping groups associated with the party. So while editors gained more freedom to run their journals or newspapers during the HFC, they also received pressure from the Communist Party officials who opposed radical speech.

Open criticism of party members constituted another force in the Rectification Movement. Its main source was the divide between young writers and party members in literary circles. Faced with harsh criticism from the literary youth, some party members adopted a hard line towards intellectuals. Dissent had grown stronger after articles by Wang Meng, Liu Binyan and other young publicists were published.<sup>70</sup> The intellectuals who opposed the radical new voices on the literary scene may have had support from some party cadres; those who took more conservative positions in the debate also tended to defend the party

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<sup>69</sup> Shen, *Sikao yu xuanza, cong zhishi fenzi huiyi dao fan youpai yundong*. (Reflections and choices, the consciousness of the Chinese intellectual and the Anti-Rightist Campaign), 258-260.

<sup>70</sup> Guo Xiaochuan, *Guo Xiaochuan Wenji*, vol. 11 (Collected Works of Guo Xiaochuan) (Guangxi: Guangxi Normal University Press, 2000).

orthodoxy and be less receptive to Mao's Hundred Flowers policy.<sup>71</sup> In this sense, the debate in literary circles was twofold; not only was there a polemic between party hardliners and writers, but also between different intellectual camps. The conflict between radical writers and the conservative CCP cadres who were trying to get the Hundred Flowers policy suspended became more obvious with the publication of an article by Chen Qitong in *People's Daily*. Chen was a party official who openly disliked the ideas of young writers. He was deputy propaganda director of the People's Liberation Army and probably enjoyed the support of Politburo insiders; without such backing it is unlikely that his invective against Mao's Hundred Flowers policy would have been published in the widely-read party newspaper.<sup>72</sup>

As discussed earlier, Zhou Yang was influential both intellectually and politically, given his high rank in the CCP as well as the China Federation of Literary and Art Circles. In the early decades of the PRC, Zhou oversaw campaigns aimed at ideologically reforming the literary sphere. For part of the Hundred Flowers period, he was the most powerful figure responsible for intellectual activity, but his repressive attitude towards intellectuals who pursued literary freedom earned him a bad reputation among the intelligentsia.<sup>73</sup> Zhou was usually regarded as a firm defender of the party orthodoxy and deeply illiberal.<sup>74</sup> But his

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<sup>71</sup> Goldman, *Literary Dissent in Communist China*, 188-182.

<sup>72</sup> Chen, Ma and Lu, "Women dui Muqian Wenyi Gongzuo de Jidian Yijian (Some of Our Views on Current Literary and Art Work)," 7.

<sup>73</sup> Goldman, *Literary Dissent in Communist China*.

<sup>74</sup> For the description of Zhou Yang, see Luo Yinsheng, *Zhou Yang Zhuan* (The Biography of Zhou Yang) (Beijing: Literature and Art Publisher, 2009); Merle Goldman, "The Fall of Zhou Yang," *The China Quarterly*, 27 (1966): 132-148.

involvement in the HFC to some extent facilitated diversity of political action. Several times during the campaign, Zhou showed sympathy for intellectual dissent and a concern for literary creativity. In this sense, he seems to have held contradictory beliefs which influenced his implementation of party doctrine and his actions with regard to liberalization of the literary scene.<sup>75</sup>

The renewed vigor of intellectual circles was also visible in the student community. As the Rectification Movement reached its climax by May 1957, the role of university students became increasingly vital. The students, too, had a complex background; their education was steeped in communist ideals, but they had also been influenced by the Soviet de-Stalinization. Meanwhile, the Hungarian crisis had taught them to reflect upon social problems in communist China. Primarily out of discontent with their social reality, students criticized party officials and their habit of interfering in academic matters. They expressed themselves by hanging posters, publishing unofficial journals and conducting public debates. These outspoken students were influenced by the tradition of the May Fourth Movement, in which students had been a major revolutionary force.<sup>76</sup> During the Rectification campaign, students were also directly influenced by radical writers. Many student leaders, such as Lin Xiling and Tan Tianrong, were directly influenced by critical writers like Wan Meng and Liu Binyan. The speeches of students and writers made many similar claims. Aside from expressing dissatisfaction with

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<sup>75</sup> Li Hui, *Yaodang de Qiuqian: Shishi Feifei Shuo Zhou Yang* (The Swinging Trapeze: A Discussion of Zhou Yang) (Shenzhen: Haitian Publisher, 1998).

<sup>76</sup> Student dissent is discussed in MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*.

bureaucratic problems, some students also spoke out in defense of literary theorist Hu Feng, who was detained on counterrevolution charges and was not rehabilitated until the 1980s.<sup>77</sup> Clearly, these students dared to challenge the ruling party's authority.

A plurality of actors operated in the public sphere during the Hundred Flowers Campaign. Those who participated in the movement included members of both the CCP and democratic parties, as well as writers, editors and even students. Their debates led to a greater diversity of opinion in the intellectual arena and the Communist Party. This political action was not individual, but collective. Intellectuals did more than express their demands; most importantly, they emerged from the shadows and got involved in a public sphere. Particularly those intellectuals who dared decry Hu Feng's unjust incarceration set an example, showing that it took courage to openly air one's opinion, particularly in view of the repression applied during earlier Thought Reform movements.

### **3.2 Freedom and plurality in a period of thaw: April 1956 - May 1957**

Unlike the Thought Reform movement, with its tightly-controlled intellectual climate, the Hundred Flowers Campaign was characterized by openly expressed diversity of opinion. In April 1956, intellectuals, and especially writers, began to expose the impact of repression on literary creativity and to criticize Communist Party interference in literary creation. Journals and newspapers started publishing a variety of

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<sup>77</sup> Goldman, "The Party and the Intellectuals," 252-253.

dissenting views, demonstrating their support for freedom of expression.<sup>78</sup> *Wen Yibao* (Literary Gazette), the official newspaper of the Association of Chinese Writers, launched a series of articles against ‘formalism’<sup>79</sup> and ‘vulgar sociology’ in literature. In this series, Zhang Guangnian attributed the prevailing formalism in literary circles on vulgar literary criticism, and argued that literature should not be reduced to a monotone formula that served only politics.<sup>80</sup> Zhang’s fellow intellectual Chen Yong put the blame on vulgar sociology, writing that its strict set of formulas stifled literary creativity.<sup>81</sup> These expressions of dissent appear to have been inspired by the Second Congress of Soviet Writers in 1954 and the publication in the Soviet Union of “On typical problems in art and literature” the following year. While these events were merely meant to confront dogmatism and formalism in Soviet literature, they also aroused criticism in Chinese literary circles. Particularly when several Soviet writers who had been persecuted since 1930s were rehabilitated, after Stalin’s death, Chinese literati were emboldened to stand up to Communist Party meddling in their own literary works. Mao Dun, a famous novelist, asserted that “[l]iterary criticism based on ‘vulgar sociology’ had harmed free and lively creative

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<sup>78</sup> Shen, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign), 252-254.

<sup>79</sup> Formalism is a critical approach used to study the inherent features of a text, such as genre and form, while ignoring cultural and societal influence, authorship and other ‘outside’ forces; Chinese literary critics borrowed this concept from their Soviet counterparts. Conceptualism emphasizes that concepts or ideas inherent to a text override aesthetic and material concerns.

<sup>80</sup> Zhang Guangnian, “Yishu Dianxing yu Shehui Benzhi (Artistic Typicalness and Social Realism),” *Wenyi bao* 8 (1956): 12- 15.

<sup>81</sup> Chen Yong, “Guanyu Wenxue Yishu Tezheng de Yixie Wenti (Some Problems on the Characteristics of Literature and Arts),” *Wenyi bao* 8 (1956): 33- 38.

forces. Writers have not dared to search for new forms and new spirits.”<sup>82</sup> In another article, *Wen Yibao* gave voice to a demand widely felt in literary circles, arguing that “in literary and artistic creativity and in study, we should advance independent ideas and encourage different schools and different styles.”<sup>83</sup> If Mao’s original proposal for the Hundred Flowers policy was the first spark of revitalization in intellectual circles, then the efforts of intellectuals themselves to speak out about problems and express their own opinions was the fuel that encouraged more public action later on.

From April 1956 on, a rising chorus of literary leaders spoke out. At several meetings of the Writer’s Association, Mao Dun, Lao She, Feng Xuefeng, Qin Zhaoyang and other important figures complained that the materialist writers were allowed to treat in their literary works was too narrow and monotonous, adding that literary criticism lacked free discussion.<sup>84</sup> Even Zhou Yang, the highest-ranking Communist Party member in literary circles, admitted how passive literary works had become under the pressure of dogmatism. He lamented the monotony of subject matter writers were willing to touch upon, declaring that “contradictions, difficulties and defects in actual life are glossed over. Some writers have even lost their courage to criticize backward things.

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<sup>82</sup> Mao Dun, “Wenxue Yishu Gongzuo zhong de Guanjianxing Wenti (The Key Problems on Art and Literature),” *Wenyi bao* 12(1956), 3.

<sup>83</sup> “Zhongguo Zuoji Xiehui Zhengzai Xuexi Guance Baihua Qifang Baijia Zhengming de Fangzhen (The Chinese Writers’ Union is Studying the Implementation of the Principles of the ‘Hundred Flowers and Hundred Schools’),” *Wenyi bao*, 14 (1956):20-22.

<sup>84</sup> Shen, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign), 254-255.

Whitewashing and oversimplification in the portrayal of real life have robbed literary works of their truthfulness and readers have lost faiths in such works.”<sup>85</sup> In the latter half of 1956, opposition to dogmatism grew louder. Mao Dun described how “the discussion about problems of literary creativity has become very active in recent months. The activity is embodied in the emergence of different opinions and in new exploration of the questions which have been determined.”<sup>86</sup> Widespread criticism of formalism and conceptualism demonstrated that, for a certain period of time, literati were pushing to diversify what had become a deeply conformist literary arena. When intellectuals rediscovered their voices, they restored plurality of opinion in the literary realm.

Diversity of ideas re-emerged simultaneously with pursuit of freedom. Intellectuals not only demanded more freedom, they actually had more during the Hundred Flowers period. They expressed radical criticism of Communist Party meddling in the intellectual sphere, which few intellectuals dared mention before the HFC. From September 1956, the tone of criticism in the newspapers became harsher, and one of the targets of literary ire was socialist realism. This style, which was once dominant in the arts in the Soviet Union, aimed to promote the new social and political order in the USSR. After Stalin’s death, a group of Soviet writers condemned this artistic and literary style as a means of diverting

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<sup>85</sup> Zhou Yang, “The Important Role of Art and Literature in the Building of Socialism,” *Xinhua Semimonthly* 21 (1956): 124-127.

<sup>86</sup> Mao Dun, “Zai Yiyou Jichushang Jixu Nuli (Working Hard on the Existing Foundation),” *People’s Literature*, C1 (1957): 1- 3.

people's attention from the real problems in their society.<sup>87</sup> The criticism in the Soviet Union prompted Huang Qiuyun, Qin Zhaoyang, Zhou Jin and many other Chinese writers to open the assault on socialist realism in China. Huang Qiuyun's article "We must not close our eyes to the hardship among the people" questioned the contemporary reality of socialism in China. He asserted that "nobody knows whether or not we will have any grief or tears twelve years from now, but at least at present, this kind of 'heaven' is only an illusion."<sup>88</sup> Faced with the floods, droughts and famine occurring in China, Huang appealed to his fellow writers to be brave and reveal social reality: "a writer in possession of an upright conscience and a clear head ought not shut his eyes complacently and remain silent in the face of real life and the sufferings of the people. If a writer does not have the courage to reveal the dark diseases of society, does not have the courage to participate positively in solving the crucial problems of people's lives, and does not have the courage to attack all the deformed, sick, black things, then can he be called a writer?"<sup>89</sup>

Similar criticism came from Qin Zhaoyang, the editor of *People's Literature*. His essay "Realism: the broad road" questioned two prevailing principles of literary theory: Soviet socialist realism, and Mao Zedong's claim that "art and literature serve politics." Qin attributed the dogmatism of the day to a misunderstanding of social realism. Although he admitted there was a relation between literature and politics, he still

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<sup>87</sup> This criticism of socialist realism in the Soviet Union was partly reprinted by *People's Daily*, January 14, 1955.

<sup>88</sup> Huang Qiuyun, "We Must Not Close Our Eyes to the Hardship among the People," *People's Literature*. No. 9: 58 (1956), 58.

<sup>89</sup> Huang, "We Must Not Close Our Eyes to the Hardship among the People," 58.

argued that not all forms of art and literature should reflect current political aims and ideology. His argument bore many similarities to the points made by Hu Feng, the literary critic charged as a reactionary in May 1956. The memory of that case hardly faded just a few months after Hu's arrest, Qin bravely mounted a new challenge to the authorities in the literary sphere. He claimed that the younger generation was "not satisfied to unquestioningly accept principles and theories which have already been determined." He even urged younger intellectuals to break with old rules, exclaiming that "we are in a country which has a deep realistic tradition. How many masters of realism have emerged in our history! They all broke with outdated rules and clichés. Let us follow their example."<sup>90</sup> But Qin himself, like Zhou Yang, had done quite the opposite by voicing his commitment to Mao's ideas in literature before the HFC. He had been very active in earlier Thought Reform movements against dissident writers. His early works primarily served the CCP's political aims by describing how peasants were educated by the party or how peasants enlightened others with revolutionary ideas. Qin was also one of the most hardline supporters of the punishment of Hu Feng in 1955.<sup>91</sup> It is not clear why Qin's attitude changed. What is clear, however, is that after he took over the editorship of *People's Literature* in the 1950s, this journal published plenty of critical literary work. The writings

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<sup>90</sup> Qin Zhaoyang, "Xianshi Zhuyi, Guangkuo de Daolu (Realism, the Broad Road)," *People's Literature*, 9 (1956): 1- 16.

<sup>91</sup> More discussion see Goldman, *Literary Dissent in Communist China*, 168-169.

which received the most serious response were Wang Meng's novel and Liu Binyan's reportage.<sup>92</sup>

Although the CCP granted them only limited freedom at the outset of the HFC, intellectuals claimed greater freedom through their words and deeds. According to Mao and Lu Dingyi's explanation of the Hundred Flowers policy, it was clear that free speech was originally limited to the intellectual arena and that no criticism was allowed on fundamental political issues, such as the legitimacy of the CCP.<sup>93</sup> Therefore, as mentioned above, senior intellectuals and leaders in the intellectual community mainly limited the focus of their critiques to the problems of intellectual creativity. As time wore on, however, criticism was increasingly directed at the Communist Party bureaucracy. The most serious attacks came from young writers and intellectuals in the democratic parties. Starting in April 1957, critical voices discussed almost all aspects of life, even sharply criticizing the party itself.<sup>94</sup>

Young writers were very active in the early days of the HFC. By exposing wrongdoing by the CCP leadership, such as corruption and misuse of power, they pushed back the boundaries set by the party and

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<sup>92</sup> The published works could be found in *People's Literature* in 1956. For more on the debates about the works of Wang Meng and Liu Binyan, see Goldman, *Literary Dissent in Communist China*.

<sup>93</sup> Mao Zedong, "On the Ten Major Relationships", in *Selected Works of Mao Zedong*, vol. 5 (Beijing: Foreign Language Press, 1977), 284- 307. Lu, "Let a Hundred Flowers Blossom, A Hundred Schools of Thought Contend," 151- 163.

<sup>94</sup> For more on the most representative criticism during the Hundred Flowers Campaign, see MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*. And, *Zhengfajie Youpai Fenzi Miulun Huiji* (The Collection of Fallacy of Rightists in the Fields of Politics and Law), eds., The Chinese Society of Political Science and Law (Beijing: Law Publisher, 1957).

carved out more leeway for free expression. Two prominent young writers who did so were Liu Binyan and Wang Meng. Liu owed his rise to literary fame primarily to two of his articles: “At the building site of the bridge” and “Internal information of our newspaper”. The first one revealed a contrast between credible reform in the Soviet Union and slack reform in China. The article pointed to the restrictions on the right to criticize the authorities in China.<sup>95</sup> The second article was more critical. By describing the experience of a young journalist at a newspaper agency, Liu exposed the common practice of censoring critical articles and how newspapers always towed the party line.<sup>96</sup> Taking the same critical attitude as Liu, the 22-year-old writer and party member Wang Meng exposed bureaucratic problems in his novel *A Young Newcomer in the Organization Department*. First published in *People’s Literature* in September 1956, this novel described the confusion of an idealistic young man who worked with old party members at a district party office in Beijing. The book not only criticized low-level cadres but also questioned the working methods of higher officials, making it far more critical than Liu Binyan’s work. Other young writers, such as Liu Shahe and Shao Yanxiang, also boldly denounced many bureaucratic weaknesses of the party such as isolation from the people, arrogance, lacking of realism, irresponsible behavior, and dogmatism.<sup>97</sup>

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<sup>95</sup> Liu Binyan, “Zai Qiaoliang Gongdi Shang (At the Building Site of the Bridge),” *People’s Literature*, April, 1956, 1-17.

<sup>96</sup> Liu Binyan, “Benbao Neibu Xiaoxi (Internal Information of Our Newspaper),” *People’s Literature*, June, 1956, 6- 21.

<sup>97</sup> Shen, *Sikao yu Xuanze, Cong Zhishi Fenzi Huiyi dao Fanyoupai Yundong* (Reflections and Choices: The Consciousness of the Chinese Intellectual and Anti-Rightist Campaign), 258-259.

When young writers started to attack the CCP itself, their works aroused enthusiastic response in intellectual circles, but controversy from the Communist Party bureaucracy. *A Young Newcomer in the Organization Department* caused the most serious debate. By December 1956, the editorial desk of *Wenyi Xuexi* (Literary Study) had received 1300 letters about Wang Meng's novel. Relevant discussions were also published in *People's Daily*, *Wenhuibao*, *Guangming Daily*, *China Youth Daily* and other literary publications. Support came mostly from university students and young writers, who approved of Wang's novel and its exposé on the real problems besetting the party. Many of the responses were critical. One of the most prominent of these arrived in January 1957, when Chen Qitong, deputy propaganda director of the People's Liberation Army, published a critical piece in *People's Daily* which slammed the chaos in literary circles and emphasized that some people's writings were a betrayal of socialist ideology and leading the HFC astray.<sup>98</sup> In the months that followed, the attacks on Wang Meng increased considerably. By February 1957, *Wenyi Xuexi* had already received eight hundred reactions on Wang's novel and published forty relevant articles.<sup>99</sup> It appeared that intellectuals took Chen's critique as an indication that the Party was trying to limit the Hundred Flowers policy or was at least displeased with radical criticism. The most vocal criticism of Wang's writing came from Ma Hanbing and Li Xifan. Li pointed out that the novel went beyond the realm of criticism and reached the point of

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<sup>98</sup> Chen Qitong, Chen Yading, Ma Hanbing, Lu Le, "Women dui Muqian Wenyi Gongzuo de Jidian Yijian (Some of Our Views on Current Literary and Art Work)," 7.

<sup>99</sup> Lin Yin, "Guanyu Zuzhibu Xinlai de Nianqingren de Taolun (Discussion of 'A Young Newcomer in the Organization Department')," *Wenyi Xuexi* 33 (1956): 6.

exaggeration and distortion.<sup>100</sup> Ma Hanbing, too, wrote that Wang Meng's novel did not reflect the real situation. He argued that the party office described by Wang Meng did not exist in reality, at least not exist in Beijing.<sup>101</sup> Ma, like Chen Qitong, was an official of a Communist Party body affiliated with the People's Liberation Army. Their opinions were somewhat representative of the repressive stance some CCP cadres took towards intellectual freedom.

Despite some cadres' hostility towards the HFC and Rectification, we can conclude from the case of Wang Meng and Chen Qitong that both party officials and common Chinese people were free to debate in public. This change was demonstrated by the tolerance of *People's Daily*, the main Communist Party newspaper. After the publication of Chen's essay in January 1957, *People's Daily* did not print any articles challenging Chen's view for the following two months. Free debate seemed to be suspended, at least in this party newspaper. However, at the beginning of March 1957, different opinions reemerged in *People's Daily*. On March 1, the paper published an article accusing Chen of overstating the supposedly negative impact of the Hundred Flowers Campaign.<sup>102</sup>

Following this column, Mao Dun, the Minister of Culture and the most famous novelist at the time, wrote in *People's Daily* that Chen's criticism was doctrinaire and had discouraged intellectuals from participating in

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<sup>100</sup> Li Xifan, "Ping Wangmeng 'Zuzhibu Xinlaide Nianqingren (Comment on Wang Meng's 'A Young Newcomer in the Organization Department')," *Wenhui bao* 6 (1957), 23. As for the criticism of Chen Qitong, see also Merle Goldman and Shen Zhihua's discussions.

<sup>101</sup> Ma Hanbing, "Yibu bu Zhenshi de Zuoping (An Unreal Piece of Work)," *Wenyi Xuexi*, 2 (1957), 3.

<sup>102</sup> Chen Liao, "Dui Chen Qitong deng Tongzhi de Yijian de Yijian (The Opinion on the Views of Chen Qitong and Other Comrades)," *People's Daily*, March 1, 1957, 7.

the HFC.<sup>103</sup> On April 4, 1957, *People's Daily* published several critical letters to the editor from ordinary readers.<sup>104</sup> Criticism of Chen Qitong appeared to have escalated since February of that year, and some suspected the hand of Mao. On February 27, 1957, Mao had given a speech regarding the main 'contradictions among the people' at the eleventh enlarged meeting of the Supreme State Conference. In this lengthy address, Mao urged *People's Daily* to publish different opinions in response to Chen's paper. He even criticized the newspaper's indifference to the Hundred Flowers policy.<sup>105</sup> Whether *People's Daily* was acting on this public pressure, or obeying direct, behind-the-scenes orders from Mao is not known; in any case, the debate that eventually surfaced, pitting Wang Meng's thinking against the opinions of Chen Qitong, proved that a plurality of ideas could be presented in public. It also set an example by showing that debate could be a process of reasoning and arguing rather than coercion and repression. The statement was clear: even high-ranking party members could not suppress dissident ideas through violence.

### **3.3. Political action at the early stage of the Rectification Movement**

After a short suspension of the HFC at the beginning of 1957, the spirit of Hundred Flowers was revived with the initiation of the Rectification

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<sup>103</sup> Mao Dun, "Guanche 'Baihua Qifang, Baijia Zhengming', Fandui Jiaotiao Zhuyi he Xiao Zichan Jieji Sixiang (Carrying Out the Hundred Flowers Policy, Opposing Dogmatism and Petty Bourgeois Ideas)," *People's Daily*, March 18, 1957, 8.

<sup>104</sup> For the relevant discussion see, *People's Daily*, April 4, 1957.

<sup>105</sup> Mao's discussion about Wang Meng and Chen Qitong was later deleted from the version of his speech that was published. For more information, see the memoirs of Hu Qiaomu, *Hu Qiaomu Huiyi Mao Zedong* (Hu Qiaomu Recalls Mao Zedong) (Beijing: The People's Publishing House, 2003), 23.

Movement in April of that year. Mao invited all non-party members to ‘rectify’ CCP cadres throughout the country. In other words, he granted intellectuals the right to openly criticize the working style of CCP cadres. The theme of this movement focused on bureaucracy, subjectivism and sectarianism within the party. Communist Party members, whether they were lower-level cadres or higher-ranking leadership, were to be supervised.<sup>106</sup> The scope of the criticism was therefore the political realm in a broad sense. Intellectuals exercised their right to supervise and express criticism of party members. Among intellectuals, some members of the democratic parties and students in Beijing played a crucial role in displaying the meaning of political action.

In May 1957, the United Front Work Department of the CCP organized forums to facilitate free expression among the intellectual class. The representatives of democratic parties and people with no party affiliation were invited to speak openly and critically about the CCP. Their criticism was disseminated by newspapers and over the radio.<sup>107</sup> Increasingly, the criticism that surfaced at these forums was serious and caught Mao’s attention. On May 21, Zhang Bojun, a deputy chairman of the China Democratic League (CDL) and editor-in-chief of *Guangming Daily*, appealed for the establishment of a strategy department for political work. He argued that, when it came to important policies and problems facing the state, the CCP should discuss and co-operate with the national committee of the People’s Political Consultative Conference, the standing

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<sup>106</sup> “Zhonggong Zhongyang Guanyu Zhengfeng Yundong de Zhishi (Instruction on the Rectification Movement from the Central Committee of the CCP),” *People’s Daily*, May 1, 1957, 1.

<sup>107</sup> Li, *Huiyi yu Yanjiu* (Memory and Research), 831.

committee of the National People's Congress, the democratic parties and groups, and the People's organizations.<sup>108</sup> The day after Zhang spoke, Luo Longji, the vice chairman of the CDL and minister of timber, proposed the establishment of a special organization to study what had gone wrong during previous mass movements, such as the Three-Anti and Five-Anti campaigns and the Campaign to Suppress Counterrevolutionaries.<sup>109</sup> Chu Anping, editor-in-chief of *Guangming Daily* at the time, was even more outspoken. On June 1, 1957, Chu pointed out at the forum that contradictions between the party and the people were caused by the idea that "the world belongs to the party". He boldly charged that the idea of "every place is royal territory" had created a monochromatic one-family empire.<sup>110</sup> Similar criticism was expressed by other intellectuals during the Rectification period. These bold statements show that although Mao had drawn a line in the sand during his February speech, insisting that all free expression acknowledged the CCP's leadership,<sup>111</sup> the criticism that came out during the Rectification Movement violated this boundary and overtly questioned the legitimacy of the CCP.

Although Mao's February speech in no way indicated that students were invited to join the Rectification Movement, many university students did

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<sup>108</sup> Zhang Bojun, "The Suggestion for a Political Design Department," *People's Daily*, May 22, 1957, 3. English version, see MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*, 47-48.

<sup>109</sup> For Luo's views, see MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*, 48-49.

<sup>110</sup> Chu Anping, "Xiang Mao Zhuxi he Zhou Zongli Tixie Yijian (Offering Some Opinions to Chairman Mao and Premier Zhou)", *People's Daily*, June 2, 1957, 8.

<sup>111</sup> Mao, "On Correct Handling Contradictions among the People," 384-421.

so anyway, taking political action on their own accord and in various ways. They expressed criticism by putting up big character posters, publishing magazines and holding public debates. The involvement of students in the Rectification became increasingly visible when they started conducting a “blooming and contending” campaign at Beijing University. On May 19, 1957, a student in the History Department hung a big character poster on the wall in front of the main dining hall, questioning whether Beijing University had sent representatives to the third National Congress of the Youth League, and if so, who they were, how they were selected, and whether they represented all students’ opinions. Soon after, another poster appeared with an appeal for a democratic garden where students could submit suggestions to the party and assist in rectification. Four students in the Mathematics Department proposed a ‘Free Forum’ and demanded guarantees of freedom of speech, assembly, publication, association and demonstration. These posters attracted the attention of a large number of students, who not only gathered in the dining hall to read them, but also joined in the “blooming and contending” process in large numbers by posting their own opinions.<sup>112</sup> The big character posters primarily expressed students’ discontent with party officials at Beijing University, the politicization of academic work, and, more generally speaking, the ‘Three Evils’ of bureaucracy, subjectivism and sectarianism. *Guangming Daily* dubbed the wall where these posters were put up as the “Democratic Wall.” On

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<sup>112</sup> The details of the Rectification Campaign at Beijing University were recalled by Chen Fengxiao, a famous student who participated in this movement in 1957. See Chen Fengxiao, “Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University),” in *Meiyou Qingjie de Gushi* (The Story Without Plot), eds. Ji Xianlin (Beijing: Beijing Shiyue Wenyi Publisher, 2000), 504.

May 26, 1957, the paper reported the students' rectification campaign in positive terms. The report in *Guangming Daily* illustrated how lively and diverse the students' actions at Beijing University were:

The large-character newspapers of the students of Beijing University made a tremendous display, and are full of variety. Amongst them are long-winded articles, short essays, miscellaneous prose items, poetry, cartoons and serialized novels. Some of the large-character newspapers publicized opposing views on topics, and developed debates; some of them also invited readers to continue the debate "in person". Some of the issues the papers raised are so controversial, that the debates had to be organized after supper...<sup>113</sup>

Most debates were held on the square in front of the university mess hall. This became known as Democratic Square, a place where people could freely express themselves. Some intellectuals from the democratic parties even compared it with Hyde Park.<sup>114</sup> As *Wen Hui Bao*, the intellectuals' newspaper, reported: "[t]housands of students were listening to one heated debate after another... The university magazine, the broadcasting station, and the blackboard bulletin all carried reports on the viewpoints expressed by the students in the course of their contention... At Beijing University, with its glorious revolutionary tradition, more than 8,000 young people had become inflamed with enthusiasm."<sup>115</sup>

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<sup>113</sup> "Beijing University: The 'Democratic Wall'", *Guangming Daily*, May 26, 1957, 2. For the English version, see MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*, 132-133.

<sup>114</sup> Liu Guanghua, "Beijing Daxue Minzhuqiang (Democracy Wall at Beijing University)," *Wen Hui Bao*, May 27, 1957, 2.

<sup>115</sup> Liu, "Beijing Daxue Minzhuqiang (Democracy Wall at Beijing University)," 2.

Apart from airing different opinions, students also tried to establish a public community in which different groups could act collectively. Chen Fengxiao, the student representative at Beijing University, was the first to propose the establishment of a student organization to facilitate mutual communication and understanding among students.<sup>116</sup> Through persuasion and discussion, students from different departments at the university succeeded in creating the Hundred Flowers Society, whose aim was to initiate a movement for freedom and democracy.<sup>117</sup> This organization also had its own publication, called *Public Square*. As Chen Fengxiao said, *Public Square* was meant to promote the spirit of the May Fourth Movement and to protect academic freedom.<sup>118</sup> At the same time, students tried to keep the practice of “blooming and contending” alive. Some students from Beijing University and People’s University persuaded students from other universities throughout the country to join in. The key members of the Hundred Flowers Society took the lead. They gave speeches at other universities, relating the Rectification experience at Beijing University and appealing to their counterparts to take similar action. In order to expand their influence, some members of the Hundred Flowers Society printed big character posters like the ones that had been displayed on campus at Beijing University, and disseminated them at the

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<sup>116</sup> Chen, “Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University),” 504.

<sup>117</sup> Chen, “Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University),” 495- 516.

<sup>118</sup> Chen, “Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University),” 504.

other universities. Some members contacted democratic parties and lobbied for their support.<sup>119</sup>

By comparison with democratic party members, whose criticism was usually gentle, the students were far more outspoken and bold. They directly expressed their thoughts and emotions on big character posters, through speeches and demonstrations, and in many other ways. The big character poster was a primary way to express opinions in the Rectification period. A large number of big character posters were posted on university campuses, and most of them discussed ideas such as democracy, freedom and human rights. Although some students voiced opinions that sparked fear in the university's Communist Party committee, party officials showed restraint by reasoning and debating with them.<sup>120</sup> This is perhaps surprising given that some students were expressing quite militant views, such as calls to establish a 'China Revolutionary Party,' and appeals for the use of knives and guns to rebel against the Communist Party.<sup>121</sup> For obvious reasons, the CCP considered these opinions reactionary and dangerous. On the eve of the Anti-Rightist Movement, the CCP tried to demonstrate that some people had abused Rectification as a means to spread reactionary ideas. The party news agency *Xinhuashe* (New China News Agency) pointed out that the rightists were refusing to "relinquish the interests of the dying class of

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<sup>119</sup> Chen, "Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University)," 495- 516.

<sup>120</sup> Chen, "Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University)." 495- 516.

<sup>121</sup> Chen, "Wo suo Zhidao de Beida Zhengfeng Fanyou Yundong (The Rectification Movement I know at Beijing University)." 495- 516.

exploiters.”<sup>122</sup> *People's Daily* denounced some leaders of the Hundred Flowers Society and the publication *Public Square* for being anti-party and anti-socialist.<sup>123</sup> In June, 1957, the Anti-Rightist Movement was launched at universities, restoring some constraints on free debate and criticism.

The Rectification Campaign, the second phase of the Hundred Flowers period, could be considered a democratic movement in which Chinese people used their right to supervise the party and to freely express their opinions. Political action in this period consisted of plurality of ideas and freedom to act. This action took place primarily on university campuses, as students voiced their opinions through debate, criticism, speeches and big character posters. Several student organizations were also established to promote Rectification. The paths of political action were diversified, which suggests that while intellectuals acted collectively, they also acted in a freer sense than they were accustomed to. This freedom was a crucial element of their human rights.

### **3.4 Rectifying unjust cases in previous mass movements**

Intellectuals did not merely embody the ideas of human rights by presenting a plurality of opinions in relatively freedom; they also interpreted these ideas by trying to rectify cases of injustice that occurred

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<sup>122</sup> See MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*, 135-136.

<sup>123</sup> “The Agitators from Beijing University,” *People's Daily*, July 24, 1957, 7. For the English version, see MacFarquhar, *The Hundred Flowers Campaign and the Chinese Intellectuals*, 137-140.

in previous mass movements. Some intellectuals also defended themselves against what they saw as unfair charges made by the party. This defense represents yet another form of political action, and one which not only reveals a concern for justice, but is itself a manifestation of justice. The protests for the rights of Hu Feng and Wang Meng were two cases that demonstrated, in a typical way, the meaning of political action with regard to human rights.

Wang Meng rose to literary fame in during the blooming period thanks to his critical novel. However, as party officials pushed back, Wang received a lot of criticism that made him, rather than his novel, the focus of debate.<sup>124</sup> Despite the wave of criticism Wang had to endure, there were still a few writers who dared to protest the authorities' attacks, including Liu Shaotang and Cong Weixi. They publicly supported Wang on many occasions. These two writers also penned a direct challenge to the orthodox literati who had criticized Wang's novel for distorting social reality. In this piece, Liu and Cong insisted that Wang Meng had not "distorted the happenings in a party organization... he was sharply and genuinely loyal to life..."<sup>125</sup> The two writers even directly lambasted the critics, claiming that "very many people have criticized Wang Meng for having 'petty bourgeois' feelings. This is indeed blind labeling for no

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<sup>124</sup> For more on the critiques on Wang Meng, see my previous description.

<sup>125</sup> Liu Shaotang, Cong Weixi, "Xie Zhenshi, Shehui Zhuyi Xianshi Zhuyi de Shengming Hexin (Write the Truth, the Living Core of Socialist Realism)," *Wenyi Xuexi* (Literary Study) 1(1957): 17- 18.

good reason.”<sup>126</sup> Along with Liu and Cong, some young writers and students joined in the protest.<sup>127</sup>

The defense of Hu Feng evoked even more serious protest than the debate over Wang Meng. Hu, a literary theorist, harshly criticized Chinese literature. He wrote that Chinese culture was stagnant, mainly because government officials had distorted Mao’s teachings and the party’s principles of cultural creativity, and because writers were forced to reflect officials’ views in their writing rather than real problems in society.<sup>128</sup> Hu’s critique was later summarized in a report to the Central Committee of the CCP as evidence of his so-called reactionary ideas. In 1955, he was charged with planning and leading counterrevolutionary activity. A large number of people with ties to Hu were charged as his accomplices. In mid-May, the authorities launched a nationwide propaganda campaign against Hu Feng’s circle.<sup>129</sup> Hu was not the only

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<sup>126</sup>Liu, Cong, “Xie Zhenshi, Shehui Zhuyi Xianshi Zhuyi de Shengming Hexin (Write the Truth, the Living Core of Socialist Realism),” 17- 18.

<sup>127</sup> For the defense of students for Wang Meng, see Guo Xiaochuan was a famous poet and a party official of the Writer’s Association at the time. Guo Xiaochuan, *Collected works of Guo Xiaochuan*, vol. 11 (Guangxi: Guilin Normal University Press, 2000), 324-328.

<sup>128</sup> Hu Feng, “Guanyu Jinian lai Wenyi Shijian Qingkuang de Baogao (Report on the Practice of Art and Literature in a Few Years),” *Xinwenxue Shiliao* (New Archives of Art and Literature) 4 (1988): 2- 121.

<sup>129</sup> In 1954, Hu Feng submitted a report about the problem of literary activities to the CCP Central Committee, but this report was used as evidence that Hu had anti-revolutionary ideas. Under Mao’s instruction, the CCP Central Committee’s propaganda wing launched the campaign against Hu. Other intellectuals who had ties with Hu or openly supported him were also regarded as his accomplices. Most people who were seen as Hu sympathizers were arrested in the 1950s. For a relevant source, see *Guanyu Hufeng Fangeming Jituan de Cailiao* (Documents of Hu Feng’s Counterrevolutionary Group), eds., The Editorial Department of *People’s Daily* (Beijing: The People’s Publishing House. 1955).

one arrested; many other intellectuals were also incarcerated.<sup>130</sup> The charges against Hu were so serious that many intellectuals were reluctant to throw their support behind him. But when the HFC gained momentum in 1957, a few intellectuals reopened the debate on the Hu case. Lin Xiling, a student at People's University, was one of the most outspoken of Hu's student supporters. In her public speech at Beijing University on May 23, 1957, Lin stated flat out that Hu was not a reactionary as the party had charged and that he deserved a fair, public trial.<sup>131</sup> Liu Qidi, another student at Beijing University, put up a wall poster on campus with the title 'In Defense of Hu Feng.' On the poster, Liu pointed out that the evidence of Hu Feng's counterrevolutionary conspiracy was neither convincing nor legal.<sup>132</sup> Students at other universities made similar demands for justice, in public debates and speeches, and on big character posters.<sup>133</sup> The influence of these protests cannot be denied; they may even have played a role in the rehabilitation of Hu Feng and his disciples, in the 1980s.

There was also a group of intellectuals who sought to redress cases of injustice stemming from earlier movements against

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<sup>130</sup> *Guanyu Hufeng Fangeming Jituan de Cailiao* (Documents of Hu Feng's Counterrevolutionary Group).

<sup>131</sup> Lin Xiling, "Hu Feng shibushi Fangeming (Whether Hu Feng is Counterrevolutionary)," Speech of Ling Xiling at Beijing University, May 23, 1957, *Zhongguo Makesi Zhuyi Wenku* (The Database of Chinese Marxism), accessed March 2, 2017, <https://www.marxists.org/chinese/reference-books/dissident-1956-1957/03.htm>.

<sup>132</sup> Liu Qidi, "Hu Feng Juebushi Fangeming Fenzi (Hu Feng Is Not Counterrevolutionary)", in *Yuanshangcao, Jiyizhong de Fanyou Yundong* (The Anti-Rightist Campaign in Memory), eds., Niu Han (Beijing: Hongqi Publisher. 1998), 113-114.

<sup>133</sup> The protest for Hu Feng happened at Wuhan University and Qinhu University. See Ding, *Yangmou, Fanyou Yundong Qianhou* (Overt Trap: Before and After the Anti-Rightist Campaign), 158-162.

counterrevolutionaries.<sup>134</sup> They used the Chinese Constitution of 1954 and the ideas of human rights to fight for justice for the victims. One journalist claimed that the ruling party had been acting unconstitutionally since 1954. He argued that the campaign against counterrevolutionaries was a violation of the Chinese people's freedom.<sup>135</sup> A member of the Revolutionary Committee of the Chinese Kuomintang, a minor political party in the PRC, decried the absence of redress for those who had been unfairly branded counterrevolutionaries. He added that this eroded public trust in a socialist country.<sup>136</sup> More serious protests came from university students. On May 25, 1957, when the Rectification Movement was mobilized at Beijing University, some students gathered on campus to condemn the violence used in the anti-counterrevolutionary campaign. The public assembly quickly drew fire from the Party Committee of Beijing University, but their criticism did not stop the protestors. Instead, the students distributed more big character posters across campus, questioning why their defense of victims was considered an anti-party protest. A student from the Philosophy Department even concluded in his big character posters that the campaign against counterrevolutionaries had violated people's basic rights and constitutional principles.<sup>137</sup> These actions in the Hundred Flowers period show that a number of people

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<sup>134</sup> The Campaign to Suppress Counterrevolutionaries was initiated in March, 1950, with the aim of eliminating all counterrevolutionaries in mainland China.

<sup>135</sup> Gu Zhizhong, "Some Provisions of the Constitution Were Violated, Some Remain in Name", *People's Daily*, June 26, 1957.

<sup>136</sup> Quoted from Ding, *Yangmou, Fanyou Yundong Qianhou* (Overt Trap: Before and After the Anti-Rightist Campaign), 110-111.

<sup>137</sup> Zhang Yuanxun, *Beida, 1957* (Beijing University in 1957), (USA: Fellows Press of America, 2004). Relevant discussion also see Chen Ziming, "The 'Active Rightists' of 1957 and Their Legacy: 'Right-wing Intellectuals', Revisionists, and Rights Defenders," accessed March 2, 2017,

<http://www.cefc.com.hk/uf/file/Paul/Chen%20Ziming%20Chinese.pdf>.

used their rights to criticize the government and to expose social problems. Whether they fought for themselves or others, such actions demonstrated an awareness and use of human rights ideas.

### **3.5 The press as a platform of political action**

The thriving Chinese news media of the time open a window on the human rights conditions in the Mao era. Partly because of the mobilization of the Hundred Flowers Campaign, the CCP's control over publications suddenly slackened in the 1950s. *People's Daily* and some other major newspapers were reorganized to accommodate the party's demand for "blooming and contending," which provided Chinese people with a good outlet for their opinions. The intellectuals who ran these publications played an important role in facilitating the bloom of a hundred flowers.

From July 1956, the main party newspaper *People's Daily* took the lead, reforming itself partly in response to the Hundred Flowers policy. A key proponent of the paper's liberalization was Hu Qiaomu, president of *People's Daily* and vice propaganda minister in the government. As Hu recalled, the main idea behind the reform was to break with old rules and publish a variety of opinions, even critiques of the ruling party.<sup>138</sup> On July 1, *People's Daily* ran an editorial on Hu's instructions, declaring itself not only the party newspaper, but also the people's newspaper. It promised that *People's Daily* would in future devote more column space

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<sup>138</sup> Hu, *Hu Qiaomu Huiyi Mao Zedong* (Hu Qiaomu Recalls Mao Zedong), 23.

to alternative views and free discussion.<sup>139</sup> This editorial quickly won support from the Central Committee of the CCP, which promptly issued further guidelines for the reform process. The committee proposed that *People's Daily* publish articles containing different views from within the CCP itself. With this move, the Central Committee was attempting to diversify the intellectual sphere.<sup>140</sup> Although at first *People's Daily* seemed eager to embrace the HFC, the paper's promises of a more liberal policy were slow to materialize until March 1957. It was only after Mao offered a serious critique of its attitude toward Wang Meng and Chen Qitong's articles that the paper began to actively encourage free debate. As *People's Daily* was an official CCP publication, we can assume that this was the moment when the party loosened its control over the newspaper and began to show more support for free expression. This is the point at which we see a real break with the previous Thought Reform period, where the authorities, acting through the liberal Hundred Flowers Campaign and the reform of *People's Daily*, facilitated pluralism of thought and increased liberty in China.

As the wheels of change turned at the party mouthpiece, some intellectual newspapers were also reforming along the lines of the HFC. *Guangming Daily*, a major newspaper co-sponsored by democratic parties and non-affiliated individuals,<sup>141</sup> began to reorganize when Chu

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<sup>139</sup> "To Readers," The Editorial Department of *People's Daily*, *People's Daily*, July 1, 1956, 1.

<sup>140</sup> *Dang de Xuanchuan Gongzuo Wenjian Xuanbian* (Selected Works of Propaganda Documents of the Party), edS., The Office of the Central Propaganda Department (Beijing: The Central Party School Press, 1994), 311.

<sup>141</sup> See the official website of *Guangming Daily*, accessed November 16, 2014 [http://www.gmw.cn/node\\_21441.htm](http://www.gmw.cn/node_21441.htm)

Anping became editor-in-chief on April 1, 1957. The fact that Chu, a Democratic Party, Jiusan Society member, was given this post at *Guangming Daily* was a sign that the authorities were to some degree loosening the reins on the democratic parties. Back in the Civil War period of the late 1940s, Chu had accepted the editorship of *Guancha* (The Observer), a journal highly popular among intellectuals, which was known for its critical articles about the Kuomintang Party and various social problems. This publication's profound influence in the Civil War period was primarily attributed to Chu and his circle's demands for democracy and freedom.<sup>142</sup> This same desire for freedom was the driving force behind Chu's reform of *Guangming Daily* in the 1950s.

In May 1957, Chu Anping launched a series of reforms aimed at amplifying the role of *Guangming Daily* as a government watchdog and a mirror of public opinion.<sup>143</sup> In response to Mao's call to take part in the Rectification, *Guangming Daily*, under Chu's instruction, invited over one hundred democrats and prominent intellectuals to a meeting to rectify the ruling party. The intellectuals were invited to freely express their opinions in writing and in speech. Aside from a large amount of radical expression, the newspaper devoted full coverage to the student protests against the Communist Party bureaucracy. When the big character posters appeared at Beijing University, Chu immediately recognized the importance of reporting on this unrest. He sent reporters

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<sup>142</sup> For more on Chu Anping and *Guancha*, see Young-Tsu Wong, "The Fate of Liberalism in Revolutionary China: Chu Anping and His Circle, 1946-1950," *Modern China*, 19 (1993): 457-490.

<sup>143</sup> For more on Chu Anping's reforms at *Guangming Daily*, see the memoir of Zhang Yihe, Zhang, *Wangshi Bingbu Ruyan* (The Miserable Past).

to interview students at Beijing University and made sure all relevant news about the student movements was covered. Under the headline “Beijing University, the ‘Democratic Wall’,” *Guangming Daily* reported on the students’ rectification activities in a favorable light.<sup>144</sup> Chu’s role was not free of controversy, however. Critics claim he gave too much column space to voices critical of the CCP and allowed *Guangming Daily* to report unfairly on party officials. The paper even published some false claims without verification.<sup>145</sup> So while the critical opinions in *Guangming Daily* enhanced pluralism of ideas in the Rectification period; they were also partly to blame for Chu’s fall in the Anti-Rightist Movement.

In literary circles, *People’s Literature* was influential in promoting free expression. Qin Zhaoyang, political affairs editor for the publication, played a big role at the journal in 1956. Previously a proponent of ideologically-correct literature, Qin now established new criteria of literary creativity emphasizing social realism rather than ideological correctness.<sup>146</sup> He had already been considering this new view on literature before assuming his editorship at *People’s Literature* in November 1955. Qin dismissed the notion that literature should be at the service of politics in his 1953 thesis “On formulism and

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<sup>144</sup> “Beijing University, The ‘Democratic Wall’”, *Guangming Daily*, May 26, 1957, 2.

<sup>145</sup> See the news in *Guangming Daily*, “Fudan Daxue Quxiao Dangwei Fuzezhi (Fudan University Has Cancelled the Responsibility System of Party Committee)”, *Guangming Daily*, June 2, 1957, 1. This report was proven false. See “Chen Wangdao he Yang Xiguang shuo ‘Fudan daxue meiyou quxiao dangweizhi (Chen and Yang said: Fudan University Has not Cancelled the Responsibility System of Party Committee)’”, *People’s Daily*, June 4, 1957, 1.

<sup>146</sup> Qin’s view on literature can be surmised from his article, Qin, “Xianshi Zhuyi, Guanguo de Daolu (Realism, the Broad Road,” 1- 16. I will discuss this article later.

conceptualization”, in which he championed the creative independence of writers.<sup>147</sup> In 1956, under Qin’s direction, *People’s Literature* published some of the most biting critiques of the ruling party of the entire Hundred Flowers period. Most notable among these were the controversial novel *A Young Newcomer in the Organization Department* by Wang Meng and the reportage “Internal information of our newspaper” by Liu Binyan. Unlike literature whose aim was to embody socialist ideology and tow the political line, these critical works revealed practical problems with links to Communist Party bureaucrats, literary creativity, publications and so on. It is clear that Qin admired these creative works. In a commentary about the first critical story he edited in *People’s Literature*, he wrote: “we have waited a very long time for such pointed criticism and satirical documentaries to appear and we hope more similar works are published henceforward.”<sup>148</sup>

Qin’s encouragement inspired young writers to exploit their creative freedom. In an August 1956 letter, he exhorted Liu Binyan to produce more work on the basis of social reality. The editor emphasized that Liu’s work would “at least open a new way for our creative work and will make writers pay attention not only to the workers and peasants, but also to describe the spiritual depth of the people who live around us... you are opening your own road of realism and setting an example for others. This is so important.”<sup>149</sup> Qin advised several writers who had their works

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<sup>147</sup> Qin Zhaoyang, *Lun Gongshihua Kainianhua* (On Formulism and Conceptualization) (Beijing: People's Literature Publishing House, 1953).

<sup>148</sup> Wolfgang Kubin and Rudolf G. Wagner, ed., *Essays in Modern Chinese Literature and Literary Criticism* (Germany: Brockmeyer, 1982), 357.

<sup>149</sup> Quoted from Goldman, *Literary Dissent in Communist China*, 178.

published in *People's Literature*, including Wang Meng and Huang Qiuyun. By propagating his own vision of literary creativity, he provided creative space for a group of young writers whose works opposed bureaucracy and dogmatism. His impact was also embodied in his representative essay "Realism, the broad road," in which he urged Chinese writers to break with outdated rules and defend their creative independence.<sup>150</sup>

Apart from the newspapers and journals mentioned above, many other publications, such as *Wenyi bao* and *Literature Studies*, also facilitated the airing of opinions. Credit for the diversity of opinion these publications offered is mainly due to their editors. Although editors were given more authority to run publications as they saw fit, it still required courage to publish works so critical that they could have adverse consequences. Wang Meng's novel is a particularly good example. The accusations levelled at Wang by some party cadres went much further than the expressions of support heard in literary circles, but that did not stop editor Huang Qiuyun of *Literature Studies* from publishing Liu Shaotang's article in defense of Wang.<sup>151</sup> Confronted with opposition from party officials and their intellectual clique, a few editors still dared to publish dissenting opinions in their publications, whose actions preserved the pluralism of ideas in the public space.

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<sup>150</sup> He Zhi (Qin Zhaoyang), "Xianshi Zhuyi, Guangkuo de Daolu (Realism, the Broad Road)," 1- 16. Other writers and their works mentioned above could also be found in the publication of *People's Literature* in 1956.

<sup>151</sup> Liu, Cong, "Xie Zhenshi, Shehui Zhuyi Xianshi Zhuyi de Shengming Hexin (Write the Truth, the Living Core of Socialist Realism)," 17-18.

Taken as a whole, the press constructed a public space where different ideas could compete. They exposed the Chinese people to a variety of ideas and empowered them to act collectively. Publications offered a channel through which the relative merits of various opinions could be determined through debate and reasoning rather than repression. This kind of “bloom” can be seen as a democratic means of communication. Moreover, the liberalization of the press to some extent represented an improved human rights situation in China during the thaw of the Hundred Flowers Campaign. Greater freedom not only gave the press more room to present different views; it also provided the Chinese people with more avenues to make their ideas known.

#### **4. Conclusion**

The Hundred Flowers Campaign and the Rectification Movement were not entirely successful in realizing political action in the Arendtian sense. They did, however, carve out a liberal public space where people could take collective action in the shape of communication and persuasion. It was the first time since the foundation of the PRC that political campaigns engaged party officials, writers, students, editors and many other intellectuals in free public debate on a large scale. In this respect, the three major elements of political action—plurality, freedom and public sphere—were embodied in this process of liberalization. To be sure, one might suspect the CCP of having ulterior motives in allowing these campaigns to take place given the repression which ensued. However, it is undeniable that the CCP played a crucial role in promoting

the process of “blooming and contending” in intellectual circles. And yet, political action does not always lead to a desirable outcome. This was certainly the case from the ruling party’s viewpoint; the intellectuals’ critique of the party leadership went much further than the CCP had anticipated. Fear of such criticism eventually resulted in the nationwide Anti-Rightist Movement, a crackdown in late 1957 which put a stop to the short-lived period of free debate and plurality of actors.

In the context of the Hundred Flowers period, political action is relevant to human rights in two respects. Firstly, human rights were embodied in political action rather than secured through political action. Close examination of the debates and protests in the HFC reveals that human rights were a by-product and not the primary aim of this movement. As Arendt argues, human rights is not the inherent purpose of political action, but political action is possible where there is a plurality of actors and a public space in which actors can act equally and collectively. In this sense, the HFC enabled political action; a group of Chinese intellectuals had freedom to express, argue and act in a public realm. The free debates and actions of Chinese intellectuals are indicators of a degree of freedom and equality, while at a more detailed level one sees in this period a set of specific human rights which Chinese people were able to exercise, such as the right to free speech, free press, assembly and so on. Human rights, therefore, were embodied in the course of events during the HFC. In addition, some Chinese intellectuals (for example, the students of Beijing University) either made explicit appeals for respect of human rights or referred indirectly to general human rights ideals such as equality and freedom in their speeches. These acts, too, demonstrated an

awareness of human rights in Maoist China. These signs of awareness challenge the scholarly consensus on the view that human rights were absent in Chinese political discourse. At the same time, one must recognize that political action, as it lacks any inherent agenda, cannot always be expected to contribute to human rights protection. And indeed, political action in the HFC and the Rectification Movement did not ultimately improve the human rights situation; whatever they had achieved in terms of human rights was later undone by the Anti-Rightist Movement.

The second sense in which political action in the Hundred Flowers period has a bearing on human rights is a more sobering one. Political action faced many constraints in Mao's China, restricting everyone's potential to exercise or enjoy human rights. In a strict sense, Arendtian political action did not exist in Maoist China; Chinese intellectuals did not gain genuine freedom to act and there was no public arena in which genuine equality existed. The freedom of Chinese intellectuals was constrained by the CCP insistence that they recognize the Communist Party's authority and the legitimacy of the socialist path. The intellectual community was also established on an unequal basis, given that ruling party officials held most key positions in intellectual organizations like the Association of Chinese Writers. Among intellectual newspapers, the CCP mouthpiece *People's Daily* had a dominant position. In this sense, actors in the HFC context could not entirely actualize Arendt's ideal of political action, which embodies human rights by the ability to act and speak. A more realistic assessment is that political action in Mao's time was controlled by the ruling party leadership, by communist ideology and by the process

of socialist construction. Yet, political action in the HFC did generate a limited manifestation of human rights ideas and practice in the Mao era.

## **Conclusion**

In an era when human rights are internationally contested, China's human rights record consistently attracts intense scrutiny, not only because the human rights situation of millions of Chinese people gives cause for considerable concern, but also because China is a powerful international actor that exerts profound influence on the international human rights system simply by pursuing its own human rights policy. The issue of human rights in China is currently debated in philosophical, legal and political perspectives, but the history of human rights, particularly in Mao's China, has somehow remained obscure. The historical research in this dissertation reveals the human rights ideas and practices that existed in Mao's period. It also uncovers the factors that prevented human rights from taking hold in that particular context of Chinese history, with its specific political culture and ideology. By placing this research in the analytical framework Hannah Arendt proposes with her critique of human rights, we see the historical and philosophical implications of the human rights issue in Maoist China.

My research reveals that in Mao's China, the government treated human rights primarily as an instrument, a means to achieve political ends. Although the government sometimes showed respect for human rights ideas, it did so for strategic reasons, which led to a discrepancy between human rights ideals and practices. Perhaps the chief example of this during the Mao era was how the authorities categorized Chinese citizens. Clearly, human rights are universal and inalienable by definition, but in practice the Chinese ruling party primarily emphasized the rights of individuals designated as 'the People.' This discrepancy reveals how the

CCP used human rights as a carrot to gain the support of the People and as a stick to punish 'the People's enemy,' but it also gives pause for further thought on two contradictory dimensions of human rights: the rhetorical claim that human rights are universal and inalienable, and the more realistic concept that human rights are conditional upon citizenship in practice.

Research into Chinese foreign policy goes a long way towards explaining the ruling party's instrumental treatment of human rights. Their use of human rights at the international level depended upon the leadership's assessment of China's position in the international power struggle and the party's desire to build strong foreign ties. This alone rendered China's human rights position and policy inconsistent in different international situations. The Chinese government freely referred to human rights when criticizing the USA and Soviet Union, slamming them for violating the rights of black Americans and minorities, respectively; but the same government responded coolly to human rights principles at the Bandung Conference of 1955. Such inconsistency suggests that the Chinese government's actions on human rights were motivated by less obvious political intentions and priorities; and this, in turn, shows how human rights are dealt with in practice.

Domestically in China, we see a similar pattern. The constraints on human rights in practice expose how limited political action was in Mao's China. Throughout the Mao era, in fact, the CCP regime restricted political action based on a commitment to human rights, allowing such action for more politically expedient reasons, such as proletarian revolution, socialist construction, anti-reactionary struggle or

re-education. In the context of the Hundred Flowers Campaign, intellectuals were granted room to exercise their human rights to a limited extent, but this was a by-product of liberalization policies aimed at more pragmatic objectives, such as enlisting intellectuals' cooperation in the cause of socialist development or their backing in a power struggle within the CCP leadership. In this respect, the Chinese leadership cannot be credited with the development of human rights as a practice. Even in the post-Mao period, which has seen an expansion of human rights discussion and practice, human rights are still conducted at the CCP's discretion. It is not so clear to what extent human rights are invoked as a moral issue or as strategic means.

By analyzing events in Maoist China for signs of human rights awareness while assessing the discrepancy between human rights ideals and practice, we create a critical framework that allows us to evaluate how human rights were restricted in that period. The first restriction we encounter is the restriction of citizenship; human rights were reserved for individuals who belonged to the community of 'the People.' This confirmed Arendt's assertion that human rights were in practice not universal but conditional. The second restriction we find is that state sovereignty always outweighed human rights in China's political calculations. If necessary, human rights could even be used as a bargaining chip to be respected or rejected depending on what was more expedient to advance China's diplomatic purposes. Even political action, which Arendt regarded as a fundamental way to actualize human rights, did not allow people to fully embody human rights in the Mao era. It is clear to see that the practice of human rights was largely controlled by the government. The restrictions of human rights in the Chinese case lend credence to Arendt's central

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critique of human rights: her claim that these rights always clash with the concepts of citizenship rights and state sovereignty.

The history of human rights in Mao's China offers us a perspective from which to reflect on Hannah Arendt's critique of human rights. Arendt argued that while human rights are assumed to be universal and inalienable, they are in practical terms void without the guarantee of citizenship and political action. Arendt shows how impotent human rights claims are by elaborating on their relationship to citizenship, state sovereignty and political action. The case of Maoist China confirms all of her main arguments on these relations. The land reform movement revealed that human rights were contingent upon a particular type of citizenship, which was based on the individual's social status. That the loss of citizenship during land reform went hand-in-hand with the loss of human rights, verifies Arendt's position that the right to membership is a precondition to the enjoyment of human rights. There is also another respect in which the case of China confirms Arendt's views: the state's adherence to the principle of state sovereignty. As we see in the exploration of the Tibet controversy in Chapter Four, China used the principles of non-intervention and sovereign independence to shield itself from external human rights criticism. The Tibet case shows that Arendt was right to perceive tension between the principle of state sovereignty and human rights. The Hundred Flowers Campaign provides yet more arguments in support of Arendt. An analysis of the HFC shows that human rights could be embodied in political action, confirming Arendt's idea that the right to political action provides space for the exercise of human rights.

Not all aspects of the China case coincide with Arendt's views, particularly her argument that the rhetoric of human rights bears little resemblance to the actualization of human rights. The case of Maoist China demonstrates that in many respects, human rights rhetoric had political importance — a consideration that Arendt apparently overlooks. In Chinese politics, human rights served as an important moral beacon at different junctures of Mao's reign. For example, the Chinese government used the ideas of human rights to rectify mistakes made during land reform. It did the same in its pursuit of better ties with the outside world. Even in Mao's day, Chinese people invoked human rights in their arguments when complaining about unjust treatment, defending the basic rights of the excluded, or criticizing official abuse of power. To be sure, it is difficult to assess the extent to which human rights functioned in a moral sense in these cases, as the real motive for invoking human rights ideals is not always clear. That said, however, there are still many cases in Mao's China that reveal the moral power of human rights rhetoric.

Strictly speaking, the premise of universal human rights is incompatible with the notion of exclusive citizenship rights. To resolve this tension, Arendt postulates that the right to citizenship is a precondition for human rights. This, however, is merely one side of the coin. What Arendt does not acknowledge, is that citizenship rights are at least partly inspired by human rights, and that human rights therefore promote citizenship rights. As we have seen, Mao's government included human rights ideas in the elaboration of its land reform laws and other relevant regulations, particularly where it came to the just distribution of land to 'the People' (primarily poor peasants). This in turn helped to improve the institutional conditions in which citizenship rights were implemented. I regard the

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government's reference to human rights as evidence that human rights notions indeed facilitate the development of citizenship rights, in the sense that human rights constitute a moral source that can be drawn upon for the institutionalization and legalization of the latter.

Maoist China did not always treat human rights as incompatible with state sovereignty. China's compromise on the Universal Declaration of Human Rights and its support of human rights in many international contexts supply an important nuance to Arendt's assertion that these concepts are mutually exclusive because sovereign states only protect the rights of their citizens. For here we see examples of foreign diplomacy in which China showed a supportive attitude towards universal human rights without relinquishing its insistence on sovereign independence. Chinese foreign policy statements upheld both human rights and state sovereignty side-by-side, particularly where the state's aim was to improve its foreign relations. In its dealings with what was then known as the Third World, China stressed that the sovereign independence of Third World peoples was key to their enjoyment of human rights. Here, the Chinese clearly felt human rights could be reconciled with state sovereignty. In Arendt's analysis, state sovereignty poses a threat to human rights. What she overlooks is that, in international relations, human rights also pose a challenge to state sovereignty. As explained in the Tibet case, China saw international criticism of the human rights situation in Tibet as a direct challenge to its own state sovereignty. A similar challenge posed by human rights arguments occurred in the Tiananmen Square uprising of 1989, which sparked widespread human rights criticism and international scrutiny of China's human rights record.

Analysis of Mao's China also reveals that human rights are not as closely tied to political action as Arendt argues. According to Arendt, human rights can only be embodied in political action, which, by her definition, occurs in a shared political community populated by a plurality of free, equal individuals. Most political movements under Mao were conducted by the Chinese government; political action as defined by Arendt was not possible in that context. Nevertheless, some Chinese political movements shared many similarities with Arendt's political action in the sense that they were conducted by liberal Chinese people, who formed a community within which they enjoyed degree of freedom and equality. These movements somehow embodied human rights ideas despite the threat of repression from the wider political environment, in which political action was always subject to government restrictions. Arendt did not account for the fact that the ideas and practices of human rights could somehow manifest themselves even in contexts where her notion of political action could not.

The preceding discussion of Arendt's human rights critique in light of Mao's China leads to two conclusions. On the one hand, Arendt's critique is partially right. The case of China indeed reveals that human rights are compromised by citizenship rights, state sovereignty and the Maoist style of political action. On the other hand, it demonstrates something that Arendt fails to acknowledge: human rights can also be embodied and articulated *within* the context of citizenship, state sovereignty and political action. It was in this specific set of circumstances under Mao that human rights ideas and practices were conceived, made concrete, and exercised.

This exploration of human rights vis-à-vis citizenship, state sovereignty and political action under Mao's rule contributes to the historiography of human rights in China. Most current scholarship on this combination of issues resides in the domains of law, philosophy and political science, while historical studies are few and far between. Human rights tend to be examined as an ahistorical and universal concept, also in the case of China. Although China now takes a more engaged and conciliatory approach to the international human rights system and standards than in decades past, the history of its human rights ideas and practices deserve scholarly attention. There are two main reasons why this is true. One is that human rights are a historical product, so their ideas and practices are made concrete in different contexts and therefore need to be understood in their particular historical circumstances. The other reason is that historical studies help to establish connections between human rights in the past and present, facilitating our understanding of the historical trajectory of human rights as a whole. As shown in this dissertation, human rights faced some obstacles in Mao's China. While human rights are explicitly discussed nowadays, human rights in Mao's China were primarily manifested in an implicit way due to the official rejection of this topic. Nevertheless, by investigating the implicit human rights ideas and practices in Mao's period, this dissertation offers us some grip on the continuities and discontinuities in human rights discourse during a pivotal period of Chinese history.

Most scholarship on the history of human rights in China tends to focus on the pre-1949 and post-Mao periods, leaving a significant gap in our knowledge. Little is therefore known about the human rights ideas and practices that emerged in many aspects of Chinese people's lives under

Mao. The lack of attention to this period is mainly due to the scholarly consensus that Mao's China was full of human rights violations and the term 'human rights' was itself forbidden by the CCP. The party even replaced it with 'the People's rights' when it rose to power in mainland China. Oddly, though, while the CCP rejected the term 'human rights' as a bourgeois concept, it still tactically referred to the phrase on occasion to achieve political aims, albeit far less frequently than its use of the term 'the People's rights.' While the words 'human rights' were taboo in Maoist China, there can be no doubt that an awareness of human rights surfaced in the discussion of citizenship, state sovereignty and political action. As the Chinese case shows us, human rights awareness emerged when citizenship was redefined and protections of citizenship rights were elaborated during the land reform movement. Similarly, the Chinese government referred to human rights ideas when working to strengthen its foreign ties or defending state sovereignty. In addition, the Hundred Flowers Campaign and the Rectification Movement are examples of political action which reveal an implicit human rights discourse. Reviewing these examples from an Arendtian perspective leads me to the conclusion that political action in the Hundred Flowers period embodied human rights in a very specific sense: by acting and speaking collectively, the participants achieved a degree of freedom and equality. During a short interlude of liberalization, intellectuals engaged in debates in the public realm, manifesting the openness and plurality that are cornerstones of human rights as an embodied practice. These cases, taken together, prove that human rights awareness was articulated, concretized and embodied in a situation where explicit human rights discussion and action was not permitted. On close inspection, it appears

that this period of Chinese history is a rich resource of human rights history with great relevance to the issues of citizenship rights, state sovereignty and political movements.

This dissertation unpacks the political history of human rights in Mao's China, to explain how Chinese officials used the concepts of human rights. It also demonstrates the discrepancy between the ideals and practice of human rights. By situating Hannah Arendt's philosophical questions about human rights in the context of Mao's China, this dissertation also proposes a way to perceive the points where the philosophical and historical aspects of human rights converge and diverge. Although many issues were discussed in this dissertation, there are many more aspects of human rights in China that still demand proper scrutiny. As scholarship delves into these, the debates over human rights in China, in a changing context, will continue to evolve.

## Summary in Dutch

In deze dissertatie worden idee en praktijk van mensenrechten onderzocht door te kijken naar hun relatie met burgerschap, de soevereiniteit van de staat en politiek handelen. Deze aspecten worden geanalyseerd in de context van de Volksrepubliek China tussen 1949 en 1976, de periode waarin Mao aan de macht was. De centrale vraag is hoe mensenrechten in China in de eerste decennia van de Volksrepubliek werden begrepen en welke praktische rol ze speelden in het openbare leven. Het gaat derhalve niet om een waardering van de stand van de mensenrechten in China, of om een kritiek van schendingen van mensenrechten. In plaats daarvan wordt hier de historische context van mensenrechten onderzocht, door een reeks van politieke momenten en bewegingen in de recente Chinese geschiedenis te analyseren, in een poging vast te stellen hoe groepen in de Chinese bevolking en het regime mensenrechten conceptualiseerden en praktizeerden. Een belangrijke kanttekening is dat onder Mao's regime (een Chinees equivalent van) de term "mensenrechten" zelden gebezigd werd, maar er wordt in dit onderzoek een reeks noties geïdentificeerd die deel uitmaken van een breder discours rond mensenrechten, zoals rechten (*quanli* in het Chinees), de rechten van het volk, gelijkheid, vrijheid, onafhankelijkheid en menselijke waardigheid. Uitgangspunt van dit onderzoek is dat deze noties de belangrijkste elementen zijn in het mensenrechtendiscours, en dat het gebruik ervan duidt op een bewustzijn van mensenrechten in deze periode van de Chinese geschiedenis.

Het analytisch kader voor de historische studie van mensenrechten is in

deze studie afgeleid van een filosofische analyse van Hannah Arendts kritiek van mensenrechten. Daarin vestigt ze niet alleen de aandacht op een discrepantie tussen de theorie en de praktijk van mensenrechten, maar geeft ze ook aanzetten voor een theoretisch raamwerk voor een nieuwe conceptualisering van de relatie van mensenrechten met burgerschap, de soevereiniteit van de staat en politiek handelen. Dat raamwerk wordt hier verder ontwikkeld voor een analyse van deze relaties in de specifieke context van de Chinese geschiedenis tussen 1949 en 1976. Geïnspireerd door Arendts kritiek van mensenrechten, staan in deze dissertatie drie *case studies* centraal: de Chinese beweging voor landhervorming (1950- 1953), de Chinese buitenlandse politiek (1949-1976), en de Laat Honderd Bloemen Bloeien-periode (1955- 1957). De landhervormingen tussen 1950 en 1953 worden geanalyseerd om de relatie tussen mensenrechten en burgerschap te belichten. In deze beweging maakte de Communistische Partij van China (CCP) een onderscheid tussen ‘het Volk’ (in de eerste plaats arme boeren en landarbeiders), en ‘de vijanden van het Volk’ (onder andere rijke boeren en landeigenaren) . In de landhervormingsbeweging werd een nieuw begrip van burgerschap geïntroduceerd, waarin de burgerschapsrechten van de eerste groep aanzienlijk verschilde van die van twee de groep. Tegelijkertijd, en in reactie op dat onderscheid, refereerden de CCP en de groepen die leden onder dit beleid aan noties van recht en menselijk waardigheid die uitstegen boven de bepalingen van het burgerschap. De analyse van de landhervormingsbeweging biedt derhalve een antwoord op de vraag hoe mensenrechten en burgerschap in deze context met elkaar verbonden zijn.

Na deze exploratie van de relatie van mensenrechten met burgerschap in de binnenlandse context, wordt de studie vervolgd met een analyse van de spanning tussen mensenrechten en de soevereiniteit van de staat op het internationaal vlak. De tweede *case study* betreft het Chinese buitenlandse beleid ten aanzien van de landen van de Derde Wereld, de Verenigde Staten en de Sovjet-Unie in de periode van Mao's bewind. De centrale vraag is hoe de Chinese overheid de noties van mensenrechten en staatssoevereiniteit in deze periode in onderlinge samenhang hanteerde. In de Chinese buitenlandse politiek van deze periode stond de soevereiniteit van de staat centraal, terwijl tegelijkertijd het mensenrechtendiscours werd gehanteerd om andere landen te bekritisieren. Zo wordt geanalyseerd hoe China tijdens de Bandungconferentie in 1955 het thema van mensenrechten hanteerde om zich als vredelievende natie te presenteren, en hoe dat door de andere landen met wantrouwen werd bekeken. Ook de analyse van de strijd met de Sovjet-Unie vanaf het einde van de jaren vijftig en de steun voor de Amerikaanse burgerrechtenbeweging biedt inzicht in de wijze waarop de Chinese overheid de soevereiniteit van de staat en mensenrechten tegen elkaar afwoog.

Het derde deel van het onderzoek richt zich op de campagne Laat Honderd Bloemen Bloeien en de daaropvolgende Rectificatiebeweging. In de eerste campagne ontstond aanvankelijk een liberale omgeving waarin de Chinese bevolking vrijheid van meningsuiting en vergadering, persvrijheid en andere vrijheden leek te krijgen. Uit de analyse van deze periode lijkt dat er een bewustzijn en praktijk van mensenrechten was ontstaan, voordat deze campagne een veel repressiever karakter kreeg.

Niet alleen werden in deze periode noties uit het mensenrechtendiscours in het openbaar gearticuleerd, maar het politieke handelen van de beweging zelf kan gezien worden als belichaming en uitoefening van mensenrechten.

Op basis van deze *case studies* wordt in deze dissertatie de stelling verdedigd dat mensenrechten, als politiek discours en belichaamd in praktisch handelen, zelfs ten tijde van het repressieve bewind van Mao en de CCP, hun sporen in de Chinese geschiedenis hebben achtergelaten.

De dissertatie heeft zeven hoofdstukken. In het inleidende hoofdstuk wordt het algemene raamwerk van de studie uiteengezet: de onderzoeksvragen worden geïntroduceerd, er wordt uitgelegd hoe de methodologie in elkaar zit, uiteengezet op grond waarvan de case studies zijn gekozen en welke bronnen voor het onderzoek worden gebruikt. Hoofdstuk 1 is gewijd aan Hannah Arendts analyse van mensenrechten, gevolgd door een uiteenzetting van het theoretische kader voor de analyse van de relatie van burgerschap, staatssoevereiniteit en politiek handelen tot mensenrechten. In het tweede hoofdstuk wordt de geschiedenis van mensenrechten in China behandeld. Na een overzicht van het historiografische debat wordt ingegaan op de ontwikkeling van mensenrechten in de periode van de burgeroorlog en de periode na de dood van Mao, om ten slotte in te gaan op de ontwikkeling mensenrechten in Mao's periode. Aan het eind van het hoofdstuk wordt ingegaan op plaats van *case studies* in deze historische context. In het derde hoofdstuk wordt eerst de situatie op het Chinese platteland en de relatie tussen bevolkingsgroepen in ruraal China beschreven. Vervolgens

wordt nagegaan hoe klassenonderscheid een rol speelde in de vorming van burgerschap. Ten slotte wordt de dynamiek in de relatie van mensenrechten en burgerschap in deze periode geanalyseerd. In het vierde hoofdstuk staat de relatie van mensenrechten met de soevereiniteit van de staat centraal. In het eerste deel worden de Chinese buitenlandse politiek en de opstelling van de Chinese regering ten aanzien van het internationale mensenrechtendebat onderzocht. Daarna wordt gekeken naar de internationaal reacties op deze opstelling van de Chinese regering. In de derde paragraaf staat de analyse centraal van het strategisch gebruik van het mensenrechtendiscours in het Chinese buitenlandse beleid ten aanzien van de Derde Wereld, de Sovjet-Unie en de Amerikaanse burgerrechtenbeweging. Het zesde hoofdstuk behandelt ten slotte de relatie van mensenrechten tot politiek handelen, aan de hand van de campagne Laat Honderd Bloemen Bloeien en de Rectificatiecampagne. In de eerste plaats worden de condities voor politiek handelen onderzocht op basis van een analyse van het beleid van de CCP ten aanzien van intellectuelen. Daarna wordt gekeken naar het politieke handelen ten tijde van de campagne Laat Honderd Bloemen Bloeien. Uit de analyse van het optreden van intellectuelen in deze beweging wordt duidelijk worden hoe in het politieke handelen de pluraliteit van actoren en de vrijheid van de openbare sfeer werd verondersteld en hoe dat handelen derhalve gezien kan worden als belichaming van mensenrechten. In het slothoofdstuk worden op basis van de case studies conclusies getrokken en wordt de centrale onderzoeksvraag beantwoord.

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