In March 1979 a planning conference following the guideline of the third plenum of the Eleventh Central Committee stressed the importance of international law. A start was made in September when students were admitted to Beijing University to study International Law; articles were published and in 1981 a textbook of international law was published. (Meanwhile China was admitted to the International Monetary Fund and the World Bank[10]). This was only the beginning, but at least some of the bureaucratic regulations were made clearer. The importance of recruiting legal personnel was recognized. In 1982 the Ministry of Justice accepted over 50,000 'outstanding army officers' transferred from the army for retraining for legal work. This expedient was not enough; by 1993 it was announced that there were only 50,000 lawyers and another 100,000 would be trained by the end of the century.

The new constitution passed by the Twelfth Congress in 1982 laid down that the Party must act 'within the limits permitted by the Constitution and the laws of the state.' Hu Yaobang explained that no one 'from the Central Committee down to the grass roots (was) to act in contravention of the Constitution and the laws.'[11]

The importance of 'an all-inclusive legal system' to the 'establishment and improvement of the socialist market economic structure' was recognized in the Decision of the CCP Central Committee on Some Issues . . ., 14 November 1993. Effective law enforcement should combat corruption, tax avoidance, 'guarantee economic growth and safeguard the legitimate rights and interests of the citizen'. It was felt necessary to state that administrators were not above the law, i.e. 'Governments at various levels should abide by law in administrative matters'.[12] Such expressed intentions have not meant that it has been accepted that the will of the Party should be hampered by ideas of fundamental rights. The problem of reconciling the concept of an independent judiciary with an all-powerful party remains.

'TO GET RICH IS GLORIOUS'

The new economic policies brought problems that were both inherent and ancillary. An inherent problem was that incentives for hard work and skill led to greater social inequality. At the same time economic flexibility was not compatible with job security – 'the iron ricebowl' – and the system of welfare provision by one's work unit was undermined. Individuals could move around more easily. Previously they were only able to use their food coupons in their officially registered place of residence or buy food on the free market. Now they could

Figure 9.1 'Many people make calls to judicial organs to report officials who commit economic crimes.' An offence-reporting system was set up in June 1988 with over 5,000 hotlines. It was described in an illustrated article in *Beijing Review*, 15–21 January 1990.

travel from village to town and city to city looking for work. Unofficial informal labour exchanges operated on street corners and in parks. The supply of food and clothing hitherto limited by coupons became more expensive in a market economy. With the decline of the welfare services (including medical care) provided by the factory or commune, individuals and families have had to fall back on their own resources.

One apparently unforeseen problem which emerged was posed by the unresolved status of all those who at Mao's behest had been sent to the countryside. Forbidden to return home to the cities, some of them had become attached to the communes. Many, however, lacked the farming skills of peasants born in the country and because of their uncertain status they had not easily found wives. Now there was no longer a minimum grain allowance for all those living in a rural community. In April 1985 claiming to represent 20,000 exiles in Shaanxi,

hundreds made their way to Beijing and sat in protest on the steps of the communist party headquarters. Although not badly treated for this illegal demonstration, they failed to get reassurance that they would be rehabilitated. The same problem was faced in other provinces and by many people. There were in any case long waiting lists for accommodation in the cities.

The reforms led to a general rise in living standards but also to increasing inequality in the workforce and growing regional disparities. Western-style consumer goods became more widely available, but at the same time there was growing unemployment and beggars appeared on the streets.

The negative social consequences of reform, and the question of speed of change, were at the heart of the intra-Party debate. This is sometimes portrayed – at risk of oversimplification – as between the moderate reformers and those who favoured radical change in spite of the problems that went with it, the 'bold' reformers.

The ancillary problems were another matter. Both categories of reformers recognized these even if they did not agree on how to deal with them. There was corruption, sometimes believed to be inevitable in any period of pioneering entrepreneurial expansion. But bribes to smooth the transaction of business are one thing; extortion by the Party secretary whether in factory or village is another. The power of these men has enabled them to make and break contracts, practise nepotism and get rich ingloriously! To such men the factory or the village is a fief. As the historian Jack Gray remarks, 'When Chinese dissenters claim that Chinese socialism is a form of feudalism they know whereof they speak.'[13]

Moreover there was the phenomenon described as 'opening the window lets in the flies'. Contact with the west brought 'spiritual pollution'; at one level a questioning of the omnipotence of the Party or riotously 'bourgeois' pop music, or at its worst a culture of crime, prostitution and drugs.

This has fuelled the debate. For example in 1984 the 'virtue' of getting rich reached an apogee when the Party secretary of Guangdong province said 'the more revolution you make, the richer you should become.'[14] Then in 1985 it was asserted that the concept 'money is above everything' was wrong. The debate continues. It is only peripherally related to the question of democracy but cannot be uncoupled from Western modernization. For example in 1983 the attack on spiritual pollution including pornography, modern fashion and individualistic literary values was ordered to be played down by Deng's government when it threatened to lead to the rejection of all Western

ideas including essential new technology. But by 1986 the conservatives in the Party were focusing their criticism on 'bourgeois liberalization'.

In December 1986 there were notable student demonstrations at the key university of Science and Technology at Hefei in Anhui. The vice-president of the university, distinguished astro-physicist Fang Lizhi[15] had been arguing for complete westernization. He maintained that China was not partially backward and in need of piecemeal reforms; China was backward 'in all respects' and it was ridiculous to talk of building socialism or anything else with Chinese characteristics. Chinese modernization would be a contradiction in terms – what China needed was 'complete' modernization. To this, Party old timer Bo Yibo retorted 'We must not think that the moon in foreign countries is fuller than in China.'[16]

It is apparent that China was experiencing a recurring pattern of relaxation and control. This was identified as a fang-shou cycle which was seen to occur three times in the 1980s.[17] Economic liberalisation and an increase in the tolerated intellectual freedom created perceived disorder and led to a conservative backlash. Was this inevitable? Were the contradictions inherent in China's change irreconcilable? It may be seen to Deng's credit that he did not think so, that he believed that speeding up and slowing down the rate of change would in effect define a middle channel through which China could be safely steered. If stern measures were necessary to hold the banks against the oscillating current, so be it; there could be no uncontrolled flood.

The relatively permissive atmosphere following the replacement of Party propaganda chief Deng Liqun by Zhu Houze and the appointment of a new Minister of Culture, the writer Wang Meng, in the summer of 1985 had seen something of an artistic, theatrical, and cinematic renaissance. There were new academic and professional societies, new journals e.g. *World Economic Herald* and the upward trend of the intelligentsia seemed assured.

The mounting student disturbances towards the end of 1986 culminated in the public burning of the *Beijing Daily* on 5 January 1987. Already on 30 December Deng Xiaoping had made a statement 'On the problem of the present student disturbances'. He said:

> We do all we can to avoid bloodshed. If not even a single person dies, that is the best way. It is even preferable to allow our own people to be injured. If we do not take appropriate steps and measures, we will be unable to control this type of incident; if we pull

> back we will encounter even more trouble later on . . . Don't worry that foreigners will say we have ruined our reputation . . . we must show foreigners that the political situation in China is stable.

Deng lashed out at Fang Lizhi. He condemned ideas of bourgeois democracy. 'We cannot set up such gimmicks as the division of powers between three branches of government. This causes great trouble.' Citing the Polish government's handling of the Solidarity confrontation in 1981, he said, 'This proves that you cannot succeed without recourse to methods of dictatorship.'[18]

In general the reaction was sternly avuncular rather than vicious. Vice-Premier Li Peng called for curriculum changes in schools and colleges and henceforth the criteria for admission to middle school and university would include political attitudes.

CHANGES IN THE LEADERSHIP

Deng's protégés and presumed successors Zhao Ziyang, Premier and Hu Yaobang, General Secretary of the Party had joined the Standing Committee of the Politburo in 1982. Some who were opposed to the pace of reform, notably Peng Zhen and Chen Yun, fought a rearguard action but – with the backing of paramount leader Deng – Hu and Zhao presided effectively and with some skill during a time of great change. Zhao went some way to shaking up the state bureaucracies replacing old cadres and restructuring the State Council. He gave more scope to the experts who produced reports for new policy study groups.

Hu Yaobang made a good impression when he visited London in June 1986. His suit and tie were well up to the standard of Chatham House when he addressed the Royal Institute of International Affairs. Asked whether the trends in westernization and liberalization would continue, he replied boldly – Yes. There might be some slowing down but there would be no reversal of current policies. However, it was his fate to be held responsible for the 1986 student demonstrations. By then he had declined in favour with Deng Xiaoping, allegedly for presuming upon his succession. Having been asked three times to resign Hu was dismissed from his post as General Secretary on 16 January 1987. The document (Central Document no 3 1987) listed his wrongdoing which included [politically] 'only opposing the "Left"' while 'never opposing the "Right"', [economically] putting too much emphasis on consumer demand and [in foreign relations] saying 'many things he should not have said.' Hu certainly appeared to take acceptance of

westernization to the limit. A more cautious politician might not have proposed that chopsticks should be given up in favour of knives and forks which were more hygienic. The same document included Hu's confession in which he admitted that 'his ideological laxity had fostered spiritual pollution and bourgeois liberalization, thereby bringing on student turmoil'.[19] He was allowed to stay in the Politburo.

Zhao Ziyang succeeded Hu Yaobang as (acting) General Secretary. At the Thirteenth Party Congress in October–November 1987 Deng retained his authority – the Central Committee secretly agreed that he should remain the paramount leader to be consulted on all major decisions – and he remained Chairman of the Military Affairs Committee. Chen Yun, became Chairman of the Central Advisory Commission and General Secretary of the Central Discipline Inspection Commission. Li Peng became a member of the five-man Standing Committee of the Politburo; in April 1988 at the Seventh National People's Congress he became Premier. Yang Shangkun succeeded Li Xiannian as President of the People's Republic.[20]

Throughout 1988, in spite of the efforts of the conservatives, a groundswell of discontent, particularly among students, persisted. Yet it was a relatively quiet year. There was some concern over inflation and other aspects of the economy; as a result Zhao Ziyang handed many of his economic responsibilities over to Li Peng.

1989

1989 was the fortieth anniversary of Communist China. It was to be a fateful year; noted by some intellectuals as the bicentenary of the French Revolution in 1789, it was also the seventieth anniversary of 4 May 1919 when student demonstrations signalled the intellectual turning point for modern China. To mark the occasion Fang Lizhi sent an open letter to Deng Xiaoping proposing an amnesty for political prisoners including Wei Jingsheng on 4 May 1989. Other leading intellectuals in China supported this suggestion which was taken up as a human rights concern around the world. Meanwhile Party conservatives, notably Chen Yun and Bo Yibo, were calling for the replacement of Zhao Ziyang. Deng was not convinced that now Hu had gone he needed to replace yet another of his trusted lieutenants. He decided to postpone the matter until after the planned visit of Mikhail Gorbachev, still riding high on his policies of glasnost and perestroika.

Then on 8 April Hu Yaobang, having made a speech to an enlarged meeting of the Politburo calling for the Party to increase its support for

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