

A Tale of a Chinese Lawyer

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Now a well-known Chinese lawyer of the democratic dissidence in China, Zhang Sizhi was once a young nationalist, a high-ranking official in the court of Beijing and a victim of anti-rightist repression. In his memoirs he provides a detailed and fascinating description of the profession and China in the second half of the 20th century.

Reviewed: Judith Bout, *Les confessions de Maître Zhang: L'avocat de la Bande des Quatre et des dissidents chinois* [The Confessions of Justice Zhang – Lawyer of the Gang of Four and Chinese Dissidents], Paris, Editions François Bourin, 2013, 579 pp.

When we reflect on the remarkable advances recently made in the history of the People's Republic of China, we cannot fail to notice that autobiographical and biographical accounts, whether translated or in Chinese, played a key role in the progress made during an era in which archives remained inaccessible¹.

Les confessions de Maître Zhang, presented with humour and accurately translated into French by Judith Bout, are among the most original accounts we have of Communist China. They tell the life story of a great lawyer of the democratic dissidence in China who was formerly a young nationalist, a high-ranking official in the court of Beijing and a victim of anti-rightist repression: truly a career conducted within the inner recesses of the Communist Party.

Admittedly, the problem with deciding to recount an entire life story, albeit that of a top lawyer, is that equal importance must be given to events that do not have the same level of interest. This applies to the account of Zhang's childhood and adolescence. It describes how nationalism spread among the provincial elite, the unsuccessful engagement of a young patriot in the Kuomintang army and his gradual demotion in Chiang Kai-shek's Kuomintang party. This part of the story depicts a development that is generally well-known, and is just one of many sources available on the "nationalist" period.

Nonetheless, it at least reveals a key fact that the collective amnesia subsequently imposed by Beijing has all too often kept hidden: in urban China at least, some heroes of the Communist movement, many of its officials and most of its drudges started out thinking like everyone else, in other words, like the Chinese Nationalist Party, before coming round to the Communist Party line. This was the case for Zhang, who was an averagely idealistic

¹ For example, it is worth mentioning the extraordinary book "Prisoner of Mao", by the Chinese-Corsican author Jean Pasqualini, and drawing sinologists' attention to the memoirs of Bo Yibo – the father of none other than Bo Xilai, the ambitious Chongqing Communist party chief recently removed from power and sentenced – and those of the wives of two victims of the Cultural Revolution who deserve to be recognised by name: Liu Ying and Zeng Zhi. As it happens, these are the wives of Zhang Wentian and Tao Zhu. I mention these individuals and quote their work (as well as that of Bo Yibo) in my book entitled "Mao, sa cour et ses complots" (Fayard, 2014).

Nationalist before being swept up in the wave of Communism during the months prior to the party's triumph. He took part in the student movements, until his fellow students informed him in 1948 that he was now a member of the Communist Party.

The event was important for Zhang's personal story for two reasons. First, of course, because this distinction launched his career as a high-ranking official in the new regime. Also, however, and the book should have made this clearer, it doomed him from the outset by placing him in the category of suspicious party members, those who had joined late and who were automatically considered dangerous on account of their urban background. Most were purged in the 1950s, the most dramatic example of this being in Nanking, where the local resistance network was preparing to seize the city before being swiftly brought into line by the herd, and then eliminated in successive shake-ups.

In fact, the lawyer was never forgiven for his few so-called "mistakes". In 1957 he began a lengthy prison sentence. Once again, the book does not live up to expectations. First of all, because Zhang found himself posted to the fairly unusual "re-education through labour" camp of Nankou, which was used exclusively for the repression of officials from Beijing, and served as a symbol advertising Peng Zhen's commitment to the Great Leap Forward.² Second, and above all, Zhang had the luck and the brains to survive considerably better than many other victims, and he does not shy away from that fact: he openly admits that he got out, and avoids the self-satisfied romanticism into which so many other witnesses and commentators have lapsed. It is as if the long period of darkness that Zhang Sizhi survived had robbed him of his narrative inspiration, which is understandable.

On the other hand, his account is a good deal more enlightening when it comes to the two major periods of his memoirs: the years from 1949 to 1957, which preceded his purge, and the time we might now refer to as the "second China" from 1979 to 1980. In my view, the former is the most innovative, for it provides an unparalleled description of a branch of the urban communist apparatus in the early years of the PRC – and not just any branch: the court of Beijing. On one level, the account confirms the Dantean depiction given by Frank Dikötter in a recent book: the seizing of power paved the way for massacres right across the country and, from the outset, the military control commission in Beijing ordered executions while bypassing the legal system; mobilisations then took place from 1953 to 1956, punctuated by brief periods of respite – appointed as a lawyer, Zhang only pleaded twice, and in a very formulaic manner³.

Furthermore, the description given of Zhang Sizhi's working environment shows a true gift for observation. Right from the start, people's desires trouble their relationships, factional links are formed and conflicts are sparked, fuelled by the ideological justifications of propaganda and the party chief's behaviour. Personal disputes largely fuelled the continuing development of local political campaigns waged by the authorities. The purges that followed in the court of Beijing and which responded to the demands of the party and its extensions appeared to show a succession of political conflicts on a national scale, and in actual fact showed a settling of scores of a personal and factional nature.

This picture inspired me to carry out a closer examination of conflicts that were already apparent in other sectors of Chinese communist bureaucracy, and which I had already

² At the time Zhen was mayor of the capital and number six or seven in the Communist Party, and would later side with those opposed to Maoist excesses, albeit cautiously.

³ Frank Dikötter, *The Tragedy of Liberation*, London, Bloomsbury, 2013.

encountered in my research at the basic level of a cooperative and a district called Lushan in the province of Henan. Personal rivalries had dramatic consequences during one of the first agrarian mobilisations organised by the regime in 1952-53 and then in the years that followed. Recent Chinese publications reveal many similar but far more catastrophic cases (for example, the terrible famine that struck the Xinyang district from 1958 to 1961). In the same province of Henan, two men fought over political power from 1955 to 1958, hiding their personal and factional rivalry behind an ideological façade: two men and two teams succeeded one another in power until the launching of the Great Leap Forward brought about the victory of Wu Zhipi, the supposed “radical” – in other words, Mao’s preferred choice – who was in theory more “Communist” but who, nevertheless, later counted among the first victims of the Cultural Revolution, while the loser, who was more “reactionary”, would become one of its first heralds. Ideology, therefore, was not important. Finally, the studies I have done on the Chinese ruling elite from 1949 to 1976 highlight the overlapping that exists at the very highest levels between personal issues and political stagecraft, and between ambitions and their legitimisation⁴.

What becomes clear in all these examples, and is confirmed by Zhang, is a kind of hardline totalitarian theatre – for violence is always present and concludes every episode – which nonetheless reveals people’s ordinary emotions: ambition, hatred, jealousy, enjoyment. Zhang describes this totalitarian theatre in exciting detail, mixing sexual desires, ambition, loyalties, tactical cunning, hatred and vanity. This is a far cry from the human aridity imagined by ideologists of totalitarian terror. That terror does not disappear, nor is it humanised: on the contrary, it adapts, localises and takes on different forms, including, for example, the protests of a wife who is fighting for her life – it expresses, cultivates and nurtures violence.

The picture that is painted of the protagonists’ life story after the Cultural Revolution is more topical and consistently of interest, yet different given the change in circumstances: the totalitarian monsters appear to have lost their bite. Zhang rebels completely and uncompromisingly against the major injustices and all kinds of small-mindedness that are found within the party, yet is sure to mock it at every opportunity. The tragi-comic description of the trial of Jiang Qing’s accomplices and Lin Biao’s former subordinates, whose lawyers he supervised, provides key anecdotes about the sheer madness of the former Red Empress and, better still, about Li Zuopeng, the former commander of the Chinese navy who owed his career to the disloyal Marshall. The portraits of dissidents whom Zhang subsequently defended against all odds provide us with detailed and often warm assessments that are unparalleled – particularly that of Wei Jingsheng, which reveals a true political figure capable of adapting his expression and controlling his emotions.

One of the account’s primary strengths is the modesty that our hero shares with his spokesperson. He refrains from over-blowing his role in events, which is rare among human rights defenders. She is careful not to go too far in extolling Zhang Sizhi, and rightly stops her account from lapsing into a human rights gospel. As a result, the book’s excessive caution and modesty means that it does not give a clear answer to the reader’s question: why and how did the communistic agitator of 1948 become a human rights supporter and practitioner? He would no doubt answer by highlighting the terrible suffering he experienced from 1957 onwards. But how can he explain the fact that he eventually recovered both mentally and

⁴ See Jean-Luc Domenach and Ch’en Ho-chia, *Une ténébreuse affaire*, POF, 1978, *passim*; Jean-Luc Domenach, *Aux origines du Grand bond en avant*, Éditions de l’EHESS and Presses de la FNSP, 1982, *passim*; and Jean-Luc Domenach, *Mao, sa cour et ses complots*, *op. cit.*, p. 218.

physically? We learn about his historical development but not about his own inner journey. His other protégés share his modesty, and this is equally regrettable. What drove Wang Juntao and Bao Tong to resist? We never find out. In the end, on a stage filled with affected characters and pretentious tribunes, our heroes are too humble. Nonetheless, their story strongly supports the idea that history weighs on China's mind far more than its rulers would like.

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