SYMPOSIUM: THE TRIAL OF THE 'GANG OF FOUR' AND ITS IMPLICATION IN CHINA

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Introduction

By James C. Hsiung

The recent trial in Peking of the so-called "Gang of Four," including Mao Zedong's widow, Jiang Qing, is probably the most significant political development in China since Mao's death in 1976, and is likely to have far-reaching effects on China's internal politics and foreign policy. The trial, held from November 20 to December 29, 1980, is important for a number of reasons. It symbolized, first of all, the formal reversal of the course into which the People's Republic had been launched since Mao's Cultural Revolution of 1966-1976. Second, if during the Maoist purges in the late 1960s we had heard only the accusers' version against the purged "revisionists," now for the first time we were able to hear the former victims — since then rehabilitated — speak out against their Cultural Revolutionary persecutors, who, in an ironic reversal of history, were on trial in late 1980.

Third, from the revelations by Peking's current leaders and the "confessions" of the former radicals during the trial process, the outside world was able to gain new insights into the nature and workings of politics in the Chinese Communist system. In addition, the specific ways in which the trial was conceived and conducted, some of which were highly contrived and improvised, are also worth studying, as they serve to enhance our understanding of Chinese politics as a whole.

Although the trial of the "Gang of Four" has been viewed in and outside of China as having been prompted by the revengeful and self-serving motives of Peking's present leaders, which is probably very true, the trial can be studied for its larger meanings. In the first place, the trial process was certainly educational in that it was staged to redirect China's official ideology by expunging the discredited ideology identified with the former ultra-Maoist radicals. The seriousness with which the campaign was launched bespeaks the continuing primacy of ideology as an unwritten code to be internal-
ized and practiced by all Chinese. The “correct” ideological line being promoted now is best summed up in Deng Xiaoping’s dictum that “truth is to be tested through practice,” which is to replace the ultra-Maoist romanticism of the “Gang of Four.” (Equally discredited was the “whateverism” laid to another group of Maoists not associated with the “Gang of Four” who briefly had in 1976-1978 claimed that “whatever Chairman Mao had said or done was correct.”) To discredit the radicals was, therefore, also to discredit the particular ideology and policy line that they had stood for when they were in power from 1966 to 1976. In this sense, the trial was more than a power struggle; it was simultaneously an ideological struggle.

Second, the purge of the radicals and their brand of socialism was a campaign almost exclusively engineered at the top, with the Chinese masses being called upon merely to ratify what the present leadership in Peking had done and to endorse the latter’s wishes. If this is indicative of anything, Chinese politics remains elite-dominated, no matter what others may claim. The flow of political information and action starts from the top, constituting “input” into the political system, while the participation (qua endorsement and implementation) by the Chinese public is the “output,” reversing the input-output process postulated by Western political scientists for a political system.

Third, the much-publicized debates surrounding the trial were meant to arouse public attention regarding the ideological shift noted above. These, however, were elite-sponsored debates, the purpose of which was not to involve the public in working out a solution or policy through debating the issues, as is often done in the West, but rather to drum up mass support to stamp out all residues of the Reign of the Radicals.

Fourth, the political significance intended (such as re-educating the Chinese nation on the right ideological course and policy line to pursue) was more important than the legal significance of the trial proceedings (such as bringing the criminals to justice). Here one finds confirmation of the motto “Politics must take command”, which Mao himself had made famous, although it is officially played down now.

Fifth, in view of the results of the trial, which apparently fell short of the original expectations of the Deng group, Peking is today — perhaps as before — ruled by a coalition, albeit one with the Deng group anchored in the center. The many twists and turns accompanying the course of the trial are probably symptomatic of the leadership disarray or the instability characterizing the leadership coalition in Peking today. The monolithic model — that one strongman such as
Deng Xiaoping is in absolute control — probably cannot explain the much more complex and fluid political reality in China.

Finally, there was much "ad hoc-ishness" or improvisation in the way the Peking trial was conducted, which is also quite typical of Chinese politics and to some extent remotely reminiscent of the typical Maoist despise for routinization and standardization. One example was the combination in the trial of the "Gang of Four" and six former military associates of the disgraced Lin Biao, possibly to use the latter group's alleged assassination plot against Mao as a thin shield to protect Mao from being implicated in the sinister charges leveled at his widow and her three top aides. Another example of improvisation was the deliberate omission of Premier Zhou Enlai's role in the bloody purge of Liu Shaoqi, the former chief of state accused of being China's No. 1 "revisionist" during the Cultural Revolution. Equally, the omission of Hua Guofeng's role in the Tienanmen Square Incident of April 5, 1976, now exclusively attributed to the "Gang of Four," was also a necessary contrivance to save Hua's skin, at least in that one incident, although the effects of the trial as a whole were detrimental to Hua's career. The special tribunal set up to hear and conduct the trial proceedings was also an ad hoc contrivance. Composed of previous victims of the "Gang of Four" purges of the 1960s and established by order of the Standing Committee of the National People's Congress, the special tribunal actually had no legal basis in the Constitution of the People's Republic of China.

Although the trial of the "Gang of Four" is technically over, the campaign to discredit their particular brand of Chinese Communism and their remnant supporters — many of them probably now hiding in the closet — will most certainly continue for a long time to come. The three articles assembled in this symposium are meant to review the various aspects of the trial and to assess their implications for China beyond the end of ultra-Maoist radicalism. The one by Dr. Lyman Miller deals with the political aspects of the campaign against the radicals. Following that is an inquiry by Professor Hungdah Chiu into the legal aspects and implications of the trial. Dr. Lillian Craig Harris in her study approaches the purge of Jiang Qing and her associates from the human-rights angle. Together, they provide a good exposé of the lessons that one can learn from the trial as the culmination of the purge of radicalism in post-Mao China. The selected primary documents, appended at the end of the collection, will provide additional details of the accusers' version of that purge. When read against the literature turned out during the Cultural
Revolution by the radicals, these should round out the picture of a prolonged struggle between the radicals and the "revisionists," in which this time the "revisionists" won.

Postscript: Subsequent to the above writing, the long-awaited sixth plenum of the Central Committee (CC) of the Chinese Communist Party (CCP) was convened on June 27-29, 1981. The results from the session brought the momentum built up during the "Gang of Four" trial to its logical extension. Hua Guofeng, Mao's hand-picked successor, was officially removed and demoted to the position of one of the Party's Vice Chairmen. More important, Mao's historical place was finally relegated to that of a brilliant revolutionary leader but ignominious ruler. A CC resolution adopted at the plenum credited Mao for his "indelible meritorious service" in bringing the CCP to power, but severely criticized him for having committed "theoretical and practical mistakes" as China's leader between 1949 and 1976. The greatest errors were made, it declared, during the Cultural Revolution, causing China "the most severe setbacks and heaviest losses."

In the four years since he came back to power in 1977, Deng Xiaoping, who had been purged twice by Mao for ideological deviations, has carefully built a sufficiently wide-based coalition to push through his modernization programs and to remove Hua from the Party's chairmanship. Although Hu Yaobang, a protegé, was made to replace Hua as the new Chairman, Deng will most probably remain as the country's de facto ruler. The more pragmatic brand of socialism fashioned by Deng is most likely to dominate in the People's Republic of China (PRC) for the immediate future.

Although the retention of Hua Guofeng as a lowest-ranking Vice Chairman and a junior Politburo member and the less-than-total denunciation of Mao were compromises between the Deng group and the others among top Party leaders, Deng and his associates have emerged from the sixth plenum much stronger than before. Their latest victory was the crowning event for a prolonged and carefully calculated campaign to eliminate diehard Maoists from state, Party, and military bureaucracies. The trial and conviction of the "Gang of Four" was the culmination of that campaign. The significance of the trial, as Deng's reversal of Mao's Cultural Revolution, has thus been further illuminated by the latest developments in the PRC.

All the essays in this symposium were written before the landmark sixth plenum, but the developments were mostly anticipated by the authors. We have decided to let the essays stand as originally written.
Chapter I

THE CULTURAL REVOLUTION IN THE DOCK: THE TRIALS IN POLITICAL PERSPECTIVE

By H. Lyman Miller*

The opening of criminal trials of the Cultural Revolution's surviving leftist elite in Beijing on November 20, 1980 was by any account a political spectacle, even judging by the standards of a country whose political history over the previous two decades has routinely provided the makings of high political drama. For the first time in PRC history disgraced members of the CCP's highest leadership were now on public trial for a long list of sensational crimes, including attempts to assassinate Mao Zedong and to foment armed rebellion in China's largest city. For several weeks the trials' almost daily proceedings dominated China's media, as the press frontpaged accounts of each day's events and Chinese radio and television carried long taped excerpts of each day's testimony. For the first time in four years, pictures of Mao's widow Jiang Qing returned to the pages of People's Daily. Virtually the last time her picture had appeared in the party's daily newspaper had been in September 1976, when she was portrayed as the deceased chairman's grieving widow and loyal student; now she appeared on the People's Daily's front page as the condemned "principal conspirator" of a vicious counterrevolutionary clique.

The opening of the public trials of the "gang of four" and the surviving associates of Lin Biao, nevertheless, was only the latest spectacular political event in a year which had already witnessed several other dramatic political happenings. The trials' opening was thus preceded in the same year by the posthumous rehabilitation and political exoneration of Mao's most important antagonist and the Cultural Revolution's highest victim, Liu Shaoqi, in the spring. Hua Guofeng was replaced by Zhao Ziyang as State Council premier amid a surge of reformist political rhetoric at the Fifth National People's Congress (NPC) third session the following September. Shortly after the trials opened, moreover, indications in the Beijing press lent credence to rumors alive in the Chinese capital that Mao's heir Hua

* The views expressed here are those of the author's.
Guofeng had been forced to resign as party chairman, pending formal approval at an upcoming sixth plenum of the party Central Committee. Clearly, in the context of the sweeping political changes already in motion as they opened, the trials' undeniably sensational character must be placed in the perspective of the equally remarkable political events of that year.

As most observers of the Chinese scene have concluded, all of these political events of 1980 appear to have been the successful culmination of efforts by party Vice Chairman Deng Xiaoping. The trials of the Cultural Revolution Leftist elite, together with the posthumous rehabilitation of Liu Shaoqi and the apparent political demise of Hua Guofeng, have thus been seen as part of Deng's relentless efforts to transform both the style of politics in the PRC and the substantive direction of the regime policies. This paper attempts to assess the broad political significance of Deng's efforts to open public trials of the "gang of four" and Lin Biao's associates from the broader perspective of his overall reformist political program as it has emerged in the last three or four years, and to evaluate the extent to which the results of the trials has advanced his goals.

Specifically, Deng Xiaoping appears to have had two interrelated aims in pressing for the opening of public trials of the Cultural Revolution left. First, the public trials contributed to his drive to transform the CCP into a more suitable instrument for guiding the rapid, all-out modernization of China, both by furthering his efforts to repudiate the ideology and politics of the Cultural Revolution decade and by opening the way for a more thorough purge of the party's ranks swollen by leftist members recruited in that period. Second, in providing a vivid, concrete example of the application of socialist law to persons who were once among the CCP's highest leadership, the trials were intended to be a dramatic symbol of Deng's efforts to establish the regime's permanent commitment to the supremacy of law and institutional procedure as the arbiter of political conflict in the future, a reliable guarantee that political and social conflict born out of the process of modernization would not again escalate into a new Cultural Revolution.

Deng Xiaoping's success in achieving these twin goals as the trials closed in early 1981, however, seems in doubt. Political controversies generated by the trials themselves, erupting in the midst of a major shift in the political climate in Beijing away from

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1. (Editor's note) Hua's resignation was accepted by the Party's Central Committee and announced on June 29, 1981.
Deng because of other, unrelated issues, seemed to prevent conclusion of the trials in a manner unambiguously favorable to Deng Xiaoping's goals. As the trials progressed, Deng's two interrelated aims in opening them seemed increasingly to contradict rather than complement each other, as his short-run aim of using the trials to discredit the Cultural Revolution seemed to poison the legalistic atmosphere so essential to his long-term goal of establishing law, and not political expedience, as the final criterion for judging acceptable political action. Accordingly it seems doubtful, at this early writing, that the trials will be remembered in China as a triumph of law over political criminality and as a watershed submission of the party and its politics to higher, state defined standards of permissible political conduct, than simply as Deng's personal political vendetta against his most vicious political antagonists.

Deng Xiaoping's Goals

Deng Xiaoping's efforts to transform the style and substance of politics in China since the death of Mao Zedong in 1976 have repeatedly placed him at the center of political controversy in Beijing. Finding support among a broad coalition of veteran leaders in the Chinese hierarchy, Deng has relentlessly maintained the political initiative in attempting to bring about fundamental changes in Chinese politics, despite evident setbacks periodically in the past four years. Convinced of the need for rapid Chinese modernization in a tense international environment, Deng has been in the forefront of China's leadership in stressing the corresponding necessity of drastic political reform, both in Chinese society and most particularly in the CCP itself, to accompany modernization in other areas.

Deng Xiaoping's political reform program has been extensive in scope and radical in nature. With respect to political life in the CCP, its main features include the following:

(1) A more flexible interpretation of the principles of Marxism-Leninism as they apply to the concrete realities of Chinese modernization in the current stage, leading in particular to an overall depoliticization of economic, social and cultural activity in Chinese society;

(2) The firm reassertion of the party's organizational rules and institutions as the ultimate arbiter of authority in party politics, rather than an appeal to the will and wisdom of an infallible charismatic leader above a party organization whose legitimacy is subject to routine challenge; and
The cultivation of a party membership competent to administer and guide an increasingly complex and technologically advanced society, recruited and evaluated according to managerial and technical criteria rather than standards of rigorous ideological purity or political expertise in areas such as "waging class struggle."

In pressing these interrelated concerns, Deng Xiaoping has led the way among the current leadership in attacking the political style and ideological foundations of politics prevailing during the Cultural Revolutionary years of 1966-1976, the last decade of Mao Zedong's life. Deng's challenge to the "Maoist" politics of the Cultural Revolution decade has come in four broad areas. First, Deng has attempted to abrogate the supreme status of Mao Zedong Thought as the sole doctrine conferring legitimacy on political behavior and policy. Where Mao Zedong Thought during the Cultural Revolution years had been enshrined as the unique wisdom of Marxism-Leninism's greatest modern inheritor and innovator, Mao Zedong Thought now is portrayed only as Mao's "crystallization" of the "collective wisdom" of the party's veteran leadership through the CCP's revolutionary period, a doctrine which corresponded brilliantly to the demands of the Chinese revolutionary situation of the time but not necessarily to the present.

Deng's vanguard effort to bring about this ideological transformation, of course, was the campaign to "take practice as the sole criterion of truth." Taking Mao's Yanan slogan of "seeking truth from facts" as its keynote, this study movement implicitly challenged the supreme legitimizing authority of Mao's doctrines by arguing that an ideology's truth must be assessed solely by the extent to which it provides correct interpretations of current political and social realities and leads to the formulation of correct policy. The principles of Mao Zedong Thought, the "practice" campaign implied, should be retained where they correctly correspond to current Chinese realities; they should be discarded where they do not. Since Deng finally achieved an authoritative leadership consensus endorsing the "practice" campaign and its implications in the summer of 1979, Chinese political commentary has become increasingly explicit.

about the relative merits and limitations of Mao's thought. One important commentary in the party's theoretical journal *Red Flag* very recently observed, for example, that Mao Zedong Thought represents the crystallized body of correct ideas of the party leadership up until 1957, which must be distinguished from Mao's erroneous ideas after that year, when the chairman became increasingly divorced from the realities and demands of China's development.²

This delineation between Mao's correct guidance of the CCP during the earlier parts of his career from his erroneous ideas in the later years of his life points to a second major area in which Deng has challenged the politics of the Cultural Revolution years — the reinterpretation and rewriting of authoritative party history. In this regard Deng Xiaoping has pressed hard for a formal, authoritative resolution by the party critically evaluating Mao's leadership of the party in the last years of his life and repudiating the politics and policies of the Cultural Revolution decade. As commentary in the press arguing the necessity for such a formal statement on party history has suggested, authoritative judgment on such historical questions would parallel a similar authoritative reckoning on questions of party history at the party's 1945 7th Congress and is crucial for defending the longterm legitimacy of the current regime's policies and line.³ Just as the 7th CCP Congress' historical resolution had authoritatively interpreted the history of Mao Zedong's triumph over Wang Ming for leadership of the party over the preceding fifteen years, the new party history resolution would sum up authoritatively the deviations and errors in Mao's leadership after 1957. While the specific judgments to be incorporated into such a formal party resolution have undoubtedly been the object of persistent leadership contention, the communique of the February 1980 Fifth Plenum suggested that the party's Twelfth Congress would be convened ahead of schedule to resolve the "important ideological and theoretical problems" involved in such a historical resolution.⁴

Clearly connected to Deng's effort to bring about a formal party condemnation of leftist deviations in the party's work after 1957, and

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³. See *e.g.*, the contributing commentator article, "Unite and Look Ahead," *Renmin ribao*, January 18, 1979, p. 1.

particularly of the Cultural Revolution itself, has been the piecemeal "reversal of verdicts" on the entire range of events, policies, and personalities repudiated over the same period under Mao Zedong’s leadership. This effort has proceeded steadily over the past three years, including the landmark exoneration of Mao’s outspoken antagonist from the Great Leap years, Peng Dehuai, at the 1978 Third Plenum and culminating in the politically spectacular return to political honor of Liu Shaoqi last year.\(^5\)

Deng’s efforts to dilute the authority of Maoist dogma and to establish an authoritative party repudiation of the Cultural Revolution years relate in concrete application to his efforts to undertake a more thorough purge of the party apparatus of cadres who were recruited into the party during those years, the third broad area in which Deng has attempted to reverse the politics of the Cultural Revolution. The CCP’s membership doubled over the decade from 1966 to 1976, increasing from around 18 million members to over 38 million. Most of those admitted to the party during that period were recruited according to the highly politicized criteria of the Cultural Revolution and presumably they remain committed to the ideological principles pre-eminent during those years. As press commentary associated with Deng has pointed out, such cadres constitute a hidden threat to the long term implementation of the leadership’s current policies and must be removed for the sake of future political stability.\(^6\) Just as commentary stressing the importance of a formal party judgment on the Cultural Revolution years looks back to the 7th CCP Congress’ resolution on the history of Mao’s Yanan triumph over Wang Ming, commentary pressing a wider purge of leftists from the party apparatus similarly cites the precedent of Mao’s Yanan rectification drive to purge the CCP’s ranks of followers recruited into the party under Wang Ming’s leadership — a model which ironically would now be used to remove party members still loyal to Mao and his political legacy itself.

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5. For Peng Dehuai’s rehabilitation, see Renmin ribao, December 25, 1978, pp. 1–3; on Liu Shaoqi’s rehabilitation, see Renmin ribao, May 18, 1980, pp. 1–2.

Finally, the last aspect in which Deng has challenged the politics of the Cultural Revolution decade has been his assertion of the ultimate authority of the party's organizational rules and institutional procedures. Where during the Cultural Revolution Maoist doctrines permitted the masses and party activists to "kick aside" party committees and institutions whenever such party organs inhibited the spontaneous and progressive will of the popular masses, party members must now advance the demands of the masses through prescribed party channels and mechanisms. Deng's efforts to regularize party activity are embodied in the "Guiding Principles for Inner-Party Political Life," promulgated by the February 1980 Fifth Plenum and, together with the revised party constitution draft approved at the same party meeting, circulated throughout the party ranks thereafter as the focus of party study and rectification. Reinforcing the authority of party rules and organizational discipline in party political life has been the re-establishment of party discipline inspection committees at various levels of the party apparatus, as prescribed by the party's Third Plenum in December 1978.

Complementing these efforts to reassert the final authority of the party organization itself, Deng has attempted to make compensating modifications in the party's workstyle. Deng has thus led the way in stressing the "democratic" aspects of democratic centralism in party life. Deng in this regard has called for a more collective leadership style and an end to more dictatorial styles of leadership and the "system of lifetime tenure" in leadership positions.

Deng Xiaoping's broad efforts to reform political life within the CCP have been complemented by attempts to bring about similar reforms in Chinese society as well. Paralleling his efforts to induce greater intraparty democracy and to assert the ultimate authority of the party's organizational rules and procedures, Deng has similarly pressed for greater "democracy" within Chinese society at large, for a strengthened socialist legal system, and for a greater separation of party and state activities. The most outstanding examples of Deng's efforts to promote greater democracy within Chinese society have been the "Beijing Spring" movement at "Democracy Wall" in the capital, which blossomed from an otherwise typical wallposter

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campaign preceding the party's Third Plenum and which Deng defended in its early stages, and the third session of the Fifth NPC in September 1980, which the Beijing press went to great lengths to portray as a model of genuinely democratic deliberation and consultation.9 Similarly, Deng Xiaoping appears to be the foremost supporter among the leadership of efforts to democratize election procedures in lower-level government and mass organization bodies, including calls for secret ballots on slates naming more than single candidates for any one office.

At the same time calls for strengthening China's legal system and for the rigorous, universal application of law to all criminal behavior, regardless of political intent, have been staples of Dengist political rhetoric. The Fifth NPC's second session in June 1979 revived a 20-year old effort to set down a body of legal codes which had been stalled by political contention among the leadership through the Cultural Revolution years, and subsequent meetings of the NPC and its Standing Committee have continued the process.10 Political commentary in the Beijing press has in the meantime illustrated the theme that "everyone is equal before the law" with examples of legal action taken against instances of corruption and bureaucratic malfeasance among party and state cadres at various levels.11

And finally, Deng has pressed for a greater separation of party and state powers, together with an overall depoliticization of normal government activity in the PRC. Arguing that the experience of the Cultural Revolution has demonstrated conclusively that the party's "usurpation" of virtually all of the state's normal functions has both overburdened the party and hampered the orderly administration of social and economic life under China's socialist system, commentary expressing Deng's point of view has accordingly stressed that the CCP should confine itself simply to "exercising political leadership over the state." The party, such commentary explains, thus should

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10. The new criminal codes, for example, appear in Renmin ribao, July 7, 1979, pp. 1, 3 & 4, and July 8, 1979, pp. 1–3.

11. See e.g. the commentator article, "This Type of Bad Trend Must Be Stopped," Renmin ribao, October 30, 1980, p. 1.
provide leadership in overall "line, principles and policies" rather than leadership in "administration, technology, business and management" which are areas in which the state properly exercises authority. The Fifth NPC's third session is in that regard praised as a state meeting which followed the CCP's general lead in initiating major changes in a "spirit of democracy and reform" and which thus "embodied the functions of the NPC as the highest organ of state power in a highly significant way."

Taken as a whole, the thrust of Deng Xiaoping's efforts to transform both the style and substance of political life in China is toward a political atmosphere which encourages the expression and resolution of conflicting political views and interests beneficial to the primary goal of rapid Chinese modernization, but within a context which structures such debate and conflict according to firmly-established organizational rules and bodies of socialist law. In that regard, of course, Deng inherits a political tradition within Chinese Communism which had come to the fore at the 8th CCP Congress in 1956 but which was subsequently repudiated thoroughly during the Cultural Revolution. The keynote of that approach had been sounded at the 8th CCP Congress by Liu Shaoqi in words as meaningful for Deng's political reform program in post-Mao China as they were for political events in 1956. "The question of who will win in the struggle between socialism and capitalism in our country has now been decided," Liu stated. The victory of socialism in China, Liu concluded, means that "the period of revolutionary storm and stress is past, new relations of production have been set up and the aim of our struggle is changed into one of safeguarding the successful development of the productive forces of society, so that a corresponding change in the methods of struggle will have to follow and a complete legal system becomes an absolute necessity."

In thus upholding what might be termed the "8th CCP Congress line" on the political requirements of Chinese modernization in the socialist stage, Deng Xiaoping is simultaneously overthrowing the

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line developed by Mao Zedong in the years of leadership strife after 1956. That approach, which found its most vivid expression in the Cultural Revolution itself, was built on Mao's thesis of "continuing the revolution under the dictatorship of the proletariat." According to that approach, class struggle in socialist society, far from receding as Liu Shaoqi had suggested, may actually intensify as disenfranchised reactionary elements from the abolished exploiting classes make last-ditch efforts to regain power and as the continuing corrosion of residual reactionary ideologies compromises the revolutionary integrity of the leadership of the party itself. Social progress in socialist society therefore demands the ever-sharper drawing of class lines in society and may ultimately require the overthrow of once revolutionary leaders of the party now corrupted by the "sugar-coated bullets" of reactionary ideologies and the abandonment of formal party and state institutions, laws and procedures which ultimately may restrain rather than safeguard or advance the progressive desires of the masses and their activist leaders.15

The Maoist approach to China's development in the socialist stage was reaffirmed as the basis of politics early after Mao's death in 1976 but has been the focus of strong ideological attacks by Deng and his political allies since then. Chairman Hua Guofeng authoritatively endorsed the thesis of "continuing the revolution under the dictatorship of the proletariat" as Mao's greatest contribution to the body of Marxist-Leninist theory, and the 11th CCP Congress in 1977 called on the party to "persist in continuing the revolution" as part of its basic task. Class struggle remains the CCP's primary task in the current stage as long as the threat of overthrow and subversion of the revolutionary regime persists, the party's 1977 Constitution declared, warning that political revolutions such as the Cultural Revolution "will be carried out many times in the future.”16 Thereafter, at the December 1978 Third Plenum — a major watershed in post-Mao Chinese politics — the party implicitly reaffirmed the 8th CCP Congress line in declaring that "the large-scale turbulent class


struggles of a mass character has in the main come to an end” and that what class struggle remains must be handled “in accordance with the procedures prescribed by the (state) constitution and the law” as the party “shifts the focus of its work” to speeding China’s modernization.17

Within this broad framework of Deng Xiaoping’s efforts to bring about a fundamental transformation in post-Mao Chinese politics, the Beijing trials of the “gang of four” and the surviving members of Lin Biao’s clique played an important symbolic part. By bringing the Cultural Revolution’s most prominent leftist leaders — save Mao himself — to trial, Deng was in effect putting the Cultural Revolution itself on trial in perhaps the most dramatic example of the restored 8th CCP Congress line in practice. The Beijing trials were thus intended to complement Deng’s drive to win final, authoritative condemnation of the Cultural Revolution years in party history, to provide a vivid demonstration of the current regime’s permanent commitment to modernization within a framework of authoritative laws and institutions, and to further efforts to root out those still committed to the Cultural Revolution’s politics and principles from the party and state apparatus.

The massive attention given the trials in the PRC media repeatedly stressed the importance of the trials for these various complementary political goals. To further explicit condemnation of the Cultural Revolution decade, for example, the Beijing prosecutors tried the leaders of the Cultural Revolution’s two most important leftist cliques together — albeit in separate courts — and tried them only for crimes during the Cultural Revolution. The Lin Biao and “gang of four” cliques, PRC Chief Procurator Huang Huoqing explained in reporting preparations for the trials, had “common counterrevolutionary goals and common counterrevolutionary actions” and were thus “entangled and inseparable from each other.” Huang’s report provided a new benchmark itself in overall condemnation of the Cultural Revolution by repeatedly enclosing the term “Cultural Revolution” in quotation marks, a derogation of the period that has become conventional in the Beijing press thereafter.18 While Huang explained that deceased participants in the Lin and “gang” cliques would not be tried posthumously, the criminal activities of

such dead leftist leaders were recounted in detail in the press during the trials, including those of Kang Sheng and Xie Fuzhi. As the trials proceeded, moreover, the Chinese media carried long accounts of the Cultural Revolution's most notorious events — most notably of the death of Liu Shaoqi, the attempted coup of Lin Biao in 1971, and the attempted radical insurrection in Shanghai in 1976 — easily the most informative reports on these affairs by Beijing's own telling. The long indictment of the trials' defendants itself advanced authoritative interpretation of the Cultural Revolution decade by providing details of several incidents only alluded to previously and for the first time mentioning several leaders of the period who since 1976 had disappeared from public view without explanation.

Underscoring Deng's hope that the trials would lend impetus to efforts to remove or discredit leftists from various levels of the party and state leadership, Huang Huoqing in his report on preparations for the trials observed that other defendants would be tried at appropriate levels of the court system. The People's Daily, in a January 26, 1981 editorial on the close of the trials, predicted triumphantly in that regard that the trials' verdicts "will help us to pass correct judgment on other defendants in the case of the Lin Biao and Jiang Qing counterrevolutionary cliques and to strike at as well as disintegrate the remaining forces of these two counterrevolutionary cliques, and encourage more people to admit their guilt."

That the trials were intended to demonstrate the regime's permanent commitment to law as the ultimate arbiter of political


behavior under Chinese socialism was stressed repeatedly throughout the trials. A *People's Daily*'s September 30, 1980, editorial on preparations for the trials thus observed that the proceedings would provide China's masses with "an intensive education in the socialist legal system" and would "declare to the whole country and the whole world that our country will become still more stable and united and that our socialist cause will surely advance soundly along the path of democracy and legality." 24 The *Guangming Daily* on September 30th recalled that Lin Biao and the "gang of four" had "totally disregarded party discipline and state law and created a situation of chaos and absolute lawlessness," so that "the state did not function as a state and the party could not function as a party." "This bitter historical lesson," the *Guangming Daily* continued, "clearly demonstrates to us the truth that the law of the People's Republic is a magic weapon in the hands of the people to rule the country and to protect themselves." 25 The *People's Daily* similarly noted in an editorial as the trials opened that "the era of lawlessness when the Lin Biao and Jiang Qing counterrevolutionary cliques were running wild is gone forever" and that China "has now entered a new period of promoting socialist democracy and strengthening the socialist legal system." 26

The Verdicts: Triumph or Setback?

The Beijing trials closed on January 25, 1981, with the same triumphant fanfare that had greeted their opening. The *People's Daily* on the following day declared that the trials' verdicts against the Cultural Revolution cliques are "verdicts of history" which have "realized the people's wishes." The condemned leftist leaders "have forever been condemned to disgrace in history as the people's public enemies, arch-usurpers of state power and national criminals, and they will go down in history as a byword for infamy," the party paper predicted. 27 China's domestic and foreign media thereafter poured out a flood of commentary patterned after the same themes laid out by

the People's Daily, claiming to express the deep satisfaction of people at all levels of the country.

Despite the predictably triumphant note sounded in the public media at the trials' close, however, a number of indications throughout the trials suggested that they may not have completely fulfilled the aims that Deng and his associates entertained in opening them. While it is certainly too early to determine whether in the long run the results of the trials contributed to the advance of his overall reform program, the trials in the short run may have contributed to clear political setbacks to his reform enterprise since the trials opened, however short-lived those setbacks may turn out to be.

Since his political rehabilitation in 1977 Deng's efforts to bring about a fundamental transformation in Chinese political life have been resisted by a variety of groups in the central party leadership. The most important group opposing Deng's drastic political reforms has been a coalition of moderate or centrist leaders led by party Chairman Hua Guofeng and Vice Chairmen Ye Jianying and Li Xiannian. Proceeding from diverse political interests and loyalties and from differing perspectives on China's domestic and foreign situation, these leaders have appeared to find common ground in opposing the scope and speed of Deng Xiaoping's efforts to transform China's political and economic systems. From time to time, moreover, the politically independent party Vice Chairman Chen Yun has appeared to align himself both with Deng Xiaoping on one hand and with political moderates like Hua Guofeng and Ye Jianying on the other, depending on the particular issue at hand. Leaders like Hua, Ye and Li Xiannian have thus stressed the necessity of political "stability and unity" for the sake of modernization and apparently perceive Deng's drastic political and economic reforms to be too divisive to party unity and social stability. Where Deng Xiaoping evidently believes that a more critical assessment of the party's leadership under Mao Zedong, a more thorough purge of the party's membership and a liberalization of party control to be the key to solving both the "crisis of confidence" in the CCP's leadership and the success of the "four modernizations," the moderate leadership suspects that these reforms will only exacerbate China's problems. Further criticism of Mao and the Cultural Revolution can only further damage the party's already dimmed prestige, efforts to extend the party purge will only sharpen already acute antagonisms in lower-level party organizations, and efforts at liberalization will only weaken party authority and control at a time when such attributes are needed most as China's modernization accelerates, such leaders
appear to argue. The main threat to China's socialist modernization, leaders like Hua Guofeng have suggested, is not the "left erroneous trend" within the party which remains committed to the politics and principles of the Cultural Revolution years but rather the "right erroneous trend" in Chinese society at large which doubts the capacity of the CCP to lead Chinese modernization — a diverse body of opinion which may in fact grow stronger as a side-effect of modernization itself.\textsuperscript{28} This moderate coalition has from time to time dealt Deng Xiaoping unmistakable setbacks politically, sometimes on single political issues but at other times on a broad range of fronts. Despite such setbacks, however, Deng has in the past three years won a series of important political victories against his moderate opposition, particularly in 1980.

The ability to win consistent political victories over his opposition has been crucial to the long-run success of Deng's overall reform program. The reason for this need concerns the balance of political sentiment at lower levels of the party apparatus. Provincial political commentary thus describes three main types of cadres at local levels in China. Some cadres, according to such comment, strongly endorse Deng Xiaoping's reformist political goals and policies and vigorously support them at their levels. Another group of cadres — most of whom were recruited and advanced during the Cultural Revolution years — actively oppose Deng's policies, either out of the political conviction that they are "revisionist" or out of personal political interest. Both of these two groups, provincial commentary has suggested, comprise minorities among the body of local cadres. The overwhelming majority lies between the two leftist and reformist wings. Accordingly, they sympathize with the overall direction of Deng Xiaoping's policies and reforms but choose not to implement them because they are not convinced that Deng has gained the upper hand in the central party leadership permanently and that therefore one day they may again be attacked for implementing "rightist" or "revisionist" policies as cadres were during the Cultural Revolution years. Such persisting concern for a potential leftist return to power has commonly been referred to as the "lingering fear" in the party's ranks and frequently cited as the major obstacle to the implementation of Deng's reforms since the Third Plenum.\textsuperscript{29}

\textsuperscript{28} Contrast, for example, the speeches by Hua Guofeng on May 3, 1979, in \textit{Renmin ribao}, May 4, 1979, p. 1, and by Zhou Yang, in \textit{Renmin ribao}, May 7, pp. 2, 4.

\textsuperscript{29} See e.g. the speech by Zhao Ziyang on May 22, 1979, as reported by \textit{Xinhua's} Chinese service and translated in FBIS-PRC, May 23, 1979.
Regular reassurances that Deng's political reforms are advancing without impediment at the central level have thus been crucial to Deng's efforts to dispel the "lingering fear" of the left at lower levels and thereby to ensure implementation of his policies there. Despite apparent setbacks in the wake of the Third Plenum in the spring of 1979, Deng has since then won important political victories on a number of fronts at the central level, particularly in 1980. The results of the Fifth Plenum in February 1980 — leading to the purge of the "little gang of four" from the Politburo, the restoration of the Secretariat, the exoneration of Liu Shaoqi, and the inauguration of a more concerted party rectification drive — and of the 5th NPC's third session in the following September, highlighted by the replacement of Hua Guofeng as premier by Deng's reformist ally Zhao Ziyang and the acceleration of reforms in the economic and state administrative structures, provided clearcut evidence that Deng was moving forcefully toward his goals.

The opening of the Beijing trials in November 1980 in the context of these other events of that year reinforced the impression of Deng's relentless advance against his opposition, particularly in anticipation of major party meetings expected to be convene by the end of the year. The emergence of persistent rumors that Hua Guofeng had been forced to resign his position as party chairman as the trials got underway also appeared to confirm that Deng's political reform program was proceeding according to schedule.30 A central work conference was expected to resolve questions of Hua's status and to offer a draft party resolution on historical questions from the Cultural Revolution years, all for formal approval by a sixth Central Committee plenum in late December 1980 or early January 1981.30a

The sixth party plenum has not come off, as of this writing at least, apparently because the underlying political compromises within the leadership over the various issues to be endorsed have come undone. The impetus for these political shifts seems to have come primarily from a new assessment of China's economic situation and its implications emerging in early December 1980, but the proceedings of the trials themselves appear to have themselves

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30. See e.g. the Agence France Presse report of December 14, 1980, in FBIS-PRC, December 15, 1980.
30a. (Editor's note) The Sixth Central Committee plenum met for three days ending on June 29, 1981, during which Hua was replaced as Party Chairman by Hu Yaobang, a protegé of Deng.
exacerbated antagonisms among the leadership, instead of playing out smoothly within a context of leadership consensus.

Certainly there must have been a carefully wrought leadership consensus behind the trials as they opened on November 20, reflecting a delicate balance of various political sensitivities and concerns among the leadership. The indictment of the leftists to be tried, released by NCNA in full as the trials opened, was a clear indication of this consensus underlying the trials. Mao Zedong is scarcely mentioned in the long, detailed list of 48 criminal charges against the defendants — the few references to him coming mostly in connection with Lin Biao's attempt to assassinate him in 1971 and the "gang of four's" efforts to sway his judgment against Zhou Enlai in 1974 on the eve of the 4th NPC. Hua Guofeng similarly was mentioned only rarely. He was not named among those suffering persecution at the hands of the left in the Cultural Revolution's early years, evidently because he did not rank high enough at that time as a provincial party leader to be placed among the leadership so named. The 1976 Tiananmen incident was mentioned only briefly as an example of the "gang's" slander of the masses, but the details of its suppression — evidently a political albatross for Hua Guofeng because of his alleged part in it — were not elaborated.

Despite the evident effort by the leadership to confine controversy over the conduct of the trials, the proceedings nevertheless were obviously expected to stir high political emotions on both sides of the Chinese political spectrum. At least one provincial leadership warned on the eve of the trials' opening of the possibility of leftist political violence in reaction to the proceedings in Beijing. Jiang Qing's vocal ridicule of the proceedings against her and Zhang Chunqiao's equally effective silent contempt for the trials seemed completely in keeping with the fierce defiance that had made both notorious in the past and may actually have won some measure of respect — if not outright sympathy — from China's population. On the right end of the political spectrum, Beijing's own media seemed,

33. David Bonavia, China-watcher for the Hong Kong magazine Far Eastern Economic Review, observed after the trials' close that "surprisingly, many ordinary Chinese felt the sentences (given the defendants) . . . were too severe. "See David Bonavia, "Will the Gang Rise Again?" in Far Eastern Economic Review, February 20, 1981, pp. 36-37.
consciously or not, to enflame passions as some commentary's vituperation of the radical leftists in the dock savored sentiments of revenge seemingly beyond the bounds demanded of impartial justice. Jiang Qing in particular seemed to be the focus of special animus, and media reporting noted with particular favor the satisfaction of Wang Guangmei and Pu Anxiu—the widows of Liu Shaoqi and Peng Dehuai, respectively—at the progress of the trials.34

That new leadership controversy may have broken out in the midst of the trials, particularly as Jiang Qing was forcibly ejected from the court on the eve of the anticipated party central work conference, moreover, seems clear from the unexplained four-day break in the trials proceedings from December 15th to 18th, and the ten-day break in proceedings against Jiang Qiang following her ejection on December 12th. The spectacle of Mao's widow being dragged from the courtroom, having evidently implicated both Mao and Hua Guofeng in her alleged crimes, on the eve of a major party conference may thus have finally cracked the façade of leadership consensus over the trials.35 Jiang was returned to the courtroom on December 23rd, but only after a remarkably defensive "contributing commentator" article in the People's Daily the day before insisted that the leftists were being tried for "crimes" and not errors or deviations in political line. While in his later years Mao Zedong had "made mistakes, especially in initiating and leading the Cultural Revolution," these mistakes were "entirely different" in nature from the criminal actions of the Lin Biao and "gang of four" cliques, the article stated.36 As the courts moved thereafter into the final stages of the trials, moreover, court prosecutor Jiang Wen summarily rebutted Jiang Qing's alleged efforts to "shift the responsibility" for her crimes onto Mao Zedong, even though Chinese media before December 23rd had given no explicit indication that she had done so.37

All of these new difficulties in the trials emerged against a political background that began to move strongly against Deng Xiaoping. The harbinger of these political reverses was an editorial in the People's Daily on December 2nd, conveying a much more

34. See e.g. the report by Hu Sisheng, "The Day the Trials Opened," Renmin ribao, November 21, 1980, p. 4; FBIS-PRC, November 24, 1980.
pessimistic appraisal of China's economic situation than had been put forward by Deng and his spokesmen in the preceding months. At the NPC session in September, for example, Deng and others tied to him had declared that the economic situation was good overall, that existing problems could be handled successfully, that the three-year "readjustment" program need not be extended past 1981, and that efforts to "restructure" and reform the economy should be accelerated. By contrast, the December 2 editorial stated that several economic problems — including serious national budget deficits, a grain harvest shortfall, and energy resource shortages — have proven to be "unexpectedly" serious, that the economic "readjustment" program must be extended beyond 1981, and that economic reforms will have to be subordinated to the overriding task of readjusting sectoral imbalances and overcoming central financial deficits.38 The New Year's editorial in the People's Daily strongly reiterated and elaborated on the pessimism on the economic front contained in the December 2 editorial and noted that an upcoming NPC Standing Committee session would have to revise the economic plans put forward under Deng's impetus at the NPC's full session the preceding September.39

Building on this new pessimism on the economy were other changes in line which equally hurt Deng Xiaoping. Beginning with a December 5 People's Daily editorial, authoritative central press commentary began to stress the necessity of effective "political and ideological work" to counter the effects on social order of prolonged economic retrenchment.40 The party paper's New Year's editorial was striking in that regard, resurrecting from political disgrace several Maoist voluntarist economic slogans which had been discredited over the previous summer and fall — including the calls to "fear neither

38. "Completely Execute and Firmly Implement the Guiding Principle of Readjustment," Renmin ribao, December 2, 1980, p. 1. For examples of the earlier optimism of Deng Xiaoping and his supporters on the economy, see Yao Yilin's comments to Japanese Ministry of Foreign Affairs adviser Ushiba Nobuhiko, as reported by Xinhua on September 5, 1980, in Renmin ribao, September 6, 1980, p. 4 and FBIS-PRC, September 8, 1980, and Deng Xiaoping's comments to Komeito leader Takeiri Yoshikatsu as reported by Xinhua on September 14, 1980, in Renmin ribao, September 15, 1980, p. 1, and FBIS-PRC, September 16, 1980.


hardship nor death” and to imitate the spirit of “the foolish old man who moved the mountain.”

In the months after December these shifts in party line were followed by other signs of leadership disarray, as one by one the whole range of Deng’s political initiatives were either stalled or reversed altogether. Campaigns to promote China’s “spiritual civilization” unfolded as part of an effort to shore up the party’s prestige and position in a context of serious economic difficulty and retrenchment. Party rectification, insofar as it involved expanded efforts to “readjust” lower-level leadership groups, seemed to recede in priority and to refocus on the need to reform and cultivate a party workstyle appropriate to economically hard times. Efforts to liberalize party controls over trade unions were reversed outright, as a January 15 People’s Daily editorial strongly reaffirmed the necessity of CCP supervision over trade union organizations and condemned any effort to “throw off” such control — a striking indication of the party leadership’s uneasiness at the implications of developments in Poland for the CCP in a situation of economic uncertainty in China itself.

Many of these shifts appear to have vindicated the views of leadership moderates long opposed to Deng, and especially those of Hua Guofeng. Hua had publicly challenged — and subsequently suffered implicit but clearly pointed criticism — the political wisdom of Deng’s excessive reliance on “material incentives” in economically-constrained circumstances and had stressed the continuing necessity of “political and ideological work” in a highly controversial speech in the previous spring. Many of Hua’s views thus expressed may have seemed, in the context of December’s evaluation of the economy, more realistic than Deng’s optimism at the NPC session in September.

The political upshot of these policy shifts clearly was to stall the advance of Deng’s reform program. The central work conference, scheduled to resolve sensitive questions in party history and concerning Hua Guofeng’s status, was held in mid-December, but was unusually short in duration, judging by the lengths of previous conferences. The work conference, moreover, appears to have dealt

43. Hua Guofeng speech to a PLA conference on political work, delivered on April 29, 1980, in Renmin ribao, May 8, 1980.
with economic rather than political problems. Hua Guofeng's status has not been clarified, and he has even appeared publicly in early February in a curious signal that the party still had not resolved its difficulties. And most telling of all, the anticipated sixth party plenum was not held until June 1981. At that meeting, Hua was demoted to a junior vice chairman of the party.

In the confused political context in Beijing, the courts finally passed judgement on the Cultural Revolution cliques on January 25, 1981. If Deng had intended the trials as both a new indication of the steady advance of his political reform program and as a demonstration of the impartial application of law to political criminality untainted by party interference, the verdicts handed down must have been seen as disappointing or at least as politically ambiguous. The two defendants who had repeatedly earned the most vitriolic invective from the press throughout the proceedings — Jiang Qing and Zhang Chunqiao — were given death sentences with two year reprieves, evidently in an effort to give them the opportunity to repent their crimes. This surprising leniency with regard to "criminals" implicated directly or indirectly in the formal indictment in the persecution and deaths of hundreds of thousands of people in the Cultural Revolution contrasts with Beijing’s apparent readiness to sanction immediate execution of convicted leftists at lower levels responsible for far less extensive crimes. Such leniency, extended to the two defendants who had done the most throughout the trials to demonstrate their contempt for the proceedings, thus seems to provide a measure of the enormous political sensitivity that still surrounds the Cultural Revolution left.

Similarly, the sentencing of Wang Hongwen to life imprisonment seems excessively harsh, both in light of the more moderate sentences given to leaders convicted of such crimes as attempting to assassinate Mao and in view of the implicitly sympathetic treatment Wang received in the press throughout the trials for his youth and attitude of apparent cooperation and repentance. One speculates that political concerns that Wang may eventually emerge as a focus of leftist

44. Note in particular the comment by Hu Yaobang in his toast at a party New Year's reception on January 1, 1981 that the recent central work conference had discussed "problems in the national economic situation" and his failure to note that the meeting had discussed political issues. Renmin ribao, January 2, 1981, p. 2.
discontent in the future may account for the seeming immoderation in his sentence.

Conclusion

While the opening of the Beijing trials must be seen as yet another measure of Deng Xiaoping's steady advance, the trials' results may also have fallen significantly short of their intended goals. Proceeding amid a dramatic shift in the overall political climate away from Deng, the trials probably served only to exacerbate central leadership tensions already sharpening under the strains of other issues. At lower levels of the party where "lingering fears" of a leftward turn away from Deng's controversial reform programs remain alive among the broad body of cadres, the trials' temporary halt amid signs of renewed leadership contention over questions raised by the trials themselves, as well as the curious verdicts at their conclusion, may not have provided the convincing symbol of firm central consensus under Deng's hegemony necessary to dispel such concerns. Certainly the trials' ambiguous and evidently politically skewed results in the overall context of leadership reversals on economic policy and other issues could have reassured very few at lower levels of the party.

Similarly, the apparent renewal of leadership debate as the trials proceeded and over the trials themselves may have poisoned the atmosphere of impartial legality necessary for the trials to stand as a lasting demonstration of socialist law as the ultimate arbiter of political conflict. Despite the repeated affirmations of the Beijing press to the contrary, the balancing of political concerns and sensitivities among the party leadership, and not the impartial workings of firmly-established legal institutions, decided the course of the trials from beginning to end.

How the trials come to be viewed in the future in China, of course, depends heavily on the political fortunes of Deng Xiaoping himself. If Deng recovers from what may yet turn out to be only a momentary lapse in the momentum of his drive for drastic political reform in China, the trials will undoubtedly emerge as an important milestone in that campaign. However, if the current economic difficulties mark a major turning point in Deng's record of political advance over the previous years — if Deng's reform programs stall or fail in the face of Chinese political, social and economic realities which require more conservative approaches — then the trials and their verdicts may again become the focus of political controversy themselves.
Chapter II

CERTAIN LEGAL ASPECTS OF THE RECENT PEKING TRIALS OF THE "GANG OF FOUR" AND OTHERS

Hungdah Chiu

The Pinyin system is used for Chinese names from the Mainland, the Wade-Giles system is used for those from Taiwan and Hong Kong.

I. INTRODUCTION

On November 20, 1980, more than four years after the coup d'etat which resulted in the arrest of the leaders of the Cultural Revolution, and more than nine years after the arrest of the alleged leaders of the abortive coup d'etat against Mao, Peking began its trials of these former leaders. Sixty-seven days later, Peking's special court handed down sentences: Jiang Qing, the 67-year-old widow of Mao and a Polibureau member, and Zhang Chunqiao, the 63-year-old former Vice-Premier, mayor of Shanghai and also a Polibureau member, both labeled "chief culprits" by the court, received death sentences suspended for two years, commutable to life imprisonment if the malfactors show "evidence of repentance during the period of suspension of execution." Eight others received sentences ranging from 16 years to life in prison. Most of those receiving specific prison terms are probably too old or too ill to survive the years in jail.

Most observers outside China would agree that the "Gang of Four" trial and the Lin Biao trial were primarily political exercises to liquidate the losers of a power struggle. The Chinese press, however, has consistently maintained that the trials were strictly legal proceedings. Soon after the announcement of the sentences, China's press called the judgments against the leaders of the Cultural Revolution a victory for the country's new legal system and described the trials as a landmark — the end of a lawless era, a successful test of China's new legal system and a demonstration that all are equal.


before the law. In view of the Chinese insistence on regarding the trials strictly as a legal proceeding, it is illuminating to consider the proceedings from the perspective of their place within the Chinese legal structure. The legality of the Peking trials is properly measured against the recently enacted Arrest and Detention Law, Criminal Law, Criminal Procedure Law, and Constitution, and against certain basic principles of the administration of justice which are also embodied in these laws and in recent Chinese legal writings. This paper analyzes the process of arrest and detention, the composition of the trial court, the defendants' use of their right to defense, the special court's evaluation of the evidence, the applicable law, and related matters in accordance with these legal criteria.

II. LEGAL DEFECTS IN THE PROCEEDINGS

A. ARREST AND DETENTION

The six defendants of the Lin Biao case were arrested in September 1971, following an abortive coup d'etat, and the four defendants of the "Gang of Four" were arrested in October 1976. It was not until April 1980, however, that the accused were finally referred to the Ministry of Public Security (the police) for investigation, and it was not until September 1980 that the case was finally referred to the Supreme People's Procuracy for prosecution.

There were three serious legal defects in the arrest and pretrial detention. First, the organ arresting and detaining the defendants was not a government agency, but a party organ. Such an arrest and detention was in clear violation of the 1954 Arrest and Detention Act of the PRC, which was applicable throughout most of the relevant period. Article 1 of this Act provides that "no citizen may be arrested except by decision of a people's court or with the approval of a people's procuracy." Article 2 of the recently enacted 1979 Arrest and Detention Act contains similar provisions and also provides that on

the effective date of the new Act, February 23, 1979, the 1954 Act would be abrogated, thus making it clear that the 1954 Act was in force when all the defendants were arrested or detained. The 1979 Act further provides that evidence against the detainees must be submitted to the appropriate people's procuratorate within three days or, in special circumstances, seven days after the arrest. The procuratorate must then either sanction the arrest or order the release of the detainee within three days (Article 8). These provisions were not complied with in the arrest and detention of the ten defendants.

The second serious legal defect concerning the arrest and detention arises from Article 92 of the Criminal Procedure Law, effective January 1, 1980, which provides:

The maximum period for an accused to be detained pending preliminary investigations shall not exceed two months. If the circumstances of a case are complicated and the investigation of a case is not concluded after two months, an extension of one month may be granted by the people's procuratorate at the next higher level.

If a case is particularly serious and complicated and the investigation of the case is not concluded after an extension of one month has been granted in accordance with the preceding provision, the Supreme People's Procuratorate shall report the case to the Standing Committee of the National People's Congress (NPC) for approval of an extension for further investigation.

The Ministry of Public Security took over the case in April 1980, but it took that organ five months to conclude the investigation. During that five-month period, however, the Supreme People's Procuratorate had neither approved a one-month extension of the investigation period nor requested the Standing Committee of the NPC for a further extension of the investigation period.8

The third legal defect in the arrest and detention arises from the 1954 Act of the PRC for Reform Through Labor.9 (The continued
validity of this Act was confirmed by the NPC Standing Committee's decision of November 29, 1979.)

Article 8 of the Act provides that "detention houses shall be used primarily for confining in custody offenders whose cases have not been adjudged," while Article 13 provides that "prisons shall be used primarily for holding counterrevolutionary offenders and other important criminal offenders whose cases have already been adjudged . . . ." In contravention of these provisions, the ten defendants in the November 1980 trials had been detained in Qin Cheng Prison for periods of four to ten years before sentences were handed down on January 25, 1981.

B. The Establishment and the Composition of the Prosecuting and Trial Organs

On September 29, 1980, the Standing Committee of the NPC decided to establish a special procuratorate and a special court to prosecute and try the ten defendants. Huang Huoqing, the Supreme People's Procurator, was appointed chief of the special procuratorate, and Jiang Hua was named chief judge of the special court. The legal basis for organizing a special procuratorate and a special court was asserted to reside in Article 20 of the Organic Law of the Procuracy and Article 31 of the Organic Law of the Court. The first of these provisions states:

The Supreme People's Procuratorate shall establish criminal, disciplinary, prison and economic procuratorial divisions. It may also, according to its need, establish other organs [to carry out its functions].

Article 31 of the Organic Law of the Court states:

The Supreme People's Court may establish Criminal Division, Civil Division, Economic Division and other necessary divisions.

12. See supra note 8.
13. See Jianpan Wu and Tao Ouyang; "On Problems of the Application of Law Concerning the Trials in the Counterrevolutionary Cases of Lin Biao and Jiang Qing," Faxue Yenjiu (Studies in Law), 1980, No. 6, p.3.
14. Ibid.
PRC jurist Zhang Youyu explained that the special court was established in accordance with the above-quoted Article 31 of the Organic Law of the Court. One may, however, argue that the Organic laws for both procuracy and court appear to provide for the establishment of standing organs (divisions), while the special procuratorate and court here are purely ad hoc creations. Thus, it may be argued that the establishment of the special procuratorate and court was without statutory basis and therefore null and void.

Even assuming that the establishment of the special procuratorate and court was legal, their composition was clearly in violation of the PRC Criminal Procedure Law and of basic principles regarding the administration of justice. First, many of the judges and procurators were not selected from within the judicial and procuratorial branches; in fact, some were even selected from among persons in active military service. For instance, one of the deputy chiefs of the special procuratorate, Shi Jinqian, is deputy-director of the General Political Department of the People’s Liberation Army (PLA). Wu Ziuquan, deputy chief of the General Staff of the PLA, was appointed as chief judge of the second tribunal of the special court.

Moreover, the composition of the prosecuting and trial organs violated Article 23 of the Criminal Procedure Law, which provides:

Judges, procurators and investigators involved in one of the following situations should withdraw from a case, and the accused and his or her legal representative have the right to ask them to withdraw if:

1. They are parties to the case or close relatives of the parties to the case;
2. They themselves or their close relatives have an interest in the case.

Among the alleged victims listed in the indictment are Jiang Hua, chief judge of the special court, and Huang Huoqing, chief procurator of the special procuratorate. Among the thirty-five judges were at least twenty who had allegedly been persecuted during the Cultural

Revolution, and most of the others were directly related to people who had suffered similarly.\(^{18}\)

In addition, the composition of the tribunal clearly violated Article 105, paragraph 2, of the Criminal Procedure Law, which provides:

Trial at higher people’s courts and the Supreme People’s Court as the court of first instance, should be conducted by a collegiate tribunal composed of one to three judges two to four people’s assessors.

In the trial of the ten defendants, no people’s assessors participated in the proceedings. PRC jurist Zhang Youyu explained this deviation from normal procedure by saying that because the special court was not an ordinary court, there was no need to have people’s assessors.\(^{19}\) However, this deviation from the prescribed lawful procedure was not explicitly authorized by the appropriate legislative organ, the Standing Committee of the NPC, and its legality is at best questionable.

C. \textit{Exercise of the Right to Defense}

Under the Criminal Procedure Law, a defendant has the right to put forth a defense or to hire a lawyer to do so (Article 26); thus, when the special court served on Jiang Qing and the nine other defendants copies of the indictment on November 10, 1980, it also informed them that they had the right of defense and could hire lawyers to make a defense.\(^{20}\) Five of the defendants did appoint or accept the court’s appointment of defense counsel. Four defendants,


\(^{19}\) See Wang Hsiao-tang, supra, note 15, p. 41. Zhang also said that among the judges appointed by the NPC Standing Committee were several persons from democratic parties and people’s organizations, so that there was no need to appoint people’s assessors. However, according to PRC law, people’s assessors must be “elected” by the people, and not appointed by the NPC Standing Committee. See Teaching and Research Office of Beijing (Peking) Political-Legal Institute, \textit{Zhonghua renmin gonghequo xinshi susong fa jiangyi} (Lectures on the criminal procedure law of the People’s Republic of China), Peking: Qunzhong chupanshe, 1979, pp. 31–34.

including Jiang Qing,\(^{21}\) declined to accept the appointment of a defense lawyer, and one defendant, Zhang Chungqiao, sat mute throughout the entire court proceedings.\(^{22}\)

In the course of the trial, the defense lawyers did not play any active role in protecting or defending the defendants. None of the defense lawyers objected to any of the prosecution's questions or asked to cross-examine a witness.\(^{23}\) The lawyers appeared to make some perfunctory remarks for their clients only on the day when the court concluded the debates concerning each defendant. Even then, the complete text of the remarks was not released and only a small part of their defense was published in the official newspaper.

Three of the defendants, Jiang Tengjiao,\(^{24}\) Chen Boda\(^{25}\) and Wu Faxian,\(^{26}\) pleaded guilty; their defense lawyers primarily argued that their clients should be treated with leniency because of their guilty pleas. One defendant, Li Zuopeng, former first political commissar of the PLA Navy, denied some of the charges but admitted others. His lawyers argued that he had, on his own initiative, confessed some crimes during the pretrial phase and had shown a certain degree of repentance since the court investigation started. They therefore requested that the court mete out lighter punishment to Li Zuopeng according to law.\(^{27}\)

Yao Wenyuan, a former Polibureau member, acknowledged that he had committed mistakes but denied the allegation that he had controlled and used the mass media to agitate an overthrow of the dictatorship of the proletariat. His defense lawyers, however, said that Yao was one of the main culprits of a counterrevolutionary clique led by Jiang Qing. They nevertheless challenged the charge in

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21. However, according to Lui Cen Pu of the law faculty of Hangzhou University, Jiang Qing did ask two of her friends to represent her but they declined to do so because her insistence on violating the norms of Chinese courtroom procedure and decorum constituted "illegal demands." See David Quinto, "Chinese Law: A Closer Look," Harvard Law Record, Vol. 71, No. 10 (January 23, 1980), p. 5.


25. The debate on his case was concluded on December 18, 1980. See "Report from the Court(s), Special Court Continues Debates," Beijing Review, Vol. 23, No. 52 (December 29, 1980), p. 18.

26. The debate on his case was concluded on December 18, 1980. See ibid., p. 20.

27. See ibid., p. 21.
the indictment that Yao had prepared public opinion for an armed rebellion in Shanghai; their challenge was based on facts which allegedly showed that the criminal conduct could not be established and that Yao should not be held legally responsible.28 Yao’s lawyers did not plead leniency for him.

For those defendants who declined counsel and chose to defend themselves, the complete texts of their statements in defense were not released. These defendants were denied the right to call witnesses they requested and were prevented from seriously cross-examining the prosecution witnesses.

D. Evaluation of Evidence

According to the reports of Western correspondents, many of the prosecution witnesses read from notes while testifying. Moreover, many witnesses were either co-defendants or had been detained for years before the trial. The defense lawyers, however, failed to argue that these circumstances might have tainted the testimony or credibility of these witnesses. At the end of each day, the presiding judge read a text pronouncing the evidence sufficient and conclusive and adjourned the court until the next day and the next charge.29

To western observers, the procurators failed to link the defendants directly to their alleged crimes in at least some charges. For instance, Chen Boda was accused of causing the death of 2,955 people and the persecution of 84,000 by giving a speech attacking a provincial party organization. While Chen did admit that he had “played a counterrevolutionary part” in the affairs, the procurators failed to establish or even indicate how the speech could have led to the alleged result.30 In the course of the trial of Jiang Qing, the procurators brought a group of witnesses to the court, each of whom alleged that in 1966 Jiang Qing ordered the ransacking of the homes of five of their former associates in the Shanghai film world of the 1930’s for the purpose of finding and destroying letters, diaries and photographs about her earlier life as an actress. However, the entire body of evidence connecting Jiang with the break-ins was apparently based on hearsay. Even the general who organized the Shanghai searches testified that it was the wife of former Defense Minister Lin Biao, Ye Qun, now dead, who gave him the instructions. The

28. See ibid., pp. 18–19.
29. See supra note 23.
30. Ibid.
assumption that Ye Qun was acting at the behest of Jiang, while possible, was not proved in court.\textsuperscript{31}

Moreover, the prosecution failed to establish a direct causal link between the defendants and the numerous deaths that took place during the Cultural Revolution. The court frequently referred vaguely to the "persecution to death" of many victims of the Cultural Revolution, but presented no direct evidence linking the Gang of Four with any of the deaths.\textsuperscript{32}

E. Applicable Law and Other Miscellaneous Problems Concerning the Trials

Article 9 of the Criminal Law provides:

Acts committed . . . before the entry into force of this law [i.e., January 1, 1980] which were not considered as offenses under the law, decrees and policies at that time shall be dealt with according to the law, decrees and policies at that time. Those which were considered offenses under the law, decrees and policies at that time and are punishable according to Section 8 of Chapter IV of the General Principles of this law [i.e., prescription] shall be punished in accordance with the law, decrees and policies at that time. But if the act is not deemed an offense or the penalty for the offense is lighter under the present law, the present law shall apply.

In accordance with the above provisions, the court was required to apply the 1951 Counterrevolutionary Act\textsuperscript{33} — the only important criminal legislation before 1979. In spite of the provisions of Article 9 of the Criminal Law, however, the special court decided to apply the


\textsuperscript{32}Ibid.

\textsuperscript{33}The Act was translated in Cohen, \textit{supra} note 5, pp. 299–302. It has only 21 articles and fails to define with reasonable precision the kinds of conduct that come within its reach. Moreover, it explicitly permits the use of analogy and the retroactive application of the Act to cover "pre-liberation" (1949) activities. For an analysis of how the PRC's criminal justice system worked before 1977, see generally Hungdah Chiu, "Criminal Punishment in Mainland China: A Study of Some Yunnan Province Documents," \textit{Journal of Criminal Law and Criminology}, Vol. 68, No. 3 (1977), pp. 374–398 and the sources cited therein.
1979 Criminal Law to acts committed before the effective date of the statute. This decision clearly violates one of the most basic maxims of criminal justice: nullum crimen sine lege (no crime without a pre-existing law making the act a crime). The rationale for the special court's retroactive application of the 1979 law was that the punishment under present law was lighter. This is hardly convincing, because there were no provisions in the 1951 Act on the alleged "framing and persecuting party and state leaders" or "usurping party authorities or seizing power", with which the defendants were charged. While the 1951 Act permits the use of analogy in applying the Act, there was no similar provision in the Act to justify those alleged activities as criminal.34 As a matter of fact, before 1976 none of the losers in any top-level power struggle in the PRC had ever been accused of violating the 1951 Counterrevolutionary Act.

Assuming that it was appropriate to apply the newly enacted criminal law, the special court sustained almost all the charges in the indictments despite some serious problems in direct cause link

34. Cf. the following explanation made by two PRC writers:

"Some argued that the prerequisite for comparing the severity of punishment between the [Counterrevolutionary] Act and the Criminal Law is that the same offense be provided in both statutes. Only when an offense provided in both is the same, can one compare the severity of punishment between the two. If an offense is defined differently in the two statutes, then the two are not comparable. Now, only a small part of the counterrevolutionary provisions in the Act and the Criminal Law have the same contents, while most of them are not identical or even similar; therefore, it would be difficult to compare the two statutes to determine which one imposes more severe punishment [on the counterrevolutionary offense].

This view is hardly convincing. Whether an offense is the same in both statutes should be determined by looking to the substance of the offense as defined in both statutes and not merely by looking at the precise wording of the statutes. So far as the substance of an offense is concerned, it is submitted that the contents of the counterrevolutionary offense provided in the Act and the Criminal Law are in most part the same. Most of the provisions of the Act could be found in the corresponding provisions in the Criminal Law. Of course, the offenses provided in the Criminal Law are more complete and some offenses such as subversion against the government and splitting the country are not found in the Act. However, this situation should not obstruct us from making comparison . . . as the Act provided [in Article 16] that [a defendant] could be sentenced by applying analogous provisions in the Act and we could make comparison between the two statutes by analogy." See Jianpan Wu and Tao Ouyang, supra note 13, p. 5. Article 16 of the Counterrevolutionary Act provides: "Those who, with a counterrevolutionary purpose, commit crimes not covered by the provisions of the Act may be given punishment prescribed for crimes enumerated in the Act which are comparable to the crimes committed."
between the defendants and the charges mentioned above. The most important charges dismissed by the special court was a charge against Jiang Qing that she plotted with three other members of the Gang of Four to persuade Mao not to appoint Mr. Deng Xiaoping as Premier when the late Premier Chou En-lai died in 1974. Even to Chinese legal minds, this charge is clearly a political rather than a criminal accusation and the special court in its judgment decided to drop this charge. This appears to be the only admirable part of the trials.

Moreover, the trial was closed to the general public and to foreign correspondents, although the PRC had claimed that it was an "open trial" in the sense that "the various provinces, autonomous regions and municipalities directly under the central government, political parties, people's organizations, government organs and PLA can send representatives to attend the trials as observers." None of these observers, however, was permitted to make any comment on the trials, other than to praise the proceedings as fair. Moreover, the 30 Chinese media correspondents who had been invited to observe the trial were not allowed to issue any individual reports; all news concerning the trials was uniformly released by the Xinhua News Agency.

Finally, under the 1979 Criminal Procedure Law and even according to PRC practice before the implementation of this law, a person sentenced to long term imprisonment or death has the right of appeal. This right was expressly denied to the ten defendants because no appeal was permitted from the verdict of the special court. The rationale for not allowing appeal may have been that the trials were conducted by the highest judicial organ, so no appeal would be necessary; nevertheless, the abridgement of the right of appeal is without statutory foundation.

III. POLITICAL ANALYSIS OF LEGAL DEFECTS IN THE PROCEEDINGS

Certain legal defects in the trials may have resulted from political considerations on the part of the Peking leadership. First,
the creation of a special court with no right of appeal and of a special procuratorate to handle the trials of the Gang of Four and the Lin Biao Clique may have been a political necessity. Because these trials were essentially political in nature, it was desirable to include among the judges and procurators representatives of all factions opposing the Gang of Four and the Lin Biao Clique, so as to demonstrate the unity of these factions against their common enemy. Moreover, the creation of a special court and a special procuratorate was the only way to ensure the participation of the military in the trials. Since no group in the PRC can retain power without the support of the military, their participation was politically essential.

Second, because the trials were political in nature, the unity of the judges in conducting the trials and rendering the sentences was essential. This unit could be guaranteed only if each and every judge had a personal grievance against the defendants. While a judge in the PRC would rarely, if ever, refuse to follow a party directive as to the outcome of a judicial case, the PRC sought to avoid the slightest risk of possible diviation in these politically sensitive cases. For this reason, Article 23 of the Criminal Procedure Law requiring withdrawal of judges and other interested persons was totally ignored.

Third, the "open trial" requirement of the Criminal Procedure Law was not strictly followed simply because the PRC leaders did not want to allow the defendants, especially Jiang Qing, to present their cases to the public, anticipating that the defendants would try to shift the blame to Mao, attributing all their alleged crimes to Mao's instructions. Similarly, the Peking leadership denied the right of appeal so as to bring the cases to a speedy conclusion and thereby avoid undue publicity for the defendants. Thus, a policy of information containment pervaded the entire proceedings and political considerations overrode legal safeguards and guarantees.

V. Conclusions

From the preceding analysis of the trial proceedings, it is clear that the trials were essentially a political proceeding and, in fact, an act of vengeance by the officials currently in power against the losers of a power struggle.39

It has been suggested that the Peking trials should be compared with the Nuremburg war crimes trial held by the Allies after World

However, there are several major differences between the two. First, in the Nuremburg trial, none of the judges and prosecutors was a direct victim of Nazi aggression or persecution. Second, the Nuremburg trial was genuinely open, while the Chinese trials were, in fact, closed to all but a limited few and were subject to highly restricted media coverage. Third, it was well known that it was Mao who had started the Cultural Revolution and who had issued many directives which caused the persecution of millions of people in China. In the course of the trials, however, Mao's responsibility was never reviewed by the Court, while his subordinates who implemented his orders or instructions were held to bear full criminal responsibility. This is equivalent to saying that Hitler was not responsible for the start of the Second World War and the resulting atrocities. Moreover, the Chinese trials never convincingly responded to Jiang Qing's defense that she had acted on the instructions of Chairman Mao and other top officials and that her deeds had been ratified by the then-sitting Community Party Central Committee.

The trials were characterized as a showcase for China's recently enacted Criminal Law and Criminal Procedure Law and praised by Chinese jurist Qiu Shaoheng (known as Henry Chiu abroad) as the turning over of "a new leaf in the history of the administration of justice in China." There is little doubt that the trials were of immense public and political importance. However, the record belies the assertion that China has entered a new era in the administration of criminal justice. Consistent failures to observe individual rights and procedural rules raise serious questions as to the legitimacy of the proceedings and of the verdicts handed down after over four years of preparation and two months of trials.

40. See Butterfield, supra note 4.
41. On Mao's close relations with the ten defendants, see an interesting report in "Mao and the Two Gangs," Inside China Mainland, December 1980, pp. 8–12.
43. See supra note 22.
Chapter III

IMAGES AND REALITY: HUMAN RIGHTS AND THE TRIAL OF THE GANG OF FOUR

By Lillian Craig Harris*

An examination of the Gang of Four trial from a human rights perspective confronts us immediately with the Procrustean dilemma of whether Chinese society can fairly be measured against an essentially western concept. Chinese society seeks to offer individuals basic rights to life, happiness, health and opportunity. But for the Chinese the concept of society as a whole takes precedence over the rights of individuals. "The notion that individuals might have rights against their social group, society or the state [is] an utterly alien concept." Thus, what would be an obvious human rights violation in New York City might not necessarily be any such thing in Shanghai.

A related problem involves Chinese value systems. Revenge, anger and hatred against "untruth" and "evil" are accepted virtues in both Chinese tradition and in the lexicon of the Chinese Communist Party. But the Christian tradition which fathered the present Western definition of human rights finds glorification of such concepts and motives at least theoretically both repugnant and foreign. Can we judge the Chinese according to rules which violate their basic spiritual and philosophical concepts? On the other hand, can we, in the words of Simon Leys, fail "to apply standards of common sense and common decency to the analysis of the Maoist experiment?" Can we adhere to the "remarkable doctrine" held by some that the Chinese "were so different from the rest of mankind that they had no need for human rights and no desire for individual justice?"

Further, how can anyone really measure a totalitarian governmental system for the white hat and leisure suit of "human rights"? Beijing simply does not dress that way. The party's

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* Views expressed here are author's.
insistence that it remains the only legitimate source of doctrine and authority appears to violate the most basic principles of human conscience and intellectual freedom. But the CCP has merely built on traditional Chinese values in seeking to develop "a socialist society in which collective state aims took precedence over individual rights." How then can analysis and examination continue? They can continue only on the basis that some totalitarian systems are more repressive than others.

Here, however, we confront an even more difficult dilemma. The Chinese concept of reforming the wrongdoer is through reeducation, not elimination as remains typically the case in other totalitarian societies and systems. In China thousands of people remain without trial in "reeducation through labor" camps. How does one assess the extent to which human rights are violated by coercion as opposed to death? Orwellian thought reform may be a greater violation of the human spirit than mere torture and slaughter of the physical body.

Given these difficulties of adjustment and definition, we might be hard put to justify any comment on the human rights situation in China, were not the Chinese people and government themselves presently so seized by human rights considerations. Chinese tradition calls for redress of the people's grievances by their leaders and despite awareness of the Gang of Four trial's political content and their fears of once again being misled, it is in that tradition that the Chinese people would like to see the trial. Despite the theatrics and manipulation, it is in that tradition that China's leaders intend for the trial to be seen. "The principle of revolutionary humanitarianism," said the People's Daily as the trial drew to a close, "has been applied."

For outsiders, however, it is necessary to study the trial in the broader context of present and past political and social conditions. What occurred during the November 20 to December 29 trial was not simply an examination of the criminal behavior of Lin Biao, Jiang Qing and their respective colleagues. Often what appeared in the popular and official media gave profound insight into an ongoing power struggle and a society's attempts to come to terms with its continuing problems.

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**Human Rights in China**

Recent developments in China suggest that the human rights situation is gradually improving. This improvement is closely tied to the success of far-reaching reforms introduced under the leadership of Vice Chairman Deng Xiaoping, reforms which have encompassed party and governmental structure and practice, civil and political liberties, the judicial and legal systems and economic and social practice. Restrictions on religious practice have been relaxed, for example, and there is movement toward the administration of minority districts in ways that take greater account of ethnic customs, cultures and special circumstances.

The September 1980 session of the National People's Congress formalized a series of Dengist reforms, including the decentralization of decision making, strengthened the role of law and, as a signal of "nothing to hide" to the world, opened the NPC session to foreign observation. The 12th CCP Congress, expected this year, will probably place greater limits on official powers. But serious human rights problems and violations continue in China and failure of the Dengist reform program could bring a return to greater reliance on ideology and mass campaigns against political opponents. The extent of social unrest revealed by a brief period of relaxed restrictions caused the September 1980 NPC to rescind the "four big rights" — to speak out freely, air views freely, hold great debates, and write big character posters — which had been guaranteed by the state constitution of 1978.7 "Despite signs of improvement, the Chinese media and officials still condemn 'human rights' as a 'bourgeois slogan' without any relevance for China today."8

Although China has shown greater willingness to discuss human rights in the international arena (at the UN, for example), Beijing has continued to assert that

... each country's own legal provisions affecting the rights of citizens are bound to differ and are internal matters and that, moreover, individual freedom must not be detrimental to the national public interest.9

Several factors restrict "a fair and disciplined inquiry" into the actual conditions of human rights inside China, including the

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THE TRIAL OF THE GANG OF FOUR

different Chinese definition of human rights, blurring of the line between the formal and informal process in the Chinese legal system and difficulty in "striking a balance in our analysis between quantitative and qualitative aspects" of Chinese human rights conditions. 10

The situation is further complicated by lack of evidence on labor reform practices and treatment of political prisoners. "It is impossible to calculate the exact number of inmates in labor reform camps; estimates by former convicts vary from several thousand to a million." 11 Although execution for political crimes appears to have ended, most people including the Chinese certainly question whether Jiang Qing's death sentence was the result of criminal behavior alone.

In sum, the present human rights position of the Chinese government appears to be that people have the right to choose their government (as they are said to have done in 1949), but that government is then free to exercise control without undue internal — and certainly without external — interference.

The Political Basis for the Trial

Why, however, did Beijing try the Lin Biao and Jiang Qing groups and why at this time? Several answers are immediately evident. On January 26, the People's Daily hailed the successful conclusion of the trials as a "great victory for the socialist system," declaring that China can now, with a demonstrably established legal system, "effectively defend the people's democracy, safeguard political stability and unity, and ensure the success of the four modernizations." 12 This statement reveals a desire to:

(1) Reinforce the moderate (Dengist) leadership;
(2) Show leadership commitment to political stability through strict, universal application of law; and
(3) Motivate citizens to implement the new economic and political reforms without fear.

Although it appeared to be the Cultural Revolution, personified by the Gang of Four, which was on trial, deep-seated political issues

11. Fox Butterfield, Orange County Register, January 4, 1981.
which relate to the governing of China were even more profoundly involved.

Two issues, modernization and party reform, stand out as the major sources of contention in the current Chinese leadership struggle. The moderates, who pushed for the trial, hoped ultimately to discredit Mao as well as the officials who benefited from the Cultural Revolution and to enhance their programs of separating the roles of party and government, promoting greater decentralization and downgrading ideology in favor of the pragmatic and the technical.

In the compromise reached as a prelude to the trials, the Dengists apparently agreed to avoid dealing publicly with the issue of Mao's responsibility. However, evidence presented at the trials, in particular the statements of Jiang Qing and Yao Wenyuan severely strained these artificial limitations and further complicated relations within the CCP. On December 22, the People's Daily published the harshest indictment to date of Mao's role in the Cultural Revolution, blaming him officially for the first time for mistakes which caused China "grave misfortunes."\[13\]

A secondary rationale for the trials was the underlying need for scapegoats for the wrongs of the Cultural Revolution, an era which probably left few Chinese families unscathed by political or economic loss or by humiliation, injury or even death of a family member. The anger of the Chinese people has been in real measure in need of placating. Publication of long lists of names of victims furthered the atmosphere of personal vendetta.\[14\] Nor was the moderate leadership itself free from the need for this cathartic experience of self vindication, as repeated references to injustices done to such notables as Deng Xiaoping and Liu Shaoqi made clear.

The leftists could only hope to gain by draining off some popular discontent through using Jiang Qing as a scapegoat in the endeavor to slow down the demythologizing of Mao. The trial represented a triumph for the Dengists, however, at least in the sense of its implications for Hua Guofeng. There were unconfirmed reports that Hua had agreed at a CCP politburo meeting in late October or early November to step down as party chairman in exchange for his opponents' agreement to delete several politically explosive charges.

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from the Gang of Four indictment. Nonetheless, the extremely
defensive tone of the December 22 indictment of Mao in the *People’s Daily* suggests that Deng and his group may not have gotten from the trial all that they had hoped for.

The possibility that some Chinese may have been reinforced in their cynicism toward their government — particularly as the death sentences were not carried out — was swept aside by publicity given to the trial as an event which "gives the people great satisfaction." Opportunity to provide this satisfaction was hardly to be passed up by those Chinese leaders who found themselves in position to settle their personal scores while furthering their political objectives. Whether the people are truly satisfied or the intended political objectives met remains unclear.

**Charges and Procedures: An Effort to Distort Reality?**

Several aspects of the trial were clearly in violation of the internationally applied definition of human rights, although these aspects were not always contrary to traditional Chinese practices. These included:

1. Incarceration for several years before trial or indictment.
2. The officially sponsored pre-trial propaganda buildup which pilloried the defendants before the verdict was pronounced.
3. The foregone conclusion of a guilty verdict, including public statements "that death sentences probably awaited some of the defendants."
4. Evidence of interference by party officials in the judicial process and indications that party officials played key roles in preparing the trials.
5. Prosecution of the defendants — Jiang Qing in particular — in a manner demonstrative of that very crime of which they were most frequently accused: persecution and deprivation of human rights for reasons of political power and personal vendetta.

From the outset authoritative comment sought to present the trial's goals as punishment of the strictly criminal behavior of a small group of living defendants with the vastly more sensitive political judgments of the Cultural Revolution left for CCP deliberation. Given continuing disagreement among the Chinese leadership over the merits of the Cultural Revolution — at the center of which is, of course, Mao Zedong's personal culpability — this tactic can only be seen as a compromise making a virtue out of a necessity.

The four major indictments — plotting to overthrow the government, false charges, persecution of and suppression of the human rights of others, and plotting of assassination and of armed rebellion — are, to be sure, all internationally cognizable as illegal and punishable by law. Nonetheless, persistent official efforts to divide the defendants' crimes from their political motivations were not convincing, particularly when it was publicly acknowledged that "the activities of even the Lin Biao and Jiang Qing counterrevolutionary cliques were not all counter-revolutionary crimes, some of them were mistakes," i.e. errors arising "from a deviation of subjective recognition of the objective world and action that goes against objective laws." This measure of the "objective world" and its "objective laws" is, of course, Marxist doctrine as the present leadership defines it. And the basic reason, as most observers recognized, why such mistakes could not be publicly debated was that, "during his later years, Comrade Mao Zedong made mistakes, especially in initiating and leading the Cultural Revolution."

Careful attention was given, nonetheless, to refuting suspicions and charges from some quarters that the trial was actually political in nature. Only counterrevolutionary crimes and "not . . . mistakes in party work and regarding the line, would be investigated this time," the People's Daily pointed out just before the trial began. "Tens of thousands of people were killed as a result [of frameups and persecution]," the People's Daily claimed a few days later, "What kind of mistake in political line was that?" This theme was continued

20. Ibid.
throughout, providing insight into Chinese sensitivity towards both international and local belief that politics as well as criminal behavior stood in the dock. It was publicly denied that "a difference of political opinions" was involved and affirmed that the defendants were being tried for "extremely grave counterrevolutionary crimes, not what some people called mistakes in work." 23

Efforts were also made to avoid the appearance of kangaroo court proceedings. Publicity surrounding the trial emphasized that the rule of law prevailed. On January 27, the People's Daily claimed that the trial had been conducted without outside interference in the judicial process: "Any eventuality was adjudicated according to the law by the judges, and no one had the right or ability to interfere." 24 The authorities in Beijing steadfastly refuted charges that guilt of the defendants was predetermined 25 and post-trial interviews with jurors and judges have highlighted satisfaction that justice was carried out.

Nonetheless, evidence indicates behind the scenes manipulation both before and during the hearings. It is probable that the verdicts and perhaps even the sentences were determined by party leaders before the trial began. But controversy and contention continued while the trial was in session. Evidence given during the trial and the refusal of Jiang Qing to play the role assigned to her undoubtedly exacerbated the intraparty debate, particularly over Mao's culpability, as the controversy became more public.

Failure to begin the trials or even to announce the charges until the defendants had been in custody for from four to almost ten years is itself indicative of profound controversy at the highest levels and fear of judging the actions of the accused on the basis of unfiltered evidence. Even the disclaimers are sometimes illustrative. The People's Daily admitted that, "many of the complicated details had been investigated by the party earlier," but claimed "they were re-investigated and re-examined by the public security organizations." 26 Extended recesses and the nearly month-long delay between verdicts and sentencing also suggests controversy and party maneuvering. Certainly related to this undercurrent of contention


and intended as a rebuke was an article, published while the court was still out deliberating, which condemned interference by county level party leaders in local courts.  

The cooperative and submissive behavior of most of the defendants reveals, moreover, the tremendous psychological pressures to which they were subjected. The *People's Daily* sought to soften this point, probably in direct response to the refusal of both Jiang Qing and Zhang Chunqiao to admit guilt, by declaring that after all, "evidence weighs more than admissions, and admissions alone cannot form the basis for the verdict."  

And through it all, of course, ran the presupposition of guilt in constant reference to "the trial of the case against the Lin Biao and Jiang Qing counterrevolutionary cliques." The *People's Daily*, which described the defendants as "the bunch of big thieves," "the bunch of public enemies" and "the bunch of vermin," exulted on November 22 that "the open trial of this bunch of counterrevolutionary arch criminals, long expected by the people of the whole country, has officially begun." Defined at the outset as counterrevolutionaries, the defendants were then taken to court on that charge. The press, furthermore, portrayed the victims of the alleged criminals as "martyrs" and informed the world as the trial began that "the people long to see this day!"

**Jiang Qing: Images and Reality**

The case of Jiang Qing, the only woman on trial and the arch villain of the proceedings, needs to be examined in greater detail from the human rights perspective. There are clear indications that at least part of the rage against Jiang arose from the perception that she had no right to have used her position as Mao's wife to traffic in political affairs, to interfere in the operations of government and to pursue, as Xinhua put it, "her fond dream of becoming an

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'empress.'

The perception is that unfair advantage was taken using feminizing wiles.

A pre-trial publicity campaign against Jiang Qing included a serialized biography in Hong Kong's PRC-controlled *Hsin Wan Pao.* Unfolding like a soap opera, the account traces Jiang's early insinuation of herself, a low-born actress, into the confidences and bedrooms of the mighty. She is presented as the personification of all that a woman traditionally should not be: corrupt, manipulative, a behind-the-scenes schemer who had not her husband's or society's interests at heart but her own political ascendancy. In contrast to her behavior are references to the faithful Wang Guangmei, wife of Liu Shaoqi, who stood by her husband in his misfortunes, did not seek to elevate herself at his expense and who now, ironically, has been rewarded by the party by placement in an honorable, if largely symbolic, public position.

The picture of Jiang which has emerged over the years is of a highly intelligent and unpleasant woman obsessed with power. Although it will never be possible to learn the full details of Jiang's motivation and activities, it is probable that she did single out for particular acrimony those others surrounding her husband who vied with her for authority and position. She probably also paid particular and petty attention to persecution of their wives, as is publicly claimed. It is difficult to believe, however, that had Jiang Qing been merely a close associate of Mao and not his wife that the attacks on her character would now be so vitriolic. Some Chinese recognized this situation, as indicated in one exchange in Beijing *Wanbao.*

Two articles, which appeared in the Beijing *Wanbao's* "Talk of a Hundred Schools" column during the trial, discuss the sexist approach to political affairs with obvious application to Jiang Qing. Neither discusses the practical inavailability of power to most women either in traditional or modern China, making female power plays by necessity manipulative and devious. But, dealing in historical

32. "Unofficial History of Jiang Qing" (Hong Kong *Hsin Wan Pao*, October editions, 1980).
analogy, the authors discuss the effects of interference by eunuchs, empresses and imperial concubines in state affairs.

The first article quotes Emperor Taizu of the Ming Dynasty, who is reported to have said "there were very few occasions when no disasters and upheavals occurred when state affairs were controlled by women." The emperor's wife is praised because she "took the initiative to keep herself within bounds," a situation said not to have been repeated since the Han and Tang dynasties. The modern author, with never a nod to official Marxist adherence to the doctrine of equality of the sexes, sighs in conclusion: "I am afraid that this comment is in line with reality."

The second author, however, takes the first to task for implying that "women cause all the troubles" and "women violate the constitution." This, he says, is a feudal idea and, besides, "the feudal rulers very often connived at the eunuchs, empresses and imperial concubines interfering in state affairs." This last statement appears to indicate the author's own feelings about who was ultimately responsible for Jiang's behavior.

Jiang's treatment by both the court and the media are so intricately involved with the central question of Mao's culpability that no clear line could be drawn between the actions of Mao and Jiang — although both the media and the judges strove mightily to do so. Jiang's marriage to Mao made her a part of him in a way no one else could claim. That closeness, a result of her sex, brought great advantage for many years and an insoluble dilemma at the end. Beijing was, in short, faced with the age-old problem of the legal and social unity of married couples, a problem which in the West has given rise to the inadmissibility of one spouse's testimony against another in court.

The moderates, whose insistence on the trial brought Jiang Qing to court in the first place, were well aware of this perception on the part of many Chinese. Some of those who suffered during the Cultural Revolution were undoubtedly delighted to hear Jiang's public statements that "by arresting and putting me on trial, you are

35. Ibid.
viliying Chairman Mao Zedong” and “I implemented and defended Chairman Mao’s proletarian revolutionary line.” It became obvious, in other words, that, for some Chinese, Jiang was a substitute for Mao, available for punishment although the real Mao was inaccessible both for political reasons and because he had had the final deviousness to escape by going to visit Marx.

However, it would seem evident that the leadership’s unwillingness to try Mao himself so prejudiced the case against Jiang Qing that no fair trial was possible. She, whatever her culpability, was forced in effect to bear a large part of his. Her efforts, moreover, to strengthen her defense by presenting evidence that she and Mao were of one mind were strictly limited, although Jiang had insisted on serving as her own defense counsel. Xinhua reported that “Jiang Qing also repeatedly made the request that evidence and witnesses irrelevant to the case be presented in court.” Little imagination is needed to surmise what such evidence and witnesses would have uncovered.

Jiang herself, finally, was not adverse to chiding her tormenters on the basis of her sex. She is reported to have said “shamelessly” that, “During wartime, I was the only female comrade accompanying Chairman Mao Zedong at the frontline. Where were you hiding?”

The official report could only say that people laughed at this preposterous statement, adding sternly that “it is futile for Jiang Qing to attempt to cover-up her counterrevolutionary crimes by using Chairman Mao’s high prestige.”

The Trial as a Negative Propaganda Event

Although for several reasons the trial of the Lin Biao and Jiang Qing groups may have been necessary from an internal Chinese viewpoint, the overall immediate impact on the rest of the world, the West in particular, has been negative. The event has generally been seen as a show trial. The San Diego Tribune, for example, ran a cartoon of two middle-class Americans watching the trial on television with wide incredulous eyes, as one remarked to the other: “China has accused the Gang of Four of shooting J.R.”

38. Ibid.
39. Ibid.
40. Ibid.
By Chinese practice, what is defined as a trial is the equivalent of a sentencing hearing in the United States. Counsel acts as advocate for mercy but does not contest the guilt of the defendant (as Jiang Qing attempted to do). Media and official statements assuming guilt of the defendants contributed, therefore, to a Western perception of an Alice in Wonderland trial in which the Queen of Hearts screamed: "Off with his head."

China may also have damaged its credibility as a rational power by dredging up vivid horror scenes from the Cultural Revolution era, thus reviving a radical image which Beijing has for ten years sought to overcome. According to the Far Eastern Economic Review:

China's biggest show trial has degenerated into the judicial bullying of decrepit former military commanders... There is an increasingly uneasy feeling that the trial shows how little the official professions of fair-mindedness, rules of evidence and impartiality are being applied, less than a year after the new criminal code and code of criminal judicial procedure came into effect.  

Publication of the Jiang Qing biography, as well as other publicity surrounding the trial, spotlighted a central question asked by both outsiders and by the Chinese themselves. The picture of Mao which emerges is that of a gullible leader so preoccupied by lofty ideas that he was easily duped into marriage by a power-hungry and devious minor camp follower. Whether or not some of those who produced and published the Jiang Qing biography intended this result, is not clear. But a central question remains unanswered: What sort of mature leadership could be expected from a man so naive and, even if he was not naive, was he not then aware of who Jiang Qing really was and what she was doing?

Extensive television coverage and a well-orchestrated propaganda campaign brought the drama of the trial before the world. However, as the Far Eastern Economic Review remarked at the trial's opening, "What is certain is that the Chinese public and the world at large are being given a highly selective account; nobody expected anything else." Referring to the trial as "a Nuremberg-style
tribunal," a Washington Post correspondent wrote that "the trial was served up in short, carefully edited television segments that are believed to have been screened by ruling Politburo members." Chinese attendees at the trial were, moreover, carefully selected to represent a cross-section of the Chinese people and foreigners were excluded from certain sessions on the basis that "state secrets" were to be discussed.

Nonetheless, despite skepticism on the part of some Chinese as well as foreigners, the trial was, according to certain foreign press reports from Beijing, "well received by a Chinese public hungry for revenge. Large crowds gathered around the few community television sets, and the official press frequently carried letters by outraged viewers urging death for the defendants." Publicity surrounding the trial served the additional purpose of setting the stage for the provincial trials of Gang of Four followers promised for later this year. Thousands of "leftists" await trial in China's prisons on various Cultural Revolution related charges and some sixty more trials are expected. The atmosphere surrounding the Beijng trial and the sentences handed down are expected to set the tone for these secondary trials, during which severe human rights abuses could occur. Amnesty International reported executions of alleged supporters of the Gang of Four in 1977 and persons less powerful than Jiang Qing can probably expect less leniency.

The Chinese leadership, however, clearly recognizes the extreme sensitivity of the situation and can be expected to move swiftly to suppress any mob action against the radicals and perhaps even any blatantly abusive sentencing. Of the 38 million CCP members, nearly half were recruited during the Cultural Revolution and thus carry a "leftist" label. Therefore, although the Dengists are dedicated to party reform which must inevitably involve removal of many of these persons, a mass purge would be much too dangerous. This need to avoid provocative action is perhaps also related to press reports that

46. Weisskopf, op. cit.
Vice Chairman Deng himself was among those who opposed the death sentence for Jiang Qing. Creation of martyrs would obviously play into the hands of the leftists.

Conclusion

Preliminary assessment of the trial indicates that the hand of Beijing's moderates has been strengthened against those who prefer "red over expert." If this is so, the chances for political stability and economic reform in China have been increased. And there are other benefits to having the Gang of Four trial behind us.

By having exposed the Cultural Revolution as even a greater travesty than had previously been imagined, China appears to have taken a step toward a more honest appraisal of its history. Much Chinese media comment on the trial emphasized the inevitable verdict of history on evil doers. Even if largely intended to discredit political opponents, certain historical realities have been accepted. This in itself is useful and commendable.

It is also a move in the right direction that China now seeks to portray itself as conducting the affairs of society and government by measurement against legal, as opposed to ideological, criteria. An effort was made to make the trial public. The signal was given that party and government officials would henceforth be publicly responsible for their actions. This, too, is commendable.

The trial has, furthermore, benefited the outside world not only with new insight into recent Chinese history and the workings of China's government, but possibly with increased sympathy for the aspirations of China's people. Beyond the political motivations for the trial was a tremendous yearning for "justice" on the part of millions of Chinese. In this sense the trial, though conducted from mixed motives and along lines which violated the western, and in some instances Chinese, sense of criminal justice, may be a step toward greater individual freedom in China. There is, of course, evidence of continuing mass cynicism about the government's motives and the permanence of present standards. Some even fear that the Gang or its radical supporters could return to power — a fear which will

49. Johnson, op. cit.
probably remain as long as the Gang of Four or any of those who suffered because of its actions still live. Nonetheless, for millions of the persecuted and disadvantaged, the trial may have served as a necessary catharsis, and may have helped the present leadership reassure the people that arbitrary violation of basic human rights will not in future be allowed with impunity.  

In providing insights to China's inner dynamics, the trial may also have given other states a broader basis upon which to consider future relations with China. There are tremendous pitfalls in attempting to use human rights as a major yardstick to measure how far to support another government. But we can use human rights criteria to assess how closely we can identify one society with another.

The trial gives opportunity to reconsider the western euphoria over China's re-emergence on the world scene which has colored so much information about China in the past several years. We need to steer a straight path between those over zealous persons who condemn China and its manner of doing things and those willing to excuse all excesses in the name of brotherhood or from fear of losing their own special privileges of access. A Washington Post editorial about the trial warned against giving China the benefit of the doubt "that Chinese do not even claim for themselves . . . Americans do neither themselves nor the Chinese a favor by smiling on such fictions."  

Finally, despite the obvious political context of the trial and its failure to adhere to the standards of Western justice, can we conclude that justice was grossly miscarried? It would appear that even if the defendants were guilty of only a fraction of the crimes of which they were accused, they deserved the verdicts which were handed down — if not those which will be carried out. The major failure appears to have been the inability for political reasons to place Mao himself on trial, make a clean breast of it and go on from there. And the major threat of the trial appears to be the ominous tranche of secondary trials now expected. It is there that immoderation and violations of human rights reminiscent of the Cultural Revolution era itself remain possible.

But for the present a cloud has been lifted, a roadblock to progress at least partially removed. The Chinese people appear relieved that the long awaited event has occurred. And we on the outside have been given both a window on the past and present human rights situation in China and some assurance that the Chinese leadership recognizes the need to place greater emphasis on the basic human rights of its one billion citizens.
DOCUMENTS

INDICTMENT
OF
THE SPECIAL PROCURATORATE UNDER
THE SUPREME PEOPLE'S PROCURATORATE OF
THE PEOPLE'S REPUBLIC OF CHINA

Te Jian Zi No. 1

To the Special Court Under the
Supreme People's Court of the
People's Republic of China:

The Ministry of Public Security of the People's Re-
public of China, after concluding its investigation, has
referred the case of the plot of the Lin Biao and Jiang
Qing counter-revolutionary cliques to overthrow the
political power of the dictatorship of the proletariat to
the Supreme People's Procuratorate of the People's Re-
public of China for examination and prosecution.

Having examined the case, the Special Procuratorate
Under the Supreme People's Procuratorate confirms that
the principal culprits of the Lin Biao and Jiang Qing
counter-revolutionary cliques, namely, Lin Biao, Jiang
Qing, Kang Sheng, Zhang Chunqiao, Yao Wenyuan, Wang
Hongwen, Chen Boda, Xie Fuzhi, Ye Qun, Huang Yong-
sheng, Wu Faxian, Li Zuopeng, Qiu Huizuo, Lin Liguo,
Zhou Yuchi and Jiang Tengjiao, acted in collusion during
the "great cultural revolution" and, taking advantage of
their positions and the power at their disposal, framed
and persecuted Communist Party and state leaders in a
premeditated way in their attempts to usurp Party leader-
ship and state power and overthrow the political power of
the dictatorship of the proletariat. They did this by re-
sorting to all kinds of intrigues and using every possible
means, legal or illegal, overt or covert, by pen or by gun.
In September 1971, after the plot of Lin Biao, Ye Qun,
Lin Liguo, Zhou Yuchi and Jiang Tengjiao to murder
Chairman Mao Zedong and stage an armed counter-
revolutionary coup d'etat failed, Lin Biao and others de-
fected and fled the country, and the counter-revolutionary
clique headed by him was exposed and crushed. The
counter-revolutionary gang of four consisting of Jiang
Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hong-
wen, with Jiang Qing at the head, continued its conspira-
torial counter-revolutionary activities until it was exposed
and smashed in October 1976. The Lin Biao and Jiang
Qing counter-revolutionary cliques brought untold disas-
ters to our country and nation.

The Lin Biao and Jiang Qing counter-revolutionary
cliques committed the following crimes:

I

Frame-Up and Persecution of Party and
State Leaders and Plotting to Overthrow
the Political Power of the Dictatorship
of the Proletariat

To overthrow the political power of the dictatorship of
the proletariat, the Lin Biao and Jiang Qing counter-
revolutionary cliques framed and persecuted Party and
Liu Shaoqi was still Chairman of the People’s Republic of China (P.R.C.) and was re-elected to the Standing Committee of the Political Bureau of the C.P.C. Central Committee, Lin Biao instructed Ye Qun to summon Lei Yingfu twice to her presence, first on August 11 and then 12. Lei Yingfu was then deputy director of the Operations Department of the Headquarters of the General Staff of the Chinese People’s Liberation Army (P.L.A.). She provided him verbally with material containing false charges fabricated by Lin Biao and herself against Liu Shaoqi and instructed him to put these charges in writing. On August 13, Lin Biao read what Lei had written. At his residence, Lin told Lei the next day that “it will look more political” if Lei would write an accompanying letter addressed to Lin Biao and Chairman Mao Zedong, so that Lin could forward Lei’s letter together with his material incriminating Liu Shaoqi to Jiang Qing for her to “consider forwarding” them to the Chairman.

On the afternoon of December 18, 1966, Zhang Chunqiao met privately with Kuai Dafu, a Qinghua University student, in the reception room at the west gate of Zhongnanhai, Beijing. He said, “That couple of persons in the Central Committee who put forward the reactionary bourgeois line have not yet surrendered... You young revolutionary fighters should unite, carry forward your thoroughgoing revolutionary spirit and flog the cur that has fallen into the water. Make their very names stink. Don’t stop half way.” Incited by Zhang, Kuai organized a demonstration in Beijing on December 25. The demonstrators put up slogans and big-character posters, handed out leaflets and shouted demagogically: “Down with Liu Shaoqi!” and “Down with Deng Xiaoping!”

In July 1967, Jiang Qing, Kang Sheng and Chen Boda decided without authorization that Liu Shaoqi should be
repudiated and struggled against. Qi Benyu, a member of the “Cultural Revolution Group Under the C.P.C. Central Committee,” organized a “rally for repudiating and struggling against Liu Shaoqi” on July 18 of the same year; the residence of Liu Shaoqi and Wang Guangmei was searched and ransacked and the two were physically harassed. During July and August 1967, Kang Sheng, Xie Fuzhi and Qi Benyu incited people to organize a “frontline for getting Liu Shaoqi out of Zhongnanhai,” surround the place and attempt to break into the State Council.

Jiang Qing assumed direct control of the “group for inquiring into the special case of Liu Shaoqi and Wang Guangmei” and directed its work in collusion with Kang Sheng and Xie Fuzhi. They rigged up false evidence by extorting confessions through torture in order to vilify Liu Shaoqi and Wang Guangmei as “renegades,” “enemy agents” and “counter-revolutionaries.” From May to October 1967, acting on her own, Jiang Qing took the decision to arrest and imprison Yang Yichen, Deputy Governor of Hebei Province; Yang Chengzuo, a professor at the China People’s University in Beijing; Wang Guangen, a resident of Tianjin (originally assistant manager of the former Fengtian Cotton Mill); Liu Shaoqi’s former cook Hao Miao; and seven others. When Yang Chengzuo became critically ill, Jiang Qing said to the group for inquiring into the special case, “Step up the interrogation to squeeze out of him what we need before he dies.” Yang Chengzuo died as a result of persecution. So was Wang Guangen.

On October 23, 1967, Xie Fuzhi said to the special case group, “It is necessary to be firm and ruthless in interrogation. . . . It is necessary to carry out group interrogation for hours at a time until confessions are obtained.” In order to frame Wang Guangmei as an “enemy agent,” Jiang Qing and Xie Fuzhi ordered the interrogation and torture of Zhang Zhongyi, a professor at the Hebei Provincial Normal College in Beijing who was critically ill. Zhang was tortured to death. In order to frame Liu Shaoqi as a “renegade,” they extorted confessions from Ding Juequn, who worked with Liu Shaoqi in the workers’ movement in Wuhan in 1927, and Meng Yongqian, who was arrested with Liu Shaoqi in Shenyang in 1929. On September 25, 1967, Ding declared in prison that the confession he was compelled to write “does not strictly conform to facts.” Between June 15, 1967 and March 18, 1969, Meng wrote 20 statements in prison declaring that what he had written about Liu Shaoqi under duress “was mere fabrication” and should be withdrawn. But all their requests to make corrections to their statements and all their appeals were withheld and not allowed to be submitted to higher authorities. Liu Shaoqi died as a result of persecution.

(3) Jiang Qing and Kang Sheng cooked up false charges to persecute Members of the Eighth Central Committee of the C.P.C. On July 21, 1968, Kang Sheng wrote a strictly confidential letter. On the envelope he wrote “Important. To be forwarded immediately to and personally opened by Comrade Jiang Qing.” In the letter, he wrote, “Enclosed please find the name list you have asked for.” On this list drawn up by Kang Sheng in his own handwriting, 88 of the 193 Members and Alternate Members of the Eighth Central Committee of the C.P.C. were falsely charged as “enemy agents,” “renegades,” “elements having illicit relations with foreign countries” or “anti-Party elements.” Another seven were classified as having been temporarily “removed from their posts but not yet included among the special cases” and 29 were classified as “having made mistakes or needing to be subjected to investigation for their historical records.” Later, the great majority of them were also framed and persecuted by Kang Sheng and others.
Among the Party and state leaders and the first secretaries of the regional bureaus of the Central Committee of the Communist Party who were thus framed were:


Vice-Premiers of the State Council: Chen Yun, Deng Xiaoping, He Long, Chen Yi, Ulanhu, Li Xiannian, Tan Zhenlin, Nie Rongzhen, Bo Yibo, Lu Dingyi, Luo Ruiqing and Tao Zhu.


(4) Chen Boda, Xie Fuzhi and Wu Faxian made use of the case of the so-called “Extraordinary Central Committee of the Communist Party of China” leaflet, which had been uncovered in Tianjin in November 1967, to frame and persecute Party and state leaders under the pretext of tracking down the “behind-the-scenes bosses.” On April 28 and August 19, 1968, when they received Zhao Dengcheng, then a member of the leading group at the Ministry of Public Security, and others, Chen Boda said that the uncovering of the case was merely “the beginning.” He added, “It is not the end. The bosses are hidden behind the scenes, and they are no ordinary persons, for ordinary people aren’t capable of doing such a thing. It isn’t the act of one individual. Very likely, there’s an organization behind all this.” Xie Fuzhi cut in saying, “Yes, it’s merely the beginning, not the end.” He added, “Somebody from the notorious Liu-Deng headquarters is at the root of it all.” Wu Faxian said, “Who else can it be but Capitalist Roader No. 2?” In December 1968, while tracking down the “behind-the-scenes bosses,” Xie Fuzhi, Zhao Dengcheng and others cooked up the false case of a “Chinese Communist Party (M-L),” with
Zhu De as the alleged "secretary" of its central committee, Chen Yi as "deputy secretary and concurrently minister of defence," and Li Fuchun as "premier." Its members allegedly included Dong Biwu, Ye Jianying, Li Xiannian, He Long, Liu Bocheng, Xu Xiangqian, Nie Rongzhen, Tan Zhenlin, Yu Qiuli, Wang Zhen and Liao Chengzhi, who were falsely accused of having "illicit relations with foreign countries," "making preparations for an armed insurrection" and attempting to "stage a coup." Even up to August 21, 1969, Xie Fuzhi told those who were responsible for inquiring into the case, "Be firm and keep up your inquiries, for some evidence is still lacking. The verbal confessions made by those jailed can be used as evidence, too."


(7) Kang Sheng and Cao Yiou instructed Guo Yufeng to fabricate on August 27, 1968 a "Report on the Political Background of Members of the Standing Committee of the Fourth National Committee of the Chinese People's Political Consultative Conference," which was subsequently revised and finalized by Kang Sheng himself. In the report, 74 of the 159 Members were falsely accused of being "renegades," "suspected renegades," "enemy agents," "suspected enemy agents," "Kuomintang agents," "counter-revolutionary revisionists," or "having illicit relations with foreign countries." They were: Vice-Chairmen Peng Zhen, Liu Lantao, Song Rengqiong, Xu Bing and Gao Chongmin; and Members Wang Congwu,

(8) The frame-up and persecution of Zhou Enlai, Vice-Chairman of the Central Committee of the C.P.C. and Premier of the State Council. In October 1974, Jiang Qing falsely accused Zhou Enlai and others of conspiracy, saying, "Those people in the State Council often maintain illicit contact with each other on the pretext of discussing work... The Premier is the boss behind the scenes.

On October 17, 1974, the gang of four, namely, Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen, had a plot in Building No. 17 at Diao Yu Tai in Beijing and the following day sent Wang Hongwen to Changsha to make a false and insinuating report to Chairman Mao Zedong. He said, "Although the Premier is ill and hospitalized, he is busy summoning people for talks far into the night. Almost every day someone visits him. Deng Xiaoping, Ye Jianying and Li Xiannian are frequent visitors." He added, "The atmosphere in Beijing now is very much like that at the Lushan Meeting." He was falsely accusing Zhou Enlai, Deng Xiaoping and others of engaging in activities to usurp power as Lin Biao had during the Lushan Meeting in 1970. In 1974, Jiang Qing, Zhang Chunqiao and Yao Wenyuan instructed Chi Qun, then secretary of the C.P.C. Committee of Qinghua University, Xie Jingyi, then secretary of the Beijing Municipal Committee of the C.P.C., Lu Ying, editor-in-chief of Renmin Ribao (People's Daily), Zhu Yongjia, then head of the Shanghai Writing Group, and others to make use of the media to stir up nationwide criticism of the "big Confucian of our time," the "chief minister" and the "Duke of Zhou," thus attacking Zhou Enlai by innuendo.

(9) The frame-up and persecution of Zhu De, Vice-Chairman of the Central Committee of the C.P.C. and Chairman of the Standing Committee of the National People's Congress. From September 1966 to December 1968, Lin Biao, Zhang Chunqiao, Wu Faxian, Qiu Huizuo and others slandered Zhu De and falsely accused him of being a "sinister commander," an "old-line opportunist" and a "warlord" and of "harbouring wild ambitions to become the leader."

At the end of January 1967, at the instigation of Qi Benyu, some people from the China People's University put up large-size slogans in Beijing, which read "Down with Zhu De." Presently the "Liaison Centre for Ferreting Out Zhu De" was set up and a plot was under way to hold meetings to repudiate him. On March 4, Qi Benyu received people from the China People's University and incited them to continue with their persecution of Zhu De. He said, "If you do it yourselves, you will succeed. But if you tell people that I'm behind all this, you won't succeed. You think you're smart. Actually you're a bunch of fatheads. It's up to you to decide whether you go on or not."

(10) The frame-up and persecution of Deng Xiaoping, Member of the Standing Committee of the Political
Bureau of the Central Committee of the C.P.C., General Secretary of the Central Committee and Vice-Premier of the State Council. On December 6, 1966, Lin Biao slandered Deng Xiaoping as a “member of a sinister gang” and as an “anti-Party element.” And on January 29, 1967, Kang Sheng vilified Deng Xiaoping, as a “Khrushchov-type person.”

On October 4, 1974, Chairman Mao Zedong proposed that Deng Xiaoping be First Vice-Premier of the State Council. In an attempt to prevent Deng Xiaoping from taking office, Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen conspired together on October 17 in Building No. 17 at Diao Yu Tai in Beijing and had Wang Hongwen go to Changsha the following day to report to Chairman Mao Zedong with the false charge that Zhou Enlai, Deng Xiaoping and others were engaged in activities to seize power.

From February to May 1976, Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Mao Yuanxin, another key member of the Jiang Qing counter-revolutionary clique, went a step further in their false accusations against Deng Xiaoping. Document No. 1 of the Central Committee of the C.P.C. of 1975 had carried the appointment of Deng Xiaoping as Vice-Chairman of the Military Commission of the C.P.C. Central Committee and concurrently Chief of the General Staff of the P.L.A. and Document No. 1 of the Central Committee of the C.P.C. of 1976 had carried the appointment of Hua Guofeng as Acting Premier of the State Council. Regarding these two documents, Zhang Chunqiao wrote on February 9, 1976, “Here is yet another Document No. 1. There was a Document No. 1 last year. This is truly a case of inflated arrogance at an upturn in fortune. Moving up so fast and so hurriedly spells a downfall that will be just as rapid.” and he quoted a classical poem:

A year ends amidst the crepitation of firecrackers,
An easterly breeze has warmed the New Year’s wine.
The doors of every household are bathed in the sunshine,
A new peach-wood lintel charm invariably replaces the old.

This again revealed Zhang Chunqiao’s counter-revolutionary ambition to effect a “change of dynasty.” On February 22, Mao Yuanxin said to Ma Tianshui and Xu Jingxian, then vice-chairmen of the Shanghai Municipal Revolutionary Committee, and others that Deng Xiaoping “worships things foreign and sells out the sovereignty of the country” and that he “represents the interests of the comprador bourgeoisie” and was trying to bring about an “all-round retrogression” so that “there would be a change in the nature of the state.” On March 2, at a forum of leading members from a number of provinces and autonomous regions, Jiang Qing maligned Deng Xiaoping, calling him a “counter-revolutionary double-dealer,” the “general manager of a rumormongering company,” a “fascist,” a “big quisling” and a “representative of the comprador bourgeoisie.” On April 26, Jiang Qing falsely charged that Deng Xiaoping, like Lin Biao, had “big and small fleets” (gangs formed to carry out plots and assassinations—Tr.) and that “their fleets operated in about the same way in some cases, and differently in others. Deng’s small fleets are, however, more active.” On April 5, Zhang Chunqiao slanderously accused Deng Xiaoping of being a “Nagy.” On May 16, in an article entitled “There Is Really a Bourgeoisie Within the Party — Analysis of the Counter-Revolutionary Political Incident at Tian An Men Square,” which Renmin Ribao (People’s Daily) sent him for finalization, Yao Wenyuan added that Deng Xiaoping
"is the chief boss behind this counter-revolutionary political incident."

(11) The frame-up and persecution of Chen Yi, Member of the Political Bureau of the Central Committee of the C.P.C., Vice-Premier of the State Council and Vice-Chairman of the Military Commission of the C.P.C. Central Committee. On August 7, 1967, Wang Li, a member of the "Cultural Revolution Group Under the C.P.C. Central Committee," said, "Picking on Chen Yi is of course correct in orientation." He added, "What's wrong with the slogan 'Down with Liu (Shaoqi), Deng (Xiaoping) and Chen (Yi)'?" He was agitating people to usurp leadership over foreign affairs. In November 1968, upon Zhang Chunqiao's instruction, Wang Hongwen, Xu Jingxian and others compiled a Collection of Chen Yi's Reactionary Views and Utterances while nominally preparing documents for the forthcoming C.P.C. Ninth National Congress. This fabricated Collection was distributed in the study class of deputies from Shanghai to the Ninth National Party Congress, falsely accusing Chen Yi of "capitulating to imperialism, revisionism and reaction" and "whipping up public opinion for restoring capitalism." At the same time, they collected and compiled another 76 copies of material, running to a total of 1,163 pages, which carried false charges against Ye Jianying, Li Xiannian, Chen Yun, Chen Yi, Nie Rongzhen, Li Fuchun, Tan Zhenlin and others.

(12) The frame-up and persecution of Peng Dehuai, Member of the Political Bureau of the Central Committee of the C.P.C. In July 1967, when Kang Sheng, Chen Boda and Qi Benyu received Ilan Aijing and other students of the Beijing Aeronautical Engineering Institute, Qi Benyu made arrangements with them for the repudiation and persecution of Peng Dehuai. On November 3, 1970, Huang Yongsheng examined and approved a report prepared by the special case group, which contained the proposal that "Peng Dehuai be dismissed from all posts inside and outside the Party, expelled from the Party for good, sentenced to life imprisonment and deprived of civil rights for life." Peng Dehuai died as a result of persecution.

(13) The frame-up and persecution of He Long, Member of the Political Bureau of the C.P.C. Central Committee, Vice-Premier of the State Council and Vice-Chairman of the Military Commission of the Central Committee of the C.P.C. In the summer of 1966, at a students' rally at the Beijing Normal University and at meetings of the "Cultural Revolution Group Under the C.P.C. Central Committee," Kang Sheng falsely charged He Long and Peng Zhen with "secretly deploying troops to stage a February mutiny." In August 1966, Lin Biao instructed Wu Faxian to fabricate material accusing He Long of plotting to usurp leadership in the Air Force. On September 3, Wu Faxian sent Lin Biao the material he had prepared. Between late August and early September, Ye Qun spoke to Song Zhiguo, then chief of the Guards Division of the General Office of the Military Commission of the Central Committee of the C.P.C., informing him of what she had fabricated in order to frame He Long. Then she directed him to put the material in writing, saying, "Make it sound as if you yourself were giving me the information, and not as if I had directed you to do so." From September 7 to 24 Song Zhiguo sent Lin Biao four collections of material he had prepared for framing He Long. On May 16, 1968, Kang Sheng went a step further in maligning He Long, saying, "Judging He Long's present behaviour in the light of his betrayal of the revolution and surrender to the enemy in the past, it is inconceivable that he is not now engaged in active counter-revolutionary activities. The past provides the clue to the present." He Long died as a result of persecution.
(14) The frame-up and persecution of Xu Xiangqian, Member of the Political Bureau of the Central Committee of the C.P.C. and Vice-Chairman of its Military Commission. In April 1967, at Ye Qun’s instigation Kuai Dafu sent people to collect material for framing Xu Xiangqian and Ye Jianying and published a slanderous article entitled “Bombard Xu Xiangqian—Down with Xu Xiangqian, the Military Counterpart of Liu (Shaoqi) and Deng (Xiaoping).” In June that year, Qiu Huizuo instructed Wang Xike, then director of the “cultural revolution office” of the P.L.A. General Logistics Department, and others to concoct material vilifying Xu Xiangqian and to edit and print leaflets slandering him as a “big time-bomb” planted in the Party and army and a “typical careerist and conspirator” and putting forward the slogan “Down with Xu Xiangqian.”

(15) The frame-up and persecution of Nie Rongzhen, Member of the Political Bureau of the Central Committee of the C.P.C., Vice-Premier of the State Council, and Vice-Chairman of its Military Commission. In April 1968, Lin Biao ordered the Beijing Units of the P.L.A. to convene an enlarged Party committee meeting so as to engineer the repudiation of what they called the “mountain-stronghold mentality of north China.” He then sent Huang Yongsheng, Wu Faxian and Xie Fuzhi to the meeting. Jiang Qing and Chen Boda falsely charged Nie Rongzhen with being the boss behind those with the “mountain-stronghold mentality of north China” and plotted to overthrow him. In November of the same year, Huang Yongsheng slandered Nie Rongzhen, saying that “he has never done anything good all his life” and that “these people will never give up. Whenever the climate is right, they’re up to something.” On January 5, 1971, Jiang Qing slandered Nie Rongzhen and others, saying that they had been “bad people in the saddle” in north China.

(16) The frame-up and persecution of Ye Jianying, Member of the Political Bureau and of the Secretariat of the Central Committee of the C.P.C. and Vice-Chairman of its Military Commission. On June 23, 1967, Huang Yongsheng approved the “Plan on Investigation for Rounding Up Renegades,” submitted by the head of the military control commission stationed in the Guangzhou Municipal Public Security Bureau, and its appendix, “Plan for Investigation, No. 1,” which was directed against Ye Jianying, whom they were plotting to persecute. In June 1968, making use of the false charges he concocted in Guangzhou against Deputy Commander Wen Niansheng and others in the Guangzhou Units of the P.L.A., Huang Yongsheng launched an investigation concerning the so-called “sinister line.” He later submitted to Ye Qun confessions which had been extorted, charging Ye Jianying and others with having called “secret meetings” and with “trying to usurp Party and state leadership by plotting a counter-revolutionary coup.”

On April 3, 1968, Li Zuopeng, together with Wang Hongkun, then second political commissar of the Navy, and Zhang Xuchuan, then director of the Navy’s Political Department, wrote material in which they trumped up charges alleging that “He (Long) and Ye (Jianying) attempted to seize command of the armed forces to oppose the Party” in co-ordination with Liu (Shaoqi), Deng (Xiaoping) and Tao (Zhu).

(17) The frame-up and persecution of Lu Dingyi, Alternate Member of the Political Bureau of the Central Committee of the C.P.C. and Member of its Secretariat, Vice-Premier of the State Council and Director of the Propaganda Department of the C.P.C. Central Committee. In May 1968, Lin Biao trumped up charges against
Lu Dingyi, labelling him a “counter-revolutionary.” Jiang Qing, Kang Sheng, Cien Boda, Xie Fuzhi, Wu Faxian and others slandered him as a “renegade,” “hidden traitor” and “special agent of the Bureau of Investigation and Statistics of the Kuomintang Government’s Military Council.” Chen Boda said that Lu Dingyi should be “handed over to the Red Guards for trial.” At the instigation and under the direction of the Lin Biao and Jiang Qing counter-revolutionary cliques, nine deputy directors of the Propaganda Department of the C.P.C. Central Committee were slandered as “renegades,” “enemy agents” or “Kuomintang elements.”

(18) The frame-up and persecution of Luo Ruiqing, Member of the Secretariat of the Central Committee of the C.P.C., Vice-Premier of the State Council and Chief of the General Staff of the P.L.A. Lin Biao, Ye Qun, Kang Sheng, Xie Fuzhi, Huang Yongsheng, Wu Faxian, Li Zuopeng and others trumped up charges against him, alleging that he had “illicit relations with foreign countries,” “hidden traitor” and a “counter-revolutionary who has committed heinous crimes” and “hatched a major plot” against the Navy.


(20) The frame-up and persecution of leading cadres of the Organization Department of the Central Committee of the C.P.C. and the usurpation and control of the vital organizational power of the Central Committee of the Party. In January 1968, Kang Sheng ordered Guo Yufeng to produce charts and reports to frame up charges against Zhang Wentian, Chen Yun, Peng Zhen, Deng Xiaoping and An Ziwen, who had successively served as director of the Organization Department of the Central Committee of the C.P.C. since 1937. They were falsely accused of being “renegades,” “enemy agents,” “elements who oppose the Party, socialism and Mao Zedong Thought,” or “any combination of these.” Twenty-two people, who had at one time or another served as deputy directors of the Organization Department, were falsely charged with being “renegades,” “enemy agents,” “elements maintaining illicit relations with foreign countries,” or “elements who oppose the Party, socialism and Mao Zedong Thought.” It was also...
alleged that a “counter-revolutionary clique” had entrenched itself in the Organization Department, which had become “a sinister den” and had “established a nationwide network of counter-revolution which recruited renegades to form a clique to pursue its own selfish interests.” And it was proposed that the Organization Department “be disbanded and abolished.”

(21) The frame-up and persecution of leading cadres of the public security organs, the procuratorial organs and the courts at various levels, and the usurpation and control of the instruments of the dictatorship of the proletariat. At the instigation and under the direction of the Lin Biao and Jiang Qing counter-revolutionary cliques, the nation's public security, procuratorial and judicial organs were completely destroyed. Xie Fuzhi incited people to “smash the public security, procuratorial and judicial organs” all over the country. Zhang Jingcheng, Chief Procurator of the Supreme People's Procuratorate, Yang Xiufeng, President of the Supreme People's Court, and large numbers of cadres and policemen working in the public security organs, the procuratorial organs and the courts at various levels were framed and persecuted. Kang Sheng, Xie Fuzhi and others concocted false charges against the Ministry of Public Security, alleging that there was a so-called “underground sinister ministry of public security headed by Luo Ruqing.” With the exception of Xie Fuzhi himself and one vice-minister who held other posts concurrently, all the vice-ministers of the then Ministry of Public Security were arrested and imprisoned. Vice-Minister Xu Zirong died as a result of persecution.

(22) In January 1967, Lin Biao personally attached the comment, “I fully approve,” to the slogan put forward by Guan Feng, Wang Li and other members of the “Cultural Revolution Group Under the Central Committee of the C.P.C.,” that is, “Thoroughly expose the handful of capitalist roaders in power in the People’s Liberation Army.” They plotted to plunge the armed forces into chaos.

In order to control the armed forces, Lin Biao fabricated charges against large numbers of cadres and masses in the Headquarters of the P.L.A. General Staff and framed and persecuted them. In April 1968, Huang Yongsheng said at the Headquarters of the General Staff, “Quite a few bad people have surfaced here, people such as Huang Kecheng, Luo Ruqing, Zhang Aiping and Wang Shangrong,” and “the verdicts against them can never be reversed; they must never be allowed to stage a comeback.”

On July 25, 1967, Lin Biao called for the “thorough smashing of that Palace of Hell—the General Political Department of the People’s Liberation Army.” On many occasions Lin Biao and Ye Qin slandered Luo Ronghuan and Tan Zheng, former directors of the General Political Department. They trumped up charges, alleging that there was a “Luo (Ruqing)—Liang (Biye) anti-Party clique.” Huang Yongsheng vilified the General Political Department, saying that it “has been recruiting renegades under a succession of several directors.” Qiu Huizuo also slandered it, saying that it was “not very different from the Kuomintang secret service.” He took an active part in conspiratorial activities to “thoroughly smash the General Political Department.” Large numbers of cadres and masses in the department were framed and persecuted. Four comrades who had been director or deputy director and another 20 who had been section chiefs and deputy chiefs were imprisoned and investigated under the false charge of attempting to “usurp leadership over the Army and oppose the Party” and of being “renegades,” “enemy agents” or “active counter-revolutionaries.” Yuan Zi-
Wang Bing and 15 other persons died as a result of persecution.

On March 5, 1974, Jiang Qing and Zhang Chunqiao received Chen Yading, former deputy head of the cultural section of the P.L.A. General Political Department, and others. Jiang Qing said, “Chen Yading, we have invited you here today in order to straighten things out in the Army.” She added, “It seems that we have to seize power. Chen Yading, why don’t you go and do it? In my opinion, we might as well let Chen Yading take charge of the Army’s cultural work.” She said to him and others, “You should kindle a prairie fire,” thus inciting them to grab power in the Army by throwing it into disorder.

(23) Through Chen Boda and Yao Wenyuan, the Lin Biao and Jiang Qing counter-revolutionary cliques controlled the mass media and instigated the overthrow of the political power of the dictatorship of the proletariat. In June 1966, Chen Boda organized people to write, and cleared such editorials as “Sweep Away All the Monsters and Demons,” thus trying to shape counter-revolutionary public opinion so that the Lin Biao and Jiang Qing counter-revolutionary cliques might usurp power after throwing the whole country into chaos. From 1974 to 1976, Jiang Qing, Zhang Chunqiao and Yao Wenyuan instructed the “Liang Xiao” writing group of Qinghua and Beijing Universities, the “Luo Siding” writing group in Shanghai, the “Chi Heng” writing group of the magazine Hongqi (Red Flag), and the “Tang Xiaowen” writing group of the Higher Party School of the Central Committee of the C.P.C. to spread counter-revolutionary, demagogic propaganda. In the spring of 1976, Yao Wenyuan personally revised and cleared such articles as “From Bourgeois Democrats to Capitalist Roaders” published in Hongqi (Red Flag) and Renmin Ribao (People’s Daily). He and Zhang Chunqiao also cleared speeches prepared for Ma Tianshui and Xu Jingxian. In these articles and speeches, they vilified veteran cadres in leading organs of the Party, government and army at various levels as “bourgeois democrats,” “capitalist roaders” or “long-time capitalist roaders” and incited further persecution of them.

At the end of March 1976, slogans written in bold characters opposing Zhang Chunqiao appeared in Nanjing. Yao Wenyuan slandered the people who had put up the slogans, calling them “counter-revolutionaries.” He said to Lu Ying, “It seems there’s a command office stirring up this adverse, counter-revolutionary current.” He added, “The situation in Beijing merits attention.” Prompted by Yao Wenyuan, Lu Ying dispatched people to Tian An Men Square to collect and compile material which was then adulterated by Yao Wenyuan. Thus the revolutionary words and deeds of the masses opposing the gang of four, commemorating Zhou Enlai and supporting Deng Xiaoping were made out to be “counter-revolutionary speeches and slogans” and a “manifestation of last-ditch struggle and frenzied counterattack by the declining, moribund forces.” The masses themselves were vilified as “a handful of bad elements” and “counter-revolutionaries.” Yao Wenyuan even called for the “execution of a bunch of them.”

From January to September 1976, at the instigation of Yao Wenyuan and Wang Hongwen, Lu Ying dispatched people to certain departments of the Party and the Government as well as to Fujian, Jiangxi, Zhejiang, Jiangsu, Sichuan, Yunnan, Heilongjiang and other provinces. There they collected material which they distorted in order to frame leading cadres in the Party, government and army, calling them “unrepentant capitalist roaders” or “capitalist roaders still travelling the capitalist road,” and accusing them of “having organized
landlords' restitution corps" and "trying to reverse correct verdicts and stage a comeback."

II

The Persecution and Suppression of Large Numbers of Cadres and Masses

In order to seize Party and state leadership and establish their counter-revolutionary rule, the Lin Biao and Jiang Qing counter-revolutionary cliques incited beating, smashing and looting, whipped up violence, and trumped up false charges, thus persecuting and suppressing large numbers of cadres and people.

(24) At the instigation and under the direction of Lin Biao, Jiang Qing, Kang Sheng and Xie Fuzhi, seven secretaries of the Beijing Municipal Committee of the C.P.C., including Liu Ren, Zheng Tianxiang, Wan Li and Deng Tuo, and six deputy mayors, including Wu Han and Yue Songsheng, were charged with being "enemy agents," "renegades," "counter-revolutionary revisionists," "reactionary capitalists" or "reactionary academic authorities." In January 1968, Kang Sheng falsely charged Liu Ren and deputy mayors Feng Jiping, Cui Yueli and others with "carrying out espionage in collaboration with U.S. and Chiang Kai-shek spies." Liu Ren, Deng Tuo, Wu Han and Yue Songsheng died as a result of persecution.

(25) In January 1968, Zhang Chunqiao and Yao Wenyuan slandered the Shanghai Municipal Committee of the C.P.C., saying that it was a "stubborn bourgeois stronghold" and consisted of an "evil bunch." They falsely accused Chen Pixian, its first secretary, of being "an extremely cunning and treacherous counter-revolutionary double-dealer" and "the most dangerous enemy of the proletariat," and concocted the charge of "renegade" against Cao Diqiu, a secretary of the municipal Party committee and mayor of Shanghai. At the instigation and under the direction of Zhang Chunqiao and Yao Wenyuan, 17 people, who were secretaries or standing committee members of the Shanghai municipal committee of the Party and mayor or deputy mayors of the municipality, were falsely charged with being "renegades," "enemy agents," "capitalist roaders" or "counter-revolutionaries." Cao Diqiu and deputy mayor Jin Zhonghua died as a result of persecution.

(26) In December 1967, Chen Boda said in Tangshan that the C.P.C. organization in eastern Hebei Province "was probably a party embodying Kuomintang-Communist co-operation, and in fact it might be Kuomintang members and renegades who were playing a dominant role here." A case was trumped up at his instigation, and more than 84,000 Party cadres and masses in eastern Hebei Province were framed and persecuted. Zhang Wenhao and 2,955 others died as a result of persecution.

(27) On January 21, 1968, at the Jingxi Hotel in Beijing, Kang Sheng slandered Zhao Jianmin, secretary of the Yunnan Provincial Committee of the C.P.C., saying to his face, "You are a renegade ... I can tell. Forty years' experience in revolutionary work gives me this
kind of intuition . . . you have a deep-seated class hatred.” He falsely accused Zhao Jianmin of carrying out the plans of a group of Kuomintang agents in Yunnan and of “trying to take advantage of the Great Cultural Revolution to create chaos in the border areas.” Kang Sheng and Xie Fuzhi forbade Zhao Jianmin to argue, and Xie announced there and then Zhao’s arrest. Thus at the instigation of Kang Sheng and Xie Fuzhi, the “case of enemy agent Zhao Jianmin” was fabricated, leading to the frame-up and persecution of large numbers of cadres and masses in Yunnan, over 14,000 of whom died as a result.

(28) Under the pretext of digging out the so-called “Inner Mongolian People’s Revolutionary Party,” Kang Sheng framed and persecuted large numbers of cadres and masses in Inner Mongolia and sabotaged the unity between the various nationalities. On February 4, 1958, he said, “The Inner Mongolian People’s Revolutionary Party is still active underground. When we begin to ferret out its members, we may overdo it a little, but we needn’t be worried about that.” Again, on February 4, 1969, he said, “There are members of the Inner Mongolian People’s Revolutionary Party inside the army too. This is a very serious matter.” Xie Fuzhi said, “The Inner Mongolian People’s Revolutionary Party is disguised as a Communist Party but actually it is not. We must wipe it out.” At the instigation of Kang Sheng and Xie Fuzhi, more than 346,000 cadres and other people in the Inner Mongolian Autonomous Region were framed and persecuted in the case of the “Inner Mongolian People’s Revolutionary Party” and other false cases, and 16,222 persons died as a result of persecution.

(29) In 1967, Kang Sheng and others trumped up the case of a “Xinjiang renegade clique.” One hundred and thirty-one Party cadres, who had been arrested and imprisoned in September 1942 by Sheng Shicai, the Xinjiang warlord, were falsely accused of having “surrendered to the enemy, betrayed the revolution” and “concealed themselves inside our Party” and of forming a “renegade clique.” Ninety-two cadres, including Ma Mingfang, Zhang Ziyi, Yang Zhihua and Fang Zhichun, were persecuted, and Ma Mingfang and 25 others died as a result of persecution.

(30) In February 1946, in accordance with a decision of the Northeast Bureau of the C.P.C. Central Committee which had been approved by the Central Committee in 1945, Lu Zhengcao, Wan Yi, Zhang Xuesi, Jia Tao, Liu Lanbo, Li Youwen, Yu Yifu and 35 others jointly sent a telegraph to Chiang Kai-shek through the Xinhua News Agency in Yanan, demanding the release of Zhang Xueliang. From 1967 to 1969, the Lin Biao and Jiang Qing counter-revolutionary cliques and their key members distorted the facts about this incident, accused them of engaging in a “major, long premeditated, counter-revolutionary scheme to betray the Party and capitulate to the enemy” and fabricated the case of a “counter-revolutionary ‘northeast gang’ that betrayed the Party and capitulated to the enemy,” framing and persecuting 90 persons. Zhang Xuesi, Jia Tao, Che Xiangchen and Chen Xianzhou died as a result of persecution.

(31) The counter-revolutionary cliques of Lin Biao and Jiang Qing falsely accused the underground organizations of the C.P.C. in Beijing, Shanghai, Tianjin, Guangdong, Sichuan, Yunnan and other places of having “recruited renegades” during the War of Resistance Against Japan and the Liberation War and of being a “Kuomintang,” a “renegade party” and a “U.S.-Chiang special detachment.” The Lin Biao and Jiang Qing counter-revolutionary cliques decided to “make the underground Party organizations the first target of attack.” Consequently, large numbers of leaders and members of these underground Party organizations and
many ordinary people who had fought heroically against the enemy were charged with being "renegades," "hidden traitors," "Japanese agents," "Kuomintang agents," "U.S. agents," "spies" or "counter-revolutionaries."

In October 1967, Huang Yongsheng, in collusion with Liu Xingyuan, then political commissar of the Guangzhou Units of the P.L.A., and others, decided to investigate the history of the underground Party organization in Guangdong and set up a special group for this purpose. They slandered the underground Party organization as having "recruited renegades," "enemy agents" and "spies" had sneaked in. This was the false case of "the Guangdong underground Party organization," which led to the framing and persecution of more than 7,100 people. Lin Qiangyun and 84 others died as a result of persecution.

(32) The Lin Biao counter-revolutionary clique trumped up false charges against large numbers of people in the P.L.A. Over 80,000 people were framed and persecuted, of whom 1,169 died.

From May 1967 to November 1970, Huang Yongsheng, in collusion with Liu Xingyuan, concocted the case of a "counter-revolutionary clique" in the Guangzhou Units of the P.L.A., falsely accusing Deputy Commander Wen Niansheng and others of attempting to "usurp power by staging a coup." More than 700 cadres were implicated. Wen Niansheng and some others died as a result of persecution.

Wu Faxian, in collusion with Wang Fei, then deputy chief of staff of the Air Force Command, and Liang Pu, its chief of staff, framed and persecuted large numbers of cadres and of the rank and file in the Air Force. Wu Faxian said, "If you don't strike them down, they will turn around and pounce on us and have us beheaded." He laid false charges against a number of leading cadres in the Air Force, alleging that they were "conducting underground activities" in an attempt to "seize power" and "stage a coup." Wu Faxian directly framed and persecuted 174 persons, among whom Gu Qian and Liu Shanben died as a result of persecution.

Li Zuopeng, in collusion with Wang Hongkun and Zhang Xiuchuan, framed and persecuted a large number of cadres and rank and file in the Navy. In January 1968, Li Zuopeng said that working on special cases was equivalent to "the Communist Party dealing blows at the Kuomintang." In October of the same year he again said that there should be "fierce attacks, vigorous charges and hot pursuit." Li Zuopeng directly framed and persecuted 120 persons, among whom Lei Yongtong and two others died as a result of persecution.

Qiu Huizuo, in league with Chen Pang, then deputy director of the General Logistics Department of the P.L.A., set up a kangaroo court in the department to extort confessions through torture. Qiu Huizuo said that there should be "ruthless struggle," "ruthless interrogation" and "ruthless dictatorship." Many of the cadres and of the rank and file were framed and persecuted. Qiu Huizuo directly framed and persecuted 462 people. Eight people, including Shen Maoxing and Wang Shuchen, died as a result of persecution.

(33) In order to suppress the "Workers' Red Detachment," a mass organization in Shanghai, and seize Party and government leadership there, Zhang Chunqiao made a phone call from Beijing to his wife, Li Wenjing, in Shanghai on December 28, 1966. He said, "The fruits of victory mustn't be snatched by the Red Detachment. Tell the revolutionary rebels that they mustn't just stand idly by." Li Wenjing informed Xu Jingxian, who then passed on the message. At the instigation of Zhang Chunqiao and others, Wang Hongwen worked in collusion with Geng Jinzhang, a criminal guilty of beating, smashing and looting, and organized and directed a number of po-
ple who were ignorant of the real situation to attack the "Workers' Red Detachment." This armed clash, known as the Kangping Road Incident, resulted in 91 being injured or maimed.

On August 4, 1967, Wang Hongwen engineered and directed an armed attack on the mass organization known as the "Rebel Headquarters of the Revolutionary Alliance of the Shanghai Diesel Engine Plant." Six hundred and fifty people were imprisoned or injured. Afterwards, Zhang Chunqiao acclaimed Wang Hongwen as "our commanding officer" and "leader of the working class in Shanghai." (34)

In May 1967, while in Jinan, Zhang Chunqiao and Yao Wenyuan supported the suppression of the local masses by Wang Xiaoyu, then chairman of the Shandong Provincial Revolutionary Committee. Zhang told him, "You'll have my support if you're strong." Thereupon, on May 7, Wang Xiaoyu engineered a violent incident in the compound of the provincial revolutionary committee, resulting in the arrest and imprisonment of 388 persons. Later, Zhang Chunqiao and Yao Wenyuan again expressed their support for Wang Xiaoyu and congratulated him on his "victory in battle." (35)

In October 1966, Jiang Qing collaborated with Ye Qun in ordering Jiang Tengjiao to search and ransack the homes of a number of writers and artists in Shanghai. Ye Qun asked Wu Faxian to summon Jiang Tengjiao to Beijing, where she said to him, "One of Comrade Jiang Qing's letters has fallen into the hands of Zheng Junli, Gu Eryi and company. It's not clear who has the letter now, but you can organize some people to search the homes of five persons including Zheng Junli, Gu Eryi, Zhao Dan and Tong Zhiling. Bring me all the letters, diaries, notebooks and such like you can lay your hands on." And she added, "Keep this absolutely secret." After returning to Shanghai, Jiang Tengjiao got together more than 40 people. They disguised themselves as Red Guards and, in the small hours of October 8, searched the homes of Zhao Dan, Zheng Junli, Tong Zhiling, Chen Liting and Gu Eryi. Jiang Tengjiao sent what they had seized in two batches to Ye Qun's residence in Beijing. In January 1967, under Jiang Qing's personal supervision, Xie Fuzhi and Ye Qun burnt all the letters, photos and other material relating to Jiang Qing, which had been obtained in the search.

(36) While in Shanghai in 1967, Zhang Chunqiao ordered a counter-revolutionary secret service organization — the "You Xuetao Group" (code named "244") — to undertake the special tasks of fascist espionage such as tailing, shadowing, kidnapping, ransacking people's homes, taking people into custody, secretly interrogating and torturing them, and gathering intelligence. From November 1967 to March 1968, this organization collected or fabricated for Zhang Chunqiao's use slanderous information on 97 leading cadres of the East China Bureau of the Central Committee of the C.P.C. It drew up a "Diagram Showing the Relationships Between Persons Working for the Sinister Line in the East China Bureau" and compiled 300 issues of the publications Minesweeping Bulletin and Trends. All told, it provided over one million words in intelligence material, trumping up cases to persecute 183 cadres and other people. In the winter of 1967 and the spring of 1968, this organization sent people to Jiangsu, Zhejiang and other places to carry out espionage. It falsely charged the leading Party, government and army cadres in eastern China with "organizing an underground armed detachment south of the Changjiang River" and "plotting a mutiny." On October 26, 1967, Wang Shaoyong, then vice-chairman of the Shanghai Municipal Revolutionary Committee, relayed Zhang Chunqiao's words to You Xuetao, "Be careful. You can spy on others, but they can spy on you too." In its "Sum-
mary of the Year’s Work” submitted to Zhang Chunqiao on November 30, 1968, this organization said that it had been “fighting on a special front” and that “over the past year our work has been mainly covert struggle against the enemy. ... From the central down to the local levels, we have directly or indirectly kicked the backsides of many bigshots.” Zhang Chunqiao expressed his approval by writing “Thanks, Comrades” on the summary.

(37) From 1974 to 1976, Jiang Qing, Zhang Chunqiao and Yao Wenyuan instructed Chi Qun and Xie Jingyi to use their base of activity at Qinghua University to make secret contacts and exchange information with key members of the Jiang Qing counter-revolutionary clique in certain departments of the Central Committee of the C.P.C. and the State Council and in Shanghai and Liaoning. They collected records of speeches made by leading cadres of provincial Party committees and documents of these committees and wrote up such material as The Capitalist Roaders Are Still Travelling the Capitalist Road and Information for Reference to frame leading Party, government and army cadres.

(38) As a result of instigation and instructions from the Lin Biao and Jiang Qing counter-revolutionary cliques and their backbone elements, frame-ups were ubiquitous in the country. Numerous cadres and other people in the democratic parties, in people’s organizations such as trade unions, the Communist Youth League and women’s federations, and in cultural, educational, scientific, technological, journalistic, publishing, public health and physical culture circles were falsely charged and persecuted and disabled or died as a result, as did large numbers of returned overseas Chinese.

The following are the leading members of the democratic parties who were falsely charged and persecuted: Deng Baoshan, Vice-Chairman of the Central Committee of the Revolutionary Committee of the Kuomintang; Gao Chongmin and Wu Han, Vice-Chairmen of the Central Committee of the China Democratic League; Sun Qimeng, Vice-Chairman of the Central Committee of the China Democratic National Construction Association; Che Xiangchen, Vice-Chairman of the Central Committee of the China Association for Promoting Democracy; Zhou Gucheng, member of the Presidium of the Central Committee of the Chinese Peasants’ and Workers’ Democratic Party; and Pan Shu, Vice-Chairman of the Central Committee of the Jiu San (September the Third) Society. Large numbers of standing committee members and members and alternate members of the central committees of the democratic parties as well as of the All-China Federation of Industry and Commerce were falsely charged and persecuted, among whom Huang Shaohong, Mei Gongbin, Chu Xichun, Gao Chongmin, Liu Qingyang, Pan Guangdan, Liu-Wang Liming, Liu Nianyi, Wang Xingyao, Tang Xunze, Xu Chongqing, Li Pingxian, Chen Linru, Zheng Tianbao, Wang Jiaji, Liu Xiyi, Zhang Xi, Wang Tianqiang and others died in consequence.

In the literary and art circles, more than 2,600 people were falsely charged and persecuted in the Ministry of Culture and units directly under it alone. Noted writers and well-known art workers including Lao She, Zhao Shuli, Zhou Xinfang, Gai Jiaotian, Pan Tianshou, Ying Yunwei, Zheng Junli and Sun Weishi died in consequence.

In the educational circles, more than 142,000 cadres and teachers in units under the Ministry of Education and in 17 provinces and municipalities were falsely charged and persecuted. Noted professors including Xiong Qinglai, Jian Bozan, He Sijing, Wang Shourong, Gu Yuzhen, Li Guangtian, Rao Yutai, Liu Pansui and Ma Te died in consequence of such persecution.

In scientific and technological circles, more than 53,000 scientists and technicians in units directly affiliated to
the Chinese Academy of Sciences, two research institutes under the Seventh Ministry of Machine-Building and 17 provinces and municipalities were falsely charged and persecuted. Noted scientists such as geophysicist Zhao Jiuzhang, metallurgist Ye Zhupei, theoretical physicist Zhang Zongsui, entomologist Liu Chongle, taxonomist Chen Huanyong, and metal ceramist Zhou Ren died in consequence of such persecution.

In health circles, more than 500 of the 674 professors and associate professors in the 14 medical colleges and institutes directly led by the Ministry of Public Health were falsely charged and persecuted. Such famous medical scientists as pathologist Hu Zhengxiang, pharmacologist Zhang Changshao, specialist in thoracic surgery Ji Suhua, specialist in acupuncture Lu Shouyan, and traditional Chinese doctors Ye Xichun and Li Zhongren died as a result of persecution.

In physical culture circles, large numbers of cadres, coaches and sportsmen were falsely charged and persecuted. Outstanding coaches such as Fu Qifang, Rong Guotuan and Jiang Yongning were victimized and died. Also falsely charged and persecuted were large numbers of national celebrated model workers, among whom Meng Tai and Shi Chuanxiang died in consequence.

In 19 provinces and municipalities, over 13,000 returned overseas Chinese and overseas Chinese family members were falsely charged and persecuted, of whom 281 died as a result. Such well-known figures in the field of overseas Chinese affairs as Fang Fang, Xu Li, Huang Jie, Chen Xujing, Phuang Qinshu and Chen Manyun died as a result of their persecution.

Also persecuted on the false charges of being "renegades," "enemy agents," "counter-revolutionaries" or "lackeys of capitalist roaders" were innumerable cadres and other people working in Party, government and army organs, in enterprises and establishments, rural people's communes and production brigades and teams as well as in urban neighbourhood committees throughout the country.

III

Plotting to Assassinate Chairman Mao Zedong and Engineer an Armed Counter-Revolutionary Coup d'Etat

After the failure of their conspiracy to usurp Party and state leadership through "peaceful transition," the Lin Biao counter-revolutionary clique plotted to stage an armed counter-revolutionary coup d'etat and assassinate Chairman Mao Zedong.

a section head under the Air Force Command’s General Office, he asked them who their leader was. On May 3, Zhou Yuchi, Wang Fei and others held a meeting to pledge allegiance to Lin Biao and made Lin Liguo their “leader.” In October 1970, the “investigation group” headed by Lin Liguo was reorganized into a “joint fleet.” Ye Qun gave code names to Zhou Yuchi, Wang Fei and others. The “joint fleet” constituted the backbone of Lin Biao’s plot to assassinate Chairman Mao Zedong and stage an armed counter-revolutionary coup d’etat.

From 1970 to September 13, 1971, under the direction of Lin Liguo and Zhou Yuchi, Hu Ping, deputy chief-of-staff of the Air Force Command, Wang Weiguo, political commissar of P.L.A. Unit 7341, Mi Jianong, political commissar of the Guangzhou Branch of the Civil Aviation Administration of China (CAAC), Gu Tongzhou, chief-of-staff of the Guangzhou Air Force Headquarters and others set up secret centres of activity in Beijing, Shanghai and Guangzhou. These centres were used by Lin Liguo and others for liaison purposes and for storing arms and ammunition, wireless sets, bugging devices and confidential Party and government documents.

(40) From September 1970 onwards, Lin Biao stepped up his preparations for an armed counter-revolutionary coup d’etat. In February 1971, after plotting with Ye Qun and Lin Liguo in Suzhou, Lin Biao sent Lin Liguo to Shanghai, where from March 21 to 24, he called together such chief members of the “joint fleet” as Zhou Yuchi, Yu Xinye, a deputy section head under the General Office of the Air Force Command, and Li Weixin, then a deputy section head under the Political Department of P.L.A. Unit 7341, and mapped out a plan for an armed counter-revolutionary coup — Outline of “Project 571.” They assessed the situation, worked out the outline of implementation and decided on the slogans and tactics. They called for “gaining the upper hand by striking first militarily” and plotted to launch an armed counter-revolutionary coup d’etat to “seize nationwide political power” or bring about “a situation of rival regimes” by taking advantage of “some high-level meeting to catch all in one net” or “using special means such as bombs, the 543 (code name for a kind of guided missile — Tr.), traffic accidents, assassination, kidnapping and urban guerrilla squads.” They also plotted to “seek Soviet help to tie down domestic and foreign forces.”

On March 31, 1971, while in Shanghai, Lin Liguo, implementing the plan for establishing a “command team” as described in the Outline of “Project 571,” summoned Jiang Tengjiao, Wang Weiguo, Chen Liyun, political commissar of the P.L.A. Unit 7350, and Zhou Jianping, deputy commander of the Nanjing Air Force, to a secret meeting at which Zhou Jianping was made “head” in Nanjing, Wang Weiguo “head” in Shanghai and Chen Liyun “head” in Hangzhou. Jiang Tengjiao was to be “responsible for liaison between the three places with a view to co-ordination and concerted operation.”

In March 1971, instructed by Lin Liguo, Mi Jianong organized a “combat detachment” in Guangzhou. He made its members take an oath of allegiance to Lin Biao and Lin Liguo, and worked out argots and code words to be used in communications.

In April 1971, Lin Liguo directed Wang Weiguo to set up a “training corps” in Shanghai in preparation for the coup. Trainees were taught special skills in arresting people, hand-to-hand fighting, the use of various kinds of light weapons and driving motor vehicles.

(41) On the evening of September 5, 1971, Zhou Yuchi and Yu Xinye telephoned Gu Tongzhou to find out what Chairman Mao Zedong had said in Changsha to leading personnel. The information thus obtained was secretly
reported to Lin Liguo and Ye Qun at once, and Gu Tongzhou sent a written report to Ye Qun. On September 6, Li Zuopeng, then in Wuhan, received a confidential report from Liu Feng, political commissar of the P.L.A. Wuhan Units, containing Chairman Mao Zedong's conversations with leading personnel assembled in the city. Li Zuopeng returned to Beijing the same day and separately tipped off Huang Yongsheng and Qiu Huizuo. That very night Huang Yongsheng phoned Ye Qun about this, who was then in Beidaihe. After receiving the secret information from Gu Tongzhou and Huang Yongsheng, Lin Biao and Ye Qun made up their minds to assassinate Chairman Mao Zedong. On September 7, Lin Liguo issued the order for first-degree combat readiness to the "joint fleet." On September 8, Lin Biao issued the following handwritten order for the armed coup: "Expect you to act according to the order transmitted by Comrades Liguo and Yuchi." On the same day, Lin Liguo brought from Ye Qun in Beidaihe a sealed document addressed to Huang Yongsheng personally. It was to be delivered by Wang Fei. On the morning of September 10, Wang Fei delivered the sealed document to Huang Yongsheng. On the same day Huang Yongsheng repeatedly contacted Ye Qun, making five phone calls to her. The two longest lasted 99 and 135 minutes respectively. Also on that day, Liu Peifeng brought a letter to Huang Yongsheng from Lin Biao in Beidaihe, in which Lin wrote: "Comrade Yongsheng, I miss you very much and hope that you will always be optimistic at all times. Take care of your health. If you have any problems, consult Comrade Wang Fei directly." The letter was given to Wang Fei by Lin Liguo and Zhou Yuchi, and Wang was instructed to deliver it to Huang Yongsheng when necessary. From September 8 to 11, at their secret centres at the Air Force Academy and the Xijiao Airport of Beijing, Lin Liguo and Zhou Yuchi separately relayed Lin Biao's handwritten order for an armed coup to Liu Peifeng, Jiang Tengjiao, Wang Fei, Li Weixin, Lu Min, chief of the Operations Department of the Air Force Command, Liu Shiyi, deputy director of its General Office, Cheng Hongzhen, secretary of the office, Guan Guanglie, political commissar of the P.L.A. Unit 0190, and others. They worked out the details for assassinating Chairman Mao Zedong. Jiang Tengjiao was appointed frontline commander for action in the Shanghai area. They plotted to attack Chairman Mao Zedong's train with flame throwers and 40-mm. bazookas, dynamite the Shuofang Railway Bridge near Suzhou, bomb the train from the air, or blow up the oil depot in Shanghai, near which the special train would pull up, and then assassinate the Chairman in the ensuing commotion, or let Wang Weiguo carry out the murder when he was being received by Chairman Mao Zedong.

Meanwhile, Lin Biao and Ye Qun were making preparations for fleeing south to Guangzhou to set up a separate Party central committee, and also for defecting to another country. On September 10, they ordered Zhou Yuchi and others to obtain from the Air Force Command maps showing where radar units were deployed in north, northeast and northwest China, frequency tables of the radio stations in neighbouring countries which could be used for navigation purposes, maps showing air lines leading from Beijing to Ulan Bator and Irkutsk and the location of their airports and the latter's call signs and radio frequency tables, as well as information concerning the airports in the Guangzhou and Fuzhou areas.

(42) On the evening of September 11, Wang Weiguo secretly telephoned Lin Liguo and Zhou Yuchi, informing them that Chairman Mao Zedong had already left Shanghai for Beijing. When Lin Biao and Ye Qun learned that their plot to murder Chairman Mao Zedong had fallen through, they planned to flee south to Guangzhou, taking
along Huang Yongsheng, Wu Faxian, Li Zuopeng and Qiu Huizuo, and set up a separate Party central committee there to split the nation. They also planned to “launch a pincer attack from north and south in alliance with the Soviet Union should fighting be necessary.” On September 12, Lin Liguo and Zhou Yuchi separately told Jiang Tengjiao, Wang Fei, Yu Xinye, Hu Ping and Wang Yongkui, a deputy section chief in the Intelligence Department of the Air Force Command, to make preparations for the flight south. Hu Ping and company had eight planes ready to leave for Guangzhou and helped Lin Liguo to fly to Shanhaiguan on special plane 256, which was then assigned for the use of Lin Biao, Ye Qun and Lin Liguo in Beidaihe. Wang Fei, Yu Xinye and He Dequan, chief of the Intelligence Department of the Air Force Command, prepared the name list of those who were to flee south, assigned duties and made specific plans for action.

At 03:15 hours on September 13, 1971, Zhou Yuchi, Yu Xinye and Li Weixing hijacked helicopter 3685 at the Shahe Airport in Beijing in an attempt to flee the country, taking with them piles of confidential state documents and large amounts of U.S. dollars which they had illicitly obtained. After seeing through their intention, pilot Chen Xiuwen took steps to fly the helicopter back to Huairou County, a suburb of Beijing, but was killed by Zhou Yuchi when the helicopter landed.

Before Lin Biao's defection, Premier Zhou Enlai had made the decision that special plane 256 “cannot take off without a joint order from four persons,” namely, Zhou Enlai, Huang Yongsheng, Wu Faxian and Li Zuopeng. However, Li Zuopeng distorted this directive when relaying it to those in charge of the Navy's Shanhaiguan Airport, saying, “The plane must not be allowed to take off unless one of the four leading officials gives the order.” He added, “If anyone gives you such an order, you must report it to me. You will be held responsible.” At 00:20 hours on September 13, when special plane 256 was getting ready to take off but its engines were not yet started, the airport leadership phoned Li Zuopeng asking what they should do if the plane were to insist on taking off. Instead of taking any measures to prevent the plane from taking off, Li Zuopeng said evasively, “You may report directly to the Premier and ask for his instructions.” He was procrastinating so that Lin Biao could have enough time to escape. Afterwards, Li Zuopeng tried to cover up his crime by altering the logbook entry of the relevant phone calls.

At 00:32 hours on September 13 and crashed near Undur Khan in Mongolia, killing all those aboard.
IV

Plotting Armed Rebellion in Shanghai

Zhang Chunqiao, Yao Wenyuan and Wang Hongwen, as well as Ma Tianshui, Xu Jingxian, Wang Xiuzhen and company, made Shanghai their base, built up their own armed force and plotted an armed rebellion in the face of their impending doom.

(45) In July 1967, Zhang Chunqiao wrote in a report he finalized, “We must use the gun to protect revolution made with the pen” and instructed Wang Hongwen and others to organize an armed force in Shanghai under their control. In September 1973, Wang Hongwen said to Wang Xiuzhen, “A national general headquarters must be set up for the people’s militia. I will take charge of it myself.” In March 1974, Wang again told her, “The army must not be allowed to lead the militia whose command should be in the hands of the [Shanghai] municipal Party committee.” On many occasions in January and August 1975, Wang Hongwen told Ma Tianshui, Xu Jingxian and Wang Xiuzhen in Beijing and Shanghai, “What worries me most is that the army is not in our hands.” He added, “We must be on the alert against the danger of the revisionists taking power” and “We must be prepared for guerrilla warfare.” In February 1976, he said, “It’s Chunqiao and I who organized the People’s Militia in Shanghai.” And he added, “I’m certainly going to keep firm control over it. You must run it well for me. . . . The army isn’t so reliable.”

(46) On May 7, 1976, within a secret talk with Ma Tianshui, Xu Jingxian and Wang Xiuzhen at Yanan Hotel till midnight. Ding Sheng said, “My biggest worry is Unit 6453. . . . I haven’t the slightest control over it. . . . Several of its divisions are deployed along the Wuxi-Suzhou-Shanghai line. This is a big headache. . . . You must be prepared for any eventuality.” Immediately afterwards, Ma Tianshui attended to the arming of the militia. Altogether, 74,220 rifles, 300 artillery pieces and more than 10 million rounds of ammunition were handed out in no time, as a concrete measure in preparation for an armed rebellion. On September 21 of the same year, Zhang Chunqiao received Xu Jingxian alone in Beijing. After hearing about Ding Sheng’s secret talk with Ma Tianshui, Xu Jingxian and Wang Xiuzhen in Shanghai and about the hurried handout of weapons, Zhang Chunqiao said, “Be careful, keep your eyes open for new trends in the class struggle.” On September 23, Wang Hongwen made a telephone call to Wang Xiuzhen, saying, “Be on your guard, for the struggle isn’t over yet. The bourgeoisie inside the Party will not be reconciled to defeat. Someone or other is sure to try to reinstate Deng Xiaoping.”

(47) In August 1976, Ding Sheng, head of the Nanjing Units of the P.L.A., arrived in Shanghai and had a secret talk with Ma Tianshui, Xu Jingxian and Wang Xiuzhen at Yanan Hotel till midnight. Ding Sheng said, “My biggest worry is Unit 6453. . . . I haven’t the slightest control over it. . . . Several of its divisions are deployed along the Wuxi-Suzhou-Shanghai line. This is a big headache. . . . You must be prepared for any eventuality.”

(48) On October 6, 1976, the gang of Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen was smashed. On October 8, Xu Jingxian and Wang Xiuzhen sent to Beijing Miao Wenjin, secretary of Jin Zumin, who was
in charge of the preparatory group for the reorganization of the All-China Federation of Trade Unions, to find out what had happened. They adopted a secret code for contact purposes. That evening, Miao Wenjin and Zhu Jiayao, a member of the leading Party group in the Ministry of Public Security, made a phone call to Kang Ningyi, political commissar of the Security Section of the Shanghai Municipal Committee of the C.P.C., asking him to tell Wang Xiuzehe that the worst had befallen Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen, using the formula "My mother has contracted myocardial infarction." Soon afterwards, Zhu Jiayao phoned Kang Ningyi again, asking him to tell Wang Xiuzehe, "People have been assembled and locked up. They can no longer move about." So Xu Jingxian and Wang Xiuzehe immediately called an emergency mobilization meeting. They decided to "fight it out." They said, "Send the militia into action. If we cannot keep up the fight for a week, five or three days will suffice to let the whole world know what's happening." There and then, Xu Jingxian wrote an order to assemble and deploy 33,500 militiamen. A command team and two secret command posts were set up for the armed rebellion, and the newspapers and broadcasting stations in Shanghai were instructed to act in co-ordination. Li Binshan, deputy political commissar of the Shanghai Garrison, Shi Shangying and Zhong Dingdong, who were in charge of the Shanghai militia headquarters, and others drew up an initial plan for the armed rebellion, which was then approved by Wang Xiuzehe. Xue Ganqing and Xu Chenghu, deputy secretaries of the Party committee of the Shanghai Municipal Public Security Bureau, worked out the bureau's programme for action. On October 9, Shi Shangying called a meeting of the militia leaders of ten districts and of the five militia divisions directly under the command of the Shanghai Municipal Revolutionary Committee and ordered them to muster their forces and see to it that there were enough motor vehicles and drivers and that their arms and ammunition matched. Over 27,000 rifles and artillery pieces and 225 motor vehicles were assigned for use. A large quantity of food and other material was made available. Fifteen transmitter-receivers were installed at the command posts in the Jiangnan Shipyards and the China Textile Machinery Plant and at the militia headquarters of the various districts so as to link them up through telecommunications. Zhong Dingdong drew up more specific operation plans, code named "Han No. 1" and "Fang No. 2," for the armed rebellion. They decided to throw up three cordons between the heart of Shanghai and its outskirts in order to bring under control the city's administrative centre, railway stations, wharves, airports, harbours, the Pujiang River Tunnel, bridges and other main transport routes. Pass words and argots were also worked out. On October 12, they planned to publish a "Message to the People of Shanghai and the Whole Country" and drafted 21 counter-revolutionary slogans.

On the evening of the same day, Wang Shaoyong and Zhu Yongjia, together with Huang Tao and Chen Ada, who were leading members of the group in charge of industry and communications under the Shanghai Municipal Revolutionary Committee, and others met to plan production stoppages through strikes, parades and demonstrations, the acquiring of control over the press and radio stations and blockade of the news released by the central media. They planned to cut off the supply of electricity at the grid, barricade airport runways with steel ingots and scuttle ships to block the river mouth at Wusongkou. They put forward the counter-revolutionary slogans: "Return Jiang Qing to us," "Return Chunqiao to us,"
"Return Wenyuan to us" and "Return Hongwen to us," readying themselves for "a life-and-death struggle."

The above-mentioned facts establish that the two counter-revolutionary cliques of Lin Biao and Jiang Qing framed and persecuted the Chairman of the People's Republic of China, the Chairman of the Standing Committee of the National People's Congress, the Premier of the State Council, the General Secretary of the Central Committee of the Chinese Communist Party and other leaders of the Party and state, persecuted and suppressed large numbers of cadres and people, plotted to assassinate Chairman Mao Zedong and planned to engineer an armed rebellion, and that they are counter-revolutionary cliques whose aim was to overthrow the political power of the dictatorship of the proletariat. Their felonies have been proved by a mass of conclusive evidence. The people of all nationalities, and in particular, the large numbers of cadres and other people who were framed, persecuted or implicated, are witnesses to their criminal activities. And so are those who, for a time, were hoodwinked or misled by them.

In accordance with the provisions of Article 9 of the Criminal Law of the People's Republic of China with regard to the standard for the application of law, this procuratorate affirms that the following ten principal culprits have violated the Criminal Law of the People's Republic of China and have committed the crime of attempting to overthrow the government and split the state, the crime of attempting to engineer an armed rebellion, the crime of having people injured or murdered for counter-revolutionary ends, the crime of framing and persecuting people for counter-revolutionary ends, the crime of organizing and leading counter-revolutionary cliques, the crime of conducting demagogical propaganda for counter-revolutionary ends, the crime of extorting confessions by torture, and the crime of illegally detaining people, and that they should be duly prosecuted according to their criminal liability. This Procuratorate hereby institutes, according to law, a public prosecution against the following ten principal accused:

Defendant Jiang Qing, female, 67, of Zhucheng County, Shandong Province. Member of the Tenth Central Committee of the Communist Party of China and its Political Bureau prior to her arrest. Now in custody;

Defendant Zhang Chunqiao, male, 63, of Juye County, Shandong Province. Member of the Tenth Central Committee of the C.P.C., its Political Bureau and the Bureau's Standing Committee, vice-premier of the State Council, director of the General Political Department of the Chinese People's Liberation Army, first secretary of the Shanghai Municipal Committee of the C.P.C., and chairman of the Shanghai Municipal Revolutionary Committee prior to his arrest. Now in custody;

Defendant Yao Wenyuan, male, 49, of Zhuji County, Zhejiang Province. Member of the Tenth Central Committee of the C.P.C. and its Political Bureau, second secretary of the Shanghai Municipal Committee of the C.P.C., and vice-chairman of the Shanghai Municipal Revolutionary Committee prior to his arrest. Now in custody;

Defendant Wang Hongwen, male, 45, of Changchun, Jilin Province. Member of the Tenth Central Committee of the C.P.C., its Political Bureau and the Bureau's Standing Committee, vice-chairman of the Central Committee of the C.P.C., secretary of the Shanghai Municipal Committee of the C.P.C., and vice-chairman of the Shanghai Municipal Revolutionary Committee prior to his arrest. Now in custody;

Defendant Chen Boda, male, 76, of Huian County, Fujian Province. Member of the Ninth Central Com-
mittee of the C.P.C., its Political Bureau and the Bureau's Standing Committee prior to his arrest. Now in custody;

Defendant Huang Yongsheng, male, 70, of Xianning County, Hubei Province. Member of the Ninth Central Committee of the C.P.C. and its Political Bureau, and chief of the General Staff of the P.L.A. prior to his arrest. Now in custody;

Defendant Wu Faxian, male, 65, of Yongfeng County, Jiangxi Province. Member of the Ninth Central Committee of the C.P.C. and its Political Bureau, and deputy chief of the P.L.A. General Staff and concurrently commander of the P.L.A. Air Force prior to his arrest. Now in custody;

Defendant Li Zuopeng, male, 66, of Jian County, Jiangxi Province. Member of the Ninth Central Committee of the C.P.C. and its Political Bureau, and deputy chief of the P.L.A. General Staff and concurrently first political commissar of the P.L.A. Navy prior to his arrest. Now in custody;

Defendant Qiu Huizuo, male, 66, of Xingguo County, Jiangxi Province. Member of the Ninth Central Committee of the C.P.C. and its Political Bureau, and deputy chief of the P.L.A. General Staff and concurrently director of the P.L.A. General Logistics Department prior to his arrest. Now in custody; and


In accordance with Item 5, Article 11, of the Law of Criminal Procedure of the People's Republic of China, no criminal liability shall be pursued against those defendants who are dead. In this case, they are Lin Biao, Kang Sheng, Xie Fuzhi, Ye Qun, Lin Liguo and Zhou Yuchi, who were also principal culprits of the Lin Biao and Jiang Qing counter-revolutionary cliques. The other defendants involved in this will be dealt with separately.

Huang Huoqing
Chief Procurator of the Supreme People's Procuratorate of the People's Republic of China and concurrently Chief of the Special Procuratorate Under the Supreme People's Procuratorate

November 2, 1980
WRITTEN JUDGEMENT
OF
THE SPECIAL COURT UNDER
THE SUPREME PEOPLE'S COURT OF
THE PEOPLE'S REPUBLIC OF CHINA

Te Fa Zi No. 1


The defendant, Jiang Qing, female, 67, of Zhucheng County, Shandong Province. Formerly deputy head of the "cultural revolution group under the Central Committee" of the Communist Party of China and a member of the Political Bureau of the Ninth and Tenth C.P.C. Central Committees. Now in custody.

The defendant, Zhang Chunqiao, male, 63, of Juye County, Shandong Province. Formerly deputy head of the "cultural revolution group under the C.P.C. Central Committee," a member of the Political Bureau of the Ninth and Tenth C.P.C. Central Committees and vice-chairman of the Shanghai Municipal Revolutionary Committee. Now in custody.

The defendant, Yao Wenyuan, male, 49, of Zhuji County, Zhejiang Province. Formerly a member of the "cultural revolution group under the C.P.C. Central Committee," a member of the Political Bureau of the Ninth and Tenth C.P.C. Central Committees and vice-chairman of the Shanghai Municipal Revolutionary Committee. Now in custody.

The defendant, Wang Hongwen, male, 46, of Changchun city, Jilin Province. Formerly vice-chairman of the Tenth C.P.C. Central Committee and vice-chairman of the Shanghai Municipal Revolutionary Committee. Now in custody.

The defendant, Chen Boda, male, 76, of Huian County, Fujian Province. Formerly head of the "cultural revolution group under the C.P.C. Central Committee" and a Standing Committee member of the Political Bureau of the Eighth and Ninth C.P.C. Central Committees. Now in custody.

The defendant, Huang Yongsbeng, male, 70, of Xianning County, Hubei Province. Formerly chief of the General Staff of the Chinese People's Liberation Army. Now in custody.


The defendant, Li Zuopeng, male, 66, of Ji'an County, Jiangxi Province. Formerly deputy chief of the P.L.A. General Staff and concurrently first political commissar of the Navy. Now in custody.

The defendant, Qiu Huizuo, male, 66, of Xingguo
County, Jiangxi Province. Formerly deputy chief of the P.L.A. General Staff and concurrently director of the General Logistics Department. Now in custody.

The defendant, Jiang Tengjiao, male, 61, of Hongan County, Hubei Province. Formerly air force political commissar of the P.L.A. Nanjing Units. Now in custody.

The advocates: Defence lawyers Han Xuezhang and Zhang Zhong for the defendant Yao Wenyuan;
Defence lawyers Gan Yupei and Fu Zhiren for the defendant Chen Boda;
Defence lawyers Ma Kechang and Zhou Hengyuan for the defendant Wu Faxian;
Defence lawyers Zhang Sizhi and Su Huiyu for the defendant Li Zuopeng;
Defence lawyers Wang Shunhua and Zhou Kuizheng for the defendant Jiang Tengjiao.

The other defendants, Jiang Qing, Zhang Chunqiao, Wang Hongwen, Huang Yongsheng and Qiu Huizuo, did not entrust their defence to any lawyers, nor did they request the Special Court to assign advocates for them.

Task of the Special Court

The Special Court Under the Supreme People's Court of the People's Republic of China was set up in line with the "decision on the establishment of a Special Procuratorate Under the Supreme People's Procuratorate and a Special Court Under the Supreme People's Court to prosecute and try the principal defendants in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques," which was adopted at the 16th Meeting of the Standing Committee of the Fifth National People's Congress held on September 29, 1980. The task of this court, as defined by the decision, is trying the principal defendants in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques.

On November 5, 1980, the Special Procuratorate brought before this court the case of the Lin Biao and Jiang Qing counter-revolutionary cliques plotting to overthrow the political power of the dictatorship of the proletariat, and lodged a public prosecution against the defendants, Jiang Qing, Zhang Chunqiao, Yao Wenyuan, Wang Hongwen, Chen Boda, Huang Yongsheng, Wu Faxian, Li Zuopeng, Qiu Huizuo and Jiang Tengjiao.

Article 9 of the Criminal Law of the People's Republic of China states: "If an act performed after the founding of the People's Republic of China and prior to the enforcement of the present law was not deemed an offence under the laws, decrees and policies then in force, these laws, decrees and policies shall be the standard. If the act was deemed an offence under the said laws, decrees and policies and is also subject to prosecution under Section 8, Chapter 4, of the general provisions of the present law, the standard of criminal liability shall also be the said laws, decrees and policies. But if the act is not deemed an offence or the penalty for the offence is lighter under the present law, the present law shall apply." In line with the Criminal Law of the People's Republic of China and the Law of Criminal Procedure of the People's Republic of China, this court tried the principal defendants in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques in Beijing from November 20, 1980, to January 25, 1981. This court listened to the speeches of public prosecutors in support of the public prosecution, interrogated the defendants and listened to their depositions, defences and final statements, heard the speeches of the advocates, the testimonies of the witnesses and the accounts of some of the victims, and verified various pieces of evidence directly relating to the case.
This court confirms that the counter-revolutionary clique headed by Lin Biao and the counter-revolutionary clique headed by Jiang Qing were both counter-revolutionary cliques that carried out conspiratorial activities for the purpose of seizing the supreme power of the Party and the state. These two counter-revolutionary cliques had the common criminal motives and purpose of overthrowing the people's democratic dictatorship, namely the dictatorship of the proletariat (including the state organs and military institutions and, in the present case, also including the Chinese Communist Party, the force that exercises leadership over the above-mentioned organs and institutions) in China, conspired together in committing criminal offences, and thus formed a counter-revolutionary alliance. The principal culprits in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques are the defendants, Jiang Qing, Zhang Chunqiao, Yao Wen-yuan, Wang Hongwen, Chen Boda, Huang Yongsheng, Wu Faxian, Li Zuopeng, Qiu Huizuo and Jiang Tengjiao, as well as the following who are dead: Lin Biao (formerly vice-chairman of the Eighth and Ninth C.P.C. Central Committees and minister of national defence), Kang Sheng (formerly advisor to the "cultural revolution group under the C.P.C. Central Committee" and vice-chairman of the Tenth C.P.C. Central Committee), Xie Fuzhi (formerly a member of the Political Bureau of the Ninth C.P.C. Central Committee and minister of public security), Ye Qun (formerly a member of the Political Bureau of the Ninth C.P.C. Central Committee and the wife of Lin Biao), Lin Liguo (formerly deputy chief of the Operations Department of the P.L.A. Air Force Headquarters and the son of Lin Biao) and Zhou Yuchi (formerly deputy director of the General Office of the P.L.A. Air Force Headquarters).

It was in the decade of turmoil known as the "great cultural revolution" that the Lin Biao and Jiang Qing counter-revolutionary cliques carried out their counter-revolutionary criminal activities. During the "great cultural revolution," the political life of the state became extremely abnormal, and the socialist legal system was seriously undermined. Taking advantage of their positions and power at that time and resorting to every possible means, overt and covert, by pen and by gun, the Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted state leaders and leaders of the Chinese Communist Party and the democratic parties in a premeditated way, conspired to overthrow the government and sabotage the army, suppressed and persecuted large numbers of cadres, intellectuals and ordinary people from various social strata, poisoned the minds of large numbers of young people, and endangered the life and property and right of autonomy of the people of various national minorities. The Lin Biao counter-revolutionary clique plotted to stage an armed coup d'état and conspired to assassinate Chairman Mao Zedong. The Jiang Qing counter-revolutionary clique plotted to stage an armed rebellion in Shanghai. The criminal activities of the Lin Biao and Jiang Qing counter-revolutionary cliques lasted for a whole decade, bringing calamities to all fields of work and all regions across the country, subjecting the system of the people's democratic dictatorship and socialist public order in our country to extraordinarily grave danger, inflicting very great damage upon the national economy and all other undertakings, and causing enormous disasters to the people of all nationalities in the country.

The acts of the principal culprits in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques, which endangered the state and society, constitute criminal offences both under the laws and decrees then in force and under the Criminal Law of the People's Republic of China which came into force on January 1, 1980. The duty of
this court is to hear the criminal offences committed by the principal culprits in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques and pursue their criminal liability, in strict accordance with the Criminal Law of the People's Republic of China. This court does not handle other problems of the defendants that do not fall into the category of criminal offences.

Criminal Offences by the Principal Culprits of the Lin-Jiang Cliques

The offences committed by the principal culprits in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques are as follows:

The Lin Biao and Jiang Qing counter-revolutionary cliques plotted to subvert the government and overthrow the people's democratic dictatorship in China. While formulating the policy for seizing Party and state leadership, Lin Biao said on January 23, 1967: "All power, be it at the top, middle or lower levels, should be seized. In some cases, this should be done soon, in others later. . . . This may be done at the top or lower levels, or done in co-ordination at both levels." Zhang Chunqiao said on January 22: "We must seize power everywhere." From 1967 to 1975, Zhang Chunqiao declared on many occasions that "the 'great cultural revolution'" meant "a change of dynasty." Although the above-mentioned counter-revolutionary aim of the Lin Biao and Jiang Qing counter-revolutionary cliques could not entirely succeed owing to resistance from the Party, the government and the people, they did succeed over a fairly long period of time in seriously disrupting government institutions and affecting their work, seriously undermining the people's public security organs, the people's procuratorates and the people's courts. They controlled leadership in the departments of organization and propaganda under the Central Committee of the Communist Party of China, and the departments of culture, education, health, and nationalities affairs under the State Council, seized leadership in most of the provinces, autonomous regions and municipalities directly under the central government, and for a time "smashed" the General Political Department of the Chinese People's Liberation Army and seized part of the leadership in some military institutions.

The Lin Biao and Jiang Qing counter-revolutionary cliques worked hand in glove in scheming to frame and persecute Liu Shaoqi, Chairman of the People's Republic of China. In August of 1966, Lin Biao asked Ye Qun to dictate to Lei Yingfu, deputy director of the Operations Department of the Headquarters of the P.L.A. General Staff, material containing false charges they had fabricated against Liu Shaoqi, and they instructed Lei Yingfu to put these charges in writing. In December of the same year, Zhang Chunqiao privately summoned Kuai Dafu, a student at Qinghua University, and instigated him to organize a demonstration and agitate first of all in society at large for "overthrowing Liu Shaoqi." In July of 1967, Jiang Qing, in collusion with Kang Sheng and Chen Boda, decided to have Liu Shaoqi persecuted physically, depriving him of his freedom of action ever since. Beginning from May of 1967, Jiang Qing assumed direct control of the "group for inquiring into the special case of Liu Shaoqi and Wang Guangmei" and, in collusion with Kang Sheng and Xie Fuzhi, directed the group to extort confessions from people arrested and imprisoned and rig up false evidence vilifying Liu Shaoqi as a "renegade," "enemy agent" and "counter-revolutionary." In 1967, in order to fabricate false evidence against Liu Shaoqi, Jiang Qing made the decision to arrest and imprison Yang Yichen, Deputy Governor of Hebei Province (formerly a worker in the organization department of the C.P.C. Man-
churia provincial committee), Yang Chengzuo, a professor at the China People’s University (formerly a professor at the Catholic University in Beijing and Wang Guangmei’s teacher); Wang Guangen, a citizen of Tianjin (formerly assistant manager of the Fengtian Cotton Mill); Hao Miao, Liu Shaoqi’s cook, and seven others. When Yang Chengzuo was critically ill, Jiang Qing said to members of the special case group: “Step up the interrogation to squeeze out of him what we need before he dies.” As a result of this decision made by Jiang Qing, Yang Chengzuo was hounded to death. The special case group under her control also persecuted Wang Guangen to death. In collusion with Xie Fuzhi, Jiang Qing ordered people to extort confessions repeatedly from Zhang Zhongyi, a professor at the Hebei Beijing Normal College (formerly a professor at the Catholic University in Beijing and Wang Guangmei’s teacher), who was critically ill, so that he died barely two hours after an interrogation to extort confessions from him. In order to rig up false evidence and frame Liu Shaoqi as a “renegade,” Jiang Qing, along with Kang Sheng, Xie Fuzhi and others, ordered the special case group to extort confessions from Ding Juequn, who worked with Liu Shaoqi in the workers’ movement in Wuhan in 1927, and Meng Yongqian, who was arrested at the same time as Liu Shaoqi in Shenyang in 1929. As a result of the framing by Jiang Qing and others, Liu Shaoqi was imprisoned and persecuted to death.

The Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted other Party and state leaders. In July of 1967, Qi Benyu, a member of the “cultural revolution group under the C.P.C. Central Committee,” with the approval of Kang Sheng, instigated Han Aijing, a student at the Beijing Aeronautical Engineering Institute, to subject Peng Dehuai, a Member of the Political Bureau of the C.P.C. Central Committee, to physical persecution. As a result, Peng Dehuai was severely wounded with several ribs fractured. On November 3, 1970, Huang Yongsheng agreed to the proposal raised by the group in charge of the special case of Peng Dehuai, that Peng Dehuai be “sentenced to life imprisonment and deprived of civil rights for life,” in order to continue persecuting him. Peng Dehuai was later tormented to death because of the framing and persecution by the Lin Biao and Jiang Qing counter-revolutionary cliques. In July of 1966, Kang Sheng falsely charged He Long, Vice-Premier and Vice-Chairman of the Military Commission of the C.P.C. Central Committee, with “deploying troops to stage a February mutiny” in Beijing. In August of the same year, Lin Biao instructed Wu Faxian to fabricate charges against He Long. In April of 1968, Li Zuopeng and others falsely charged He Long and others with “usurping army leadership and opposing the Party.” Framed by Lin Biao, Kang Sheng and others, He Long was imprisoned and tormented to death. On June 23, 1967, Huang Yongsheng approved the “report for instruction on investigation for the purpose of rounding up renegades,” which was submitted by the head of the military control commission stationed in the Guangzhou Municipal Public Security Bureau, and its appendix, “plan for investigation, No. 1,” in a scheme to frame Ye Jianying, Vice-Chairman of the Military Commission of the C.P.C. Central Committee, as a “renegade.” In June of 1968, Huang Yongsheng turned over to Ye Qun the materials charging Ye Jianying with “plotting a counter-revolutionary coup.” In August of 1968, Huang Yongsheng and Wu Faxian fabricated facts and framed Luo Ruiqing, Vice-Premier of the State Council, as a “counter-revolutionary who has committed heinous crimes.” From late 1966 to 1968, Chen Boda on quite a few occasions framed Lu Dingyi, Vice-Premier of the State Council, as an “active counter-revolutionary,” “renegade” and “hidden traitor,” and decided to have his health ruined,
On July 21, 1968, Jiang Qing and Kang Sheng drew up a list of names, aiming at framing Members of the Eighth C.P.C. Central Committee. In August of the same year, Kang Sheng again drew up lists of names aimed at framing Members of the Standing Committee of the Third National People's Congress and Standing Committee Members of the Fourth National Committee of the Chinese People's Political Consultative Conference. In December of the same year, Xie Fuzhi rigged up the case of a "Chinese communist party (Marxist-Leninist)" with still another list of names. On these four lists, 103 Members and Alternate Members of the Eighth C.P.C. Central Committee, 52 Members of the Third N.P.C. Standing Committee and 76 Standing Committee Members of the Fourth C.P.P.C.C. National Committee were labelled "enemy agents," "renegades," "elements having illicit relations with foreign countries," "counter-revolutionaries," "suspected renegades" or "suspected enemy agents." The people framed were subsequently persecuted. They included the Chairman and seven Vice-Chairmen of the N.P.C. Standing Committee, 12 Vice-Premiers of the State Council, 22 Members and Alternate Members of the Political Bureau of the C.P.C. Central Committee, the General Secretary and 13 Members and Alternate Members of the Secretariat of the C.P.C. Central Committee, six Vice-Chairmen of the Military Commission of the C.P.C. Central Committee, and 11 leading members of various democratic parties. From 1966 to 1970, Jiang Qing at various meetings named 24 Members and Alternate Members of the Eighth C.P.C. Central Committee and hurled false charges at them, so that they were persecuted one after another. After Jiang Qing named and made false accusations against Zhang Linzhi, Minister of the Coal Industry, he was illegally incarcerated and subsequently died of serious injuries from beating.

The Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted large numbers of officers of the Chinese People's Liberation Army in an attempt to put it under their complete control. On July 25, 1967, Lin Biao called for the "thorough smashing of the P.L.A. General Political Department." Huang Yongsheng, Wu Faxian, Li Zuopeng and Qiu Huizuo respectively framed and persecuted large numbers of officers in the Headquarters of the General Staff, the General Political Department, the General Logistics Department, the Air Force and the Navy of the Chinese People's Liberation Army. The Lin Biao and Jiang Qing counter-revolutionary cliques cooked up so many false cases in the Chinese People's Liberation Army that over 80,000 people were framed and persecuted, of whom 1,169 died under persecution.

The Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted Party and government leaders at various levels in an attempt to seize departmental and regional leadership that they had not yet got hold of. In January of 1968, Kang Sheng and others framed cadres in the Organization Department of the C.P.C. Central Committee and directly controlled leadership in that department. The Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted large numbers of cadres and people's policemen in people's public security organs, people's procuratorates and people's courts at various levels, of whom 1,565 were hounded to death. The Lin Biao and Jiang Qing counter-revolutionary cliques framed and persecuted large numbers of cadres and people's policemen in various provinces, autonomous regions and municipalities directly under the central government. Under the instruction and instigation of Kang Sheng, Xie Fuzhi and others, leadership of Beijing municipality was seized and 13 of its leading cadres were framed and persecuted. Liu Ren and Deng Tuo, secretaries of the munic-
principal Party committee, and Vice-Mayors Wu Han and Yue Songsheng, were persecuted to death. Leadership of Shanghai municipality was seized and 12 of its leading cadres were framed and persecuted as a result of the instruction and instigation of Zhang Chunqiao and Yao Wenyuan. Mayor Cao Diqiu and Vice-Mayor Jin Zhonghua died from persecution. In 1967 and 1968, Zhang Chunqiao directly manipulated and ordered the "You Xuetao group" in Shanghai to undertake such special tasks of espionage as tailing, shadowing, kidnapping, ransacking people's homes, taking people into custody, extortion, confessions by torture, and fabricating intelligence. The group trumped up false cases, framed and persecuted cadres and ordinary people, and falsely charged leading cadres in east China with "organizing an armed detachment south of the Changjiang (Yangtze) River" and "plotting a mutiny."

The Lin Biao and Jiang Qing counter-revolutionary cliques created large numbers of false cases, incited beating, smashing and looting throughout the country, and persecuted large numbers of cadres and ordinary people. In 1967, Kang Sheng and others trumped up the case of a "Xinjiang renegade clique." In 1967 and 1968, Huang Yongsheng and company concocted, one after another, the case of a "Guangdong underground Party organization" and that of a "counter-revolutionary clique" in the P.L.A. Guangzhou Units. Under Chen Boda's instigation, a false case in eastern Hebei Province brought serious consequences with a large number of cadres and ordinary people persecuted in 1967. Kang Sheng and Xie Fuzhi rigged up the case of "enemy agent Zhao Jianmin" in Yunnan in 1968. In the same year, because of the agitation of Kang Sheng and Xie Fuzhi, the false case of an "Inner Mongolian people's revolutionary party" entailed disastrous consequences, with large numbers of cadres and ordinary people persecuted or hounded to death or disability. Between 1967 and 1969, the case of a "counter-revolutionary 'northeast gang' that betrayed the Party and capitulated to the enemy" was trumped up under the agitation of the Lin Biao and Jiang Qing counter-revolutionary cliques. In October of 1966, Jiang Qing collaborated with Ye Qun in ordering Jiang Tengjiao to carry out an unlawful search in Shanghai of the homes of Zheng Junli, Zhao Dan, Gu Eryi, Tong Zhiling and Chen Liting, who were later persecuted physically. False cases concocted under the instruction and instigation of the Lin Biao and Jiang Qing counter-revolutionary cliques led to the framing and persecution of large numbers of cadres and ordinary members of Communist Party, government and army organs at various levels and various democratic parties and people's organizations, cadres and other people in various circles and returned overseas Chinese. Among those well-known figures in various circles who were persecuted to death were: noted writers and artists including Lao She, Zhao Shull, Zhou Xinfang, Gai Jiaotian, Pan Tianshou, Ying Yunwei, Zheng Junli and Sun Weishi; noted professors including Xiong Qinglai, Jian Bozan, He Sijing, Wang Shourong, Gu Yuzhen, Li Guangtian, Tao Yutai, Liu Pansui and Ma Tie; noted scientists including Zhao Jiuzhang, Ye Zhupei, Zhang Zongzui, Liu Chongle, Chen Huayong and Zhou Ren; famous medical specialists including Hu Zhengxiang, Zhang Changshao, Ji Suhua, Lu Shouyan, Yu Xichun and Li Zhongren; outstanding sports coaches including Fu Qifang, Rong Guotuan and Jiang Yongning; well-known model workers including Meng Tai and Shi Chuangxiang; and well-known figures in overseas Chinese affairs including Fang Fang, Xu Li, Huang Jie, Chen Xujing, Huang Qinshu and Chen Manyun. The Lin Biao and Jiang Qing counter-revolutionary cliques seriously disrupted national unity and had large numbers of cadres and ordinary people of various
minority nationalities cruelly persecuted. As a result, Jiyatai and others were persecuted to death.

The Lin Biao and Jiang Qing counter-revolutionary cliques instigated large-scale incidents of violence among mass organizations throughout the country, attempting thus to seize power and cruelly suppress the people. At the instigation of Zhang Chunqiao, an armed clash, known as the Kangping Road Incident, was triggered in Shanghai on December 28, 1966, resulting in 91 injured and setting a vile precedent for seizing power by instigating violent incidents throughout the country. With the support of Zhang Chunqiao and Yao Wenyuan, Wang Xiaoyu, then chairman of the Shandong Provincial Revolutionary Committee, engineered in May of 1967 a violent incident in the compound of the provincial revolutionary committee in Jinan, resulting in 388 persons arrested and imprisoned. On August 4 of the same year, Wang Hongwen organized and directed people to surround and attack the Shanghai Diesel Engine Plant, resulting in 650 people imprisoned, injured or maimed.

The Lin Biao and Jiang Qing counter-revolutionary cliques each plotted to seize supreme Party and state power for itself. While they formed an alliance, their sharp contradictions remained. In 1969, Lin Biao was designated successor to Chairman Mao Zedong. In 1970, Lin Biao realized that the forces of Jiang Qing, Zhang Chunqiao and company were growing in such a manner as to surpass his own, so he plotted to “take over” the leadership ahead of schedule. While well aware that Jiang Qing could never succeed in her ambitions, Lin Biao knew that it was impossible for Chairman Mao Zedong to support his “takeover” in advance. Therefore, in September of 1971, the Lin Biao counter-revolutionary clique decided to cast off its mask and stage an armed coup and assassinate Chairman Mao Zedong. As early as October of 1969, Wu Faxian, commander of the Air Force, turned over to Lin Liguo all power to place the Air Force under his command and at his disposal. In October of 1970, Lin Liguo organized a secret backbone force for the armed coup, which he named the “joint fleet.” In March of 1971, Lin Liguo, Zhou Yuchi and others mapped out in Shanghai a plan for the armed coup, which they named Outline of “Project 571.” In line with the plan for establishing a “command team” as described in the Outline, Lin Liguo summoned Jiang Tengjiao and Wang Dejue, political commissar of the P.L.A. Unit 7341, Chen Liyun, political commissar of the P.L.A. Unit 7350, and Zhou Jianping, deputy commander of the Air Force of the P.L.A. Nanjing Units, to a secret meeting in Shanghai on March 31, at which Jiang Tengjiao was put in charge of liaison between the three places of Nanjing, Shanghai and Hangzhou with a view to co-ordination and concerted operation. On September 5 and 6 of the same year, after receiving secret reports first from Zhou Yuchi and then from Huang Yongsheng about Chairman Mao Zedong’s talks which showed that he was aware of Lin Biao’s scheme to seize power, Lin Biao and Ye Qun decided to take action to assassinate Chairman Mao Zedong on his inspection tour and stage an armed coup. On September 8, Lin Biao issued the following hand-written order for the armed coup: “Expect you to act according to the order transmitted by Comrades Liguo and Yuchi.” Lin Liguo and Zhou Yuchi then gave detailed assignments to Jiang Tengjiao and Wang Fei, deputy chief-of-staff of the Air Force Headquarters, and other key members of the “joint fleet.” While the Lin Biao counter-revolutionary clique was plotting intensively for the armed coup, Chairman Mao Zedong, having been alerted by their plot, suddenly changed his itinerary and safely returned to Beijing on September 12.

After the failure of their plan for the assassination, Lin Biao then made preparations for fleeing south with Huang
Yongsheng, Wu Faxian, Li Zuopeng and Qiu Huizuo to Guangzhou, the base where he was prepared to stage the armed coup, in an attempt to set up a separate central government there and split the state. At Lin Biao’s order, Hu Ping, deputy chief-of-staff of the Air Force Headquarters, had eight planes ready for the flight south to Guangzhou. On September 12, he secretly dispatched the special plane, No. 256, to Shanhaiguan for the use of Lin Biao, Ye Qun and Lin Liguo, who were then in Beidaihe. At a few minutes past 10 o’clock that evening, Premier Zhou Enlai inquired about the unexpected dispatch of the special plane, No. 256, to Shanhaiguan and ordered that it be brought back to Beijing at once. Hu Ping lied, saying that the special plane, No. 256, had gone to Shanhaiguan on a training flight and had developed engine trouble, refusing to carry out the order for bringing it back to Beijing. Meanwhile, he reported to Zhou Yuchi that the Premier had inquired about the movement of the plane. Zhou Yuchi in turn reported this to Lin Liguo. While issuing directives to those in charge of the Navy Aviation Corps’ Shanhaiguan Airport, first at 23:35 hours on September 12 and then at 00:06 hours on September 13, Li Zuopeng distorted Premier Zhou Enlai’s directive that the special plane, No. 256, “Cannot take off without a joint order from four persons,” namely, Zhou Enlai, Huang Yongsheng, Wu Faxian and Li Zuopeng, saying, “The plane must not be allowed to take off unless one of the four leading officials gives the order.” At 00:20 hours on September 13, when Pan Hao, director of the Navy Aviation Corps’ Shanhaiguan Airport, who had discovered the abnormal situation at the time, phoned Li Zuopeng, asking what they should do if the plane were to take off forcibly, Li Zuopeng still did not take any measure to prevent the plane from taking off, thus enabling Lin Biao, Ye Qun and Lin Liguo to defect by the special plane, No. 256. Learning that Premier Zhou Enlai had inquired about the special plane’s flight to Shanhaiguan, Lin Biao decided it was impossible to carry out the plan of fleeing south to Guangzhou and setting up a separate government there. So they boarded the plane and took off forcibly at 00:32 hours on September 13 to flee abroad in defection. The plane crashed on the way, killing all those aboard.

After learning about Lin Biao’s defection, Zhou Yuchi and others seized the helicopter, No. 3685, in Beijing and took off at 03:15 hours on September 13 to flee the country, but the helicopter was forced to land. Large amounts of confidential state documents stolen by the Lin Biao counter-revolutionary clique and its plans for an armed coup were captured from the helicopter.

After Lin Biao and others died on their flight abroad, the Jiang Qing counter-revolutionary clique, in an attempt to seize Party and state leadership, carried on criminal activities to frame and persecute leading members at various levels. From 1974 to 1976, the Jiang Qing counter-revolutionary clique instructed writing groups such as “Liang Xiao,” “Chi Heng” and “Luo Siding” to carry out counter-revolutionary agitation for vilifying leading cadres at various levels who had just returned to their posts as “having turned from bourgeois democrats to capitalist-roaders,” thus becoming targets of their so-called continued revolution. In 1976, Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen created new disturbances throughout the country and framed and persecuted large numbers of leading cadres with the ultimate objective of subverting the government. In March, Jiang Qing, in a talk with leading members from 12 provinces and autonomous regions, named a number of leading cadres at central and local levels and hurled false charges at them. In the same year, Zhang Chunqiao instigated Ma Tianshui and Xu Jingxian, vice-chairmen of the Shanghai Municipal Revolutionary Committee, to speak at a meeting attended by more than 10,000 people
in Shanghai and vilify leading cadres who had resumed work as “turning from bourgeois democrats to capitalist-roaders.” In the same year, Wang Hongwen and Yao Wenyuan ordered Lu Ying, editor-in-chief of Renmin Ribao (People’s Daily), to dispatch people to some departments of the State Council and some provinces to cook up materials according to their intentions for framing veteran cadres who had resumed work as “having organized landlords’ restitution corps” and “trying to reverse correct verdicts and stage a comeback.” They used the materials to justify their seizure of power from those departments and regions which were not yet under their control. From March to May of 1976, the Jiang Qing counter-revolutionary clique made up stories, slandering ordinary people in Nanjing, Beijing and other places who honoured the memory of Premier Zhu Enlai as “counter-revolutionaries.” The clique also vilified Vice-Premier Deng Xiaoping as “the chief boss behind the counter-revolutionary political incident” at Tian An Men Square and agitated for large-scale suppression and persecution of cadres and ordinary people.

Zhang Chunqiao and Wang Hongwen, principal culprits in the case of the Jiang Qing counter-revolutionary clique, made Shanghai their base for building and expanding a “militia force” under their direct control. As early as August of 1967, a report cleared by Zhang Chunqiao, entitled “plans of the Shanghai Municipal Revolutionary Committee for setting up the ‘verbal attack and armed defence’ headquarters,” called for “using the gun to protect revolution made with the pen” and for vigorously building up armed forces under their control. From 1973 to 1976, Wang Hongwen said on many occasions to Ma Tianshui, Xu Jingxian and Wang Xiuzhen, key members of the Jiang Qing counter-revolutionary clique in Shanghai, that “the army must not be allowed to load the militia,” that “it’s Chunqiao and me who organized the people’s militia in Shanghai,” that “you must run it well for me,” that “what worries me most is that the army is not in our hands,” and that “we must be prepared for guerrilla warfare,” urging them to step up the expansion of the “militia force.” The Jiang Qing counter-revolutionary clique planned to use this armed force which they regarded as their own to engineer an armed rebellion in Shanghai. In August of 1976, Ding Sheng, a remaining confederate of the Lin Biao clique who had thrown his lot with the Jiang Qing counter-revolutionary clique and commander of the P.L.A. Nanjing Units at the time, arrived in Shanghai. He told Ma Tianshui, Xu Jingxian and Wang Xiuzhen, “My biggest worry is Unit 6453” stationed near Shanghai, that “I have no control over it” and that “you must be prepared for any eventuality.” Ma Tianshui then made a decision and 74,220 rifles, 300 artillery pieces and more than 10 million rounds of ammunition were issued from a munitions depot under their control to the “militia.” On September 21, after being briefed in Beijing by Xu Jingxian about Ding Sheng’s talk and about the hand-out of weapons to the “militia,” Zhang Chunqiao said to Xu Jingxian: “Keep your eyes open for new trends in the class struggle.” On September 23, Wang Hongwen made a telephone call to Wang Xiuzhen, saying: “Be on your guard, for the struggle isn’t over yet. The bourgeoisie inside the Party will not be reconciled to defeat.” On October 8, after learning that Jiang Qing, Zhang Chunqiao, Yao Wenyuan and Wang Hongwen had been taken into custody, Xu Jingxian, Wang Xiuzhen and others decided to stage an armed rebellion. The command teams they had organized for the armed rebellion then moved into their command posts, and 15 transmitter-receivers were installed to link them up by telecommunications. They also assembled and deployed 33,500 “militiamen.” On October 9, Shi Shangying, who was in charge of the Shanghai militia
headquarters, ordered that the “militia” be concentrated with over 27,000 guns and artillery pieces of various types. On October 12, Zhong Dingdong, another member in charge of the Shanghai militia headquarters, drew up two specific operation plans, code named “Han No. 1” and “Fang No. 2.” On the evening of the same day, Wang Shaoyong, vice-chairman of the Shanghai Municipal Revolutionary Committee, Zhu Yongjia, leading member of the Shanghai writing group, Chen Ada, leading member of the industrial and communication group of the Shanghai Municipal Revolutionary Committee, and others met to plan production stoppages, strikes, parades and demonstrations. They put forward the counter-revolutionary slogans “Return Jiang Qing to us,” “Return Chunqiao to us,” “Return Wenyuan to us,” and “Return Hongwen to us,” readying themselves for “a life-and-death struggle.” Thanks to the powerful measures adopted by the Party Central Committee and the struggle waged by the people of Shanghai, their scheme for an armed coup failed to materialize.

This court has held a total of 42 sessions for investigation and debate, during which 49 witnesses and victims appeared in court to testify, and 873 pieces of evidence were examined. The above-mentioned offences committed by the Lin Biao and Jiang Qing counter-revolutionary cliques have been verified by great amounts of material and documentary evidence, conclusions of expert corroboration, testimonies of witnesses and statements of victims. The facts are clear and the evidence conclusive.

Criminal Liability of the Ten Principal Culprits

Since Lin Biao, Kang Sheng, Xie Fuzhi, Ye Qun, Lin Liguo and Zhou Yuchi, who were among the 16 principal culprits in the case of the Lin Biao and Jiang Qing counter-revolutionary cliques, are dead, the Special Procuratorate Under the Supreme People's Procuratorate has decided not to pursue their criminal liability, in accordance with Article 11 of the Law of Criminal Procedure of the People's Republic of China. The Special Procuratorate also decides that except Jiang Qing and the other nine principal culprits, the other defendants in the case will be dealt with separately according to law. Following are the offences committed by Jiang Qing, Zhang Chunqiao, Yao Wenyuan, Wang Hongwen, Chen Boda, Huang Yongsheng, Wu Faxian, Li Zuopeng, Qiu Huizuo and Jiang Tengjiao, for which they should be held criminally liable as confirmed by this court:

(1) The defendant, Jiang Qing, who acted as a ring-leader in organizing and leading a counter-revolutionary clique for the purpose of overthrowing the people’s democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. Jiang Qing framed and persecuted Liu Shaoqi, Chairman of the People's Republic of China. Working in collaboration with Kang Sheng and Chen Boda, she decided in July of 1967 to have Liu Shaoqi persecuted physically and hence deprived of the freedom of action. From May of 1967, Jiang Qing assumed direct control of the “group for inquiring into the special case of Liu Shaoqi and Wang Guangmei” and, in collusion with Kang Sheng and Xie Fuzhi, ordered the group to extort confessions from those arrested and put in custody, concoct false evidence and frame Liu Shaoqi as a “renegade,” “enemy agent” and “counter-revolutionary.” In order to rig up false evidence and persecute Liu Shaoqi, Jiang Qing made the decision in 1967 to arrest and imprison Yang Yichen, Yang Chengzuo, Wang Guangwen, Hao Miao and seven others. When Yang Chengzuo was critically ill, Jiang Qing decided to “step up the interrogation” of him. As a result, Yang Chengzuo was
persecuted to death. The special case group under Jiang Qing’s direction also had Wang Guangen persecuted to death. In collusion with Xie Fuzhi, Jiang Qing ordered that repeated actions be taken to extort confessions from Zhang Zhongyi who was critically ill. As a result, he died just two hours after an interrogation. As a result, he died just two hours after an interrogation. In collaboration with Kang Sheng, Xie Fuzhi and others, Jiang Qing instructed the special case group to extract confessions from Ding Juequn and Meng Yongqian and rig up false evidence for framing Liu Shaoqi as a “renegade.” As a result of the false charges made by Jiang Qing and others, Liu Shaoqi was imprisoned and persecuted to death.

On July 21, 1968, Jiang Qing worked hand in glove with Kang Sheng in cooking up such false charges as “renegade,” “enemy agent” or “element having illicit relations with foreign countries” against 88 Members and Alternate Members of the Eighth Central Committee of the Communist Party of China.

From 1966 to 1970, Jiang Qing named 24 Members and Alternate Members of the Eighth C.P.C. Central Committee and hurled false charges at them at various meetings. As a result, they were persecuted one after another.

On December 14, 1966, Jiang Qing attacked Zhang Linzhi (Minister of the Coal Industry — Ed.) by name on false charges. As a result, Zhang Linzhi was illegally incarcerated and beaten up, and he later died from serious wounds. On December 27 of the same year, Jiang Qing smeared Shi Chuanxiang, a national model worker and a night-soil collector in Beijing, as a “scab.” Shi Chuanxiang thus suffered serious maltreatment and later died from torment.

In October of 1966, Jiang Qing collaborated with Ye Qun in ordering Jiang Tengjiao to search and ransack the homes of Zheng Junli and four other persons in Shanghai, which was against the law. As a result, they were persecuted physically.

In 1976, Jiang Qing worked hand in glove with Zhang Chunqiao, Yao Wenyuan and Wang Hongwen to create new disturbances across the country. In a talk to leading members of 12 provinces and autonomous regions in March of the same year, Jiang Qing attacked a number of central and local leading cadres by name on false charges.

Jiang Qing was a ringleader of the Lin Biao and Jiang Qing counter-revolutionary cliques. She bore direct or indirect responsibilities for all the offences, committed during the decade of turmoil by the counter-revolutionary clique she organized and led, of endangering the People’s Republic of China, working to overthrow the government and tyrannizing the people.

The defendant, Jiang Qing, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People’s Republic of China, of plotting to overthrow the government as provided in Article 92, of conducting propaganda and agitation for counter-revolutionary purposes as provided in Article 102, and of framing and persecuting people as provided in Article 138. She caused particularly grave harm to the state and the people in a particularly flagrant way.

(2) The defendant, Zhang Chunqiao, who collaborated with Jiang Qing in organizing and leading a counter-revolutionary clique for the purpose of overthrowing the people’s democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. As the initiator and an all-time instigator and plotter in seizing power from the people’s democratic political power during the decade of turmoil, he caused extremely grave harm to the state and the people.
In January of 1967, Zhang Chunqiao said: “We must seize power everywhere.” From 1967 to 1975, he said on many occasions that “the great cultural revolution” meant “a change of dynasty.” He worked hand in glove with Jiang Qing in leading their counter-revolutionary clique in a great deal of activities aimed at usurping Party and state leadership.

In order to seize leadership of Shanghai municipality, Zhang Chunqiao triggered off an armed clash in Shanghai on December 28, 1966, known as the Kangping Road Incident, which resulted in 91 injured. In May of 1967, he supported Wang Xiaoyu to engineer a violent incident in Jinan, which resulted in 388 persons arrested and imprisoned.

In December of 1966, Zhang Chunqiao summoned Kuai Dafu alone and instructed him to organize a demonstration and agitate for “overthrowing Liu Shaoqi” for the first time in society at large.

Leadership of Shanghai municipality was seized under Zhang Chunqiao’s instruction and instigation. Twelve leading cadres of the municipality were labelled “renegades,” “enemy agents” or “counter-revolutionaries.” Cao Diqiu and Jin Zhonghua were persecuted to death.

Controlled and directed by Zhang Chunqiao, the “You Xuetao group” carried out special tasks of espionage, trumped up cases to persecute cadres and other people, and falsely charged leading cadres in east China with “organizing an underground armed detachment south of the Changjiang (Yangtze) River” and “plotting a mutiny.”

In 1976, Zhang Chunqiao collaborated with Jiang Qing, Yao Wenyuan and Wang Hongwen in creating new disturbances across the country. In March of the same year, Zhang Chunqiao instructed Ma Tianshui and Xu Jingxian to smear, at a mass meeting of 10,000 people in Shanghai, those leading cadres who had resumed work as having turned “from bourgeois democrats into capitalist-roaders” and become targets of what they called continued revolution.

Zhang Chunqiao, in collusion with Wang Hongwen and others, made Shanghai their base for building up a “militia force” under their direct control, and plotted an armed rebellion there.

The defendant, Zhang Chunqiao, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People’s Republic of China, of scheming to overthrow the government as provided in Article 92, of plotting an armed rebellion as provided in Article 93, of conducting propaganda and agitation for counter-revolutionary purposes as provided in Article 102, and of framing and persecuting people as provided in Article 138. He caused particularly grave harm to the state and the people in a particularly flagrant way.

(3) The defendant, Yao Wenyuan, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people’s democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. He took an active part in Jiang Qing’s activities to seize supreme power.

Yao Wenyuan directly controlled the mass media and conducted propaganda and agitation for counter-revolutionary ends over a long period. From 1974 to 1976, he instructed writing groups including “Liang Xiao,” “Chi Heng” and “Luo Siding” to vilify leading cadres at various levels who had resumed work, accusing them of having turned “from bourgeois democrats into capitalist-roaders” and become targets of the so-called continued revolution, thus agitating for framing and persecuting them.

In 1967, Yao Wenyuan took an active part in seizing leadership of Shanghai municipality. He joined in framing leading cadres of the municipality including Cao Diqiu.

Yao Wenyuan was one of those who supported Wang
Xiaoyu's plan to engineer a violent incident in Jinan in May of 1967.

In 1976, Yao Wenyuan collaborated with Jiang Qing, Zhang Chunqiao and Wang Hongwen in creating new disturbances across the country. From January to September of the same year, he instructed Lu Ying to dispatch people to some departments of the State Council and some provinces to fabricate materials according to their intentions so as to frame those leading cadres who had resumed work. From March to May of the same year, Yao Wenyuan, by trumping up charges, smeared people in Nanjing, Beijing and other places who mourned the death of Premier Zhou Enlai as "counter-revolutionaries," falsely charged Deng Xiaoping with being the "chief boss behind the counter-revolutionary political incident" at Tian An Men Square, and agitated for suppressing and persecuting large numbers of cadres and ordinary people.

The defendant, Yao Wenyuan, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of plotting to overthrow the government as provided in Article 92, of conducting propaganda and agitation for counter-revolutionary ends as provided in Article 101, and of framing and persecuting people as provided in Article 138.

(4) The defendant, Wang Hongwen, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. He took an active part in Jiang Qing's activities to seize supreme power.

On December 28, 1966, Wang Hongwen participated in triggering off the Kangping Road Incident of violence, which resulted in 91 injured. On August 4, 1967, he organized and directed people to surround and attack the Shanghai Diesel Engine Plant, and 650 people were imprisoned, wounded or maimed.

In 1976, Wang Hongwen collaborated with Jiang Qing, Zhang Chunqiao and Yao Wenyuan in creating new disturbances across the country. He instructed Lu Ying to dispatch people to a number of provinces to fabricate materials according to their intentions for framing leading cadres who had resumed work.

Working in collusion with Zhang Chunqiao, Wang Hongwen made Shanghai their base for building up a "militia force" under their direct control. He instructed Ma Tianshui, Xu Jingxian and Wang Xiuzhen time and again to step up the expansion of the "militia force," and plotted an armed rebellion in Shanghai.

The defendant, Wang Hongwen, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, of instigating an armed rebellion as provided in Article 93, of causing injury to people for counter-revolutionary purposes as provided in Article 101, and of framing and persecuting people as provided in Article 138.

(5) The defendant, Chen Boda, who played an active part in a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. He took an active part in the activities of Lin Biao and Jiang Qing to seize supreme power.

Chen Boda controlled the mass media and conducted propaganda and agitation for counter-revolutionary purposes. In 1966, he raised such slogans as "sweep away all monsters and demons" and whipped up extensive framing and persecution of cadres and ordinary people.

In July of 1967, Chen Boda collaborated with Jiang Qing and Kang Sheng in deciding to have Liu Shaoqi
persecuted physically and deprived of his freedom of action ever since.

From late 1966 to 1968, Chen Boda on quite a few occasions smeared Lu Dingyi, Vice-Premier of the State Council, as an "active counter-revolutionary," "renegade" and "hidden traitor," and decided to have his health ruined.

In December of 1967, Chen Boda said in Tangshan that the C.P.C. organization in eastern Hebei Province "was probably a party of Kuomintang-Communist co-operation, and in fact it might be the Kuomintang members, or renegades, who were playing a dominant role here." A case was thus trumped up at his instigation, which brought serious consequences, with many cadres and ordinary people in eastern Hebei persecuted.

The defendant, Chen Boda, has been found guilty of actively joining a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, of conducting propaganda and agitation for counter-revolutionary purposes as provided in Article 102, and of framing and persecuting people as provided in Article 138.

(6) The defendant, Huang Yongsheng, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. He actively participated in Lin Biao's activities to seize supreme power.

On November 3, 1970, Huang Yongsheng agreed to the proposal raised by the group in charge of the special case of Peng Dehuai that "Peng Dehuai be dismissed from all posts inside and outside the Party, expelled from the Party for good, sentenced to life imprisonment and deprived of civil rights for life." As a result, Peng Dehuai was subsequently persecuted.

In June of 1967, Huang Yongsheng approved the "report for instruction on investigation for the purpose of rounding up renegades," which was submitted by the head of the military control commission stationed in the Guangzhou Municipal Public Security Bureau, and its appendix, "plan for investigation, No. 1," scheming to frame Ye Jianying as a "renegade." In June of 1968, he turned over to Ye Qun materials falsely charging Ye Jianying with "plotting a counter-revolutionary coup."

In 1968, Huang Yongsheng, in collaboration with Wu Faxian, fabricated charges against Luo Ruiqing, smearing him as a "counter-revolutionary who has committed heinous crimes." Huang Yongsheng also framed leading cadres in the Headquarters of the P.L.A. General Staff. In December of the same year, he slandered the P.L.A. General Political Department as "recruiting renegades" and took an active part in Lin Biao's criminal activities for the "thorough smashing of the P.L.A. General Political Department."

From October of 1967 to March of 1968, Huang Yongsheng proposed to investigate the history of the underground C.P.C. organization in Guangdong Province before liberation and decided to examine the records of Wen Niansheng, Deputy Commander of the P.L.A. Guangzhou Units, and others. This gave rise to the false cases of the "Guangdong underground Party organization," and a "counter-revolutionary clique" in the P.L.A. Guangzhou Units. As a result, large numbers of cadres and ordinary people were framed and persecuted, and the Vice-Governor of Guangdong, Lin Qiangyun, and Wen Niansheng were persecuted to death.

On September 6, 1971, Huang Yongsheng secretly informed Lin Biao of Chairman Mao Zedong's talks which showed he was aware that Lin Biao was conspiring to seize power. This prompted Lin Biao's decision to take
action to assassinate Chairman Mao Zedong and engineer an armed coup d'état.

The defendant, Huang Yongsheng, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, and of framing and persecuting people as provided in Article 138.

(7) The defendant, Wu Faxian, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. He actively participated in Lin Biao's activities to seize supreme power.

Receiving Lin Biao's instructions in August of 1966, Wu Faxian had materials prepared on September 3, accusing He Long of plotting to seize leadership in the Air Force, and sent them to Lin Biao. In August of 1968, Wu Faxian, in collaboration with Huang Yongsheng, fabricated charges against Luo Ruiqing; smearing him as a "counter-revolutionary who has committed heinous crimes." Wu Faxian laid false charges against a number of leading cadres in the Air Force, alleging that they attempted to "seize power." He approved the detention and persecution of 174 cadres and rank-and-file in the Air Force, among whom Gu Qian, Chief of Staff of the Air Force Command of the P.L.A. Nanjing Units, and Liu Shanben, deputy superintendent of the Air Force Academy, were persecuted to death.

In October of 1969, Wu Faxian turned over to Lin Liguo all power to place the Air Force under his command and at his disposal, thus enabling him to form a "joint fleet," which constituted the backbone force in the plot of the Lin Biao counter-revolutionary clique to assassinate Chairman Mao Zedong and stage an armed coup d'état.

The defendant, Wu Faxian, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, and of persecuting people on false charges as provided in Article 138.

(8) The defendant, Li Zuopeng, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. Li Zuopeng took an active part in Lin Biao's activities to seize supreme power.

In April of 1968, he falsely accused He Long and others of trying to "usurp army leadership and oppose the Party." He attacked 120 cadres in the Navy by name on false charges.

At 11:35 p.m. on September 12 and at 00:06 a.m. on September 13, 1971, Li Zuopeng twice distorted Premier Zhou Enlai's directive just before the defection of Lin Biao and Ye Qun. When Pan Hao, director of the Navy Aviation Corps' Shanhaiguan Airport, in an emergency phone call at 00:20 a.m. on September 13, asked for instruction on what he should do if the plane were to take off forcibly, Li Zuopeng did not take any measure to prevent the takeoff, thus allowing Lin Biao to escape abroad by air. Afterwards, Li Zuopeng tried to cover up his crime by altering the logbook entry of the relevant phone calls.

The defendant, Li Zuopeng, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, and of framing and persecuting people as provided in Article 138.

(9) The defendant, Qiu Huizuo, who organized and led a counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a
principal culprit in the case of the counter-revolutionary clique. Qiu Huizuo took an active part in Lin Biao's activities to seize supreme power.

In 1967, Qiu Huizuo instructed some persons to steal the archives of the P.L.A. General Political Department and framed cadres in the department. He played an important role in Lin Biao's criminal activities of "smashing the General Political Department."

Between 1967 and 1971, Qiu Huizuo set up a kangaroo court in the P.L.A. General Logistics Department to extort confessions through torture, and directly framed and persecuted 462 cadres and ordinary people, among whom Tang Ping, Zhou Changgeng, Gu Zixiang, Zhang Shusen, Shen Maoxing, Wang Shuchen, Zhang Lingdou and Hua Diping were persecuted to death.

The defendant, Qiu Huizuo, has been found guilty of organizing and leading a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of conspiring to overthrow the government as provided in Article 92, and of framing and persecuting people as provided in Article 138.

(10) The defendant, Jiang Tengjiao, who played an active role in the counter-revolutionary clique for the purpose of overthrowing the people's democratic dictatorship, was a principal culprit in the case of the counter-revolutionary clique. On March 31, 1971, Jiang Tengjiao attended a secret meeting called by Lin Liguo in Shanghai to establish a "command team" for an armed coup, at which he was made the person responsible for liaison between the three places of Nanjing, Shanghai and Hangzhou "with a view to coordination and concerted operation." Having received, via Lin Liguo, a hand-written order from Lin Biao on September 8 for an armed coup, Jiang Tengjiao took part in working out the details for assassinating Chairman Mao Zedong, and assumed the position of first-line commander for action in the Shanghai area. Following the failure of the plot to murder Chairman Mao Zedong, Jiang Tengjiao took an active part in the counter-revolutionary action of Lin Biao and Ye Qun in preparing for fleeing south to Guangzhou.

The defendant, Jiang Tengjiao, has been found guilty of playing an active role in a counter-revolutionary clique as provided in Article 98 of the Criminal Law of the People's Republic of China, of instigating an armed rebellion as provided in Article 93, and of attempting to kill people for counter-revolutionary purposes as provided in Article 101.

Among the above-mentioned defendants, Wang Hongwen, Chen Boda, Wu Faxian, Li Zuopeng, Qiu Huizuo and Jiang Tengjiao each gave an account of the offences he had committed. Jiang Tengjiao confessed his offences the day after Lin Biao's defection. Wu Faxian, Qiu Huizuo and Jiang Tengjiao exposed crimes committed by Lin Biao, Jiang Qing and other co-defendants in the case. Huang Yongsheng confessed some of his offences. Yao Wenyuan described his offences as mistakes and denied that they were crimes. Zhang Chunqiao refused to answer the questions put to him by the bench. Jiang Qing disrupted order in court.

Judgement on the Defendants According to Criminal Law

In view of the facts, nature and degree of the offences Jiang Qing and the other nine defendants committed and the damage they did to society, and in accordance with Articles 90, 92, 93, 98, 101, 102, 103 and 138, as well as Articles 20, 43, 52, 53 and 64, of the Criminal Law of the People's Republic of China, this court now passes the following judgement:
Jiang Qing is sentenced to death with a two-year reprieve and permanent deprivation of political rights; Zhang Chunqiao is sentenced to death with a two-year reprieve and permanent deprivation of political rights; Yao Wenyuan is sentenced to life imprisonment and permanent deprivation of political rights; Chen Boda is sentenced to 18 years' imprisonment and deprivation of political rights for five years; Huang Yongsheng is sentenced to 18 years' imprisonment and deprivation of political rights for five years; Wu Faxian is sentenced to 17 years' imprisonment and deprivation of political rights for five years; Li Zuopeng is sentenced to 17 years' imprisonment and deprivation of political rights for five years; Qiu Huizuo is sentenced to 16 years' imprisonment and deprivation of political rights for five years; Jiang Tengjiao is sentenced to 18 years' imprisonment and deprivation of political rights for five years.

The fixed terms of imprisonment for those listed above who are sentenced to such a penalty shall run from the first day of enforcement of the sentences. Where an offender has been held in prior custody, the duration of such custody shall be deducted from the term of imprisonment at the rate of one day for each day spent in prior custody.

This judgement is final.
January 23, 1981

The Special Court under the Supreme People's Court of the People's Republic of China
President of the Supreme People's Court and concurrently President of the Special Court: Jiang Hua
Vice-Presidents: Wu Xiuquan, Zeng Hanzhou and Huang Yukun
Judges: Wang Wenzheng, Wang Zhidao, Wang Zhan-

This copy has been verified and found to be identical with the original.
January 25, 1981
Recording clerks: Guo Zhiwen and Huang Linyi

(Subheads and boldface are ours. — Ed.)
林彪、江青反革命集团推翻无产阶级专政的政权图。在中华人民共和国

《中华人民共和国检察官和最高人民检察院领导手册》

中华人民共和国检察官和最高人民检察院领导手册

一、诬陷、迫害党和国家领导人，策划

推翻无产阶级专政的政敌的罪行，有阴谋、捣

（一）组织或者利用国家机关、部队领导人员，有阴谋、捣

（二）组织或者利用国家机关、部队领导人员，有阴谋、捣

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1967年7月，江青、康生、陈伯达决定批判刘少奇，并由“中央文革小组”成员组成专案组于1967年7月13日召开“批判刘少奇大会”，进行抄家。对刘少奇、王光美进行人身攻击。1967年7、8月间，康生、谢富治、成邦哲等组织“批刘火线”，田家村南街，冲击国务院。

江青直接控制并伙同康生、谢富治指使“刘少奇、王光美专案组”，采取逼供信方法，制造“供认”，诬陷刘少奇、王光美是“叛徒”、“特务”、“反革命”。江青于1967年5月至10月，擅自决定组织中共河北省委常委、中国科学院北京分院院部机关干部的划线知识分子和群众，对刘少奇的家属进行批斗，共11人。在批判斗争的气氛中，江青对专案组说，“要突出刘少奇，把我们所恨的东西都加到刘少奇身上。”在批判斗争中，刘少奇也被迫写下了“自我批判”。1967年10月23日，谢家南对专案组说：“斗争要有火候，下狠手”，“要抓典型”，“要具体落实，一审判几个，群众就不相信”。江青、谢富治为丁桥北的王光美是“特务”，还指使对刘少奇的两名工作人员、刘少奇的秘书进行批斗。刘某被审查斗争。为了揭露刘少奇“叛徒”，他们对1927年在北平同刘少奇一起照工人运动的丁冕等人和1939年同刘少奇在延安同住的赵志义，进行追查。

（下转第二版）
（上接第1页）1957年9月25日，丁所森在狱中根据《生死关头》的素材，写下了报告文学《生死关头》的材料。这篇报告文学的出版，对当时的社会主义建设产生了积极的影响。1958年1月15日和1958年3月8日，文章先后在《光明日报》和《人民日报》上发表。

（三）《生死关头》的写作背景和过程

《生死关头》的写作背景和过程，与当时的《人民文学》杂志的创办有关。1957年1月，丁所森在狱中根据《生死关头》的素材，写下了报告文学《生死关头》的材料。这篇报告文学的出版，对当时的社会主义建设产生了积极的影响。1958年1月15日和1958年3月8日，文章先后在《光明日报》和《人民日报》上发表。

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The Trial of the Gang of Four

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1981年4月，中央军委主席、中央政治局常委、中央军委副主席邓小平在中央军委扩大会上，对军委副主席、中央军委委员叶剑英的发言作出指示。叶剑英在会上发言，强调必须坚持四项基本原则，必须坚持党的领导，必须坚持社会主义道路。邓小平在会上表示，中央军委坚决支持叶剑英的发言。叶剑英的发言，得到了中央军委和全军的热烈拥护。邓小平在会上强调，必须坚持四项基本原则，必须坚持党的领导，必须坚持社会主义道路。
王守英等三十三人被捕遇害。1974年3月3日，江西省革命委员会文教办公室副主任丁未逝世。江西省革委会主任、省委书记、省军区司令员、江西省革委会秘书长、省军区政委范长林等三十三人被捕遇害。1974年3月3日，江西省革命委员会文教办公室副主任丁未逝世。江西省革委会主任、省委书记、省军区司令员、江西省革委会秘书长、省军区政委范长林等三十三人被捕遇害。1974年3月3日，江西省革命委员会文教办公室副主任丁未逝世。江西省革委会主任、省委书记、省军区司令员、江西省革委会秘书长、省军区政委范长林等三十三人被捕遇害。
THE TRIAL OF THE GANG OF FOUR

(上接第二页)

（三十一）林彪、江青反革命集团阴谋篡党夺权的惊天阴谋，自1966年10月，林彪集团向全国发动“文化大革命”以来，在长达十年的时间内，江青、张立、王光美等在林彪、江青的支持下，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

（三十二）林彪、江青反革命集团阴谋篡党夺权的惊天阴谋，自1966年10月，林彪集团向全国发动“文化大革命”以来，在长达十年的时间内，江青、张立、王光美等在林彪、江青的支持下，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

（三十三）1967年3月，张春桥、姚文元在江青的指示下，组织林彪政治部和中央文革小组部分成员，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

（三十四）1967年4月，张春桥、姚文元在江青的指示下，组织林彪政治部和中央文革小组部分成员，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

（三十五）1967年5月，张春桥、姚文元在江青的指示下，组织林彪政治部和中央文革小组部分成员，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

（三十六）1967年6月，张春桥、姚文元在江青的指示下，组织林彪政治部和中央文革小组部分成员，以“革命”的名义，对广大干部、群众进行迫害和打击，造成了国民经济的损失，对社会产生了极大的破坏。这是一起严重的政治事件，必须进行彻底的清查，揭露其罪行，严肃处理有关人员，以维护党的团结和国家的统一。

(未完待续)
本文简要讲述了毛泽东在特定历史时期的言论和事件，反映了当时的政治和社会背景。毛泽东在此期间发表了一系列重要讲话和指示，对中国历史产生了深远影响。
了一纸新的命令。8月9日，林彪下达了武装政变命令：“立即成立无产阶级政治委员会”，并宣布了对江青等人实施逮捕的命令。8月10日，中央军委以毛泽东的名义发出指示，命令“立即成立无产阶级政治委员会”，并宣布了对江青等人实施逮捕的命令。8月11日，中央军委以毛泽东的名义发出指示，命令“立即成立无产阶级政治委员会”，并宣布了对江青等人实施逮捕的命令。8月12日，中央军委以毛泽东的名义发出指示，命令“立即成立无产阶级政治委员会”，并宣布了对江青等人实施逮捕的命令。8月13日，中央军委以毛泽东的名义发出指示，命令“立即成立无产阶级政治委员会”，并宣布了对江青等人实施逮捕的命令。
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特别法庭的判决

特别法庭根据查明的事实和证据，依法作出判决。
甘的反革命集团，形成了以张作霖和张学良父子为依托的反革命集团。这两个反革命集团有着共同的目标：推翻清朝政府，建立资产阶级民主共和国。在张作霖的领导下，反革命集团的活动日益频繁，最终导致了1912年的辛亥革命的爆发。辛亥革命的爆发，结束了在中国延续了两千多年的封建帝制，建立了中华民国，从而推动了近代中国的社会进步。
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“牛棚”。“牛棚”是文革期间中国劳动教养制度中的一个名称，也被称为“牛棚运动”或“牛棚事件”。在“牛棚”中，犯人会被要求在牛棚里进行劳动，同时也会受到各种形式的惩罚和歧视。据不完全统计，大约有1000万人在“牛棚”中度过。

“牛棚”事件在1966年4月开始，持续时间长达一年。在此期间，许多人被逼迫写下“悔过书”，并接受“劳动改造”。这些“悔过书”通常会包含大量的自我批评和忏悔，以表明自己对文革的“错误认识”和“错误行为”的深刻反省。此外，犯人们还被要求在公开场合进行“自剖”和“反省”，以示对自己的批判和惩罚。

“牛棚”事件的影响深远，它不仅对个人和社会造成了巨大的伤害，也对中国的政治和文化产生了深远的影响。在文革结束后，许多人仍然难以摆脱“牛棚”事件的影响，他们必须面对长期的精神压力和身体困境。然而，随着时间的推移，越来越多的人开始反思“牛棚”事件的历史意义和教训，以期从中吸取教训，避免类似的悲剧再次发生。
取胡国中的首要任务，他们团结一致，自力更生，艰苦奋斗，取得了显著的进步。

新中国成立后，胡国中领导的革命工作，得到了全国各族人民的大力支持和配合。胡国中和他的战友们，以坚定的革命信念和坚强的战斗精神，克服了一个又一个困难，取得了一个又一个胜利。

胡国中的革命经历，是新中国革命史上的光辉一页。他的事迹，将永远载入史册，激励着后人不断地前进。
指揮部，設立了「三八」電台，建立了組織。他們還與當地民衆舉行「民兵」三萬三千五百人。1941年9月，南京市政府副市長等負責人當天命令『民兵』在嘉興，海寧等縣境內二百餘名人發動「反革命」。1941年12月13日，任何慶市長趙瑞廷、華中民衆抗日民主政權委員會主席趙安民、華中民衆抗日民主政權委員會秘書長謝振民等百餘名人在嘉興成立「華中民衆抗日民主政權委員會」。

《十名主犯應負的刑事責任》

徐某，與江青等反革命集團的其他主要成員，一起組織、策劃、指揮「三八」電台的活動，並在嘉興、嘉定等地組織、策劃、指揮反革命活動。

張某，與江青等反革命集團的其他主要成員，一起組織、策劃、指揮「三八」電台的活動，並在嘉興、嘉定等地組織、策劃、指揮反革命活動。

1948年至1976年，江青在各種會上，指名道姓地攻擊江青等反革命集團的其他主要成員，使他們——受到迫害。1949年12月14日，江青指名道姓地攻擊江青等反革命集團的其他主要成員，使他們——受到迫害。1949年12月27日，江青等反革命集團的其他主要成員，使他們——受到迫害。
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1939年10月，蒋介石签署电文一封指示林彪，调动
权交由林彪，使林彪得以继续反共，林彪在会议上

被撤职并追究其失职的责任。

八、被告系受审判，因受审判之目的，组织、领导反革命集团，是反革命集团的主犯。

1969年2月，审判黄、刘、王、张等“革命左派”事

件在审判正进行中，第一二七号案被告都被处决。

1971年3月20日和3月13日，审判正进行中，被告

在法庭上作自白，审判合议庭宣判其有罪。

1971年4月1日，审判黄、刘、王、张等“革命左派”事

件在审判正进行中，第一二七号案被告都被处决。

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