

## Instructions of the Central People's Government Administration Council on Strengthening the People's Judicial Work

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In the first national judicial work conference in July and August, some major issues related to the people's judicial work were discussed at present, and preliminary unified conclusions have been obtained regarding the people's judicial policy viewpoints, work principles, and tasks. In order to strengthen the judicial work of the people, the following instructions are given here:

1. In order to defend the victory of the people's democratic revolution, suppress counter-revolutionary activities, consolidate the new social order and protect the people's legitimate rights and interests, the people's judicial work, like the people's army and the people's police, is one of the important tools of the people's power. Therefore, people's governments at all levels must effectively lead and strengthen this work, and take necessary measures to enable the people's judicial system to be systematically and gradually established and improved throughout the country. It is wrong to take a contemptuous attitude towards this work.

2. In order to correctly engage in the construction of the people's judicial work, we must first draw the boundaries of the principles of the old law. The law is a tool used by a certain ruling class to rule the ruled class and protect its own class. All the laws of the Kuomintang reactionary government are tools used by reactionary groups of a few people to oppress the broad masses of the Chinese people. The People's Law is the law that represents the will of the people, educating the people to respect the social order of new democracy, and to protect the interests of the people and fight against the destruction of a small number of reactionaries. Two fundamentally different legal principles must not be confused in the same concept, and people with such confused concepts cannot correctly engage in the construction of people's judicial work. Therefore, it is inappropriate for all government officials to maintain any vague views on the division of the old and new laws. At present, our country's new laws are not yet complete. However, such as the Basic Law, the Common Program of the Chinese People's Political Consultative Conference and the many laws, decrees, directives, and decisions issued by the Central People's Government Committee, the State Council, the Supreme People's Court and other agencies are all an important basis for the people's judicial work. This was gradually produced based on the Marxist-Leninist theory of the state and a specific analysis of the actual situation in China (class relations, socio-economic relations, etc.). People's judicial construction workers must clarify the views of the old reactionary laws and their influence in practice, while constantly summing up experience and studying precedents, so that the Central People's Government can gradually formulate new and complete laws.

3. The main task of the people's judicial work is to suppress reaction and protect the people. For counter-revolutionaries, the first is suppression. Only suppression can make them plead guilty, and only after they have pleaded guilty can they talk about leniency. Leniency can only be carried out in conjunction with repression. In some areas, the "leniency and boundless" bias has occurred and must be corrected. During the suppression, it is necessary to distinguish the severity, the chief and the coercion, but all those who carry out counter-revolutionary activities after liberation must be punished. The task of the people's judicial work is to punish crimes and protect goodness. Criminals who undermine national construction and property, social order and the people's legitimate rights and interests must be punished. Only punishment can make them plead guilty. Only after they have confessed can they talk about education and reform. Education can only be carried out in conjunction with punishment. It is wrong to one-sidedly emphasize "education reform"; after

punishing and confessing guilt, neglecting education and reform work must also be corrected. People's judicial work also needs to deal with disputes among the people, and sufficient attention must be paid to such civil cases. On the one hand, mass mediation should be adopted as much as possible to reduce people's litigation, and on the other hand, judicial organs should strive to implement it in their work. The mass line promotes litigation procedures and various judicial systems that facilitate, connect and rely on the people. People's governments at all levels should regularly listen to work reports from judicial organs. Under the guidance and assistance of all levels of people's governments and close cooperation with relevant departments, the people's judicial organs at all levels should organize forces to speed up the time limit for trial cases and resolutely remove the Kuomintang courts. The legacy of formalism and procrastination style. Actively improve the quality of trial cases, and at the same time conduct extensive publicity and education on the rule of law, and strictly correct the occurrence of violations of law and discipline. Regardless of government agencies, public servants and the people, if there is any violation of the law, they should be reported by the inspection agency.

4. In order to strengthen the people's judicial work, a certain number of strong cadres must be appointed as backbones, and they must be educated to attach importance to judicial work and help them improve their policy standards. In areas undergoing land reform, more attention should be paid to the staffing of the people's courts. In the future, when major judicial cadres are called in from various places, they shall obtain the prior approval of the judicial department at a higher level. At present, there is a shortage of judicial cadres, and it is necessary to gradually enrich them from several aspects. In addition to striving to improve the teaching content and methods of the law departments of various universities to meet actual needs, the people's government at or above the provincial level should immediately begin to help the judicial departments train cadres. When recruiting old judicial staff to work, they must first be educated and reformed before they are hired. When recruiting young men and women intellectuals to participate in work, it is necessary to strengthen their exercise. In addition, forensic doctors, inspectors, etc., can adopt methods such as sending cadres to give lectures or organizing training courses with the health department to gradually solve the problem.

5. In the future, judicial funds will be spent by the state treasury; all income from judicial fines and confiscation of property shall be returned to the state treasury in a unified manner.

Regarding the management of prisons, it is generally appropriate for the public security department to be responsible, and to be under the guidance of the judicial department, and to be appropriately determined by the people's government at or above the province level in accordance with the specific conditions of each locality.