

About the situation and current tasks of political and legal work

(Peng Zhen, deputy director of the Political and Legal Committee of the Government Administration Council, reported to the 84th meeting of the Government Affairs Council on May 11, 1951, and was approved by the same meeting, and announced by order of the Government Administration Council on the 21st of the same month)

(1) Several main work briefings

1. After the establishment of the Central People's Government and the victory of the whole country, it encountered a severe famine that was caused by the bandit gangs of the United States and Chiang Kai-shek almost all over the country. About 120 million mu of farmland and 40 million people were affected by the disaster. Because we have the leadership of the Central People's Government headed by the great Chairman Mao, relying on the efforts of governments at all levels and relevant departments and the people of the whole country, we have quickly and completely overcome the famines that occurred in several areas at that time and after that, and have achieved rich benefits and experience. These experiences are as follows:

First, the Central People's Government formulated a national-scale and unified disaster relief plan in a timely manner, the most important of which was to dispatch a large amount of food to relieve the victims, and at the same time to carry out some engineering facilities in advance to provide relief with work and lead the people of the whole country to provide relief and fight against famine.

Second, the policy of self-rescue of the masses in production was determined, so that relief and production were combined. Among them, it is of decisive significance to launch sideline production, organize material exchanges, and rush to grow early-maturing crops; at the same time, extensively build farmland water conservancy, call for conservation in a timely manner, combine disaster relief and disaster prevention, and improve the confidence of the victims in overcoming the famine.

Third, launch social relief and mass mutual aid campaigns, and combine the relief campaigns of the general public in non-disaster areas and the mutual aid campaigns of the masses in disaster areas with government relief work.

Fourth, disaster relief is like firefighting, and must be carried out without losing the opportunity.

Some provinces such as Jiangxi and Hunan have too much rainfall and the temperature is too low this spring, while some provinces such as North China and Shandong have too little rainfall. Whether this situation will cause difficulties is not yet certain. However, the spring famine has already appeared in some areas. It is necessary to urge the cadres and the people to make full use of the existing experience to overcome the spring famine. All localities must also pay attention to disaster prevention work to overcome difficulties and strive for a bumper harvest this year.

2. Over the past year or so, we have made great achievements in regime building. The general rules for the organization of people's governments at all levels and the organization of people's congresses at all levels have been formulated successively, and some preliminary experience in the construction of cities and villages has been obtained. Since the National Civil Affairs Conference last year, the construction of local governments has been further carried out. As of now, the regions where people's congresses or people's congresses have been held nationwide include the Inner Mongolia Autonomous Region, 25 provinces, and eight administrative offices. Districts, ten

prefectures, 129 cities under the exclusive jurisdiction or above the jurisdiction of the alliance, 1,961 counties and 65 county-equivalent banners or administrative bureaus; in addition, there are ten Areas inhabited by ethnic groups within a number of provinces and counties have successively implemented regional ethnic autonomy of different scales, and the people's governments of ethnic autonomous regions have been established through people's congresses. The people's congresses in provinces and most cities have assumed the functions and powers of the people's congresses. Wherever people's representative conferences or people's congresses have already been held, the cadres and the masses have gained some experience in using representative conferences. The common experience is that meetings get better every time. Wherever the conference has been held, not only the government and the people are in close contact, but the broad masses of the people have begun to use the organizational form of the representative conference to actively manage their own country and state affairs. People generally reflect: "The people's government not only does things for us, but also accounts for us. We decide, the government will do it, and the people are really the masters of their own affairs." Even if they make mistakes, the people can criticize them." "This is what is called a people's government." This has greatly enhanced the people's patriotic enthusiasm and sense of responsibility to the country. Cadres and the masses have come to understand the importance and benefits of the People's Representative Conference.

Experience has also proved that in cities with a population of more than 100,000, it is very necessary to hold district representative conferences. Through it, not only can the relationship between the government and the people be strengthened, and various municipalities can be promoted, but also the welfare of local residents can be discussed in more detail, so that people's representatives can effectively and concretely criticize the staff, learn to manage state affairs, effectively improve work.

The current shortcoming is that the governments and cadres in some places still do not fully understand that the people's congress and the people's congress are the basic system of the people's state and the basic organizational form of the people's power; the people's congress and government committee have not been held on schedule; The localities have "submitted "important work" to the People's Representative Conference for discussion and decision," but there are still some places that have not seriously dealt with some of the representatives' proposals; Therefore, it has not been able to give full play to the role of the People's Representative Conference and concentrate the opinions of the masses more comprehensively.

3. From last autumn to the present, in the newly liberated areas of the country, more than 500 counties, including areas with more than 130 million agricultural populations, have carried out land reform, and about 80 million poor peasants have obtained about 10 million hectares of land. Together with the old liberated areas, land was allocated to the area that now has an agricultural population of 270 million, and the feudal land system was abolished. This is a basic link in consolidating the people's democratic dictatorship. After the central government enacted fundamental decrees such as the land reform law and class division, under the leadership of the people's governments of large administrative regions and provinces, nearly 300,000 cadres were mobilized to participate in this movement. The methods in various places are to formulate plans first, train cadres, focus on experiments, and then move forward steadily from point to point. This is a led, prepared, step-by-step, and orderly movement. This is a large-scale and extremely fierce battle in a system after the People's Liberation War. As a result of the completion of land reform, the bandits were wiped out, the bandit leaders, habitual bandits, bullies, and spies in the village were suppressed, the revolutionary order was consolidated, and rural productivity began to increase

immediately. The autocratic countryside became a democratic one. It not only prepared reliable conditions for China's industrialization, but also laid a solid foundation for China's democratization. At the same time, experience once again proves that it is impossible to complete the land reform quickly and completely eliminate feudalism by relying on "peaceful land distribution". It is necessary to have leadership, let go, and fully mobilize the peasant masses, no Do-it-yourself confiscation and distribution of land. Land reform must be closely integrated with the War to Resist US Aggression and Aid Korea, suppress bandits, suppress counter-revolutionaries, and people's democratic establishment of government. It is also wrong to conduct land reform movements in isolation. Only in this way can we mobilize the mass movement extensively and deeply, successfully complete the land reform and consolidate the achievements of the people's revolution; and only in this way can we thoroughly, cleanly and completely eliminate all feudal remnants.

4 suppressing counter-revolutionary activities is another central link in consolidating the people's democratic dictatorship. Since last summer, when it was discovered that some places tended to be "lenient and boundless" in dealing with counter-revolutionaries, the Central People's Government issued instructions to severely punish counter-revolutionary activities, held various meetings successively, conducted in-depth inspections, and made specific arrangements. He carried out work on suppressing counter-revolutionaries, and systematically carried out publicity and education on strengthening public security, judicial work, and suppressing counter-revolutionary activities. Today's broad and boundless deviations have generally been corrected, and the work of suppressing counter-revolutionary activities has become a nationwide mass movement of people from all walks of life, a struggle against the enemy in which the people's government and the broad masses are closely integrated. As for the result of resolute suppression of counter-revolutionaries: the people cheered and praised, calling it "turning over again", and no longer complaining about the government's "heavy law"; ordinary cadres also think that "everything has been done well"; More than one million armed bandits across the country have been wiped out, and the revolutionary order has been greatly consolidated. This not only effectively guarantees the achievements of the people's revolution, but also guarantees the smooth progress of production and construction.

All evidence has proved that the work of suppressing counter-revolutionary activities is a continuation of the struggle of the masses to overthrow the reactionary rule of the United States and Chiang Kai-shek, and is a fierce struggle waged by the masses of the people against the enemy in order to consolidate their political power. This is not simply the anti-rape and anti-espionage work of the people's public security organs, nor is it simply the procuratorial and trial work of the people's judicial organs. Therefore, not only must there be legal weapons such as clear principles and policies and regulations on punishing counter-revolutionaries, but also: first, the close cooperation of the democratic parties and people's organizations, through the people's congresses and other meetings to carry out collective wisdom; Fully mobilize the people of all walks of life, so that the work of the public security and judicial organs in this area is closely integrated with the masses' suppression of counter-revolutionary movements. But this is not to say that the masses can directly impose sanctions on counter-revolutionaries without legal procedures, but that the competent government departments should rely on the assistance and cooperation of the masses to find secret agents, bullies and other various counter-revolutionary elements and quickly and thoroughly complete the task of suppressing counter-revolutionary activities. In our country's current situation, only in this way can we quickly consolidate the people's democratic dictatorship and the people's democratic united front.

Now we must continue to oppose the idea of paralyzing and underestimating the enemy, continue to crack down on all hidden secret agents and spies, and eliminate bandits, tyrants and other counter-revolutionaries. This is a long-term and complex struggle that must be carried on resolutely. We must continue to resolutely suppress counter-revolutionary activities and oppose complacency and underestimation of the enemy. At the same time, we must strictly prevent any rash and careless behavior from happening. Our general policy has always been a combination of repression and leniency, and our attitude must be a combination of seriousness and prudence. All counter-revolutionaries who are between killing and not killing should not be killed, but sentenced to imprisonment and labor reform. These are the general instructions that Chairman Mao has repeatedly given us on this issue.

5. Due to the vigorous organization of "people visiting missions" in ethnic affairs for more than a year, relatively systematic understanding, contact and unity among ethnic groups have been effectively carried out; Great efforts have been made, and in areas where various ethnic groups live in concentrated communities and where various ethnic groups live together, they have begun to implement the system of ethnic regional autonomy and ethnic democratic coalition government, and actively implement the ethnic policies of the Central People's Government. The mixed-habited areas have fundamentally changed the bad ethnic relations created by the reactionary rulers in the past, and have begun to establish new friendly and united ethnic relations. In the future, in addition to continuing to carry out inter-ethnic understanding, strengthening ties and solidarity work, it is also necessary to promptly summarize and exchange experience in various tasks, especially the experience in regional autonomy; at the same time, it is necessary to actively train minority cadres.

6. To meet the needs of the development of the above-mentioned central work and the protection of various other national constructions, we have formulated and reviewed many important laws, regulations, and rules for more than a year. At the same time, we have also carried out preliminary reforms on the judicial system. At present, the laws of our country are not very complete, but there are some basic laws, regulations and general principles, which have concentratedly reflected the will of the broad masses of the people, and have given a strong impetus to the current struggles and construction movements of the masses. In addition, preliminary achievements and experience have been obtained in abolishing old reactionary laws, clarifying old legal viewpoints, and building people's legislative and judicial viewpoints.

## (2) Several problems in work

Thanks to the correct leadership and unity of the Central People's Government and the democratic parties, the mass movement to consolidate the people's democratic dictatorship has achieved great success. At present, this campaign is continuing and deepening in all aspects of the country. Political and legal departments at all levels have gained some important experience from practical work. However, some of our current work has not kept up with the development of the mass movement, and there are still many shortcomings in our work and many ideological problems that need to be resolved urgently:

1. At present, the phenomenon of ignoring political power construction still exists; therefore, it is necessary to pay attention to strengthening the work of the political and legal departments. "The

fundamental issue of the revolution is the issue of political power." The revolution must first overthrow the reactionary regime, and then build the people's new regime on the ruins of the smashed old regime, lead the people to consolidate the victory of the revolution, consolidate the people's democratic dictatorship, and safeguard the improvement and smooth development of the country and people's economic undertakings. However, there are still some comrades who do not understand the great significance of the people's democratic dictatorship that Chairman Mao has repeatedly instructed us, so they ignore the work of suppressing counter-revolutionaries; ignore the importance of regular meetings of people's representatives and government committees; ignore the cooperation between land reform and people's construction of government; ignore the huge role and close relationship of current political and legal work on the "lower strata", that is, economic construction work; belittle the political and legal departments' work, do not want to do political and legal work, think that this kind of work is dispensable. These viewpoints should be overcome, otherwise they will hinder the consolidation and development of the people's democratic dictatorship.

2. Political and legal work is not a job that just sits in a room and does errands and does clerical work, but a practical work that is extensively integrated with mass movements. Only by grasping the central link and combining the leadership with the masses can the task be well completed and the regular work of the department established. This is true for the suppression of counter-revolutionary activities and the entire work of public security, the construction of political power and the work of disaster relief and pensions, and the same for the work of judiciary, legal system and ethnic affairs. We should never be confined to the interior of the agency, entangled in the affairs of the agency, only see the desk, but not the whole country, we should face the masses, face the whole country, grasp the central link, guide the movement, and promote the movement. Under the current circumstances, it is inappropriate for us to overemphasize the fine division of labor between departments. We should emphasize that each department should cooperate with each other and within each department around the central task; emphasizing the centralized leadership of the central government in addition to policies and guidelines should also emphasize the strengthening of unified leadership at local levels, that is, the implementation of "dual leadership" to facilitate work.

In terms of legislation, it is inappropriate to urgently formulate some immature and unnecessary "complete" and "fine" sets of laws and regulations, so as to work behind closed doors or tie the hands of the masses; it should be based on the current central tasks and the urgent needs of the people. As for the problem, according to the possibility and necessity, the mature experience should be finalized, the system and legal provisions should be gradually formed by reporting typical experience and integrating the experience of various places, gradually from simple to complex, from general rules to detailed rules, and from single regulations to form a complete set of criminal laws, civil law.

3. All our work must not start from the reactionary "Six Laws Complete Book" and other viewpoints, nor can it start from some abstract theories dogmatically, but must start from our current actual situation. Therefore, it is necessary to focus on and systematically conduct investigations and research and sum up work experience in a timely manner. Past experience has fully demonstrated that once attention has been paid to investigation and research, and typical experiences have been collected and sorted out, the phenomenon of "unclear tasks" and "do not know where to start work" will immediately begin to be overcome; the work of the department itself can also be quickly established. On the right track, the cadres will be trained, so the work mood will be improved rapidly. Because the tasks of the political and legal departments are mainly related to the concrete

implementation of the people's democratic dictatorship and to guide the political struggles of the masses, they must constantly integrate with their work and strengthen political and policy education for cadres. This is of great significance to the improvement of the work of the political and legal departments.

### (3) Tasks for 1951

Based on the current situation and tasks, in order to consolidate and develop the people's democratic dictatorship, the tasks for 1951 should be:

1. Strengthen political power construction. People's governments at all levels across the country shall convene people's congresses, government committees, and administrative meetings in accordance with regulations. Except for the governments below the county level in areas where land reform has not yet been carried out and other special circumstances, conditions should be created as soon as possible so that the people's congresses can act as the people's congresses within this year. All towns and cities with a population of more than 100,000 people should generally hold meetings of people's representatives in urban and suburban areas within a year. In all rural areas where land reform has been completed, a village or village people's representative meeting should be held to elect a village or village people's government. All localities should pay attention to the preferential treatment of disabled revolutionary soldiers and the families of martyrs, soldiers, and workers, and combine the state's preferential treatment and relief work with the general public's preferential treatment and mutual aid movement.

2. Continue to suppress counter-revolutionary activities. Severely suppress secret agents, spies, and various counter-revolutionaries who endanger the cause of the people; cooperate with the army to thoroughly eliminate gangsters and loose bandits everywhere, and destroy reactionary organizations; generally complete the registration of members of the reactionary party and group divisions and above; improve the trial work, quickly mobilize a large number of capable cadres, use surprise methods to clear up the backlog of cases; effectively organize and expand labor reform work; improve prison administration; strengthen the people's public security forces, the people's police and the urban people's public security organizations, and strengthen the organs, border defenses, and economics. Defend work.

3. Prepare to complete land reform. Except for general minority areas, all newly liberated areas should basically complete the land reform this winter and next year, and carry out necessary re-inspections in areas where land reform has already been carried out.

4. With regard to ethnic affairs, we should continue to strengthen ties with various ethnic minority areas; continue to organize visits to ethnic minority areas in order to gain a better understanding; we should assist business departments to develop ethnic minorities in a planned, focused, and step-by-step manner. In the area of health, trade and cultural work, it is especially important to actively train ethnic cadres and actively implement the fundamental policy of ethnic regional autonomy and ethnic democratic coalition government.

5. According to the necessary and possible conditions, continue to formulate and review some basic regulations and regulations.

6. In order to meet the current needs and ensure the completion of various work tasks, political and legal committees should be gradually established in the people's governments at or above the provincial level (special agencies and county people's governments can set up political and legal joint offices under the auspices of appropriate heads when necessary and qualified. ), responsible for guiding and contacting the work of civil affairs, public security, judiciary, procuratorial offices, courts, supervisory committees and other agencies, and handling the organizational and working relationships among them. The cadres in the political and legal departments should be supplemented as necessary.

Second, a large number of political and legal cadres should be trained. In addition to strengthening the training of public security and ethnic cadres, the Political and Legal Committee of the Central People's Government Administration Council and the major administrative regions should train the main cadres of county and city government administrative work and judicial work in stages and gradually in rotation, and train political and legal cadres for the training class A group of teachers should assist in the curriculum reform of the political science and law departments of universities. The major administrative regions and provinces should also plan to train and train a large number of political and legal cadres at the county and city levels and below the county and city levels.

In addition, we should assist in establishing and strengthening people's procuratorate work and people's supervision work at all levels around the central task, correct bad tendencies in work in various places at any time, and deal with illegal and dereliction of duty incidents among cadres.

Introductory Note. For the CCP, the apparatus of "people's state power" exists for the purpose of "leading" the masses toward Socialism and Communism, and not to oblige the regime to respond to pressures brought upon it by the masses. Yet the Party does not openly place itself too far ahead of the receptivity of the masses for the policies it proposes. Hence the "mass line" entails the establishment of certain balances between the leader- ship pressures the Party can always bring to bear through its monopoly of control of all organizational activities and media of mass communication, on the one hand, and the employment of a Party-controlled network of antennae to enable it to sense the current of mass reaction to its programs, on the other. Some of the problems in keeping "state power" and "mass line" in harness are here explored by P'eng Chen—a member of the CCP Politburo, Vice-chairman of the GAC Committee on Political and Legal Affairs and, as Mayor of Peking, a practitioner of the "mass line." His report was adopted by the GAC as a policy declaration. In its comment on May 29, 1951, JMJP traced the "origin of the ideological deviation of neglecting work on state power to the infiltration and permeation of the vulgar ideology of liberal- ism," and warned that liberalism might lead to "the corrosion and enervation of the people's democratic dictatorship." Peng Zhen On political and legal works in New China Beijing 1992 pg.26