

Dates of Meeting:

11-4-1953 – 25-04-1953

Type of Meeting

2nd National judicial work conference

Place of Meeting:

Beijing

Attendance:

Peng Zhen 212 delegates from administrative, provincial and local judicial persons

Major Agenda Items:

Judicial Reform completed

Speeches/Reports:

Dong Biwu: Report, April 11, 1953 "It behooves us to strengthen the work of legal construction on the prevailing foundation of legal reform, in the effort to ensure the completion of national economic construction."

Peng Zhen: 3 great enemies of the revolution are eliminated and the new challenges are to strengthen the legal system and perfect the laws in order to safeguard the socialist transition. "From now on the main task of law enforcement is to build up, step by step, a more complete legal system on the principle of people's democracy, which will protect and further the development of the production forces of society. For this purpose, law enforcement must be strengthened. And we will positively bring law enforcement deep down to the factories and mines, to the village agricultural cooperatives and mutual-aid teams, and to the other various branches of economic development. It is in these areas that we will carry out our work to render service to the economy."

Shi Liang, Xu Deheng, Wei Wenbo**Other Decisions and/or Actions:**

- law enforcement "must render service to the national economic construction
- railway- and water transportation courts are to be set up The function of these courts, was to hear cases relating to counterrevolutionary sabotage, corruption, theft, indifference to duty or negligence resulting in serious loss to production or state property, and accidents endangering the safety of transportation workers and employees
- a new policy that emphasized the role of law in national economic construction and proclaimed as a major goal the establishment of peoples mediation committees in all of Chinas cities and administrative villages, a uniform system of extrajudicial mediation appeared to be at hand; draft rules on the organization of mediation committees were even presented to the conference
- called for the establishment, on an experimental basis, of "comrades' courts" at a number of large-scale industrial enterprises. These comrades' courts were to be set up primarily in order to install labor discipline in the masses, many of whom had only recently been introduced to factory work and to the demands of a government that was bent on rapid industrialization. Problems such as tardiness. Absenteeism, poor quality work, and serious and costly accidents had become a subject of great concern by 1953, and the comrades' courts were devised as part of an effort to combat them.
- Resolution of the Second National Judicial Conference. Passed April 25 1953; approved May 8, 1953.

Remarks:

1. It hailed the Reform Movement as having laid a solid foundation for the consolidation of the People's Dictatorship and the strengthening of the people's judicial work in the New China and declared that the country was now ready for further development of the people's judicial system. It called for specific programmes at central and regional level to train judicial cadres and establish schools for them, for an extension of the use of people's assessors sitting with judges, for the creation of more special courts in factories, mines, railroads and waterways, and for more conciliation committees, more court activity on circuit among the people and for the creation of people's reception offices associated with the courts, to deal with letters, petitions, complaints and enquiries. It thus inaugurated a new period.

Law in communist CHINA - PART 2 Alice Erh-Soon Tay Sydney law review vol 6 (1969) pg.353*

2nd All-China Judiciary Conference Convened in Peking, NCNA Peking, May 12, 1953, English translation in SCMIP No. 573, at 15 (1953).

2. The stock of these experiments with popular mediation fluctuated with the political developments of the day as well as with local circumstances. For example, the “judicial reform” movement of 1952-53 revived sagging interest by spurring legal cadres throughout China to lead the masses in organizing small groups and committees for mediation. Yet before the end of 1953, during the “five too many” movement that sought to eliminate unnecessary organizations, in many places mediation committees were abolished as superfluous or ineffective. The actions taken during the “five too many” movement and the delay of almost a year in promulgating the draft rules that had been presented to the judicial conference suggests serious doubts about the utility of mediation committees.