

THE COLUMBIA GUIDES TO ASIAN HISTORY

Gary D. Allinson, *The Columbia Guide to Modern Japanese History*

THE COLUMBIA GUIDE TO

Modern Chinese History

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1. Internally, arouse the masses of the people. That is, unite the working class, the peasantry, the urban petty bourgeoisie and the national bourgeoisie, form a domestic united front under the leadership of the working class, and advance from this to the establishment of a state which is a people's democratic dictatorship under the leadership of the working class and based on the alliance of workers and peasants.
2. Externally, unite in a common struggle with those nations of the world which treat us as equals and unite with the peoples of all countries. That is, ally ourselves with the Soviet Union, with the People's Democracies and with the proletariat and the broad masses of the people in all other countries, and form an international united front.

"You are leaning to one side." Exactly. The forty years' experience of Sun Yat-sen and the twenty-eight years' experience of the Communist Party have taught us to lean to one side, and we are firmly convinced that in order to win victory and consolidate it we must lean to one side. In the light of the experiences accumulated in these forty years and these twenty-eight years, all Chinese without exception must lean either to the side of imperialism or to the side of socialism. Sitting on the fence will not do, nor is there a third road. We oppose the Chiang Kai-shek reactionaries who lean to the side of imperialism, and we also oppose the illusions about a third road.

"You are dictatorial." My dear sirs, you are right, that is just what we are. All the experience the Chinese people have accumulated through several decades teaches us to enforce the people's democratic dictatorship, that is, to deprive the reactionaries of the right to speak and let the people alone have that right.

Who are the people? At the present stage in China, they are the working class, the peasantry, the urban petty bourgeoisie and the national bourgeoisie. These classes, led by the working class and the Communist Party, unite to form their own state and elect their own government; they enforce their dictatorship over the running dogs of imperialism—the landlord class and bureaucrat bourgeoisie, as well as the representatives of those classes, the Guomindang reactionaries and their accomplices—suppress them, allow them only to behave themselves and not to be unruly in word or deed. If they speak or act in an unruly way, they will be promptly stopped and punished. Democracy is practiced within the ranks of the people, who enjoy the rights of freedom of speech, assembly, association and so on. The right to

vote belongs only to the people, not to the reactionaries. The combination of these two aspects, democracy for the people and dictatorship over the reactionaries, is the people's democratic dictatorship.

"Don't you want to abolish state power?" Yes, we do, but not right now; we cannot do it yet. Why? Because imperialism still exists, because domestic reaction still exists, because classes still exist in our country. Our present task is to strengthen the people's state apparatus—mainly the people's army, the people's police and the people's courts—in order to consolidate national defense and protect the people's interests. Given this condition, China can develop steadily, under the leadership of the working class and the Communist Party, from an agricultural into an industrial country and from a new-democratic into a socialist and communist society, can abolish classes and realize the Great Harmony.

J. Mason Gentzler, *Changing China: Readings in the History of China from the Opium War to the Present* (New York: Praeger, 1977), pp. 242–246.

13. THE MARRIAGE LAW OF THE PEOPLE'S REPUBLIC OF CHINA (1950)

This law was the logical conclusion to the May Fourth period's drive to destroy patriarchal, parental, and age dominance in the family system. Women hereby gained at least legal equality with men; betrothed marriages, male dominance in family affairs, and such evils as infanticide were outlawed. This law followed an earlier one set forth during the Jiangxi Soviet period; it was further elaborated upon by a law in 1980.

CHAPTER 1: GENERAL PRINCIPLES

ARTICLE 1. The feudal marriage system which is based on arbitrary and compulsory arrangement and the superiority of man over woman and ignores the children's interests shall be abolished.

The New-Democratic marriage system, which is based on the free choice of partners, on monogamy, on equal rights for both sexes, and on the protection of the lawful interests of women and children, shall be put into effect.

ARTICLE 2. Bigamy, concubinage, child betrothal, interference with the remarriage of widows, and the exaction of money or gifts in connection with marriages, shall be prohibited.

CHAPTER 2: THE MARRIAGE CONTRACT

ARTICLE 3. Marriage shall be based upon the complete willingness of the two partners. Neither party shall use compulsion and no third party shall be allowed to interfere.

ARTICLE 4. A marriage can be contracted only after the man has reached 20 years of age and the woman 18 years of age.

CHAPTER 3: RIGHTS AND DUTIES OF HUSBAND AND WIFE

ARTICLE 7. Husband and wife are companions living together and shall enjoy equal status in the home.

ARTICLE 8. Husband and wife are in duty bound to love, respect, assist and look after each other, to live in harmony, to engage in productive work, to care for the children and to strive jointly for the welfare of the family and for the building up of the new society.

ARTICLE 9. Both husband and wife shall have the right to free choice of occupation and free participation in work or in social activities.

ARTICLE 10. Both husband and wife shall have equal rights in the possession and management of family property.

ARTICLE 11. Both husband and wife shall have the right to use his or her own family name.

ARTICLE 12. Both husband and wife shall have the right to inherit each other's property.

CHAPTER 4: RELATIONS BETWEEN PARENTS AND CHILDREN

ARTICLE 13. Parents have the duty to rear and to educate their children; the children have the duty to support and assist their parents. Neither the parents nor the children shall maltreat or desert one another.

The foregoing provision also applies to foster-parents and foster-children. Infanticide by drowning and similar criminal acts are strictly prohibited.

ARTICLE 14. Parents and children shall have the right to inherit one another's property.

ARTICLE 15. Children born out of wedlock shall enjoy the same rights as children born in lawful wedlock. No person shall be allowed to harm them or discriminate against them. . . .

ARTICLE 16. Husband or wife shall not maltreat or discriminate against children born of a previous marriage.

CHAPTER 5: DIVORCE

ARTICLE 17. Divorce shall be granted when husband and wife both desire it. In the event of either the husband or the wife alone insisting upon divorce, it may be granted only when mediation by the district people's government and the judicial organ has failed to bring about a reconciliation. . . .

ARTICLE 18. The husband shall not apply for a divorce when his wife is with child. He may apply for divorce only one year after the birth of the child. In the case of a woman applying for divorce, this restriction does not apply.

ARTICLE 19. The consent of a member of the revolutionary army on active service who maintains correspondence with his or her family must first be obtained before his or her spouse can apply for divorce. . . .

CHAPTER 6: MAINTENANCE AND EDUCATION OF CHILDREN AFTER DIVORCE

ARTICLE 20. The blood ties between parents and children do not end with the divorce of the parents. No matter whether the father or the mother acts as guardian of the children, they still remain the children of both parties. After divorce, both parents still have the duty to support and educate their children. After divorce, the guiding principle is to allow the mother to have custody of a baby still being breast-fed. After the weaning of the child, if a dispute arises between the two parties over the guardianship and an agreement cannot be reached, the people's court shall render a decision in accordance with the interests of the child.

ARTICLE 21. If, after divorce, the mother is given custody of a child, the father shall be responsible for the whole or part of the necessary cost of the maintenance and education of the child. Both parties shall reach an agreement regarding the amount and the duration of such maintenance and education. In the case where the two parties fail to reach an agreement, the people's court shall render a decision. . . .

J. Mason Gentzler, *Changing China: Readings in the History of China from the Opium War to the Present* (New York: Praeger, 1977), pp. 268-272.