CHAPTER 12

Simplified Legal Knowledge in the Early PRC: Explaining and Publishing the Marriage Law

Jennifer Altehenger*

In late April 1950, Wang Feiran (1904–1994), president of the Beijing Municipal People’s Court, commented on the upcoming promulgation of the PRC’s first Marriage Law in a broadcast of the Central People’s Broadcasting Station.1 Trying to familiarize listeners with the new law and its role in the making of a New China under New Democracy, Wang explained that the Marriage Law was special because it was the first law to adopt the mass line as a legislative principle (lifa fangfa).2 With the help of the mass line, the new law had been drafted to reflect the needs of the masses. Popular education that explained the law to people would now help create and consolidate the new society under CCP rule.

Implementation of the Marriage Law, however, proved more complicated than Wang had perhaps anticipated. New laws did not sui generis prompt people across the newly established People’s Republic to act in accordance. Neither did everyone independently sit down to read this law that the new government claimed belonged to the people. Many were reluctant to go along with the social changes that the reform of the Marriage Law brought about, and others resisted.3 As a result, between 1951 and 1952, legal reformers and high-level government officials began to explore the option of implementing

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2 Ibid., 16.

and disseminating laws via mass mobilization campaigns. Campaigns were an all-pervasive feature of regime consolidation in the early 1950s and had been common even before the Communist takeover. Yet they had not previously been used for law dissemination. First pilot tests were carried out in 1951 and in early 1953 ideological campaigning and legal reform were joined in a nationwide legal education campaign: the Marriage Law Implementation Campaign (guanche hunyinfa yundong).4

By the logic of the mass line, the campaign would help educate citizens to understand, appreciate, and learn to live by the Marriage Law in particular and PRC law in general. Mass legal education was to contribute to linking state and society through knowledge, boost popular legitimacy for the young regime, and create the “new” socialist masses that abided by policies, laws, and party doctrine. To this end, the national, provincial, and municipal governments commissioned editors, artists, authors, and playwrights to design educational materials that could be employed in this project to generate mass legal knowledge.

Legal education of the general population, within the terminological confines outlined by government propaganda, formed part of the Communist project of regime building after the Civil War. The efforts to produce materials that could enable people to understand something about the Marriage Law and adhere to it contributed to the creation of a legal culture in the first years of the PRC. This legal culture was based on a politically shaped and controlled set of terms, intended to alter the way people talked about and referred to law. In this process, as this chapter suggests, the propaganda department was far from a cohesive body that could exert top-down pressure and dominate the production of legal education materials. More often than not, officials in the department found that they had to criticize and try to control legal language after materials had been published. These efforts amounted to rescue actions more than they did display a powerful institution of control that guided propaganda.