China – the Tiananmen Square massacre of 1989

THIS CHAPTER EXPLORES, through a discussion of one instance, how the principal categories of the Lockean narrative can shape the context for the understanding of and response to political injury. In the case of much Western response to the Beijing massacre the conceptualisation of man and the state is particularly important, as is the related articulation of the realms of ethics and politics. The following discussion of the Beijing killings also questions the adequacy of the terms of the debate between citizenship rights and human rights, that is, the argument that rights must be located in (and contained by) either the institutional mechanisms of the state or in the generic individual as Lockean universal man, as a basis for responding to the complex problems of abuse. And the discussion touches on the role of the search for workable dialogue in this instance of deteriorating political conflict.

The Tiananmen Square killings can be understood as one, particularly savage, swing of the pendulum between official calls for reform and official repression of and violence towards those Chinese pushing the limits and pace of reform (with other more or less repressive movements occurring in 1978–79, 1981, 1986, 1989 and 1998). But because of the very public ferocity of the government's response, as well as the timing of the incident following some years of political openness and discussion within China, and at the beginning of the end of the Cold War internationally, the Tiananmen massacre also stands as a watershed. The massacre has etched itself sharply into Western impressions of and responses to China, on a popular level as well as in official and academic circles. But it also marked quite deeply a turning-point, or a road not taken, in China's political direction, as well, arguably, as a complex shift in the relationship between the regime and large sectors of the population. Certainly 4 June is a date that the government must keep in mind uncomfortably every year, watching anxiously to quell any disturbance. The pseudonymous compiler of *The Tiananmen Papers* Zhang Liang noted the 4 June protests (by the 1989 Democracy Movement) as 'the culmination of the biggest, broadest, longest-

lasting, and most influential pro-democracy demonstrations anywhere in the world in the twentieth century' (quoted in Nathan and Link; 2001: xi). This is an expansive description; but, however the Democracy Movement is judged, the full impact and consequences of the 1989 demonstrations and of the massacre in which they culminated have yet to be played out.

During April and May of 1989, Beijing was the site of an extraordinary series of demonstrations and political actions that came to be known as 'the Beijing Spring'. Protesters called for democracy, freedom, dialogue with the government, the accountability of authorities and an end to corruption. Although initiated and in many respects dominated by students, for the first time in many years the demonstrations attracted widespread public support, most significantly from urban workers. Similar – smaller – actions erupted in hundreds of centres across the country, accompanied by the formation of a clutch of independent labour organisations.[1] For some time the central leadership was itself seriously divided on how to respond to this volatile public mix – a struggle that had the effect of sending contradictory messages to the demonstrators and delaying response. Eventually, in Beijing on the night of 3–4 June 1989, People's Liberation Army (PLA) tanks converged on the unarmed people in the streets around Tiananmen Square, the large public space in the heart of the capital. Estimates by various observers put the number of dead (shot or crushed) as a result of this action – workers, students, those caught up in the melee and soldiers – as ranging from approximately 240 to 5,000. '[N]ever before had the regime unleashed the full firepower of the . . . PLA on unarmed civilians' (Dittmer, 1989: 2).

Repressive follow-up operations were mounted throughout the country to investigate, punish and eradicate suggestions of support for the demonstrations. According to internal Party reports, 4 million Party members were to be investigated, indicating the extraordinary extent of the support for the students' activities (Mirsky, 1997: 33). An unknown number of arrests were made (at least 6,000 by the end of 1989 according to interpretation by Western journalists of official statistics) on a wide variety of charges, and forty executions were officially announced in the months immediately following the protests (400 executions according to the Hong Kong journal *Ming Pao*).

The focus of this chapter is less the events of Tiananmen Square in early 1989 *per se*, however, than some of the ways we talk about or approach those events. The Tiananmen massacre has become for many people in the West almost an icon of the violation of human rights – of a spontaneous outpouring of the desire for freedom and democracy (two of the students' principal slogans) crushed by the repressive state. The natural drama and tragedy of Tiananmen speak directly to our own stories of political heroism and destruction, resonating with some of our constitutive political images of and ideals about natural

universal man facing the state-as-tank. This chapter considers this representation of events and some of its effects. It is argued that this representation, which may have given the disaster of Tiananmen some, although certainly not all, of its potency and grip over our imaginations (a grip that, for example, Chinese security forces killing demonstrating Tibetans in Lhasa the previous year clearly did not have), is also part of what obstructs the practical pursuit of human rights in China and other places. Might our assumptions about the relationship between individual and state, as articulated by a certain idea of rights, both demand and shape our response to certain instances of grave abuse *and* hinder our understanding of events like the Tiananmen massacre and our ability to work with the infliction of injury? It is important, in the light of this question, to look more carefully at some of the terms of the drama and in particular to question the simplification of the roles of the students, the leadership and the state – to point to the elements of myth making without in any way reducing the gravity of the events and their implications.

After noting the sharp emergence of human rights onto the agenda of dealings between China and the West following the Tiananmen killings, the chapter looks at the terms in which the story of the massacre was presented in much Western commentary of the time – terms with which, arguably, it continues to resonate. This is not, however, an attempt to reproduce a detailed account of events surrounding the killings – several such accounts are available.[2] The chapter then endeavours to situate both the leadership and the arms of the state and the students within the conflicts and the fragmentation of their political circumstances. This discussion draws on a range of commentaries on both the Tiananmen killings and China in the latter part of the 1980s more generally. Although certainly not as nuanced or as authoritative as the work of specialist historians, this discussion nevertheless allows consideration of the central issue of the chapter, that is, the extent to which efforts to undo systemic infliction of injury and to respond to abuse become preoccupied with reductionist Lockean constructions of the state and of the individual, thus overlooking the actual dynamics of the situations in question.

The Tiananmen Square massacre, following upon the heady months-long Beijing Spring, has for many in the West become at least a kind of touchstone and point of reference to contemporary China, standing alongside economic growth figures in an awkward patchwork of seemingly incommensurable indices. Initially it called powerfully upon an obdurate confusion with which atrocity, particularly when highly public, often seems to confront us. The images of tanks, the staccato of repeater rifles, the anguished voices on the mass media, particularly in the context of China's prominence in world affairs, engendered a double effect. A strong sense of the need to respond became coupled with an awareness of not knowing how to respond effectively. This frustration seemed to intensify the sense of indignation and blame.

The events of Tiananmen have pointed to a number of quandaries for Western responses to China. These are often couched in terms of a conflict between what are too easily characterised as pragmatics and principle (reflecting realism's division of politics and ethics). That is, in this context, the need for good state-to-state relations – maintaining reasonable patterns of communication, particularly with a major power, across a wide range of interaction, interdependence and tension – versus the importance of upholding, even symbolically, principles intermittently identified as fundamental to orderly relations within and among states. And yet the Tiananmen 'incident' caused such an intense reaction in part because relatively little emphasis had been given by the West to questions of human rights in China over the preceding decade. While not insignificant, human rights diplomacy in general during the last decade of the Cold War remained comparatively low-key. Economic growth figures, against the background of relative strategic ease with which China was viewed during the later Cold War years, had loomed large in many relationships at the state level and allowed the growth of considerable warmth in both national and community links. Moreover, modernisation policies within China had enabled an increasing exercise by certain sectors of the population of informal political and civil rights – ease of publication and circulation of a range of political views for example – creating a general impression of positive trends. There has been an implicit belief in some Western circles that through 'modernisation' China would become more like 'us'. Questions of *principle* were thus, in practice, left for the confusion and abnormality of a crisis, as for the rest of the time pragmatism seemed to be undertaking all tasks so well.

As well as formal statements of shock and protest, states (particularly Western states), organisations and international bodies such as the World Bank imposed international trade or financial sanctions following the killings. Some sanctions were tied specifically to the release of certain prisoners; some involved questioning, at least for the moment, the wisdom of sales to China of military or surveillance equipment; others were more simply statements of indignation. These actions drew some concessions and were an emphatic message to the Chinese government. But beyond this reasonable but highly generalised goal their aims and effects were unclear, and most sanctions were lifted by June 1991. Criticism by human rights groups and others, upholding the primacy of principle, of the speed with which Western states resumed full trade links with China may perhaps only have been matched by the feelings of frustration, confusion or aimlessness on the part of the many officials called upon to use general commodity trade to affect, suddenly, the orientations of the Chinese government. As with many debates about trade sanctions against not fully industrialised states engaged in gross public and attention-drawing human rights abuse, Tiananmen again stirred the murk of our complicated assumptions about the civilising effects of market disciplines and international trade.

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The dominant public reaction of shock and uncertainty was gradually over-taken or at least matched by the belief that there was nothing to be done except continue business.

Over time, however, another issue became increasingly significant in the more public international activity about rights in China – a more classically geostrategic concern. The events in Tiananmen Square, occurring on the eve of the collapse of the Soviet Union and the end of the Cold War, could stand as the marker for a significant shift in the relationship between China and the United States, and more broadly of China's increasingly assertive international posture. In the two years after the killings, China was criticised in both the UN Human Rights Commission and the ILO. But continuing efforts by states within the UNHRC or by the United States (or the US Congress) to penalise China over human rights were largely unsuccessful. The issue became explicitly a test of strength and strategy between the remaining and the potential superpower. In this light, the killings, in China's own heartland and in full international view, could stand as an assertion by the government (or the faction that emerged victorious from the struggle played out behind the Beijing Spring) of its determination to pursue its own agenda and its own definition of the proper state as ruthlessly as seemed necessary, in defiance of the convictions and conventions of the US and others. The assertion of principle and of 'rights' in this context becomes absorbed into the struggle for power and influence described by realism. The sense of frustration and impotence on the part of China's critics hardened and was rewritten as a version of the 'clash of civilisations'.

Since 1991 the Chinese Government appears to have maintained a double-track policy (or a strategy of 'attacking the few, and winning over, dividing and reforming the majority'); that is, signalling a carefully contained willingness to cooperate with selected (and significant) proposals, while adopting attack as the best form of defence. Thus, throughout the early 1990s the Chinese Government made clear its willingness to engage with the United States and other Western states on the symbolic ground of human rights. Efforts within the UNHRC to condemn China on the grounds of abuse seemed to operate essentially as a litmus of China's ability to wield influence and threat in its international relationships. But the government also took some major steps of long-term significance – signing the International Covenant on Economic, Social and Cultural Rights in 1997 (and accepting the principle at least of Red Cross access to prisons in the same year) and the International Covenant on Civil and Political Rights (ICCPR) the following year. Shortly after signing the ICCPR, however, Beijing gave long prison sentences to activists who had taken the unprecedented step of establishing a new political party, the China Democracy Party, charging them with attempting to overthrow the government. China wishes to engage, cautiously, with notions and regimes of rights, but on its own terms and without challenging the control of the Communist Party.

China's official international position on rights draws on its role as a great power within the developing world and its desire for unchallengeable status as a global great power, as well as on the dynamics of the 'Asian Way' debate and selective quotation of its Marxist ancestry. While endorsing the importance of the idea of rights, Chinese spokespeople remark that the West has no copyright on its content. The rights given first priority in statements in international fora (e.g. the 1993 Vienna Conference) are those pertaining to the self-determination and sovereignty (both economic and political) of states – the elimination of colonialism and racism, and of abuses resulting from invasion and occupation or from underdevelopment. China here claims ground as spokesperson for developing states, 'which make up the overwhelming majority of the world population', and so proposes an alternative – quantitative – universality to the principles put forward by many Western powers (Liu Huaqiu, 1993: 1). It also implies the guilt of the West, as coloniser and imperialist. By contrast, Western efforts to promote rights are portrayed as selective and aimed at undermining the growing power of developing states, thus threatening their independence.

The concept of rights is thus placed firmly within the context of sovereignty. This is done not on a strictly utilitarian or even a Marxist basis but rather by virtue of the (somewhat Hobbesian) argument that only a strong state can both protect the Chinese people against the depradations of and exploitation by foreigners and provide subsistence (which is otherwise threatened by both natural disaster and social turmoil). Making reference both to historical materialism and to the argument concerning the necessary limitations imposed by different stages of development, official statements frequently provide a short history of rights in China. In common with the position of many other developing states and the traditions of the former Soviet *bloc*, the 'foremost human right' is subsistence. But the foundational achievement, upon which even subsistence depends, is national independence – in historical terms, ridding the country of the imperialists and 'alien powers' at whose hands China had suffered 'dismemberment, oppression and humiliation' (State Council, 1991: 4). This history enables a listing of pre-communist atrocities against Chinese people that establishes a kind of pre-emptive indignation in the face of whatever charge others may lay at the door of the Chinese State. It also stands as a contemporary assertion of the pre-eminence of the state in any weighing of the claimed rights of individuals or groups within China. (Constitutional guarantees likewise remind the reader that the interests of the state are primary.) In a more scholarly and classically Marxist reflection, Chen Xianda, (1992) writing in *Qiushi*, contrasts liberal concepts of rights as the abstract rights of 'the universalised capitalist' with the proletarian citizen's rights within the concrete life of society, which means simply the state: 'Thus the sovereignty of the state is the most important substance of human rights.'

But China's posture has also been shaped by the leadership's own reading of the collapse of the Soviet *bloc* and the end of the Cold War. For some, the country stands as the last bulwark of socialism, beset by forces working for 'peaceful evolution' (that is to say, subversion) on every side. Human rights universalism is seen as a direct attack on national sovereignty and an affront to the orthodox Marxist identification of citizenship rights as the only rights. Chen Xianda (1992) put this quite clearly:

> Those people who glibly argue that . . . 'human rights have no national boundaries' are in fact . . . subverting human rights . . . While they mouth the language of human rights, their hearts are bent on hegemony and their hands are wielding powerful weapons . . . The struggle of the proletariat for human rights is the struggle to establish the socialist system.

This suggests the broader international context within which discussion of human rights in China takes place. It was not altogether the atmosphere in which the Tiananmen killings occurred – indeed those killings and their aftermath were rather the nominal source of the heightened suspicion and tension between China and a range of Western states. It is the context, however, in which much contemporary discussion of or reference to the massacre must now proceed.

The story

According to statements by the Chinese delegation to the UNHRC in 1990, the demonstrations were 'an anti-government rebellion aimed at overthrowing the government of China' which jeopardised the lives and well-being of the whole population. Western representations are often almost the precise opposite of this (hardly plausible) account of the state as national bulwark struggling to save the masses from an impending chaos wrought by demonstrating students. Many of the stories told about Tiananmen in the West revolve around the broad theme of the individual versus the state – the youthful idealist and heroic individual, 'the student martyrs of Tiananmen' (Johnson, 1990: xiii), staking everything on the desire for freedom and unfettered expression, crushed by the organised violence of the repressive and illegitimate state. Variations of this understanding of events have been put forward, particularly by the popular Western press, by some Western academic responses and by some Chinese participants in or supporters of the demonstration. This representation was captured visually and with great iconic power in the poignant television image of the youth holding up the flower to the gun of the tank, which all at once invoked traditions of heroism, sacrifice and peace in the face of aggression and force ('speaking truth to power').

There are subsidiary themes to this story, not necessarily occurring together

but linked loosely by a strong current of indignation and disgust at the killings. One is a preoccupation with the evilness of the Chinese regime. Generally that evil is identified with the communism of the regime; it may additionally, more occasionally and faintly, refer to certain culturally Chinese traits or to the difference or threatening exoticness of this large and powerful Asian place. 'Last June in Beijing, the beast of communist totalitarianism suddenly stripped off its beguiling Oriental masquerade and showed itself, contemptuously naked, on the television screens of the world' (London, 1990: 246). The evilness of the regime is counterposed to the innocence of the demonstrators, 'the student martyrs of Tiananmen'.

The opposition between students and the regime becomes easily totalised into a confrontation between good and evil, or between fundamentally different and antinomic things. Businessmen and politicians now 'return to sit at the banquet of the murderers, and meanwhile, in the cellars of the secret police, with one bullet in the back of the neck, the youth, the intelligence, and the hope of China are being liquidated' (Leys, 1990: 157). 'June 4 is likely to prove only the first salvo in a long battle between ideas and bullets' (Hicks, 1990: xx). President Reagan commented at Oxford: 'You cannot massacre an idea.' The totalising of the opposition between the demonstrating students and the state, between good and evil, allows other forms of totalisation. Thus Simon Leys, for example, can write of 'the entire nation rallying round the Tiananmen demonstrators' (1990: 156), offering this not as an empirical observation but as the expression of a prior truth awaiting its moment of expression. The demonstrating students become the symbol of the Chinese people who, yearning for freedom, will one day, like 'the irrepressible surge of the tidal wave', sweep away the regime and the 'last remains of Chinese communism' (Leys, 1990: 156). 'For five glorious weeks the Chinese people showed where they stood and raised a Goddess of Democracy [identified as a replica of the Statue of Liberty] to show where they wanted to go. The final chapter has yet to be written' (McGurn, 1990: 244).

In this account, the Chinese people sometimes yearn not only for freedom or democracy but for a completely free market system. 'China's experience with partial economic changes and halfway reforms since 1979, culminating in the Tiananmen massacre and systemic recidivism, is an object lesson in the futility of taking the capitalist road without going all the way to advanced democratic capitalism' (Prybyla, 1990: 187). Because the Beijing Spring happened to coincide with the Bicentennial of the French Revolution, and because it was (not coincidentally) resonating with the excitement of the momentous changes in the Soviet Union and the Eastern *bloc*, the events in Tiananmen can also be absorbed into a larger picture, 'celebrated as a new watershed in revolutionary behaviour' (Johnson, 1990: vii) to the extent that they threaten to disappear altogether, except as a sign of something else.

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The presentation of the confrontation as one between good and evil was echoed by official representations of the event within China. Those elements of the leadership which gathered the forces to crush the demonstrators referred to the protest as a counter-revolutionary rebellion, led by a small clique of 'beaters, looters, smashers and burners' (a reference to the violence of the Cultural Revolution) and backed by insidious forces in the West. They became the 'enemy'. Within Chinese constructions of rights, those who are deemed enemies of the state forfeit citizenship – since citizenship exists only by virtue of the state – and so are without rights. 'The People's Liberation Army . . . serves the people wholeheartedly. They are ruthless to the enemy, but kind to the people' (Chen Xitong, then Mayor of Beijing, in Yi Mu and Thompson, 1989: 75).

We have tended to romanticise Tiananmen in a way that we do not romanticise the extraordinarily high proportion of indigenous and black people in the prisons of many states, for example, or the sale of women into prostitution or abusive labour conditions. This is because Tiananmen echoes so pointedly an idealisation of themes running through our own political mythos. In the words of George Hicks: 'The West looks at China and sees not what it is but an Oriental mirror image of its own hopes and dreams' (1990: xvi). The events of the Beijing Spring are testimony to many things, including the aspirations for political change and more participatory political forms, however understood, among the urban Chinese population. In the same way, the consequent response of the government – the needless and irreparable moment of the armed killing the unarmed, the subsequent repression – demonstrates again the extent of the rigidity, stupidity and ultimately of the violence allowed or produced by certain political and social forms, communist or non-communist. The moral drama of this is not disputed. But many representations of Tiananmen construct from these potent elements a confirmation of the categories of person, state and rights embedded in the Lockean story of man, discussed earlier.

The students called for freedom of expression; for the removal, within this story, of the fetters of the oppressive state to reveal the autonomous, self-possessed individual. The individual confronts the state, which appears as other than 'human' and merely a form of vicious restraint. In some versions (as some of the statements quoted above suggest), the 'state' is all that stands between the people and advanced democratic capitalism, as if that complex form of economic, political and social life were waiting, embryo-like, within the Chinese people. The 'human' and the old emperor struggle for sovereignty. In an inversion of official Chinese statements, the emperor is 'an enemy occupying power' (London, 1990: 256). The natural subject protests the state, while the image of demonstrators, young, enthusiastic and ultimately tragic, in the heart of the political space of the state appears again as focal point of all rights. From the midst of the jumble and the contradictions of our political and economic institutions, Tiananmen can thus be held as a talisman for the ideals that 'advanced

democratic capitalism' claims as its own, and at times at least cultivates, and against the dangers of overtly repressive political and economic control that it endeavours to reject. Tiananmen seems to attest that people have again found these ideals worth dying for.

The problem with this kind of representation is that it abstracts the Tiananmen massacre from its own social and political context and reality. It abstracts it, too, from our own grasp – from the dense and ambiguous (and sometimes brutally clear) world of human interactions – and places it in an idealised domain of almost pure moments. It is celebrated as tragedy and inspiration, but an inspiration that sheds little light on the painstaking, costly and uncertain efforts of working to change abusive institutional and social structures. This has a most practical consequence. By the time an army is crushing its own fellow-citizens with tanks in the streets there is nothing (short of the very mixed and politically and ethically fraught benefits of military intervention) that anyone or any entity can do, except express displeasure after the event. It is in the mundane webs of social practice, which either support or obstruct events such as Tiananmen, which lower or raise the threshold of acceptable violence, that practical action may sometimes be possible. To focus on the drama of the individual versus the state is to overlook the specific social, political and legal institutions that make up the state and in which the dividing line between state and person becomes unclear. But it might be in the messy realities which involve the state in various, sometimes contradictory, positions that efforts to strengthen participatory political forms, or render public institutions more accountable, may be possible.

The next two sections of this chapter, then, provide some discussion of the leadership and the general political context of China in the 1980s as well as of the student demonstrators. While necessarily brief, the function of the discussion is not to offer new insight on China but to allow events a significance, particularly in any consideration of questions of human rights, extending beyond the retelling of 'man' versus 'state'. There are numerous accounts of the Beijing Spring, the massacre and the intensified repression following it – many of them very full. This study does not attempt to reproduce or summarise them beyond some essential references.

The political context – the 'state'

For some commentators the Chinese state is evil and confrontation with the more politically conscious sectors of the Chinese population is therefore inevitable.[3] But as, for example, Lowell Dittmer's examination of events leading up to the killings suggests, 'the Tiananmen massacre was not inexorable. Rather, it was the outcome of a subtle interplay of developments whose complexity must be thoroughly examined' (1989: 3). Any focus on divisions within the leader-

ship on how to handle the Beijing Spring, however, itself draws on the broader context of rapid change within China – in particular the climate of increasing economic expectation and uncertainty coupled with growing political openness and underlying dissension, within the leadership and the population, on the structure of the state and the nature and scope of political and economic reform.

China's leadership, certainly in the 1980s, was deeply divided. These divisions, however, were not solely a matter of generational cleavage and succession, or of the factionalism of court politics, although these elements were powerful enough. Rather, they were part of far-reaching transformations of political, social and economic life in China, and of fundamental struggles about how state power was constituted, and how it might be wielded. Thus the role of the Communist Party and of the people, the nature and basis of political legitimacy and the need to recreate or strengthen legitimacy for political rule within China, and the mechanisms by which political power in its broadest sense is exercised and communication or participation is made possible were and still are 'unresolved and festering questions' (Dittmer, 1989: 2).

China's poverty, the chaotic violence of the Cultural Revolution, and for some the desire to strengthen China's international security, power and prestige, led in late 1978 to the leadership committing the country to a process of 'modernisation'. Modernisation was envisaged as the route to an increasingly prosperous, orderly and secure state. An indication of the scope of these changes is perhaps clearest in the economic sphere, which has been central to the modernisation project and where the country was set on a path from a command economy towards increasing scope for market forces. Movement towards a market economy, however, involves not merely removing direct state controls but establishing a broad network of indirect controls for setting the rules of the game and making government policy possible – a workable taxation system or some system for raising revenues, for example, methods for redistribution, for the provision of welfare and for social investment, a reliable system of commercial and administrative law. But such processes of transformation are hugely complex, costly and need time; as well as movement towards the desired outcomes, they generate confusion, disruption and contradiction. Throughout the 1980s, China was a 'neither this nor that economy' (Raby, 1990: 1). Moreover, there is a 'fatal interconnectedness . . . between industrial reform and the political and social systems' (Kent, 1993: 79).

Ann Kent characterises the social and political changes that modernisation involved as necessitating a shift from the overwhelming preponderance of traditionally embedded *Gemeinschaft* practices to intermittent and fledgling reliance on more formal and juridical *Gesellschaft* practices, contributing to an 'increasing gap which the modernisation process opened up between state and society in China' (Kent, 1993: 79). This characterisation provides some indication of

the nature and depth of the social and political revolutions underway in the 1980s and beyond. Legal reform – 'strengthening socialist law' – has been a crucial element of modernisation with the independence of the legal system from party cadres widely seen as critical to economic restructuring and combating corruption. But the introduction of a substantial body of new statutory law may have rendered more complex, without fundamentally altering, the more traditional elements of the structure and the orientation of Chinese law, often described as 'principally a system of punishments for ordering society' – of 'law from above' or 'rule by law' in contrast to the 'rule of law' (McCormick, 1990: 96). Traditional Chinese law draws also upon an extensive system of grassroots security and mediatory functions as well as adhering explicitly to policy directives from the Communist Party. 'The resultant condition of law has been conceived as a complex intertwining of the jural (formal) and the societal (informal) models of law' (Kent, 1993: 47).

In the mid-1980s, around the time of movement from the initial stage of agricultural reform to reform of the urban economy and more complex rural changes, the coalition of economic 'modernisers', from which Deng Xiaoping had drawn his support and which formed the basis of direction and stability within the leadership, disintegrated. For the remainder of the decade, two factions, the more orthodox communists and the relatively radical reformers, were increasingly bitterly divided over the nature and direction of reform. Much of the debate focused on loss of party control over economic and political directions – over the degree of predominance of centralised economic planning and over the means by which 'leadership' by the party should best be achieved. This debate was intensified by the fear not only of the direct loss of dominance by the party but of the potentially chaotic social and economic consequences of removing the command structure in an economy and society which lacked established alternative mechanisms of management. Opening production to market forces required removing the 'iron rice bowl' of employment and subsistence security, but this was to destroy the network which had assured that most people's basic needs were met without there being another means for meeting these needs in place. By the mid-1980s China was operating on two economic systems with two pricing systems – a fixed system, to protect supply of basic or essential commodities, and a market system. This situation gave tremendous scope to and in many circumstances necessitated corruption. (Efforts in 1998 to introduce full market pricing led to panic buying, and were abandoned.)

Whereas the conservatives argued for a continuation of the pattern of saturation leadership and more orthodox Leninism, the more aggressive reformers, including Hu Yaobang and Zhao Ziyang, argued for a revitalisation of the party through an increasing separation of party and administrative powers. Borrowing initially from European Marxist humanism, but later from

the Singapore and Taiwan models of 'new authoritarianism' (or 'Leninist Confucianism'), the new legitimacy would be based on a meritocratic, streamlined and executive-style party – better educated, able to deliver on economic management, less enmeshed in the details of implementation, more open to the expertise of non-party intellectuals and advisers and more open to the scrutiny of other loyal but non-party bodies (particularly the national and provincial people's congresses). There was considerable emphasis on introducing rule-governed order, predictable, legally based and in principle accessible to all, into the political and economic domains. None of this, however, envisaged any real diminution of the party's overall dominance or 'leadership'. This pattern of political reform produced considerable tension, particularly between the levels of independence needed to make systems of scrutiny effective and constrain misuse of power and the dominant understandings of political leadership and 'harmony'. Commenting on legal reform in China, McCormick (1990: 96) proffers a frequently drawn interpretation of this tension:

> On the one hand, 'law from above' has patrimonial implications and therefore fails to adequately order society or steer the state. On the other hand, an accessible, autonomous legal system would threaten the autonomy of the state and the Party's leading role. Consequently, reforms to date are incomplete and contradictory.

This tension remains a significant feature of China's political system.

In effect, throughout the 1980s the legitimacy of the leadership and the Communist Party was based increasingly on successful economic management and people's increased buying power, plus increased personal and economic autonomy. In the early 1980s improving living standards and the prospect of on-going economic benefit maintained an optimistic atmosphere. But the urban reforms and the second stages of the rural reform proved highly destabilising. While many benefited from market reforms, millions lost employment or faced a suddenly insecure employment future – in an environment where social welfare, education and health care, as well as social identity, have been tied to employment. Spiralling inflation in the late 1980s fuelled intense anxiety and eroded real incomes in the state and collective sectors, especially in the cities:

> Were one to single out one single factor conditioning workers' support for communist regimes, it would be the expectation of protection from insecurity, inequality and uncertainty by a strong welfare state. Deng Xiaoping gambled on being able to compensate Chinese workers with greater prosperity in exchange for any erosion of security, equality and certainty. (Wang Shaoguang 1990, in Seymour, 1993: 41)

The prevailing tactic of tightening and loosening economic controls, the removal and reimposition of price controls for example, left many farmers and enterprises unexpectedly exposed. Moreover, this decade was marked by the

relatively sudden, and for the Chinese people the novel, emergence of significant disparity in income. This resulted in acute social envy, particularly among those on fixed wages (the formerly privileged industrial workers in state enterprises and other state employees), so that even those who benefited from the economic policies suffered a sense of relative deprivation (Walder, 1996). The ethical goals of socialism – equality, solidarity and security (Kornai, in Saich, 1992) – which had formed the moral universe for many Chinese, and were a source of social consensus, were being dismantled.

The erosion of the social value structure became particularly sharply focused around questions of corruption. Because the economy and the broader allocation of benefits and privileges remained primarily patrimonial, success or wealth was often perceived to reflect not skill, effort or luck but the right connections and corruption. Moreover, the maintenance of party dominance at all levels of economic organisation, together with the double pricing system, created the perfect conditions for corruption. By the late 1980s, 'Chinese society had become "on the take" where, without a good set of connections and an entrance through the "back door" it was very difficult to partake of the benefits of economic reform . . . Abuse of public positions and the privatisation of public function . . . reached extreme proportions' and was highly visible (Saich, 1992: 50). The legal, political and administrative structures struggled to respond.

The process by which the party experimented with more flexible forms of 'leadership' and economic control, however, created conditions of increasing economic uncertainty and division that were not underpinned by corresponding changes in social welfare structures. It also both enabled and presupposed an expansion of political toleration, or openness. In the period up to June 1989, citizens enjoyed 'increased access . . . to greater freedoms of movement, of speech, press, publication, association and assembly, and of the right to more personal space' (Kent, 1993: 232). This situation constituted an almost complete reversal of the traditional communist division of and hierarchy between subsistence and political rights (Kent, 1993). These freedoms facilitated a more widespread political confidence and heightened critical awareness of the contending forces and potentials simmering within Chinese society. But increasing political awareness served to make corruption or the manipulation of power only more apparent. Addressing the changing politics of the factory, for example, Andrew Walder points out that the consequence of greater openness in the decision-making processes was 'to make cadre privilege and abuse of power more transparent than before, and since this is open subversion of the democratic process promised by the committees, it may make cadre privilege appear to be even more illegitimate and intolerable than in the past' (Walder, 1996: 56).

At the same time, despite tentative movements towards rule-governed order and nominal constitutional guarantees, greater political openness and 'expanded civil rights of expression . . . were not anchored in any enabling legislation and were therefore vulnerable, as in the Maoist era, to arbitrary cancellation at the leaders' whim' (Kent, 1993: 232). Moreover, the abuses of power that were repeatedly coming to light and the evident gap between government rhetoric and practice – or the tensions between competing policy directions – remained largely unattended. To reverse these problems would have required embarking on a deeper or more extensive reform of the political structure, including a reorientation of the mechanisms through which the Communist Party exercised authority, a reconceptualisation of the party's role in society and most importantly the party's preparedness to let go of many of its direct levers of control while enabling the growth of alternative channels for the legitimate exercise of power – a difficult task. But greater political openness increased the expectation of and demand for reforms of just that magnitude. Intellectuals, encouraged to contribute to the revitalisation of Marxism-Leninism, became increasingly active through the decade, pressing not for an end to party dominance, but for various forms of genuine power sharing. The fragile results of the political reform process throughout the 1980s and the relative reliance of the continuing implementation of these reforms on patronage within the leadership rather than institutionalised guarantee became a source of increasing disillusionment and discontent amongst intellectuals. By 1989 the 'regime was confronting the beginnings of a "desertion of the intellectuals"' (Nathan, 1989: 24).

Within the leadership Deng maintained his own pre-eminent position and some semblance of unity between the competing factions by alternating support between the two groups, playing one off against the other. But this tactic actually underlined reliance on personal power and so weakened the process of institutionalising the political system that was part of the platform of 'modernisation' which Deng had championed. 'The lack of institutionalisation has meant that the fate of the reform programme has depended on the disposition at any given moment of influential individuals' (Saich, 1992: 12). The rapid swings between the loosening and the tightening of economic, political and cultural controls produced an atmosphere of uncertainty and a tendency to paralysis within administrative apparatuses. Perhaps most notably, the party failed to create any mechanism for succession, which remained trapped within the model of personalised power. The question of succession only sharpened factional tension, leading to the destruction of the careers of Deng's first two anointed successors, Hu Yaobang and Zhao Ziyang. Despite efforts to create a more rule-governed society, 'when the system came under stress, individual power relationships built up over decades proved to be more important

than the rule of law or the formal functions people held' (Saich, 1992: 58). Fear of loss of control leading to chaos worked to obstruct and erode exactly those kinds of institutions that could enable predictable and potentially more accessible decision making and implementation.

In the early years of the People's Republic of China (PRC) the credibility and legitimacy of the Communist Party was based on its success in overcoming the chaotic, corrupt and impoverished conditions that had characterised much of the first half of its century. The unquestionable dogma and idealism that characterised the first decades was in part rooted in widespread experience of this success. Party rule provided an effective (if slowly stagnating) subsistence economy underpinned by what was in the economic domain a relatively egalitarian value structure. The painful political education that was a by-product of the Cultural Revolution, however, ate away at the practice of unquestioning faith. Over subsequent years the 'manipulation and mobilisation of the population to support the goals of the various factions increased the tendency towards a deep, bitter cynicism on the part of many' (Saich, 1992: 20) – a cynicism only compounded by the fact that Marxism remained a fundamental point of reference, if experienced as increasingly empty.

In short, economic modernisation produced the promise and, to a lesser but still considerable extent, the reality of prosperity. But it also removed the guarantee of subsistence, introduced an entirely new dimension of both expectation and anxiety, and undermined the dominant egalitarian social value structure. Corruption emerged as a particular source of contention and threat to the legitimacy of the party's rule, while the significantly freer political climate to some extent unmasked both the operation of economic corruption and the manipulation of political power. The more tolerant political environment thus intensified dissatisfaction at the lack of accountability. But it also encouraged people to think that change was desirable *and possible*, and that their own actions might bring it about (Kent, 1993; Shi, 1997). The Democracy Movement was not essentially an expression of despair, or of frustration at lack of rights. Rather, ordinary social and political life was caught in an intensifying contradiction between discontent and optimism, 'a revolution of rising expectations in the arena of civil and political rights, and of a combination of rising expectations and relative deprivation in the area of social and economic rights. The 1989 Democracy Movement was the ultimate point of collision between the old structures of Maoist rights and the new rights of the modernisation decade' (Kent, 1993: 167).

As Dittmer (1989) and others (most recently Nathan and Link (eds) (2001), *The Tiananmen Papers*) have detailed, both the leadership and the broader arms of the state were deeply split on how to respond to the demonstrators. This split reflected both tactical differences and the growing divergence of views on the nature of the state and the basis of its power and legitimacy – and a divergence

in the ways power was operating within the state itself. The Democracy Movement was itself made possible by this *de facto* heterodoxy of the state. The violent suppression of the movement was in part the product of the factional battle which destroyed, for the time being, the pro-reform grouping and stripped Communist Party Secretary Zhao Ziyang of his power. Zhao himself clearly had some sympathy with the demonstrators – certainly his handling of the protests was consistently conciliatory. According to *The Tiananmen Papers*, 'if left to their own preferences, the three-man majority of the Politburo Standing Committee would have voted to persist in dialogue with the students instead of declaring martial law' (Nathan and Link, 2001: xviii). (The declaration of martial law on 20 May proved crucial to the final outcome: by sharpening the opposition between the 'party state' and the students and casting by the students as near-traitors, the declaration all but closed off any effective avenue of retreat to the demonstrators.) Indeed a united party leadership, whether more reformist or more orthodox, may well have avoided the destructive extremity of the final response. But perhaps more important than this was the extent of support throughout the party for the Democracy Movement and the rejection of the use of force against the students.

> [N]ewspaper and television stations, retired generals, university presidents, members of the National People's Congress and the democratic parties, and even the All-China Federation of Trade Unions – expressed public sympathy for the student demands for negotiation, or donated money to the student hunger strikers' while factory workers drove trucks to the square in solidarity. (Walder, 1996: 61)

The declaration of martial law in Beijing was met with widespread resistance and protests, an estimated 1 million people demonstrating in Beijing in support of the May hunger strike and later against the declaration of martial law.

Subsequently, the question of the use of force against unarmed civilians reportedly 'created a crisis of loyalty within the military' (Byrnes, 1990: 132). The crisis of legitimacy within the arms of the state themselves which had been gathering force, particularly in the latter half of the decade, was 'so severe that in the spring of 1989, it was unclear whether the army would respond to the political leadership' (Dittmer, 1989: 3). 'One of the PLA's elite units, the 38th, [near Beijing] initially demonstrated reluctance to participate in putting down the student demonstrations. The 38th's commander . . . was removed, along with a number of his subordinate leaders' (Byrnes, 1990: 137). According to Dittmer (1989), direct appeals to Deng or Yang Shangkun, or clear statements of opposition against the use of force to suppress the Democracy Movement were made by more than 150 top party cadres, China's two surviving marshals, the former minister of defence and the former chief of staff, seven generals, some 260 serving high-ranking military officers as well as twenty-five retired senior

veterans and almost half of the Standing Committee of the National People's Congress.

None of this was sufficient to stop the killings. The decision to enforce martial law and use the PLA to clear Tiananmen Square was taken by a meeting of only three members of the five-member Politburo Standing Committee plus those 'retired' party elders whose support was crucial to a decision. It thus bypassed the institutionally designated channels of both party and state formally required for a direction of such gravity. While the relevant leaders issued clear instructions to troops not to fire on civilians, even in the face of violence (according to *The Tiananmen Papers*), and while it appears that the army may have lost self-control, the use of troops to respond to civil disturbances produced the result here that it frequently has had elsewhere. In the end, the system of political rule, plus the individuals involved, both allowed and produced the massacre. Neither faction of the leadership, the more reformist or the more orthodox, was able to negotiate a peaceful resolution with a large and vigorous, but not essentially antagonistic, demonstration. (It is worth noting that demonstrations in many other Chinese cities were dispersed without deaths.) But just as the final outcome was hardly inevitable, so the system of rule – the state – is not to be reduced to a merely repressive and homogenous layer. It is rather a complex, contradictory and to some extent changing set of institutions with a range – now further limited by the choice taken at Tiananmen – of different potential directions.

The students

Students initiated, led and acted as spokespersons for the demonstrations throughout urban China in 1989. Nevertheless, the participation of workers was a crucial element of the political activities. Earlier demonstrations by students (1986–87) had not attracted significant support from other sectors of society and had, at least partly as a result of this, been relatively easily contained. The possibility of a successful coalition between students and urban workers was a source of considerable anxiety to the party leadership, for not only did workers represent a potentially far more significant proportion of the population and a real reservoir of power, e.g. through coordinated strike action, but as in Poland the growth of independent and aggressive unions could challenge, ideologically and pragmatically, the supremacy of the 'workers' party'. Across the country during the Beijing Spring, 'close to thirty "illegal organisations" . . . made an effort to form an independent union or workers' association' representing workers' interests (Walder, 1996: 64). But the crucial debate about what leadership of the party should mean was – and remains – precisely a debate about the possibility of organisations genuinely independent of and sharing power with the party. Deng, here backing the conservative faction,

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viewed the frank assertion of independent political organisations as 'counter-revolutionary'. Perhaps as a result, during the killings and reprisals, it was workers (particularly the 'Dare to Die' corps) rather than students who bore the heaviest (although less internationally publicised) toll in terms of deaths and prison sentences.

But it was students who shaped the demonstrations and, as Jane Macartney (1990) points out, after 4 June it was the students who became 'figures of mythology'. The intense drama of the events of Tiananmen, the high aspirations of the Beijing Spring, the foreboding of the final days, the killings and the search for bodies, the arrests, public denunciations and efforts to escape, the sense of waste – all of these are the natural elements of public tragedy. The students' own rhetoric contributed significantly to the mythologising effect: 'On a day in June that should have belonged to a season of fresh flowers, my people, my countrymen, my classmates and my beloved comrades-in-arms fell' (Wu'er Kaixi, in Yi Mu and Thompson, 1989: 75). The student pledge in the Square included: 'I swear that I will devote my young life to protect Tiananmen and the Republic. I may be beheaded, my blood may flow, but the people's Square will not be lost. We are willing to use our young lives to fight to the very last person' (in Barme, 1990: 79).

For many Western observers the students stood as an unquestionable endorsement of the ideals which form part of our own broad family of modern political institutions and a vindication of the universality of our own contemporary assumptions about the necessary structure of political life. The students' slogans (in the earlier 1986–87 demonstrations as well as in 1989) of 'freedom and democracy' underscored this. But other observers of Chinese affairs (e.g. notably Geremie Barme, David Hinton and Jane Macartney, and in a milder form many others) have set out to demythologise this rather romanticised and arguably ethnocentric presentation of the students. The milder analyses (e.g. by Andrew Nathan and Marie-Claire Bergere) have argued that few, if any, of the students or pro-democracy intellectuals in China conceived of government in a form bearing much resemblance to that of Western liberalism. The more acerbic commentaries have in general focused on two factors: first, the immediate, concrete nature of the students' concerns coupled with their lack of intellectual or practical grasp of what their slogans of 'freedom' or 'democracy' might entail; and, second, the extent to which the students, far from being the interpolation of a natural subject or a universal man giving expression to natural desires for Lockean civil liberties, were profoundly part of the distinctly particular political context and vocabulary which they were criticising.

'Demythologising' the students' actions is important for this argument insofar as it promotes a more contextualised and grounded understanding of events. As already suggested, mythologising Tiananmen, whether by situating it within an explicitly Lockean paradigm or more simply by seeing it a version

of the ancient story of youth and freshness crushed (for the time being at least) by calcified and corrupt old age, takes it out of reach as an effort to effect social change and as deserving of reflection on its own account. Instead events are locked into perhaps ultimately unreliable moral absolutes – planes where no ordinary mortal dares tread. However, in a move which the present argument does not intend to repeat, demythologising often sets out to reveal feet of clay or to uncover a tawdry or otherwise disappointing reality behind the 'illusion' of the myth. Thus the process of demythologising is frequently itself in search of the heroes it aims to unmask, but a search driven by disappointment, anger or cynicism. In such cases, the students are judged by the criteria of heroes, and so are found wanting.

Students in China were caught in a particularly exposed position in the pincer between rising material expectations and an increasingly unpredictable economic reality. On the university campuses, as elsewhere, economic growth was upheld by the leadership and by social commentators as, for all practical purposes, the primary goal of national and individual endeavour. Meanwhile Marxism remained the required point of intellectual reference while being evacuated of relevance. Extremely poor conditions on the campuses (which had been the focus of earlier demonstrations) intensified the 'incentive for students to seek improved conditions in life after graduation. They expected these improved conditions to come from the economic reforms' (Macartney, 1990: 5). However, the pace of economic reform was failing to meet rising expectations, and the shift to the market was proving a very mixed blessing for students. Prior to the mid-1980s and the urban economic reforms, university graduation had been an excellent guarantee of at least a modestly good job. Employment was allocated by the state, severely reducing or eliminating choice but ensuring a basic level of security. Broadly speaking, those attending the capital's leading universities either were, or had reasonable expectations of becoming, part of the nation's elite, with the prospect of a good job and party membership, with all its attendant privileges. However, as part of the urban reforms the system of job allocation was to be gradually wound back, to be replaced finally, in 1993, by a totally 'open' market. Compounding the insecurity of being close to the first generation of students to search for their own employment in a growing but highly unpredictable economy was the recognition that the right contacts and connections carry infinitely more weight than do academic results.

The urban reforms carried another bitter reality for students and intellectuals more generally. The get-rich mentality that was promoted with economic reform worked to undermine the social value accorded education, so that the status of intellectual work, only just recovering from being the 'stinking ninth category' of the Cultural Revolution, was again eroded. Moreover, employment was now an uncertain prospect, and the relative value of intellectuals' incomes, mostly derived from work in the state sector and fixed in a time of rapid infla-

tion, was diminishing rapidly. By contrast, small entrepreneurs in particular were shooting ahead. 'Even the official media had begun to discuss a hot topic among students – that doctors and university graduates earned less than cab drivers and hairdressers, and that everyone earned less than private entrepreneurs' (Macartney, 1990: 6).

It is sometimes observed that the students themselves gave little content to the slogans they used, beyond that of expressing pervasive dissatisfaction with the conditions of their life. The movement's 'democratic prestige was, to a large extent, conferred on it by foreign observers and media, misled by the vocabulary used by the intellectual vanguard. Actually, the words "freedom" and "democracy" seem to have been fetish words; the young demonstrators were unable to give them any meaning other than their own immolation' (Bergere, 1992: 140). For some commentators the material concerns of deteriorating campus conditions and worsening economic prospects (and the social envy they generated) were the driving forces of the students' actions. According to Jane Macartney:

> Asked about their ideals, most [students] were hard pressed for an answer. 'Freedom, democracy,' students said during demonstrations in the winter of 1986–87. Pressed to elaborate, they complained of official corruption and high-level nepotism, poor food and uncomfortable dormitories. Were they talking about universal equality of opportunity or were they merely envious of those who held higher-paying jobs? (1990: 5)

It is important to keep drawing attention back to the concrete bases or dimensions of the students' concerns (although Macartney is here also pointing to a complex of envy and elitism), and not to presume the exile of material concerns from the loftier realms of political community. Perhaps, too, rather than suggesting that the students meant nothing by their slogans, these concrete concerns offer some insight into what the students actually did understand by 'democracy' – perhaps some version of greater fairness and the opportunity to air grievances. Certainly lack of access to university-level or local leaders was a persistent frustration (see, e.g. Nathan and Liull, 2001: 16). While Macartney's observation asserts that at the heart of the students' apparently universalist rhetoric was a preoccupation with their own circumstances, it also implies that concern with concrete life conditions may be a poor basis for political action or incipient democratic commitment – a highly questionable belief which the students themselves may have shared.

> Their living conditions were abominable . . . The food was inedible, the lighting inadequate . . . yet the students could not concentrate their complaints on such pragmatic, concrete personal problems because this would expose them to the criticism of being selfish. They had to escalate their demands to more abstract, lofty, and essentially idealistic themes. In Chinese political culture, the ultimate sin is selfishness. (Pye, 1990: 165)

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Moreover despite such criticisms of the students' motives, their concerns clearly resonated with enough of the hopes, anxieties and experiences of significant sectors of the urban population that the demonstrations attracted widespread support. Allocation of housing, for example, was an intensely sensitive issue among urban dwellers. This sensitivity reflected people's dissatisfaction over material conditions and an underlying uncertainty about the extent to which they could trust, or participate in, those mechanisms that significantly patterned the conditions of their lives. Moreover, as indicated earlier, changing material conditions were themselves a fundamental part of a much broader revolution in the economic, social and political constitution of Chinese society, and these changes were given added meaning in this context of transformation. A sense of unfairness regarding housing and employment can act as a focus for and a nexus of dissatisfaction and aspiration of many kinds. The students' concerns were concrete – as were those of many of the workers – but they were not *merely* concrete.[4]

Various commentators have emphasised the extent to which the students, far from giving expression to a Western ideal of universal man, were operating from within the terms of the same political outlook as the was the leadership. Jane Macartney argues that the students sought not an alternative to but rather the approval and reassurance of the party leadership. 'The students felt they had been left out . . . The establishment had rejected them. They had not rejected the establishment. Rather they simply wanted a dialogue with it. Thus the repeated cry for the government to recognise their movement' (1990: 15). But dialogue could be regarded as fundamental to any demand for more participatory politics (as well as strategically necessary to the survival of the students). Moreover, the students could be allowed to stand more squarely in Confucian and Chinese Leninist traditions of dissent. For without reducing the complexities and contradictions of modern Chinese life to its Confucian or Leninist (or Maoist) histories, these traditions remain powerful active veins of meaning.

Within Confucian society, loyal dissent, where the bureaucrat-scholar petitions the emperor to correct errors of government, was an institutionalised function of the intellectual elite. '[I]t was the duty of the literati . . . to speak out as the conscience of the government . . . intellectuals served simultaneously as ideological spokesmen, servants of the state, and moral critics of the ruler' (Kent, 1993: 137). It was not their task to point the way to fundamentally alternative sources or forms of power. Rather than seeing themselves in essential conflict with the state, during the 1980s many Chinese intellectuals adopted relatively traditional postures towards government. They called for party reform

> that would bring people of quality to power, whom they, as intellectuals, could serve as advisers. Very few of them were actually concerned with the problem of

creating new institutions or modifying the structure of the state . . . all problems, including those of economic modernisation and political reform, could be solved by good leaders and honest administrators. (Bergere, 1992: 136)[5]

Leninist patterns of rule in China were to some extent the modern bearers of the tradition of loyal opposition. Despite the serious challenges offered during the Cultural Revolution and by the worker-led movements (such as the Democracy Wall Movement) that grew out of the experiences of those years, the aim of dissent post-1949 was repeatedly the refinement of the party leadership. Thus, for example, the purpose of the hunger strikes during the Beijing Spring was to underscore the patriotic nature of the student movement. 'The message was that the students valued the welfare of the state above their own lives. It was thoroughly in the tradition of Qu Yuan, who lived in the fourth century BC, and who committed suicide to show his loyalty to the ruler who failed to heed his advice' (Nathan, 1989: 24). More pragmatically, the opposite of patriotism under these conditions was the crime of counter-revolution – a danger realised in the declaration of martial law.

The reform process, however, carried a double potential for this relationship between the leadership and the intelligentsia. While the leadership, in its efforts to revitalise the party, sporadically promoted (and then repressed) 'new ideas', this process of reform by renewal was unreliable; moreover, in the tumult of modernisation, privatisation and get-rich schemes, the role and standing of scholars were again wavering. Students thus had a special reason to feel that they were being excluded from playing their anticipated role in life. According to this understanding, the students' protests were an appeal to the leadership to recognise the role of students and intellectuals as patriotic interlocutors on the social good – a natural part of an elite meritocracy but also a broader, more pluralist or complex, base for state decision making. Demands for freedom, democracy and rights were not associated by the students with particular kinds of political structural reforms or with a clear vision of a fundamentally alternative political community or with egalitarianism. Understood in this context, the lack of structural alternatives and the elitism of the students were weaknesses for the movement; but this does not mean that the protesters' demands were politically empty. Rather, the students were appealing to and, according to their own understanding, operating within particular traditions of political virtue: 'the persistence of a Confucian moral regulating the reciprocal rights and duties of the governors and the governed in the common interest [must be] recognised. It was, in fact, in the name of virtue that the honest critics, the generous students and the indignant population arose' (Bergere, 1992: 141).

Dialogue with the leadership and an end to corruption (leadership by bad men) were thus both key student demands. According to Wu'erkaixi, a prominent student leader, 'our purpose was to make the government listen to us and

talk to us. That was our only real demand' (quoted in Macartney, 1990: 12–13). Both demands were part of the leadership's own policy slogans (with 'dialogue' being associated with Zhao Ziyang and the reformist faction). But the now ascendant conservative faction within the leadership, while committing itself to talking with the students, approached the exchanges as opportunities 'to feel the public pulse' without listening to the students' concerns. Meanwhile, perhaps unsurprisingly in the confused developments of April–May, the student leadership's approach to dialogue was angry and rigid. Key figures among the students demanded a dialogue, though it would have little room for manoeuvre and little potential to be anything other than a public parading of success or failure, with live television coverage, the presence of foreign and local journalists and preparedness on the part of the premier and others to commit themselves to on-the-spot policy decisions. The hour-long meeting that resulted stood as a confrontation between the entrenched arrogance of Premier Li Peng and the presumptive arrogance of Wu'erkaixi. Perhaps crucial to the outcome of the exchanges, however, was the students' demands for independent student associations, which confronted the regime's inability, further hardened during the crisis, to loosen its grip on power. On a broader level, the public meeting between Li Peng and Wu'erkaixi is indicative of a crucial lack of political mechanisms for articulating and negotiating conflict.

In pointing to the presence of Confucian rather than liberal models of political dissent, it is also worth noting that Confucianism is by no means a homogenous source of reference, even for this particular confrontation. Liu Xiaobo, for example, one of the older intellectuals prominent in the Beijing Spring and one of those who negotiated the students' final retreat from the Square with the commander of the tank unit, was himself highly critical of the elements of 'Confucian personality' in the students' actions, while demonstrating elements of that tradition himself. Liu 'felt that calls by Chinese intellectuals over the years to achieve freedom always had a plaintive tone to them . . . [He was] highly critical of the students who had petitioned Premier Li Peng . . . by kneeling on the steps of the Great Hall of the People' (Barme, 1990: 71). This was an example of 'the merely moral dimension of pressuring the government . . . the traditional "petitioning the throne through death"' (Barme, 1990: 71). Liu advocated instead practical methods for 'social advancement' but also emphasised the crucial importance of a highly self-critical form of inner rectitude. Liu took part in the second hunger strike. For Liu, the hunger strike could serve as 'social advancement' because it was a form of purification and 'repentance' (Barme, 1990: 70).

The more romantic Western presentations of the students reflect too something of the students' own vision of themselves. Barme (1990; see also Barme, Hinton, Gordon *et al.* 1995) in particular has drawn attention to the importance to the final outcome of the preoccupation with the 'revolutionary' – the height-

ened emotion of the bloody sacrifice for the preservation of the true way – over a willingness to face the confused field of the everyday as the principal dimension of political change.

> The revolutionary tradition of the past century has shrouded death for a cause in a romantic garb. It is a tradition in which 'romanticism and revolutionary impulse fused in a cult of action' . . . The suicidal student pledge contained the lines: '. . . I may be beheaded, my blood may flow, but the people's Square will not be lost'. The cult worked for the soldiers as well. The troops in the martial law invading force took an oath . . . which read in part: '. . . If I can wake up the people with my blood, then willing I am to let my blood run dry.' (Barme, 1990: 79, 80)

Perhaps a more telling form of continuity between the student demonstrators and the party leadership, however, concerns the lack of practical democracy in the students' own dealings. The demonstrations grew out of an increasing demand among the urban population for more accountable and participatory political forms – a demand that was not cast essentially in opposition to the state or the Communist Party (indeed many pillars of the state supported it) but which nevertheless required fundamental renegotiation of the structures of political legitimacy. The students gave voice to this shifting climate, but in its full contradictions and desire for change rather than as the articulation of a clear way ahead. They were not able to give content in their own organisation to the drive for a more participatory politics. This is the sense in which the students' demands were not empty but self-contradictory. A repeated failure to discuss key decisions (or to vote on them), the secrecy, elitism and strongly hierarchical character of the organisation, an emphasis on a repressive interpretation of 'unity', and purges were what marked the student movement. This is suggestive of the dynamics of political immaturity, compounded by panic, and the nature of the students' own prior political experience, but also the students' own position as the pool from which a later generation of the Party elite could emerge. ' "In the struggle for democracy we can sacrifice a few smaller aspects of democracy," said Wu'erkaixi, asked in late May whether the student movement reflected democratic processes in its own organisation' (Macartney, 1990: 16). According to Macartney, the student leaders 'saw themselves as inheritors of the mantle of communist rule . . . there was little attempt to foster participation by the main student body. The leaders took control, seemingly assuming that their emergence in the front line . . . was enough' (Macartney, 1990: 16; see also Barme *et al.*, 1995.) Driven by insecurity and a fear of losing privilege as well as by the desire to broaden participation and to contribute politically themselves, the students captured the contradictory desires and commitments that perhaps often characterise periods of intense social and political change.

It is worth touching briefly on the broader discussion of democracy, particularly among intellectuals, in the debates around political revitalisation of the

1980s. This debate would have contributed significantly to most students' grasp of 'democracy'. But it was itself only part of the broader pattern of changing political demands, expectations and assertions around the issue of participation within the population – a second dimension is noted briefly below. As Andrew Nathan has pointed out, within the context of debate among intellectuals 'democracy' was understood as 'something much more and much greater than an improvised and unstable and flawed compromise among competing forces that can never be satisfied' (Nathan, 1991: 33) and much greater than 'institutionalised uncertainty' (1990: 199). The notion sits firmly if tacitly within a traditional emphasis on natural harmony and the Maoist belief in society as a radical unity. 'Democracy' here denotes that which is modern, 'scientific' and successful. In its strongest form it is an idealist notion: conceived of less as a fabric of institutional structures and expectations enabling participation, restraining concentration of power and mediating conflict than as a sophisticated expression of a highly evolved but ideal political unity.

In the Chinese context, this approach has three ramifications. First, questions of structure have tended to be understood as the province of expression or form – significant, but secondary to what could be regarded as questions of political 'essence'. Particularly for debates at the time, '[w]hen Chinese democrats speak of democracy as scientific . . . they mean that democracy is the only ontologically correct political system, the only kind of system that is compatible with the nature of the universe. Institutional questions are secondary, because democracy carries the inevitability and the perfection of science' (Nathan, 1991: 34).

Second, bearing in mind the leadership's desire to retain control, conceiving of democracy as the expression of an ideal unity does not enable the emergence of independent power bases or assist in the task of mediating among them once they have emerged. It is in keeping with this that one of the striking features of the progress of the demonstrations was the apparent lack of mechanisms available for mediating a peaceful resolution.

The third ramification, in practice, is that while democracy may be regarded as inevitable, many Chinese scholars have been highly pessimistic about its arrival in the near future. The 'masses' are understood to be backward and feudal, and the arrival of the necessary 'scientific' spirit depends on 'a reconstruction of the Chinese people's cultural-psychological structure' (Su Xiaokang, in Nathan, 1990: 196). Commenting on the party's official verdict on the Cultural Revolution and the Mao era, Nathan has noted: 'In placing the responsibility for authoritarianism on Chinese national character, both the party and the democratic intellectuals transferred much of the onus for an acknowledged catastrophe from the shoulders of those who wrought it to the backs of those who suffered it' (1990: 196–7).

Thus, while encompassing more open and accountable channels of government and more extensive sources of policy debate and advice, the predominant notion of democratic practice within intellectual circles was *not* broadly participatory (in contrast, for example, to the earlier, much smaller, Democracy Wall Movement) but rather something 'that could only be practised by an educated elite' (Kent, 1993: 148). It could be understood as a form of communication (which may produce a greater sharing of power) to enable the centre to guide and respond more sensitively and effectively to the needs of the people. As James Seymour has pointed out, 'the number of Chinese reformers and dissidents concerned with empowering the majority is very small', while 'the idea of placing political power in the hands of farmers strikes most Chinese intellectuals as ludicrous' (Seymour, 1993: 46; see also Kelly 1990). This deep 'ambivalence among the intellectuals about democracy' (Nathan, 1991: 32) has much in common with the notion of a more or less authoritarian meritocracy. Such mistrust of the *demos* may be the result of the low emphasis on structures and mechanisms – that is, on structures at all levels of political life through which people can channel interests, concerns, and grievances, and which enable people to experience and themselves shape more participatory political forms.

Nevertheless, there remains scope for real difference within this broad model. For many reformist intellectuals, democratic practice 'centred on a system in which the communist party continued to be dominant but was checked by competitive elections and a free press in order to keep it honest and close to the people . . . [and regulated by] laws and established procedures'; on the other hand, for many in the leadership, democracy was to be managed from the top down – 'an instrument of mobilisation whose function is to strengthen the links of citizens to the state' (Nathan, 1989: 21, 18). These ideas patterned the intellectual context informing the student movement.

Sitting next to these elitist constructions of democracy were the dynamics of people's actual participation in politics in China. The picture of political activity is hugely mixed (changing markedly from locality to locality) and far from clear. The widespread participation in and support for the 1989 Democracy Movement indicates a population that is far from quiescent. But occasions for such visible involvement in questions of national politics are rare, while the crushing of the demonstrations enforced withdrawal from questions concerning the fundamental legitimacy of the state. Tianjin Shi's 1997 account of engagement in local politics in Beijing in the late 1980s (that is, in exactly those matters of housing, local corruption, local elections, and so on), however, shows an active, feisty population, prepared to pursue its concerns through people's congresses, trades unions, the bureaucracy and other political organisations. Moreover, '[c]ompared to citizens of other countries, Beijing citizens have a

penchant for acts that require initiative, entail risk, and generate conflict' (O'Brien, 1999: 161).

In practice, the elitism of the student movement impeded its ability to consolidate the support from workers and the general population that distinguished this movement from earlier student protests. While enthusiastically accepting this support, the students made clear their separation and distance from the workers. 'Other social groups were more or less rigorously excluded by the student leaders (Nathan, 1991: 32). Organisational links were not made, key equipment such as the broadcasting facilities were not shared (Macartney, 1990). This may have been partly tactical: the students were endeavouring to communicate with the leadership, not to threaten. Yet it may have been among the newly formed workers' organisations that the more concrete and more radical political proposals, and the more practical bases for participatory politics, were taking shape. If the student movement was open to criticism for contradictory or unclear notions of democracy, the same could not be said about Gongzilian (the Beijing Workers' Autonomous Union).

> It wanted to take over the task of representing workers at the national level . . . [to] exercise 'supervision' over decisions made by the Communist Party that affected workers . . . to establish within all enterprises union branches endowed with the right to negotiate with management . . . [and] to pursue their interests within the framework of plant level negotiation. (Walder, 1996: 67, 68)

Perhaps the most powerful criticism of the student movement's lack of practical democracy comes from within the ranks of the demonstrators themselves. The Hunger Strike Proclamation of 2 June, written by Liu Xiaobo and the other three June hunger strikers, and critically addressing the students reads in part:

> [The students'] theory is democracy, but in dealing with concrete problems, they have been undemocratic. [Efforts to democratise in China have been characterised by] talk about ends but a neglect of means and processes. We are of the opinion that the true realisation of political democracy requires the democratisation of the process, means and structure [of politics]. For this reason we appeal to the Chinese . . . to turn a democracy movement which has concentrated solely on intellectual awakening into a movement of practicality, to start with small and realistic matters. We appeal to the students to engage in self-evaluation which will take as its core the reorganisation of the student body on Tiananmen Square itself.

The struggle facing the students was to turn 'the question of democracy from a test of courage in some fantasy world of moral absolutes into a practical problem of the immediate present' (Richard Nations, in Barme, 1990: 68). This may also be the challenge confronting anyone endeavouring to respond to the events of Tiananmen, or working with broader questions of systemically abusive political and social relationships in China.

The final decision by the regime to crush the demonstrations was an expres-

sion of the leadership's profound failure to respond to or to manage, within the terms of its own legitimacy, the popular expression of independent political aspiration and will, and the rapid pace of political change – it was a failure of dialogue or communication. It was also a failure of the political system to manage conflict – to have mechanisms available for dealing across the political spectrum and mediating difference. (Indeed, at a tactical level, it was an expression of the state's failure to shift unarmed people from the central Square without deaths.) After some years of efforts to reconstitute the bases of the party's authority, the killings demonstrated the extent of the leadership's fear that it was ultimately unable to maintain stability and direction without the use of deadly force against its own population. Nevertheless the demonstrations occurred and gathered such strength over the months because, at least until the declaration of martial law, this outcome was not inevitable, even if it was according to an old script. The demands of the demonstrators were in themselves hardly revolutionary but were part of the prevailing context of officially acknowledged and sponsored, although highly ambivalent, discussion. The demonstrations, however, occurred at (and precipitated) a juncture of intense factional struggle within the leadership, and their emergence also indicated the potential for autonomous political organisations outside the network of party power: they threatened enough elements within the leadership with a model of participation that was not ultimately orchestrated from above, despite the fact that the students themselves may have been deeply uncomfortable with and untutored in such models. Thus the killings and later reprisals 'entailed a further loss of legitimacy for the government, and the transfer of moral power to the people, whose expression of legitimate grievances in a non-violent form required a response more adequate than short-term violence' (Kent, 1993: 235).

Responses

At one significant level, the repression of the 1989 demonstrations offers a classic example of the abuse of rights as conceptualised within a Lockean framework. As discussed in chapter 2, this framework provides a means of asserting that the ultimate basis of political authority rests in the people of a state, not the monarch. Although far from being the expression of a simple opposition between people and state, the protests were part of an on-going renegotiation of the relationships between the leadership and significant sectors of the population: they were an assertion of the power of these sectors of the population and of the legitimacy and independence of this power, not as conferred by the monarch but as generated by broader political realities.

At the same time, the events of Tiananmen, potent and full of significance on their own account, come to appear as, and in a sense are reduced to, an enactment and confirmation of one constitutive moment in our own political

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mythos – man against the state – an image in which both players are given an essentialised iconic quality. In that sense the Beijing massacre reminds us of how selectively we give our attention to violence towards people – a selectivity not wholly explained by the presence of television cameras or the strategies of international ideological or strategic competition. We can identify with young, educated, urban Chinese who call for freedom and democracy in ways in which we do not identify with marginalised blacks, malnourished Africans or Tibetans agitating for freedom to implement value systems we find difficult to comprehend.

As already noted, in its strongest form the Lockean story situates rights in the relationship between the individual and the state – in the public sphere at the heart of the state. The individual is already politically formed, essentially independently of the state; the state, once it abandons the role of facilitator, is merely repressive of the natural formation of the individuals who make up the people. In regard to Tiananmen, this reductionist view encourages a demonisation of the state and either sanctification of the students or bitter disappointment if they fail to live up to their appointed role as spontaneous democrats. It assumes that the students, as everyman, are natural representatives of the 'people'; that they are 'renaissance men' (Macartney, 1990) expressive of an imagined wholeness of Chinese society rather than a contradictory mixture of aspiration, idealism, aggrieved elitism and inexperience. This model suggests that if the repression by the state were simply removed, the natural condition of democracy would emerge. And it gives prominence to a universalised, but also a narrow and abstract, definition of 'the political', while tending to discount the seemingly less noble preoccupation over increasing economic insecurity, unsatisfactory housing and unreliable institutional mechanisms of many kinds.

But the circumstances of Tiananmen do not fit this representation. It remains of crucial significance that the protests are not reducible to a fundamental antithesis between the 'butchers of Beijing' and the 'student martyrs of Tiananmen'. They were part of a far more complex and interdependent relationship. We recognise this complexity often enough when discussing political or economic developments in China; less so when the topic is more specifically human rights, which is often left to a seemingly awkward and antinomical domain identified not as 'politics' but as 'principle'. Yet in recognising some of the complexities of the relationship, we acknowledge the broader field within which the pursuit of human rights must take place. To understand rights abuse as pre-eminently defined by the clash of natural man with the state-as-tank shapes the way it seems possible to pursue rights. When we respond to the Beijing massacre essentially by demonising the state, the focus of work on human rights becomes primarily one of negating the state – achieving condemnation becomes the overriding and apparently sufficient aim. This is a

narrow aim, if sometimes an essential tactic. It is an aim which feeds the Chinese Government's claim that the struggle for rights is the struggle for national sovereignty and security and one that slides into the self-aggrandising agenda of competing states – a situation which cannot be relied upon to assist in working towards environments of mutual respect.

Similarly, when we imagine the students as natural universal subjects we give little weight to those processes by which fundamental attitudes and practices bearing on rights (such as attitudes towards participation) take shape. To understand rights as the natural expression of natural man in the political domain fixes attention on the world of notional essences and primordial conflicts – towards the moment of crisis and away from ingrained patterns of injury embedded in institutional and social practices, overlooking the extent to which the two can be entwined. It is in this context that the proclaimed universality of rights becomes abstract generality. As both Western and Chinese commentators have pointed out, it may have been precisely the abstract generality of the approach of much of the Democracy Movement that was its greatest weakness. The students demonstrating in Tiananmen called for freedom. Within the contractarian mythos 'freedom' implies the absence of constraints, particularly those identified with the state, and assumes the shape of human community to lie available, defined by its 'otherness' to the state. But what may be dangerously lacking in the political structure and traditions which produced Tiananmen is not 'freedom' in this sense, but the complex and difficult institutional mechanisms and habits of mind by which power is circulated, discussion is given place, conflict mediated and violence reflected upon and restrained. What is needed is not the removal of constraints, but the construction of different practices which both enable and constrain action. To engage in these practices involves working with the complex tissue of 'the state'. In this sense, some of our dominant models of rights, of civil liberties as 'negative' rights in Cranston's use of the term, limit efforts to promote human rights in China.

Within contemporary China, human rights questions have been broadly debated since the early 1980s. Chinese scholars have attributed this concern to the need 'for a basis upon which historic reflection upon certain crimes of the "cultural revolution" which everyone from common citizens through to high officials were forced to suffer could be undertaken. [Issues included] political persecution, deprivation of personal freedom . . . torture', and arbitrary arrest and execution – the loss even of 'the basic right to exist' (Li Lin and Zhu Xiaoqing, 1992: 375–6). Following the Beijing massacre, there was what one Chinese commentator called a 'craze' for human rights in China. Scholarly writing on rights has been an effort to elaborate 'socialist' rights – in this context, essentially the search for more accountable patterns of rule which do not challenge the overwhelming pre-eminence of the Communist Party. The reform of social institutions is fundamental to this search. Whereas the focus of

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much Western commentary on human rights in China is political expression, for many Chinese the integrity of the justice system and abuse of power by the police are more pressing concerns (see, e.g. Cullen and Fu, 1998: 128). Some Chinese officials will privately (and despairingly) point to police violence as one of the most persistent instances of rights abuse across the country. This represents a failure on the part of the state to define and control its own functions sufficiently to enable it to fulfil its own policy intentions. The scale of this kind of failure suggests profound problems in the political system, particularly in the justice system, as well as simply a lack of resources.

Talk of a tentative separation of powers between the Communist Party and the state and between political and administrative functions – widely seen as essential to political structural reform and, consequently, to effective civil rights practice – was largely put aside during the decade following the massacre. Nevertheless, in practice, and in a trend that began in the mid-1980s, structures of government at the municipal and county levels have become slowly more accountable, and bodies such as the National People's Congress are now more assertive, even if their power remains essentially on loan from the party's upper echelons (Tanner, 1998). Moreover, the growing incidence of corruption involving misuse of official position – one of the key areas of concern for the 1989 Democracy Movement – is seen by the government to be such a severe threat to its authority and its capacity to govern that it appears to be driving a slowly increasing independence of legal process from political power, as well as greater delineation of political and administrative functions (Hao, 1999). The Communist Party 'has become increasingly reliant on legalised modes of social, economic and political control' while still clinging to its position as unassailable vanguard and ultimate authority (Cullen and Fu, 1998: 131). The tension is sharp and the picture remains complex and ambiguous.

Official and predominant views of rights within China fix them unquestionably within the state, as rights of the citizen. The abstract universalism of the rights of 'man' is criticised, as it is here, and rights are argued to be grounded in the specific realities and relationships of concrete political communities. The realities in question, however, are understood to be defined by the state, or, more precisely, by the leading party organs, or in times of crisis by a few leading party figures. The idea of the universality of rights may be retained in this picture as a function of historical progress towards the universalisation of the proletariat (much as Donnelly, for example, proposes the universality of rights to be a consequence of modernisation). Ultimately it is the events of Tiananmen Square, not merely as notional possibility but as concrete reality, that point to the weakness of this position. It is a position which seeks to put aside the critical dimension of the notion of human rights – a dimension which challenges prevailing definitions of legitimate violence and the political dimensions of suffering – and which makes of the state a boundary where all questions must cease. The official

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defence of the Beijing massacre is that it was undertaken to protect the rights of the overwhelming majority of the Chinese people. But if a narrow, fixed construction of the state defines the extent of rights, by what processes is citizenship negotiated, power circulated, the limitations of action debated and established, and the on-going and often conflicting practices which make up the state constituted? This question need not lead back to the claims of man in nature outside of and prior to the state but to the concrete problems of conducting relationships across and within social and political institutions of all kinds.

The argument between human rights as rights of the universal subject and citizenship rights is often circular. The universal subject is itself part of an effort to conceptualise the rights-ordered community and the state. As discussed in chapter 3, the criticism of the ontological essentialism of this figure of man often works, explicitly or implicitly, as an assertion of the essentialism of the state, however conceived. It could be suggested that each side of the argument offers a necessary critique of the other in much the same way that E. H. Carr ultimately links idealism as antidote as well as antithesis to realism. This may be taken as a dialectic from which synthesis might emerge (not an understanding pursued here) or more simply and pragmatically as an assertion that the two broad positions are historically interwoven with and shaped by each other and other debates around the modern state.

Paul Hirst, upholding citizenship rights in his discussion of socialist legality, mounts his critique of universalist rights through a rejection of everything other than the action of institutions. 'All the proclaimed "civil rights" in the world are nothing beside the organisation of institutions; civil liberties are a codeword for certain effects of the control of institutions' (Hirst, 1985: 55). This point is relevant to the 'quiet revolution' in institution building in China, driven by the complexities of governing a huge state. ' "[T]he principal builders of China's chief organ of socialist democracy" [i.e. the National People's Congress] are not liberal reformers but bureaucrats who spent much of their careers at the epicentre of classic totalitarianism' (O'Brien, 1999: 164). Yet while significant, this process remains tenuous. For its part, the contractarian promotion of universal rights points to the failure of positive notions of rights to allow conceptual space outside the already given dynamic of state institutions, from which legitimate claims to participation or protection can be asserted. 'Rights are put to use, claimed, exercised only when they are threatened or denied . . . In fact, the special function of human rights virtually requires that they be claimed precisely when they are unenforceable by ordinary legal or political means' (Donnelly, 1989: 11, 13). Both Hirst and Donnelly have something valuable to say here about the process of political change in China – neither point need be collapsed into an essentialised figure of the human or a reified state.

This commentary on the Tiananmen killings has endeavoured to draw attention to how complex events and relationships – events and relationships

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that generated extreme abuse – have been, for many, rewritten and mytholo-gised as man versus state. This recounting provides some basis for reflecting on the power and the limitations of placing that confrontation of man and state at the heart of much understanding of, and action around, rights. One of the gravest limitations of the dominant understanding of rights and rights promo-tion is its focus on the heroic, on the point of opposition with the state and there-fore on an essentially punitive approach to encouraging rights observance. When rights are left to be part only of 'principle' as grand gesture, or of a test of supremacy between competing state identities, how can we move beyond statements of indignation? When we focus only on the moment of brutal oppo-sition between state and people we forget the broader story, yet it is in this broader context that efforts to construct rights practices may more often be pos-sible. It is important to respond as strongly as possible to events such as the Tiananmen massacre, at the least in order to mark the intolerable. But it is the 'normal' times, before and after Tiananmen, working with the actual political and social institutions which structure people's lived reality, that might allow the greatest scope for the long-term work of encouraging the growth of social practices and institutional structures that restrain abuse and enable respect of rights.

There are many areas of systemically imposed injury and abuse in China, some openly acknowledged by the government (such as female infanticide, and the sale of women) some cautiously and informally acknowledged by certain but not all government institutions (such as excessive police violence and violent conditions in prisons and other state institutions), some highly politically sensi-tive (such as labour reform). Working with such areas (when it is possible at all) is laborious, slow and potentially highly confrontational. It is not an 'answer' to human rights abuse – its results can be unclear, and it offers no straight path to systemic change. In particular, under current conditions in China such work does not directly deal with the regime's effort to ultimately monopolise power. As Tiananmen made clear, however, the regime is not a monolith. But working with areas of abuse does open the potential for cooperative efforts to shift entrenched harm and to change people's lives. And it also feeds into the complex institutional dynamic that is producing the state and the social practices in which questions of power and identity are significantly shaped. The 'state', in this slower work, becomes more ambiguous, even if its upper echelons retain access to overwhelming force. It may at different junctures be enemy, ally or neutral. It is almost certainly divided against itself. And the line separating state and individual is not always clear.

Such an approach also steps aside from the certainty that the 'West' has a ready-made answer to the concrete problems of abuse or some specially reliable insight into the extraordinary complexities of political change. With definite exceptions, many references to the influence of Confucianism, for example, on

the student demonstrators' behaviour do not regard it as a source of viable political action. Instead, Confucianism appears as a kind of arcane shadow-boxing, in implicit comparison to our own supposedly more 'real' preoccupations. Yet many of those Chinese associated with the Beijing Spring (such as Liu Xiaobo) are not notably Western liberals. Nor are they authoritarian neo-Confucianists in the style of Lee Kwan Yew *et al*. Within the context of working towards political forms that give voice to and constrain injury and marginalisation, the question for Western promoters of human rights in China might be what 'freedom', 'democracy' and 'rights' mean, in concrete as well as aspirational terms, for people and communities from China's mix of traditions and idioms.

NOTES

1   As Andrew Nathan has warned: 'Considering the national scope of the 1989 movement, we generalize about its meaning at risk. There were not scores of localities where demonstrations occurred, there were hundreds' (1991: 31, 32).
2   For example, Okensberg, Sullivan and Lambert (1990); Yi Mu and Thompson (1989); Nathan and Link (2001).
3   A view Deng Xiaoping, ironically, shared, with the categories reversed. 'The storm was bound to come sooner or later. This was determined by the macro climate of the world and the micro climate of our country. Its inevitable arrival was independent of man's will' (June, 1989, in Dittmer, 1989: 3).
4   'Why do a lot of workers agree with democracy and freedom? In the factory the director is a dictator, what one man says goes. If you view the state from the angle of the factory, it's about the same, one man rule . . . we want rule by laws, not by men . . . In the work units, it's personal rule' (Anonymous factory worker, in Walder, 1996: 59).
5   See also Nathan (1989).

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