

PRISONER OF THE STATE: THE SECRET JOURNAL OF PREMIER ZHAO ZIYANG¹

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*I told myself that no matter what, I refused to become the General Secretary who mobilized the military to crack down on students.*³

I. Introduction

Beginning on 17 April 1989, a student rally in memory of recently-deceased reformist Premier Hu Yaobang quickly morphed into an unprecedented nationwide protest movement.⁴ Within the Chinese Communist Party (CCP), conservatives, led by Premier Li Peng, advocated a violent crackdown against the protesters.⁵ On 17 May 1989, then General Secretary of the CCP, Zhao Ziyang, went to Tiananmen Square, ground zero of the protest.⁶ Appearing “close to tears,” Zhao personally, yet unsuccessfully, pleaded with the protesters to go home.⁷ In the power struggle that ensued, the paramount leader of the CCP, Deng Xiaoping, sided with the conservatives whose call for a crackdown prevailed over Zhao’s position advocating restraint.⁸ The Tiananmen Square Massacre of 4 June 1989 followed.⁹ Seemingly silenced, Zhao would spend the rest of his life under house arrest. He died on 17 January 2005.¹⁰

From the grave, Zhao now breaks his silence with the posthumous publication of *Prisoner of the State*. Zhao describes his efforts to reform the economy, his political struggles against conservative party ideologues, his views on how the Tiananmen Massacre unfolded, and his thoughts on the future of China. Zhao presents no unifying thesis for the work as whole, but he has a theme: China cannot realize real economic reform without profound political reform.¹¹ This review addresses the value of publishing Zhao’s memoirs as a posthumous book, the book’s contribution to the history of the period, the timeless lessons Zhao exemplifies, the book’s role in providing a better understanding of China today, and, finally, the book’s effect on China’s reform movement.

II. Analysis

In a turn of events reminiscent of a Cold War drama, Zhao secretly recorded over thirty hours of memoirs while under house arrest.¹² Drawn from those recordings, Zhao’s first person perspective makes *Prisoner of the State* an important

¹ ZHAO ZIYANG, PRISONER OF THE STATE: THE SECRET JOURNAL OF PREMIER ZHAO ZIYANG (Bao Pu et al. eds., 2009).

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³ ZHAO, *supra* note 1, at 29.

⁴ JONATHAN D. SPENCE, THE SEARCH FOR MODERN CHINA 739 (1991). More than one million Chinese citizens protested in Beijing alone. *Id.* By 4 June 1989, when the government cracked down, the protest had spread to all segments of society. *Frontline: The Tank Man* (PBS television broadcast Apr. 11, 2006), available at <http://www.pbs.org/wgbh/pages/frontline/tankman/view/> (last visited Sept. 5, 2009). The interests of the protesters varied, from the demands of municipal workers seeking better pay to students seeking democracy. *See id.* Groups from the various Chinese professional societies, such as journalists, teachers, and doctors, all proudly grouped together under their particular organizations’ banners in a grand show of solidarity. *Id.* People streamed in from the countryside to participate in the protest. *Id.*

⁵ ZHAO, *supra* note 1, at 23.

⁶ SPENCE, *supra* note 4, at 741.

⁷ *Id.* For the most part, no one would ever see Zhao in public again; however, Zhao explains how he cleverly manipulated the ambiguous legality of his house arrest to leave his home to play on a golf course. ZHAO, *supra* note 1, at 74. Foreign news outlets picked up on his brief departures from house arrest. *Zhao Reportedly Seen Playing Golf*, CHI. TRIB., June 18, 1989, at C8; Lena H. Sun, *China Upholds Ex-Leader’s Ouster*, WASH. POST, Oct. 10, 1992.

⁸ ZHAO, *supra* note 1, at 25–34. The term “paramount leader” comes from the Chinese term “Dang he guojia zuigao lingdaoren” [the highest leader of the Party and the State]. The term, which often appears in both Chinese and English language material, can refer to someone who either officially or unofficially exercises ultimate power in China. Despite only holding the official position of Chairman of the Central Military Commission at the time of the Tiananmen Massacre, Deng was still widely regarded as the unofficial paramount leader of China. *See id.* at 290–91 (noting Deng’s position on the Central Military Commission).

⁹ SPENCE, *supra* note 4, at 743.

¹⁰ ZHAO, *supra* note 1, at 287.

¹¹ *Id.* at 265–73. It should not come as a surprise that Zhao presents no unifying thesis. Zhao simply recorded his recollections and thoughts for posterity.

¹² Jane Macartney, *Purged Leader Reveals Story of Tiananmen from Beyond Grave*, TIMES (LONDON), May 15, 2009, at 39.

primary source for historical research about this period of reform (1980–1989) as well as about the Tiananmen Massacre.¹³ China watchers already knew the general outline of Zhao’s views of the reform movement and the Tiananmen crackdown prior to the book.¹⁴ The book’s greatest contribution, however, comes in the form of details of the period as described by the ultimate credible insider. For instance, scholars knew Zhao had been ousted after he appeared before the Tiananmen protesters,¹⁵ but the book reveals an additional detail: the lack of any formal Politburo vote on the crackdown.¹⁶

The editors have done more than merely provide a transcript of Zhao’s recordings. They have taken thirty hours of mostly monologue, culled out relevant material, arranged the material into a narrative, and added valuable editorial content. The foreword, preface, and epilogue, for example, provide enough background to assist readers unfamiliar with Chinese politics in contextualizing Zhao’s details.¹⁷ Likewise, the editors have provided an excellent summary at the start of each chapter to further place Zhao’s narrative in context.¹⁸ The editors also rearranged Zhao’s original order by opening with the Tiananmen Massacre¹⁹ followed by Zhao’s house arrest, which reflects the book’s dramatic English-language title.²⁰ Finally, thirteen excellent photographs, including the iconic photograph of Zhao using a bullhorn to warn protesters on 19 May 1989, provide visual context to the events.²¹

The book helps bolster the view that Zhao demonstrated courage and independence when he openly disagreed with Deng Xiaoping on the Tiananmen crackdown. As nominally the most powerful person in the CCP at the time of the crackdown, history could judge Zhao harshly.²² This book, however, does not support a harsh judgment. At the time of the protest, Zhao resolved that he would not be remembered as the general secretary who had called in the military.²³ At the height of privilege and power, Zhao easily could have accepted Deng’s ruling and continued with the business of pragmatic economic reform.²⁴

¹³ The *New York Times* has made available some of Zhao’s actual audio recordings on its website. *Excerpts From Zhao Ziyang’s ‘Prisoner of the State,’* <http://www.nytimes.com/2009/05/15/world/asia/15zhao-transcript.html> (last visited Sept. 5, 2009). The author has compared some of these audio recordings with the English text, and the English translation proves very true to Zhao’s original words. Inevitably, the translation loses some of Zhao’s tone and emphasis. Zhao’s voice comes across rather tired and aged, but determined. He seems, at times, deep in thought and occasionally searches for precisely the right word. He never comes across as a man with an ax to grind or a score to settle. As a matter of style, the editors deserve praise for leaving Zhao’s text mostly undistorted. While this direct transcription results in some repetition and awkwardly simplistic phrasing, it better captures Zhao’s way of speaking.

¹⁴ For instance, Zhao’s explanation of his use of the terms “initial stage of socialism” and “[s]ocialism with Chinese characteristics” as euphemisms for a market economy confronted by elder party ideologues is nothing new. ZHAO, *supra* note 1, at 204. Likewise, China scholars already knew that Deng Xiaoping occupied the paramount leader position in the party. SPENCE, *supra* note 4, at 729.

¹⁵ SPENCE, *supra* note 4, at 745.

¹⁶ ZHAO, *supra* note 1, at xiv, 29–30.

¹⁷ Roderick MacFarquhar, a well-known China scholar, wrote the foreword. *See* About the Department—Roderick MacFarquhar, <http://www.gov.harvard.edu/people/faculty/roderick-macfarquhar> (last visited Sept. 5, 2009). MacFarquhar lays out Zhao’s attempts to reform the economy, his overcoming of ideological obstacles, his evolving political thought, and his downfall during the Tiananmen crises. ZHAO, *supra* note 1, at xviii–xix, xxii. Adi Ignatius, another China expert, wrote the preface for the book. Recently Ignatius and MacFarquhar appeared on the program, *The Online News Hour*. A streaming video link is available on the Internet. *Newshour: Legacy of Tiananmen Crackdown Lingers Over China’s Politics* (PBS television broadcast June 4, 2009), available at http://www.pbs.org/newshour/bb/asia/jan-june09/tiananmen2_06-04.html (last visited Sept. 5, 2009).

¹⁸ For instance, in the chapter in which Zhao discusses that the CCP wanted him to make a “self-criticism,” the chapter summary explains that “self-criticism” is an “important tool in the Party’s efforts to maintain one official version of the truth.” ZHAO, *supra* note 1, at 35.

¹⁹ *Id.* at 3–49. Zhao did not record his memoir in this order, but the editors’ rearrangement of the material makes sense because putting the Tiananmen Massacre first helps put later events into context.

²⁰ In Chinese, the book is titled *Gaige Licheng* which literally means “The Path of Reform.” *See* *Wei Zhaoziyang Luyin de Qianguanuan Mei Yudao Mafan* [*The Former Officials who Recorded Zhao Ziyang’s Memoirs have not Encountered Trouble*], VOICE OF AMERICA (CHINESE) NEWS, May 21, 2009 (translated by the instant reviewer), <http://www.voanews.com/chinese/archive/2009-05/w2009-05-21-voa47.cfm?moddate=2009-05-21>. The content of the last two-thirds of the book better support this Chinese-language title. No indication exists that Zhao himself provided input for the title of this posthumous book. This reviewer believes that neither the English title nor the Chinese title captures the essence of Zhao’s memoirs as a whole. For reasons that should become apparent in this review, this author suggests the better titles of “How I Tried to Avoid Folly,” or “Nearly Not on my Watch.” The former title would borrow from Barbara Tuchman’s excellent book about the self-destructive decisions governments make. *See* BARBARA W. TUCHMAN, *THE MARCH OF FOLLY* (1985). Zhao likely would have found persuasive Ms. Tuchman’s thesis that governments throughout history have taken actions (i.e., folly) which ultimately undermine their authority (e.g., the Tiananmen Massacre) despite warnings by credible officials (e.g., Zhao himself). *See id.*

²¹ ZHAO, *supra* note 1, at 134. Curiously, current PRC Premier Wen Jiabao stands somberly behind Zhao in the photograph as he speaks to the students. *Id.*

²² For instance, at least one historian has postulated that Zhao’s purge may have resulted from his own failed attempt to manipulate the Tiananmen incident to increase his power at the expense of conservatives like Li Peng. SPENCE, *supra* note 4, at 740. This motive finds precedent in Mao Zedong’s technique of consolidating his own power against rivals in the CCP by manipulating students during the Cultural Revolution. *See id.* at 602–09.

²³ ZHAO, *supra* note 1, at 29.

²⁴ History may not have even judged Zhao harshly for such acquiescence. After all, most people remember Deng Xiaoping fairly favorably—for opening China to the world). Moreover, history has not entirely excoriated Li Peng, the official who pushed Zhao aside and actually imposed martial law to crush the protesters. *See id.* at 32.

When Zhao instead chose to go to Tiananmen Square and plead with the protesters, he achieved a place in history somewhat akin to that of Boris Yeltsin.²⁵ In both cases, career Communist officials who had everything to lose stood up for principle despite intense pressures from the unique circumstances of their respective countries and political systems.

Zhao does not attempt to whitewash history or embellish his motives for reform, and this honesty adds to the credibility of his self-portrayal. He even downplays the risks that he must have known existed in defying the paramount leader.²⁶ He never presents himself as anything other than an economic reformer, but he does conclude that a Western style parliamentary democracy may serve as the best vehicle for stability and economic growth.²⁷ Nevertheless, he makes clear that the economic necessity of political reform drove the evolution of his political thought,²⁸ not the other way around. Similarly, he concludes that the new economy requires an independent judiciary, specifically to limit bribery and other forms of corruption, which represent additional economic concerns.²⁹

Judge advocates can learn from Zhao's memoirs in two respects. First, Zhao's refusal to condone the use of force against the protesters demonstrated the ability to remain intellectually independent despite intense pressure, a critical capability for judge advocates. Second, Zhao's comments regarding the necessity for rule of law highlighted the importance of a judge advocate's duties in a society of laws. Consider Zhao's indignation at the CCP's failure to adhere to minimum administrative due process standards while investigating him and keeping him under house arrest.³⁰ Additionally, after a long career at all levels of the CCP and years of house arrest, Zhao ultimately concluded that a true market economy cannot exist without the rule of law.³¹

This book helps to explain the seemingly absurd adoption of capitalism by a Communist Party founded on the promise of socialism and class struggle. By the time of Zhao, the party had long lost its original legitimacy as the guarantor of a socialist paradise.³² Instead, Deng Xiaoping tried to substitute the attainment of economic prosperity as a new source of Party legitimacy.³³ As Bao Pu's epilogue notes, Deng made it clear that economic reforms would continue even after Zhao's purge.³⁴ The absence of another Tiananmen-type demonstration further suggests that the CCP and the people agreed to a tacit deal that would allow the CCP to maintain its political monopoly so long as the people prospered.³⁵ Deng's support for economic reform and lack of concern with socialist orthodoxy provides the key to understanding this transformation.³⁶

Two fundamental differences between Zhao's China and the China of today limit the book's utility as a tool for predicting future action by the People's Republic of China (PRC). First, the PRC no longer has an unofficial paramount

²⁵ Zhao did not stand on top of a tank and plead for no bloodshed as Yeltsin did, nor did he do anything as outwardly dramatic as Rommel's involvement with the plot to assassinate Hitler, but the comparison remains valid nonetheless. *Yeltsin Calls on Troops, Citizens to Oppose Coup*, SAN DIEGO UNION-TRIBUNE, Aug. 19, 1991, at A1.

²⁶ Zhao's focus on the CCP's failure to follow its own administrative due process procedures while keeping him under house arrest, e.g., ZHAO, *supra* note 1, at 8–23, led one *Washington Post* reviewer to question whether Zhao was naïve about the CCP. See Perry Link, *From the Inside, Out*, WASH. POST, May 17, 2009. The instant reviewer suggests that Zhao was anything but naïve at the time he made the decision to disagree with Deng. Zhao himself was purged in the 1960s. See ZHAO, *supra* note 1, at xii–xiii. Moreover, Zhao would have known the fate of other senior officials who had disagreed with the paramount leader during the course of his lifetime. For example, he would have known that President Liu Shaoqi's differences with Mao had resulted in Liu's loss of office and ultimate death. See JOHN K. FAIRBANK, CHINA: A NEW HISTORY 390–91, 393, 404 (1991).

²⁷ ZHAO, *supra* note 1, at 270–71.

²⁸ “Based on this, we can say that if a country wishes to modernize, not only should it implement a market economy, it must also adopt a parliamentary democracy as its political system. Otherwise, this nation will not be able to have a market economy that is healthy and modern . . .” *Id.* at 269–73.

²⁹ *Id.* at 265. Zhao never holds himself out as anything but an economic reformer. In the book, he not only does not attempt to distinguish himself favorably from Deng Xiaoping, but the most profound regret he expresses is that Deng Xiaoping may have died under the mistaken impression that Zhao disliked him. See *id.* at 48–49.

³⁰ *Id.* at 53–87.

³¹ “Another important issue—in fact the most essential—is the independence of the judiciary and rule of law. If there is no independent enforcement of law, and the political party in power is able to intervene, then corruption can never be effectively resolved.” *Id.* at 158.

³² The same Roderick MacFarquhar who provided the foreword also gave a televised talk sponsored by the University of California Berkeley School of Journalism. In that talk, Mr. MacFarquhar discussed this issue of CCP legitimacy. See *Mao's Revolution, What Remains* (U. Cal. Television broadcast Dec. 12, 2005), available at <http://www.uctv.tv/search-details.aspx?showID=11239> (last visited Sept. 5, 2009).

³³ See *id.*

³⁴ ZHAO, *supra* note 1, at 280.

³⁵ In the introduction, Adi Ignatius correctly characterizes the book as describing contemporary China as a nation in which “leaders accept economic freedom but continue to intimidate and arrest anyone who tries to speak openly about political change.” *Id.* at xii.

³⁶ See *id.* at 119–24.

leader like Deng Xiaoping.³⁷ Much of Zhao's narrative centers on attempts by various officials to secure Deng's support behind the scenes, and, in the absence of a single, authoritative leader, the system Zhao describes has less relevance today.³⁸ Second, the PRC's integration into the world, both in terms of its economy and its participation in international forums, has reached an unprecedented level. Although anecdotal, the PRC's careful cultivation of its image before the 2008 Beijing Olympics provides a window into how this new interconnectedness may affect the CCP's decision-making calculus.³⁹

Notwithstanding the changes that have occurred in China since Zhao's time, the PRC's handling of the Tiananmen protests offers some parallels to modern China. For example, Zhao explains that conservatives had labeled the Tiananmen protesters "counterrevolutionaries" and "antisocialists" as a prelude to the government's use of force against them.⁴⁰ Similarly, the PRC has more recently labeled Uighur protesters, members of an ethnic minority in Xinjiang Province, "criminals" and "terrorists" prior to using force to crack down on Uighur demonstrations for independence.⁴¹ Zhao's discussion of opposing politicians' attempts to discredit him by starting rumors that his family was corrupt may also provide some insight into the motives behind China's recurrent anti-corruption campaigns. As insinuated by Zhao's discussion of this incident, Chinese "anti-corruption" efforts sometimes serve as tools to discredit political opponents.⁴² Finally, the lack of transparency and genuine adherence to the rule of law that Zhao complained of continues to remain a source of irritation and tragedy for the Chinese people.⁴³

Perhaps most importantly, Zhao's example continues to embolden reformers with the release of this book. To understand the book's importance to the reform movement, one must understand Zhao as a symbol of reform who has continued to inspire reformers even today. Tellingly, just five days after his death, more than ten thousand people attended a memorial held in his honor in Hong Kong.⁴⁴ The book's publishers took serious risks by releasing the book but felt Zhao's memoir was important to the reform movement. The editor, Bao Pu, is the son of Bao Tong, who served as Zhao's secretary.⁴⁵ Bao Tong was purged along with Zhao following the Tiananmen protests, but unlike Zhao, Bao Tong spent seven years in prison before beginning his house arrest.⁴⁶ Bao Tong, who still lives in Beijing, has publicly taken responsibility for the production of the memoir, despite the potential repercussions.⁴⁷ Zhao's book also appears to have emboldened others to come forward with criticism of the government.⁴⁸ In August 2009, a lengthy speech of an undisclosed CCP "elder statesmen" made its appearance on the Internet.⁴⁹ In the speech, the author raised many of the same complaints against the political system that Zhao had raised, including the CCP's failure to establish a genuine electoral system, the

³⁷ Current leaders, such as President Hu Jintao and Premier Wen Jiabao, rose up as mere Communist technocrats who will likely retire from public life following their terms in office rather than control the levers of power from the shadows.

³⁸ See, e.g., ZHAO, *supra* note 1, at 28, 32, 35, 106.

³⁹ This new calculus could play out in unexpected ways. For instance, one might contend that a globally-connected China would never again risk the public relations nightmare associated with sending tanks against innocent protesters. On the other hand, Chinese officials allegedly withheld information about poisoned milk from their own citizens in the months surrounding the 2008 Beijing Olympics in order to protect China's image. Antoaneta Bezlova, *Penalties for Melamine in Milk Upset Victims' Parents*, PRESS SVC./GLOBAL INFO. NETWORK, Jan. 23, 2009.

⁴⁰ See ZHAO, *supra* note 1, at 11–13.

⁴¹ *More on China's Hu Holds Meeting on Xinjiang, Vowing "Severe Punishment,"* BBC MONITORING ASIA PAC., July 9, 2009.

⁴² See ZHAO, *supra* note 1, at 236. China is currently engaged in a massive anti-corruption campaign. See David Barboza, *The Corruptibles*, N.Y. TIMES, Sept. 4, 2009, at B1. Some allege that politics motivates the selection of targets for investigation. *Id.*

⁴³ After reading this book, it should not come as a surprise that the Chinese Government would first try to cover up its nation's SARs epidemic in order to prop up the CCP's image.⁴³ See ZHAO, *supra* note 1, at xii.

⁴⁴ *Chinese Mainlanders Join Hong Kong Vigil to Mourn Zhao Ziyang*, S. CHINA MORNING POST, Jan. 22, 2005. The PRC did not hold a memorial for Zhao. *See id.*

⁴⁵ See Jane Macartney, *Tiananmen Square Rebel is Banished Before Anniversary*, TIMES (LONDON), May 26, 2009, at 30. As noted in the "Who Was Who" section of the book, Bao Tong was a member of the Central Committee and Zhao's secretary. ZHAO, *supra* note 1, at 289. Bao Pu also wrote the epilogue with a detailed overview of the path of Zhao's rise and fall that specifically addresses the impact of such Maoist campaigns as the Great Leap Forward and other economic disasters on Zhao's thinking. *See id.* at 275. The real value of Bao Pu's association with Zhao's memoirs is that it lends credibility to the sincerity and truthfulness of Zhao's account.

⁴⁶ See Macartney, *supra* note 45.

⁴⁷ According to Bao Tong, "If the [PRC] authorities want to pursue someone for political or legal responsibility for these memoirs then I will bear everything." *Id.*

⁴⁸ *Internet Speech of Unnamed Chinese 'Elder Statesmen' Criticizes Party*, BBC MONITORING ASIA PAC.–POL., Aug. 4, 2009.

⁴⁹ Some have speculated that the author is reformist politician Wan Li, the former chairman of the National People's Congress, discussed in Zhao's memoirs. *Id.* The "Who Was Who" section of the book also contains an entry for Wan Li. ZHAO, *supra* note 1, at 299.

CCP's existence above the law, and the CCP's intolerance for diverging opinions.⁵⁰ Significantly, the book, which was intentionally published immediately before the twentieth anniversary of the Tiananmen Massacre, an event commemorated by thousands,⁵¹ sold out on its first day in bookstores in Hong Kong.⁵²

III. Conclusion

Although *Prisoner of the State* does not offer profound or new insight into Chinese politics of the 1980s, the memoir does provide personal, insider detail into the peculiar relationships and conflicts that result in decision-making in the absence of real rule of law. The book contributes to the view that Zhao was a pragmatic economic reformer who demonstrated true courage at a critical juncture in Chinese history. For leaders and citizens, Zhao serves as an example of someone who, despite having everything to lose, exercised independence when it counted most. For judge advocates, Zhao's willingness to take a principled stance against the rash use of force during the Tiananmen protests should serve as an example. The book's emphasis on the need for rule of law and proper legal procedures also highlights the role lawyers can play in ensuring fairness and transparency. Finally, Zhao's book is inspiring the current reform movement in China. Thanks to this book, Zhao may end up becoming a real force for political reform in death though he only aspired to economic reform in life.

⁵⁰ See *id.* at 261–68.

⁵¹ See Keith Bradsher, *Thousands Gather in Hong Kong for Tiananmen Vigil*, N.Y. TIMES, June 5, 2009, available at <http://www.nytimes.com/2009/06/05/world/asia/05hong.html>.

⁵² Ng Kang-chung, *Hong Kong Stores Swamped by Orders for Prisoner of the State*, S. CHINA MORNING POST, May 16, 2009, at 6. The PRC government barred the book from sale in mainland China. See *id.* It appears that a mainland Chinese audience is reading the book anyway by means of pirated text versions readily available on the Internet. Searching the Internet, the instant reviewer found several sites posting the pirated Chinese text. *E.g.*, Zhaoziyang Luyinhuiyi: Gaige Licheng (Quanwen) [Zhao Ziyang's Memoirs: Path of Reform (Complete Text)], <http://www.minzhuzhongguo.org/Article/wl/sx/200906/20090618155032.shtml> (last visited Sept. 5, 2009).