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(1917 - 1949)  
VOLUME 3

CHINA

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VOLUME 3

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OPEN LETTER TO FRATERNAL SOLDIERS OF THE WHITE ARMY ON THE FORCED OCCUPATION  
OF MANCHURIA BY JAPANESE IMPERIALISM

25 September 1931

[Text] Fraternal soldiers!

Did not warlords of the Kuomintang often tell you that your duty is to "protect our country and defend our people?" But look, troops of Japanese imperialism have occupied by force all of the major cities in Manchuria, massacred with guns and bombs the toiling masses of workers and peasants and soldiers in Manchuria, and consider Manchuria wholly as a colony of theirs. May I ask you: How are warlords of the Kuomintang performing their duty to "protect our country and defend our people?" What are they saying to you now?

As far as Japanese imperialist brutality is concerned, warlords of the Kuomintang order you to "offer no resistance," to "receive adverse circumstances with acquiescence," to stretch out the neck so as to allow the Japanese imperialist bandits to massacre you. They order you to become "colonial slaves" of Japanese imperialism peaceably. From here you can see that warlords of the Kuomintang can only pay court and yield to imperialism, they can only act as running dogs of imperialism, they not only cannot "protect our country," but also cannot "defend our people!"

Nevertheless, the Kuomintang warlords, for the purpose of struggling for positions and extending their areas of exploitation and wholesale slaughter of the Chinese people, they have staged wild battles among themselves year after year. For the sake of these warlords' wars, they have very courageously driven you to the battlefield to kill your own brothers and destroy the life and property of the people. They are exacting exorbitant taxes and miscellaneous levies, impressing men and horses for military coolie-service, and sucking dry the last drop of blood of the toiling people. They are massacring the revolutionary workers and peasants; they are compelling people to cultivate opium so as to infect the masses; they are creating all over the country calamities (flood, drought, famine), the like of which has never been seen before. In exploiting and massacring the people, they all have shown considerable resoluteness and fearlessness!

Above all others, at a time when the masses of workers and peasants in our Soviet areas, standing up voluntarily, have driven out all imperialists, toppled the rule of the Kuomintang, confiscated all land of the landlord class, carried out the 8-hour work system, created their own armed forces in the Workers and Peasants' Red Army, and established the Workers and Peasants' Soviet Government, all warlords of the Kuomintang are fighting desperately for their lives and demonstrating their determination and bravery, have relied upon help from the imperialists to attack us, not once or twice, but three times. They have used planes, bombs, poison gas, artillery, and machine guns to slaughter the people in the Soviet areas. All their attacks have been smashed fearlessly by us and by the people, but if we do not root them out completely, they will never ease up on us. In attacking the Soviet Government of the people and the Red Army of the people, they also are extremely brave!

Fraternal soldiers! Have you not suffered enough from the deceit and oppression of these warlords? Think about it: After all, why are you risking your life for these warlords? It may be that you are doing it so as to support your family. As a matter of fact, you yourselves often do not receive a cent in wages. You yourselves do not have enough to eat or enough to wear, then how can you support your family? Your superior officers take you as their oxen and horses, as cannon fodder, and want you to risk your life in killing your own fraternal worker and peasant brothers so that they may be promoted in rank and become wealthy!

Fraternal soldiers! You have got to think of a way out! There is a way out for you. It is revolution! Now what you have in your hands are guns. First of all, you kill your reactionary superior officers. Then join efforts with the workers, peasants, and all other toiling people in your locality to topple the government of the Kuomintang, confiscate the land of the landlord class and distribute it among the poor peasants, seize the grain and dwellings of the rich and portion them out for the poor to live and to eat. Make it so that workers labor for only 8 hours a day, and organize yourselves so that you manage your own affairs. In this way you will have created a workers, peasants, and soldiers' government--i.e., a Soviet Government--and you all will have become a workers and peasants' armed force--a workers and peasants' Red Army. If there is already a Soviet Government or a Red Army near your garrison, then you either catch your reactionary superior officers alive or kill them and go there and join the Red Army. Only the Soviet Government, only the Red Army, can safeguard the interests of workers, peasants, and soldiers, overthrow the Kuomintang, overthrow imperialism, and truly protect our country and defend our people!

Fraternal soldiers! Unite! Turn round your guns and fight so as to overthrow imperialism and the Kuomintang, which are exploiting, oppressing, and massacring the toiling masses of China, and establish a Soviet Government and a Red Army of the workers, peasants, and soldiers! Several hundred thousand fraternal soldiers of the Red Army welcome you to join our ranks!

Down with Imperialism and the Kuomintang!

Establish a Soviet Government of the Workers, Peasants, and Soldiers!

Long Live the Workers and Peasants' Red Army!

Long Live the Victory of a Soviet Revolution in China!

Commander-in-Chief, Chinese Workers and  
Peasants' Red Army and concurrently  
Commander, 1st Army Corps: Chu Teh

Director, General Political Department,  
Chinese Workers and Peasants' Red Army  
Mao Tse-tung

Commander, 2nd Army Corps, Chinese Workers  
and Peasants' Red Army Ho Lung

Commander, 3rd Army Corps, Chinese Workers  
and Peasants' Red Army P'eng Te-huai

Commander, 3rd Army, Chinese Workers and  
Peasants' Red Army Huang Kung-lueh

25 September 1931

°Soviet China, Soviet Union Foreign Workers Press (Moscow 1933)

7682

CSO: 4005

RESOLUTION ON PROMULGATION OF PROVISIONAL TAX LAW--ADOPTED AT THE FIRST SESSION  
OF CENTRAL EXECUTIVE COMMITTEE

28 November 1931

[Text] 1. Tax yields are a most important source of state revenue and expenditure. In accordance with the provisions of the Constitution, the Central Government has abolished all land tax, poll tax, exorbitant taxes, miscellaneous levies, likin tax, etc. of the Kuomintang warlords and put into effect a single progressive tax.

2. To any sector, a single progressive tax means that only one category of tax shall be levied. The fundamental rule of tax collection is that apart from placing the burden of paying taxes on the exploiting class, the matter shall be resolved according to the principle of class. The exploited class and people from the poorest strata shall be exempt from taxes.

3. At the present time, due to the revolutionary war, the Soviet areas all over the country are not contiguous to one another. Because of this and many other special circumstances, agricultural tax can only be levied with the tax on staple products as a standard. For the time being, the tax on all subsidiary products will not be imposed. Also, agricultural tax is levied only from persons who produce more than enough to meet their necessary living expenses on a progressive scale. All those who do not reach that standard will be exempt from taxes. Taxes to be imposed on rich peasants will be comparatively heavy. For them the standard for taxation will be lower by one-half than that for poor peasants. This fundamental rule is prescribed to enable the various provincial governments to determine the agricultural tax rates according to local actual conditions.

4. With a view to developing the economy in the Soviet areas at present, commercial export and import duty and industrial production tax will be dispensed with for the time being.

5. This Tax Law will be put into effect on 1 December 1931.

Central Executive Committee

Chairman: Mao Tse-tung

Vice-chairmen: Hsiang Ying

Chang Kuo-t'ao

°Chinese Soviet Republic Economic Policy

\*Red Bandit Reactionary Documents, No 4

7682

CSO: 4005

ELECTION LAW OF THE CHINESE SOVIET REPUBLIC--ADOPTED AT THE FIRST PLENARY  
SESSION OF THE CENTRAL EXECUTIVE COMMITTEE

November 1931

[Text] Chapter I General Provisions

Article 1

This Election Law is specially promulgated according to Articles 68 to 79 of the Constitution for the purpose of unifying the procedure of elections within the boundary of the Chinese Soviet Republic.

Article 2

This Election Law shall become effective within the boundary of the Chinese Soviet Republic.

Article 3

The Central Executive Committee has the right to suspend and revise this Law.

Article 4

Should a question arise about this Law or a dispute come about in its implementation, the right of interpretation of this Law is vested in the Central Executive Committee.

Chapter II Right To Elect and To Be Elected

Article 5

According to Article 68 of the Constitution, "All citizens residing within the territory of the Chinese Soviet Republic who have reached the age of 16, irrespective of sex, religion, or nationality, shall have the right to elect and to be elected in the Soviet. However, these shall be limited to the following kinds of people:

(a) All people who do not exploit the labor of others, such as hired laborers, peasants, independent craftsmen, and the urban poor, and their family dependents;

(b) People serving in the navy, army, and air force of the Chinese Soviet Republic; and

(c) Those of the above two kinds of people who are at present incapable of working or unemployed."

#### Article 6

According to Article 69 of the Constitution, "People who belong to one of the following kinds shall not have the right to elect or to be elected:

(a) Those who exploit the labor of others (including rich peasants);

(b) Those who depend upon profits on their land or capital for a living and do not perform any labor themselves;

(c) Merchants, capitalists, and their agents, middlemen, and compradors;

(d) Missionaries of all religions, clergymen, Buddhist monks, Taoist priests, geomancers, and those who are preachers by occupation;

(e) The police, detectives, military police, bureaucrats, and warlords of the Kuomintang and other reactionary governments, and reactionaries who participate in opposing the interests of workers and peasants:

(f) Insane persons;

(g) People who have been convicted of a crime by the courts and are serving their sentences; and

(h) Family dependents of persons mentioned in Items (a) to (e)."

Article 70 of the Constitution stipulates that "any one of the three kinds of people listed in Article 68 of this Constitution who has committed any of the offenses mentioned in Article 69 likewise shall not have the right to elect and to be elected."

#### Chapter III Organs Dealing With Elections

##### Article 7

According to Article 71 of the Constitution, organs dealing with elections are listed as follows:

(a) In a municipality elections shall be conducted by an election committee to be organized by the municipal Soviet. Its members shall number not more than nine.

(b) In the countryside elections shall be conducted by a district election committee to be organized by the district executive committee. Its members shall number not more than 11.

#### Article 8

In a large municipality or large district, branch offices may be set up under the municipal election committee or district election committee and these branch offices shall carry out their work under the direction of the head office of the election committee concerned.

#### Article 9

Election committee members shall be reported by the municipal Soviets and district executive committees to the county executive committee concerned for investigation, after which the county executive committee shall report to the provincial executive committee concerned or its presidium for approval and appointment. However, only local residents shall be eligible for membership. In special circumstances, a nonresident may be appointed to be a member by the government of the next higher level.

#### Article 10

The president of a municipal or township Soviet shall not become a member or chairman of the election committee.

### Chapter IV Election Procedures

#### Article 11

The registration of electors shall be carried out 2 weeks before an election.

#### Article 12

Election committees may assign special deputies to act as registrars of electors. People who are affiliated with an organization may register with that organization. Those who are not affiliated with any organization may engage a special deputy to carry out registration.

#### Article 13

At the time of registration, entries shall be made on elector registration forms stipulated by the Central Executive Committee.

#### Article 14

When the registration is over, the elector registration forms shall be gathered together and sent to the election committee.

#### Article 15

At the end of the registration, the election committee shall publish the total number of electors and the number of representatives to be elected within the district under its jurisdiction.

#### Article 16

Before an election, the election committee shall publish through the municipal Soviet or executive committee, a namelist of persons who have been stripped of the right to elect.

#### Article 17

The election committee shall announce in advance to the various districts, organizations, and enterprises the place and date of the election meeting.

#### Article 18

In a municipality elections shall be conducted within each production unit. Those people who cannot carry out elections according to production unit shall hold election meetings according to designated places in a district. Family dependents of workers and laborers shall participate in elections in the same place as the workers and laborers themselves. In the countryside election meetings shall be held with each village as a unit. Several smaller villages may hold an election meeting together.

#### Article 19

After registering an elector who has the right to elect, the election committee shall issue to him an elector's certificate notifying him when and where to be present at the election meeting. Only with this certificate can an elector enter the place of the election meeting.

#### Article 20

An election committee has the right to use on loan a public place or a private house to hold an election.

#### Article 21

The place where the election meeting is to be held shall be decorated in advance by the election committee. At the entrance to the meeting place, special deputies shall be assigned to record all electors and only people bearing electors' certificates shall be admitted.

#### Article 22

The presidium of an election meeting shall comprise three persons, of whom two shall be selected by the election meeting and one shall be the chairman of the election committee or his fully accredited representative. A secretary shall also be selected to keep minutes of the election meeting.



Article 23

The post of chairman of the presidium of an election meeting shall be held by the chairman of the election committee or his fully accredited representative.

Article 24

After an election meeting is declared open, the chairman shall announce whether the number of people present forms a quorum or not.

Article 25

The agenda of an election meeting is stipulated as follows:

- (a) The chairman of the election committee or his fully accredited representative shall announce which persons have the right to elect and to be elected and which persons have been stripped of the right to elect and to be elected.
- (b) Election of full representatives.
- (c) Election of alternate representatives.
- (d) Approval of proposals submitted by electors through their representatives.

Article 26

The minutes of an election meeting, the register of participants, and all documents concerning the election shall be gathered together and transferred to the election committee for examination after the election.

Article 27

The minutes of an election meeting shall be signed by the entire presidium and the secretary.

Article 28

At an election meeting, an election shall be held when more than half of the electors are present.

Article 29

If the number of electors present is less than the required quorum, an adjournment of the meeting shall be declared and the election committee shall fix a date for convening another meeting. In the circumstances of reconvening an election meeting, election notices shall be reissued.

#### Article 30

If the second election meeting is adjourned again for lack of a quorum, the election shall be held at the third meeting to be convened regardless of whether there is a quorum or not, and the necessary number of representatives shall be elected.

#### Article 31

Election shall be conducted not by ballot, but by a show of hands. A candidate is elected when a majority of hands are raised for him.

#### Article 32

Candidates for election may be nominated separately or jointly in one list according to the opinion of the majority of electors at an election meeting.

#### Article 33

The election of full representatives and that of alternate representatives shall not be conducted at the same time. The election of alternates shall take place after the election of representatives is completed.

#### Chapter V Procedure of Elections of Representatives to the Different Levels of Worker-Peasant-Soldier Soviet and the Proportion of Representatives to Residents

#### Article 34

Representatives to the worker-peasant-soldier Soviet of a township shall be elected in a meeting of the electors of the entire township. For every 50 residents one representative shall be elected.

#### Article 35

Representatives to the worker-peasant-soldier Soviet of a municipality shall be elected in a meeting of the electors of the entire municipality. For every 200 residents one representative shall be elected.

(Note) Aside from full representatives to the worker-peasant-soldier Soviet of a township or municipality, alternate representatives shall be elected. The proportion of alternate representatives to full representatives shall be one to five.

#### Article 36

Representatives to be elected by the various township worker-peasant-soldier Soviets shall make up a district congress of worker-peasant-soldier Soviets. The number of representatives to be elected shall be on the basis of one representative for every 400 residents.

#### Article 37

Representatives to be elected by the various district congresses of worker-peasant-soldier Soviets and municipal worker-peasant-soldier Soviets shall make up a county congress of worker-peasant-soldier Soviets. The number of representatives to be elected shall be on the basis of one representative for every 500 residents in a municipality and one representative for every 1,000 residents in the countryside.

#### Article 38

Representatives to be elected by the various county congresses of worker-peasant-soldier Soviets and worker-peasant-soldier Soviets of municipalities directly under a provincial government shall make up a provincial congress of worker-peasant-soldier Soviets. The number of representatives to be elected shall be on the basis of one representative for every 5,000 residents in a municipality and one representative for every 25,000 residents in the countryside.

#### Article 39

Representatives to be elected by the various provincial congresses of worker-peasant-soldier Soviets and worker-peasant-soldier Soviets of municipalities directly under the central authority shall make up the National Congress of Workers, Peasants, and Soldiers of the Chinese Soviet Republic. The number of representatives to be elected shall be on the basis of one representative for every 50,000 residents in the countryside and one representative for every 10,000 residents in a municipality.

#### Article 40

The qualifications of representatives to the district, hsien, and provincial congresses of worker-peasant-soldier Soviets shall be verified by the credential committee to be organized by the Soviet Congress of that level.

#### Article 41

Where the population in an area is less than the number of electors stipulated, they may nevertheless elect one representative. That representative has the right to speak, but no right to vote.

#### Article 42

Workers and peasants' armed forces and the Red Army under the jurisdiction of a district Soviet shall participate in the elections of the district Soviet. Workers and peasants' armed forces and the Red Army under the jurisdiction of a county Soviet shall participate in the elections of the county Soviet. Workers and peasants' armed forces and the Red Army under the jurisdiction of a provincial Soviet and those units not under the jurisdiction of a provincial Soviet but are stationed within its territory shall participate in the elections of the provincial Soviet. Regulations governing elections among the Red Army shall be promulgated separately by the Central Executive Committee.

Chapter VI Recognition and Invalidation of Basic (Municipal and Township) Elections, and Recall of Representatives

Article 43

An election shall be deemed valid and given recognition when it is conducted in accordance with the Constitution and the procedure prescribed in this Law.

Article 44

An elector may bring a complaint before the municipal Soviet or district executive committee against an election that has not been conducted in accordance with the Constitution or the procedure prescribed in this Law. Upon receipt of the complaint, that Soviet Government shall immediately organize a committee to investigate it.

Article 45

After an election, the election committee shall gather together all documents concerning the election and transfer them to the municipal Soviet or district executive committee for examination.

Article 46

On receiving the documents concerning the election, the municipal Soviet or district executive committee shall organize an expert committee to examine them.

Article 47

When it is discovered that a certain part of the election is not according to the electoral procedure, the right to invalidate that part of the election is invested in the municipal Soviet or district executive committee.

Article 48

If it is discovered that the entire election is in violation of the electoral procedure, the right to invalidate the election is invested in the Soviet Government of a higher level.

Article 49

When a dispute arises concerning the validity of an election, it shall be resolved by the municipal Soviet or district executive committee.

Article 50

The Central Executive Committee shall be the organ of last resort in all appeals concerning elections.

Article 51

A representative of a municipal or township Soviet who violates the trust of the people by not performing his official duties or commits a criminal act shall be dismissed by the municipal or township Soviet. Their electors also have the right to recall that representative and hold another election. But in these circumstances, the matter shall be reported to the Soviet Government of a higher level for investigation.

Chapter VII Election Expenses

Article 52

The expenses for holding elections shall be borne by the national treasury.

Article 53

All election committees shall each work out a budget covering expenses for holding elections. These shall be reported by the municipal Soviet or district executive committee to the county executive committee for approval, after which payments shall be made from the election expenses appropriated by the Central Executive Committee.

Article 54

After an election, the election committee shall submit a final report to the municipal Soviet or district executive committee and draw up a final account to be submitted by the municipal Soviet or district executive committee to the county executive committee for approval.

Chapter VIII Supplementary Provisions

Article 55

This Law shall be effective from the date of its promulgation.

Central Executive Committee of the Chinese  
Soviet Republic

Chairman:	Mao Tse-tung
Vice-chairmen:	Hsiang Ying
	Chang Kuo-t'ao

° "Election Law of the Chinese Soviet Republic," Central Executive Committee,  
\* Chinese Soviet Republic, December 1931

Red Bandit Reactionary Documents, No. 3, 1935

RESOLUTION ON THE MARRIAGE LAW--ADOPTED AT THE FIRST SESSION OF CENTRAL EXECUTIVE COMMITTEE

28 November 1931

[Text] Under the feudal rule the marriage system was so barbaric as to be inhuman. The oppression and distress suffered by women were even worse than those by men. Only when the workers' and peasants' revolution is won and men and women have attained primary emancipation economically will marriages unavoidably undergo changes and marriages based on freedom of choice be realized. At present, marriages have acquired a foundation of freedom. We should really establish a marriage system based on freedom of choice and abolish the feudal marriage system based on arbitrary and compulsory arrangements and on pecuniary considerations.

However, women who have just been emancipated from feudal oppression, have not yet recovered from the many serious injuries (e.g., bound feet) to their bodies or achieved complete independence economically. Hence, in the question of divorce, emphasis for the time being should be placed on the protection of the interests of women, leaving most of the obligations and responsibilities arising out of the divorce for the men to undertake.

Children are the masters of the new society. Particularly in the old society, it was the custom not to pay heed to the caring of children. Therefore, special stipulations are made for the protection of the interests of children.

This Law will be promulgated on 1 December 1931 and come into force immediately.

Central Executive Committee

Chairman:	Mao Tse-tung
Vice-chairmen:	Hsiang Ying
	Chang Kuo-t'ao

\*"Marriage Law," Directive of the Chinese Soviet Republic, Provisional Central Government, December 1931

7682  
CSO: 4005

PROVISIONAL TAX LAW--NOTICE NO 4 OF THE PROVISIONAL CENTRAL GOVERNMENT

1 December 1931

[Text] Chapter I General Provisions

Article 1

To establish a single progressive tax, all exorbitant taxes and miscellaneous levies of the Kuomintang government, such as land tax, poll tax, and likin tax, shall be abolished.

Article 2

Taxes shall be divided into three categories: business tax, agricultural tax, and industrial tax.

Chapter II Business Tax

Article 3

Tax rates: For the purpose of a capital levy, business capital ranging from 200 yuan to 100,000 yuan shall be differentiated into 13 classes. Tax rates shall be fixed according to these classes to levy income tax on profits earned by capital (i.e., on receipts from services rendered and goods sold, and not on capital). Tax rates for businesses capitalized in excess of 100,000 yuan shall be fixed separately. The tax rates for businesses capitalized under 100,000 yuan are as follows:

<u>Class</u>	<u>Capitalization (yuan)</u>	<u>Tax Rate (%)</u>
1	200 - 300	2
2	301 - 500	2.5
3	501 - 700	3
4	701 - 1,000	3.5
5	1,001 - 1,500	4.5
6	1,501 - 3,000	5.5
7	3,001 - 5,000	6.5
8	5,001 - 10,000	8

<u>Class</u>	<u>Capitalization (yuan)</u>	<u>Tax Rate (%)</u>
9	10,001 - 20,000	9.5
10	20,001 - 30,000	11.5
11	30,001 - 50,000	13.5
12	50,001 - 80,000	16
13	80,001 - 100,000	18.5

#### Article 4

Method of levy: The tax rate for a shop shall be determined according to its capitalization as set down in the business license obtained by the shop from a financial organ of the government and that rate shall be used in levying the tax on its profits.

#### Article 5

Levying periods: There shall be two levying periods in a year. However, levy of taxes on a seasonal business may be made at the close of the business.

#### Article 6

##### Tax exemption:

(a) All consumers' cooperatives organized in compliance with the regulations promulgated by the government governing cooperatives and further registered with county government shall be granted exemption from taxation upon submission by the county government of a report concerning the matter to the provincial government concerned.

(b) Peddlers and farmers who sell their surplus products direct shall uniformly be exempt from business tax.

(c) Shops with a capitalization of less than 200 yuan shall uniformly be exempt from taxes.

(d) Merchants who have met with dangers or suffered unexpected damages may be granted exemption from taxation if their losses are reported to the government and subsequently verified.

(e) Certain categories of essential commodities and quartermaster goods may be declared as tax-exempt under government orders at any time.

#### Chapter III Agricultural Tax

(Note) At present, farm production and the prices of produce are extremely complex and unified measures to levy agricultural tax cannot be stipulated. We can only lay down the principle of levying agricultural tax and the different provinces may fix an appropriate agricultural tax according to this principle and in the light of local conditions.



Article 7

After land is allotted to a peasant, the annual per capita output of the peasant and his family as well as their necessary living expenses shall be fixed by averaging the annual yield of staple products among the entire family. On the basis of this standard, the minimum amount at which taxation begins for each person and his progressive tax shall be determined.

Article 8

Tax shall be levied on staple products (grain and wheat) only. For the time being, no tax shall be levied on subsidiary products.

Article 9

Tea gardens, cotton and hemp fields, and orchards allotted to peasants in lieu of paddy fields or wheat fields shall be subject to taxation if their yields have become the principal production of the peasants concerned.

Article 10

Family dependents of the Red Army shall uniformly be exempt from taxes in accordance with the preferential treatment of the Red Army.

Article 11

Tenant farmers and laborers who have been allotted arable lands shall uniformly be exempt from taxes.

Article 12

In cases where poor peasants still cannot maintain their families despite the fact that their incomes have reached the amount at which taxation begins, the township Soviet concerned may decide to reduce their taxes individually or exempt them from taxes.

Article 13

Taxes on former rich peasants shall be slightly higher.

Article 14

Areas suffering from natural calamities such as flood and drought or ravaged by White bandits shall either be exempt from taxes or be granted a tax reduction according to the severity of losses.

Article 15

Any increase in income from agricultural production attributable to seed improvement or improvement in farming technique shall not be taxed.

Article 16

Agricultural products harvested by opening up waste land shall be exempt from taxes for 3 years. In the case of rich peasants, such yields shall be subject to a lower tax or be exempt from taxes for 1 year.

Article 17

Method and periods of levying agricultural tax: Levying of taxes shall begin within 1 to 2 months of harvest of agricultural products. At the time of collection, the amount of tax due from each person according to the prescribed rates shall be collected from the different families.

Article 18

Agricultural tax shall be levied in cash or in kind according to the wish of the peasants concerned.

Appended are measures being taken to levy agricultural tax in Kiangsi Province to be used for reference by other provinces:

<u>Farm Produce</u>	<u>Tax Rate (%)</u>
Taxation begins at the level of 4 tan of dry grain per capita in each household.	
4	1
5	2
6	3
7	4
8	5
9	6.5
10	8
11	9.5
12	11
13	12.5
14	14.5
15	16.5

In the case of rich peasants, taxation shall begin at the level of 2 tan per capita in the amount of 1 percent; 3 tan at 2 percent, and so forth.

Chapter IV Industrial Tax

Article 19

All producer cooperatives registered with a county government shall be granted exemption from taxation upon submission by the county government of a report concerning the matter to the provincial government concerned.

Article 20

With a view to accelerating industrial development in the Soviet areas at the present time, no industrial production tax shall be levied for the time being.

Article 21

An income tax shall be levied on the profits of industrial enterprises at rates to be fixed according to capitalization. The rates shall be set forth separately, but they shall be lower than those of business tax.

Chapter V Supplementary Provisions

Article 22

This Tax Law shall be effective the date of its promulgation.

Central Executive Committee  
Chairman: Mao Tse-tung  
Vice-chairman: Hsiang Ying  
Chang Kuo-t'ao

1 December 1931

° Chinese Soviet Provisional Central Government Proclamation No. 4

\*Directive of Chinese Soviet Provisional Central Government: "Chinese Soviet Republic Provisional Tax Law"

\*Red Bandit Reactionary Documents, No. 4

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CSO: 4005

## MARRIAGE LAW

1 December 1931

[Text] Chapter I General Provisions

### Article 1

Marriage shall be based on the free choice of partners. The feudal marriage system which is based on arbitrary and compulsory arrangements and the exaction of money or gifts shall be abolished. Child betrothal shall be prohibited.

### Article 2

Monogamy shall be put into effect. Polygamy shall be prohibited.

## Chapter II Marriage

### Article 3

Before a marriage can be contracted the man must have reached 20 years of age and the woman 18 years of age.

### Article 4

Marriage shall be based on the complete willingness of the two parties. Neither party, nor a third party, shall use compulsion.

### Article 5

Marriage between collateral relatives by blood, up to the fifth degree of relationship, shall be prohibited.

### Article 6

Marriage shall not be allowed where one party is suffering from such dangerous and infectious diseases as venereal disease, leprosy, and tuberculosis. If a doctor gives his approval upon examination of the abovementioned diseases, the marriage shall be allowed.

Article 7

No man or woman who is suffering from mental disorder or paralysis shall be allowed to marry.

Article 8

In order to contract a marriage, both the man and woman shall register in person with the Soviet of a hsiang or municipality and obtain a marriage certificate. Betrothal money or gifts and dowry shall be done away with.

Chapter III Divorce

Article 9

Freedom of divorce shall be affirmed. Divorce shall be granted when husband and wife both desire it. When only one party insists on divorce, it shall also be granted.

Article 10

Husband and wife desiring to divorce shall register with the Soviet of a hsiang or municipality.

Chapter IV Bringing Up of Children After Divorce

Article 11

The father shall be responsible for all children born prior to the divorce and have the duty to bring them up. If both parents are willing to bring up the children, the mother is given custody of the children.

Article 12

The mother shall have custody of a baby still being breast-fed.

Article 13

Arable land allocated to the child or children shall be retained by the child or children.

Article 14

If the mother is given custody of a child, the father shall be responsible for two-thirds of the necessary cost of maintaining the child until the age of 16. Payment may be made in cash or by tilling the land allocated to the child.

#### Article 15

If the woman remarries and her husband is willing to assume the cost of maintaining the child by her former husband, the father of the child may be exempted from the duty to support the child.

#### Article 16

The new husband who is willing to support the child shall register with the Soviet of a township or municipality. Once he registers, he shall be responsible for maintaining the child until the maturity of age, and not stop halfway or maltreat the child.

#### Chapter V Settlement of Property After Divorce

##### Article 17

In case of divorce, the husband or wife may dispose such arable land, property, and debts as belong to him or her. When the marriage had lasted more than a year, the property jointly acquired by husband and wife shall be divided equally. If there are children, such property shall be divided equally according to the number of persons.

##### Article 18

After divorce, debts incurred by husband and wife during the period of their living together shall be paid off by the husband.

##### Article 19

After divorce, if both parties are unwilling to leave their home, the husband shall sell his share of the house to the wife so that she can go on living there.

##### Article 20

After divorce, if the wife has not remarried, the husband shall bear the cost of her maintenance or till the land for her until she remarries.

#### Chapter VI Maintenance of Children Born Out of Wedlock

##### Article 21

Where the paternity of a child born out of wedlock is established, the identified father shall bear two-thirds of the cost of maintaining the child. Articles 11 to 15 of Chapter IV shall also apply.

Chapter VII Supplementary Provisions

Article 22

Persons violating this Law shall be punished in accordance with the law.

Article 23

This Law shall come into force from the date of its promulgation.

Central Executive Committee of the  
Chinese Soviet Republic

Chairman: Mao Tse-tung  
Vice-chairmen: Hsiang Ying  
Chang Kuo-t'ao

°"Marriage Law," Provisional Central Government, Chinese Soviet Republic,  
December 1931

\*"Red China," No. 2, (Chapters 1-4, Article 12), 18 December 1931

\*"Soviet China," Soviet Foreign Workers Press (Moscow), 1933

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ON THE ELECTION OF CENTRAL EXECUTIVE COMMITTEE MEMBERS AND PEOPLE'S COUNCIL MEMBERS AT THE FIRST NATIONAL CONGRESS OF THE CHINESE SOVIET REPUBLIC--NOTICE NO 1 OF CENTRAL EXECUTIVE COMMITTEE

1 December 1931

[Text] The First National Congress of the Soviet of Chinese Workers, Peasants, and Soldiers was held in the Kiangsi Soviet Area on 7 November 1931, the anniversary of the October Revolution of the Soviet Union. The Congress adopted a political platform and the Constitution, and enacted the Land Law, Labor Law, and other ordinances concerning the Red Army question and economic policy. It declared the founding of the Chinese Soviet Republic and elected the following as members of the Central Executive Committee, which is the highest organ of political power when the National Congress is not in session:

Mao Tse-tung  
Hsiang Ying  
Chang Kuo-t'ao  
Chou En-lai  
Lu Fu-t'an  
Chu Teh  
Ch'u Ch'iu-pai  
Chang Ting-ch'eng  
Teng Fa  
Wang Chia-hsiang  
Hsu Hsi-ken  
Fan Lo-ch'un  
Ch'en Shao-yu  
P'eng Te-huai  
Kuan Hsiang-ying  
K'ung Ho-p'ang  
Fang Chih-min  
Jen Pi-shih  
Ho Lung  
Shen Tse-min  
T'an Chen-lin  
Huang P'ing  
Tseng Shan  
Lin Piao

Ch'en Yu  
Lo Teng-hsien  
Hsia Hsi  
Teng Tzu-hui  
Liu Shao-ch'i  
Liu Ta-ch'ao  
Ch'en Cheng-jen  
Yuan Te-sheng  
Ts'ui Ch'i  
Ch'u Teng-kao  
Tuan Te-ch'ang  
Ko Yao-shan  
P'eng Kuei  
Ch'en Fu-yuan  
Ku Ta-ts'un  
Wei Pa-ch'un  
Chang Hau-hsien  
Ho Shu-heng  
Huang Su  
Hu Hai  
T'eng Tai-yuan  
Hsiao Heng-t'ai  
Lo Ping-hui  
Ch'en I



Chang Yun-i  
Chou I-li  
Lu Te-kuang  
Hu Chun-hao  
Hsu T'e-li  
Shao Shih-p'ing  
Hung Tzu-ch'ing  
Liu Kuang-wan

Yu Han-ch'ao  
Wu Chih-min  
Liu Chien-chung  
Li Tsung-po  
Liu Sheng-yuan  
Wang Yung-sheng  
Juan Hsiao-hsien

The Central Executive Committee held its first meeting on 27 November and elected:

Mao Tse-tung as Chairman and Hsiang Ying and Chang Kuo-t'ao as Vice-chairmen of the Central Executive Committee.

Under the Central Executive Committee, it organized the People's Council as the central administrative organ of the Chinese Soviet Republic and elected:

Mao Tse-tung as Chairman;  
Hsiang Ying and Chang Kuo-t'ao as Vice-chairmen;  
Wang Chia-hsiang as People's Commissioner of Foreign Affairs;  
Chu Teh as People's Commissioner of Military Affairs;  
Hsiang Ying as People's Commissioner of Labor;  
Teng Tzu-hui as People's Commissioner of Finance;  
Chang Ting-ch'eng as People's Commissioner of Land;  
Ch'u Ch'iu-pai as People's Commissioner of Education;  
Chou I-li as People's Commissioner of Internal Affairs;  
Chang Kuo-t'ao as People's Commissioner of Justice; and  
Ho Shu-heng as People's Commissioner of Worker-Peasant Examination.

At the same time, it set up the National Political Security Bureau under the People's Council with Teng Fa as Director.

The establishment of the Provisional Central Government of the Chinese Soviet Republic has been proclaimed. From this day on, there are within Chinese territory two states that are diametrically opposite to each other. One is the so-called Republic of China. It is a tool of imperialism and a state being used by warlords, bureaucrats, landlords, and the bourgeoisie to oppress workers, peasants, soldiers, and other toiling people, and the National Government of Chiang Kai-shek and Wang Ching-wei is the counterrevolutionary organ of political power of this state. The other is the Chinese Soviet Republic, a state of the broad masses of exploited and oppressed workers, peasants, soldiers, and other toiling people. Its banner is to down with imperialism, exterminate the landlord class, overthrow the Kuomintang warlord government, and set up a Soviet Government throughout the country, so as to strive for the interests of the several hundred million oppressed and exploited workers, peasants, soldiers, and other oppressed people, and for genuine peace and unity all over the country. Its foundation is built upon the hopes and support of the several hundred million oppressed and exploited workers, peasants, soldiers, and poverty-stricken people in the Soviet areas and non-Soviet areas. It possesses vast influence to deal a heavy blow to

the Kuomintang warlord government, such that it has caused the latter to step onto the road from disintegration to dissolution. It must quickly score a victory in the revolution all over the country.

The Chinese Soviet Republic and the Central Executive Committee, accepting the trust of the National Congress, ought to spare no efforts to implement the political platform, Constitution, Labor Law, Land Law, and all other ordinances and resolutions drawn up by the Congress, establish a consolidated and extensive revolutionary base, create a massive Red Army, and organize a large-scale revolutionary war, so as to gain an initial victory in the revolution in one or several provinces until a nation-wide victory is won. At a time when the Government is setting about its work, this notice is specially sent to workers, peasants, soldiers, poverty-stricken people, and all oppressed people throughout the country for their information.

1 December 1931

Chairman:

Mao Tse-tung

Vice-chairmen:

Hsiang Ying

Chang Kuo-t'ao

° "Red China," No 1, 11 December 1931

\* Report No 1, Central Executive Committee, Chinese Soviet Republic

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CSO: 4005

LAND LAW OF THE CHINESE SOVIET REPUBLIC--ADOPTED AT THE FIRST NATIONAL  
CONGRESS OF THE CHINESE WORKER-PEASANT-SOLDIER SOVIET

1 December 1931

[Text] With each passing day the peasants' struggle led by the proletariat is continuing to develop and grow stronger. The soviet movement is cresting and continuing to expand despite the frenzied opposition of the imperialist warlords. It is bringing about the self-arming of the Chinese peasants, the organization of the Red Army, and the liberation of peasants, in one county after another, from the several-thousand-year-long oppression of the feudal landlords. The land owned by these oppressors is being confiscated and distributed, the feudal system is being smashed, and the political power of the Kuomintang is being destroyed to establish the political power of the worker-peasant-soldier soviet. This is the political power that can overthrow the imperialists and bring about agrarian revolution.

The first national congress of the Chinese worker-peasant-soldier soviet approved the confiscation of land held by landlords and other big private landowners and, in order to formulate a unified system of confiscation and distribution, it has proceeded from the basis of serving the basic interests of the peasant masses and the future of the revolution's development to adopt the following land law as the best guaranty for solving the land question.

Article 1.

Regardless of whether they are leased out or self-farmed, land belonging to all feudal landlords, evil gentry, warlords, bureaucrats, and big, private landowners are to be confiscated with no compensation. The confiscated land will be distributed by the poor and middle peasants through the soviet, and the original owners will have no right to participate in the distribution. Hired help, coolies, laborers and farmers, regardless of sex, all have jurisdiction over land distribution. With the approval of the peasant masses, the unemployed independent laborers in the townships and villages will also have similar right to distribution. The aged and the feeble, the lame, and the widows who are unable to engage in labor and who have no family members to provide them with support should be given social assistance by the government of the soviet or handled separately after the distribution of the land.

Article 2.

The Red Army members are advanced fighters who support the political power of the soviet and the overthrow of imperialism, and land must be distributed to them, regardless of whether a soviet has been established in their base areas or whether their areas are still under reactionary rule. And the soviet government will seek means to have this land farmed on their behalf.

Article 3.

As the rich peasants of China have the characteristics of semi-landlords or usurers, their land should also be confiscated, whereas the land of the middle peasant class will not be confiscated. The rich peasants can be given some comparatively poor "land distributed for labor." However, there is one condition, and that is this land must be farmed by their own labor.

Article 4.

Confiscate the land and assets of all organizers of counterrevolution, organizers of armed columns of the White army, and active participants of counterrevolution. However, exceptions may be made of poor and middle peasants who oppose the soviet not of their own volition but by being lured into it, and found by the local soviet to be exemptable from prosecution, but their leaders will be prosecuted unconditionally in accordance with the law.

Article 5.

The first national congress found that the most thorough of all measures to be taken to wipe out all vestiges of feudalism and slavery and to get away from the private ownership rights of landlords is the equitable distribution of all land. However, under no circumstances should the local soviet government implement this through force or by fiat. This measure must be explained to the peasants in a comprehensive manner, and it can be carried out only on the foundation of willingness from the basic peasantry and with their direct support. When the majority of the middle peasants is unwilling, they may abstain from participation in the equal distribution of land.

Article 6.

The soviet government must assiduously strive to turn over to the peasants all shrines, temples, and other public land unconditionally. But, at the time of implementation and handling, the willing support of the peasantry must be obtained on the general principle of not interfering with their religious sentiments.

Article 7.

Should the more opulent farmers attempt to distribute confiscated land on the basis of means of production, it must be sternly stopped as such attempts have

been found by the First Congress to be deliberate attempts to enrich themselves and impede the development of agrarian revolution. In accordance with the local conditions in the villages, the local soviet will select a principle that will serve the best interests of the poor and middle peasants and base the distribution of land on it, or on the basis of availability or scarcity of labor in each family and the size of the family, or, again, distribute equally in accordance with the population count of middle and poor peasants and tenant farmers. Distribution to rich peasants will be made on the basis of available labor units (i.e., in the areas where land is distributed equally on the basis of population distributed land received by rich peasants with available labor should be equal to the land received by each individual under the principle of equal distribution in accordance with populace) with population as a supporting factor. In distributing land, not only is the area of the land but, also, the quality (especially in the form of yields) to be considered. Agrarian reform should also be carried out by all means possible and suitably at the time of land distribution as a step toward whipping out all vestiges of feudalism such as narrow mindedness, one-sidedness, and large (ownership of?) farm lands.

#### Article 8.

Estates and liquid assets of all feudal lords, warlords, landlords, and evil gentry, their houses, storehouses, livestock, and farm implements are to be confiscated. After the land has been distributed to the rich peasants, remaining houses, farm implements, livestock, water pumps, and oil extracting machines are to be confiscated. The confiscated houses are to be distributed on the basis of the interests of middle and poor peasants and through the local soviets, to the poor and middle peasants and through the local soviets, to the poor and middle peasants who are homeless for residential purposes, and some of these houses are to be allocated for use as schools and clubs, by the committees of local soviets, of the party, and of the youth league, and by the red trade unions, poor peasants groups, and various organizations and agencies. Livestock and agricultural implements may be distributed to each family or to groups of poor and middle peasants. In accordance with the wishes of the peasantry, the various confiscated agricultural tools can be utilized as the preliminary step to forming cooperatives, or through the suggestion of the peasantry, and with the concurrence of the soviet, they can be used to establish a livestock-agricultural implement administrative office to provide the poor and middle peasants with these things for use in their farming work. The administrative office should be managed by the local soviet, the peasants should pay rentals at a fixed rate, and all repairs of agricultural tools and implements and the subsidizing of the administrative office's workers, as well as the procurement of new tools and livestock should be reimbursed by the peasants at a certain percentage of the expenditures.

#### Article 9.

While the assets and the land of landlords and evil gentry are being confiscated, all verbal and written agreements on tenancy rents must be wiped out,

erasing all obligations and debts to these assets and land, and also proclaim null and void all debts and usury (debts). All agreements between former landlords and peasants for voluntary return and reimbursement should be strictly prohibited by revolutionary law, and the peasants should not be allowed to return in part the land once owned by the landlords and evil gentry or partially reimburse the debts owed them.

#### Article 10.

All water conservancy works, rivers, lakes, streams, timberland, pastures, and large, wooded mountains are to be managed by the soviet and construction carried out which will facilitate public use of these resources by poor and middle peasants. In accordance with the wishes of the local peasantry, mulberry groves, bamboo groves, tea hills, and fish ponds are to be allocated to them for use in the same way as paddy or wheat fields.

#### Article 11.

For the concrete and thorough realization of the benefits of agrarian reform, the First National Congress of the Chinese Worker-Peasant-Soldier Soviet has proclaimed the tenant farmers' union, the manual laborer's union, the poor peasants group, are necessary groups, and viewed these organizations as the pillars of the soviet implementation of agrarian revolution.

#### Article 12.

The First National Congress of the Chinese Worker-Peasant-Soldier Soviet holds that under the political rule of the Soviet the nationalization of land and water conservancy works is a necessary step toward the thorough elimination of all feudal relationships in the rural areas, which is, in fact, to bring about a surging, rapid development of the rural economy. However, the actual implementation of this measure will be possible only under the condition that the agrarian revolution is victorious in the crucial areas of China, and there is basic support of nationalization by the peasant masses. At this stage of the revolution, the soviet government should explain to the peasants the benefits to be derived from the nationalization of land and water conservancy works. But, at present, the buying and selling of land, and the leasing of it are not prohibited. However, the soviet government should, at the same time, strictly prohibit speculative activities of the rich peasants in buying back their original land from the land owner.

#### Article 13.

If the situation is favorable, the local soviet is to operate the following enterprises: 1. land reclamation; 2. handling of population relocation; 3. building new and improvign existing drainage and irrigation systems; 4. planting forests; 5. speeding up construction of roads and enterprises to impel the development of the rural economy.

Article 14.

This law is applicable not only in current soviet areas, but also in non-soviet areas and areas where soviet power had been newly established. If the land already distributed in the various soviet areas conform with this law, it will remain as it is, but those not conforming to this law should be redistributed.

Hsiang Ying [7309 5391], Chou I-li [0719 0110 2698], Tseng Shan [2572 1472], Teng Fa [6772 4099], Chang Ting-cheng [1728 7844 0015], Chen Ching-jen [7115 2973 0086], Chu Teh [2612 1795].

Standing Committee Chairmen, Presidium of the First National Congress of the Chinese Worker-Peasant-Soldier Soviet.

Mao Tse-tung, Chairman, Central Executive Committee of the Chinese Soviet Republic

Hsiang Ying, [7309 5391], Chang Kuo tao [1728 0948 3614] Vice Chairmen  
1 December 1931.

°Land Law of the Chinese Soviet Republic (printed)

\*Northern Edition of HUNG CHI, Vol 15, 25 October 1931

\*Soviet Laws, Vol 2, Judicial People's Delegates Section (Moscow) July 1934

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## ECONOMIC POLICY OF THE CHINESE SOVIET REPUBLIC

1 December 1931

[Text] For the development of agrarian revolution and anti-imperialism, and for the consolidation of the revolutionary union of workers and peasants, the First National Congress of the Chinese Worker-Peasant-Soldier Soviet sets forth the following articles as the basis of the current economic policy of the soviet.

### I. Industry

1. To ensure a completely independent government of the soviet, all economic life lines in the hands of imperialism (such as concessions, customs, banks, railroads, navigation, mines, and factories) are to be nationalized. Lend-lease contracts will be re-negotiated on some foreign business enterprises currently being allowed to operate and production will continue. However, they must abide by all the laws of the soviet, implement an 8-hour work day system and carry out various other regulations. Should the owners of these enterprises contravene these conditions, engage in work slow-downs, shut down the enterprise, or interfere in the domestic affairs of the soviet government and support the counterrevolution, then the enterprises are to be immediately confiscated and nationalized.

2. With regard to business enterprises and handicraft industries run by Chinese capitalists, the soviet will not nationalize them, but allow them to remain in the hands of their original owners. However, they will be operated under the supervision of workers, the factory committee and the trade union. But, should the owners of these business enterprises slow down production, sabotage the laws of the soviet, or participate in such counterrevolutionary activities as deliberately sabotaging or slowing down production, these business enterprises will be confiscated immediately and, in accordance with concrete conditions, handed over to the workers labor cooperative or the soviet government to manage.

3. Strive strenuously to further the development of industry. The soviet government pays special attention to ensuring the development of all business enterprises that supply the Red Army (factories, workshops, handicraft industries, home enterprises, etc.).



## II. Commerce

1. The soviet should guarantee freedom of commerce. It should not interfere with the routine workings of the commodity market. But the soviet must strictly prohibit such speculative activities by businessmen as the raising of prices. It should disband chambers of commerce and prohibit big and small merchants from monopolizing prices in the name of the chamber of commerce. Should it discover sabotage or economic blockage by businessmen, thereby endangering the supply of basic daily necessities needed by the masses, or because of Red Army needs, the soviet government should set price ceilings on basic commodities. These measures are to be taken only when they are necessary, and, when it becomes possible, freedom of commerce is to be restored.

2. In trade with non-soviet areas, "monopoly of foreign trade" absolutely cannot be implemented as yet, but, at the same time, the soviet government should supervise such trade in order to ensure a supply of basic necessity commodities to the soviet area. The outflow of currency must have the permission of the soviet.

3. For the trade of the entire soviet area and to ensure the interests of the working poor and to improve the supply of necessary commodities to the masses, the soviet must extend all-out assistance to the organization and development of consumer cooperatives. The soviet should give financial aid and grant tax exemptions to cooperatives, and it should turn over in part some of the buildings and shops that were confiscated for the use of the cooperatives. Moreover, in order to guarantee supply to the laboring masses, the government should promote public warehouses to store food grains so as to be able to give aid to the masses or sell the grains to them at a low price.

## III. Finance and Revenue Laws

1. Wipe out the entire tax system of the warlord government of the Kuomintang and its unlawful levies, the soviet will promulgate a unified progressive tax so that the burden will fall, instead, on the capitalists. The soviet government should exempt from taxation the Red Army, workers, and families of the poor in urban and rural areas. In cases of unforeseen disasters, taxes should either be remitted or reduced.

2. Negate all past verbal and written agreements of slavery and usury, void all usurious obligations of peasants and the poor of the cities, prohibit anticipatory taxation or debtor's bondage. The revolutionary laws should be applied so as to strictly guard against, and also prevent, all attempts to restore relations between usury and slavery. All items pawned by the urban and rural poor are to be returned to their original owners without compensation, and the pawnshops are to be turned over to the soviet.

3. Old currency notes, for the present, are to be permitted to circulate in the soviet areas, but market differences must be eliminated. However, these old currency notes must be given scrutiny and verification to facilitate

supervision. The soviet should issue its own currency notes and exchange them for the old, and, at first, the old currency notes may be kept in circulation with the addition of a stamped marking. All currency notes from other areas must be exchanged for the soviet notes or the stamped currency notes.

4. As a step toward helping all the working poor and to implement a uniform currency system, the soviet should establish a Worker-Peasant Bank and open branches in the various areas of the soviet. This bank has the special authority to print currency. It will process loans to people engaged in peasant family enterprises, and to cooperatives and small businessmen for economic development. It shall carry out currency exchange, and its branches will, in addition, act as the taxing agency.

5. The soviet should dispatch representatives to keep an eye on the activities of this bank and all other big, privately owned banks and money changers, and prohibit them from issuing any kind of currency. The soviet shall strictly prohibit all attempts by bankers to utilize local banks and engage in counter-revolutionary activities.

#### IV. Municipal Administration

1. Necessary adjustments should be made by the soviet to lighten the rent burden of the urban poor. The houses and assets of landlords, despotic gentry, warlords, bureaucrats and politicians are to be confiscated, the houses are to be turned over to workers, laborers, and apprentices for residential purposes, and the assets are to be divided by the urban poor or applied to public enterprises by the soviet. The urban soviet should utilize all means to improve the housing conditions of the poor.

Hsiang Ying, Chou I-li, Tseng Shan, Teng Fa, Chang Ting-cheng, Chen Cheng-jen,  
and Chu Teh

Executive Committee Chairmen,  
The Presidium,

The First National Congress of the Chinese Worker-Peasant-Soldier Soviet,

Mao Tse-tung, Chairman

Central Executive Committee of the Chinese Soviet Republic

Hsian Ying, Chang Kueo-tao, Vice Chairmen

1 December 1931

\* "Soviet China," Soviet Union Foreign Workers Publishing House (Moscow) 1933

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CSO: 4005

CIRCULAR FOR THE ARREST OF KU SHUN-CHANG, TRAITOR TO THE REVOLUTION

Unnumbered directive of the People's Committee of the Provisional Soviet Central Government.

10 December 1931

[Text] To the various levels of soviet government in the provinces, counties, districts, and villages of the soviet areas and the Red Guards units of the Red Army and the broad working masses of workers and peasants:

To the workers and peasants in the areas under White rule and all oppressed masses:

When he was arrested by the counterrevolutionary investigative units of the Kuomintang in Hankow on 25 April 1931, the renegade Ku Shun-chang (also known as Li Ming [2746 2494], originally called Ku Feng-ming [7357 7364 7686] and has gone under the aliases of Hua Kuang Chi Ni Shu Shih [0553 1684 1142 778 5880 1597]. About 27 or 28, native of Wu Sung [0702 2646], Shanghai; short in build with bulging eyes and prominent nose) immediately capitulated to the reactionary regime and revealed the existence of the multi-county soviet government of western Kwangtung Province a communication complex of the Chinese Communist Party located in Wuhan office of the Red Second Army Corps. This resulted in a sweep and the capture of a dozen or so revolutionary fighters who were all murdered out of hand by the Wuhan reactionary government later. He even revealed a worker on a steamship plying the river who was sympathetic to the revolution and of whose existence he alone knew, thereby sending the worker into the prisons of the counterrevolutionaries. With such a bloody price and the assurance it brought him to back him up he repeatedly cabled Nanking requesting a personal meeting with Chiang Kai-shek, and upon arrival in Nanking, he not only secretly reported to the Kuomintang counterrevolutionaries about the organizational set-ups and activities of the Chinese Communist Party, the soviet government, the Red Army, and all revolutionary groups of worker-peasant masses, he also identified Yun Tai-ying [1926 0108 5391], a member of the Central Committee of the Chinese Communist Party and a national leader of revolutionary youths, who had already been sentenced to prison by the Nanking government with other comrades. All of them were immediately shot by the counterrevolutionaries. At the same time he disclosed the five residential locations

of Chou En-lai, Chu Chiu-pai [4234 4428 4101], Li Wei-han [2621 4850 3352] and other members and leaders of the Chinese Communist Party's Central Committee, whom he had come to know while he was in Shanghai, to the counter-revolutionaries. Orders were immediately cabled to the Shanghai Bureau of Public Safety and, in coordination with imperialist police, raids were carried out at the residences of each of the individuals. Fortunately, these comrades had already left Shanghai at that time and escaped harm. Following this, he repeatedly sent relatives and household members to Shanghai and, using what knowledge he had, investigated the whereabouts of the Chinese Communist Party organization and revolutionary groups and their leaders. Unfortunately, it was in this net that he had spread that Comrade Hsiang Chung-fa [0686 1813 4099], General Secretary of the Chinese Communist Party, was taken and killed. This became the greatest contribution made by Ku Shun-chang in his betrayal of the revolution and capitulation to counterrevolution. Thenceforth, Ku Shun-chang gradually became an important official in the K K assassination organization of Chiang Kai-shek. He became an assassin for Chiang Kai-shek in the company of such counterrevolutionary criminals as Ch'en Kuo-fu [7115 2654 1133], Ch'en Li-fu [7115 4539 1133], Hsu En [1176 1869], and Tseng Chang-fu [2582 2254 5706].

In spite of the fact that the Chinese Communist Party and the revolutionary mass organizations are under extremely difficult conditions of White terror, their organizations have become even more consolidated and tightly knit with the help of the support given by the revolutionary masses, the recent victories won by the Red Army in the soviet areas, the founding of the Provisional Soviet Central Government, and the upsurge of the anti-Kuomintang, anti-imperialist struggle waged by the worker-peasant working masses in White dominated areas. They are even more determinedly leading the worker-peasant masses to rally around the soviet banners and carry on the struggle. Therefore, the venomous plans of renegade Ku Shun-chang to wipe out the revolutionary organizations and revolutionary leaders were not successful. This, therefore, lead to changes in tactics, and baldfaced charges were made to slander our revolutionary comrade leaders and the Chinese Communist Party Central Committee and make them out as murderers in an attempt to use this vicious stratagem to destroy the trust the masses have in the Chinese Communist Party and its leaders. In an even more despicable move, Ku Shun-chang himself published notices in the newspapers calling for the arrest of Comrade Chou En-lai and other leading members of the Chinese Communist Party. He also declared that he had never harmed anyone in the Communist Party, and he had been sequestered in scholarly pursuits in his home. Such shameless denials can never cover up the bloody havoc wrought upon the revolution by his viciously cruel and poisonous hands. This is obvious to everyone in the revolutionary masses. As for arrest warrants, it is not necessary to wait for renegade Ku Shun-chang's notices in the newspapers. Every revolutionary fighter and the worker peasant masses will have their names on the wanted list of the counterrevolutionaries when they physically take part in the revolution, and their lives are forfeit if captured.

Class animosity has reached the stage of struggle to the death, because those that the Kuomintang wanted the counterrevolutionaries to arrest are those the broad working masses of workers and peasants want to support. Anyway, such cruel and fiendish renegades as Ku Shun-chang are abetted by the Kuomintang counterrevolutionaries, and they are precisely the ones the working masses of workers and peasants want to wipe out. Landlords, bourgeoisie, Kuomintang warlords, and bureaucrats are the kind of people the counterrevolutionaries are dependent upon, and they are now at the end of their tether. Whereas those who take part in the revolution, and those who support it, are the extremely broad masses of workers, peasants, the poor of the urban areas, and all oppressed people. And the victorious government of the soviet and the Chinese Communist Party are leading them to wrest nationwide victory for the revolution. The high tide of revolution is continuing to crest, and the 200,000 to 300,000 soldiers of the Kuomintang have been defeated time and again by the worker peasant Red Army, with the Red Army encountering very little resistance from them. So how can one Ku Shun-chang and the Chiang Kai-shek killer organization, the K K group, destroy the revolution? On the contrary, they will be drowned in the huge waves of the revolution!

For this purpose, the Provisional Soviet Central Government issues a special order to the various levels of soviet government, the Red Army, and the Red Guards of various areas, and also proclaims to the working masses of workers and peasants throughout the country to be on special alert against the devious machinations of the Kuomintang counterrevolutionaries and, with one mind, endeavor to capture this renegade, Ku Shun-chang. If this renegade is found in the soviet areas, he is to be captured and handed over to a revolutionary court to stand trial. If he should be encountered in areas under White rule, every revolutionary fighter, every worker, peasant, or the poor has the duty to eliminate him. The capture and destruction of this renegade Ku Shun-chang is a conscious and glorious duty of every revolutionary fighter and of the worker-peasant masses. Such methods as rewards and bribery used by landlords, capitalists, and running dogs of counterrevolution cannot be used to insult us, the exploited and oppressed masses. The broad worker peasant masses!

Consolidate your fronts and strive with one accord for the capture of Ku Shun-chang!

Spread the revolutionary struggle and thoroughly eradicate Chiang Kai-shek's killer organization, the K K!

Mao Tse-tung, Chairman  
Hsiang Ying, Chang Kuo-tao, Vice Chairmen

People's Committee

10 December 1931

° HUNG CHI Weekly, Vol 27, 17 December 1931

\* Historical Material on the Ebb and Flow of Power Within the Chinese Communist Party. Edited by Hsiao Tso-liang [5618 0155 2733] University of Washington 1967.

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OPEN LETTER TO THE PEOPLE OF THE WHOLE COUNTRY ON THE BETRAYAL OF CHINESE  
NATIONAL INTERESTS BY THE KUOMINTANG REACTIONARY GOVERNMENT

11 December 1931

[Text] Dear Beloved workers, peasants, soldiers and revolutionary students! The Kuomintang reactionary government is once more engaging in new secret deals to betray China, the Chinese national interests, and the Chinese people. According to the news in the papers: The Kuomintang government has reorganized the setting up of a neutral zone in Chin-chou, has proposed the organizing of international control of Tientsin and has recognized all previous secret treaties betraying the country and the national interests.

Brothers and sisters! Do you all understand what this means? It means that tens of thousands of li of territory in Manchuria and several tens of millions of people are irrevocably lost to Japanese imperialism and for them to trample upon! It means that Chin-chou and Tienstsin are to be presented on a platter to international imperialism and for them to despoil, and it is to put heavy chains and shackles on the 400 million people of China so that generation upon generation of our children will be forever subjugated to the oppression and exploitation of Japanese and International imperialism and become slaves without a county! Brothers and sisters! This is unprecedented and shocking news of plotting to betray the nation, but the reactionary ruling class is clamoring such lies as "revolutionary diplomacy," "final preparations," and "march north to recover lost territory." This is truly the most shameless plot ever hatched under the sun!

Brothers! Sisters! Can we allow the reactionary rule to connive freely with imperialism to carve us up like sheep? Can we watch our land being forcefully taken away by Japanese imperialism? Can we endure the cruelest kind of oppression, slaughter, and humiliation suffered by slaves in the colonies? Can we silently watch our own brothers being whipped, killed, and slaughtered? Can we unfeelingly watch our sisters being molested, insulted, and raped? No! No! Ten thousand times no! We must rise in unison to oppose, oppose the aggression of Japanese and international imperialism, oppose the shameless capitulation of the Kuomintang rulers, to imperialism, and its betrayal of China! Go on

strike, boycott classes, and stop work! Seize the weapons of the reactionaries to arm ourselves and let us all strive to drive out Japanese imperialism and overthrow the running dogs of imperialism--the Kuomintang!

Brothers! Sisters! Can we still have any illusions and hopes for the Kuomintang rule? The Kuomintang rule has brought year after year of famine without end, caused tens of millions of the working masses to live a life of suffering, homeless, destitute, hungry, and cold, turned millions of jobless workers in the streets with no means of livelihood, fomented endless wars of the warlords which resulted in the death of tens of thousands of soldiers, whose bones lie scattered in the wilderness, made orphans and widows homeless, manufactured countless tragic incidents and secret treaties undermining national interests and humiliating the nation, and caused China to fall under the iron heel of imperialism with no hope of emancipation. Can we have one more minute of patience with the reactionary rule whose crimes stink to high heavens? No, no, ten thousand times no! What should we do, then? We should all rise as one and topple this reactionary rule of the Kuomintang! Organize and unite, prepare our forces and weapons, and carry out armed uprisings to overthrow the Kuomintang rule and establish a people's own government! Carry out a war of anti-imperialism and national liberation under the leadership of our own political power!

Brothers! Sisters! Can we be victorious over Japanese and international imperialisms after we overthrow the reactionary rule and organized our own political power to fight a revolutionary war? Can we smash the well-trained and well-supported troops of imperialism? Yes, yes, ten thousand times yes! After 4 years of massive war, the bone-weary worker and peasant masses of Russia relied on their own power and the leadership of the Bolsheviks to smash the allied army of 14 nations. And so can we. The unity of tens of millions of people is a force that is superior than all the planes and artillery of the imperialists, and, what is more, we have the proletariat of the world, the oppressed slaves of the colonies, and the USSR, which occupies one-sixth of the world, on our side. Rise up, overthrow the reactionary rule of the Kuomintang, establish our own government, and wage a bloody war to the death with imperialism!

Brothers! Sisters! The Provisional Central Soviet Government announces to you: The soviet government is the only revolutionary government that opposes imperialism to the end. With the objective to achieve the complete independence and liberation of the Chinese nation, we oppose all open and secret unequal treaties between the reactionary government of China and imperialism; we oppose secret diplomacy; we propose the ousting of all land, sea, and air forces of imperialism from China; we propose the confiscation of all banks, mines, railways, and enterprises of imperialism in China; we deny all foreign debts; we regard the Kuomintang governments in Nanking and Kwangtung as no different from the traitorous government of landlords and the capitalist class, and they have no right whatsoever to represent the working masses of China. The soviet government holds that all negotiations and agreements between them and imperialism are null and void. With regard to the Manchuria incident, we

propose the immediate and unconditional pull-out of all Japanese troops from China, abrogate all Sino-Japanese treaties, confiscate all Japanese banks, mines, railways, and business enterprises in China, recover all foreign concessions, abolish consular jurisdictional rights, and draft new and equal treaties with due respect to the independence and freedom of Soviet China. Otherwise, we shall carry out a resolute war of national liberation against the Japanese imperialists. However, in order to attain the independence and liberation of the Chinese nation, in order to carry out the war of national liberation and achieving victory, it is necessary to first of all overthrow the traitorous, counterrevolutionary Kuomintang government, the betrayer of Chinese national interests, and establish a soviet type democratic dictatorship of workers and peasants over the entire country!

Brothers! Sisters! Imperialist aggression is becoming more and more ruthless, the national betrayal of the Kuomintang is becoming more despicable day by day, and the sufferings of the working masses have become more and more unbearable! Rise up, the working masses of the entire nation, unite, organize, and arm to fight a decisive battle with imperialism and with the Kuomintang! Rally around the banner of the soviet and wipe out the counterrevolutionary rule of the Kuomintang with the worker-peasant revolution, overthrow the semi-colonial type of rule of imperialism in China, and achieve the freedom and liberation of the Chinese nation and the Chinese people! Oppose imperialism and oppose the oppression and the butchering of the anti-imperialist movement by the Kuomintang with strikes, school boycotts, and work stoppages!

Arm the masses and drive out Japanese imperialism!

Abrogate all negotiations and secret treaties between the Kuomintang and imperialism!

Overthrow the counterrevolutionary rule of the Kuomintang!

Down with imperialism!

Support the Provisional Central Government of the Chinese Soviet Republic--the Chinese people's own government!

Support the Red Army--the Chinese people's own, and the only armed force that opposes imperialism to the end!

Long live the independence and liberation of the Chinese nation!

Long live Soviet China!

Mao Tse-tung, Chairman

Hsiang Ying, Chang Kuo-tao  
Vice Chairmen



The Provisional Central Revolutionary  
Government of the Chinese Soviet Republic

Fourth Anniversary of the Kwangtung Uprising, December 1931

o "Soviet China," Soviet Russia Foreign Workers Publishing House (Moscow)  
1933

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## IMPORTANT DIRECTIVE ON CONSTRUCTION OF THE SOVIET

15 December 1931

[Text] In the past, the organization of the various levels of the soviet has been poorly structured. First, administrative areas were too large to facilitate administration; second, too many levels of government slowed the flow of directives and caused poor liaison; and, third, of special importance is the fact that election procedures were not comprehensive. The election of various levels of government was done either by simply calling mass meetings or by convening representatives meetings or joint conferences of chairmen without passing through the various stages of the election process. Especially the basic organization of the soviet--the urban and rural soviets--had not been truly established. Fourth, the division of labor and the work procedures within the various levels of government were, on the whole, unsuitable. All of the above contradicted the constitution of the soviet and the laws and regulation of the central government.

The provisional central government now announces that the county government in the various areas must begin anew to delimit administrative areas and reorganize the various levels of government in accordance with the constitution and the provisional laws and regulations proclaimed by the central government. First in importance is the re-demarcation of (administrative) areas and villages (abolishing hamlets and small units) in accordance with the provisional regulations governing the delimiting of administrative areas. Next is the election of village and town soviets (these are the basic organizations of the soviet) in accordance with the election process, and then, in accordance with the provisional laws and regulations governing the organization of local governments, reconstruct the entire structure of the soviet from the village and town levels to the provincial soviet. This is a task of the utmost importance and every level of local government must, with the greatest determination and with all its power, carefully and meticulously carry it out. Only by so doing will we be able to avoid having the re-delimited administrative areas become as full of faults and riddled with imperfections as the former ones were, and only thus can the various newly reorganized levels of government avoid becoming like the old. If such weaknesses are to be eliminated the various provincial governments must exert their greatest efforts in directing this movement to construct the local soviets. Besides giving instructions the issuance of various notices with detailed specifics, conferences of

persons with principal responsibilities in the two levels of county and administrative area governments are to be convened at local sites and provincial locations. Then, select a suitable [deletion] to call a meeting of persons with principal responsibilities in the various village governments, with the provincial and county governments dispatching personnel to direct these meetings and discuss clearly and in detail the significance of the soviet construction movement and the practical ways to carry it out. Moreover, the leadership must dispatch personnel to various counties to inspect when the actual delimiting of administrative areas and reelection of governments are in progress in order to resolve difficulties and problems and correct errors as they arise. The direction of administrative areas by county, and village by administrative area, should follow this procedure. It is imperative to achieve excellent results in this current movement of soviet construction.

The two provinces of Kiangsi and Fukien, and the affiliated county of Jui-ching, have set the period beginning from 20 December 1931 to 31 March 1932 as the period for the movement of constructing soviets in accordance with the new laws. The soviets of these two provinces and of Jui-ching county, should immediately draw up suitable work schedule during this set period to enable the re-delimiting of administrative areas and election of various level soviets to be accomplished in a planned and successful manner within period of 100 days (the delimiting and election of the first level of village will consume a major portion of the effort and time), as well as keeping the central government constantly informed of what has transpired so that it can give timely directions. The other provinces are to implement as of date of receipt of this directive.

By order of

Mao Tse Tung, Chairman

Hsiang Ying, Chang Kuo-tao, (Vice Chairmen)

Executive Committee of the Central Government

15 December 1931

o "Red China," Vol 2, 18 December 1931

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RESOLUTION ON THE EXECUTION OF THE LABOR LAW

20 December 1931

[Text] The following decision has been made by the Central Executive Committee on the execution of the labor law:

1. It is to be executed in accordance with the articles of the labor law passed by the First National Congress of the Chinese Worker-Peasant-Soldier Soviet.
2. This labor law becomes effective as of 1 January 1932.
3. Following the implementation of this labor law all decrees and laws and decisions on labor questions previously announced by the various levels of government become ineffective.
4. The People's Committee and the Ministry of Labor of the Central Government can promulgate various special laws, specific regulations and tables in accordance with the regulations set forth in the labor law and to expand their applications.
5. Should there be amendments and addenda to the labor law it will be done by order of the Central Executive Committee.
6. This labor law is effective within the territories of the Chinese Soviet Republic.
7. Offenses against the various articles of the labor law and all other laws regarding labor to be promulgated in the future will be punished in accordance with the penalty set forth in the criminal code.

Mao Tse-tung, Chairman  
Hsiang Ying, Vice Chairman  
Chang Kuo-tao, Vice Chairman

Central Executive Committee

20 December 1931

o "Soviet China," USSR Foreign Workers' Publishing House (Moscow) 1933

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## LABOR LAW

Adopted at The First National Congress of the Chinese Worker-Peasant-Soldier Soviet

Issued 1 January 1932

[Text] Chapter One. General Provisions

### Article 1.

All hired workers in businesses, factories, mines, and workshops, as well as all production enterprises and various organizations (State, cooperative, and private are all included) should enjoy the provisions of this labor law.

### Article 2.

Fighters and commanders serving in the Army, Navy, and Air Force of the Chinese Soviet Republic are not subject to the restrictions of this law.

### Article 3.

Collective labor agreements and other labor contracts, regardless of whether they have, or have not, been put into effect, are all declared ineffective if their conditions of labor are inferior than those stipulated under this law.

### Article 4.

Besides enjoying the benefits of the working conditions stipulated by regulations proclaimed separately by the Central Executive Committee, the People's Committee, and the Ministry of Labor, tenant farmers, forestry workers, seasonal workers, transportation workers, coolies, female domestics and kitchen help, and other workers with special job descriptions are also covered by the general stipulations of this labor law.

Article 5.

A separate determination will be made by the Ministry of Labor of the Central government on the weight of loads handled by manual laborers (including stevedores, cart pullers, boat handlers, sedan chair bearers, and pole carriers) and specific regulations covering the entitlement of independent laborers to the rights stipulated under the labor law when hired will be proclaimed separately by the Ministry.

Chapter Two. Hiring Procedures

Article 6.

The process of hiring workers must be handled by trade unions and employment offices and it must be based upon the collective contract. All types of contracting on piece work system and foreman contracting system made by the so-called foremen, labor contracting personnel and compradores, as well as by any private agencies are strictly prohibited.

Article 7.

All employment offices must be organized by the labor departments of the various levels of government and it is strictly prohibited to set up private employment offices or hiring agencies.

Article 8.

Requiring workers to pay for finding them jobs or garnishee their wages for compensations for so doing.

Article 9.

Those who are in search of work shall register with the employment offices set up in various localities by the Ministry of Labor and be listed in the register of unemployed workers.

Chapter Three. Collective Contracts and Labor Contracts

Article 10.

A collective contract is an agreement drawn up between the trade union representing the workers and staff on the one hand and the employer on the other. In this collective contract are stipulated the job requirements as set forth by employers in businesses and organizations, and private and household employers for the employee. In this contract the contents of the contract agreement to be drawn up between the employer and the employee are further stipulated.

Article 11.

The stipulations of the collective contract are applicable to the entire body of workers in businesses or organizations regardless of whether they have or have not joined the trade union.

Article 12.

Collective contracts duly registered with the Ministry of Labor become effective as of the date of signing by both parties concerned or as of the date set forth in the contract.

Article 13.

A labor contract is an agreement between one or several workers and the employer, and should the conditions of the labor contract be inferior to the conditions set forth in the current labor law or in the collective contract they are to be completely nullified. The length of the effective period of the limited collective contract and labor contract shall not exceed 1 year. The union has the right to request cancellation before the end of the contracted period.

Chapter Four. Working Hours

Article 14

In accordance with the stipulation of this labor law, the normal daily working hours for all hired workers shall not exceed 8 hours.

Article 15.

The daily working hours for young workers between the ages of 16 and 18 shall not exceed 6 hours, and those for child workers between the ages of 14 and 16 shall not exceed 4 hours.

Article 16.

All workers in industrial departments hazardous to health (such as underground mining for lead, and zinc and other work with poisonous substances) shall have their daily working hours curtailed to less than 6 hours, and in certain kinds of work in industries which are harmful to health the daily working hours shall be curtailed to a certain number of hours, and this will be stipulated and proclaimed by the Ministry of Labor.

Article 17.

The normal work period for night workers shall be 1 hour less than normal working hours (an 8-hour normal working day will be shortened to 7 hours, a 7-hour day to 6 hours, and so on).

(Note) Night work is defined as the work hours beginning at 9 in the evening to the morning hours of the next day.

#### Article 18.

All industrial and seasonal work shall not exceed the time limit set by this labor law, with the exception of those certain industrial departments that have been specially authorized to do so by labor inspection organizations or by trade unions.

#### Chapter Five. Rest Periods

#### Article 19.

Every worker shall normally have a continuous 42 hours of unbroken rest every week.

#### Article 20.

Workers who have worked continuously for over 6 months in any business enterprise must have at least 2 weeks vacation with pay. Workers engaged in industries with health hazards shall have at least 4 weeks vacation with pay each year.

#### Article 21.

All work shall cease on the following commemorative and festive days: a) 1 January, New Years; b) 21 January, the anniversary of the death of Lenin, the leader of world revolution; c) 7 February, the day commemorating the massacre of Peking-Hankow railway workers by the warlords; d) 18 March, commemorating the Paris Commune; e) 1 May, International Labor Day; f) 30 May, commemorating the 30 May Massacre and Anti-imperialism Day; g) 7 November, marking the proletarian revolution and the founding of the Chinese Soviet Republic; h) and 11 December, commemorating the Canton Uprising.

(Note) The labor departments at various levels of government may, in consultation with the local general trade union and in accordance with the local situation, set aside local commemorative days as special rest days and wages will be paid as usual for these commemorative rest days.

#### Article 22.

Working hours on the eve of rest days, commemorative days, and festive days shall be 6 hours at the most.

#### Article 23.

The daily work hours specified in this labor law include a meal time of from 30 minutes to 1 hour for which wages shall not be deducted.



Article 24.

Leaves of absences due to sicknesses and pregnancies given to workers and staff are not to be included in the vacation period stipulated under Article 20.

Chapter Six. Wages

Article 25.

The wages of any worker shall not be less than the actual minimum wage level stipulated by the Ministry of Labor. The minimum wage level of the various industrial departments shall be reviewed at least once every 3 months by the Ministry of Labor.

Article 26.

The actual wages in various business enterprises (State or private shall be stipulated through the collective contract entered into by the workers (as represented by the union) and the owner or manager of the business enterprise.

Article 27.

Workers are to be paid double wages for extra work specially authorized by labor inspection agencies and the trade unions.

Article 28.

Workers working on rest days or commemorative days with authorization from the labor inspection agency shall receive double wages.

Article 29.

Female and young workers doing the same work as adult male and female workers shall receive equal pay. Although child and young workers have a shortened work period, their wages shall be calculated on the basis of an entire day's work in accordance with the wage level of that profession.

Article 30.

Pay for night work shall be higher than for normal (day) work. A one-seventh increase in wages shall be made for those working 8 hours of night shift and one-fifth for those working the 6-hour schedule (hazardous work) at night. Those who work nights on a piece-work basis shall not only receive their earned wages but also have their wages increased by one-fifth of their average pay if they work 8 hours.

Article 31.

Wages are to be paid in cash (not in kind) and they shall be paid once every week or once every half-month. (This shall not be later than half a month and the accumulation of unpaid wages by any means is prohibited), and shall be paid directly into the hands of the worker.

Article 32.

Vacation pay shall be paid to workers and staff before they go on vacation each year.

Article 33.

On piece work employment the workers (with the trade union representing the worker) and the employer may draw up a collective contract. Daily production rate and daily median wage shall be stipulated on all piece work (to be calculated on the basis of time required for each piece of work in every industry).

Chapter Seven. Female, Youth, and Child Workers.

Article 34.

The following articles specially protecting female, youth, and child workers are formulated in addition to the general rights they enjoy under the chapters of this law.

Article 35.

Female, youth, and child workers are prohibited from working in industrial departments where the work is complicated, heavy or dangerous. The industrial departments where female, youth, and child workers are to be prohibited will be reviewed and announced by the Ministry of Labor (such as underground mining, rubber, lead, copper, resin, tin foundries and other similar areas of work where the work area is either too high or too low).

Article 36.

Female workers are prohibited from working in any business enterprise where lift loads exceed 40 catties. Should it be necessary to include some female workers in some special industries or in the course of operation, their work periods should not exceed two-thirds of normal work time.

Article 37.

Male or female workers under the age of 18, or female workers who are pregnant or with nursing infants are strictly prohibited from doing night work.

Article 38.

All female workers engaged in physical labor will rest for 8 weeks before and 8 weeks after giving birth and their wages will be continued during this period. Female staff in organization engaged in mental labor (such as female clerks and secretaries) shall rest with pay for 6 weeks before and 6 weeks after giving birth. Two weeks rest with pay is given for miscarriages.

(Note) Wages paid to female workers for the period of rest preceding and following the giving of birth and for miscarriages are to be borne by the owner of the factory. Where social insurance offices have been established it will be paid through them.

Article 39.

It is not permitted to terminate female workers during the period covering the 5 months preceding the giving of birth and 9 months after giving birth. Without obtaining their agreement they cannot be sent out on business or transferred to another locality.

Article 40.

Besides enjoying the regulations under Article 23 of this Labor Law female workers with nursing infants will have a regulated half-hour rest every 3 hours for the purpose of nursing the baby and wages are not permitted to be deducted for this. Furthermore, a nursery and nursing room will be set up in the factory and the factory will be responsible for employing personnel to look after them.

Article 41.

The hiring of males and females under the age of 14 is strictly prohibited and child workers between the ages of 14 and 16 can be hired only after permission has been given by the labor inspection agency.

Article 42.

A complete and thorough registration of ages, work periods, and wages of youth and child workers must be made by every business enterprise.

Article 43.

Vocational or factory schools will be established to further advance the skills of young workers and they will also be provided with supplementary education. The factory will cover the expenses. The old system of apprenticeship and the apprentice system fostering the development of various types of wages are strictly prohibited. All conditions inferior to the stipulations carried in this labor law (such as wages, hours, and benefits) are proclaimed null and void.

## Chapter Eight. Work Safety

### Article 48.

All sorts of fines and docking of wages must be strictly prohibited. Reimbursement for damages is also prohibited. At the same time, collection of money for security collateral or for salary savings are strictly prohibited.

### Article 49.

No wage deductions should be made for work stoppage during production due to the factory's fault (such as damage to machinery, insufficient raw materials, and the factory's inability to implement regulations set forth by the Soviet).

### Article 50.

Regardless of the length of time involved, there shall be no docking of wages of workers participating in soviet elections, attending a mass meeting of the soviet, going to a mass meeting or conference of workers and staff, performing the work of a factory committee member, or being summoned by a court as a material witness, an expert witness, or to jury duty.

### Article 51.

Workers and staff losing their jobs on being conscripted for military service with the Red Army are to be compensated with 3 months average wages before their departure.

### Article 52.

Employers must provide workers with tools and they shall not deduct wages for the usage of the tools. If the worker uses his own tools, the employer will reimburse him the original cost. A detailed method will be worked out in the collective contract.

### Article 53.

The factory will fund the construction of workers' dormitories and allocate them to workers and their families free of charge. Factories which have not yet constructed dormitories will subsidize workers with a suitable sum of rent money every month.

### Article 54.

The employer shall issue half a month's average wage as severance pay if workers and staff are willing to dissolve the labor contract. If the employer terminates workers or staff, he must give them 3 months' average wages as severance pay.