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Luo Longji and the Fate of Chinese Liberalism, 1919–1965

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Abstract

This article investigates the personal history of Luo Longji, a distinguished Chinese liberal in the twentieth century. A controversial figure, Luo has two contradictory images in history: a democratic warrior and an enemy of the people. The two contrasting images, this article argues, reveal a fundamental dilemma of twentieth-century Chinese liberalism, which tries to reconcile the tension between the protection of individual freedom and a quest for a strong nation-state based on popular sovereignty. Defining himself as a disciple of Harold Laski, Luo reinterpreted the latter's political ideas in a new historical context. On the one hand, Luo applauded individual disobedience of the despotic state and protested Chiang Kai-shek's autocracy in favour of human rights and freedom. On the other, Luo's nationalist fervour deeply shaped his liberal programme, hoping for a democratic nation-state as the guardian of people's rights and freedom. This national liberalism led him to cast aside Laski's anti-statist pluralism and instead exalt state sovereignty to represent the Chinese people's general will. As a result, Luo was made an enemy in the 1950s by the democratic and constitutional polity he actively helped to build. Chinese liberalism was thus defeated by its own logic in Mao's China.

On the morning of 7 December 1965, an old man in his sixties died of a heart attack in Beijing. Having no family living together, the man was found dead at home by a nurse taking care of him. His body was quickly sent to the hospital and dissected. His remains were collected by the authorities and never returned to his relatives, for the deceased was seen as a dangerous figure. His death was barely noticed, for China was then shrouded in the dark cloud of anti-revisionist and anti-Soviet campaigns. Several months later, Beijing was shaken by Mao Zedong's Cultural Revolution which claimed to bring down the rule of Chinese 'capitalist roaders' (*zouzipai*). Yet those ousted 'revisionists' were not the first group of victims purged from the communist government. This dead man, Luo Longji (1896–1965), had been denounced as one of the leading reactionary 'rightists' (*youpai*) nine years ago, his position as minister of forestry (*senlin gongye buzhang*) being removed. The 'Anti-rightist Campaign' (*fan youpai yundong*) launched by the Chinese Communist Party (CCP) in the summer of 1957 ruined his political reputation, making him a second-class citizen of the republic.

Indeed, Luo Longji is a controversial figure in twentieth-century Chinese history. He was a leading activist in the 1919 May Fourth student protest and the democratic movement against Chiang Kai-shek's authoritarian regime in the 1920s–1940s. He was one of the notable leaders of the Chinese Democratic League (*Zhongguo minzhu tongmeng*, CDL), working tirelessly for the democratic cause of China. Among the founders of the People's Republic of China (PRC), he stood side by side with Mao Zedong and Zhou Enlai on the Tower of Tiananmen on 1 October 1949.

On the other hand, Luo was blamed by some acquaintances for always being an attention seeker. His private life was frequently mentioned as well, as people scoffed at him as a womanizer. More importantly, for a long time, he has been known as one of the most notorious counter-revolutionaries (*fangeming*) in PRC history. The CCP's official media depicted him as a vicious 'rightist' leader who organized in the 1950s with Zhang Bojun a small clique (the 'Zhang–Luo Alliance') conspiring against the communist rule.¹ Fortunately, Luo and Zhang's plot to overthrow the CCP's rule, according to this narrative, was crushed in 1957, and his name as a despicable enemy of the Chinese people has been since publicized and memorized.

The termination of Mao's Cultural Revolution provided an opportunity to revise this memory. Until 1982, over 500,000 'rightists' had been said to be vindicated and the legitimacy of the entire 'Anti-rightist' Campaign was questioned. Although Luo, the 'prime culprit', was not among the vindicated, the CCP changed its initial rhetoric by reminding people of his contributions in the past.² In October 1986, Luo was commended by the CCP, for the first time since 1957, as a progressive patriot.³

Historians and biographers have begun to tell a different story of Luo ever since.⁴ They praised his brave protest against Chiang Kai-shek's authoritarian regime in the 1930s and 1940s and lamented for him as a victim under the communist dictatorship in the 1950s. Luo, a committed liberal working for Chinese democracy and constitutionalism, weathered the cruel suppression of Chiang's Guomindang (GMD) government but died miserably with a grievance amid Mao's

¹'Wenhui bao de zhan jieji fangxiang yingdang pipan' (The bourgeois orientation of *The Standard* should be denounced), *Renmin ribao*, 1 July 1957.

²Zhonggong zhongyong tongyi zhanxian gongzuobu (The united front work department of the CCP central committee), ed., *Xinshiqi tongyi zhanxian wenxian xuanbian* (Selected documents of the united front work in the new era) (Beijing, 1985), p. 122.

³Yuan Jianda, 'Jinian Luo Longji xiansheng danchen jiushi zhounian' (Commemoration of the 90th anniversary of the birth of Mr Luo Longji), *Renmin ribao*, 25 Oct. 1986.

⁴For Luo's liberal ideas and struggles with Chiang Kai-shek's rule before 1949, see Fredric J. Spar, 'Human rights and political engagement: Luo Longji in the 1930s', in Roger B. Jeans, ed., *Roads not taken: the struggle of opposition parties in twentieth-century China* (Boulder, CO, 1992), pp. 61–81; Xie Yong, *Qinghua san caizi* (The three talents from Tsinghua University) (Beijing, 2005), pp. 3–57; Edmund S. K. Fung, *The intellectual foundations of Chinese modernity: cultural and political thought in the republican era* (Cambridge, 2010); Liu Zhiqiang, 'Luo Longji renquan lilun chanshi jiqi zhiyi' (Luo Longji's theory of human rights and its problems), *Zhengfa luntan*, 30 (2012), pp. 134–40; Liu Zhiqiang, ed., *Luo Longji wenji* (Collected works of Luo Longji) (4 vols., Hong Kong, 2022); Ting Xu, 'Travelling concepts: Harold Laski's disciples and the evolution of the human rights idea in republican China', *Public Law*, 4 (2022), pp. 634–55. For Luo's experience during the 1957 Anti-rightist Campaign, see Roderick MacFarquhar, *The origins of the Cultural Revolution* (3 vols., London, 1974), I; Ye Yonglie, *Fanyoupai shimo* (A history of the Anti-rightist Campaign) (Xining, 1995); Zhu Zheng, *1957 nian de xiaji* (The summer of 1957) (Zhengzhou, 1998); Shen Zhihua, *Sikao yu xuanze: cong zhishifenzi huiyi dao fanyoupai yundong (1956–1957)* (Reflections and choices: the consciousness of the Chinese intellectuals and the Anti-rightist Campaign (1956–1957)) (Hong Kong, 2008).

purge of dissidents. In this counter-narrative, Luo's tragic life is seen as the epitome of a long, bitter struggle between liberalism and autocracy in twentieth-century China.

This revisionist narrative provides rich details of Luo's political activities and re-evaluates not only his liberal project but Chinese liberalism as a whole. It reiterates the value of freedom of speech, human rights, liberty, democracy, and constitutionalism. However, Luo's contrasting two images (a counter-revolutionary and a democrat) require a more nuanced reading of his political ideas and activities. The rupture of Luo's life path and Chinese liberalism before and after 1949 raises a series of questions. Why, for example, did Luo stubbornly confront Chiang Kai-shek's regime but choose to collaborate in the early 1940s with the communists he had denounced a decade ago? When the CCP launched an attack against Luo in 1957, why did he yield to the communist regime rather than cling to his liberal belief, as he had done with Chiang's government? How did Luo, 'a disciple of Laski' (*Lasiji yi mentu*), understand Laski and what impact did this understanding have upon his political ideas? These unsolved questions problematize the clear-cut liberalism–autocracy dichotomy.

This article addresses these questions and revisits both Luo's political career and Chinese liberalism. It argues that Luo, though actively integrating Laski's theory of political disobedience into his liberal project, had a lasting, intertwined entanglement with nationalism and statism, which led him to cast aside Laski's early 1920s anti-statist pluralism. If Laski's political passion was deeply driven by his opposition to a monistic state,⁵ Luo from the beginning dreamed of a modern nation-state as the guardian of individual freedom. National liberalism formed the core of Luo's political ideas. He tried to reconcile the tension between the protection of individual freedom and a committed quest for a strong nation-state based on popular sovereignty, which was a thread running through his life. However, as the CCP seized power and demanded unconditional loyalties to 'the people' who were defined by the communists, he was eventually made an 'enemy of the people' by the democratic polity he actively helped to build.

By investigating Luo's intellectual connection with Laski, this article provides a vivid example of how non-Western intellectuals reinterpreted Western political theories and engaged liberalism, nationalism, and communism in a colonized world. It shows how liberalism in twentieth-century China was integrated into a nationalist project that paved the way for a communist dictatorship. Luo's national liberalism reminds us of the central role the ideas about nation-building, political community, and popular sovereignty played in the rise and decline of Chinese liberalism, something many Western liberals tend to play down.⁶ In this sense, this article follows the trend of writing a global history of liberalisms, initiated by the excellent works written by Leigh K. Jenco, Theodore Koditschek, C. A. Bayly, Andrew Sartori, and Kei

⁵W. H. Greenleaf, 'Laski and British socialism', *History of Political Thought*, 2 (1981), pp. 573–91.

⁶Bernard Yack, *Nationalism and the moral psychology of community* (Chicago, IL, 2012), p. 184.

Hiruta.⁷ It makes an intervention in the fields of global intellectual history and comparative political theory, highlighting the variety of liberalisms across the world and the agency of non-Western intellectuals in shaping their liberal agendas.

This article is divided into three sections. We first examine Luo's early experience as a defender of mass democracy under the authoritarian GMD government in the 1920s and 1930s. Then we follow his step to Chongqing, the provisional capital during the Second Sino-Japanese War (1937–45), where Luo started to support the government in the hope of winning the total war and building a democratic nation-state through war mobilization. At this stage, he was gradually acquainted with the communists, which cleared the way for their later collaboration after the war. The third section analyses Luo's political tragedy in the 1950s. It shows how Chinese liberalism, which aimed to protect individual rights and dignity, became its own gravedigger under communist rule.

Like many of his liberal friends, Luo Longji hailed from a literati family and showed a talent for learning at an early age. In 1913, he was admitted to Tsinghua College, a prestigious preparatory school for those gifted juveniles aspiring to study in the United States. Here, Luo received rigorous training in science, politics, sociology, European history, and English literature. In 1921, he graduated and entered the University of Wisconsin–Madison as a master's student, where he carried out his research on British politics.⁸ Then he was enrolled at Columbia University as a doctoral student in public law and continued his study on British politics. In the summer of 1926, he travelled to Britain and studied as a fellow at the London School of Economics and Political Science under the supervision of Harold Laski, who had just published his magnum opus, *A grammar of politics*.⁹ Since then, Luo had been identifying himself as 'a disciple of Laski', a title he kept all his life.¹⁰ In 1928, he returned to New York to complete his project and publish his first book, *The conduct of parliamentary elections in England*.

Luo's book makes a meticulous investigation of how the English electoral system operates.¹¹ The fact that he spent years studying the political institutions of a foreign country attests to his strong interests in Western democratic systems. His articles written in 1929–30 after returning to China further demonstrate his democratic stance, in which he frequently quoted Laski. Yet how Luo became interested

⁷ Leigh K. Jenco, *Making the political: founding and action in the political theory of Zhang Shizhao* (Cambridge, 2010); Theodore Koditschek, *Liberalism, imperialism, and the historical imagination: nineteenth-century visions of a greater Britain* (Cambridge, 2011); C. A. Bayly, *Recovering liberties: Indian thought in the age of liberalism and empire* (Cambridge, 2012); Andrew Sartori, *Liberalism in empire: an alternative history* (Berkeley, CA, 2014); Kei Hiruta, 'Fukuzawa Yukichi's liberal nationalism', *American Political Science Review*, 117 (2023), pp. 940–52.

⁸ Lung-chi Lo, 'The conduct of parliamentary elections' (Master's thesis, University of Wisconsin–Madison, 1925).

⁹ Laski supervised a group of Chinese students, who later became influential scholars in China. See Sun Hongyun, 'Lasiji yu Zhongguo: guanyu Lasiji he ta de Zhongguo xuesheng de chubu yanjiu' (Laski and China: a preliminary study of Laski and his Chinese students), *Zhongshan daxue xuebao*, 41 (2000), pp. 87–92.

¹⁰ Luo Longji zai Minmeng zhengfenghui shang de jiaodai' (Luo Longji's confession at the CDL struggle session), *Renmin ribao*, 13 Aug. 1957.

¹¹ Lung-chi Lo, *The conduct of parliamentary elections in England* (New York, NY, 1928).

in Laski's political theory in the first place is unclear. What we are sure of is that he was at this time a fervent nationalist, if not a statist.

Back in January 1919, when the First World War came to an end, the victorious Allies organized a conference in Paris to discuss the post-war international order. The Japanese delegation demanded that its territorial claim on China's Shandong Peninsula (formerly German's concession) be recognized, which provoked nationwide protests of students, workers, and merchants in China proper, known as the May Fourth Movement. Amongst the enraged students, Luo emerged as an outstanding activist who publicly denounced Japan's expansionist ambition.

When Luo arrived in the United States, he organized with friends from Tsinghua College the 'Society of Great Rivers' (*Dajiangshe*) and ran a little magazine named *Great Rivers Quarterly* (*Dajiang jikan*) in 1925. The origin of its name came from their romantic belief that the root of the Chinese civilization would never be extirpated, just as great rivers would never be cut off. Born in an age of imperialism, this group of young people highlighted nationalism and statism (the two ideologies to them were interchangeable, both translated into Chinese as '*guojia zhuyi*'), for 'any country whose citizens did not submit to nationalism will inevitably be extinguished by imperialism'. The preface of the *Great Rivers Quarterly*, drafted by Luo Longji, applauded Napoleon, Bismarck, Mazzini, Garibaldi, and Cavour for their achievements in building modern nation-states. Following their paths, Luo and his friends called for a sovereign state, which integrated the Han Chinese, Manchus, Mongols, Muslims, and Tibetans into a unified Chinese nation. This strong government, representing the collective will of the Chinese people (*Zhonghua renmin quanti yizhi*), they argued, was the precondition of reconstructing China's politics, economy, and culture.¹²

In April 1925, Luo, the president of the Chinese Students Association in the United States (*Zhongguo liumei xueshenghui*, CSAUS), attended the memorial service for Sun Yat-sen in New York and praised Sun's dedication to China's nation-building.¹³ Weeks later, when the furious masses protested against the Shanghai Municipal Police's massacre of the Chinese striking workers (known as the May Thirtieth Incident), Luo organized the CSAUS for a student protest over American soldiers' participation in the massacre.

Luo's outspoken nationalist and anti-imperialist stance should not be neglected when we consider his interest in Laski. Though subscribing to liberalism after reading Laski's works, Luo insisted all along that the Chinese people ought to be united under a strong nation-state for national survival. The tension between his strong nationalist and statist feelings and the English liberal tradition became prominent and would last throughout Luo's political career. The characteristic English distrust of the state, as Walter Bagehot writes in his seminal work, *The English constitution*, positioned the government as an alien force: 'We look on state action, not as our own action, but as alien action; as an imposed tyranny from without, not as the consummated result of our own organised wishes', though 'by definition, a nation calling

¹²'Dajianghui xuanyan' (The Declaration of the Society of Great Rivers), *Dajiang jikan*, 1 (1925), pp. 2–28.

¹³'Aidao Sun xiansheng: Niuyue guoji da zhuidaohui xiangqing' (In memory of Mr Sun Yat-sen: details of the memorial service in New York), *Minguo ribao*, 21 Apr. 1925.

itself free should have no jealousy of the executive' when 'the nation, the political part of the nation, wields the executive'.¹⁴

This inherited feeling encouraged young Laski to attack in the 1910s the supreme power of modern states. Laski criticized the monistic theory of state as something 'both administratively incomplete and ethically inadequate', insisting that 'the state has a history' and does not have 'any permanence of form'.¹⁵ The state had no sound basis to claim sovereignty over other social associations, for 'the agents of any State are not different in character from the rest of its members'.¹⁶ Laski was particularly bothered by the division between 'a small number who exert active power, and a large number who, for the most part, acquiesce in the decisions that are made', the dominant minority transforming their wills into the justified general will through state apparatus.¹⁷ This governmental system, he believed, had always been 'dominated by those who at the time wield economic power', and the so-called 'general will' lifted for 'the preservation of their own interests'.¹⁸ He therefore bridged his anti-statist, pluralist passion with a socialist democracy which hoped the masses to rise up and hold the state accountable. This belief ran through his life despite the gradual shift of his emphasis from pluralism to socialism in his late years. In the 1930s, Laski accepted the sovereignty of the state and converted to Marxism and state socialism.¹⁹ But even at this late stage, his pluralist philosophy, as Peter Lamb argues, remained a core spirit of his socialist project.²⁰

Luo must have been deeply touched by Laski's democratic outcry and condemnation of minority rule, particularly the latter's entrenched disobedience of the omnipotent capitalist state. Indeed, as David Runciman puts it, Laski's theory 'is a history of disobedience, and of the state's fear of disobedience'.²¹ This explained why Luo claimed himself to be a committed disciple of Laski and became a liberal. Pluralism and liberalism, as discussed in Jacob T. Levy and Peter Ghosh's works, have always been intertwined with each other.²² Both Laski and Luo called for a vibrant mass democracy that held the rulers accountable and brought equality to every member of the political community they envisioned.

However, Luo did not see the state as an alien tyrant, but rather an intrinsic force of a nation flourishing from within, as he stated clearly in the *Great Rivers Quarterly*. Dictators, oligarchs, and corrupt bureaucrats should be brought down, as they only pursued their own interests and thus impeded the evolution of a nation. A strong nation-state in the hands of the people, on the other hand, was desirable, for it

¹⁴Walter Bagehot, *The English constitution*, ed. Paul Smith (Cambridge, 2004), p. 180.

¹⁵Harold Laski, 'The pluralistic state', *Philosophical Review*, 28 (1919), pp. 562–75, at p. 568.

¹⁶Harold Laski, *A grammar of politics* (London, 1948; orig. publ. 1925), p. 71.

¹⁷Harold Laski, *Authority in the modern state* (New Haven, CT, 1919), p. 27.

¹⁸Laski, 'The pluralistic state', p. 566.

¹⁹Harold Laski, *The state in theory and practice* (New York, NY, 1935), p. 9.

²⁰Peter Lamb, *Harold Laski: problems of democracy, the sovereign state, and international society* (New York, NY, 2004), pp. 7–8.

²¹David Runciman, *Pluralism and the personality of the state* (Cambridge, 1997), p. 183.

²²Jacob T. Levy, 'From liberal constitutionalism to pluralism', in Mark Bevir, ed., *Modern pluralism: Anglo-American debates since 1880* (Cambridge, 2012), pp. 21–39; Peter Ghosh, 'Mill before liberalism (part I and II)', *History of European Ideas*, 50 (2024), pp. 785–836.

would stand as a Hobbesian protector of the collective interests in a world of social Darwinism.²³

It was this national liberalism that led him to struggle with both the GMD dictatorship and the communist class war after returning to China in 1928. China's political situation changed swiftly during the time when he studied abroad. Sun Yat-sen's GMD and the newborn CCP formed their first alliance in 1923 to initiate a nationalist revolution. The two parties together established a new government in South China, and launched a northern expedition against the Beijing government. The expedition, led by commander-in-chief Chiang Kai-shek, swept the Yangtze River Valley and penetrated North China in 1927. The same year, however, saw the GMD-CCP split and Chiang's slaughter of the communists, as Chiang was increasingly concerned about a possible communist rebellion.

As a result, the CCP had to retreat from cities, infiltrating into mountainous areas and establishing communist enclaves, while the GMD continued its northern expedition and formally unified China in December 1928. After several rounds of competitions with his opponents, Chiang Kai-shek established a dictatorship over the whole country and forcibly oppressed the dissidents. Although the Japanese army occupied Manchuria in September 1931 and raided the Shanghai International Settlement in 1932, Chiang decided to consolidate his rule by appeasing the Japanese and destroying the communists.

Luo Longji, who had just arrived in Shanghai from abroad, soon stood up to Chiang's authoritarian regime. In 1929, he started teaching at two universities and joined the editorial board of an influential literary journal, *Crescent* (*Xinyue*).²⁴ The journal was run by leading intellectuals, such as Hu Shi and Xu Zhimo. Most editors obtained degrees from Britain and the United States and admired the Anglo-Saxon democracy. *Crescent* soon became a flagship of Chinese liberalism.

The political reviews in *Crescent* were mostly written by Luo. He criticized the GMD's one-party rule and condemned Chiang's brutal suppression of civil movements. Luo Longji and Hu Shi were particularly bothered by the GMD's arbitrary power to arrest, detain, torture, and even execute those categorized as 'communists' and 'counter-revolutionaries'. They asked for a real constitution to limit state power and protect human rights.²⁵ Human rights, according to Luo, were those satisfying basic needs for an individual to survive and develop, and the function of the state was to protect these rights and enable everyone to 'be myself at my best [sic]'. This was to Luo the only reason why a citizen should obey the state authority.²⁶ Luo admitted that he was inspired by Laski's *A grammar of politics*, which indicated that 'the identity of men's nature makes them need a common minimum of satisfaction for their wants'. These requirements in turn 'implies a responsible State'. Therefore,

²³The Society of Great Rivers, 'Dajianghui xuanyan', pp. 24-6.

²⁴Luo Longji zai Minmeng zhengfenghui shang de jiaodai' (Luo Longji's confession at the CDL struggle session), *Renmin ribao*, 13 Aug. 1957.

²⁵Hu Shi, 'Renquan yu yuefa' (Human rights and constitution), *Xinyue*, 2 (1929), pp. 1-8; Luo Longji, 'Dui xunzheng shiqi yuefa de piping' (My criticism of the provisional constitution), *Xinyue*, 3 (1931), pp. 1-18.

²⁶Luo Longji, 'Lun renquan' (On human rights), *Xinyue*, 2 (1929), pp. 1-25.

the state ‘possesses power because it has duties’ and ‘it exists to enable men, at least potentially, to realise the best that is in themselves’.²⁷

Again, despite the similarities between Luo and Laski’s texts, the former’s intention was not to challenge state sovereignty and champion a pluralist, decentralized politics; rather, he hoped to construct a unified political community under the rule of a capable and responsible government. Luo emphasized his disagreement with the natural rights theory,²⁸ for he had never found an ultimate value in human rights but an instrumental value for members of a nation to fully develop themselves and, in return, contribute to the collective welfare. The human rights of the people, to Luo, were inviolable not because of their sanctity but their function (*gongyong*) for a nation to survive, thrive, and build a democratic community. Liang Shiqiu, Luo’s close friend and one of the *Crescent* editors, defined Luo as a ‘radical patriot’ (*jilie de aiguo zhuyi zhe*) believing in nationalism, who became interested in liberalism.²⁹

Luo claimed that the state was created by the people to protect human rights and they had the right to disobey if state power had been abused. Human rights predated and were independent of state power.³⁰ These claims have driven those studying Luo’s political thought to depict him as an outspoken dissident under authoritarian rule. Liu Zhiqiang, in particular, praises Luo as a martyr who sacrificed for the cause of Chinese human rights.³¹ We should, however, interpret Luo’s statement within the context of 1930s China, where state power to him was monopolized by a small group. Chiang Kai-shek’s government relied heavily upon his military advantage, never intending to establish a genuine democratic system that integrated the non-GMD forces. Luo’s claim was therefore not to refute the state sovereignty as European pluralists had done, but to question the legitimacy of this particular regime and demand a powerful state based on popular sovereignty and the people’s general will. This helps explain why Luo seldom adopted a discourse of human rights versus state power after the founding of the communist regime, replaced by his compliment of people’s democracy, political unity, patriotism, and anti-imperialism.³²

In the same text, Luo drafted thirty-five articles to protect human rights. The first three articles, inspired by the 1789 *Declaration of the rights of man and of the citizen*, asserted that the state sovereignty resided in the whole nation (*quanti guomin*) and that the constitution and law were the expressions of the people’s collective will (*gonggong yizhi*). What Luo objected to here was not the superiority of state power which Laski had stood against, but an alien authority forcibly imposed upon the people. State sovereignty, in other words, was illegitimate insofar as it was not endorsed

²⁷Laski, *A grammar of politics*, pp. 27–8.

²⁸Nusheng (Luo Longji), ‘Women buzhuozhang tianfu renquan’ (We do not believe in the natural law of human rights), *Xinyue*, 3 (1931), pp. 4–6.

²⁹Liang Shiqiu, ‘Luo Longji lun’ (On Luo Longji), *Shiji pinglun*, 2 (1947), p. 7.

³⁰Luo, ‘Lun renquan’, pp. 7–10; Nusheng, ‘“Renquan” shiyi’ (Explaining the ‘human rights’), *Xinyue*, 3 (1931), pp. 3–10.

³¹Liu, ed., *Luo Longji wenji*, I, pp. ix–xi.

³²Luo Longji, ‘Zhongguo minzhu tongmeng zhengzhi baogao’ (The political report of the CDL), in *Zhongguo minzhu tongmeng Zhongyang wenshi ziliao weiyuanhui* (The committee of literary and historical materials of the CDL), ed., *Zhongguo minzhu tongmeng lishi wenxian, 1949–1988* (Historical documents of the CDL, 1949–1988) (2 vols., Beijing, 1991), I, pp. 158–70.

by the people. That was why Luo did not demand in China a federal and decentralized system but asked Chiang's government to abolish the ruling party's privilege and incorporate all kinds of talents, whether they were GMD party members or not.

When Japan occupied Manchuria and was about to establish a puppet Manchukuo in the early 1930s, Luo's petition for an accountable government became more urgent. He demanded that the authorities immediately prepare for a total war with Japan and convene as soon as possible a National Salvation Congress (*quanguo de jiuguo huiyi*). This national congress was supposed to elect a new democratic government that represented the people's will and accommodated non-GMD elites.³³

Luo's appeal received no positive response but hostility from the government. In November 1930, Luo was arrested for his 'subversive' writings. Thanks to Hu Shi's rescue, he was quickly released from prison. Three years later, when teaching at Nankai University in Tianjin, he was targeted by the secret police for his inflammatory speech.³⁴ Again, he was fortunate enough to have a narrow escape from being assassinated. The attempted murderers, according to Luo's recall, shot tens of bullets at his car but only hit his seat backrest.³⁵

Challenging the GMD government did not mean Luo was sympathetic to the Chinese communists. As a nationalist, Luo was alert to the threat of communist class struggle to the national unity he had been dreaming of. He denounced communism, not so much because its violent class struggle endangered human rights or its unrestricted revolutionary power damaged individual liberty. The greatest danger of communism, to him, was its destruction of a unified state and its anarchist ideal. First, the bloody civil war between the GMD and CCP would achieve nothing other than plunge the country into bankruptcy and collapse. And second, a democratic nation-state had never been on the political agenda of the communists, who 'simply did not want a state' in their blueprint and instead tried to establish a one-party dictatorship. Chiang Kai-shek's despotic party-state, according to Luo, was only a poor imitation of the Bolshevik dictatorship.³⁶ This 'one-party dictatorship' (*yidang ducai*) was in essence a forcible rule of the minority over the rest of society and would never produce a modern nation-state based on popular sovereignty.³⁷

³³Luo Longji, 'Gao Riben guomin he Zhongguo de dangju' (My words to Japanese people and China's government), *Xinyue*, 3 (1931), pp. 10–20.

³⁴This failed assassination was later reported to Chiang Kai-shek. See Guoshiguan dangan (The archives of Academia Historica in Taipei), 2 July 1934, no. 144-010104-0003-045.

³⁵Luo Longji, 'Wo zai Tianjin Yishibao shiqi de fengfeng yuyu' (My experiences as the editor of Social Welfare in Tianjin), in *Zhonghua wenshi ziliao wenku* (Chinese literary and historical materials) (20 vols., Beijing, 1996), XVI, p. 340.

³⁶Luo Longji, 'Women yao shenme yang de zhengzhi zhidu' (What kind of political system do we want?), *Xinyue*, 2 (1930), pp. 1–24; Luo Longji, 'Lun Zhongguo de gongchan' (On Chinese communism), *Xinyue*, 3 (1931), pp. 1–18.

³⁷Luo Longji, 'Wo dui dangwu shang de "jinqing piping"' (My in-depth criticism of the Guomindang), *Xinyue*, 2 (1929), pp. 1–15.

II

Indeed, Luo's mixture of liberalism and nationalism can be observed in many leading Chinese liberals over the past century,³⁸ and Luo was a pre-eminent figure among them. It was based upon a common belief that Luo could organize with a group of liberals a significant third force (*disan shili*), independent from the GMD and CCP, in the 1940s and after.

In 1934, Luo was not content to be a political commentator and became a leader of the newly established National Socialist Party of China (*Zhongguo guojia shehui dang*, NSPC). The core of the NSPC project, facing the menace of Japan, was to foster a strong parliamentary democracy and a nationalized economy, which was quite in line with Luo's national liberalism.³⁹ However, under Chiang Kai-shek's rule, the NSPC was not recognized until the breakout of the Second Sino-Japanese War in 1937.

The period 1931–7 saw numerous Chinese political commentators (including Hu Shi) feel pessimistic about this forthcoming war. Compared to China, Japan was highly industrialized and had a formidable military force. Luo, however, from the beginning had high hopes for the war. He believed that Japan's expansionist policy would sooner or later lead it to confront the Western sphere of influence in Southeast Asia and give rise to a world war. And this world war would end with Japan's defeat.⁴⁰ More importantly, he expected the war to be the best opportunity for China's political reorganization and democratization, as the government could not deal with it without the help of non-GMD forces. 'War made the state.' Luo would have agreed with Charles Tilly's famous argument.⁴¹ The idea of 'winning the war and building a nation-state at once' (*kangzhan jianguo*), which gained ground during the wartime, had been raised by Luo six years ahead of the war.

When the war started, Tianjin was quickly occupied. Luo, a leading anti-Japanese activist, was among those who would have been arrested and executed. He made a quick decision to flee to Nanjing, the Chinese capital. Then he retreated with the government westwards to Wuhan and finally to Chongqing, the provisional capital in wartime. There he worked together with the GMD leaders to wage an unprecedented total war.

Again, it was his nationalism that transformed a liberal dissident into a passionate co-operator with the GMD government. The government established the People's Political Council (*Guomin canzhenghui*, PPC) to provide an official channel for the opposition parties to participate. It was seen by some to be a wartime quasi-legislative body but never enjoyed the power of a real parliament. Luo was soon elected into this council.⁴² Two years before, Chiang Kai-shek, seeing that imprisonment and assassination could not bring Luo to his knees, had invited Luo to join

³⁸Edmund S. K. Fung, 'Were Chinese liberals liberal? Reflections on the understanding of liberalism in modern China', *Pacific Affairs*, 81 (2008/9), pp. 557–76.

³⁹Jizhe, 'Women yao shuo de hua' (Our voice), *Zaisheng*, 1 (1932), pp. 1–60. The NSPC's name is reminiscent of the Nazi Party, but it has nothing to do with fascism.

⁴⁰Luo, 'Gao Riben guomin he Zhongguo de dangju', p. 4.

⁴¹Charles Tilly, 'Reflections on the history of European state making', in Charles Tilly, ed., *The formation of national states in Western Europe* (Princeton, NJ, 1975), p. 42.

⁴²For the operation of the council, see Edmund S. K. Fung, *In search of democracy: civil opposition in nationalist China, 1929–1949* (Cambridge, 2000), pp. 144–82.

the government but was rejected. Now, when Chiang had nothing to offer, Luo came to help. But Chiang soon realized that Luo's co-operation came at a cost, for the latter campaigned for democracy rather than supported Chiang's leadership in wartime.

In November 1939, under Luo's guidance, several PPC councillors proposed a standing people's political committee (*guomin yizhenghui*) to supervise the government's actions when the planned national congress was not convened. This political committee was designed to be a de facto parliament where opposition parties could limit the GMD's power. In order not to irritate Chiang Kai-shek, Luo deliberately kept the unrestricted power of the president free from supervision.⁴³

Nevertheless, Luo's modest proposal was refused in April 1940, and Chiang even rebuked Luo to his face at a PPC conference. The leaders of the NSPC and other opposition parties were deeply frustrated with the outcome.⁴⁴ In 1941, even Luo's position in the PPC was removed.⁴⁵ Luo must have been disillusioned with Chiang's regime after these frustrations, for he even secretly tried to flee in 1942 to Yan'an, the CCP's headquarter. His adventure, however, failed, for the soldiers at a checkpoint recognized him and returned him to Chongqing.⁴⁶

Considering Luo's serious criticism of communism in the 1930s, his adventurous escape to the CCP's territory was intriguing. It was not a reckless decision. On the one hand, things became clear that, even in the wartime, Chiang Kai-shek was never willing to share his power. Without a strong state based on popular sovereignty, Chiang's military dictatorship turned out unpopular and feeble. In 1944, while the Japanese navy was decisively defeated in the Pacific Ocean, the GMD's army suffered a humiliating debacle. Even Chongqing was seriously threatened. Since the outbreak of the war, Luo had been looking for a silver lining in Chiang's leadership, but the government turned out to be completely incapable of uniting and modernizing the country.

On the other hand, the CCP had changed its leadership. In the late 1930s, Mao Zedong emerged as an outstanding leader of the party. At roughly the same time, Stalin cancelled the initial sectarian 'class-against-class' policy and turned to the anti-fascist 'popular front'. The CCP under Mao, therefore, withheld its communist fervour and advocated for a united front with all the anti-Japanese forces. The party replaced its class struggle programme with a nationalist one, which successfully won over the liberals in cities and mobilized the poor peasants in villages.⁴⁷ Luo's view of the communists changed accordingly, as the CCP now looked like a nationalist party that worked for the interests of the Chinese people.

In Chongqing, the communist delegates, such as Zhou Enlai and Dong Biwu, further gained Luo's favour. They were approachable, conscientious, erudite, and humorous in private. They were flexible in political struggles but would scarcely

⁴³For the details of Luo's proposal, see Wen Liming, *Disanzhong lilian yu kangzhan shiqi de Zhongguo zhengzhi* (The third force and Chinese politics during the Second Sino-Japanese War) (Shanghai, 2004), pp. 101–19.

⁴⁴Lin May-li, ed., *Wang Shijie riji* (The diary of Dr Wang Shih-chieh) (2 vols., Taipei, 2012), I, p. 262.

⁴⁵Fung, *In search of democracy*, p. 165.

⁴⁶Li Weiyang, 'Luo Longji mimi fu Yan'an weiguo' (Luo Longji's failed secret trip to Yan'an), *Shiji*, 3 (2004), pp. 30–1.

⁴⁷Chalmers Johnson, *Peasant nationalism and communist power* (Redwood City, CA, 1962); Suzanne Pepper, *Civil war in China: the political struggle, 1945–1949* (Berkeley, CA, 1978).

sacrifice their principles for short-term benefits. They stood up to Chiang Kai-shek's dictatorial policies and, together with the liberals, asked for a democratic and responsible government that included all major parties in policy-making.

In 1944, several opposition parties (including the NSPC) and associations formed the Chinese Democratic League (*Zhongguo minzhu tongmeng*, CDL). The CDL has since become the apostle of Chinese liberalism. It demanded a real national congress based upon universal suffrage and a formal constitution. It asked for legal protection of human rights and the releases of imprisoned dissidents. It looked forward to constructing with the GMD and CCP a coalition government (*lianhe zhengfu*) after the war. Luo was elected as head of the CDL Department of Propaganda (*xuanchuan buzhang*), responsible for drafting important documents and acting as the CDL's spokesman. The CDL's political demands were generally those Luo had been promoting for a number of years, and, unsurprisingly, Luo played a key role in the CDL leadership.

When Japan's surrender became inevitable in early 1945, the CDL leaders echoed the American President Franklin Roosevelt's 'Four Policemen' proposal and looked forward to a close post-war co-operation between the United States, the Soviet Union, Britain, and China.⁴⁸ They saw this co-operative order as a favourable atmosphere for China's post-war democracy, as Chiang Kai-shek would be forced to accommodate opposition forces and organize a coalition government, which both Roosevelt and Stalin would have liked to see.

Interestingly, Chiang was hoping for the same, though out of a different consideration. He wanted support from both Stalin and Western leaders so that the CCP, in his eyes Stalin's agents in China, would be forced to submit to his rule. For a time, Chiang's plan worked very well, when the Sino-Soviet treaty was signed in August 1945 and the US government promised military and financial support in the following months. The communist armies that had flooded into Manchuria were restrained by the Soviet Red Army, and the CCP had to reconfirm its allegiance to the GMD government. Upon Stalin's request, Mao Zedong travelled to Chongqing to meet Chiang. An agreement was signed between the two parties, in which the CCP acknowledged Chiang's leadership and agreed to join the government. A 'Political Consultative Conference' (*Zhengzhi xieshang huiyi*, PCC) was held in January 1946, bringing the GMD, CCP, CDL, and other democratic forces into negotiations. The PCC resulted in an array of agreements on constitution, government reorganization, and resettlement of the CCP's army, though leaving several outstanding issues unresolved. A historic moment of establishing a democratic coalition government thus emerged.⁴⁹

However, with the gathering clouds of a cold war, the new Truman administration had to rely more on Chiang's rule to curb Soviet expansion in East Asia. George

⁴⁸*Zhongguo minzhu tongmeng Zhongyang wenshi ziliao weiyuanhui* (The committee of literary and historical materials of the CDL), ed., *Zhongguo minzhu tongmeng lishi wenxian, 1941-1949* (Historical documents of the CDL, 1941-1949) (Beijing, 1983), pp. 18-25.

⁴⁹For the quadripartite interactions between the US government, Stalin, Chiang, and Mao, see Odd Arne Westad, *Cold and revolution: Soviet-American rivalry and the origins of the Chinese civil war, 1944-1946* (New York, NY, 1993).

Marshall was sent to China as the president's special envoy to mediate the intensified conflicts between the GMD and CCP, but his visit failed. The country went to civil war, and the germ of China's democracy was nipped in the bud.

Luo Longji must have been disappointed. He was seen as a promoter of Anglo-Saxon liberalism, but now the American leaders, in his eyes, were destroying China's unity and democratic prospects. In a press conference, he condemned the US government for backing a fascist GMD regime.⁵⁰ In November 1946, Chiang Kai-shek's government unilaterally convened a national congress and promulgated a constitution. The CCP denounced the new constitution as being illegitimate. The CDL sided with the CCP and was soon outlawed. Luo Longji and Zhang Lan, the chairman of the CDL, stayed in a sanatorium in Shanghai. There they were closely monitored by the secret police until May 1949, when Chiang's army in North China was annihilated and Shanghai was within arm's reach for the communist soldiers. One night, they were rescued by underground communists,⁵¹ after which they took a train to Beijing (later changed into Beijing), the capital of the planned new republic, and received a warm welcome along the way.

The civil war exposed the vulnerability of Chiang's dictatorship. His troops, though well equipped with arms delivered by the US government, were crushed. The economy was on the brink of bankruptcy. The poor were struggling with starvation. Yet the GMD officials were making huge profits through bribery, embezzlement, and blackmail. Intellectuals and journalists protested, and students took to the streets asking for peace, freedom, and democracy.

By contrast, the CCP's local administration in the vast rural areas gained popularity for its honesty, vigour, and dedication to mass politics. The old elite groups were discredited and toppled, replaced by communist cadres. Poor peasants generally benefited from the CCP's land reform. The united front rallied democrats, nationalists, and some patriotic capitalists around the party. Its mass campaigns mobilized millions of ordinary people to construct a new society. The vitality, youthful exuberance, and optimism among all walks of life under the CCP's rule impressed the visitors, including even some senior GMD officials.⁵²

Once arriving in Beijing in June 1949, Luo Longji and Zhang Lan were greeted with great enthusiasm. They attended the Chinese People's Political Consultative Conference (CPPCC), a new 'consultative conference' that replaced the old PCC. The CPPCC invited political parties, social organizations, and representatives of ethnic minorities to join and support the CCP's leadership. The CDL was the largest one in this democratic united front. Through this conference, the CCP wanted to show its leadership in building a new nation-state with the Chinese people.

At the conference, Luo applauded the new PRC as the product of the Chinese people's general will. With Chiang Kai-shek, 'the enemy of the Chinese people',

⁵⁰Luo Longji shi qianze Meiguo canjia Zhongguo neizhan' (Luo Longji's denunciation of the US involvement in China's civil war), *Renmin ribao*, 4 June 1946.

⁵¹Yan Jinwen, 'Yingjiu Zhang Lan Luo Longji tuoxianji' (My rescue of Zhang Lan and Luo Longji), *Wenshi jinghua*, 12 (1996), pp. 38–41.

⁵²Yu Xiaofeng, '1949 nian Guomindang hetan daibiao de xinlu licheng' (The spiritual journey of the GMD delegates during the 1949 peace talk), *Yanhuang chunqiu*, 5 (2024), pp. 35–8.

escaping to Taiwan, the people had become the true master of their nation.⁵³ For three decades, Luo had been working for an independent and unified nation-state. Now the dream seemed to have come true.

III

However, Chiang's defeat did not mean 'the Chinese people' now had no enemy. The new enemies were on the way.

Despite a cordial relationship with the communists, Luo took great care to maintain the CDL's independence. When being confined to the Shanghai sanatorium, he wrote a secret letter to Mao Zedong, insisting that the soon-to-be-established government should be a coalition one and that the CDL retain the right to withdraw.⁵⁴ Luo knew very well that the CCP was not a party dedicated to liberal politics. Laski's criticism of communism deepened Luo's suspicion.⁵⁵ In fact, the arbitrary style of this revolutionary party, even before taking power, was not a secret within the liberal circle.⁵⁶

The CCP leaders did not completely trust him either. In 1931, the party denounced Luo as an anti-communist arch-villain.⁵⁷ When working with Zhou Enlai in Chongqing in the 1940s, he was seen as a leftist sympathizer rather than a true comrade.⁵⁸ On the eve of the founding of the PRC, Luo still suggested that all the communists lurking in the CDL withdraw from the league, which annoyed Mao.⁵⁹ The CCP's distrust of Luo ultimately led to his downfall in the summer of 1957.

Behind the distrust was the political distance between Chinese liberals and communists. Luo turned his back on Chiang and embraced Mao because the latter could forge a strong democratic nation-state. He applauded the birth of a new China because it was a people's sovereignty, a product of mass political participation. Yet Mao's CCP was not a nationalist party by nature. The state meant to the communists more an instrument for class struggle and socialist revolution than a way of cultivating an inclusive political community. The CCP's integration of the masses into everyday politics was not simply to empower them but to lead, shape, and discipline them for socialist transformation. In this sense, mass political participation and the

⁵³'Zhongguo renmin zhengzhi xieshang huiyi diyijie quanti huiyi' (The first conference of the CPPCC), *Renmin ribao*, 28 Sept. 1949.

⁵⁴The GMD secret police reported to Chiang Kai-shek on Luo's reservation, see Guoshiguan dangan, 7 June 1948, no. 002-020400-00011-101; 23 Oct. 1948, no. 002-080200-00547-068. Luo's attitude was seen in 1957 as evidence of his anti-communist plot. See 'Yaozhi Luo Longji yiguan de fandong benzhi, qingkan zhexie chumu jingxin de lishi shishi' (To understand the reactionary nature of Luo Longji, please look at these shocking historical facts), *Renmin ribao*, 11 Aug. 1957; 'Luo Longji zai minmeng zhengfenghui shang de jiaodai' (Luo Longji's confession at the CDL rectification conference), *Renmin ribao*, 13 Aug. 1957; Zhang Yihe, *Wangshi bingbu ruyan* (Unforgettable memories) (Beijing, 2004), p. 320.

⁵⁵Harold Laski, *Communism* (London, 1927), pp. 166–82. Its Chinese version was published by the editorial board of *Crescent*. See Harold Laski, *Gongchan zhuyi lun* (Communism) (Shanghai, 1930).

⁵⁶Chu Anping, 'Zhongguo de zhengjiu' (China's politics), *Guancha*, 2 (1947), pp. 3–8.

⁵⁷Qiubai, 'Zhongguo renquanpai de zhenmianmu' (The true face of Chinese 'human rights' faction), *Bo er shi wei ke* (The Bolshevik), 4 (1931), pp. 101–22.

⁵⁸Zhou Enlai yi jiu si liu nian tanpan wenxuan (Selected writings of Zhou Enlai during the 1946 negotiations) (Beijing, 1996), pp. 11–12.

⁵⁹Luo Longji zai minmeng zhengfenghui shang de jiaodai' (Luo Longji's confession at the CDL rectification conference), *Renmin ribao*, 13 Aug. 1957.

CCP's mass mobilization were just two sides of the same coin. It looked as if the power was being dispersed, but the communist party-state was penetrating every corner of social life.

How should the power of this gigantic people's nation be restricted so that liberty could be guaranteed? Luo seemed to have never come up with a definite answer to this question. For years he had been struggling for both people's sovereignty and individual rights. Yet under the CCP's rule, the tension between the two loomed large. As one political campaign after another were launched after 1950 against old GMD forces, dissidents, capitalists, intellectuals, and even his CDL colleagues, Luo must have sensed the threat of an unrestricted revolutionary power to individual freedom.

A constitution would probably help limit state power. Luo had long held this view and spent decades fighting for a constitution of China. In September 1949, the CPPCC approved a 'Common Programme' (*Gongtong gangling*) as the provisional constitution, named by the CCP as 'the *Magna Carta*' (*daxianzhang*) of Chinese people. The programme, however, barely mentioned the restrictions to the ruler's power as the English *Magna Carta* stipulated; instead, it was to confirm the CCP's leadership and domination over the rest of the society. The word 'coalition government', which implied equality among the different parties, was not even mentioned once.

Five years later, when the first national congress was convened and a formal constitutional moment came, the position of the ruling party became more consolidated. The promulgation of the 1954 constitution did not produce a competitive political system but marked further marginalization of the democratic force. MacFarquhar notices that half of the deputy chairmen and premiers came from the democratic parties in 1949. Yet after 1954, all of them were removed from their positions.⁶⁰

A constitution turned out to be incapable of balancing state power. This was unsurprising if we consider Carl Schmitt's warning. Since the nineteenth century, a constitution has been expected to both express the 'political will of the state totality' and protect 'the sphere of individual freedom of the citizens', but between the two goals is the inevitable tension between the 'political concept of law' and 'the *Rechtsstaat* concept of law'. The latter sees the constitution as a legal norm that limits the state action and safeguards individual rights, while the former regards it as a 'concrete will and command and an act of sovereignty'.⁶¹ For the communists, a democratic constitution had more to do with the justification of state sovereignty than with individual freedom. Mao Zedong even tried to delete the articles about the freedom of assembly, petition, and demonstration in the draft, in case it threatened national security.⁶²

Xiao Gongquan, an authority on political pluralism who worked with Luo Longji at Nankai University, also realized this. 'Constitutional law, as rules and principles of the distribution of the sovereign power of the state' is not something counterbalancing state power, but has 'always been regarded as the supreme legal authority of

⁶⁰Roderick MacFarquhar, *The origins of the Cultural Revolution* (3 vols., Oxford, 1974), I, pp. 48–9.

⁶¹Carl Schmitt, *Constitutional theory* (Durham, NC, 2008), pp. 187–9.

⁶²Han Dayuan, *1954 nian xianfa yu xin Zhongguo xianzheng* (The 1954 constitution and the constitutional politics of the PRC) (Changsha, 2004), p. 79.

the state'. 'The constitutional idea as realized in the modern democracies, therefore, is through and through a monistic idea, against which the pluralists would naturally be expected to react.'⁶³ Even the English constitution, according to A.V. Dicey, can hardly restrict the parliamentary sovereignty.⁶⁴

Indeed, when Luo cast aside Laski's pluralism and espoused the concept of popular sovereignty, he was embarking on a path that would possibly lead to a destination opposite to individual freedom. The key point about Chinese liberalism is that it does not draw a line down the middle between authority and freedom as the British liberal tradition does. State power is seen not as an alien force but an intrinsic one of the people. This is closer to Jean-Jacques Rousseau's approach, which sees liberty and authority coincide like 'the reverse and obverse of the same medal', to quote Isaiah Berlin.⁶⁵ No freedom, according to this logic, could be maintained without state sovereignty, while no nation-state could be built without individual development. Individual freedom would not exist without the emancipation of the whole nation. Some CDL leaders later complained that they had been cheated by the CCP's propaganda,⁶⁶ but it was their persistent pursuit of a unified people's state that made them fall for it.

If we follow Rousseau's path, democracy and autocracy are simply two sides of the same coin. Léon Duguit, a French jurist who had a deep impact on Laski, noticed that 'the idea of the State as a sovereign personality is repugnant' to liberals.⁶⁷ If liberalism highlights the liberty and rights of individuals, state sovereignty implies that the state has its own will inherently superior to the individual one. Rousseau believes that, in a democratic nation, the general will can be expressed through the will of the state and that popular sovereignty can thus be translated into state sovereignty. This state sovereignty, Rousseau insists, 'does not need to give any form of guarantee to its subjects, because it is impossible that the body should want to harm all its members'. If anyone who does have 'a personal will that is contrary or dissimilar to the general will', 'he will be compelled to do so by the whole body'.⁶⁸ Duguit immediately senses the despotic suggestion of these sentences.⁶⁹ Georg Jellinek also maintains that the principles of Rousseau's *Social contract* are 'at enmity with every declaration of rights, for from these principles there ensues not the right of the individual, but the omnipotence of the common will, unrestricted by law'.⁷⁰

It is at this point that Luo diverges from Laski, the seeds of which were sown when the former organized the Society of Great Rivers. To pluralists, to insist that there exists a supreme general will is to suppress all other wills and 'impedes the expression of individual freedom'.⁷¹ Indeed, to Laski, 'we have been led astray by the facile brilliance of Rousseau', for 'we are simply confronted by a series of special wills none

⁶³Kung-chuan Hsiao, *Political pluralism* (London, 1927), p. 37.

⁶⁴A. V. Dicey, *Introduction to the study of the law of the constitution* (London, 1915).

⁶⁵Isaiah Berlin, *Freedom and its betrayal* (Princeton, NJ, 2014), p. 39.

⁶⁶Zhou Jingwen, *Fengbao shinian* (The stormy ten years) (Hong Kong, 1959), pp. 53–77.

⁶⁷Léon Duguit, 'The law and the state', *Harvard Law Review*, 31 (1917), p. 11.

⁶⁸Jean-Jacques Rousseau, *Discourse on political economy and the social contract* (Oxford, 1994), p. 58.

⁶⁹Léon Duguit, *Les transformations du droit public* (Paris, 1913), p. 29; Duguit, 'The law and the state', p. 34.

⁷⁰Georg Jellinek, *The declaration of the rights of man and of citizens: a contribution to modern constitutional history* (New York, NY, 1901), pp. 11–12.

⁷¹Hsiao, *Political pluralism*, p. 62.

of which can claim any necessary pre-eminence'.⁷² These special wills, Laski claims, 'cannot, in some mystic fashion, be fused into a higher unity somehow compounded of them all'.⁷³

Luo thought otherwise. Driven by what Gloria Davies called the 'crisis mentality' (*youhuan yishi*), Luo and his liberal colleagues were deeply concerned with China's survival, pursuing a unified, centralized modern state to emancipate their homeland from Western domination.⁷⁴ Understandably, in a world characterized by global wars, the Cold War, and anti-colonial movements, Chinese liberals could scarcely resist the glamour of nationalism and statism. They should not be blamed for their wholehearted embrace of nation-building and popular sovereignty, for the different historical contexts where English and Chinese liberalisms grew raised different questions for their leading thinkers. The Chinese liberals might espouse the English distrust of state power when their government was autocratic and isolated from the people. Yet they were ready to sacrifice this distrust if a modern nation-state could be built and was widely supported, be it a liberal or a communist regime. Even though some of them were reluctant to submit to a communist dictatorship, they had to admit that the communist approach reorganized the society into a vigorous, forceful community. The task of China's nation-building was being carried out by a Marxist-Leninist party committed to class struggle and the abolition of the state. This was the paradox of China's long twentieth-century revolution.

The paradox meant the ruling party would not be content with an inclusive national community Luo and other liberals had imagined. There were always enemies of the socialist cause and life-and-death class struggle as long as social classes existed. Within the new political community, as Schmitt indicates, the people must 'determine by itself the distinction of friend and enemy'.⁷⁵ With the people and their general will lifted to supremacy, those identified to be the enemy of the people would be forcibly excluded from the community and disqualified for civil rights. In this way, the communists achieved a hegemony in the name of the people, which left little space for disobedience and divergent ideas. Thus came the collision between popular sovereignty and individual freedom, though the two are not necessarily incompatible with each other in the Western context.⁷⁶ Luo's pursuit of the Chinese people's nation, under such circumstances, became a somewhat fatalist journey leading to his downfall.

Nevertheless, the CCP was not to massively execute these 'enemies' as Stalin had done, but to make them confess their 'mistakes'.⁷⁷ The existence of this small discredited group helped strengthen the solidarity of 'the people' and position the ruling party always on the side of the majority, thus consolidating the communist

⁷²Harold Laski, *The foundations of sovereignty and other essays* (London, 1997), p. vi.

⁷³Harold Laski, *Liberty in the modern state* (London, 1930), p. 27.

⁷⁴Gloria Davies, *Worrying about China: the language of Chinese critical inquiry* (Cambridge, MA, 2007).

⁷⁵Carl Schmitt, *The concept of the political* (Chicago, IL, 2007), pp. 46, 49.

⁷⁶Yael Tamir, *Liberal nationalism* (Princeton, NJ, 1993); David Miller, *On nationality* (Oxford, 1995), pp. 119–54.

⁷⁷'Zhe shi zhengzhi zhanxian shang he sixiang zhanxian shang de shehuizhuyi geming' (This is a socialist revolution on political and intellectual fronts), *Renmin ribao*, 18 Sept. 1957.

rule. Such was the logic of the political campaigns in 1950–5, which would continue to dominate the 1957 ‘Anti-rightist’ one.

In 1956–7, China was said to have transitioned to socialism. Mao Zedong and Zhou Enlai, accordingly, claimed to cease massive class struggles and adjust the relationship between the CCP and other parties. Nikita Khrushchev’s secret speech and the 1956 Hungarian Revolution exposed the serious problems under the rule of communist parties in Eastern Europe. To forestall a potential rebellion in China, Mao welcomed the non-party intellectuals to help improve the CCP’s governance. This was the start of the ‘Rectification Movement’. Luo and his CDL colleagues were at first careful not to raise questions about the CCP’s domination but, as the communists kept urging them to make suggestions, their criticism became sharp.

Compared to others who demanded power-sharing, Luo’s criticism sounded quite mild. In an address in May 1957, he mentioned some unfair charges and abuses of power during the 1955 ‘Purge of Counter-revolutionaries’ (*Sufan yundong*). He suggested that the government organize together with the democratic parties a commission to correct these ‘deviations’ (*piancha*).⁷⁸

Luo’s proposal was not presented out of the blue; he was echoing the recent CCP’s policy. In December 1955, Luo Ruiqing, minister of public security and Mao’s loyal guardian, adjusted the initial strict policy and asked his subordinates to respect the law when arresting ‘counter-revolutionaries’.⁷⁹ A month later, he further criticized those unlawful arrests as ‘leftist deviations’.⁸⁰ In April 1956, he demanded a comprehensive and careful review of the 1955 purge across the country.⁸¹ A year later, just one month before Luo presented his proposal, Mao Zedong publicly welcomed the CDL and other democratic parties to have a thorough investigation of the purge.⁸²

Luo’s fate was nevertheless sealed. A week before Luo’s speech, Mao had decided in secret to launch a counter-attack against the critics. Mao planned to encourage, entrap, and destroy them, which he later called ‘an overt plot’ (*yangmou*).⁸³ The CCP’s long distrust of Luo turned into an offence, and Luo’s address was immediately seen as solid evidence of his guilt. On 10 June, Mao began to label Luo as a sinister careerist plotting for the overthrow of the communist government. On 1 July, the CCP’s official birthday, Luo and Zhang Bojun, two vice presidents of the CDL, were formally declared as counter-revolutionary leaders. This declaration turned out to be written by Mao himself.⁸⁴

Luo suddenly became the enemy of the Chinese people he had long exalted.⁸⁵ Facing the frame-up, he no longer fought like a warrior as he had done with Chiang

⁷⁸Zhonggong Zhongyang tongzhanbu zuotanhui jixu juxing’ (The symposium of the united front work department of the CCP central committee continues), *Guangming ribao*, 23 May 1957.

⁷⁹Luo Ruiqing, *Luo Ruiqing lun renmin gongan gongzuo* (Luo Ruiqing talking about the work of people’s public security) (Beijing, 1994), pp. 250–5.

⁸⁰*Ibid.*, p. 271.

⁸¹*Ibid.*, p. 298.

⁸²Zhonggong zhongyang wenxian yanjiushi (Central Institute of Party History and Literature), ed., *Mao Zedong nianpu, 1949–1976* (The chronicle of Mao Zedong, 1949–1976) (6 vols., Beijing, 2013), III, pp. 137–8.

⁸³*Mao Zedong nianpu, 1949–1976*, III, pp. 154–5.

⁸⁴Wenhui bao de zhan jieji fangxiang yingdang pipan’, *Renmin ribao*, 1 July 1957.

⁸⁵Wu Han, ‘Kongsu Zhang Bojun Luo Longji de zuie huodong’ (An accusation of Zhang Bojun and Luo Longji’s evil activities), *Guangming ribao*, 7 July 1957.

Kai-shek's suppression. He never challenged Mao's 'overt plot'. He reiterated once and again his loyalty to the people and the communist party. He confessed that he had not got rid of the bourgeois ideas and failed to transform his worldview to a socialist one, though he denied involvement in a subversive plot. Still, the CCP stepped up the attack on him. He was required to attend numerous 'struggle sessions' (*pidouhui*), where his lovers, friends, colleagues, and subordinates were all desperate to expose his 'crimes' against the people. Private conversations, personal letters, and Luo's anti-communist writings all became evidence of his conspiracy.

The struggles against Luo and his 'rightist' fellows were further intensified when the National People's Congress held its fourth plenum in the summer of 1957. Worker and peasant delegates fiercely condemned the 'rightists' for smearing the communist rule and destroying mass democracy. Some peasant delegates highlighted the improvement of their living standard and censured the 'rightists' for their criticism of the co-operative movement led by the CCP in villages.⁸⁶ Yi Shijuan, a worker delegate, applauded the CCP's policies for raising workers' social status and protecting their welfare. 'Everyone of us is clear', this young 'model worker' emphasized, 'that the working class would never have become master without the CCP's leadership'.⁸⁷ The delegates from Luo's home province, Jiangxi, all demanded him to confess more details of his counter-revolutionary crimes, looking as if he had been spurned by his fellow countrymen.⁸⁸

The people, through their delegates at the congress, came out and spoke. The struggle sessions became drama series, in which the people's delegates were the hero and Luo the villain. For all his life, Luo had been calling for popular sovereignty, but when the people did wield their supreme power, it was to Luo's disadvantage. The 1954 constitution, which Luo had expected to limit the CCP's power, was exploited to defeat the 'rightists' as well. Some quoted the articles in the constitution that justified the domination of the working class and the socialist system in China, denouncing Luo and his 'rightist' fellows for their violation of the constitution.⁸⁹

While the 'Anti-rightist Campaign' was often criticized by historians for its serious violation of human rights, the discourses adopted during the campaign to discredit and humiliate Luo were quite in line with the constitutional and democratic principles strongly endorsed by Luo himself. Once he was labelled an evil plotter against the existing system, he went against the constitution and the people's will. He submitted to the people's authority and admitted his guilt, as he had never wanted to challenge the verdict of a democratic polity. In 1960, he, publicly self-defined as 'a

⁸⁶'Youpai fenzi qipian buliao women nongmin' (The rightists cannot cheat us the peasants), *Guangming ribao*, 5 July 1957.

⁸⁷'Yi Shijuan yong gongren fanshen de shishi bochi youpai fenzi' (Yi Shijuan used the facts about workers' emancipation to refute the rightists), *Guangming ribao*, 5 July 1957.

⁸⁸'Renmin daibiao jixu zhujij youpai jituan' (The people's delegates continue their attacks against the rightists), *Renmin ribao*, 6 July 1957.

⁸⁹'Luo Changpei genju xianfa tongchi youpai miulun' (Luo Changpei referred to the constitution and denounced the rightists), *Guangming ribao*, 5 July 1957.

man who had committed serious crimes', was desperate to beg for the people's forgiveness,⁹⁰ though in private he never bought into communism.⁹¹ The fear of being excluded from the people overwhelmed him.

Perhaps what Luo failed to understand was the essence of 'the people' (*renmin*) in Mao's China. 'The people' in a political sense did not exist inherently and naturally; it was a constructed identity through constant political mobilization and participation. Even in a European parliamentary polity, as Rudolf Smend insists, 'the people are not already politically present in themselves and are then given a special political qualification' to participate in politics; rather, it has its existence 'as a political people (*politisches Volk*)' and 'as a sovereign association of wills' (*souveräner Willensverband*), as a result of elections, mass rallies, political debates, and voting.⁹²

Under Chiang Kai-shek's rule, 'the people', though frequently mentioned in public discourses, existed only in an ambiguous, imaginary form, for it referred roughly to those who were excluded from politics but should have been vested with the right to participate. Luo used the term in the 1930s basically in this sense.⁹³ Although the GMD government launched a quasi-fascist campaign that attempted to mobilize the masses,⁹⁴ the '*politisches Volk*' was never truly constructed under Chiang. The communist party successfully integrated these disorganized masses into a new community. Accompanying this integration was the CCP's reclassification of the society, such as 'workers', 'peasants', 'petty-bourgeoisie', 'landlords', and 'capitalists'. 'The people', in this way, were largely shaped and defined by the CCP. It was thus no exaggeration to say that 'the people's will' was a synonym of the CCP's will. Luo's quest for a democratic and constitutional nation-state ended up paving the way for the emergence of a 'modern prince', a revolutionary party of Jacobinism that acted in the name of collective will and, with unrestrained power, built a new form of mass politics.⁹⁵

IV

Luo Longji's political life shows the dilemma of a non-Western liberal. He wanted to build a political community where individuality and civil liberties were guaranteed. However, in a semi-colonial country, none of these would have been possible without a strong nation-state based upon popular sovereignty and collective will. He was convinced that nationalism was compatible with liberalism, for the power of the whole nation, to him, could be translated into the rights of each individual, and the development of individuals would in turn strengthen the national community.

⁹⁰Canguan xuexi dui jiasu ziwu gaizao you henda bangzhu: Luo Longji weiyuan de fayan' (The study tours are greatly helping my self-transformation: Luo Longji's statement), *Renmin ribao*, 9 Apr. 1960.

⁹¹Zhang, *Wangshi bingbu ruyan*, p. 343.

⁹²Rudolf Smend, *Verfassung und Verfassungsrecht* (Munich, 1928), p. 39.

⁹³'Remin' (the people) and 'xiaobaixing' (the commoners) are often used interchangeably in Luo's articles, showing that Luo did not see 'the people' as an organized political group. See, for example, Luo Longji, 'Qicheng xianzheng de wojian' (My view of the prospective constitutional politics), *Jinri pinglun*, 2 (1939), pp. 339–44.

⁹⁴Maggie Clinton, *Revolutionary nativism: fascism and culture in China, 1925–1937* (Durham, NC, 2017); Brian Tsui, *China's conservative revolution: the quest for a new order, 1927–1949* (Cambridge, 2018).

⁹⁵Quintin Haore and Geoffrey Nowell Smith, eds., *Selections from the prison notebooks of Antonio Gramsci* (New York, NY, 1971), pp. 125–57.

He, together with a group of Chinese liberals, believed that popular sovereignty and constitutionalism would lead to freedom and emancipation but paid little attention to the potential threat of a nation-state to his liberal cause. A liberator could meanwhile be an oppressor, whose unrestricted power was entailed by his national liberal project. Even a constitution made by the people was not sufficient to limit this power; on the contrary, the constitution per se could be 'an intrusion into freedom and private property' and could legitimize the massive violence of the government against its citizens.⁹⁶

Luo should have been aware of this danger, as his colleague Kung-chuan Hsiao had warned in his *Political pluralism* in 1927. Still, he should not be blamed for disregarding Laski's early 1920s pluralism and overlooking the risk of the majority tyranny. The lure of mixing liberalism with nationalism was just too hard to resist, especially to a liberal trying to modernize his or her home country in a hostile world, and a similar tendency can be found in the liberals of other countries like Russia.⁹⁷ Chinese liberals saw in themselves a twofold mission: to safeguard individual freedom and to lead an independent nation-state. They wanted both but, in the end, got neither.

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⁹⁶Schmitt, *Constitutional theory*, pp. 189–90.

⁹⁷Paul Robinson, *Russian Liberalism* (Ithaca, NY, 2023), pp. 40–3.