



RESEARCH ARTICLE

Memories of Redress and Rehabilitation and the Narrativity of In/justice: *pingfan* Films and Chinese Political Culture

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After the end of the Cultural Revolution, many *yuan'an* 冤案 (unjust cases) of the Mao era were revised with the aim of reintegrating those wrongly convicted into the processes of reforms. *Pingfan* 平反 (redress and rehabilitation) reinstated their and their families' social and political status, but did not address issues of individual suffering and accountability in a manner that would enable either victims or perpetrators to deal with the traumatising experiences of the past. Film provided a forum to reflect on the lack of answers to questions left over from recent history in the immediate aftermath of the Cultural Revolution, and continued to do so in later periods. This paper traces the framing of related issues from early *pingfan* films, through independent documentaries of the noughties, to a 2014 film about the transitional period. It identifies three narratives of justice unachieved pervading the memory-scape of China's transition: the impossibility of achieving justice through proceduralism, the impossibility of doing justice to the former selves of those affected by trauma, and the impossibility of providing them with the acknowledgment and explanation they would have needed to overcome the inconceivability of the injustices endured. The finding of an interrelationship between memory frames, discourses on newly embraced politico-legal concepts and perceptions of persistent socio-political problems leads to the conclusion that the conditions of (not) coming to terms with the past have been formed by and had an impact on the development of Chinese political culture from late 20th to early 21st century.

文化大革命結束後，中國政府開始大規模糾正冤假錯案，平反昭雪。儘管受害者及其家庭的社會和政治地位在一定程度上得以恢復，但關於受害者的痛苦和加害者責任的問題仍未得到全面解決，導致雙方均難以擺脫創傷的陰影。本研究通過分析電影和獨立紀錄片中的反思，探討了社會轉型的記憶景觀中關於無法申冤的三種敘事：程序正義難以實現；受創傷個體未能討回公道而難以釋懷；曾經的自我認同難以重塑。此外，研究發現，記憶敘事與圍繞新政法概念和社會政治問題的討論之間存在著一定的關聯。研究顯示，從改革開放初期至 21 世紀初，中國政治文化的發展與冤案當事人能否面對過去之間存在相互影響的關係，進一步揭示了政治文化發展與歷史處理方式之間深刻的內在聯繫。

Keywords: memory, redress and rehabilitation, film, documentary, justice, narrative, political culture, China

關鍵詞： 記憶，平反，電影，紀錄片，正義，公正，冤，敘事性，政治文化，中國

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Introduction: on redress and rehabilitation (*pingfan*) and (not) coming to terms with past injustice

After Mao Zedong's death and the official end of the *Wenhua da geming* 文化大革命 (Cultural Revolution), to manage and negotiate the legacy of a decade and more of excessive campaigning became one of the major challenges facing the Chinese Communist Party (CCP) in its attempt to renew its claim to leadership. In 1981, the Party elite responded by issuing the *Guanyu jianguo yilai dang de ruogan lishi wenti de jueyi* 關於建國以來黨的若干歷史問題的決議 (Resolution on Certain Questions in Our Party's History since the Founding of the People's Republic of China), in which they admitted errors committed by Mao in his later years but upheld his and the Party's overall merit for China's revolutionary past as the foundation of their legitimacy (Weigelin-Schwiedrzik 2006, 1074, 1076). Another initiative aimed at extenuating the negative effects of a period of political upheaval and repression was a "Special Court (特別法庭)" set up in winter 1980/81 to try the "*Sirenbang* 四人幫" (Gang of Four) for their responsibility for the excesses and atrocities of the Cultural Revolution (Cook 2016, '*Lishi de shenpan*' Bianzu 2000).

This attempt to hold part of the leadership liable for "ten years of chaos and disaster", however, did not outweigh the fact that only a limited number of those who had committed those crimes in the name of the Cultural Revolution and its ultra-leftist leadership group were formally tried, and even fewer convicted (Mok 2019, 25; Zhang 2018, 150). For a huge number of individual cases of political persecution and purges which had harmed or even destroyed entire families, work units, and social networks, questions of motivations, guilt, and accountability were not addressed. Naming the "Gang of Four" as the main culprits in the Special Court proceedings and "the masses" who had not withstood Mao's delusional mistakes as jointly responsible in the Resolution (Weigelin-Schwiedrzik and Cui 2016, 746) did not provide the answers to questions arising from the experiences of parents who had been accused by their own children or teachers physically assaulted by their own students. Many perpetrators and victims were never given the obligation - or the opportunity - to explain themselves with regard to the traumatic events of the past.

At the same time, it was obvious that the negative consequences of these so-called *yuanjiacuo'an* 冤假錯案 (unjust, false, and wrongful cases) needed to be dealt with on the individual level, if they were not to jeopardise the strategic goals of economic reform and political re-legitimation. It was necessary to reintroduce those who had been purged and ostracised for political reasons into the work forces, political positions, and intellectual and professional networks supposed to shoulder political, economic, and social consolidation envisaged by the reform-oriented faction led by Deng Xiaoping. However, if these people, marred by the memories of having been wronged and having wronged, were to follow and support the Party and government in their new endeavours, the latter were in dire need of rebuilding trust in their political leadership and discretion.

The policy tool to achieve both reintegration and re-legitimation was *pingfan* 平反, the redress of politically motivated verdicts and the rehabilitation of those affected by miscarriages of justice. It was

a measure that had been implemented earlier in PRC history to reduce the adverse outcomes of excessive political campaigning – though never to the same extent as in the transitional period of the late 1970s and early 1980s (Leese and Engman 2018, 13). Irrespective of whether it was a Party, state, or judicial authority which revised one of its cases, it was the Party organisation at the relevant level which had to approve and account for the decision to redress and rehabilitate (Trevaskes 2002, 6). Thus, the institutional status of people’s courts and governments, as well as the CCP’s ideological supremacy, were reconfirmed by identifying and correcting former errors. The document resulting from the *pingfan* procedure, verifying the falsity of the earlier sentence, reinstated the rehabilitated person in his or her social and political position. By clearing their names, releasing them from confinement or forced labour, and in some cases granting compensation, rehabilitation improved their and their families’ living and working conditions, access to education and medical care, and other social benefits. These far-reaching implications that were manifested at both the collective and individual level made *pingfan* a vital element of the PRC’s transition and a turning point in a myriad of Chinese lives.

In most cases, however, *pingfan*, as perceived from the side of the rehabilitated, re-evaluated former erroneous decisions without going into their institutional and personal ramifications; it reappraised the deeds and attitudes of a person without acknowledging, let alone specifying, the damage that had been done to this person’s inner and outer life. It did not assign individual responsibility, either for having made the decisions that destroyed these lives, or for having lived up to, obeyed, and taken advantage of these decisions out of political zeal or self-interest. Hence, *pingfan* provided victims neither with a space for recognition and representation of their suffering nor with the frames of meaning to make sense of the injustice endured. In the absence of an official rendering of what has been termed “transitional justice”, in the context of transitions from authoritarian regimes to democratisation or the aftermath of civil war elsewhere (Teitel 2001), the articulation of emotional and argumentative aspects of coming to terms with the past was and has remained difficult, both in the transitional period and the ensuing years and decades.

The imaginary space in which to deal with the emotional burden left over from recent history was provided by the so-called *shanghen wenxue* 傷痕文學 (scar literature) and trauma film (Braester 2003, 131–157; Zeng 2008, 32–65; Xiong 2004; Wang 2004). The difficulties of facing and overcoming the memories of past injustice that confronted victims, perpetrators, and all those who had been both, due to factional shifts and struggles during the Cultural Revolution, were mostly implied rather than openly discussed in many literary works and films published in the period of transition and beyond, because of and in spite of the ongoing attempts by the political leadership to contain public opinion and discourses on the Cultural Revolution and its legacy (Weigelin-Schwiedrzik 2006).

In the following, this paper aims to exemplify that the need for a meaningful framing of the unresolved issues of in/justice was especially pronounced and at least tentatively answered in films directly addressing the functions and deficiencies of redress and rehabilitation. Through the analysis and interpretation of a small selection of feature films and independent documentaries of the late 20th and early 21st centuries,¹ three narrative frames of justice unachieved in China’s transition are identified.

¹ The choice of titles has been based on the degree of explicitness with which redress and rehabilitation as an institution is discussed and assessed in them; however, it makes no claim to cover all relevant *pingfan* films available at the time of writing (for a further differentiation

The article traces them over a period of three decades, elaborates continuities and shifts in their formation, and relates modifications of their narrative configurations to the perceptive and discursive framing of in/justice in the respective times of film-making. It points to the convergence of filmic narrations of *pingfan* with the narrativity of newly embraced politico-legal concepts and traditionally upheld socio-political models as an indication of embeddedness of the processes of (not) coming to terms with the past within Chinese political culture, and departs from an understanding of the latter “as a dialogue between past, present, and future” (Liu 2022, 160). In doing so, this study positions itself between and draws on both a vast array of film and memory literature dedicated to the representation of the legacy of political campaigning in Chinese popular culture,² and more recent research applying the theories of transitional justice to the case of China.³

Telling stories of redress and rehabilitation in Chinese feature and documentary film

Despite a considerable number of films of the post-Mao era being dedicated to the situation of readjustment to family and work life after rehabilitation and return from prison or labour camp, not many of them displayed the actual experience of redress and rehabilitation.⁴ The limited visibility of *pingfan* procedure in filmic portrayals of the returnees’ and their families’ attempts at dealing with the haunting memories of the past leads to the assumption that *pingfan* might not have been appreciated as a cathartic event supporting those processes of coming to terms with the past. The few plots explicitly referring to and displaying redress and rehabilitation appear to sustain the hypothesis of an ambivalent perception of *pingfan* as something that people strove and struggled for under difficult circumstances, but which could not be taken for granted and did not always yield what they had been longing for.

Two of the most outspoken filmic assessments of redress and rehabilitation in the transitional period were offered by Xie Jin 謝晉, one of the most renowned and influential third generation filmmakers, in the beginning and the middle of the 1980s. In *Tianyun Shan chuanqi* 天雲山傳奇 (The Legend of Tianyun Mountain) (1980), he tells the story of Song Wei 宋薇, a middle-aged female cadre at the end of the Cultural Revolution, her former fiancée Luo Qun 羅群, whom she abandoned when he was labelled a “rightist” in 1957, and her former best friend Feng Qinglan 馮晴嵐, who has married Luo Qun and supported him throughout the Cultural Revolution at the cost of her own health and wellbeing. Together with a young female cadre on a mission to investigate the situation in the former development area, Feng tries to convince Song, who holds the post of deputy head and is married to the head of the organisation department in charge of the local implementation of *pingfan* policy, to make a reversal of Luo’s case possible. When they finally achieve his rehabilitation against the fierce

between *pingfan* in and through film see Schick-Chen 2018, 49-50).

² E.g. Berry 2004, Berry 2008, Braester 2003.

³ E.g. Leese and Shuman 2023, Mok 2019.

⁴ For information on film-making in this period and feature films discussed in this paper, see: Berry 2004, 222-223, 130-231, 238; Clark 1987, 163-166; Silbergeld 1999, 306, 205-207.

opposition of Song's husband, who had been behind Luo's purge two decades earlier, Song is divorced, and Feng has died of exhaustion, but Luo is reinstated in a leadership position. The film ends on a both nostalgic and forward-looking note when Song finds there is no way back to the days of her youth but only the perspective of a new start into a reform-oriented future. This ending appears to echo both the re-evaluation of the 1950s as the golden era of CCP rule (Wemheuer 2019, 283) and the positive outlook on reform and opening predominant in political discourse at the time of the film's production.

The female heroine of *Furong Zhen* 芙蓉鎮 (Hibiscus Town) (1986), Xie Jin's second work on *pingfan*, is Hu Yuyin 胡玉音, at first owner of a profitable food stall selling homemade bean curd, later in the film condemned to sweep the streets for her "capitalist" ambitions during the Cultural Revolution. Political persecution drives her first husband to suicide and sends her second husband Qin Shutian 秦書田, an intellectual and convicted rightist, to reform through labour, which leaves her without any support, even when giving birth to her child. In this critical situation, a disgraced old cadre finally comes to her aid and takes care of the small family until both parents are rehabilitated, enabling Hu to reopen her business and her husband to return to Hibiscus Town after the end of the Cultural Revolution. One of the final scenes shows the townspeople reunited at the opening of Hu's new food stall. They appear to have returned to their old lives, when suddenly a former profiteer from political struggles who has become insane after his post-Cultural-Revolution degradation turns up and makes everyone freeze by chanting the now obsolete slogans of class struggle. The uneasy feeling caused by an echo from the past is finally washed away when the wrong-doer's dilapidated house is shown collapsing and being carried away by a neighbouring torrent. The image of history washing away revolutionary delusion paired with the fear of history repeating itself is to be understood against the backdrop of a situation of simultaneous campaigning for reform and against bourgeois liberalisation in the mid-1980s. The way in which such political and ideological ambiguity were displayed in both films is redolent of a time in which Xie Jin, as both member of a politically established cultural elite and concerned intellectual, was aware of a new escalation of political and socio-political tensions which finally led to the events of Tiananmen 1989.

After a political realignment in the wake of this further traumatic event, the Cultural Revolution and the transitional period were remembered in different forms and with diverging biases. On the one hand, TV serials like *Kewang* 渴望 (Yearnings/Aspirations) (1991) and *Meng kaishi de difang* 夢開始的地方 (The Place where Dreams Begin) became outlets of a politics of memory aimed at (re-)forming public opinion on the Maoist past and its aftermath (Li 2011; Cai 2016). On the other hand, in films that were internationally acclaimed but met with restrictions and censorship in the PRC, fifth-generation film-makers challenged the official interpretation of recent history.⁵ Whereas, similarly to film in the 1980s, redress and rehabilitation was implied rather than openly displayed in filmic plots and story lines, Party veterans and scholars increasingly focused on the transitional period, including problems and implications of the reversal of unjust cases in their history writing of the 1990s. They did so in articles about and eulogies of rehabilitated Party veterans published in their own outlet

⁵ Prominent examples include Tian Zhuangzhuang's *Tian Zhuangzhuang's* 田壯壯 藍風箏 (The Blue Kite) (1993), Zhang Yimou's *活着* (To Live) (1994), and Chen Kaige's *陳凱歌 霸王別姬* (Farewell My Concubine) (1994) (Li 2011; Xiong 2004, 203-215).

Yanhuang Chunqiu 炎黃春秋 (Through the Ages/Annals of the Yellow emperor), as well as in quasi-biographic and historiographic writing on the Maoist and transitional period that started to thrive around the turn of the century.⁶

In the second half of the 1990s, independent documentary film was adopted by Chinese intellectuals and artists as a medium to express themselves on socially relevant but politically sensitive issues, including the *lishi yiliu wenti* 歷史遺留問題 (questions/problems left over from history) of the Mao era. Produced by independent film-makers (Permin 2019), mostly in the first decade of the twenty first century, documentaries on unjust cases of the Mao era have been discussed as “oral-visual historiography” (Cui 2010, 11), the “foundation of an ‘alternative archive’” (Edwards 2015, 69), and “virtual museums of forbidden memories” (Li 2009, 539).⁷ A considerable number of these film projects were initiated by individuals who, as relatives or friends of former campaign victims, formed part of a community of memory that aimed at testimony and representation, in the sense of finding out and communicating what had happened to whom, and who had done what, in periods of political repression and persecution. By doing so, they provided counter-narratives to former defamation and judgements, making their films something close to an alternate format of rehabilitation in themselves. In long sequences of interviews, they provided platforms for the memories of those victimised by revolutionary excesses in one or another way. Giving a voice to those who were not able to speak for themselves (anymore), they challenged official frames of collective (non-) remembering.⁸

A documentary taking the principle of filmic testimony to the extreme is Wang Bing's 王兵 *He Fengming* 和鳳鳴 (Fengming: A Chinese Memoir) (2007), in which the victim herself recounts her experience in the Anti-Rightist Campaign, the Cultural Revolution, and in times of rehabilitation, for nearly three hours, without any visible intervention by the film-maker (Veg 2012, 174). Another film director well known for documenting the Cultural Revolution, Anti-Rightist Campaign, and Great Leap Forward is Hu Jie 胡傑 (Li 2009). In his first film on an unjust case *Xunzhao Lin Zhao de linghun* 尋找林昭的靈魂 (In Search of Lin Zhao's Soul) (2004) he speaks out on behalf of Lin Zhao, labelled a rightist and executed as a counter-revolutionary in 1958 because of her criticism of Mao's Great Leap Forward policy. In *Wo sui siqu* 我雖死去 (Although I am Gone) (2007), Hu documents the case of Bian Zhongyun, a teacher beaten to death by her own students during the Cultural Revolution, based on her husband's memories, photos, and other pieces of evidence.⁹ He works with and for the son and daughter of a woman purged for her criticism of Mao and praise for Liu Shaoqi, re-establishing the good name of their deceased mother. *Wode muqin Wang Peiying* 我的母親王佩英 (My mother Wang Peiying) (2010) recounts the ordeal endured by this former cadre of the railway

⁶ E.g. Dai 2004, He 1999. For an overview of independent writing about the Mao era from the perspective of the post-Mao period, see Béja 2019.

⁷ Online dissemination has further established independent documentaries as a platform for representation, memorisation, and discussion, making them part of a national and transnational discourse dynamic (Permin 2015) that has been termed the “battle for China's past” by Gao (2008).

⁸ The collision of official and personal narratives of past events becomes most obvious when the individual accounts of what happened to victims and those close to them are interspersed with publicly released historical footage and commentary about the events recalled in the interviews.

⁹ For an account of this infamous case and the debates triggered by a belated apology of her murderer, see Weigelin-Schwiedrzik 2016.

administration from being locked up in a mental institution to her final execution in 1971. Another case of a death sentence for praising Liu Shaoqi and criticising Lin Biao while Lin was still at the zenith of his political career is revisited by Wang Yunlong 王雲龍 in *Huan Bu Qinfu yi meili* 還卜琴父以美麗 (Justifying Bu Qinfu) (2011), tracing the events leading to the execution of a female member of a military theatre group in 1970.¹⁰ Finally, in *Hongri fengbao* 紅日風暴 (Storm under the Sun) (2009), it is fifth generation film director Peng Xiaolian 彭小蓮 herself who, together with Louisa S. Wei, traces the lives and deaths of her own father, a high ranking Party cadre denounced as a member of the so-called *Hu Feng fangeming jituan* 胡風反革命集團 (Hu Feng Counter-revolutionary Clique), and some of his co-defendants in the mid-1950s (Veg 2010, Berry 2009).

By expounding the individual stories and their broader implications for collective identities, these films open up perspectives on victimisation and injustice absent from the official policy of redress and rehabilitation. While the significance of having one's case revised and a former conviction overturned is expressed in films like Wang Bing's *He Fengming*, criticism of the shortcomings of *pingfan* is also voiced in this and other documentaries. A telling example is one of Wang Yunlong's interviewees, who openly states that *pingfan* could not make up for the losses caused by the Cultural Revolution and naming mistakes could not undo them. This critical stance towards rehabilitation becomes even more telling in *Storm under the Sun*, when another interviewee bemoans the fact that even the Party's "we were wrong" in his rehabilitation document could never make up for the devastating experience of not recognising his own mother after 22 years of forced separation.

When Zhang Yimou's 張藝謀 feature film *Guilai* 歸來 (Coming Home) (2014) revisits the transitional period at the beginning of the Xi Jinping era, at first sight he appears to dissociate himself from the narratives of the independent documentaries, and to revert to his own style of film-making in the 1990s and to *pingfan* film of the early Reform period. The main part of the plot¹¹ is dedicated to the male protagonist's rehabilitation and its immediate aftermath. It starts with Lu Yanshi's attempt to escape from labour camp to see his family during the Cultural Revolution, an attempt which is thwarted by his own teenage daughter Dandan 丹丹, who thinks that denouncing her father will get her the main part in a revolutionary ballet she is rehearsing for. When Lu finally returns after his rehabilitation, he finds Dandan living in a workers' dormitory, as she had to give up her career as a dancer and her mother Feng Wangyun 馮婉瑜 has not been able to forgive her betrayal.¹² Feng has been traumatised by Lu's treatment and her own experience of having saved her husband's life with the help of a member of the revolutionary committee who in the end takes advantage of the situation and molests her.

¹⁰ *Although I am Gone* and *In Search for Lin Zhao's Soul* are discussed in Edwards 2015 and Pernin 2019. For short biographies of Bu Qinfu, Wang Peiyong, and Lin Zhao in English and Chinese see www.laogairsearch.org/prisoner_stories [last access 10.05.23].

¹¹ Based in part on Yan Geling's 严歌苓 novel *Lu fan Yanshi* 陆犯焉识 (Criminal Lu Yanshi), Beijing: Writers' Publishing, 2014 (Cai 2015).

¹² Having suffered and made others suffer, Dandan is one of the "middle characters" (Berry 2004, 44, 88) representing the ambivalent role between perpetrator and victim assumed by many during the Cultural Revolution in *pingfan* feature films. Examples in Xie Jin's earlier films are Song Wei and the elderly Party cadre in *Hibiscus Town*, who do not want or dare to stand up for their beliefs at first, but ultimately decide to do the right thing by supporting the victims of their own and others' wrongdoing.

When Lu is finally able to return, Feng does not recognise him and at first even mistakes him for her abuser. She keeps going to the train station each month on the date indicated on a letter of notification of Lu's release to wait for her husband, despite Lu's manifold efforts to make her understand that he has already returned. The unhappy couple and their daughter are shown adapting to the situation, with Lu turning into a friendly neighbour taking care of ailing Feng, and Dandan being finally readmitted to her home to keep her mother company. However, a genuine family reunion is made impossible by the unaddressed rifts of the past that remain unresolved up to their old age and the end of the film. This situation of cleavage and alienation beneath a superficial air of normalcy and restoration is expressed subtly in a scene in which Dandan and Lu are sitting in the ramshackle storage room across the street where he has had to move to because of his wife's refusal to let him live in their former home. They are talking without looking at each other, obviously conscious of unexpressed guilt and grief. When his daughter tries to comfort him by saying that at least he will be able to see and support his wife from now on, Lu turns away without an answer. To this she finally asks, "Does the rest really matter?" This question can be understood as a key to this and other films' approach to remembering an uncompleted process of coming to terms with the past, and Dandan's subsequent plea to "think about it" as an affirmative answer and an encouragement to face its further implications. This communicative aspect is further stressed in the very last sequence of the film, when Lu Yanshi suddenly looks straight into the camera and at the audience as if to draw them into his field of vision, make them part of his reality, and again remind them to "think about it". The portrayal of lives reset but not repaired by redress and rehabilitation, as they are still affected by the (suppressed) memories of former injustice, can be read as an attempt to envision this "rest" and its momentousness.

Tracing the narrativity of justice unachieved in Chinese *pingfan* film

In the following, a close-reading of filmic accounts of the difficulties of achieving justice, in the sense of overcoming *yuan* 冤 (injustice caused by a miscarriage of justice), a notion deeply ingrained in Chinese political culture and history, reveals a narrativity that first becomes manifest in Xie Jin's films of the 1980s and can be traced throughout the continued cinematic confrontation with the topic in later decades. Without openly aiming at a meta-narrative of "justice"¹³ in its paradigmatic dimension or its context-specific interpretation as "transitional justice",¹⁴ the *pingfan* films discussed in this paper are recounting the hardships of (not) coming to terms with the past in post-Mao China as stories of the impossibility of achieving justice through (due) procedure, providing acknowledgement and explanation as a means to deal with the emotional inconceivability of injustice, and to regain a sense of identity unscathed by the memory of having (been) wronged.

¹³ In Chinese, the meaning of justice as it is understood in the Western world is not covered by a single term, even though recent texts tend to use the term *zhengyi* 正义 (justice) in legal and political context. Specific connotations of the notion of justice are expressed by terms such as *gongzheng* 公正, *gongdao* 公道, or *gongping* 公平, expressing concepts such as fairness, justness, or equity.

¹⁴ In the early stages of institutionalisation as an academic field, "transition" was defined as a political system's transformation from dictatorship or other autocratic systems to democracy. Since other transitional processes have been included (Hansen 2011), the concept of a transitional justice has been applied to China's transition from a revolutionary to a reform-oriented authoritarian regime as well (Cook 2016, 21-26; Leese 2015, 127).

The impossibility of achieving justice through proceduralism

The deficit of justice expressed most explicitly in filmic displays of *pingfan* is a lack of procedural appropriateness. The degree of proceduralism foreseen by *pingfan* policy is not reflected in the way the actual experience of redress and rehabilitation is remembered and restaged in documentary or feature films. In *The Legend of Tianyun Mountain*, Song Wei is shocked by her husband's disregard for the procedural instructions regarding the revision of political cases handed down from the central and regional Party leadership. His misappropriation of power for personal reasons and the insinuation by his secretary of preferential treatment for prominent cases is displayed openly. In *Hibiscus Town* it is the bad condition of the rehabilitation document as well as the uninterested and negligent attitude of the cadres delivering it that raise questions as to the significance of the official act. Consequently, Hu Yuyin appears to be unimpressed by it and to ignore what is written on the crumpled piece of paper in her hands. She does not react to the news of a possible restitution of her business capital and shouts at the cadre that she just wants her husband back. When Qin Shutian finally returns to Hibiscus Town, he does not react with enthusiasm either, when his own *pingfan* document is simply handed to him by a local cadre in the hustle and bustle of their food-stall reopening; he shows an attitude of reserve that demonstrates his distrust of the system offering him rehabilitation and compensation at the hands of its representative, who has not protected his family's wellbeing earlier.

Reminiscent of Xie Jin's depiction of his protagonists' encounters with the formal act of rehabilitation, Zhang Yimou's Feng Wanyu appears equally indifferent to the document proving her husband's rehabilitation when it is produced as a trump card by a cadre friend to prove that the man standing in front of her is Lu Yanshi. Her look of incredulity points to a lack of trust in both the message and its bearer, even when the cadre refers to her authority as a representative of the Party, assuring her that "[i]n the name of the organisation, this is your husband Lu Yanshi". Similarly to Hu Yuyin, Feng disregards this intervention and concentrates on the one thing relevant to her, that her husband "is well and coming home, [and] that's all that counts". That a sense of meaninglessness became especially poignant in cases of posthumous rehabilitation becomes apparent in He Fengming's half desperate, half angry reaction to the belated redress of her husband's case.

Whereas *Coming Home*, as a commercial film that premiered in 2014, does not reveal much about Lu's conviction and the proceedings of its reversal, documentaries on unjust cases of the Mao era are quite outspoken about the fact that, rather than the delivery of rehabilitation documents, it was the procedure leading up to their issuance that left applicants – or rather petitioners – mortified and disaffected. That *guanxi* 關係 (personal relations) were a decisive factor in the rehabilitation process is again proven in Wang Bing's film by He Fengming's real-life account of her case being reopened only after the intervention of a police officer married to a cousin of hers. In his documentary, Wang Yunlong describes the thorny way to Bu Qinfu's eventual rehabilitation in 1983, as well as the difficulty of seeing, let alone filming, her case files – even after hers having been qualified as an unjust case.

The film also addresses the issue of compensatory payment, which her son cannot accept when it is offered to him for his mother's "having died of illness in custody", despite her execution being common knowledge. The problem of compensation becomes even more acute if it was denied on grounds

not acceptable to the potential beneficiary, as exemplified in “Storm under the Sun”, when Hu Feng’s son finds out about the desperate living conditions of a former well-known writer and friend of his father who had been rehabilitated but never compensated for the losses inflicted on him during various campaigns of the Mao era. This drawback of *pingfan* procedure was partly related to the deficit of not determining, let alone penalising, individual accountability for the damage and losses incurred by victims of unjust verdicts. One of the very few protagonists to address openly this aspect of retributive justice is Bian Zhongyun’s husband.¹⁵ In *Although I am Gone* he remembers his futile efforts to take legal action against the murderer of his wife, as well as his desperation and rage when the district procuratorate rejected charges and exempted the perpetrator from punishment, based not on the principle of presumption of innocence but of statutory limitation.

The impossibility of providing acknowledgment and explanation as a means of overcoming the emotional inconceivability of injustice

The filmic memory of frustration with an inappropriate form of *pingfan* procedure coincides in most cases with a disenchantment with the ideal of the *qingguan* 清官, a wise and upright official or morally and ideologically advanced cadre taking care of those in need of guidance and protection. In the *Legend of Tianyun Mountain*, Song Wei seems still to adhere to this traditional idea, when she goes to see a rehabilitated veteran cadre to ask for his advice as to how to enforce the reversal of Luo Qun’s case. Interestingly, however, it is her husband and superior, responsible for Luo’s misfortune and a lack of due process, to whom she turns first in her quest to understand and overcome a state of injustice. She pleads with him to acknowledge and repent his error, so she can still be able to respect and appreciate him as the person she has been living and working with. Only when denied such explanatory acknowledgment does she decide to disregard his authority and pursue Luo’s rehabilitation against her husband’s and superior’s will. Only a few years later, the idea of an explanatory acknowledgment of former error by the one who had erred in order to set things right and reconsolidate social and hierarchical relationships is dismissed in Xie Jin’s second *pingfan* film.¹⁶ On his way home from labour camp after rehabilitation, Qin Shutian meets the female cadre who had been responsible for his and his wife’s punishment, before she herself was purged towards the end of the Cultural Revolution. Obviously feeling embarrassed by this encounter on a ferry carrying them both back to Hibiscus Town and their old lives, she is still not able or willing to utter more than a short remark on the hard times they have all been through and a vague hint of a favour she could do him if needed. Without reacting to this lukewarm acknowledgement of his victimisation and a dubious offer of compensation, he congratulates her on her upcoming wedding and expresses his hope that she will have a happy life as a married woman – and will let other people live their private lives without any further political

¹⁵ An example of the idea of retribution being conveyed in a more inconspicuous manner is a sequence in *Hibiscus Town* in which Qin Shutian and Hu Yuyin play a trick on those responsible for their conviction and degradation to street cleaners. While sweeping the streets they become aware of the clandestine affair of two of these cadres and put a cowpat under the window through which one of the lovers is expected to exit from the place of their amorous rendez-vous.

¹⁶ For an investigation of the filmic exploration of this notion of *shuofa* 说法, literally translated as “a way of speaking” and rendered as “apology” in relevant Western contexts, in Zhang Yimou’s film *Qiuju da guansi* 秋菊打官司 (The Story of Qiuju) (1992), see Zhang 2008, 297-298.

intervention. He clearly does not expect anything good to come from her in the future either as a person or as representative of the Party.

The hope that those who had wronged would explain themselves to those who suffered from the formers' wrongdoing is again openly expressed in most of the documentaries on unjust cases. Nevertheless, the expectation that Party cadres involved in the persecution of intellectuals during the Cultural Revolution and still in high positions by the time of filming would provide information on the former miscarriages of justice is frustrated in more than one case. Wang Yunlong recalls how the cadre responsible for Bu Qinfu's conviction repudiates his role in her case at first, and only admits to it when confronted with another witness's testimony; referring to the 1981 Resolution, he shifts the blame for Bu's deplorable fate to Mao and the Gang of Four.

That the need to hear the wrongdoer's view of past events was especially urgent if the harm had been done by a friend is well documented in Peng Hsiao-lian's and Louisa Wei's documentary *Storm under the Sun*, when literary critic Shu Wu 舒蕪, who had turned in his friend Hu Feng to the authorities by disclosing compromising letters of his, is asked to finally speak out "as a historical figure" by some of the surviving members of the alleged "counterrevolutionary clique"; their desperation is palpable when he refuses to provide his version of past events, making it impossible to integrate it into a comprehensive memory-scape accessible to everyone involved in and/or affected by past injustice. The importance of public acknowledgement of former error by those infamous as leading figures in political repression is further underlined by the film's reporting on the case of literary critic Zhou Yang 周揚, Hu Feng's most powerful adversary. His belated apology at Hu Feng's sickbed, i.e. in a private setting, is not considered a satisfactory form of setting things right for the sake of re-establishing historical truth. That in some cases perpetrators were willing and needed to speak about their motivations for wrongdoing becomes evident elsewhere in the documentary, when an author who had been forced to give testimony against his former mentor Ah Long 阿龍 (Chen Shoumei 陳守梅) remembers his feelings while looking the latter in the eye in the courtroom. A similar urge to disclose one's reasons for wrongdoing is displayed in two of Hu Jie's documentaries, when Lin Zhao's former schoolmates and Wang Peiyong's children try to explain why they did not stand or speak up for people close to them out of fear and indoctrination.

In *Coming Home*, neither the need to know nor the obligation to recount the institutional background of and personal motives for past injustice are expressed openly: the relationships between those owing and those in need of acknowledgement and explanation remain immersed in silence. When Lu is at a loss as to why his wife mistakes him for a former revolutionary committee member, he asks their female cadre friend for the reason and for her help in arranging a meeting with the other man to make Feng realise that they are two different persons. The female cadre refuses to respond to either of his requests, and it takes Lu quite some time to find out about the traumatic experience that caused his wife's partial amnesia. When he finally comes to know the identity and whereabouts of the man who molested Feng in exchange for her husband's life, Lu sets out to ask him for a clarification, only to learn from the disgraced cadre's wife that he has been detained and taken away to an unknown place - making an acknowledgement and clarification of the reason for his wife's trauma unavailable to Lu.

The reasons for his own victimisation seem to be of no interest to Lu, and his daughter's role in it is never brought up in the family. Their encounters and renewed relationships are characterised by a deeply ingrained silence implying the many things unsaid to be an invisible though unsurmountable barrier separating the family members. The film looks back to Dandan's former guilt only once, when the young woman, who has become a factory worker after the premature end of her dancing career, re-enacts the leading part of the revolutionary ballet she had not been able to perform in spite of turning in her father. The private performance in her mother's living room is aimed at reawakening Feng's memory but could equally be understood as Dandan's awkward attempt at explaining herself to her parents. Nonetheless, without a clarifying word or apologetic gesture, this implicit form of acknowledgement does not elicit the anticipated reactions. Without a restoration of mutual understanding and recognition, all family members remain in a state of emotional isolation despite their daily routines as a household and close neighbours. Like other *pingfan* films, *Coming Home* describe their protagonists' efforts to overcome and compensate for the limitations of redress and rehabilitation as doomed to failure.

The impossibility of doing justice to the former selves of those traumatised by the experience of injustice

The display of intricate forms of communication and interaction, implying a fraught relationship between victims, perpetrators, and those who had been both due to factional struggles in the Mao era, points to the difficulty of and need for reconciliation between standpoints and overcoming of divisions without framing this in outright terms as reconciliatory justice.¹⁷ The divisiveness and alienation implied by *pingfan* films as consequences of the deficits of redress and rehabilitation policy are not only those between individuals or within groups, but rather result from the unbridgeable distance between the individual and his or her former self that has been lost through the traumatising experience of injustice.

This is visualised and verbalised in flash-backs to the 1950s and nostalgic images of Young Pioneers playing volleyball and picking flowers, in the earlier part of the *Legend of Tianyun Mountain* and repeated in the very last scenes of the film. When Song Wei finally returns to the region of Tianyun Mountain, she calls it "the place of my youth" in a voice that betrays her longing for reconnection to her former self. However, watching Luo Qun at the grave of his wife, she understands that what she has done to – or not done for – those close to her will keep her apart from former relationships and her place in them, even after Luo Qun's rehabilitation. Her final realisation that her former life is beyond retrieval, and the only way for her to go is towards a better future, resonates with both the

¹⁷ That China's memory-scape has not been dominated by the idea of reconciliation, one of the elements of transitional justice theory, is further proven when "revealing the truth of history – even if that truth is not a unifying one" is specified as the rationale for speaking out on past events in *Storm under the Sun*. Overall, this and other documentaries appear to refer to an idea of truth-finding located in between its ideological engrossment in China's transitional period (Schoenhals 1991) and its institutionalised form of transitional justice processes elsewhere.

calculated optimism of reform policy and the resignation of a generation that has been severed from the genuine optimism of their youth.

In *Hibiscus Town*, Qin Shutian expresses the impossibility of rehabilitation as a return to one's former self even more drastically, when he replies to a local cadre congratulating him on his rehabilitation that it is being reunited with his wife and son that makes him feel human again. The difficulty of repositioning himself within and identifying with a community that has ostracised him for years is made visible by his aloofness among the townspeople and representatives of the Party.

In the documentaries on unjust cases, the personality and image of the mostly deceased victims are reconstructed in a manner strongly related to the idea of recognition as one of the elements of transitional justice. While the latter tends to focus on the recognition and representation of victimisation, *pingfan* films take a more comprehensive look at the person affected. In most cases victims' lives are traced back to their childhood and formative years with the aim of representing their personalities in a favourable light of youthful innocence and idealism. These films aim to clear their subjects' names of the incriminating accusations suffered later in their lives, bearing witness to their astuteness and courage, i.e. making them the heroes of their own life stories.

In this manner, the films offer a post-mortem consolidation of victims' identities that, in the eyes of the film-maker as well as their descendants, friends, and colleagues have not been reconstituted to a satisfactory degree by redress and rehabilitation. For those admitting to the role of perpetrator, the memory of their wrongdoing – that in the cases of deceased victims can no longer be acknowledged or explained to everyone affected by it – appears to stand between them and the memory of themselves before their loss of innocence. By clarifying their former deeds or omissions to the interviewer and the audience they aim to adapt their image and self-perception to the ideals with which they long to identify and be identified.

The need to be recognised by others as who and what one is and was, as a prerequisite for reassuming one's former identity, is visualised in Lu Yanshi's desperate efforts to reactivate his wife's memory of him in *Coming Home*. When the *pingfan* document presented by their cadre friend has failed to prove Lu's identity to Feng, who consequently is denying him access to his former home and life, he realises that he is left alone in his quest for retrieval of his wife's memory and his former identity. He begins to pay her visits and read from letters never posted to her, hoping that the accounts of his life in labour camp will enable her to understand the trajectory he has undergone from the man she knew in the past to the man sitting next to her in the present, changed in manners and appearance by two decades of separation and suffering.

When Feng is still unable to link the face of the beloved writer of the letters to that of the friendly neighbour reading them to her, Lu begins to write new "letters from labour camp" for the purpose of providing guidance and clarification to his increasingly lost and helpless wife. In doing so, he effectively (ab-)uses the authority of the "absent" husband, which amounts to a distortion of truth and of his own identity. When the letters start recommending a healthy lifestyle and reunion with her daughter, Feng is momentarily irritated but still does not know how she can doubt their authenticity. She keeps seeing and treating Lu as a familiar acquaintance she has become quite attached to, without recognising him as part of her earlier life as a couple. Out of concern for his increasingly frail and confused wife, Lu

finally renounces his former self and starts accompanying Feng on her monthly visits to the train station, waiting with her for a Lu Yanshi he knows will not return.

This state of unaccomplished (self-)identification, which includes Feng's being lost in her own imagination and Dandan's lack of emotional recognition by her parents, leads to an emotional void that cannot be transcended by any of those affected by it.¹⁸ Its perpetuation is represented in the last part of *Coming Home*, when "many years later", on a dark winter morning, a visibly aged Lu collects his wife, who is brought to the door in a wheelchair by a business-like Dandan. In complete silence, again, they set off for their monthly routine that seems unchanged except for the slightly modernised look of the railway station – and the complete lack of expectation or alertness in their facial expressions. Finally standing in front of the closing platform gate at the end of the day, they appear to be caught in a state of apathy and detachment, fallen out of time and space, neither caring about the past nor expecting anything from the future.

Discussion and conclusion

The foregoing analysis and interpretation of a small selection of *pingfan* films from three decades have revealed a changing cultural embeddedness of the memory-scape of coming to terms with the past in post-Mao China. Their stories of the impossibility of achieving justice through (due) procedure, of providing the acknowledgment and explanation needed to overcome the inconceivability of injustice, or of doing justice to the former selves of those traumatised by the experience of injustice are partly reminiscent of but never congruent with the specifications of either national politics of memory or international practices of transitional justice. Instead, these narrative frames have been informed by a set of beliefs and orientations oscillating between new and old, Chinese and Western models and theories.

Filmic memories of *pingfan* have been found to be rooted in traditional and socialist culture but to have started to question some of their ideas and ideals in the early Reform period. Song Wei's simultaneous longing for procedural and personal quality in the administration of redress and rehabilitation can be understood in the context of a fierce debate on the contesting ideals of *fazhi* 法治 (rule of/by law) and *renzhi* 人治 (rule of/by man) at that time (Keith 1991). Her despair over a distorted process of redress and rehabilitation appears to anticipate the quest for *chengxu zhengyi* 程序正義 (procedural justice) prevalent in subsequent discourses on legal reform and rule of/by law (Ji 2004).

Direct reference to the (unfulfilled) requirements of a genuine rule of law is made by Bian Zhongyun's husband in Hu Jie's documentary of the noughties, a time when independent film-making was conceived as an intellectual contribution to the making of Chinese civil society and related to a global culture of critical engagement. The impact and relevance of law- and rights-related discourses are further manifested in interviews such as the one in Wang Yunlong's film of 2011 with Bu Qinfu's son

¹⁸ For a study on the psychological, social, and political causes and consequences of the "emotional void" (28) and "postfactual powerlessness" (489) of the Cultural Revolution, see Klotzbücher 2019.

deploring his mother's fate "in those dark times" when "there were no human rights". Following Chinese intellectuals' custom of exposing the grievances of the present by writing about those of the past, criticism is largely voiced in relation to the memory of unjust cases of the Mao era and their redress in the transitional period. Guarded criticism of contemporary neglect of civic rights, however, transpires on several occasions in some of the films, becoming visible, for instance, through the images of Lin Zhao's mother's home complemented by an insert informing the viewer about the house's imminent demolition as part of a larger resettlement scheme including forced evictions. Outright attempts at transcending the dividing line between historical and contemporary approaches, however, remain the exception in *pingfan* documentaries, the most striking example of a merger of distant and recent memories of injustice being an interview with Bu Qinfu's former colleague, who voices his hopes for a reversal of unjust verdicts from the Anti-Rightist movement and the aftermath of June 1989.

Zhang Yimou's cinematographic return to the years of transition, and to a more intricate form of critical story-telling, seems to fit the moment of the film's release in 2014. In a political climate of disallowing the 1978 divide (Wemheuer 2019, 280–281) and reappraising the ideological foundations of the pre-Reform era without recognising their negative implications, *Coming Home* describes a state of dissociation from one's own past causing an identity crisis that could only be resolved by way of acknowledging and explaining the injustices of that past. Expounding the problem of reasserting individual and collective identities in the absence of a common understanding of and communication on traumatic experiences, the story told by *Coming Home* resonates with the reality of (a) people who, after a Party resolution, a high-profile trial, and wide-spread implementation of redress and rehabilitation, are still awaiting answers to the questions left over from recent history. In this sense, the film not only reflects on *pingfan* in the times of China's transition but is also an expression of China's 21st-century social condition: this seems to coincide with some reviewers' critique of the film's ahistorical approach.

Nevertheless, the critique of an apolitical approach (Yin 2016, Cai 2015) seems to indicate the reviewers' and audiences' difficulties in discerning the film's inherent exposition and critique of justice unachieved because of deficits in procedurality, communication, and (self-)identification, and a condition of not coming to terms with the past resulting therefrom. Finally, the frequent interpretation of Feng's and Lu's impaired togetherness as a bitter-sweet love story points to a younger generation's (mis-)understanding of a relationship that could be their parents' but is still beyond their interpretative capacity due to limited intergenerational and political communication and a resulting lack of frames of meaning to guide their appreciation of the film's narrative.

In view of the above findings, this paper concludes that the mutual impact of filmic memories of *pingfan* and Chinese political culture has shifted from visualising the need for a new contextualisation of justice in its various dimensions, to an outright negotiation of its implementation within the parameters of a new politico-legal mindset, and, finally, to hidden evidence of the still unanswered questions and implications of past injustice on the verge of a new era.

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