

Sixth Conversation with Professor Wang

Toronto, December 18, 1991

RM: I believe this is our sixth conversation. On Wednesday, December 18, 1991. Can we start with Zhou? Can you tell me something about him?

TY: Yes. He is the professor I admired very much during my graduate studies. I didn't meet him until 1945, but before that I had been his student. When I passed the examination to go abroad it was required that I have a supervisor in China and I selected him as my Chinese supervisor. So I had one supervisor in London - Lauterpacht - and the other was Zhou. I selected Zhou because I had read a lot of his articles published in academic journals. I had also read his textbook, which was the main reference in the courses that I took on International Law.

RM: His textbook was very well-known, I understand.

TY: Very well-known! I think every course offered in every law school or political science department used his textbook as a main reference. In addition to his textbook, I had read a number of articles published in *Wuhan University Social Science Journal*, which I thought were his best ones at that time. In them, he introduced some new ideas from Western literature on International Law, including various schools of International Law; for instance, he introduced Kelsen. I knew that he had been educated in Edinburgh and, after that, Paris; he got his doctoral degree at Paris University Law School. Then he came back to Beijing to

teach.

RM: Didn't he start at Wuhan University?

TY: No. He started in Beijing University. Wuhan University was established later. Beijing was the older university. He taught there and later transferred to Wuhan University, I think, in the 1930s or the late 1920s. He continued to teach at Wuhan where, eventually he became Dean of the Law Faculty and, after that, Chancellor of the University. I met him in 1945 when he came back from the United States, where he had been a visiting scholar for a whole year in order to write a book. He returned to Wuhan University to become President. I was later invited to join the Faculty of Law at Wuhan University on his recommendation. So we became colleagues at Wuhan. During the war, he stayed away for long periods of time in the United States and also in Chungqing. Wuhan University situated in Luosan Chungqing a very small, poor town. I was in constant contact with him since that time. After 1949 - after the Liberation - Zhou was invited by Zhou En Lai to come to Beijing to be Legal Advisor to the Foreign Ministry and also the Vice-President of the People's Institute of Diplomacy. We often met to talk about International Law. He was writing a lot of articles concerning current issues of International Law at that time. I appreciated the time spent with him very much but, unfortunately, he died quite early. He died in 1973 when I was not in Beijing. I heard the news only after I had returned to Beijing. It was a terrible loss, because he had not yet completed his new work on International Law. He had written the textbook at 75 years of age and had completed two successive volumes,

but the final volume concerning the Law of War had not been completed. The manuscript was later destroyed during the "Cultural Revolution". His death was a terrible loss.

RM: Would you regard him as one of the pioneers of International Law in China?

TY: I think his biggest contribution to International Law was as a professor during the 1920s through the 1970s.

RM: Well, he taught for almost half a century, then.

TY: Yes. He experienced three 'dynasties'. One was the War Lords, the second was the Kuomintang, the third was the New Republic.

RM: You yourself must have one of the longest teaching records of any Chinese Professor of International Law, because you have been 45 years at Beda.

TY: Before that, I taught at Wuhan University and Central University for about 10 years. So altogether, I have been teaching in Chinese universities for more than 50 years - 52 years, now. That makes a long record, I think.

RM: That *must be* a record! Is it?

TY: I don't know. There were a few disturbances, however, over the years... the war broke out and there were difficulties after Liberation.

RM: Now, we need more information on a different topic. What was life like in Beijing between 1939 and 1949? In 1939 you returned from Europe.

TY: Yes, but not to Beijing, I returned to Chungking - the War Capital. I did not return to the City of Beijing until 1946.

RM: Let us take the period from 1946 on, then. What were social conditions like, and the economic conditions as well. What was it like to be living in Beijing in those days?

TY: At that time the living conditions for professors were not so good. The economic situation was getting worse, especially after 1947. In fact, the economy was at its worst in 1948 - one year before Liberation. We had a very hard life at that time. Socially, there were many activities, especially activities with the students. As professors, we were frequently invited to join their activities; for instance, every year there were political movements generated by the students. We would join them. We called them the "democratic movements". So I was a professor teaching at the University, while at the same time, I was a member of the democratic movements. As a result, professors - especially those 'democratic' professors - were very busy. There were many meetings and lectures.

RM: And Cai was working in the Library?

TY: No. At that time, she was at home with our family. She began her career

in 1950, only after the Liberation.

RM: Were you living in the same house that I visited?

TY: No. We were living downtown. The University was located downtown in those days. Maybe next time you visit Beijing, I can accompany you to the original site of the University. The original site was where Mao Tse Tung worked during his youth.

RM: So there was an active social life. Economic conditions were not good.

TY: The political situation, of course, was also very bad because of the oppression by the government. That made us very sympathetic to the Communist Party and also to the Liberation War.

RM: What would your daily life have been like? With your friends, your colleagues, your students - how did you live?

TY: I was quite busy at that time. I had lectures and courses. I was giving at least two courses. Through the courses and the democratic movement, I would meet many students. Some of them became very close to me, so they would come to my house and talk about the political situation or academic problems. I was always invited to join meetings and groups outside of the University - or even to give lectures. I would like to mention one or two things that were very peculiar at that time. In 1947, I was the Chairman of the Political Science Department and I invited, on the suggestion of

Qian Duansheng who was the former Chairman of the Department, Dorothy Bork to come to the Department and give a course. She suggested that we organize a seminar that would include professors from various universities to discuss foreign policy issues.

RM: Did she speak Mandarin?

TY: No, we spoke English. Almost all of the participants in that seminar spoke English. It included one person you may know: Professor Wang of the China Political Science and Law University. The organization of this seminar was a major activity during the year 1947-48.

In 1948, I went back to Fujian, my native province, on the occasion of the examination for admission to Beijing University students in Nanching. From Nanqing, I went to Fujian to see my mother. I spent about two months in Fujian and Nanqing.

Some other activities in which we participated. James Li reminded me of the invitation from the High Authorities in Beijing to ten of the professors - I was included - to attend a dinner to discuss whether there would be peace or war with the Communist Party. Of course, we wanted the High Authorities to surrender. As a matter of fact, they did eventually surrender to the Communist Party. It turned out to be a sort of important dinner.

RM: It was a great tribute to you to have been invited to be there!

TY: I was invited as one of ten professors.

I would also like to add that at that time in China there were various journals and papers which invited me to contribute articles. Some were very progressive, some were reactionary. Of course, I refused to contribute to the reactionary ones. However, I did make some contributions to the journals and papers that were considered progressive and to a few academic journals. I engaged in political discussions about current events. I do not include the political articles on the list of my publications!

RM: Did you do these every month?

TY: Well, it was, on average, about 2 or 3 articles a month.

RM: Oh, that's a lot! For how long was it?

TY: A couple of years.

RM: According to our earlier notes, you gave three courses at Wuhan University in 1940. Would you tell us a little bit about those courses - what they were and what went into them?

TY: In principle, the professor - especially the young professors - had to offer three courses. At least two of them had to be main courses, one could be a short course. When I first went to Wuhan, I offered two main

courses. One was International Law in General ("An Overview of International Law"); it was a large class of about 100 students. The second course was on the History of Modern Europe - "Modern European History". The third course - a short course - was the "History of Chinese Diplomatic Relations". Sometimes I also offered courses on Cases on International Law or on the Law of Treaties.

RM: What materials did you use? Did you have any textbooks or teaching materials?

TY: At that time, we didn't give published materials to the students. We would ask them to read certain books in both Chinese and in English. For instance, in the general course on International Law, we recommended that the students read Oppenheim, Hershey, and of course, the books written by Zhou on International Law. For "Modern European History", I asked the students to read G.P. Gooch's *History of Modern Europe*, Mowart's *History of European Diplomacy*, and also a Chinese book on Modern History of International Relations, written by Zhang Zhongfu, a well-known historian at that time. For Chinese Diplomatic history, we used H.B. Morse's *The International Relations of the Chinese Empire* - three big volumes.

T.F. Chiang had offered a course on Chinese Diplomatic History, which I took in Qinghua University as a student. I used some of his materials. He had published a collection of Chinese materials on Chinese Diplomatic Relations in two volumes. I used that kind of material in the class.



RM: What was the general situation of the Chinese Universities in the 1940s? I'm thinking of the period from 1939, when the war broke out in Europe, to 1949 - to Liberation. The Japanese War was on.

TY: I have to distinguish between two periods because, before 1945, I was in Wuhan University and Central University. The courses in both places went on quite normally at that time.

RM: Despite the Japanese War?

TY: Yes. We had some interruptions caused by Japanese bombing, nevertheless, the courses continued normally in spite of very hard times for both professors and students. We lived very poorly and we had awful meals at the University.

RM: Did you have enough to eat?

TY: We had enough, but with very rough rice, and no meat sometimes. It was a very hard life. It was also the time when my first daughter was born. The students were enthusiastic about their studies, and they were also strong participants in the political movement. Some were progressive and active, but others were reactionary. This was at Central University. I had to be careful for my own safety. I did not get involved with the students who were very reactionary.

RM: Why was Central University so active politically?

TY: It was the "centre" of China. That meant it was in the wartime capital, and also it was the university that was under the direct control of the Ministry of Education. At one time, Chiang Kai Shek was the President of that University.

RM: I see. So was it a Kuomintang university?

TY: Yes. It was controlled by the Kuomintang.

RM: The situation of the Chinese Universities generally was, bad economic conditions,...

TY: No books, that is, no newly bought books. All around, it was a very hard time for us.

RM: Were the students being drafted into the army?

TY: No.

RM: Was there conscription at that point?

TY: No. Not at that time. A small number of students voluntarily joined the army, but it was not compulsory.

RM: What would you say were the special features of international law from a Chinese perspective, say, from the 1940s on.

TY: From the 1940's on, I would say that there are two features which are very clear. The first is that we used Western literature almost exclusively. The second is that the subject on which international lawyers were writing during that time was "unequal treaties"; that was the special subject that impacted the Chinese international lawyers - not only *after* 1940, but also *before* 1940. Since 1842 unequal treaties were concluded between China and United States and other Western countries, so discussion of these unequal treaties was characteristic of the Chinese perspective on international law. In fact, I too wrote a series of articles on that subject, articles that are on my list of publications. They attracted a lot of attention from students of international law. During their years at university, most students of international law wanted to study the major problems of interest to China, especially unequal treaties. For instance, extra-territoriality, leased territories, and other related subjects.

RM: Was most of the literature on international law American and British? Was there any French and German?

TY: It was primarily American and British because the students didn't know French or German. They were able to read English.

RM: Any Japanese materials?

TY: No. Definitely not! Anyway, there was only one translation of a Japanese work, by Yokota.

RM: There could not be anyone else in China who has taught International Law for 45 years, as you have.

TY: I think Zhou taught for many years. I don't know exactly how many.

RM: He was before you, though. There is no contemporary with your years of service.

TY: No.

RM: In fact, there is no one *near* your record, is there?

TY: No. I don't think so.

RM: That's what I thought. Well it's a remarkable record!

TY: One point I would like to stress is that it was not very easy for the university law school or political science department to hire qualified professors, because the most brilliant students studying abroad wanted to go into the foreign service; they did not want to teach at a university. It was a very bad thing during the Kuomintang's regime and during the New Republic, the same phenomena occurred. We tried to avert this tendency, but it was not easy. You can see that the brilliant scholars, such as Wellington Koo were in the foreign service. It was difficult to get the most brilliant scholars for the University.

RM: It is still hard, isn't it? I suppose the foreign office pays much more.

TY: It is still hard to get scholars, but the issue is not really one of pay. The foreign office holds more prestige than teaching.

RM: Also more perks - travel and that kind of thing...

TY: Yes. It is an opportunity to go abroad.

RM: What was life like in Beijing from 1946 on? When you and Cai went there? What kind of a life were you leading and what was the atmosphere? I would like as much personal information as possible on this point.

TY: We had a very hard life in Beijing. Our salaries were only for 20 days per month, so we often had to borrow from people to get food. The Authorities in Beijing once sent each family a bag of flour, but some professors refused to receive it because of the humiliation. For a professor to receive flour from the Authorities instead of purchasing it with the salary was very humiliating. However, we did have a social life. There were three campuses with three large dormitories, where nearly all the professors of Peking University lived. We had a large one where about ten - maybe more than ten - professors and their families lived. Within our dormitory, we had social activities. Sometimes we would spend our time inviting friends over, or we would go to a friend's house to take part in a dinner or something like that. There was an active social life among the professors.

RM: The children would play together, or would they be at school?

TY: The children were sent to kindergarden and then primary school, which were very close to our dormitory. That was quite easy for us. Anyway, we felt hopeful, because we thought that the Kuomintang regime would be overthrown. We looked to the future. Although our daily lives were very hard, we had hope for the future.

RM: Would you go out at night at all?

TY: Yes! There was no difficulty in going out, but more often we would stay home because there were also not many places to go and see; sometimes we would go to the theatre, that was very seldom, but we did have the chance to go to the theatre.

RM: It was probably a little expensive, too, I suppose.

TY: Yes. Also the transportation was not very easy. We had to take a ricksha which, as you know, is very difficult to take!

RM: Of course there was no television, but did you have a radio?

TY: No television. And we didn't own a radio at that time. Once we borrowed a very old one from a relative, but it was very old and didn't work very well.