

LAW AND JUSTICE IN *EVENING RAIN*



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This article analyses the movie *Evening Rain* [巴山夜雨], which was made in 1980 by some of China's most talented filmmakers, including the great Wu Yonggang. Though it may seem old-fashioned now, the film is beautifully made and its powerful message still resonates today. Like other examples of scar cinema, *Evening Rain* depicts injustices that Chinese people suffered during the Cultural Revolution, mostly as a result of the lawlessness of that period. But unlike most such films, *Evening Rain* directly addresses the value of law and the protections it might offer, especially for writers and artists like the movie's central character, the poet Qiu Shi.

1. Introduction

One of my favourite Chinese films of the 1980s has unfortunately fallen off the radar, but because of its beauty and its message it deserves a wider viewing now. *Evening Rain* was made when movies were not only the major form of popular entertainment in China but also a critical way for people to come to terms with the scars of the Cultural Revolution. The film's appealing hero, uplifting theme and hopeful ending — and especially its ideas about justice and law — deeply affected Chinese audiences when *Evening Rain* was first released. The film also left a strong impression on me when I saw it years ago and, however old-fashioned its style, the passage of time has not diminished its aura. Although clearly set in China at a particular place and time, the message of *Evening Rain* can be broadly read, its concerns are remarkably timely, and it speaks to us with great force today: this is still a movie worth watching and not only in China.

Evening Rain [巴山夜雨]¹ was made in 1980, shortly after the end of the Cultural Revolution (1966–1976), by a highly talented group

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¹ Full cast and credits are given in 中國電影藝術中心(ed), *中國影片大典1977–1994* [Encyclopedia of Chinese Film 1977–1994] (北京: 中國電影出版社, 1995) pp 73–74. See also 陳景亮 and 鄒建文 (eds), *百年中國電影精選* [The Best of Centennial Chinese Cinema] (北京: 中國

of filmmakers: Ye Nan 葉楠² wrote the movie's screenplay, and Wu Yonggang 吳永剛 and Wu Yigong 吳貽弓 directed it. Wu Yonggang, who is credited as general or executive director [總導演], made some 30 movies during his career and is undoubtedly one of the greatest of China's 20th-century directors.³ His co-director Wu Yigong, though less experienced then, went on to make the highly praised *My Memories of Old Beijing* [城南舊事] in 1983.⁴ *Evening Rain's* excellence was recognised in the first Golden Rooster prizes, given by the China Film Association in 1981, when it won the awards for best screenplay, best music and best supporting cast.⁵

Evening Rain also won the first Golden Rooster best picture award, which it shared with another 1980 film, *The Legend of Tianyunshan* [天雲山傳奇].⁶ That film was directed by Xie Jin (謝晉 1923–2008), the most famous and probably the most popular of China's Third Generation directors. The two movies, filmed during the unusually open post-Cultural Revolution years of 1979–1981, represented a break from Maoist aesthetics both thematically and cinematically,⁷ and they remain the best of the early “scar dramas” depicting the wrongs of the Cultural Revolution.⁸ Both films continued the melodramatic tradition of pre-1949 Chinese movies and, like those earlier films, they critiqued the social and political system of their own time, giving them great emotional impact even now.⁹

社會科學出版社, 2005) pp 85–88. The script is published in 葉楠, *巴山夜雨: 從劇本到影片* [*Evening Rain: From Script to Screen*] (北京: 中華電影出版社, 1982) pp 1–61.

² 陳佐華, 1930–2003. Ye Nan wrote screenplays for a series of movies, including *Battle of 1894* (甲午風雲 1962), *Sister* (姐姐 1984) and *Dove Tree* (鴿子樹 1985), in a “largely socialist realist vein”. Paul Clark, *Reinventing China: A Generation and Its Films* (Hong Kong: Chinese University Press, 2005) p 223 footnote 34. But in my view *Evening Rain* remains his best film.

³ Wu Yonggang, 1907–1982. For a brief biography, see Yingjin Zhang and Zhiwei Xiao (eds), *Encyclopedia of Chinese Film* (London, New York: Routledge, 1998) p 372.

⁴ Wu Yigong (b 1938) had served as director or assistant director on four earlier movies before he worked on *Evening Rain*; Yingjin Zhang and Zhiwei Xiao (n 3 above); 中國電影圖史編輯委員會 (ed), *中國電影圖史1905–2005* [*Chinese Film: An Illustrated History 1905–2005*] (北京: 中國傳媒大學出版社, 2006) p 596.

⁵ 中國電影圖史編輯委員會 (n 4 above) p 565.

⁶ *The Legend of Tianyunshan* also won for best director and best cinematography. *Ibid.*, pp 564–565. For full cast and credits, see 中國電影藝術中心 (n 1 above) pp 106–107.

⁷ Yomi Braester, *Witness against History: Literature, Film, and Public Discourse in Twentieth-Century China* (Stanford: Stanford University Press, 2003) p 23.

⁸ *Evening Rain* and *The Legend of Tianyunshan* share many of the themes and techniques of Chinese movies made just after the Cultural Revolution, including more complex characters and plots, the use of flashbacks, narratives of separation and reunion and even romance. Chris Berry, *Postsocialist Cinema in Post-Mao China: The Cultural Revolution after the Cultural Revolution* (New York: Routledge, 2004) pp 89–91. These films may remain of historical interest for their ideas, but many of them, unlike *Evening Rain* and *The Legend of Tianyunshan*, are hardly watchable today.

⁹ See Paul G Pickowicz, “Melodramatic Representation and the ‘May Fourth’ Tradition of Chinese Cinema” in Ellen Widmer and David Der-wei Wang (eds), *From May Fourth to June Fourth: Fiction and Film in Twentieth-Century China* (Cambridge: Harvard University Press, 1993) pp 295–326.

Both Wu Yonggang and Xie Jin had themselves experienced many of the political events they depict in their movies and suffered because of them.¹⁰ Consequently, *Evening Rain* and *The Legend of Tianyunshan* are deeply felt, they are authentic and they raise important issues of justice that continue to be relevant to Chinese society today.

Whatever themes these films had in common, Wu Yonggang and Xie Jin made very different movies in substance and style; their careers may have overlapped, but they belonged to different generations in film as well as in life.¹¹ *The Legend of Tianyunshan* is about justice or, more accurately, injustice and whether (and how) it can be redressed. Set in 1978, after the end of the Cultural Revolution, it tells the story of a young engineer who is wrongly accused of being a Rightist, as seen through the eyes of two women who love him. But the complex plot of *Tianyunshan* is so China centred and so politically dense that at least some knowledge of Communist Party (the Party) campaigns is essential for a full understanding of the story.¹²

The plot of *Evening Rain* is much more accessible and, at least on the surface, it is a simpler film. The movie covers a shorter time frame and political campaigns are not directly depicted; instead, its focus is on individual lives and the great personal loss its characters have suffered — a husband has lost his wife, a mother has lost her son, a daughter has lost her mother. Although it is quieter in tone and less openly emotional than *The Legend of Tianyunshan*, *Evening Rain* too is sharply critical of injustice during the Cultural Revolution, in particular the treatment of writers and other artists, who were not just harassed and prevented from working but often beaten up, imprisoned or driven to suicide. *Evening Rain* is about freedom of expression, about art and the power of the written word — it's not about people who choose the wrong Party line and are made to pay the price for it. At the same time, *Evening Rain* deals more directly with the relationship of law and justice, the ways in which the absence of law

¹⁰ In 1957, Wu Yonggang was labelled a Rightist when he wrote an essay criticising the Communist Party's control over the film industry and then was barred from directing movies until 1962; nor could he make movies during the Cultural Revolution. Yingjin Zhang and Zhiwei Xiao (n 3 above) p 372. The screenwriter Ye Nan's twin brother, the poet and playwright Bai Hua 白桦 (陳佑華), was also labelled a Rightist in 1957 and forced to remain silent for some 20 years; Clark (n 2 above) p 93.

¹¹ In Chinese parlance, Xie Jin belongs to the Third Generation of Chinese directors and Wu Yonggang is usually considered a member of the Second Generation, but both of them made films over the course of many decades and during very different political times.

¹² Such as the Great Leap Forward and the Anti-Rightist Movement (and why the latter might still be more politically sensitive), as well as the events of the Cultural Revolution, not to mention Communist Party procedure for the redress of past wrongs, as it worked (or failed to work). Of course other aspects of the plot (eg, two women who love the same man, a woman who marries for position rather than love and later regrets it) would be completely intelligible to anyone who has ever seen a Hollywood movie.

perpetuates injustice, and the role law, not some bureaucratic review, may play in ending it.

Evening Rain is a direct reaction to the lawlessness of the Cultural Revolution, although it contains suggestions of earlier political campaigns. But Wu Yonggang began his filmmaking career during the “first golden age” of Chinese movies in the 1930s, and his artistic vision and social views took shape long before 1949 and the political movements that followed. Wu’s first film, *Goddess* (神女 1934), won acclaim for its sophistication as well as its social criticism, and it is widely considered a masterpiece.¹³ *Goddess* was also notable for its early depiction of the modern justice system introduced in China during the late Qing and Republican eras. That film shows us a trial with a professional, reserved bench of judge, prosecutor and clerk; the judge looks impartial and the defendant has a lawyer, but the system, including the formal justice system, seems to have nothing to offer anyone without privilege, power or money.¹⁴

Evening Rain is Wu Yonggang’s last major film,¹⁵ and it would remain of interest for that reason alone. Many pre-1949 directors and actors failed to make the transition to the world of the Party or survive the political movements it launched — but Wu managed to do so and to make this film in an unusually open period following the Cultural Revolution. Although *Evening Rain* was not his sole effort, he played a key role and his influence can be seen: *Evening Rain* bears stylistic echoes of his first film, even though *Goddess* was silent and filmed in black and white.¹⁶

It is now some 37 years since *Evening Rain* was made and over 40 years since the 1976 fall of the Gang of Four, the most direct target of that film’s criticism. Xie Jin’s later films may receive more attention, but *Evening Rain* is equally deserving of an audience today. The film matters not only because of its artistic quality but also because of its message about the importance of the arts and freedom of expression. Although its subject was different and it was the product of a very different political time, *Evening Rain* shares some of the features of Wu Yonggang’s first film and

¹³ Full cast and credits in 中國電影圖史編輯委員會 (n 4 above) p 102. Leo Ou-fan Lee, “The Urban Milieu of Shanghai Cinema, 1930-40: Some Explorations of Film Audience, Film Culture, and Narrative Conventions” in Yingjin Zhang (ed), *Cinema and Urban Culture in Shanghai, 1922-1943* (Stanford: Stanford University Press, 1999) p 95.

¹⁴ Is the courtroom scene shot to highlight her lowly position? See Kristine Harris, “The Goddess: Fallen Woman of Shanghai” in Chris Berry (ed), *Chinese Films in Focus II* (London: Palgrave Macmillan, 2nd ed., 2008) pp 128–136, p 134. There is actually very little exaggeration in this scene compared to other films of that era — but the modern legal system it depicts can be found wanting in any event.

¹⁵ Wu is also credited as general director for *Political Storms in Hubei* (楚天風雲 1982), a rather forgettable movie about Dong Biwu 董必武 and the Nationalist-Communist Party conflict.

¹⁶ Wu Yonggang reportedly planned every shot. The directors’ detailed plans for shooting each scene appear in 葉楠 (n 1 above) pp 65–164.

it too remains a moving work of art. Like *Goddess*, *Evening Rain* also raises questions of justice: it is Wu's final word on what the role of law might be and how much it might matter. This article will therefore discuss *Evening Rain*'s vision of law and the ways the filmmakers, including Wu Yonggang, have made it so compelling.

2. The Film: *Evening Rain*

(a) *The Prisoner's Story*

The plot of *Evening Rain* is deceptively simple, although the events it refers to are complex and the movie contains a powerful message. The film is set sometime during the Cultural Revolution, perhaps 1972 or 1973, and the action takes place almost entirely on a passenger ship over the course of a single day and night. A prisoner is being escorted in secret from Chongqing to Wuhan by two special agents [特務], a taciturn middle-aged man and a stridently ideological young woman. They find themselves assigned to a third-class cabin with five other passengers of different ages and backgrounds, all of whom have suffered during the Cultural Revolution. During their brief time together on the ship, these passengers share their stories, and their interactions with the prisoner constitute much of the plot. The life of the prisoner is also revealed, mainly through flashbacks: he is the poet Qiu Shi 秋石 and, after six years of imprisonment, he is being taken to Wuhan for judgment and very possible execution by henchmen of the Gang of Four, who are still in power.

The ship is under the direction of its revolutionary committee, which is composed of the captain, the political officer [政委] and the ship's public security officer (ie, policeman), all of whom prove to be upright and sympathetic to Qiu Shi. A secondary narrative concerns a little girl who has slipped onto the ship alone and without a ticket; she is dodging the policeman, who has caught sight of her and continues to search for her during the first part of the trip. Ultimately the two plot lines converge and the girl's connection to Qiu Shi is revealed: she is Xiao Juanzi, the daughter who was born when he was in prison and whom he has never seen. At the film's end, the ship's officials, together with both agents, act to save Qiu Shi from an uncertain but undoubtedly harsh fate by releasing him and Xiao Juanzi into the beautiful mountains of Sichuan.

(b) *The Mountains of Sichuan*

Evening Rain has an evocative title as well as many references to Chinese culture and a strong sense of place. *Bashan Yeyu*, literally Night Rain in

the Ba Mountains,¹⁷ is taken from a line in a nostalgic and melancholy Tang poem, “Sent North on a Rainy Night”,¹⁸ whose themes of separation and longing for an uncertain reunion with a loved one suggest important events in the life of the film’s main character. Indeed, for centuries, those beautiful mountains have inspired Chinese artists as well as poets, including the pre-eminent 20th-century painter Fu Baoshi 傅抱石, several of whose 1940s paintings bear the same title and like the movie suggest lines of the poem.¹⁹ The film’s shots of Sichuan’s distinctive scenery, which in some Chinese movies might convey a nationalist feeling (a great country has great scenery),²⁰ in this film remind us of China’s culture in its many expressions. The famous mountains and gorges are beautifully filmed, both during the day and at night, and even in interior scenes the ship’s windows frame views of the mountains as if they too were paintings on a scroll.

The visual and aural aspects of *Evening Rain*, along with its many references to Chinese literature and the arts, are essential to its impact on viewers. The beautiful cinematography by Cao Weiye 曹威業, the haunting music by Gao Tian 高田 and the long takes and measured pace set by the directors all contribute to the movie’s power. In keeping with Chinese poetic traditions, the directors also use the weather to signify or underline events and emotions. Thus, some of the darkest events in *Evening Rain* take place at night, the crisis occurs during a storm and, when the film ends on a seemingly positive note, the weather is brilliantly sunny, just as it was in the happiest days of Qiu Shi’s life. In lesser hands, this technique might be obvious or distracting, but in *Evening Rain* it too contributes to the mood the filmmakers create.

Like Wu Yonggang’s early films, *Evening Rain* is a short movie, not much over 80 minutes in length, though it never feels rushed. The film’s pace is set in the opening sequence, as three figures descend Chongqing’s steep stone steps to the river, and although the movie is slow by today’s standards, that only adds to the film’s hypnotic feel.²¹ For the most part, the acting

¹⁷ Or “Night Rain in the Sichuan Mountains”. But the literal translations of the movie’s title fail to convey the poetic feel of the Chinese original, so it is often translated into English as Evening Rain or Night Rain on the River.

¹⁸ *Yeyu Jibei* 夜雨寄北, literally, “Night Rain, Letter North”, written by Li Shangyin 李商隱 (813–858). 葉楠, “西窗剪燭話巴山 [To trim the candles by the western window and talk about the Ba Mountains]” in 巴山夜雨 (n 1 above) p 166. A full text of the poem may be found online at <http://www.chinese-poems.com/li2t.html> (visited 11 February 2017).

¹⁹ Anita Chung (ed), *Chinese Art in an Age of Revolution: Fu Baoshi (1904-1965)* (Cleveland: Cleveland Museum of Art, 2012), see pp 82–83 for one of the paintings.

²⁰ For example, the famous song “My Motherland” (我的祖國) in the patriotic film *Battle on Shangganling Mountain* (上甘嶺 1956).

²¹ The actions of the film’s characters are also deliberate. The directors include scenes of people walking down corridor, which would undoubtedly be cut in films made today, but in *Evening Rain* they give a sense of process as the characters decide what actions they should take.

in *Evening Rain* is natural and understated,²² in strong contrast to Cultural Revolution movies; there is no striking of poses or declaiming of speeches. It is reminiscent of the best silent film acting, with expressions as important as words. Indeed, the first five minutes of the film contain no dialogue, and Qiu Shi, its most important character, does not speak for the first 20 minutes, although his face reveals a great deal. Li Zhiyu 李志與, the actor who plays Qiu Shi, gives a moving, even charismatic performance for the film's directors, far superior to his performance in other films he made at the time.²³

The interior sets for *Evening Rain* are minimalist and contain only the barest furnishings, not much more than one finds in the films of the 1930s or 1940s. We might now view these interiors as stripped down, though of course they were true to life at that time, when people had few possessions and travelled with next to nothing. Paradoxically, that plainness gives the movie's message broader appeal: for many people, this is recognisably China in the late 1970s or early 1980s, yet the simplicity adds to the timeless quality of the film and its story.

But in fact something has been removed from this ship: no revolutionary posters, no political banners, no painted slogans are anywhere in sight, and although the cabin has a functioning loudspeaker one passenger turns it off ("let's have some quiet here"). Thus, during the course of this journey, the ship's passengers are insulated, separated from events taking place on land. For a day and a night, they inhabit a closed world, in which only these participants and their interactions matter. That may be why the passengers feel safe enough to confide in each other about their lives, even though the Gang of Four are still in power and order has not been completely restored. Perhaps that also signals their removal from all political activities, whatever the dangers they may face once they dock at Wuhan and return to what passes for the normal world.

3. The Passengers in Cabin 13, Third Class

From the movie's opening shots of ships and boats on the Yangtze, we realise that this is a journey film and that the main voyager is Qiu Shi, whom we first see in shackles; for him at least it will be a dangerous passage. But the passengers who share his cabin are embarked on journeys of their own, and most of them will undergo a transformation through

²² With the clear exception of the two young women characters, Xinghua and the guard Liu Wenyang.

²³ For example, in the 1979 movie *Troubled Laughter* (苦惱人的笑), in which Li Zhiyu is hardly recognizable as the same actor.

their interactions with Qiu Shi. Once Qiu and his guards reach their assigned bunks in third-class Cabin 13, the other passengers begin to arrive and one by one Qiu's companions for this journey are introduced to the viewers. The group is evenly balanced, with four men and four women, including the two agents, but even this small number reflects a mix of ages, occupations and education. During the trip, most of the passengers share their experiences, including their lives during the Cultural Revolution. Thus, in contrast to most scar cinema, we learn what has happened to them only through what they reveal to their cabin mates, and we do not see any of the events directly.

According to the filmmakers, these passengers are all ordinary people, and there are no villains in the group.²⁴ Each one has a tale of suffering and hardship, whether brought on directly by the Cultural Revolution or, if we read the film more broadly, by the system that allowed it to occur. Thus, Xinghua, a young peasant woman, is being sent away to marry someone she has never met, so that her family can pay a debt; she has left her sweetheart behind on the dock, frantically calling her name and begging her to stay. The widowed peasant woman from Hebei is bringing an offering of local dates for her only son, who was killed in an armed struggle on the river. His body has never been recovered, leaving her with no grave to visit and no other way to mourn him. The other passengers are deeply affected by her story and sit with her in silent sympathy as she recounts her mission; even Xinghua is momentarily distracted from her own sad fate.

As this scene illustrates, *Evening Rain* is quieter and less openly emotional than movies like *The Legend of Tianyunshan*, and its attack on the system may seem less direct. But the film's criticism is still sharp enough: nearly 30 years after the Communist victory, country people are so desperately poor that a girl can effectively be sold to pay off a debt. That such action would be considered, much less carried out, also reflects the Party's failure to raise women's status in the countryside, despite much official lip service paid to their holding up half the sky. The Hebei peasant woman's only son, obviously a patriot, lost his life not when he fought the Japanese or the Nationalists but in a battle between different factions during the Cultural Revolution. In China, it seems, the old may be left with no one to care for them because their children are dead, their lives thrown away in a pointless political struggle.

It's true that both Xinghua and the Hebei peasant can be seen as throwbacks to earlier stock characters, the peasant woman to the language

²⁴ 葉楠, “巴山夜雨為甚麼沒寫壞人 [Why Didn't *Evening Rain* Write about Bad People]” in 巴山夜雨 (n 1 above) pp 179–182.

and themes of revolutionary opera²⁵ and Xinghua to films criticising the pre-1949 oppression of women.²⁶ But with the old lady at least, the filmmakers have risen above such stereotypes. Hers is not a melodramatic but a quiet and terrible grief, and she bears her loss with great dignity throughout. When later that evening she waits on the deck, watching for the place in the river where her son was lost and — with the help of Qiu Shi — casts her offering of dates into the dark swirling waters, it is one of the saddest and most touching moments in the film.

But what is most notable about this group of passengers in Cabin 13 is the prominent place given to artists and educators and the harsh criticism of their treatment: this film is about the devastating attack on China's culture, and on freedom of expression and law, rather than a general critique of society under the Gang of Four. Thus, the other four passengers are quite different from Xinghua and the Hebei peasant. One is a former *Jingju* (京劇 Beijing opera) performer who was banished to the cowshed for performing roles in “feudal” operas; he remains badly scarred by his mistreatment. Another is a former teacher who still loves and reads literature but is no longer permitted to teach it. She expresses her anger that China's culture has been banned from the classroom for political reasons (“Du Fu 杜甫 was a landlord!”), and she defends the poet Qiu Shi before she knows he is in their cabin. (“Such beautiful writing — what is the crime?”) The cocky young worker should be a socialist hero, but the Gang of Four have made him a thief and a vandal of China's culture. He now regrets the destruction of his Red Guard days, and although he tore apart Qiu Shi's study and stole his manuscript, the worker has apparently read it and has kept it safe. (“The manuscript is still with me.” “It should not be lost.”)

4. Qiu Shi's Journey

The last passenger, the central figure in *Evening Rain*, is the poet Qiu Shi;²⁷ his life and his character are the key to the film's meaning. The filmmakers place Qiu front and centre in almost all of his scenes, and only his life is shown in flashbacks and in detail. Qiu is also the only one whose life we see directly, as the trip stirs memories and he recalls

²⁵ See Braester (n 7 above) pp 136–137. Of course these references would be less obvious to viewers now.

²⁶ For example, in *New Year's Sacrifice* (祝福 1956), directed by Sang Hu 桑弧 and based on a short story by Lu Xun 鲁迅.

²⁷ Qiu Shi's name means “Autumn Stone” and may come from the poem “Sent North on a Rainy Night”, which refers to autumn. Qiu's name also suggests *shishi qishi* 實事求是 “to seek truth from facts”, the slogan for the reform and opening approach of the late 1970s and 1980s.

moments from his past; he does not know what fate awaits him in Wuhan and can only assume the worst. Although the directors describe Qiu as an ordinary poet, just as the other passengers are ordinary people,²⁸ Qiu's work is obviously well known. The ship's captain begins quoting lines from Qiu Shi's poetry when his name is mentioned, the teacher reads his poetry because she admires it, and the worker is well aware of Qiu's reputation.

So Qiu Shi cannot be considered ordinary in any sense; he lives in a terrible time yet he has preserved his integrity and his values, whatever the price he must pay for them. He acts with courage and compassion throughout, and he shows respect for the suffering of others. Although Qiu is an educated man and a writer, he treats the peasant woman with great respect, always addressing her as Elder Aunt, and he takes seriously the problems faced by Xinghua, a poor country girl with no education. When the young guard speaks of these passengers with contempt (a worker who is like a hooligan, a clown who acts the feudal generals, an ignorant old lady, etc), Qiu firmly rejects her views. "Why not open your eyes and look around at the real world", he asks her. In the end, the young guard's eyes are opened, and Xinghua decides that she will return home to her sweetheart rather than passively accept her fate; in both cases, it's not new China or the Party but Qiu Shi who has helped them to decide their course.

Although we understand Qiu Shi's character from his interactions with the other passengers, we learn about his life from flashbacks, which are smoothly done. As the trip stirs memories, Qiu Shi vividly recalls events from his past. Most of these flashbacks feature scenes with his wife, including their meeting and courtship, their time together during the early years of the Cultural Revolution, and her life with their daughter while he was in prison. Different aspects of this journey trigger his memories, including wildflowers, mountain silhouettes and his conversation with Xinghua, but he is also looking back on his life and what mattered to him, while contemplating its end.

That evening, as the other passengers in the cabin are resting, Qiu holds the bouquet of flowers that one of them bought and is reminded of a day spent with a beautiful young woman as he courted her on a bright sunny day. He recalls her running in an open meadow in the mountains, then kneeling in flowers and blowing on a dandelion, whose seeds float free in the sunlight.²⁹ Still unable to sleep, Qiu Shi stands on the deck,

²⁸ 葉楠 (n 24 above).

²⁹ The directors changed the "theme flower" of the film from the azalea to the dandelion, which appears in a number of key scenes and affects the message of the film. Qi Wang, *Writing*

with the full moon, a traditional symbol of longing for love and reunion,³⁰ shining above him; he gazes into the dark water as the mysterious shapes of the mountains pass by. Suddenly, the mountains are transformed in his mind into a set on a stage, the background for a lovely and graceful dancer. The whole audience sits entranced by her performance, but the camera focuses on Qiu Shi, his face lit up with admiration and yearning, and we know how he met the young woman with the dandelion.

Later that night, a still wakeful Qiu recalls how his home was vandalised by Red Guards and his manuscript stolen by the young worker, whom we recognise in this flashback. Qiu Shi once again sees his precious books torn and strewn about his study and a portrait of the writer Lu Xun, the father of modern Chinese literature, hanging askew on the wall. As he stands in the wreckage of his home, his wife Liu (she is the beautiful dancer) arrives. She will not leave him, because she loves him and because she is expecting their child: in her hands is a woodblock print by Wu Fan, of a little girl blowing on a dandelion.³¹ So all the events that Qiu relives on this journey centre on Liu and his poetry, and the themes of the poem “Sent North”, of separation and longing for a loved one, underscore his own feelings of loss.

Meanwhile, Xinghua is also awake, and now she rises and slips out to the deck; a thunderstorm has come up and it is raining hard. Unable to face her future as the bride of a stranger, she jumps into the river to end her life, but Qiu has seen her leave and he too dives into the dark water to save her. There is pandemonium on the ship, but both are pulled to safety. When Xinghua regains consciousness, Qiu Shi tries to persuade her to choose her own life and not simply accept an intolerable fate. As he speaks earnestly to Xinghua, the last piece of his story falls into place. Qiu recounts his years of imprisonment, when he learned that his daughter had been born, and how his wife raised the little girl, Xiao Juanzi, on her own. In prison, Qiu Shi writes a poem “Dandelion” for his child, and his wife teaches it to her as a song. The film’s audience sees this last chapter as Qiu sees the events in his mind’s eye, which Xinghua cannot: his dark prison cell, his wife caring for their daughter and then as she dies, worn

Against Oblivion: Personal Filmmaking from the Forsaken Generation in Post-Socialist China (PhD Dissertation, UCLA, 2008) p 102.

³⁰ In Chinese symbolic conventions of poetry and painting. See Catherine Yi-yu Cho Woo, “The Chinese Montage: From Poetry and Painting to the Silver Screen” in Chris Berry (ed), *Perspectives on Chinese Cinema* (London: BFI Publishing, 1993) pp 24–25.

³¹ Wu Fan 吳凡 (b 1923) is a Sichuan artist and “Dandelion” (1959) is his most famous print. During the Cultural Revolution, Wu Fan was imprisoned for years. Julia F Andrews, *Painters and Politics in the People’s Republic of China* (Berkeley: University of California Press, 1994) pp 272–275; a reproduction of the print appears on p 275. Wu discusses this print in Wen Chihua, “Art in the Right Place” *China Daily* (24 February 2007).

out and ill, leaving Xiao Juanzi alone. Qiu has never seen his child and he can only imagine her as he speaks, but the audience recognises the little stowaway on the ship.

5. What's Law Got to Do with It?

Like other examples of scar cinema, *Evening Rain* depicts injustices that Chinese people suffered during the Cultural Revolution, mostly as a result of the lawlessness of that period. But *Evening Rain* directly addresses the protection of law and the consequences of its absence in a way I haven't seen in other films of this era. Several sequences in particular stand out; they are shown from the perspective of both Qiu Shi and the ship's "legal officer", in this case the policeman Lao Wang.

(a) A Criminal Who Has Committed No Crime

In one conversation, Liu Wenying, the young agent, is talking with her prisoner Qiu Shi. Liu thinks entirely in ideological terms, she sees everything in black and white and she expresses contempt for the old peasant woman's superstition. But Qiu rejects her views and says that she too is superstitious — superstitious in her belief in authority. "You're a counterrevolutionary, you're a prisoner!" Liu angrily retorts. "I may be a prisoner, but you are the real prisoner", Qiu replies, meaning that she is a prisoner of her limited ideas, and that at least in this respect he is free while she is not.

But why is a man like Qiu Shi a prisoner, what has he done? After he has rescued Xinghua, the young woman asks him why he saved her, when she cannot face her fate and wishes to die. Qiu tries to help her choose life. Despite the tragic loss of her son, Qiu reminds Xinghua, the peasant woman still lives, and Qiu's own wife never lost hope, she wanted to live and to raise their young daughter. Nor is it settled whether he will be sentenced to death when he reaches Wuhan, yet he too is trying to live. "What crime did you commit? You couldn't have killed someone", Xinghua asks in surprise. "You only know the crime of homicide", Qiu replies almost smiling at her naiveté. "But nowadays there are many 'criminals' who like me have committed no crime." And as Qiu speaks of those "criminals", the directors show us a grim, dark and high prison wall.

Now the audience understands that Qiu Shi is a prisoner of conscience, condemned for what he has written. "Isn't it beautiful?" the teacher had exclaimed to the other passengers as she read a few lines of Qiu's poetry

for them. “But writing things like that has become a crime.” Are any of these trite or hackneyed words? Not in China, not then: to acknowledge that reality in 1980 was striking, and it is a genuinely moving scene. Qiu Shi speaks without bitterness, he simply explains to Xinghua, someone young and innocent, what his situation is. The older passengers have long since recognised that Qiu Shi is no criminal. “How can a writer have such a big crime?” the Hebei peasant asks rhetorically at one point. The answer is, he cannot, and only a perversion of law could make him one.

(b) A Community Governed by Law

Law is discussed more directly in *Evening Rain* and by the ship’s officers, its revolutionary committee. When the *Jingju* performer realises that his cabin mates include a prisoner and his guards, he becomes frightened and asks the captain to move him to another cabin. After the attacks he has endured, the performer tells the officers, he greatly fears more disorder. But the political officer reassures him: “You’re on board now. So long as you observe the law, nothing will happen.” This is no warning that the performer must obey the law, but a reassurance that whatever takes place outside, their ship will observe it. This ship is a law-governed community in a sea of lawlessness, and what happened to the performer on land cannot happen there. Early in the movie, we learn that the officers recognise Qiu Shi and know that he is in great danger. “It’s tyranny!” one of them exclaims. These three officers are professional, impartial and reserved, rather like the three judicial officials in *Goddess* who presided over that film’s trial. But the attitude of these three officers is different — the times are more desperate — and they will take action to save the poet Qiu Shi, whether out of humanity or respect for law that may exist only on board.

(c) Has He Been Sentenced or Prosecuted?

The audience sees more of the policeman, Lao Wang, than of the other two officers, partly because of the rounds he makes of the ship. But Wang is also the only “legal official” on board, and when the young agent tries to report the presence of her prisoner, the political officer instructs her to discuss any details with the policeman. Lao Wang is played by the actor Zhong Xinghuo 仲星火, who starred in the 1959 movie *Today Is My Day Off* [今天我休息] as a young policeman who selflessly continues to help people even when he is off duty and deserves a rest. In some respects, Lao Wang is just an older version of that kind young man, still twinkly and worried about the little stowaway and ultimately helping

Qiu Shi.³² What's of most interest in *Evening Rain*, however, is the way the policeman speaks up for law: he represents law as well as order on the ship, and he values legal procedure.

When the agent refers to her prisoner as an “important criminal”, the policeman questions her use of that term, and in surprisingly procedural terms. “Can you tell us what his crime is?” Lao Wang asks her. The agent declares that Qiu Shi is a public enemy wanted by the central leaders for “vilifying the Cultural Revolution of the proletariat”. “That’s too obscure, I’m not too clear. What I mean is, has he been detained, taken into custody, or formally held? Has he been sentenced, prosecuted or not?” Wang asks her. At this point, Lao Wang does not directly discuss a trial, but all his questions about procedure imply that one should have occurred.³³ “What I’m talking about are legal concepts”, he continues, as the agent looks puzzled. “Have you returned from some foreign country or what?” she asks in amazement.

(d) What Does It All Mean?

In fact, the young agent’s attitude may be more realistic than anything else in this conversation — how could Lao Wang ask such questions in the early or mid-1970s? Few regulations existed, by most standards they were extremely vague, and during the height of the Cultural Revolution they were completely ignored. But *Evening Rain* was filmed in 1980, early in the reform era, and Lao Wang is really speaking from that time, not the Cultural Revolution years. Thus, 1980 was the year that the first full Criminal Law and Criminal Procedure Law of the People’s Republic of China, both adopted in 1979, went into effect.³⁴ It was also in 1980 that the Gang of Four were finally put on trial, in a heavily publicised proceeding intended to showcase those criminal laws. Lao Wang’s discussion therefore neatly supports the new laws and the official policies they expressed, not to mention their very public implementation later in the year that the film appeared.

³² Zhong was a very good actor. In *The Legend of Tianyunshan*, he convincingly plays the villain, a ruthless and selfish Party member, and in that movie he somehow looks much thinner as well as nastier, even though *Tianyunshan* was filmed the same year as *Evening Rain*.

³³ *Evening Rain* viewers might have pictured the trial in *Awaara*, the 1951 Indian film directed by Raj Kapoor. *Awaara* was widely shown in China in 1980–1981, and its vision of justice, in particular including procedural justice, thrilled Chinese audiences about the time *Evening Rain* was made.

³⁴ Both adopted by the National People’s Congress on 1 July 1979 and effective as of 1 January 1980. That is why the first time I saw *Evening Rain* I assumed it took place after the Cultural Revolution, when these laws had already been adopted. Full text and a translation of the two laws may be found in *The Criminal Law and the Criminal Procedure Law of the People’s Republic of China* (Beijing: Foreign Language Press, 1984).

From today's perspective, of course, those laws look simplistic and their flaws are easy to see. Crimes are vaguely defined, and "counter-revolutionary crimes" remain the most serious, even if they are limited to acts that "undermine the People's Republic of China with the aim of overthrowing the socialist system."³⁵ And although procedural protections, including the right to a defence and an emphasis on evidence,³⁶ were introduced, lawyers hardly existed and confessions were still the paramount goal of legal officials. In 1980, however, those laws represented a dramatic break from the past and offered both hope and a promise for the future; perhaps we could view their enactment as a first and important step on the journey towards law.

All three of the ship's officials in *Evening Rain*, not just Lao Wang, are shown supporting legal principles and procedures, in their actions as well as their words. In fact they are all actively good, something I would regard with scepticism in a contemporary Chinese movie, where the general rule of thumb has been that no one in uniform can be bad.³⁷ In the end, both special agents guarding Qiu Shi, though wearing plainclothes themselves, also do the right thing to protect the poet. Nevertheless, *Evening Rain's* benevolent depiction of everyone in authority serves to reinforce the idea that officials must support and uphold law, a very appealing position for them to take even now. The inclusion of a policeman in this group is also noteworthy: the police only begin to reappear in Chinese films after 1978, and although they are certainly servants of the state, they are not Party functionaries.³⁸ In this film, only the ship's political officer directly represents the Party, but he too believes in law.

(e) *What Will Happen to Qiu Shi?*

In the end, Qiu Shi and his daughter are brought together by Lao Wang, and the film's two narratives converge. The little girl, Xiao Juanzi, tells Lao Wang that she is searching for her father, who is a poet. When she sings the dandelion song her mother taught her, Qiu Shi recognises his poem and realises that this can only be his daughter; an emotional

³⁵ As emphasised by Peng Zhen 彭真 in his "Explanation on Seven Laws" (1979) 22(28) *Beijing Review* 8–17.

³⁶ *Ibid.*, pp 12–13. The criminal process in the new legislation is discussed in Shao-chuan Leng, *Criminal Justice in Post-Mao China: Analysis and Documents* (Albany: State University of New York Press, 1985) pp 85–112.

³⁷ And at least under earlier film guidelines an actual rule. See Robert Cain, "How to Be Censored in China: A Brief Filmmaking Guide" *IndieWire* (30 November 2011), available at <http://www.indiewire.com/2011/11/how-to-be-censored-in-china-a-brief-filmmaking-guide-50870/> (visited 11 February 2017).

³⁸ Berry (n 8 above) pp 94–95.

reunion follows.³⁹ The ship's leadership frees Qiu Shi, and in the film's last sequence, Qiu, carrying his daughter, hikes up the mountain path and disappears into the mountains. In brilliant sunshine, the two of them arrive at a beautiful meadow, very like the one where years earlier Qiu Shi had courted his wife. Like her mother, Xiao Juanzi finds a dandelion to blow on, and Qiu is reminded of both his wife and the Wu Fan print she had shown him. Now those dandelion seeds float free in the breeze, suggesting the possibility of creative and intellectual freedom for Qiu Shi.⁴⁰ In the final shot, Qiu is framed against the mountains, his expression full of hope and joy at seeing his daughter, though mixed with sadness as he recalls his wife.

Evening Rain ends in brilliant sunshine in a beautiful meadow in the mountains, and even the dandelion seeds are brightly coloured against the blue sky. It is clear that the filmmakers restored Qiu Shi's future when they restored his child, and now they suggest that Qiu's future is bright. But a few clouds can be seen in the sky and uncertainty remains: the Gang of Four are still in power and the Cultural Revolution has not ended. The filmmakers knew, of course, that within a few years the Gang of Four would be removed and an increasingly open atmosphere would in fact permit artists like Qiu Shi more freedom. But today's viewers know, as the filmmakers did not, what political movements would follow during the 1980s and beyond, and we understand what legal and justice issues remain unresolved. Will Qiu Shi survive them and continue to write? From today's vantage point, it's hard to be hopeful, although I would like to believe the filmmakers that he will.⁴¹

6. Conclusion

Evening Rain is now in many respects an old-fashioned movie, but it remains beautiful and moving, just as Wu Yonggang's first film, *Goddess*, does. Of course, despite some similarities in style, *Evening Rain* is a very different movie, made close to 50 years later and in a radically different time. It's clearly a product of the early reform years and it shares many characteristics of other scar cinema, although *Evening Rain* transcends them and its message remains highly relevant today. The times might have been more desperate during the Cultural Revolution than during

³⁹ The film never explains how Xiao Juanzi could be on the same ship as Qiu Shi or whether she has chosen this ferry for a reason. One just has to accept it as coincidence — or possibly as fate.

⁴⁰ According to Wu Fan, "Because of this very strong and sort of carefree character, I chose a dandelion for the girl to blow. As an artist, you must keep your intellectual spirit free, detached from politics". Wen Chihua (n 31 above).

⁴¹ *The Legend of Tianyunshan* also ends in some uncertainty, for similar reasons, despite the arrival of sunny spring weather.

the 1930s, but the film's ending is hopeful and positive, and at least for the moment its hero Qiu Shi is free.

As scholars have noted, some aspects of *Evening Rain's* plot reflect the official Party line — for example, that the Gang of Four were solely responsible for the Cultural Revolution,⁴² a clear rewriting of history. Thus, when the passengers realise the great danger Qiu Shi is in, they are all energised to act, just like the ship's leadership: the Gang of Four and their henchmen were the problem and everyone else will do the right thing. But this might also reflect a belief, possibly expressed in *Goddess*, that good people will act to help others, whatever the times or the system. However we read the film, *Evening Rain's* political content is far less apparent at this remove in time, and the movie might leave today's viewers with a more universal and less specifically Chinese message: people can band together to resist oppression and save its victims — even if after June 4, 1989 we may doubt that they can.

More important, *Evening Rain* is not about ideology; it is about the arts and freedom of expression, which the filmmakers eloquently tell us can and should be protected by law. The lives of most of the passengers illustrate the political attacks on them not only as individuals but also as representatives of Chinese culture — including literature, painting, music and drama — and the Chinese scenery that has inspired so many of the arts is given a special place in the film. Of course the *Evening Rain* filmmakers were themselves artists, and at least the older two had experienced major political campaigns, including the Cultural Revolution. Wu Yonggang suffered directly when he was labelled a Rightist and Ye Nan's twin brother was also silenced for years. Even the use of the dandelion print reminds viewers of the Party's persecution of artists: Wu Fan was imprisoned during the Cultural Revolution, and most of his woodblocks, including the dandelion print used in the movie, were destroyed by Red Guards.⁴³ For these filmmakers, *Evening Rain* is not about Party policy or the current political line; it is about the importance of art and the protection of culture — and its creators — from ideological control.⁴⁴

Qiu Shi's words are thus the most moving in this film and the heart of *Evening Rain's* message: Qiu is a criminal who has committed no crime, but he has nevertheless been punished severely, without the protection

⁴² Braester (n 7 above) pp 137–138.

⁴³ Wen Chihua (n 31 above).

⁴⁴ Although in 1980 statements Ye Nan seems to allow a role for the Party (he joined in 1947), at the same time he defends artistic sensibility. Ultimately, he says, “[W]riters and artists should still only be limited by life (history) and their own *subjective world*”. Quoted in Michael S Duke, *Blooming and Contending: Chinese Literature in the Post-Mao Era* (Bloomington: Indiana University Press, 1985) pp 35–36.

of law. Whatever the stylistic echoes of *Goddess*, law and its officers are viewed quite differently in *Evening Rain*. Wu Yonggang's first film was critical of the formal legal system: no matter how great the social injustice, the legal officials are unable to act. In *Evening Rain*, however, the three ship's officers take steps to save Qiu Shi; they believe he is innocent and must be set free. Acting out of respect for law as well as humanity, they remind us of the value of the formal legal process. Isn't this recognition, this insight equally important in China now?

Perhaps surprisingly, given the era in which the movie is set, *Evening Rain* evokes not only sadness and hope but also nostalgia, not for the living conditions the film depicts, when Party policies made everyone poor; who misses them now? But nostalgia for the look of the China many of us first visited, and especially for the scenery and old towns along the river, now irrevocably changed by the Three Gorges Dam and, like much of China's natural beauty, by economic development. Viewing *Evening Rain* so long after its filming reminds us inescapably of the world we have lost.

One might more justifiably feel nostalgia for the ideas *Evening Rain* embodies and particularly for the optimism the film expresses about the value of law and the protections law offers: it all seemed so much simpler then. Enactment of the 1979 codes of criminal law and criminal procedure did mark an important step in China's legal reform, and the legislation has since then undergone major revisions. Now a legal profession has been re-established, and many trained and conscientious judges sit on the bench. In 1998, China even signed (although it has yet to ratify) the International Covenant on Civil and Political Rights, with its guarantees of freedom of expression and its restrictions on the power of states to punish people like Qiu Shi. Yet, even now these vastly improved laws have been used to suppress those who, like artists and lawyers, dissent or challenge the authorities — and consequently many criminals who have committed no crimes once again languish in Chinese prisons.⁴⁵ When will the hopes and ideals so movingly and convincingly depicted in *Evening Rain* be realised? *Evening Rain* shows us one stage of China's journey towards law, but at the same time it reminds us that the destination has not yet been reached.

⁴⁵ Rights defense lawyers 維權律師, long under attack by the authorities, were targeted in the government's "709 incident" crackdown that began on 9 July 2015. See Amnesty International, "A Year on: China's Crackdown on Human Rights Lawyers", available at <https://www.amnesty.org/en/latest/campaigns/2016/07/one-year-since-chinas-crackdown-on-human-rights-lawyers/> (visited 11 February 2017); see also Eva Pils, *China's Human Rights Lawyers: Advocacy and Resistance* (Abingdon: Routledge, 2014).