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## Research Note

# Crime and Punishment in Post-Liberation China: The Prisoners of a Beijing Gaol in the 1950s\*

Frank Dikötter

A number of recent publications have given detailed accounts of the gulag system in the People's Republic of China (PRC), filling an important gap in the available literature. Comprehensive descriptions of the huge prison and labour camp network, which has administered the lives of 20 to 30 million convicts since 1949, are generally based either on the analysis of official documents, in particular notices and regulations,<sup>1</sup> or on information gathered from former prisoners.<sup>2</sup> The brutal treatment of political prisoners in the regime's penal institutions, the gradual destruction of human beings in labour camps, and the widespread use of torture and physical violence in "thought reform" are some of the most disturbing aspects of a gulag system that have been vividly evoked in many autobiographies.<sup>3</sup> Beyond these general descriptions, however, virtually nothing is known about the number of camps, the scope of labour reform or even the daily lives of common prisoners. The major difficulty encountered in research on the gulag system is the lack of more substantial empirical evidence, as internal documents formulated by prison administrations, public security bureaus or other security departments are difficult to find. Indeed, anyone found guilty of leaking special classified documents will be convicted of a counter-revolutionary crime.

This article moves beyond general descriptions of the prison network in the PRC to focus more specifically on the inmates of a penal institution in post-liberation Beijing on the basis of an internal prison registry. The hand-written document consulted for this article is over 200 pages long and provides details of just under 400 male prisoners classified by surname and ranked in a comprehensive index. The information on each prisoner is very brief, consisting mainly of a name, age, home address, occupation, class origin (*chengfen*), educational level, offence committed,

\* The author would like to thank Professor T.H. Barrett, SOAS, without whose support this article would not have been possible.

1. For instance Michael Dutton, *Policing and Punishment in China: From Patriarchy to "The People"* (Cambridge: Cambridge University Press, 1992); an excellent critique of the fragile evidential basis of Dutton's work and the chasm between official documents and actual reality is made by John Honeyman in *Journal of the Royal Asiatic Society*, Vol. 3, No. 3 (November 1993), pp. 493–95.

2. Jean-Luc Domenach, *L'archipel oublié* (Paris: Fayard, 1992); see also Jean Pasqualini, "Glimpses inside China's gulag," *The China Quarterly*, No. 134 (June 1993), pp. 352–57.

3. See for instance Jean Pasqualini, *Prisonnier de Mao. Sept ans dans un camp de travail en Chine* (Paris: Gallimard, 1975); Pu Ning, *Red in Tooth and Claw: Twenty-Six Years in Communist Chinese Prisons* (New York: Grove Press, 1994); Harry Wu, *Bitter Winds: A Memoir of My Years in China's Gulag* (New York: John Wiley, 1994).

length of sentence, dates of incarceration and projected release, a short history (*jianli*) – which can vary in length from a few words to four or five sentences – and details of any known relatives. A photograph of most inmates figures at the centre of each entry, giving this document an exceptional human quality. The presence of these aged photographs, the different hand-written comments in the main text and the margins, as well as the entire appearance of the record, obtained from a reliable source, unambivalently indicate that this is an authentic document which is virtually impossible to imitate or forge. Although no specific date is available, it was probably compiled by a prison warden in 1959. A majority of inmates were residents in or near Beijing. No information about the nature or location of this particular penal institution is revealed, although it is likely to be a prison, or section of a prison, rather than a detention centre or labour camp, as the expression “entered prison” (*rujian*) occasionally follows the date of incarceration. The registry specifies in a number of cases that some prisoners had already undergone reform through labour (*laogai*).

#### *Imprisonment in the 1950s*

As they marched into the city on 31 January 1949, the Communists found the prisons of Beijing almost entirely empty. Allegedly in order to save food and heat, the large-scale release of prisoners from gaol had been ordered by the municipal authorities a few months earlier.<sup>4</sup> The penal institutions left behind by the Kuomintang were appropriated by the law enforcement agencies of the Chinese Communist Party (CCP) in Beijing. As in the early years of the Soviet regime, when the notorious Cheka and revolutionary tribunals enforced a reign of terror to establish a new order, the public security forces started incarcerating enemies of the Party and common criminals on a large scale immediately after liberation. Political movements aimed at the elimination of “counter-revolutionaries” and mass campaigns against “bad elements” within the Party were soon launched throughout the country. As most provinces and municipalities had few gaols, the majority of prisoners were sent to labour camps (*laogai*). Even today, Beijing municipality has only five acknowledged prisons, namely prison no. 1, no. 2, no. 3, Qincheng prison and Liuhai prison. Throughout the first decades of the new regime, a large number of inmates were sent to labour camps, which started to operate on a large scale during the mass campaigns in 1951 and 1952. Most labour camps were turned into self-sufficient units after September 1951, and by 1954 nearly 90 per cent of all prisoners were engaged in labour production.<sup>5</sup>

4. Derk Bodde, *Peking Diary: A Year of Revolution* (New York: Schuman, 1950), p. 67. In the context of this study, the same author's piece on a Beijing prison under the Manchus should also be mentioned; see Derk Bodde, “Prison life in eighteenth-century Peking,” in *Essays on Chinese Civilization* (Princeton: Princeton University Press, 1981), pp. 195–215.

5. See Xu Juefei, Shu Hongkang, Shao Mingzheng and Yu Qisheng, *Laodong gaizaoxue* (*Reform Through Labour*) (Beijing: Qunzhong chubanshe, 1983).

Suspects accused of a political crime rarely went through any sort of legal procedure.<sup>6</sup> People's courts (*renmin fayuan*) were established and made responsible for enforcing party policies and regulations. More serious cases were often turned over to special revolutionary people's tribunals (*renmin fating*), *ad hoc* bodies established for the duration of mass campaigns. These tribunals were also under the tight control of the public security system and had the power to make arrests and pass sentences. According to one close observer, legal procedures were rarely followed, lawyers were not assigned for the accused, judges were insufficiently trained and inexperienced, records of trials were poorly kept, and sentences were generally dealt with too severely by judges who tried to adhere to government policies.<sup>7</sup>

In principle, only criminals who had been arrested and sentenced were confined to prisons, as large numbers of people languished in detention camps for months before being sentenced. Political prisoners sometimes had no fixed sentence and were released only when they were "sufficiently" reformed.<sup>8</sup> Regulations also existed concerning the separation of political prisoners from common criminals, although no such strict segregation was actually enforced in prisons or labour camps according to close observers. Following an internal CCP regulation, "prisons will house criminals sentenced to death with a two-year reprieve; counter-revolutionaries sentenced to life terms or terms of over five years; common criminals sentenced to terms of over ten years; and special cases such as spies, foreign criminals, criminals with knowledge of classified material, and female criminals."<sup>9</sup> The profile of the prison register examined here corresponds to a great extent to that description, with the notable exception of a large presence of common criminals convicted for theft with sentences of less than ten years. The incarceration of serious offenders was the result of the higher security and tighter regime of prisons in comparison to some labour camps. Political prisoners, on the other hand, were often sent to labour camps. As in the labour camps, however, penal institutions generally housed factories or workshops in which all prisoners were forced to work. The number of prisoners could range from 200 to 5,000, while camps could harbour over 100,000 convicts.

### *Political Prisoners in a Beijing Gaol*

The 400 inmates who are part of this penal institution can be divided into political prisoners and common criminals. The dates of incarceration

6. The best introduction to judicial procedures in the PRC is Leng Shao-chuan, *Justice in Communist China: A Survey of the Judicial System of the Chinese People's Republic* (New York: Oceana, 1967); see also Jerome Alan Cohen, *The Criminal Process in the People's Republic of China, 1949-1963: An Introduction* (Cambridge, MA: Harvard University Press, 1968); James P. Brady, *Justice and Politics in People's China: Legal Order or Continuing Revolution?* (London: Academic Press, 1982).

7. Chow Ching-wen, *Ten Years of Storm: The True Story of the Communist Regime in China* (New York: Holt, Rinehart and Winston, 1960), p. 143.

8. Zhang Xianliang, *Grass Soup* (London: Secker and Warburg, 1993), p. 121.

9. Harry Hongda Wu, *Laogai: The Chinese Gulag* (Boulder: Westview Press, 1992), p. 8.

show that during the first years of the new regime, the great majority of prisoners were military or government leaders left behind by the Kuomintang (KMT) and other so-called counter-revolutionaries. Although common criminals were imprisoned as early as February 1949, it was not until 1957–58 that their numbers drastically increased. Political prisoners, who constituted roughly one-third of the total prison population, were convicted under different charges. The majority were old regime policemen and soldiers, sentenced either as counter-revolutionaries (*fangeming*), servants in KMT military organizations (*juntong*), servants in KMT civil organizations (*zhongtong*), KMT officials or “special services” (*tewu*). Some other political prisoners were incarcerated for belonging to counter-revolutionary organizations or secret societies, in particular the Yiguandao. A few criminals were found guilty of having hidden counter-revolutionaries (*baobi fangeming*) or for having betrayed the nation (*hanjian*) or the Party (*pandang*). The remaining 260 inmates were common criminals, principally civil servants guilty of corruption (*tanwu*), thieves (*qiedao*), robbers (*xingqiang*), swindlers (*qipian*), hooligans (*liumang*), rapists (*qiangjian*), murderers (*sharen*), but also a few gamblers (*dubo*), drug traders (*fandu*) and sodomites (*jijian*). A majority were sentenced to periods of five, ten or 15 years. Three prisoners were on death row (a rapist, a murderer and a spy), while nearly 40 inmates were sentenced to life.

The inmates' level of education was noted with much care by the prison authorities and allows some general observations to be made. Educated prisoners constituted a distinct minority in the gaol, as fewer than 50 had some university education. In general, over half of the prison population were either illiterate or had only been through primary school. On the basis of the evidence presented here, the common accusation that intellectuals were the main victims of the new regime seems to be misguided, even when the relatively small proportion of educated people in the overall population of Beijing is taken into account. An overview of the class origins (*chengfen*) of the prison population, vital in any socialist regime that derives its legitimacy from being a dictatorship of workers and poor peasants over members of the oppressive classes, further throws some doubt on common assumptions about the nature of crime and punishment in the PRC. Well over half the prison population belonged to “good” classes, classified either as poor peasant and worker or as middle peasant, and more poor peasants and workers were sentenced to life terms than landlords or rich peasants. A more detailed analysis, moreover, shows that over half the common criminals were poor peasants or workers, while less than one in five belonged to “bad” classes, namely rich peasant, landlord or petty capitalist. This general trend is also characteristic of political prisoners, of whom almost a quarter were poor peasants or workers, while only 50 were classified as “bad” classes. In the case of this particular penal institution, in other words, the new regime was far more inclined towards the internment of peasants and workers than capitalists or landlords.

An analysis of the dates of the sentences reveals different waves of

incarceration. Twenty political prisoners were arrested in the year following the conquest of Beijing municipality, some as early as February 1949. Li Guoying was one of them. Li worked as a teacher for six years in his home county in Qinghai province before receiving special training in military intelligence as an archivist from the KMT in 1931. He also received training in 1944 in Chongqing from a Sino-American centre and worked as secretary of an investigation team two years later. The new regime accused him of torturing workers in 1947 and obtaining information from revolutionaries under torture. He was also alleged to have arrested revolutionaries and other unfortunate masses (*buxing qunzhong*), gathered revolutionary intelligence and oppressed the student movement in the capital. Li was condemned to 15 years starting from March 1949 in Beijing, where he lived at the time of his arrest (p. 80).

Organizations suspected of active opposition against the new regime were outlawed as soon as the Party seized power in the north of the country. A ban was imposed on all secret societies, and the compulsory registration of all their members was ordered by the government of North China on 4 January 1949. Similar directives were adopted by city and provincial administrations. Described as a counter-revolutionary and reactionary secret society by the CCP, the Yiguandao, or Way of Basic Unity, was the largest and most widespread organization, with active branches in many provinces and previous ties with the Japanese occupational forces.<sup>10</sup> In Tianjin, where it claimed over 200,000 adherents, roughly equal to 20 per cent of the adult population, decisive action was taken only with a campaign in April 1951 which specifically aimed to destroy the Yiguandao and similar millenarian organizations.<sup>11</sup> The new regime seems to have drawn a careful distinction between leaders and members, as altar chiefs (*tanzhu*) and higher ranking leaders were forced to register. Many were arrested, executed or imprisoned, such as Liu Ziyuan, accused of propagating the Yiguandao since 1943. He was also accused of cheating the masses and organizing a parish of over 900 members in 1948 (he deceived the government when he registered in 1950); very similar to the nine other prisoners convicted for belonging to the Yiguandao, he was imprisoned for twelve years in March 1951 (p. 43).

Other religious organizations were also targeted during the first year of the PRC. In July 1950, the Three-Independence movement (*sanzì*) made Chinese churches independent from foreign connections, including the Vatican. One of the prisoners of this gaol, a Chinese priest, spoke out against this mass campaign, claiming that it was an attempt by the CCP to restrict religious freedom. He was also accused by the authorities of having participated in the organization of a Legion of

10. Lev Deliusin, "The I-kuan Tao Society," in Jean Chesneaux (ed.), *Popular Movements and Secret Societies in China, 1840-1950* (Stanford: Stanford University Press, 1972), pp. 225-233.

11. Kenneth Lieberthal, "The suppression of secret societies in post-liberation Tientsin," *The China Quarterly*, No. 54 (June 1973), pp. 242-266; Kenneth Lieberthal, *Revolution and Tradition in Tientsin, 1949-1952* (Stanford: Stanford University Press, 1980), pp. 108-118.

Mary (*shengmujun*), one of the self-defence organizations set up by Christians during the 1940s. He was sentenced to ten years in August 1954 (p. 116).

Local militias, in particular “self-defence corps” (*ziweituan*) and “landlord troops” (*huanxianguan*), were described as “anti-Communist” or “anti-people” organizations by the Communists, and were required to cease all activities after 15 January 1949. Their members were obliged to register, and hand over all important documents, broadcasting equipment and weapons. Failure to register turned organization leaders into criminals, and the internal document used here notes that many of the gaol’s political prisoners failed to register, refused to hand over or actively hid incriminating material and provided false details in order to carry out anti-Communist activities. The Three People’s Principles Youth League (*sanqingtuan*) of the KMT was one of the main organizations which were immediately compromised after the occupation of the Beijing municipality, and this gaol detained several of its organizers.

Members of former civil and military structures, in particular KMT soldiers and policemen, were the most important target of the CCP. The majority were imprisoned during the mass campaigns which were launched in the first few years of the new regime, in particular the campaign against counter-revolutionaries (*zhenfan*) in 1950–51, aimed at former members of the KMT and KMT-linked organizations, secret society leaders, spies and others engaged in the active resistance to the new regime. Among the gaol’s contingent of 160 political prisoners, roughly one-third were arrested for their former connections to civil and military organizations of the KMT during the peak of the campaign in February and March 1951. Prison sentences were a lenient form of punishment, as mass executions during this period were common. In Beijing, a mass meeting was chaired by Peng Zhen on 24 March 1951, leading to the executions of workers, peasants, secondary school students and members of secret societies. A second mass execution took place in the capital in May 1951, followed by another meeting on 22 August, when 236 counter-revolutionaries were executed, mainly former nationalist soldiers and policemen; 25 remaining political prisoners received life sentences.<sup>12</sup> In comparison, the political prisoners sentenced during this period to spend ten, 15 or 20 years in prison may be considered fortunate. Li Chunhua, for instance, who served as a policeman and chief of police from the age of 19 to 28, was said to have trained over a thousand people in defence teams, compiled information on the activities and movements of the Eighth Army, arrested over 30 Communist Party members and other progressive elements, burned counter-revolutionary material after liberation, secretly listened to Taiwanese radio and spread rumours. He escaped the firing squad and was convicted on counter-revolutionary charges and sentenced to 15 years detention in February 1951 (p. 81). A

12. Laszlo Ladany, *The Communist Party of China and Marxism, 1921–1985* (London: Hurst & Co., 1988), pp. 180–81.

number of soldiers who had surrendered to the enemy during the Korean War were also charged for “espionage” and generally sentenced to serve life terms in prison.

Many retained personnel survived the 1951–52 purges and were only removed in later movements: another third of the political prisoners were incarcerated between 1953 and 1956. An Yulin, for instance, was in high school before serving the KMT. He was alleged to have received training as a spy from 1947 to 1948 and then worked as a radio operator in military intelligence. After the revolution he worked as an assistant photographer, actively hiding his counter-revolutionary background (a common charge against counter-revolutionaries arrested in the 1950s). He was sentenced to ten years in May 1953 (p. 63).

The campaign against Hidden Counter-Revolutionaries (*sufan*) in 1955 was the next most important mass movement. The prison record shows that a number of prisoners were sentenced for counter-revolutionary activities during this campaign. Following the principle of retroactivity, some suspects were sentenced for crimes committed as far back as 1945 (pp. 121, 143, 163 and 197), while others were imprisoned for hiding counter-revolutionaries (pp. 77 and 102). Even at this time, the Party was still finding active counter-revolutionary elements, as in the case of Li Xiutian, who left home as a poor peasant at the age of 14 to work as an apprentice in Shijingshan steel factory near Beijing. He joined the Shijingshan power station three years later, and was sentenced to ten years as a counter-revolutionary for smashing machinery and concealing firearms (p. 74) (the Shijingshan power station, located in the south-west of the capital, was the main plant for Beijing and a sensitive strategic point: in 1951, another worker was convicted for ten years for sabotaging electricity lines; p. 115). During this period, spies funded by Taiwan were still periodically apprehended, as the case of Shen Yuan shows. He was arrested in March 1954 and accused of being a top organizer of special services aimed at the overthrow of the Party. He was alleged to have travelled to Taiwan the previous year to establish contacts with Sun Lianzhong and Zheng Jiemin, two high-ranking military commanders during the Sino-Japanese War, and was sentenced to life (p. 97).

A minority of the gaol’s political prisoners were sent down during the 1957–58 anti-rightist purges which followed the Hundred Flowers. Most of them were sentenced as counter-revolutionaries, and only five were directly accused of “rightist” deviations. This surprisingly low figure confirms the impression that intellectuals guilty of rightist ideas were sent to labour camps rather than to prisons. In some cases, university students were even allowed to continue their studies under supervision, although some were punished by reform through labour. The regime seems to have been less lenient with workers and soldiers accused of misusing the rectification movement of the Party (*zhengfeng*) to express rightist views or attacking the Party’s policies. Chang Deyang, a soldier in the PLA, had even “vilified” an old cadre and “hurled invectives” at a judicial officer, a misdemeanour which was to cost him ten years (p. 84).



*Corruption and Imprisonment*

Corruption was one of the most common crimes committed by the inmates of this penal institution. Over 40 prisoners were incarcerated for embezzlement, forged accounts, misappropriated funds or theft of state property, the overwhelming majority of them during the 1957–58 anti-rightist campaigns. Only two prisoners were sentenced during the Three-Anti (*sanfan*) campaign, which started in 1951 and lasted to the middle of 1952. One case involved a retained administrator, sentenced to 15 years in March 1951 (p. 135). The second case was a “tiger” (*laohu*), as major corrupt elements were referred to during this campaign. Special “tiger teams” (*dahudui*) were set up to bring to court the most corrupted high cadres, some of whom were accused of taking an average of 200 million *yuan* per person in illicit gain, corresponding to 20,000 *yuan* of the new currency introduced in 1955. An important trial was held in Beijing on 1 February 1951, when the accused included the former head of the administrative office of the Ministry of Public Security and a former director of the rear supply office of the People’s Revolutionary Military Council. Two cadres were executed on the spot and the remaining five all received heavy sentences.<sup>13</sup> Two weeks later Zhang Yukui, a stocky farmer of middle peasant origin, was sentenced to serve 20 years in gaol for theft of state property amounting to a total of 370 million *yuan*, equivalent to 37,000 new *yuan* (p. 118).

The “Provisions Laid Down by the Economic Practice Investigation Committee for the Disposal of Cases of Corruption and Waste and for the Conquest of Bureaucratic Deviations,” published in March 1952, stipulated that cadres guilty of corruption involving sums under one million *yuan* (100 *yuan* of the new currency) would not be considered corrupt elements and would not be liable to administrative disciplinary action if the circumstances of the crime were not serious and the crimes were admitted. Even in cases involving sums over 100 million *yuan* (10,000 new *yuan*) criminal punishment could be avoided with a frank confession and the restitution of the money.<sup>14</sup> These regulations only partially correspond to the treatment imparted to the inmates of this prison, which detained a number of cadres convicted of corruption. Most of them were new recruits who had joined the regime after liberation. Hao Jingchang, for instance, finished his university education in 1952 and worked in a state bank before joining the Ministry of Forestry, where he embezzled 3000 *yuan*. He was sentenced to 20 years in December 1957, one of the heaviest penalties for corruption in the prison (p. 150). Old cadres were also purged: Liu Rongshan, who joined the army in 1943 and worked for public security forces from 1948 to 1953, was found guilty of embezzling 201 *yuan* as an office worker and was sentenced to four years in January

13. A. Doak Barnett, *Communist China: The Early Years, 1949–55* (London: Pall Mall, 1964), pp. 138–141.

14. “Provisions Laid Down by the Economic Practice Investigation Committee for the Disposal of Cases of Corruption and Waste and for the Conquest of Bureaucratic Deviations,” *Current Background*, No. 168 (2 March 1952), p. 4.

1958 (p. 45). Hu Bo'ai became a team leader in the tax bureau in Beijing and was accused of having embezzled 1,150 *yuan* in 1955; he was sentenced to serve a term of eight years (Hu was well connected: his wife worked for the Ministry of Finance while a fellow-countyman was employed with the Public Security Bureau; p. 147). According to Frederick Teiwes, the most significant terrain for corruption, apart from economic and financial departments, were legal institutions,<sup>15</sup> an impression confirmed by this source. One young judicial officer, for instance, recruited as a new cadre in 1952, entered this prison on 26 April 1955 to serve a sentence of five years for using his position to obtain 590 *yuan* (p. 202).

Generally, most cases of corruption involved clerks, administrators or attendants, and they were brought to court in 1957–58. A variety of means were employed to cheat the new regime: bus tickets by ticket inspectors, postal bags by railway workers, fake receipts by accountants, forged accounts by ordinary cadres. In a police state ruled by arbitrary decisions, it would be wrong to read too much into the different sentences to which common criminals were condemned. The circumstances of the crime, the behaviour of the accused during his investigation and the political climate at the time of the conviction were some of the factors taken into account when a sentence was passed. In the case of corruption charges, however, a correlation appeared between the amount of wrongly obtained money and the length of the sentence, as sums of up to 1,000 *yuan* seem to have been punished with sentences from five to eight years, whereas sentences from ten to 20 years were passed when the sums were above that amount. Prison terms may still have been decided on an *ad hoc* basis by the various tribunals and courts responsible for judging criminals. The embezzlement of 300 *yuan* by a member of the Beijing experimental theatre was punished with a three-year term (p. 189). On the other hand, the theft of 90 *yuan* by a soldier of the PLA was punished by a seven-year sentence (p. 113), confirming the impression that crimes committed by soldiers were more harshly punished. The most severe case among the prisoners must have been Su Lianyuan, a soldier of poor peasant status incarcerated for life for the theft of 5,000 *yuan* and two rifles in 1957 (p. 109).

### *Theft and Robbery*

Theft, the most important criminal category in this penal institution, referred to the dishonest appropriation of property belonging to the masses. Although street crime was officially identified with capitalist exploitation, the new regime did not hesitate to lock up petty thieves and small swindlers. One of the few to be identified as a "habitual thief" (*guanfei*), Su Wencheng was convicted of grave robbery in 1943, 1944 and 1946. He entered prison again soon after liberation, showing that

15. Frederick C. Teiwes, *Politics and Purges in China: Rectification and the Decline of Party Norms, 1950–1965* (New York: Sharpe, second edition, 1993), pp. 107–108.

from the start the new regime had little patience with common criminals and limited faith in its capacity to reform them (p. 109). Su Wencheng was soon joined by another poor worker, accused of robbery in 1949 and sent to prison for a period of 18 years barely two weeks after the PLA marched into Beijing (p. 56); they were among the longest serving prisoners in this penal institution.

No criminal code or comprehensive set of criminal procedures existed in the first decade of the PRC, and even the theft of small sums of money like 50 or 60 *yuan* (the average salary of an ordinary worker was about 35 *yuan* a month) warranted a prison term of five to seven years. Liu Yunpeng, a postal worker in Beijing, stole a bicycle and was sentenced to seven years in December 1957 (p. 42) while poor farmer Yang Yongqian was put behind bars for ten years for the theft of seven bicycles (p. 114). Bicycles, clothes, watches, cameras and money were commonly stolen items.

Poor peasants and demobilized soldiers were more likely than others to end up in prison. Ding Baozhen, a peasant who had joined the PLA in 1945 and was demobilized in 1956, was caught stealing two pairs of trousers worth 17 *yuan* the same year: this mistake cost him a 12-year sentence effective from 11 February 1958 (p. 1). Whether Ding Baozhen, having returned to his home village in Shandong after more than ten years in the army, was pushed by destitution and sheer poverty to steal some trousers to stay warm the record does not reveal, but he was not the only poor commoner to be caught stealing a few clothes. In 1957 and 1958, many poor peasants from outside Beijing were caught at the railway station or Qianmen bus station, presumably forced by the very poor conditions prevalent in the countryside to abandon their homes and seek work in the capital. Chen Zhiwen, an illiterate farmer who stole on two occasions goods worth 80 *yuan* from the Qianmen bus station, was sentenced to 15 years imprisonment in August 1957 (p. 89). Another poor farmer, who eked out a living as a cowherd before making his way to the capital in 1957, stole a briefcase and was found thieving in front of Wangfujing's department store; he too was given a 15-year sentence (p. 87).

Cadres, on the other hand, were also severely punished, as in the case of Deng Chang, who was made a village leader before joining Beijing's Public Security Office: when he was found guilty in August 1957 of stealing 700 *yuan*, he was sent down for 15 years (p. 185). Sun Tongwu, a university graduate placed even higher than Deng as an employee at the Ministry of Public Security, was accused of stealing a total of 267 *yuan* from the state and incarcerated for 12 years a month later (p. 61). A life sentence was passed on another important cadre, active in the North-West Engineering Bureau of the Ministry of Railways for the embezzlement of 2,000 *yuan* (p. 55), contributing to the periodical purges of retained and new cadres throughout the first decade of the new regime.

University students did not constitute an important category of persons arrested for theft, although some examples appear in the registry. One graduate from Beijing Normal University working in the county ju-

diciary, who stole receipts from a pharmacy in Dazhalan and three rucksacks from passengers at the railway station worth 50 *yuan*, was sentenced to eight years in February 1958 (p. 89). In another case, Ma Liyi, a Beijing University student, was sent down for 15 years: he was alleged to have stolen money on numerous occasions, as well as three watches, four fountain pens, food tickets and books worth over 1,000 *yuan*. He was also found guilty of rightist ideas. Although Ma was convicted under a charge of theft, his real crime may well have been his political ideas, as municipal authorities were sometimes reluctant to impose the label of counter-revolutionary on students. It is also possible, as in many other cases, that the charges brought against him were entirely fabricated (p. 11).

Most cases of robbery were punished by terms of at least ten years, longer if it was part of an organized crime, as the regime was more severe with leaders of criminal organizations than with their followers. A life sentence was thus given to Yang Baozhi, the head of a gang of hooligans in Beijing accused of the robbery of a briefcase in the summer of 1957 (p. 138). Apart from a few robbers, the registry also provides some information on half a dozen swindlers, generally sentenced to terms ranging from eight to 15 years. Cases varied from Ren Furun, accused of diluting milk with water and illegally dealing in imported bicycles (p. 70) to Ma Yutu, a poor peasant who joined the PLA at the age of 14 and was found guilty of obtaining watches by deceit from six girls. Ma was also alleged to have had improper relations with four of these girls, and received a sentence of 15 years (p. 10). Even the lightest of offences were harshly dealt with by the regime, as Qian Zhengqing, a worker at the Long Distance Telephone Office, experienced when he was caught tampering with a train ticket in order to obtain a gain of 2.23 *yuan*: he was put behind bars for seven years in the summer of 1957 (p. 145).

### *Murder, Sexual Crimes and "Hooliganism"*

Less than a year after the liberation of Beijing, Zhao Liansheng, a poor grinder from Fucheng district, caught his wife in the act of committing adultery with Fu Baoquan. He picked up a cleaver and killed them both in a fit of rage, becoming one of the first murderers to be imprisoned in this penal institution in January 1950 (p. 155). Zhao was sentenced to eleven years. Zhong Yusen was treated less leniently: not willing to let his estranged wife divorce him, he was given a life sentence in October 1955 for killing her (p. 145). Six out of the gaol's ten murder cases were crimes of passion, as jealous husbands poisoned, strangled, chopped, knifed or otherwise killed their unfaithful wives. Their sentences varied between eleven and 20 years, with one life sentence. In the case of village leader Wang Cunjiang, who poisoned his daughter and wife by putting arsenic into their noodles, a death sentence was passed (p. 27). The remaining cases involved the killing of members of the masses or Party cadres. In general, politically motivated killings were judged as counter-revolutionary crimes rather than murders.

Besides theft and corruption, sexually related crimes were the next most common offence: the penal institution studied here kept nearly 40 rapists behind bars, most sentenced to terms of ten to 15 years. No correlation appears in this source between class origins and length of sentence: in the case of a sexual offence, five out of eight rapists convicted to sentences under ten years were students, including all three university students accused of rape. The use of accomplices, on the other hand, was judged severely, as in the case of Bai Yonghua. Having recruited the help of a young girl to engage in illicit sexual relations (*jianwu*) with eight women, he was sentenced to death on 20 June 1958.

The absence of any detailed information on the circumstances of each crime and its trial make any speculations about sentencing policies rather hazardous, but it is striking to note that the two cases of rape involving a handicapped person were judged relatively leniently by the regime's own standards. In one case, a 24-year-old student raped a girl in a school for blind children and was sentenced to eight years in October 1957 (p. 38). The second case involved Lin Jinsheng, a worker with a Beijing Sewer Company, accused of having lured a mentally retarded girl to Ritan park where she was twice raped. Lin too was sentenced to eight years in December 1957, although he was known to have participated in another gang rape with a fellow worker, a crime he had failed to report to the authorities (*zhiquing bu jianju*) (p. 133).

Indecent assault of under-aged children attracted long prison sentences, although exceptions existed, as in the case of Hao Rongsheng, a farmer of poor peasant origin. He came to work in Beijing in 1953 and obtained a job in the Zhonghua bookshop on Wangfujing street. In 1956, he offered money and toys to two young girls aged five and nine and indecently assaulted them (p. 187). He was sentenced to ten years. On the other hand, an illiterate farmer found guilty of raping three young girls aged nine to eleven in 1954 and another one in 1957 was sent down for 15 years (p. 213). Hao Hongyue, a peasant who indecently assaulted six young girls after offers of sweets and toys, was one of the three rapists who went down for life (p. 150). Cases in which a sexual assault resulted in pregnancy (p. 204) or caused the victim to commit suicide (p. 210) involved sentences of ten to 15 years.

Some sexual offences took place near the corridors of power. Chen Pu, a 25-year-old man who worked in the boiler room of the State Council, managed to entice seven young girls. He raped two of them and indecently assaulted the other five; he was sentenced to 12 years in October 1957 (the husband of his eldest sister was highly placed in the public security forces; whether this was taken into consideration is not known) (p. 90).

A small number of prisoners were incarcerated for indecency (*weixie*), a violation of socialist morality which attracted sentences ranging from five to six years in length. Most offences consisted of teasing and groping women. In one case, an employee of the Central Television Network allegedly fondled and kissed a six-year-old girl; he also drank her urine (p. 36). One school teacher was sent down for touching the hair, breasts

and private parts of his female students. He also hit his male students, for which he was convicted in July 1954 (p. 154). "Sodomy" (*jijian*) was considered to be a sexual offence in itself, whether or not the act was committed with consenting partners. Huang Huanchen, for instance, was convicted for engaging in sodomy with over ten partners, a crime punished with sentences of between 15 and 20 years (p. 174).

The boundaries between indecency and hooliganism (*liumang*) were often vague. Hooliganism generally referred to anti-social acts such as disorderly conduct, looking for fights, making trouble or insulting people, but it could also refer to sexual offences such as harassing or assaulting women. Wang Guangmin, for instance, was found guilty of humiliating girls and groping their breasts in the Tianqiao cinema (p. 19). In another case, a young teacher in a secondary school was found guilty of disorderly conduct and illicit relations with four girls; he also "behaved like a hoodlum" in the company of foreigners at a party (p. 79). The gaol contained 18 people convicted of hooliganism, a relatively grave charge as it generally attracted sentences from eight to 15 years. Many of them were also convicted of related crimes, in particular theft and rape. Two people were put behind bars for life under the charge of hooliganism, and both were found guilty of rape, disorderly conduct and theft of public property. Only rarely was political deviation included as a crime, as in the case of Jin Erzeng, found guilty of hooliganism and rightist talk in school as well as unlawful and undisciplined behaviour, and sentenced to six years in April 1958 (p. 135). It may well be that the public security forces were unable to convict him on charges of rightist thought alone.

### *Conclusion*

A few sentences in fading ink on a yellowing page may well be all that is left behind of the lives of some prisoners, in particular those illiterate peasants with no family connections. An increasing number of autobiographies written by former political prisoners have highlighted the plight of intellectuals convicted on counter-revolutionary activities, but it is rarely acknowledged that ordinary people were routinely sentenced to ten or 15 years for minor offences. The internal document on which this article is based shows that mass campaigns also targeted anti-socialist elements from "good" classes and that the regime did not hesitate to put poor peasants, soldiers and workers behind bars for the slightest misdemeanour. This conclusion is supported by the observations made by Chow Ching-wen, a high-ranking cadre who made numerous visits to prisons in Shanghai and Hangzhou before escaping to Hong Kong in 1957.<sup>16</sup> The treatment of common people in prisons and labour camps has often been ignored by those who profess to defend human rights, as only the cases of a small number of political dissidents are highly publicized. Such a glaring omission can only serve the CCP's own political interests, as it draws attention away from the many common people trapped in the gulag system.

16. Chow Ching-wen, *Ten Years of Storm*, pp. 143 and 171.