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**Young Offenders in Contemporary China:  
Contributing Factors and Related Services**

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**YOUNG OFFENDERS IN CONTEMPORARY CHINA:  
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Introduction

Being a socialist country since 1949, China has gone through several major political and social changes. The shift of power from the nationalists to the communists,<sup>1</sup> the Cultural Revolution,<sup>2</sup> the fall of the Gang of Four,<sup>3</sup> the ambitious Four Modernizations programme,<sup>4</sup> the increase of population by 79.25% in the last three decades,<sup>5</sup> to name just a few of them. All these changes have altered in one way or another the social structure and the social relationships, and have had a strong impact on the philosophy of life and behaviour of the younger generation. The purpose of this paper, therefore, is to make a cursory review of the problem of young offenders in contemporary China under changing social conditions, to identify the factors which possibly contribute to crime, and to discuss the approaches adopted by the Chinese authorities in dealing with the delinquents. Because this social problem is more complex and serious in the urban areas, like anywhere else in the world, this paper will focus its analysis on the big cities.

The Problem

In Beijing, the capital city of China, 80% of the criminals arrested between 1977-1981 were youngsters below the age of 25. Before the

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Cultural Revolution, which began in 1966, the figure was only 20%.<sup>6</sup> In Shanghai, the biggest city in terms of population, the number of young offenders has increased 20 times since 1966. They constitute 70-80% of the total number of criminals in the city in the last 15 years or so. In addition, a high percentage of the young offenders are students. In 1980, 13.5% of the offenders were juveniles below the age of 17.<sup>7</sup> The problem of juvenile crime is not limited to the major cities. Other small towns have a similar situation. It was reported that there were 1.99 juvenile delinquents out of every 10,000 young people all over the country in 1965, but by 1979 the rate had climbed up to 5.7 per 10,000 young people.<sup>8</sup> This rising trend in delinquency has reached alarming proportions and has generated concern among the authorities concerned. At a recent conference on criminal rehabilitation the vice minister of public security pinpointed the fact that most criminals are young people. The ultimate goal of rehabilitation is to make the criminals, both young and old, become productive members in China's Four Modernizations programme.<sup>9</sup>

The problem of deviance among youth in the People's Republic of China can be traced back to the early years after the Communist Party took over China in 1949.<sup>10</sup> At that time, all kinds of juvenile crime that had existed in "old" China still continued. These included gang wars, petty misdemeanours, gambling, sexual laxity etc. Most serious was fights between young people belonging to different social classes who had conflicting political beliefs. Youngsters even used deadly weapons such as guns and pistols which were obtained during the civil war. In the early sixties, the problem seemed to be under control. However, a programme of permanent transfer of unemployed youth from the city to the countryside

has in some way contributed to the increasing number of young offenders. The Xiexiang Movement, which literally means going down to the village (voluntarily or involuntarily), began in 1957. It was estimated that about 17 million young people had been "sent down" to the countryside. Such Movement encountered strong resistance from some urban youth who preferred either to quietly "disappear" at the beginning, or to return to the city after staying for a while in the countryside. In both cases, the youth would become an illegal resident in the city, who was not entitled to the benefits enjoyed by normal residents. Under such circumstances, some of them resorted to stealing, gambling or even prostitution to make a living. In 1966, the Cultural Revolution began. Over the following ten turbulent years, schools were closed down, cultural recreational activities for young people were banned, the system of law was ignored and social morals were almost non-existent. More importantly, deviant behaviour was not only accepted but also encouraged by Mao, who mobilized the youth to fight against political rivalries by all means, including force and violence if necessary. After the Cultural Revolution, many youngsters were still confused about right and wrong, and maintained a similar pattern of misbehaviour. As a result, juvenile crimes rose drastically, and the nature of crimes committed by youth changed from simple to complex and from slight petty misbehaviours to serious offences. Crimes such as armed robberies, murders, rapes, gang fight were not uncommon among the young offenders.

In order to understand this social problem, one has to know who are the young offenders in China. The term "young offender" can be defined in at least three ways.<sup>11</sup> First, it refers to young people who

have been convicted in court. This definition is adopted in the new Criminal Law of the People's Republic of China, which was approved in the recent National People's Congress. Secondly, a more popular definition which is often used in government press and publications is that young offenders are youngsters who have been arrested by police or staff of the Public Security Bureau. Thirdly, the term is related to youth who have been admitted to the reformatory or work-study school because of their anti-social behaviour such as fighting, thieving or other offences, either found in the school, the work place or the street. In terms of age, it is usually not strictly defined. In general, it refers to teenagers and persons in their twenties.

#### Theories of Delinquency

A very famous Chinese proverb says, "(those) close to cinnabar (will become) red; (those) close to Chinese ink (will become) black." This statement, the meaning of which is quite obvious, pinpoints the significance of peer influence on thinking and behaviour. The individual will be "assimilated", "acculturated" or "socialized" by a particular group when they associate with each other over a period of time. If the group norms are different and conflicting with those of the larger society, the individual will tend to deviate. Carrying similar connotation is the well-known story about Mencius, the great Chinese philosopher, which is always referred to as "Mencius' mother moves three times." The first time, Mencius' family moved to a place near the cemetery. Mencius, together with a group of children living in the neighbourhood, played the game of making

tombs and imitating the burial ceremony almost every day. Mencius' mother was very unhappy about his activity and believed that this was not an appropriate thing for a child to learn. Therefore, they moved to town. This time, Mencius always went to the market with friends to play the game of doing business, shouting to customers, bargaining etc. Again, his mother was anxious about the negative environmental influence on him. As a result, the family moved for the third time. The new residence was near a school where the intellectuals and government officials assembled for teaching and learning purposes. Mencius' mother was very satisfied with the new social environment because her son behaved just like the intellectuals did. In ancient China, the norm for a child is to study, and to study hard. Playing or hanging around is considered "deviant". The examples presented above cannot be regarded as "theories", however, they do represent some of the Chinese perspectives on the peer and environmental influence on one's behaviour. Incidentally, these views are congruent with some of the current theories of delinquency which give emphasis to cultural and social factors.

The cultural deviance models, represented by Edwin H. Sutherland, Thorsten Sellin and Walter B. Miller,<sup>12</sup> contend that delinquent behaviour is learnt from subcultures whose values and patterns of behaviour are defined as deviant by the legal system. Thus, the socialization process in the social environment, that is the family, the school, the neighbourhood, and the peer group is considered to have a strong impact on the individual in developing delinquent acts. On the other hand, the control models, as discussed by F. Ian Nye, Albert J. Reiss Jr., and Travis Hirschi,<sup>13</sup> argue that delinquent behaviour occurs when one's bond to

society is weakened or broken down. The individual tends to commit crime when personal and social controls fail to insert pressure to prevent him or her from violating the rules and norms of the society. A combination of the cultural deviance models and the control models is often referred to as the mixed models, which are shown in the work of Cliff R. Shaw and Henry D. McKay, Albert K. Cohen, and Richard A. Cloward and Lloyd E. Ohlin. The mixed models agree that one of the major causes of delinquency is weakening or breaking down of one's social bond, leading to the decline or absence of personal and social controls. However, they maintain that most young people would not turn into a delinquent without being involved in and being influenced by a delinquent subculture.

The theories discussed above provide a useful framework for the analysis of delinquent behaviour. Nevertheless, no single theory alone can sufficiently explain this complex social problem in an ever changing society. In what follows, this paper will adopt the mixed model in examining delinquency in China, taking into consideration the unique political and social context of this country.

#### Some Observations on the Contributing Factors

One of the major limitations in analysing the causes of delinquency in China is the lack of sufficient empirical data. Neither systematic nor comprehensive studies on this social problem can be found. The investigation on such a topic, therefore, has to rely on continuous efforts in digging out relevant materials, piece by piece, from one source or another over a long period of time. The information gathered in this paper comes mainly

from articles by Chinese and Western social scientists, self-reports or diaries by delinquents, delinquent cases reported in Chinese newspapers and magazines, and field visits to Guangdong province, China, during which officials concerned were interviewed.<sup>15</sup> Based on the data available for analysis, some observations and generalizations are made on the factors possibly contributing to delinquency in China in recent years.

#### The Labelling Effect

Crime, as defined by some, is whatever the person in a position to do the judging decides it is.<sup>16</sup> In most cases, it is the judge in the court who determines what is criminal and against the law. Viewing the Chinese judicial system, it has been frequently criticized as lacking in independence and authority. The people's procuratorate and the people's court are, in principle, led and controlled by the Communist Party. In practice, this is true. The policies and orders declared by party leaders are more effective than the law, and they are final.<sup>17</sup> Therefore, whoever holds power in the party will be the one who defines crime.

During the Cultural Revolution, Mao and his followers aimed at overthrowing their political enemies who were described as the "capitalist-roaders." In order to destroy the "representatives of the bourgeoisie and counter-revolutionary revisionists", and to ensure that power was in the hands of Marxists and the people, any means to achieve this end could be justified and regarded as legal. Millions of Red Guards (young people) involved in this political struggle adopted a new pattern of behaviour. Robbing, fighting, destroying properties and even doing bodily harm to the capitalist-roaders were not only acceptable, but also to a certain

extent encouraged. All these acts were not treated as criminal, so far as they served the purpose of the revolution. The behaviour of the Red Guards and other rebel youth groups, in retrospect, is notorious.

When the Cultural Revolution was over, after Mao passed away and the gang of four were arrested in 1976, many young people were still accustomed to the pattern of behaviour which they had developed earlier. They refused to accept the return of "normal" times and resisted socially approved ways of making a living.<sup>18</sup> Consequently, these young people were labelled "delinquents" by the "new regime" in the Communist Party. Thus, the rise in juvenile crime after the Cultural Revolution is not because more and more young people were changing for the worse in their behaviour; nor is it because the actual number of juvenile crimes was increasing. It was the labelling process that counted. In brief, the shift of power within the Communist Party which eventually led to a change in the definition of crime can, in part, account for the rise of delinquency in recent years.

#### Family Relationship

Many delinquents came from disturbed or broken families. Some of them had parents who died when they were very young; others had divorced parents or parents who were criminals; still others had parents with poor marital relationships who tended to abuse or desert their children. The following is a description of a typical delinquent family in Shanghai:

"The father was a lustful person and greedy for money. He was convicted of helping in stealing, keeping and selling stolen goods. As a result, he was sentenced to prison for seven years. The

mother was very weak and had poor health. The daughter, being influenced by her father, mixed with rascals to commit crime. She was put in a reformatory school at first, and later on sentenced to a forced-labour reform camp. Having a father and elder sister like these, the youngest son committed a number of petty offences and was convicted in court."<sup>19</sup>

Another example is a delinquent girl who was admitted to a reformatory school in Beijing:

"When she was young, her parents divorced and she went to live with her father until he died in 1975. He had exercised little discipline, letting her go her own way, so when she was sent to live with her mother, who was quite strict, there were many clashes. ... (She) began to get into trouble, and committed a number of petty thefts."<sup>20</sup>

In the first family, the daughter and son did not seem to receive any form of supervision from their delinquent father and ailing mother. On the contrary, the father set a bad example for his children, while the elder daughter provided a poor role model for the younger brother. The family relationship was no problem, with the children emotionally attached to their father (as evidenced in their correspondence, but not quoted here). Normally, group cohesiveness is good and should be encouraged. But if the subculture of the group is socially undesirable or deviates from the norm of the larger society, as it is in this case, the family cohesiveness becomes a factor in reinforcing deviant behaviours. In the second family, it is obvious that there was parental supervision over the girl's behaviour, but it was inappropriate. The situation was worsened by the



conflicting methods of disciplining the girl used by the father when he was alive and by the mother afterwards. Thus, it is not surprising that the girl related poorly with the mother. In both cases, the families failed in their function to socialize the children into the society. They could not exercise the necessary control over the children's behaviour.

While many delinquents came from families with irregular backgrounds, there were some whose families are normal, with parents loving and caring for them very much. Perhaps the problem lies in the fact that some parents pamper their children so much that when the children's yearning for something is not satisfied, they will easily go wrong.<sup>21</sup> In some extreme cases, the parents who held power in the government or the Communist Party defended and protected their children from prosecution when they committed offences.<sup>22</sup>

Viewing the problem of delinquency at the policy level, it may be related to China's approach in assigning jobs to husband and wife in different parts of the country. Parents were separated by jobs, or they were too preoccupied in factory and committee work to devote time to their children. The outcome could be that youngsters form small groups, steal from merchants and vandalize property.<sup>23</sup> Another policy consideration concerns the parent-child relationship expected by Mao. It had been advocated that children should be loyal to the Communist Party and Chairman Mao, much more than to their parents. Therefore, the "good children" should criticize and help prosecute their parents if the latter have done something wrong in the eyes of the party and Chairman Mao. And this happened all the time during the Cultural Revolution.<sup>24</sup> Such a hostile relationship made it impossible for parents to supervise their

children, not to say exercise control over their behaviour.

Although the separation of parents resulting from job assignment and the hostile parent-child relationship encouraged during the Cultural Revolution may be related to the problem of delinquency, it is uncertain how strong their correlations are. Any firm conclusion on this cannot be made until further evidence is obtained.

#### The School System

Most of the present delinquents were born in the early sixties and grew up in the Cultural Revolution. That was the period during which the Chinese educational system was in great turmoil. First, many schools were closed down altogether. When classes resumed, the chaos still continued with the school being used as the place for revolutionary purposes, not for teaching and learning. Students were discouraged from studying because by doing so they would become "intellectual aristocrats". Secondly, many scholars and professionals were labelled "bad elements" and students were encouraged to struggle "politically" against their teachers. Thirdly, those who worked and studied hard were criticized for lack of revolutionary spirit, whereas those who practiced smash-and-grab behaviour were hailed as revolutionaries.<sup>25</sup> Under such circumstances, students could not learn and teachers could not teach, never mind to provide guidance and supervision for the teenagers. Furthermore, students were unable to tell what was right and what was wrong. The laws were not respected and to a certain extent ignored. As a result, youngsters were easily led astray. The following two cases, one reported by a principal of a reformatory and the other by a delinquent, illustrate the process of

making a delinquent:

"... His teacher used to tell him many stories about our heroes who served the people whole-heartedly. Later on, our press started giving publicity to a primary school pupil who pitted herself blindly against her own teacher and our young people were called on to emulate her. So he told himself that it would be easier to become a hero this way and if he followed her example he would probably also become a hero in no time. It happened that he, too, did not get along with his teacher very well, so he, too, started making trouble in class. At first, he just talked back to his teacher, later he simply quit school and began to fool around with young hooligans outside the school. This was how he became a delinquent."<sup>26</sup>

"... I did hear that students who had studied hard and were obedient to the teachers were scornfully called 'lams'.... I began to think that obedience was pointless and that daring to 'go against the tide' was heroic. I began to play tricks in class to embarrass the teacher, thinking that it was quite a pleasure to do so. Before long, I made some new friends among scamps around my own age, thinking that they had more guts than I and they might be of help to me some day when I needed it. I started loitering about the streets with them and smoking, and learnt how to date 'girl friends' ... we sometimes spent the whole day at home in gambling, drinking or various forms of petty mischief. I carried small weapons, and often picked quarrels with others which led to fights."<sup>27</sup>

Apart from the disturbance and interruption in education caused by the Cultural Revolution, the problems of the delinquents can be assessed at a personal level. For one reason or another, many of the juvenile offenders are not interested in their studies and generally have the tendency to quit school. The reason is quite obvious for the period of Cultural Revolution because most of the young people were too deeply involved in rebellious activities against the "capitalist-roaders", leaving them little motivation to pursue normal studies. As for the time after the Cultural Revolution, the delinquents' loss of interest in academic studies may be understood in three ways. First, they do poorly in their academic performance which probably generates and reinforces their dislike of the school. Secondly, some students, feeling that it is impossible to survive in the increasingly competitive examination system, may lose interest in their academic work. Lastly, the tense teacher-student relationships experienced in the Cultural Revolution made it difficult for some teachers to establish a close relationship with their students. It is also hard to expect them to devote themselves whole-heartedly to their students.

#### Peer Group Influence

In the previous analysis, three out of the four cases indicate that the delinquents had associated with "rascals", "young hooligans" or "scamps" around the same age prior to committing crime. Peer influence appeared to be a necessary condition immediately leading to deviant behaviour in these situations. A further examination of other criminal cases under study<sup>28</sup> reflects a similar trend, with most young offenders having association with "bad gangs" in one way or another.

These peer groups involved in criminal activities had shown certain common characteristics. They were of more or less the same age sharing similar hobbies and interests, for example, enjoying smoking, drinking, gambling, hanging around in the street, etc. Most seemed to lack care or love at home or school, and were in need of support from peers. In addition, they got to know each other mostly in the school/factory (for older offenders) or in the street. The association appeared to be voluntary. Furthermore, they were not well-organized. Although some criminal acts were planned in advance, many of them were done casually and incidentally.

Most youngsters join the gangs to fulfil their developmental needs. Chinese delinquents are no exception. Other than the problem in the family and the school, some people attributed juvenile delinquency to the lack of cultural and sports facilities to meet the recreational needs of the young people. It was pointed out that the city of Beijing did not have a single "palace" for the young people to take part in extra-curricular activities and that the only children's palace had not been restored to its magnitude in the 1950s. Consequently, the teenagers expend their surplus energy in making trouble.<sup>29</sup> Indeed, the lack of recreational activities for youngsters may be one factor contributing to the problem of delinquency, the palaces do not seem to be the right place for delinquents to go. This is because the palaces admit only the most talented children and those who have good political behaviour, whereas most children do not have access to them.<sup>30</sup> The programmes offered by the palaces are not attractive enough to the delinquents because most of them are the traditional types of extra-curricular activities with

occasional lectures given to promote the political consciousness of the children and adolescents.<sup>31</sup> It is not realistic to expect youngsters with a delinquent tendency to participate in the palaces' programmes which are so different from those organized by their own subculture.

#### The Value System

The younger generation in China are generally affected and to some extent confused by the changing domestic ideologies over the years. These changes follow closely upon the struggles in the political sense. Given the fluctuations in political ideologies, one way to look at the problem of delinquency is to treat it as a consequence of young people's inability to follow, or make necessary adjustments to, the domestic ideological trends. Those who cannot adapt to the new social situations after a political revolution would tend to behave in a way that is considered 'deviant' from the norm.

The young delinquents appear to be the victims of the time immediately after Mao's era came to an end. Theoretically, a child's value system is developed mainly through the socialization process in the family and the school. However, during the Cultural Revolution, the political and social ideologies that were widely publicized and promoted via mass media or mass meetings had a strong impact on the children and adolescents. Their thinking and behaviour were directed and shaped by those who held power in the Communist Party, that is, Mao and the gang of four. Youngsters were told to "destroy the old, and establish the new", to rebel against their neighbours, teachers and even parents if necessary, to get involved in revolution rather than production because the former

is more important than the latter, etc. They tend to agree completely with the political propaganda that "Revolution is no crime, rebellion is righteous" and "the more unstable the society, the better." On the other hand, young people were led to believe in something that reverse right and wrong. For example, the veteran revolutionaries, combat heroes, labour models, artists and scientists were branded "bad eggs", whereas the hooligans and smash-and-grabbers were lauded "revolutionary heroes in revolt". At an extreme, a man who handed in a blank college entrance examination paper was admitted to college and cited as an example for youth to follow to climb to officialdom.<sup>32</sup> Soon after the Cultural Revolution was over, things seemed to change totally to the opposite direction. Law and order were stressed, and a new code of norms and behavioural standards emerged. In some instances, what had been considered good was regarded as bad, what had been believed right was conceived of as wrong; and what had been thought righteous was judged vicious. Witnessing these changes, many young people felt at a loss and did not know what to do. For the most frustrated and confused youth, they would easily go on the road to delinquency.

Apart from the change in domestic ideologies, the "capitalistic ideas and bourgeois lifestyles" imported from Western countries have been considered a cause of delinquency in recent years. The Western way of life expressed in films, books, and commercial advertisements appears to have corrupted some Chinese youth. For example, a young teenager, overwhelmed by some of the scenes in an imported film, was led to commit rape.<sup>33</sup> In another instance, two high school students were involved in a series of robberies after reading some violent Western novels.<sup>34</sup> However,

the Chinese authorities do not believe that all Western influences are bad. The important point is to help the youngsters to discriminate the positive from negative aspects of Western life style. As a matter of policy, the Chinese Government does not oppose legitimate personal interests and material enjoyment. What is being opposed is the "decadent bourgeois habits" such as individualism which consists of being lazy, enjoying life at others' expense and damaging the state's interests.<sup>35</sup>

#### The Effect of Unemployment

Not until recently has the problem of young unemployment been properly acknowledged. In late 1978, it was reported that the total number of unemployed youth was estimated to be somewhat less than 20 million.<sup>36</sup> From 1977-1981, 37 million urban dwellers throughout the country were assigned jobs. Approximately half of them were educated youth who had been sent to the country during the Xiaxiang (going down to the village) Movement and returned to the cities after the Cultural Revolution. The other half were people entering the labour market recently, most of whom were high school graduates. The total number of those who were not employed by the end of 1981 had been reduced to 3.05 million.<sup>37</sup>

The reasons for this problem are three-fold. The major factor lies in unbalanced development between the various economic sectors. For example, agriculture was weighted heavily against industry, thus light industry, commerce, catering and service trades in cities were discouraged. Consequently, the number of jobs was limited. Another important factor influencing insufficient jobs has been the population explosion in recent years, a result of the neglect of family planning from the 1950s to the

early 1970s. The immediate cause, however, is related to the Cultural Revolution, during which production was not given the attention it should have received and the national economy was at the edge of collapse.<sup>38</sup>

The Chinese attitude towards unemployment is positive, at least as reflected in their choice of words. Young people without jobs are generally not referred to as the "unemployed" but as "waiting-for-work" youth. In addition, most "waiting-for-work" youth are believed to be law-abiding citizens. However, the Chinese Government also realizes that some jobless young people had picked up bad habits in their idleness and had even become anti-social characters.<sup>39</sup> As a matter of fact, it is not uncommon for some "waiting-for-work" youth to make trouble and even be involved in gang fights in cities and towns.<sup>40</sup>

#### Discussion

Criminals are made, not born. The making of a delinquent in many countries seems to follow a pattern aptly described by a poem entitled "recipe".

Take one healthy little boy who's  
Smileful, wide-eyed, full of fun-  
Average I.Q., lots of ginger -  
One who likes to jump and run.

Add two parents with no time for  
Home or children or for church,  
Parents who won't hesitate to  
Leave their offspring in the lurch.

Add divorce or separation  
Infidelity or vice  
Or a constant family quarrel  
(That will certainly suffice)  
Place him in a neighbourhood that's  
Lacking playgrounds, parks or fields  
Suitable for recreation -  
One that gangsterism yields.

Send him to a school that's just a  
Temple to the triple R's -  
One that caters just to scholars  
Individual interests bars.<sup>41</sup>

Hostile relationships at home, unhealthy environment and the inadequate educational system are common causes of juvenile delinquency. In China, other than the family, the school and the neighbourhood, the labelling effect, the value system and unemployment are considered possible factors contributing to delinquency. Nevertheless, it must be stressed that any one of these is only a possible cause. It may be a necessary condition, but probably not a sufficient condition for delinquency. For example, a child with a family problem may become a delinquent whereas another child with poor family relationships may live a perfectly normal life. The difference is likely to be related to the number of difficulties encountered by the child in the social environment. In most of the cases being reviewed, the Chinese delinquents had been affected not by one single cause, but by a combination of two or more of the factors described earlier. The belief is that the more problems or difficulties a child has, the higher the probability that he/she will become a delinquent.

The problem of delinquency in contemporary China is a complex one. The social, economic and political conditions have been constantly changing in the last thirty years or so. While these conditions influenced or reinforced each other, they affected immensely the family, school, neighbourhood, social facilities and human interaction patterns. Without the knowledge of these changing conditions in China, it will be difficult to comprehend this social problem.

Services to Delinquents

The new leadership in China after the Cultural Revolution has been showing deep concern over the problem of youth. Preventive measures such as re-establishing the judicial system, creating more job opportunities for youth, reconstructing the educational system, strengthening moral education and other measures have been taken to ensure that young people will not easily go wrong. At the same time, remedial services have also been given high priority to reform young offenders. These services may vary in forms and approaches in different parts of the country, the service personnel tend to follow some general guidelines in performing their duties:

1. The young delinquents should be treated with leniency. According to the Chinese criminal law, adolescents below the age of 16 are not answerable to criminal charges, unless the crime committed is extremely serious. For those between 14 - 18 years old who have committed a crime and have to be punished, the punishment should be lessened or made slight. The death sentence is not applicable to persons under the age of 18.<sup>42</sup> The purpose of treating the delinquents leniently is to give them a chance to turn over a new leaf and contribute to national development. This policy has been much more stressed in recent years because the general view is that the problem of delinquency is neither the fault of the socialist system nor of the adolescents themselves, but mainly comes in the aftermath of the Cultural Revolution. Instead of making the young delinquents scapegoats of the time, they should be helped to become contributing members of the society.

2. Education is more effective than punishment in helping the delinquents. The observation that "The Chinese model of rehabilitation (of criminals) seems to have substituted Mao for Freud"<sup>43</sup> may no longer be true as Mao's thought is being given less and less emphasis. It is true that ideological (socialist ideologies) education plays an important part in remoulding the young delinquents. In addition, discipline training and moral education as well as vocational training are stressed. Discussions, "heart-to-heart" talks, persuasion, etc. are among the methods employed to achieve the desired end. It is difficult to transform one's value system and behavioural patterns, but once it is done, the effect can be substantial.

3. Labour and production are important elements of any rehabilitation programme. The engagement in productive labour is not regarded as punishment, but as a process that has a therapeutic and regenerative effect on the delinquents. On the one hand, delinquents will be helped to develop good work habits and to acquire skills for certain jobs. On the other hand, they will be able to learn to regenerate through their own efforts - to earn money and take care of themselves, to become self-reliant.

4. The self-respect of the delinquents must be restored. When the young offender feels worthless and hopeless, he is likely to act without a sense of responsibility for consequences, simply because he has nothing to lose. Therefore, it is imperative to help the delinquents to re-establish the self-esteem in one way or another. Anything that can harm dignity, such as corporal punishment, cursing, striking or verbal abuse should not be allowed.

At present, there are two major types of service provided for delinquent youth: institutional service and community care. While a small portion of the delinquents are sent to correctional institutions, the majority of them are placed in the community, and are supervised by the neighbourhood committees<sup>44</sup> or work units.

#### Institutional Service

A statement on "education (of offenders) through labour" was issued by the Chinese Government in 1957 and amended in 1979.<sup>45</sup> In essence, persons in the cities who have violated the law but whose offences are minor ones will be sent to reformatories for one to three years, which can be extended by one more year if necessary. The purpose is to educate offenders through labour production. In such cases, they are not prosecuted as criminals. "Education through labour" is different from "reform through labour" in that the latter refers to reforming offenders who commit major crimes and are convicted in court. Therefore, "education through labour" is a measure to force offenders to accept education while "reform through labour" is a measure to administer criminal sentences.

The teenage delinquents who have committed minor offences (such as street ruffians, petty thieves, swindlers, involvement in sex affairs as in most delinquent girls' cases, etc.) can be admitted to special reform schools -- known as work-study schools (education through labour). The admission is normally recommended by the neighbourhood committee or the school which the delinquent normally attends. Parental consent is also necessary. A total of 128 such schools are operating at present throughout the country.<sup>46</sup> But not all teenage delinquents go to the work-study schools.

If the crimes committed are more serious ones (such as arson, murder, robbery, rape, habitual thieving, etc.), they will be sent to forced-labour reform farms and camps by court order (reform through labour). The discipline there is much more strict than that in the work-study schools and more hard labour work is involved. Older delinquents in their twenties will be sent to reformatories for adults (education through labour) and those who have committed more serious crimes will be put in jail (reform through labour).

These correctional institutions are run by different arms of the government. The work-study schools are operated by the Ministry of Education, whereas the other reformatories are managed and supervised by the Reformatory Committee of each city, consisting of representatives from the city's Bureau of Civil Affairs, the Bureau of Public Security and the Bureau of Labour. The programmes and emphases vary from institution to institution, for example, the work-study schools require more time on education and training while the reformatories stress labour production work. However, the working principles discussed earlier apply to all these correctional institutions. Furthermore, the reform process is similar in all and includes three steps. First, the delinquents are trained in self-discipline. They have to wake up very early in the morning, to engage in manual work and to fulfil the requirements in the educational programmes. The next step is to persuade them to reveal all the crimes committed, with the assurance that no one will be prosecuted for the revelation of the truth. After the process of self-exposure, the delinquents will be helped to build up their life philosophy based on socialist ideologies.

### Community Care

Instead of being sent to the forced-labour farms and camps, a majority — estimated to around 80% — of the delinquents are put under the temporary supervision of the neighbourhood committees or work units.<sup>47</sup> Those who are believed to be no longer dangerous to the society and are remorseful enough are given early release for this type of social supervision.

In a neighbourhood of Shanghai, five released delinquents are reported to have made satisfactory progress under the guidance of the neighbourhood committee. They were helped to find work, and urged to take part in training programmes so that they would be able to get better jobs in the future. Gradually, the neighbourhood committee members established very good working relationships with the delinquents, who did not hesitate to go to them for help whenever they had problems or difficulties.<sup>48</sup>

In an electrical engineering factory in Shanghai, 31 young offenders (literally they are called "fallen young factory workers") were supervised by the factory leaders. Twenty-five of them were reported to have made significant changes in their attitudes and job performance. In the process of helping, the factory leaders developed two working approaches. First, they felt that preventive and remedial measures had to be taken at the right time. For example, when the young offenders showed progress in their work, they should be praised and rewarded; when they were ready for marriage, they should be given appropriate assistance; when they had difficulties, they should be helped in problem-solving, etc. Secondly, scientific methods should be used in the helping process. For instance, the young offenders should be helped to analyze their problematic

behaviour so that necessary correctional action may be taken. In addition, their attendance, working hours, work performance were recorded for later analysis, to provide guidelines for changes in their work attitudes and habits.<sup>49</sup>

This type of community-based service is welcomed and appreciated by the delinquents. It was reported that by 1981, about 40,000 special supervisory groups had been formed throughout the country, with more than 200,000 members — including neighbourhood committee leaders, police personnel, Communist Youth League cadres, retired workers and teachers.<sup>50</sup> The task of this service is to provide vocational or educational guidance on the one hand, and on the other hand, to give assistance whenever emotional or personal problems arise. Ultimately, the young offenders are expected to return to their normal state and contribute to society again.

### Discussion

Community care for young offenders who have committed less serious crimes has more advantages than institutional service. This is especially true for a country like China which has such a vast population and whose economy is still developing. She will not be willing to spend too much resources in the provision of institutional service to delinquents, which is relatively expensive, even if she can afford to do so. Community care, on the other hand, is less costly because manpower and facilities required are minimal. Most importantly, placing delinquents in the community for social supervision provides the opportunity for them to live a normal life just like other youngsters. In such a way, delinquents will be integrated



into the community more spontaneously and easily, without experiencing a sense of isolation, as is the case with institutional care, and without going through a period of adjustment after being discharged from the institution.

In rehabilitating the young offenders, institutional and community care should not be mutually exclusive. As a matter of fact, the Chinese authorities concerned are testing a new approach by combining institutional and community services in helping the delinquents. The basic idea is to release the delinquents from the correctional institution earlier than the term they should serve, and put them under the supervision of their neighbourhood committee or work unit. If they behave well after a certain period of time, they will remain in the community. If not, they will have to be sent back to the institution. This method is reported to have been very successful.<sup>51</sup>

The Chinese way of rehabilitation of delinquents is not without problems. The major difficulty comes from the community. Once a youngster becomes a delinquent, he is bound to be considered a deviant for life. The community, including neighbours, potential employers and even family members tend to be unwilling to believe that delinquents can and will change. Such attitudes towards delinquents pose a serious problem in integrating them into the community.

#### Conclusion

China has gone through a number of political struggles and social movements in the last three decades. What will happen in the years ahead

is difficult to predict, but there is a strong indication that the Four Modernizations programme will continue. Given this direction of social and economic development, the problem of delinquency is likely to become more serious. The author does not want to play the role of a prophet, however. That such a conclusion is made is based on three observations. First, there are rising and sometimes unrealistic expectations among young citizens for a better quality of life — mainly in its material aspects. The reality is that in the light of China's present resources, opportunities for youngsters to meet all their expectations will be limited. Highly frustrated youth may choose the easiest way to satisfy their needs, that is, by illegal means. Secondly, while the educational system is being restructured and changed for the better, the competition in public examinations is increasingly keen and fierce. As a result, there will be more and more losers among the students. It will be wrong to assume that failing in examinations will lead to delinquency; but when it is coupled with the lack of job or other opportunities, these youngsters will be more likely to make trouble. Thirdly, adults as well as young people in China are looking for a fuller material life. It will not be surprising in the future to find parents working longer hours or picking up part-time jobs (if opportunities are there), leaving little time to supervise their children. Weakening family control, as shown earlier, can be an important factor contributing to delinquency.

Modernization has to pay its price. The intensifying problem of delinquency in China is inevitable. The immediate concern is how this problem should be handled. In this connection, the following questions are raised. Are the preventive and remedial measures taken by the Chinese

authorities concerned sufficient and appropriate? What strategies can be employed other than the institutional and community approaches in rehabilitating the delinquents? Which helping method is more effective and efficient? Regarding the people involved in remedial work, should it rely exclusively on volunteers, or should professional clinicians be involved? In capitalist societies, social workers are employed to work with delinquents. Can social work be used in this country as an alternative in delinquent rehabilitation? All these questions need to be studied in the light of China's political and social context, and empirical research into these areas is a 'must' in order to obtain valid and reliable answers.

Notes

1. The Communist Party took over China in 1949 and the Nationalist Party moved to Taiwan. As a result, the communists rename their country "People's Republic of China" whereas the nationalists use the name "Republic of China."
2. The Cultural Revolution was initiated and led by Mao Zedong from May 1966 to October, 1976, in an effort to overthrow those "capitalist-roaders" who were holding power in the Communist Party, by mobilizing the masses to expose their "sinister" deeds. For details, see the *Resolution on CPC (Communist Party of China) History (1949-81)*, (Beijing: Foreign Languages Press, 1981), pp. 32-47.
3. The Gang of Four, led by Jiang Qing (Mao's wife), seized power during the Cultural Revolution and was accused of committing "counter-revolutionary" crimes that are considered disastrous to the country and the people. They were arrested after Mao's death in 1976.
4. The Four Modernizations, referring to modernization in agriculture, industry, national defence, and science and technology had been advocated by Zhou Enlai, the late Chinese Premier and the modernization programmes accelerated after the Cultural Revolution.
5. It was pointed out that the base number of the Chinese population has steadily increased in that the figure for 1979 was 79.25% higher than that for 1949. See Xueyuan Tian, "A Survey of Population Growth Since 1949" in Zheng Liu, Jian Song and others (ed.), *China's Population: Problems and Prospects*, (Beijing, China: New World Press, 1981), p. 32. The Chinese 1982 Census revealed that the total population was 1,031 million. See *Ming Pao*, (a Hong Kong Chinese Newspaper), October 28, 1982, p. 5.
6. *Beijing Review*, No. 8, (February 23, 1981), p. 22.
7. Lingqing Wang, "The Situation of Juvenile Delinquency and Opinions on its Integrated Treatment," *Social Sciences*, (in Chinese) (Shanghai: Shanghai Academy of Social Sciences, No. 2, 1982), p. 34.
8. Yuwen You, "Juvenile Delinquency, Salvaging Young Lives," *China Reconstructs*, Vol. 31, No. 2, (November, 1982), p. 40.
9. *Hong Kong Standard*, (a Hong Kong English Newspaper), September 11, 1981, p. 4.
10. For discussion on the situation of juvenile delinquency and related matters in China in the last 30 years, see John Dixon, *The Chinese Welfare System 1949-1979*, (New York: Praeger Publishers, 1981), p. 33; "Juvenile Reformatory" in *China Today I*, (Beijing: Beijing Review, April, 1981), pp. 88-89; Lingqing Wang, *op. cit.*, pp. 34-36; Thomas P. Bernstein, "Urban Youth in the Countryside: Problems of Adaptation and Remedies," *China Quarterly*, 69, (March, 1977), pp. 75-108.

11. See "Criminal Law of the People's Republic of China" in *Main Documents of the Second Session of the Fifth National People's Congress of the People's Republic of China* (in Chinese), (Beijing: People's Press, 1979), pp. 168-203; *China Today*, 1, *op. cit.*, pp. 79-95.
12. See Edwin H. Sutherland, *The Professional Thief*, (Chicago: University of Chicago Press, 1937), and *White Collar Crime*, (New York: Dryden, 1949); Thorsten Sellin, *Culture Conflict and Crime*, (New York: Social Science Research Council, 1938); Walter B. Miller, "Lower Class Culture as a Generating Milieu of Gang Delinquency," *Journal of Social Issues*, 14, pp. 5-19.
13. See F. Ian Nye, *Family Relationship and Delinquent Behaviour*, (New York: Wiley, 1958); Albert J. Reiss, Jr. "Delinquency As the Failure of Personal and Social Controls," *American Sociological Review*, 16, pp. 196-207; Travis Hirschi, *Causes of Delinquency*, Berkeley: University of California Press, 1969).
14. See Cliff R. Shaw and Henry D. McKay, *Juvenile Delinquency and Urban Areas*, rev. ed. (Chicago: University of Chicago Press, 1969); Albert K. Cohen, *Delinquent Boys*, (Glencoe: Free Press, 1955), and *Deviance and Control*, (Englewood Cliffs: Prentice-Hall, 1966); Richard A. Cloward and Lloyd E. Ohlin, *Delinquency and Opportunity*, (New York: Free Press, 1960).
15. As a participant in the research project entitled "Programme of Research and Teaching on the Chinese Society," sponsored by the Centre for Contemporary Asian Studies of The Chinese University of Hong Kong, the author visited Guangdong province regularly since 1979 for data collection purpose. The length of each visit ranged from a few days to three weeks and the last trip was a five-day visit to socialwelfare agencies in Guangzhou (the capital city of Guangdong) from December 27-31, 1982.
16. Ellin Andler, "The Offender" in Donald Brieland, Lela B. Costin, and Charles R. Atherton (eds.), *Contemporary Social Work*, (New York: McGraw-Hill Book Company, 1975), p. 341.
17. Chun-yan Ho, "A Comparative Review of the Judicial Systems and Process in the P.R.C., Britain and America," in Yiu-chung Wong (ed.) *People's Republic of China: Thirty Years in Review* (in Chinese), (Hong Kong: Acta Publishing Company, 1979), pp. 39-41.
18. Dixon, *op. cit.*, pp. 330-331.
19. "Regret", a special series of correspondence between members of a delinquent family, compiled by Jen Ke, *Qing Nian Yi Dai* (The Younger Generation) (in Chinese), No. 17, (Shanghai: Shanghai People's Press, 1982), pp. 42-43.
20. S.R., "Reform School: No Locks, Just Love," *China Reconstructs*, Vol. 31, No. 2, (November, 1982), p. 45.

21. Wei Min, "Reforming Criminals," *Beijing Review*, No. 8, (February 23, 1981), p. 23.
22. See the "Report on the Trials" by Pi-chun Su, *Minzhu Yu Fazhi* (Democracy, Laws and Institutions) (in Chinese), No. 4, (Shanghai: Law Society, Shanghai, November 1979), pp. 26-27.
23. M. Vincent Hayes, *China Close-up: Life Styles of the 800 Million*, (New York: Drake, 1972), p. 50.
24. See Mun Wu and Hsueh Ju, "Totalitarian Personality in Communist China," *Ming Pao Monthly* (in Chinese), Vol. 12, No. 7, (Hong Kong: Ming Pao Co. Ltd., July, 1977), pp. 80-84.
25. Yuwen You, *op. cit.*, p. 40.
26. Sheng-chuan Wang, "Why? What is to be done?" *Beijing Review*, No. 44, (November 2, 1979), p. 23.
27. "Turning Over a New Leaf - a student's own story," *Beijing Review*, No. 44, (November 2, 1979), p. 25.
28. The criminal cases were widely reported in the mass media in Hong Kong, such as *Ming Pao Monthly* (in Chinese), *Cheng Ming Monthly* (in Chinese), *Ming Pao* (Chinese Newspaper), *Hong Kong Standard* (English Newspaper), etc., and reported quite frequently in China's newspaper and magazines.
29. Peihang Zhong, "Opening Up More Outlets for an Up-and-Coming Younger Generation," *Beijing Review*, No. 32, (August 11, 1980), p. 26.
30. Dixon, *op. cit.*, p. 324.
31. Dixon, *op. cit.*, p. 324.
32. See *China Today I*, *op. cit.*, p. 89.
33. Wei Min, *op. cit.*, p. 23.
34. Lingqing Wang, *op. cit.*, p. 35.
35. "How to view the Younger Generation," in *China Today 4*, (Beijing: Beijing Review, 1982), p. 43.
36. Dixon, *op. cit.*, p. 325.
37. Menzhou Hu, "Solution to Employment Problem," *Beijing Review*, No. 39, (September 27, 1982), p. 20.
38. "Director Kang Youghe of the State Bureau of Labour on Employment Questions" in *China Today I*, *op. cit.*, pp. 62-63.

39. "More Job Opportunities." in *China Today I*, *op. cit.*, p. 69.
40. *People's Daily*, November 30, 1979, p. 4; December 19, 1979, p. 3.
41. John M. Gran, "Why Children Become Delinquent," *Social Dimension*, June, 1979, Singapore Association of Social Workers, p. 47.
42. "Criminal Law of the People's Republic of China," in *Main Documents of the Third Session of the Fifth National People's Congress of the People's Congress of the People's Republic of China*, *op. cit.*, p. 173, 178.
43. David Fogel, "Criminal Justice in China," in Chauncey A. Alexander and Sally J. Alexander, (eds.), *China View*, (New York: NASW, 1979), p. 191.
44. The neighbourhood committee is one kind of popular organization under the leadership but is not part of the government. Normally, such committee takes care of about one to six hundred households and is composed of seven to 17 members, who are elected among the residents. The function of a neighbourhood committee is multi-fold, including the supervision of delinquent youth. Taking one neighbourhood committee in Guangzhou for example, in addition to serve as a political communicating agent between the government and the people, the committee formed several working groups to promote the welfare of local children, youth, women, and the elderly.
45. See a pamphlet on "Education (of offenders) through Labour" (in Chinese) published by the People's Press, Beijing, 1980.
46. Yuwen You, *op. cit.*, pp. 41-42.
47. Yuwen You, *op. cit.*, pp. 41-42.
48. Yuwen You, *op. cit.*, pp. 41-42.
49. S.S. Chen and W.N. Kuo, "A Study of the Social Supervision of Fallen Young Workers in an Electrical Engineering Factory in Shanghai," *Social Sciences* (in Chinese), (Shanghai: Shanghai Academy of Social Sciences, No. 6, 1982), pp. 45-48.
50. Yuwen You, *op. cit.*, p. 41.
51. Yuwen You, *op. cit.*, p. 41.