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Social Disorder In Peking After The 1976 Earthquake Revealed By A Chinese Legal Document

By Hungdah Chiu

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**SOCIAL DISORDER IN PEKING AFTER THE 1976
EARTHQUAKE REVEALED BY A CHINESE
LEGAL DOCUMENT
By Hungdah Chiu**

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Social Disorder in Peking After the 1976 Earthquake Revealed by a Chinese Legal Document

Hungdah Chiu

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On 28 July 1976, two major earthquakes occurred in heavily populated areas of northern China, resulting in an enormous loss of lives and property. A major portion of the casualties took place in and around the industrial mining city of Tangshan, which was near the epicenter of the first upheaval, approximately 105 miles southeast of Peking.

In the capital city, many buildings suffered extensive damage and rubble cluttered numerous streets, although casualties were reported to be light. PRC officials warned Peking residents on 29 and 30 July that new shocks might occur close to the city and urged them to remain in outdoor shelters. Most complied with the warning and stayed in the shelters through 31 July. However, no further shocks were experienced during that period.

Ordinarily, a major earthquake tends to seriously disrupt a target area's social order, prompting thievery and other socially destructive acts throughout the devastated area. Such disorder did not appear to take place after the Chinese earthquake. The media remained silent on the social condition in the quake-devastated areas for almost a month. Then, on 2 September 1976, the authoritative *Jen-min jih-pao* (People's Daily) broke the silence in its editorial entitled "A Great Victory for Chairman Mao's Revolutionary Line", reporting for the first time that looting and other disruptive actions had in fact occurred in the quake's target area. The editorial called for "resolute blows" to deal with the saboteurs, adding that "suppression must be exercised over counterrevolutionaries and those who engaged in beating, smashing, and looting."

Despite *Jen-min jih-pao's* acknowledgment of the existence of destructive acts in the quake-devastated areas, no details were given. Recently, I have acquired a Chinese document through a European diplomat who was in Peking at the time of the earthquake. The paper deals with the criminal sanctions imposed by the Municipal Revolutionary Committee of Peking on "a batch of criminals who have undermined the struggle for Anti-quake and Relief work." This document has been declared authentic by several former Chinese cadres and former residents of the People's Republic of China. It reveals in detail the social disorder

which ensued as a result of the earthquake in the capital city and should be useful to scholars interested in Chinese law and politics.

Although the PRC has considered itself to be a socialist country, its judicial system is radically different from those of other socialist countries. Therefore, before presenting the translated legal document (hereinafter referred as the Document), it is necessary to give a brief survey of several peculiar features of the PRC's judicial system and practice.

The PRC—like other socialist countries—does have courts, but it has neither a civil or criminal code, nor civil or criminal procedural law. There are now only three major criminal legislative enactments in the PRC, namely: (1) Act of the PRC for the Punishment of Counterrevolution (21 February 1951); (2) Act of the PRC for Punishment of Corruption (21 April 1952); and (3) Provisional Act for Punishment of Crimes That Endanger State Currency (1951).

The legislative acts are drafted in broad and vague terms so as to be flexibly applied. Moreover, the Counterrevolutionary Act permits the use of analogy¹ and the retroactive application of the law to acts committed before the establishment of the PRC on 1 October 1949 (Article 18).

In practice, the lack of comprehensive codes and detailed statutes has not hampered the work of the people's courts, since it is their practice to follow orders of the PRC government or policies of the Party in cases not literally covered by existing law. Thus, in the preamble of the Document translated below, it is stated that the sentences were rendered "in accordance with the policy of the party and the law of the state." Moreover, information gathered from interviews reveals that the term "law"—referred to in the Document and other PRC judicial documents—includes not only published laws, but also *unpublished* regulations defining murder, rape, arson, and many other common crimes, and setting forth the maximum and minimum penalties for each. These regulations, however, are not made known to the public. Furthermore, the people's court as a rule does not indicate under which law and under what particular provisions a given judgment is rendered. In the Document, the sentences were all rendered "according to law," but no specific provisions of law are mentioned.

The PRC's Constitution of 1975² does not have a judicial independence article and, in fact, it places the people's courts under the control of the administrative organ—the Revolutionary Committee. Article 25 of the 1975 Constitution provides:

"The people's courts are responsible and accountable to the people's congress and their permanent organs at the corresponding levels. The presidents of the people's courts are appointed and subject to removal by the permanent organs of the people's congress at the corresponding levels."

Moreover, Article 22 of this Constitution provides:

"The local revolutionary committees at various levels are the permanent organs of the local people's congresses and at the same time the local people's governments at various levels."

In fact, therefore, the people's courts are responsible to the local revolutionary committee at the corresponding level. In the Document, the sentences were announced by the Municipal Revolutionary Committee of Peking, and not by a people's court at Peking, because the latter is in fact a subordinate organ of the Committee. It must be pointed out that this practice is an exception rather than the rule, as most of the sentencing notices I have seen are issued in the name of a people's court.

Another peculiar feature of the PRC's judiciary is its class-oriented approach. The Soviet Union and the Eastern European countries consider themselves as having reached the stage of an "all-people's state", and they therefore guarantee in their constitutions universal equality before the law. This is not the case for the PRC; the 1975 Constitution provides in Article 1 that the PRC "is a socialist state of the dictatorship of the proletariat...", and there is no equal protection of law provision in the constitution.

The PRC's judiciary also reflects the class-oriented approach to judicial matters. If an object of the "dictatorship," *i.e.* former landlord, former rich peasant, counterrevolutionary, rightist or bad element (including their children and even grandchildren), gets involved in a law case, he or she usually is on the losing side, receiving a more severe punishment than a member of the people who might commit the same offense. The bad class background of a defendant is usually mentioned in the sentences.³ If there is no mention of the class background of a defendant in the sentencing document, then he or she came from the people, *i.e.* from the so-called five categories of red elements: workers, poor and lower middle peasants, revolutionary cadres, Liberation Army men, and family members of revolutionary martyrs. Ironically, all the accused in the Document came from the people.

The 1975 Constitution confirmed the abolition of the procuracy and combined its function with the public security organ (Article 25),⁴ so the Document does not reveal the presence of a prosecutor in the proceedings. Similarly, there are no lawyers in China, but those who are too old, or who have physical defects, can ask a kinsman or relative or other person to speak for them.⁵

The Document was issued when the 1975 Constitution was in force, but that constitution was in fact abolished after the purge of the so-called "Gang of Four" (headed by Mao's wife Chiang Ching) on 6 October 1976. A new constitution was enacted by the Fifth National People's Congress held between 26 February and 5 March 1978.⁶ While the new 1978 Constitution continues to consider the PRC as a "socialist state of the dictatorship of the proletariat", it does make a few changes on the judiciary. It restores the procuracy (Article 25), but does not guarantee judicial independence. The constitution also provides in Article 41, *inter alia*, that the "accused has the right to defense." Like the 1975 Constitution, the new constitution does not have a provision ensuring universal equality before the law; that is to say, the Chinese judiciary will remain a system of class

justice. To what extent the PRC judicial practice will be different from that revealed by the Document and other available PRC legal documents⁷ after the adoption of the new constitution is difficult to assess at the moment. The following is a complete translation of this Document.⁸

NOTES

1. Article 16 provides: "Those who, with a counterrevolutionary purpose, commit crimes not covered by the provisions of the Act may be given punishment prescribed for crimes enumerated in the Act which are comparable to the crimes committed."
2. For an English translation of the text of the 1975 PRC Constitution, see *The New Constitution of Communist China: Comparative Analyses*, (Michael Lindsay, ed.), Taipei 1976, 328-342.
3. E.g. see PRC courts' notices translated in R. Randle Edwards (documents translated by R. Randle Edwards and Hungdah Chiu), "Reflections on Crime and Punishment in China, with Appended Sentencing Documents," 16 *Columbia Journal of Transnational Law* 1977 No. 1, 45-103, and Hungdah Chiu, "Criminal Punishment in Mainland China: A Study of Some Yunnan Province Documents," 68 *Journal of Criminal Law & Criminology* 1977 No. 3, 374-398. Reprints of the above articles (with a photocopy of original Chinese documents) are available from and published by the University of Maryland School of Law.
4. The procuracy was abolished in the late 1960s.
5. Gerd Ruge, "An Interview with Chinese Legal Officials," *The China Quarterly* 1975 No. 61, 120-121.
6. For an English translation of the 1978 Constitution, see 21 *Peking Review* 1978 No. 11, 5-14, and 4 *Rev. Soc. Law* 1978 No. 3, 247-258.
7. See note 3 *supra*.
8. A photocopy of the Chinese original of the Document is available from the author and the Editor of the *Review of Socialist Law*.

MUNICIPAL REVOLUTIONARY COMMITTEE OF PEKING

**NOTICE REGARDING THE HANDLING BY PUBLIC TRIAL OF
A BATCH OF CRIMINALS WHO HAVE UNDERMINED THE STRUGGLE
FOR ANTI-QUAKE AND RELIEF WORK ***

At present, with the wholehearted concern of our great leader, Chairman Mao, and the Party Central Committee, and under the leadership of the Municipal [Party] Committee, the people of the whole city, grasping class struggle as the key link, are heroically engaged in the Anti-quake and Relief Work struggle. The situation is exceedingly favorable. Nevertheless, a handful of bad persons, taking advantage of the fact that the people of the capital have been occupied with Anti-quake and Relief Work, have engaged in all kinds of trouble-making and destructive activities. Some have spread rumors to deceive the public and create chaos; some have deliberately incited people to plunder state property; and others have engaged in rape, robbery, theft, and larceny. The criminal activities of this handful of bad persons were quite serious and evil, and had a bad influence on others. The broad masses are extremely indignant and have, without exception, demanded that severe punishment be meted out.

In order to strike resolutely at the destructive activities of a handful of class enemies, to further strengthen the dictatorship of the proletariat, to safeguard the victorious implementation of the Anti-quake and Relief Work struggle, and to maintain the revolutionary order of the national capital, [this Committee], responding to the demands of the broad masses and acting in accordance with the policy of the party and the law of the State, hereby [announces] the following decision: The seventeen criminals, including Ts'ui Chun-heng, who have undermined the Anti-quake and Relief Work struggle, are hereby respectively sentenced to the suspended death penalty or to imprisonment for a limited period. Public trial meetings were held in Tungcheng, Hsichen, Hsuanwu, Chaoyang, Haiting, Fengtai, Pingku, and Miyun boroughs/counties, to criticize and to carry out the struggle against the criminal on the spot, and to dispose of these cases by public sentencing.

[This Committee] hereby publishes the materials concerning the criminal acts of the seventeen criminals, including Ts'ui Chun-heng, and materials relating to their sentences rendered through public trial, and distributes both to the basic units. Using these materials, the units can link them with actual class struggle, mobilize the masses to conduct discussion and criticism, continuously enhance the broad masses' awareness of class struggle and [policy] line struggle, and wage a resolute struggle against the destructive activities of the class enemies. Under the leadership of the Party Committees on various levels, [you should] foster the revolutionary spirit that "man can conquer nature" and achieve new victories in the Anti-quake and Relief Work struggle, in the campaign to deepen the criticism of Teng [Hsiao-p'ing], in repulsing the "Right Deviationist Wind" which seeks to "Reverse the Correct Verdicts", and in the Campaign to grasp revolution and promote production.

7 August 1976

* Translated by Hungdah Chiu, Professor of Law, University of Maryland School of Law, Baltimore, Maryland; assisted by R. Randle Edwards, Associate Professor of Law, Columbia University School of Law, and Mr. Ying-jeou Ma.

**MATERIALS CONCERNING THE CRIMINAL ACTS OF
SEVENTEEN CRIMINALS, INCLUDING TS'UI CHUN-HENG**

**(These materials are provided for your discussion and
criticism only. Do not broadcast, post, or lose them.)**

1. Counterrevolutionary rapist Ts'ui Chun-heng is a male, 18 years old, and a member of Tahuashan Production Brigade, Tahuashan People's Commune, Pingku County.

At around 3:00 p.m. on 2 August 1976, the wife of one former brigade cadre Chang XX (deceased) went out to buy some articles in preparation for the earthquake. Taking advantage of her absence, Criminal Ts'ui cornered and raped Chang's 11-year old daughter in the corner of the pigsty. He was caught on the spot by the young girl's mother. In addition, at around 9:00 a.m. on the same day, Criminal Ts'ui had raped a mentally retarded woman through the use of a bribe, while the masses were busy constructing fences to resist the earthquake.

Criminal Ts'ui is reactionary in his thought and is a confirmed hooligan. He previously raped five very young girls. [Cadre] Chang XX in the past had mobilized the masses many times to criticize and struggle against criminal acts, including hooliganism, theft, and fraud, committed by Criminal Ts'ui and his mother Kung Ya-ch'ing. As a result, Kung was sentenced to imprisonment for 10 years. For that reason, Criminal Ts'ui bore a grudge against Chang. He thus took advantage of the Anti-quake and Relief Work struggle to engage in class revenge on Chang's young daughter by raping her. He also raped a mentally retarded woman. The criminal acts committed by him are extremely serious, and the people are extremely indignant. Counterrevolutionary rapist Ts'ui Chung-heng is hereby sentenced, according to law, to death with execution of the sentence suspended for two years. During this period, he will be assigned to compulsory labor in order to observe his future behavior.

2. Rumormonger-deluder P'an Kuo-tien is a male, 23 years old, a native of Honanchai [Production] Brigade, Honanchai Commune, Miyun County, and is a worker at Factory No. 951 of Peking.

On the third day after the earthquake (30 July), Criminal P'an left his post without permission and went home. He recklessly fabricated and spread rumors among his fellow members of the Honanchai Brigade such as: "The Miyun Reservoir is full already! No more capacity!" "Normally, the Reservoir's capacity is XX hundred million cubic meters, and it is already XX hundred million cubic meters full!" "[Our] superior has already instructed that if the dam can no longer be maintained, the water will be allowed to flow out toward Tientsin, saving Peking by flooding Tientsin!" He further said: "The epicenter of the second earthquake is 51 kilometers north of Pai River dam." Thus, criminal

P'an deliberately disturbed the morale of the people and created an atmosphere of panic among them. Criminal P'an also took the initiative in moving the Brigade's shed up to the mountains for his private use. The uncomprehending members of the Commune were, as a result, misled into moving food and effects up to the mountains in a disorderly fashion. When the Brigade leader stopped him from doing this, Criminal P'an even said "I won't let you live for more than three days!"

Criminal P'an, by fabricating rumors and deluding the public, has seriously undermined the smooth implementation of the Anti-quake and Relief Work struggle and the campaign to grasp revolution and promote production. The criminal act he committed is serious, and the people are very indignant. Rumormonger-deluder P'an Kuo-tien is hereby sentenced, according to law, to imprisonment for 20 years.

3. Rumormonger-deluder Kuo Tsai-ping is a male, 18 years old, and a student at the Second Affiliated Middle School of the Normal University.

In September 1975, Criminal Kuo was "educated" for three months at a political study class run by the street office for having kept stolen goods. He harbored resentment and looked for an opportunity for revenge. After the earthquake occurred on 28 July of this year, Criminal Kuo used this opportunity deliberately to cause panic and confusion so as to disturb the morale of the people. During the period between 7 p.m. on 29 July and around 2 a.m. the next morning, Criminal Kuo went to earthquake precautionary mass dispersion sites in the neighborhood of Tewai-shinfengnan *li* and imitated the sounds of cats meowing and falling bottles, abnormal phenomena associated with the onset of an earthquake. He also yelled three times in succession, "Earthquake! Earthquake!" so as to fool the people. As a result, more than two thousand people were frightened; two were hurt in a fall, and one got a sprain. When cadre Liu Shu-chang, from the Labor Union of the Radio Parts Factory No. 1, tried to stop him, Criminal Kuo even beat him up and injured him.

Criminal Kuo fabricated rumors, deluded the public, and undermined the Anti-quake and Relief Work struggle. The criminal acts he committed are serious, and the people are very indignant. Rumormonger-deluder Kuo Tsai-ping is hereby sentenced, according to law, to imprisonment for 15 years.

4. Rumormonger-deluder Tuan Hung-wei is a male, 17 years old, and a student at Hsin-chieh-kuo Middle School.

Between March and July of 1976, Criminal Tuan was "educated" in a labor study class for having been involved in a hooligan fight. He harbored resentment and looked for an opportunity for revenge. After the earthquake occurred on 28 July of this year, he deliberately fabricated rumors and deluded the public in order to cause confusion. In the middle of the night on 28 July, at the earthquake

precautionary mass dispersion site in the warehouse courtyard of the Changchiao Housing Administration Office, Criminal Tuan repeatedly yelled "Earthquake! Earthquake!" More than one thousand people were frightened, and great disorder ensued. As a result, two persons received puncture wounds in their feet, another was hurt when trodden upon, and a fourth was hurt in a fall.

Criminal Tuan is a confirmed hooligan who refused to change after repeated education. In the course of the Anti-quake and Relief Work struggle, he spread rumors, caused disturbances, and engaged in destructive activities. The criminal acts he committed are serious, and the people are very indignant. Rumormonger-deluder Tuan Hung-wei is hereby sentenced, according to law, to imprisonment for 13 years.

5. Rumormonger-deluder Wang Lin is a male, 27 years old, and a worker at Factory No. 815.

Criminal Wang's thinking is extremely reactionary. In December 1970, he wrote slogans praising the bandit Chiang Kai-shek. After he was punished for doing so, he had two daggers and wildly planned to wreak violent revenge. On the evening of 31 July of this year, Criminal Wang ferociously and repeatedly said to workers of his factory, "May we have a 12th-grade earthquake!" When rebutted and criticized, he became even more haughtily reactionary. On 1 August, he fabricated the counterrevolutionary rumor that "the epicenter has shifted to the Shihching Mountain and Chang-yang area," and disseminated this rumor to the masses assembled at the Chang-shin-tien earthquake precautionary mass dispersion site in an attempt to cause a disturbance and undermine the earthquake precautionary efforts. His criminal intent was immediately exposed by the masses.

Criminal Wang, by causing disturbance through fabricating rumors during the earthquake precautionary period, has engaged in counterrevolutionary destructive activities. The criminal acts he committed are serious, and the people are very indignant. Rumormonger-deluder Wang-Lin is hereby sentenced, according to law, to imprisonment for 13 years.

6. Robber Chang Chien-hua is a male, 30 years old, and a temporary worker of the Brick and Tile Factory of Pamonchaoko Banner, Inner Mongolia Autonomous Region. He came to Peking on 27 July 1976, staying in Hotel No. 1, Yangmei-chu-hsieh Street, Hsuan-wu Borough.

When the earthquake occurred during the morning of 28 July of this year, Li Tsung-hwei, a cadre from the Yunnan Production and Construction Corps who was staying in the same hotel, was seriously injured by a falling chimney, and the masses immediately sent Li to a hospital for emergency care. Chang followed Li to the hospital and when he saw that the emergency care had failed, he took advantage of Li's condition and robbed him of his "Shanghai Brand" wristwatch.

His criminal act was immediately exposed by the masses, and he was brought before the authorities.

In the course of the Anti-quake and Relief Work struggle, Criminal Chang, trying to profit from another's misfortune by robbing a critically injured dying person, committed a serious crime in a most evil manner, and the people are very indignant. Robber Chang Chien-hua is hereby sentenced, according to law, to imprisonment for 15 years.

7. Assaulter-robber Chao Wen-jui is a male, 21 years old, and a worker at Factory No. 7, City Automobile Repair Company.

After the earthquake occurred during the morning of 28 July 1976, Criminal Chao felt that "nobody would be in charge of social order as a result of the chaotic situation caused by the earthquake." Therefore, when buying food for breakfast at a restaurant in Chao-wai-tung Bridge, he failed to line up and tried to cut in front. When Li Shuang-ching, a worker from the Engineering Department of the City First Light Industry Bureau, tried to stop him from doing so, Criminal Chao not only refused to comply, but beat Li up, injuring his left arm. Criminal Chao also took advantage of this opportunity to rob Li of his "Gem Flower Brand" wristwatch.

Criminal Chao seriously undermined the security of the society by committing assault and robbery after the earthquake occurred. His criminal act is serious, and the people are very indignant. Assaulter-robber Chao Wei-jui is hereby sentenced, according to law, to imprisonment for 12 years.

8. Ringleader of looters of state property, Chang Wen-li is a male, 18 years old, and a student at Huchialou Middle School.

Principal looter of state property, Liang Chien-wu is a male, 17 years old, and a student at Huchialou Middle School.

Looter of state property, Liao Wen-p'o is a male, 18 years old, and a student at Jih-tan Middle School. He was once detained for "education" by a public security organ for involvement in hooligan fights.

Looter of state property, Pi Chi-feng is a male, 18 years old, and a student at Municipal Middle School No. 80.

On the pretext of getting materials for constructing quake-shelter during the earthquake period, at around 2:00 p.m. on 30 July 1976, Chang Wen-li, as ringleader, gathered together the three criminals, Liang Chien-wu, Liao Wen-p'o, and Pi Chi-feng, and went to the warehouse of the National Marine Bureau at Hsiao-chung Chao-yang Borough. Liang Chien-wu smashed the door and window glass of the warehouse with a brick, and Liao Wen-p'o opened the door by lifting the latch. Then they rushed in and started looting state property. Criminal Chang took two bundles of asphalt roofing and two long benches; Criminal Liang took two bundles of asphalt roofing; Criminal Liao took one

bundle of asphalt roofing, a large piece of canvas, and a long bench; and Criminal Pi took four bundles of asphalt roofing and 20 pieces of board. Influenced by the looting in which Criminal Chang and the others took the lead, the masses nearby followed suit and crowded into the warehouse one after another. Within a little more than an hour, they had looted all the stock in the warehouse, including 350 bundles of asphalt roofing, 7 cubic meters of board, 70 long benches, $2\frac{1}{2}$ tons of zinc-coated wire, 110 square benches, 10 round table tops, and 10 dinner tables. When several members of the worker-militia [came to the scene and] tried to educate Criminals Chang, Liang, Liao, and Pi, Criminal Liang even assaulted them.

Chang Wen-li, as ringleader, gathered together Criminals Liang Chien-wu, Liao Wen-p'o, and Pi Chi-feng, and took the lead in looting state property, resulting in great losses to the state, thus seriously disturbing the security of the society and undermining the Anti-quake and Relief Work struggle. Their criminal acts are serious, and the people are very indignant. In accordance with the law, the ringleader of the looters of state property, Chang Wen-li, is hereby sentenced to imprisonment for ten years, and the principal looter Liang Chien-wu is also sentenced to imprisonment for ten years. Looters Liao Wen-p'o and Pi Chi-feng, having demonstrated a better attitude in confessing their crimes, are hereby each leniently sentenced to imprisonment for five years.

9. Looter of state properties and inciter-assaulter Liu Chin-so is a male, 22 years old, and a contract worker at the Municipal Construction Company No. 6. He was once detained for "education" by a public security organ for theft and other [illegal activities].

During the period when the broad masses were engaged in the Anti-quake and Relief Work struggle, Criminal Liu deliberately intended to misappropriate state property on the pretext of building quake-shelters. On 1 August 1976, he twice led others in going to the Machine Repair Factory of Tung-cheng Borough where he dismantled foot and hand racks, and looted construction materials such as fir timber, boards, bricks, and iron sheets. When persons in charge of the factory's security discovered the situation, the Deputy Chairman of the factory's Revolutionary Committee, Ts'ai Shao-ch'ing, led a dozen or so members of the worker-militia to stop the looting and check the loss. Criminal Liu, however, showed an arrogant manner toward Ts'ai and also threatened him. He also incited a dozen or so persons to assault Ts'ai and members of the factory's worker-militia with bricks, boards, and other things. They chased Ts'ai and members of the worker-militia into the factory and continued to assault them. As a result, ten persons, including Ts'ai Shao-ch'ing, were injured.

Criminal Liu engaged in stealing and fighting many times, and refused to change after repeated education. By taking the lead in looting state property and inciting people to assault worker-militia guarding the factory, he interfered with the Anti-

quake and Relief Work struggle. The criminal acts he committed are serious, and the people are quite indignant. Looter of state property and inciter-assaulter, Liu Chin-so, is hereby sentenced, according to law, to imprisonment for ten years.

10. Burglar Wang Tseng-hsiang is a male, 17 years old, and a student at the Municipal "October First" School. He was given demerits by the school and was educated many times by public security organs for involvement in fighting and stealing.

Burglar Liu Hwei-min is a male, 17 years old, and a student at the Municipal "October First" School. He was given demerits by the school and was educated many times by the public security organs for stealing.

At around 9:00 p.m. on 29 July 1976, Criminal Wang, in collaboration with Criminal Liu, taking advantage of the fact that the broad masses at Yard No. 11, Taiping Road, had dispersed as a quake precautionary measure, sneaked into the yard over the wall. Criminal Wang successively pried open the door locks of three houses and, together with Criminal Liu, stole upper parts of military uniforms, monthly [bus] tickets, etc. The two criminals were caught by the persons on guard while they were going over the wall.

Taking advantage of the fact that the masses were away escaping the earthquake, Criminals Liu and Wang broke into their houses and pried open the door locks and thus undermined the Anti-quake and Relief Work struggle. Their criminal acts set a bad example, and the people are quite indignant. Burglar Wang Tseng-hsiang is hereby sentenced, according to law, to imprisonment for eight years, and Burglar Liu Hwei-min to imprisonment for six years.

11. Thief Sha Feng-hsiang is a male, 19 years old, and an educated youth assigned to a production brigade at Taihu Commune, T'ung County.

On his way home from T'ung County on 30 July of this year, Criminal Sha was passing by the first floor of Building One, Tungkuang Road, Chaoyang Borough. Taking advantage of the fact that the residents of the building, as a quake precautionary measure, had dispersed and that no one was in, he stole a bicycle. He was caught by the quake-control personnel on guard. In addition, in early June of 1976, Criminal Sha stole a "Flying Voice Brand" transistor radio from his neighbor Wei Hsiang-yuan.

Criminal Sha, taking advantage of the fact that the broad masses had dispersed as a quake precautionary measure, engaged in criminal activities of stealing, and the people are quite indignant. Thief Sha Feng-hsiang is hereby sentenced, according to law, to imprisonment for eight years.

12. Thief Ha Tzu-man is a female, 21 years old, residing at 11 Hsi-ching Lane, Tun-cheng Borough, and unemployed.

Criminal Ha is an habitual thief. After the earthquake occurred, she figured that "the people are busy escaping the disaster, and it's easier to steal since they always carry money with them", that "there are less militia on streetcars or buses", and that this opportunity should be exploited. She thus repeatedly went out to pickpocket. While stealing on Street car No. 8 on 3 August she was caught on the spot by the masses.

Criminal Ha has consistently engaged in theft since 1969. She roamed over places like Tientsin, Shanghai, Hangchow, and Sian, engaging in unrestrained pickpocketing. She was sent to a political study class for "education", was detained [in jail by the public security] 20-odd times, and was placed in a juvenile correction institution for three years. After release from the juvenile correction institution in September 1975, she again committed crimes without changing her bad habits.

Criminal Ha engaged in theft during the quake precautionary period, thus undermining the security of the society. Thief Ha Tzu-man is hereby sentenced, according to law, to imprisonment for 8 years.

13. Hooligan Hsiao Yao-lin is a male, 17 years old, and a student at the Municipal 18th Middle School.

In the evening of 1 August of this year, Criminal Hsiao, taking advantage of the fact that the masses who took quake precautionary measures were lodging outdoors, several times acted in a hooligan manner and indecently toward a young girl and a female youth who were sound asleep. His indecent act was discovered by the masses. Criminal Hsiao is a confirmed hooligan. From 1974 to 1975, he acted in a hooligan manner and indecently many times toward a very young girl and a young girl. He also attempted to rape a very young girl. During the quake precautionary period, he again engaged in hooliganism and criminal activities, and the people are quite indignant. Hooligan Hsiao Yao-lin is hereby sentenced, according to law, to imprisonment for eight years.

北京市革命委员会

关于公判处理一批 破坏抗震救灾斗争的罪犯的通告

当前，在伟大领袖毛主席、党中央的亲切关怀下，在市委的领导下，全市人民以阶级斗争为纲，正在英勇地投入抗震救灾的斗争，形势大好。但是，一小撮坏人，乘首都人民抗震救灾之机，进行各种捣乱破坏活动。有的造谣惑众，制造混乱；有的蓄意煽动哄抢国家物资；有的强奸妇女，抢劫盗窃。这一小撮坏人的犯罪活动，性质严重，情节恶劣，影响很坏，广大群众极为愤恨，纷纷要求严厉惩办。

为了坚决打击一小撮阶级敌人的破坏活动，进一步加强无产阶级专政，保卫抗震救灾斗争的胜利进行，维护首都的革命秩序，根据广大群众的要求，按照党的政策和国家法律的规定，决定：对崔俊恒等十七名破坏抗震救灾斗争的罪犯，分别判处死缓和有期徒刑。由东城、西城、宣武、朝阳、海淀、丰台、平谷、密云等八个区、县分别召开公判大会，就地批斗，公判处理。

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现将已公判处理的道俊理等十七名罪犯的罪行材料和判处结果印发给各基层单位，请各打头阵现实阶级斗争，发动群众，进行讨论、批判，不断提高广大群众的阶级斗争和路线斗争觉悟，同阶级敌人的破坏活动作坚决斗争。在各级党委的领导下，发扬人定胜天的革命精神，夺取抗灾救灾，深入动员，反击右倾机会主义，搞革命、促生产的新胜利。

，下有关对系级共中受，激生会部大种正，清海
 外，是整五五，陆天中半路南为二九七六年八月七日
 自及我人正共中一，改自是部大种正，全半种决意以路人
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崔俊恒等十七名罪犯的罪行材料

(供讨论批判, 不要广播, 不要张贴, 不要遗失)

一、反革命强奸犯崔俊恒, 男, 十八岁, 平谷县大华山人民公社大华山生产大队社员。

一九七六年八月二日下午三时许, 崔犯乘队干部张××(已死)之妻外出购买防震用品, 家中无人之机, 将张的十一岁幼女堵在张家窑置墙角进行强奸, 当场被幼女的母亲抓获。崔犯还在同一天上午九时许, 乘群众忙于落子抗震之机, 以物质引诱手段, 将本队一名呆傻妇女强奸。

崔犯思想反动, 流氓成性, 曾强奸幼女五名。因张××生前曾发动群众对崔犯和其母袁亚清的流氓盗窃诈骗等罪行多次进行批判斗争, 袁被判刑十年, 崔犯怀恨在心, 竟在抗震救灾斗争中, 借机进行阶级报复, 强奸张的幼女, 并强奸呆傻妇女, 罪行极为严重, 民愤极大。依法判处反革命强奸犯崔俊恒死刑, 缓期二年执行, 强迫劳动, 以观后效。

二、造谣惑众犯潘国田, 男, 二十三岁, 密云县河南寨公社河南寨大队人, 北京九五一厂工人。

潘犯于地震后第三天(七月三十日)擅离职守跑回家, 在河南寨大队社员中大肆造谣: “密云水库的水已经满了, 盛不了啦”, “平时水库蓄量为××亿立方米, 现在是××亿立方米了”, “上级有命令, 如果大坝保不住, 就把水往天津放, 保住北京, 淹天津”。还造谣说: “第二次地震震中在白河大坝以北五十一公里处。”蓄意扰乱人心, 制造恐慌情绪。潘犯还带头擅自把生产队的窝棚架拉上山自用, 致使该村不明真相的社员纷纷搬运粮食物资上山, 当生产队长制止潘时, 潘犯扬言“不让你活过三天”。

潘犯造谣惑众, 严重破坏抗震救灾斗争、抓革命促生产的顺利进行, 罪

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行严重，民愤很大。依法判处造谣惑众犯潘国田有期徒刑二十年。

三、造谣惑众犯郭在苹，男，十八岁，师大二附中学生。

郭犯一九七五年九月因窝赃被街道办学习班教育三个月，心怀不满，存心报复。今年七月二十八日发生地震后，郭犯认为有机可乘，故意制造混乱，扰乱人心，于七月二十九日晚七时至次日凌晨二时许，在德外新风南里一带群众防震疏散点，多次学猫叫，踢倒酒瓶子，假造地震前的异常现象，接连三次呼喊“地震了！”“地震了！”以此造谣惑众，致使两千多名群众受到惊动，造成二人摔伤，一人扭伤。当无线电元件一厂工会干部刘书常进行制止时，郭犯竟将刘书常打伤。

郭犯造谣惑众，破坏抗震救灾斗争，罪行严重，民愤很大。依法判处造谣惑众犯郭在苹有期徒刑十五年。

四、造谣惑众犯段洪伟，男，十七岁，新街口中学学生。

段犯一九七六年三至七月因流氓打架被送进劳动学习班教育，心怀不满，存心报复。今年七月二十八日地震后，段犯故意造谣惑众，制造混乱。当日深夜，段犯在群众防震疏散地点厂桥房管所仓库大院，连续高喊“地震了！”“地震了！”惊动了群众一千多人，造成秩序混乱，致使二人的脚被扎伤，一人被踩伤，一人被摔伤。

段犯流氓成性，屡教不改，在抗震救灾斗争中制造谣言，捣乱破坏，罪行严重，民愤很大。依法判处造谣惑众犯段洪伟有期徒刑十三年。

五、造谣惑众犯王霖，男，二十七岁，八一五厂工人。

王犯思想极端反动。一九七〇年十二月曾书写反动标语吹捧蒋匪，受到处分后又制造匕首两把，妄图行凶报复。今年七月三十一日晚，王犯多次在本厂职工中恶狠狠地说：“震十二级才好呢！”遭到批驳后，反动气焰更加嚣张。八月一日制造“地震中心已移到石景山和长阳一带”的反革命谣言，

在长辛店防震群众疏散点向周围群众散布，扰乱人心，破坏防震，当即被群众揭发。

王犯在防震期间造谣惑众，制造混乱，进行反革命破坏活动，性质严重，民愤很大。依法判处造谣惑众犯王霖有期徒刑十三年。

六、抢劫犯张建华，男，三十岁，内蒙古自治区巴盟潮格旗砖瓦厂临时工，一九七六年七月二十七日来京住宣武区杨梅竹斜街第一旅馆。

今年七月二十八日晨地震时，与张犯住在同一旅馆的云南生产建设兵团干部李宗惠被震倒的烟筒砸成重伤。当群众将李抬送医院抢救时，张犯跟随到医院，见抢救无效，竟乘人之危。上前劫掠李戴的上海牌手表，当即被群众发现。后被群众扭获归案。

张犯在抗震救灾斗争中，趁火打劫，公然抢劫重伤将死的群众的手表，罪行严重，情节恶劣，民愤很大。依法判处抢劫犯张建华有期徒刑十五年。

七、行凶抢劫犯赵文瑞，男，二十一岁，市汽车修理公司七厂工人。

赵犯于一九七六年七月二十八日晨地震发生后，认为“地震乱，没人管”，在朝外东大桥饭铺买早点不排队，跑到前面乱挤，市一轻局工程处工人李双庆进行制止，赵犯不但不听，反而行凶打人，将李双庆左臂打伤，乘机抢走李的“宝石花”牌手表一只。

赵犯在地震发生后，行凶抢劫，严重破坏社会治安，罪行严重，民愤很大。依法判处行凶抢劫犯赵文瑞有期徒刑十二年。

八、哄抢国家物资首犯张文立，男，十八岁，呼家楼中学学生。

哄抢国家物资主犯梁建武，男，十七岁，呼家楼中学学生。

哄抢国家物资犯廖文波，男，十八岁，日坛中学学生。曾因流氓斗殴被公安机关拘留教育。

哄抢国家物资犯毕继峰，男，十八岁，市八十中学学生。

一九七六年七月三十日下午二时，以张文立为首，纠集梁建武、廖文波、毕继峰等三犯，乘地震之机，以搭防震棚缺材料为借口，到朝阳区小庄国家海洋局仓库，由梁建武用砖头将仓库门窗玻璃砸碎，廖文波将门的插销拨开，窜入仓库，哄抢国家物资。张犯抢走油毡两捆、长条椅两把，梁犯抢走油毡两捆，廖犯抢走油毡一捆、大帆布一块、长条椅一把，毕犯抢走油毡四捆、木板二十块。在张犯等带头哄抢的影响下，附近不少群众也陆续拥进仓库，在一个多小时内，将仓库所存油毡三百五十捆、木板七立方米、长椅子七十把、铅丝二吨半、方凳子一百一十个、圆桌面十张、饭桌十个等全部拿光。当工人民兵对张、梁、廖、毕等四犯进行教育时，梁犯竟动手殴打民兵。

张文立为首，纠集梁建武、廖文波、毕继峰等三犯，带头哄抢国家物资，造成国家财产重大损失，严重扰乱社会治安，破坏抗震救灾斗争，罪行严重，民愤很大。依法判处哄抢首犯张文立有期徒刑十年，判处哄抢主犯梁建武有期徒刑十年，哄抢犯廖文波、毕继峰，认罪态度较好，依法从轻各判处有期徒刑五年。

九、哄抢国家物资、煽动打人犯刘金锁，男，二十二岁，市第六建筑工程公司合同工。曾因偷窃等问题被公安机关拘留教育。

在广大群众抗震救灾期间，刘犯借搭防震棚为名，蓄意侵吞国家物资，于一九七六年八月一日先后两次挑头前往东城区机修厂拆毁脚手架，哄抢杉篙、木板、红砖、铁板等建筑材料。该厂发现后，由革委会副主任蔡少清带领工人民兵十余人前去劝阻，清查被抢物资。刘犯态度蛮横，对蔡进行威胁，煽动十余人用砖头、木板等凶器殴打蔡和该厂工人民兵，并追入厂内继续殴打，致使蔡少清等十人受伤。

刘犯多次偷窃打架，屡教不改，在抗震救灾期间挑头哄抢国家物资，煽动殴打护厂工人民兵，干扰抗震救灾斗争，情节严重，民愤较大。依法判处哄抢国家物资、煽动打人犯刘金锁有期徒刑十年。

十、盗窃犯王增祥，男，十七岁，市“十一”学校学生。曾因打架、盗窃受学校记过处分和被公安机关教育多次。

盗窃犯刘惠民，男，十七岁，市“十一”学校学生。曾因偷窃受学校记过处分和被公安机关教育多次。

一九七六年七月二十九日晚九时许，王犯勾结刘犯，乘太平路十一号院广大群众疏散防震时，越墙进入院内。王犯连续撬了三家的门锁，并伙同刘犯窃得军上衣及月票等物，二犯在越墙时被发现战士抓获。

王、刘二犯乘群众离家防震之机，溜门撬锁，破坏抗震救灾，影响很坏，民愤较大。依法判处盗窃犯王增祥有期徒刑八年，判处盗窃犯刘惠民有期徒刑六年。

十一、盗窃犯沙凤祥，男，十九岁，通县台湖公社插队知识青年。

沙犯于今年七月三十日由通县回家，当晚八时许路经朝阳区东光路一楼一层，乘居民疏散防震，楼内无人之机，盗走自行车一辆，后被防震值班人员抓获。此外，沙犯于一九七六年六月初，偷窃邻居钱元“飞音”牌半导体收音机一台。

沙犯乘广大群众疏散防震之机，进行盗窃犯罪活动，民愤较大。依法判处盗窃犯沙凤祥有期徒刑八年。

十二、盗窃犯哈滋媛，女，二十一岁，住东城区喜庆胡同十一号，无业。

哈犯盗窃成性，地震发生后，认为“人打忙着疏散，身上有钱，好偷”“电汽车上民兵也少了”有机可乘，因而连续外出扒窃。八月三日在八路电车上行窃时被群众当场扭获。

哈犯自一九六九年以来一贯进行盗窃活动，曾流窜天津、上海、杭州、西安等地大肆扒窃，先后被收容教育、办学习班和拘留二十多次，被少年管教三年。一九七五年九月解除少管后，恶习不改，继续犯罪。

哈犯在防震期间，进行盗窃活动，破坏社会治安。依法判处盗窃犯哈滋媛

緩有期徒刑八年。

十三、流氓犯肖跃林；男，十七岁，市十八中学学生。

今年八月一日夜间，肖犯乘防震群众在外住宿之机，对住同一棚内正在熟睡的一名少女、一名女青年数次进行流氓猥亵，被群众揭发。肖犯流氓成性，自一九七四年至一九七五年，曾对一名幼女、一名少女多次进行流氓猥亵，对一名幼女强奸未遂。这次在防震期间，又进行流氓犯罪活动，民愤较大。依法判处流氓犯肖跃林有期徒刑八年。

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