China's New Criminal & Criminal Procedure Codes

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The editors of the Occasional Reprint Series mourn the recent passing of Julia Fang (1951-1980), past Managing Editor. Her diligence, her efforts, her warmth and her friendship will be sorely missed.
China's New Criminal and Criminal Procedure Codes

Hungdah Chiu*

(A shorter version of this article entitled "China's New Legal System" was published in Current History, Vol. 79, No. 458 (September 1980), pp. 29-32, 44. Permission to publish the expanded version here was granted by Current History. The pinyin system is used to transliterate all Chinese terms appearing in this paper. The Appendix — Recent Development of Human Rights in the People's Republic of China — is added by the author for publication in this series.)

For thirty years, the People's Republic of China (PRC) has operated a "legal system" without a Criminal Code or a Criminal Procedure Code. This phenomenon was unprecedented not only among Communist countries, but also in Chinese history. When the Western world was in the chaotic medieval age, the Chinese Empire of the T'ang Dynasty (A.D. 618-907) enacted a comprehensive legal code. This code was generally followed by all subsequent dynasties, though each revised, amended or expanded the code to fit its needs, none attempted to change its basic principles. From 1949 to 1979, however, China was without a code of substantive or procedural criminal law. Then, between June 18 and July 1, 1979, the PRC's National People's Congress, with surprising speed, enacted seven laws, including a Criminal Code and a Criminal Procedure Code (the PRC did not use the term "code," though both enactments are in the nature of codes and will be referred to as such in this paper). Both entered into force on January 1, 1980.

Immediately after the promulgation of these codes, a publicity campaign was begun throughout the country to make the codes known to all the people. For instance, all the leading dailies in the country have published the full texts of the codes, together with explanatory articles and commentaries. In addition, the Central People's Broadcasting Station broadcast a 20 minutes special program on criminal law every other day for several weeks. Never before in the 30-year history of the PRC had criminal law and procedure become so widely discussed and so seemingly important. Why did the PRC abandon its 30 years of practice without a Criminal Code or a Criminal Procedure Code? To answer this question, one has to know
how the criminal justice system worked before the Codes were enacted.

2. The Criminal Justice System before 1977

The only important criminal legislation before the present Criminal Code was the Act for the Punishment of Counterrevolutionaries of the PRC, promulgated on February 21, 1951. This Act broadly defined many acts as counterrevolutionary; in addition two articles deserve special attention. First, Article 18 made the Act retroactive to cover "preliberation" activities, i.e., acts committed before the establishment of the PRC in 1949. Second, Article 16 set forth the principle of crime by analogy, i.e., that crimes not specified in the Act could "be punished according to analogous specified crimes in the Act."

However, the lack of a comprehensive criminal code and detailed statutes did not hamper the work of the people's courts, since they were frequently instructed to follow orders or policies of the government or the party in cases not covered by existing law. Moreover, information gathered from interviews does indicate the existence of unpublished regulations defining murder, rape, arson, and many other common crimes and setting forth the maximum and minimum penalties for each. However, none of the Chinese law specialists have been able to obtain a copy of these regulations, and their contents remain a mystery.

In judicial practice, the people's courts usually did not indicate the law and particular provisions according to which a given judgment was rendered. After the facts of the case were stated, the accused was sentenced to imprisonment or death without telling him which law he was alleged to have violated.

In addition to judicially imposed criminal sanctions, the administrative organs, primarily the public security organs (police), were also empowered to impose sanctions similar to criminal punishment. Under the Security Administration Punishment Act of the PRC, promulgated on October 22, 1957, a person could be fined up to 30 yuan (about U.S. $20.00 — the amount may seem small by Western

Standards, but the average monthly wage of a Chinese worker was roughly that amount) and detained for 15 days by the public security organs. During the detention period, the detained person was required to assume the cost of his own meals; one who could not pay the cost of his meals was required to perform labor as a substitute for payment. Like the Counterrevolutionary Act, this Act contains the principle of crime by analogy, authorizing the public security organ to impose sanctions for acts not specified in the Act "by comparison with the most similar acts enumerated in the provisions of this Act (Article 31)." The decisions of public security organs in applying this Act were not subject to judicial review.

On August 3, 1957, a decision of the State Council formally authorized certain administrative organs to send rightists, persons not engaged in proper employment, persons who did not obey work assignment or job transfer orders, and others to "rehabilitation through labor," i.e., to a de facto criminal penalty in labor camps for criminals for an indefinite period. Again, the decisions of the administrative organ in this area were not subject to judicial review.

With respect to the criminal process, the PRC in 1954 had set up a four-level two-trial (one appeal) court system. Below the Supreme People’s Court, local courts were divided into higher people’s courts, intermediate people’s courts, and basic people’s courts. While it was technically possible for an accused to appeal to a higher-level people’s court for reconsideration of a sentence, few accused tended to assert this right, because of the great weight the PRC placed on the individual’s confession. A confession was the main ingredient in determining the type of treatment one would receive and the severity of one’s sentence. Those who confessed were perceived as being honest in quality and therefore deserving of lenient treatment. Those who resisted and refused to confess were considered unrepentent and were therefore subject to severe punishment and harsh treatment so as to reform their reactionary thinking.

Except for an Arrest and Detention Act of the PRC promulgated on December 20, 1954, there was no other criminal procedure law. While the Arrest and Detention Act provided some safeguards against arbitrary arrest and detention, such as requiring a warrant before arresting a person, requiring notification of procurator within 24 hours after an arrest and requiring the release of the arrested person within 48 hours if the procurator did not approve the arrest, it was almost totally ignored soon after its promulgation.

Moreover, the PRC criminal process was premised on the "presumption of guilt," i.e., an accused was presumed guilty unless he
could prove his own innocence. A recent textbook, published in Peking in 1979, described the situation as follows:

In practice, it frequently happened that in the course of the investigation when the defendant denied he had committed any crime, the trial personnel would ask: "If you did not commit crime, why arrest you here? Why arrest you and not another?" Torture was also frequently resorted to for extracting a confession from the accused; in this regard, the same book states:

In practice, they were using tortures to extract confessions . . . . There have been fewer and fewer cases of publicly resorting to torture to extract a confession; however, it was not infrequent to resort to disguised physical tortures to get a confession. There were great varieties of "disguised torture" and it is difficult to list them one by one. For instance, in a public security organ when a defendant refused to confess his crime, an investigating official told other codefendants under detention that "they should try to help him." Then the investigating official withdrew from the scene; the other detainees then beat the defendant many times until he finally confessed his crime at the next investigating session. There were also resorted to "continuous investigation" by conducting an investigation day and night and not letting the defendant rest or ordering the defendant to stand for a long time. In other words, resorting to physical abuse or wearing him down so as to extract a confession.  

Moreover, a suspect could be detained for indefinite periods of time until he confessed his crime.  

2. Teaching and Research Office of Beijing (Peking) Political-Legal Institute, Zhonghua renmin gongheguo xinshi susong fa jiangyi (Lectures on the criminal procedure law of the People's Republic of China), Peking: Quanzhong chubanshe (Mass publication house), 1979, p. 74. (Hereinafter referred to as Lectures.)

3. Lectures, p. 52.

4. See generally Bao Ruo-wang (Jean Pasqualini) and Rudolph Chelminski, Prisoner of Mao, Penguin Books, 1976. A recent PRC publication reported that a homicide suspect had been detained for eighteen years despite the fact that the higher-level judicial organ had already decided that there was no evidence proving his guilt. He was held because the leadership insisted that in order "to maintain the decision of the city party committee" he should not be released. Special Group Assisting the Handling of Cases from the Southwest Political-Legal Institute, "Looking at Some Problems Relating to Judicial Works from the Practice of Handling Cases," Xinan Zhengfa xueyuan xuebao (Journal of the Southwest Political-Legal Institute), No. 1 (May 1979), p. 27.
A peculiar aspect of the PRC's criminal justice system was that the class background or social status of an accused could have a significant impact on the sanctions imposed. If an accused was characterized as a black element — such as former landlords, rich peasants, rightists and others (the categories could be changed or augmented in response to the political winds of the moment) then he was likely to receive a more severe punishment for a given offense than a person who was not a black element. On the other hand, Communist Party members usually were not subject to normal judicial processes and, if they were, they usually received less severe sentences or no punishment at all. Ironically, high party or governmental officials could also be purged without going through any criminal process. They sometimes simply disappeared or were detained in an unknown place for many years or abused to death.

Although legal institutions were not one of the major revolutionary targets at the beginning of the Cultural Revolution in 1966, they were not exempt from the ensuing destruction of the "establishments." Many high officials, including the President of the Supreme People's Court, Yang Xiufeng, were purged or abused without resort to judicial process or regular party process. The operation of the criminal justice system during this period was vividly described by a recent PRC publication as follows:

[The Gang of Four] let loose hoodlums and thugs to smash, grab and loot, to break into and ransack homes, illegally detain people, set up kangaroo courts and torture innocent people to extort confession . . . . In many cases even a semblance of judicial proceedings was dispensed with. Personal property and personal freedom were wilfully encroached upon and safety of people's lives were not guaranteed.5

Since early 1978 barely a day has passed without a report in the authoritative People's Daily (Renmin ribao) or other official newspaper of a reversal of verdicts against innocent people convicted or simply executed or imprisoned before 1976. Some information concerning miscarriages of criminal justice revealed by these publications were quite shocking. For instance, Communist Party member Chang Chih-hsin's throat was cut and she was kept alive by a steel

tube before her execution on April 3, 1975.\(^6\) (The victim's throat was cut or pierced with a long needle to prevent her or him from shouting "reactionary" slogans at the public mass sentencing and execution meeting.)

3. The New Criminal Code

Under the above-described irrational, unpredictable and repressive criminal justice system, would it have been possible for the PRC to carry out its present modernization program? The present leadership in the PRC apparently did not believe so. Thus, Premier Hua Guofeng stated in his Report on the Work of the Government to the First Session of the Fifth National People's Congress, delivered on February 26, 1978: "It is essential to strengthen the socialist legal system if we are to bring about great order across the land."

It seems self-evident that in order to carry out the PRC's ambitious modernization program, the Chinese criminal justice system had to be strengthened and perfected so as to provide an orderly, predictable environment for economic development. Beyond that, the PRC was also confronted with a population demoralized and frightened by years of chaos and uncertainty, so it was also necessary to provide a more secure environment for the people. This was especially true in regard to gaining the confidence of the intellectuals, who had suffered most in the last decade. Without the enthusiastic participation of the intelligentsia, it would be simply impossible to modernize China's economic and technological establishments. Moreover, during the turmoil of the Cultural Revolution, the lack of discipline among the people, workers, and peasants seriously affected production on various levels; there were also serious problems, such as corruption and waste, in the operation of state enterprises. To carry out the PRC's modernization program, it was necessary to reestablish social discipline and order and to enact such laws as would put the operation of state enterprises in order.

The enactment of the Criminal Code and the Criminal Procedure Code is among many steps taken to perfect China's "Socialist Legal System." There is no doubt that the absence of a criminal substantive and procedure law was one of the most serious defects of the PRC's legal system. As an article in the People's Daily said:

As there is no unified criminal law, lawlessness has become universal . . . . The concept of a legal system has become very

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The Criminal Code has a total of 192 articles and is divided into the following chapters and sections:

**Chapter I.** Guiding Ideology, Function and Scope of Application.

**Chapter II.** Offenses

- **Section (1)** Offenses and Criminal Punishment
- **Section (2)** Preparation to Commit a Crime, Attempted Crime and Incomplete Crime
- **Section (3)** Joint Offense

**Chapter III.** Punishment

- **Section (1)** Types of Punishments
- **Section (2)** Control
- **Section (3)** Detention
- **Section (4)** Fixed-term Imprisonment and Life Imprisonment
- **Section (5)** Death Sentence
- **Section (6)** Fine
- **Section (7)** Deprivation of Political Rights
- **Section (8)** Confiscation of Properties

**Chapter IV.** The Concrete Application of Punishments

- **Section (1)** Measurement of Punishment
- **Section (2)** Recidivists
- **Section (3)** Voluntary Surrender
- **Section (4)** Punishment for Several Crimes at the Same Time
- **Section (5)** Probation
- **Section (6)** Reduction of Sentences
- **Section (7)** Parole
- **Section (8)** Prescription

**Chapter V.** Other Provisions

[Analogy, special consideration for autonomous regions, definitions for public property, etc.]

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Part Two — Specific Parts

Chapter I. Counterrevolutionary Offenses
Chapter II. Offenses of Endangering Public Security
Chapter III. Offenses of Undermining the Socialist Economic Order
Chapter IV. Offenses of Infringing the Personal Rights or Democratic Rights of the Citizens
   [This chapter contains an article punishing one "who forces a female to engage in prostitution," thus indicating that forced prostitution still exists in China.]
Chapter V. Offenses of Encroaching Upon Properties
Chapter VI. Offenses of Obstructing the Governing of Social Order
Chapter VII. Offenses Against Marriage or Family
Chapter VIII. Malfeasance

While the Code does make more specific the types of acts subject to criminal sanctions, some provisions are quite vague in defining the kinds of conduct that come within their reach. For instance, Articles 116 and 117 provide penalties for "grave" violations of customs, foreign exchange, tax and other regulations. These penalties are to be imposed in addition to the administrative sanctions provided by the regulations themselves. But nowhere does the code define the term "grave violations." Moreover, the Criminal Code, following the precedent of the 1951 Counterrevolutionary Act, retains the principle of analogy as to criminal acts. Article 79 provides:

Those who commit acts not explicitly defined in the specific parts of the criminal law may be convicted and sentenced, after obtaining the approval of the Supreme People's Court, according to the most similar article in the law.

The Code narrows the definition of a counterrevolutionary by stressing that such a person must have committed some overt act; apparently, the mere harboring of a damaging thought against "the dictatorship of the proletariat and the socialist system" is not a criminal act (Article 90). However, the significance of this improvement is drastically reduced because on November 29, 1979, just a few weeks before the effective date of the Code, the Standing Committee
of the National People's Congress decided that most of the laws and
decrees promulgated since 1949 would remain in force. This
apparently included the 1951 Counterrevolutionary Act, and in fact
on October 16, 1979 the Peking Intermediate People's Court invoked
this Act to sentence Wei Jingsheng to 15 years imprisonment for
alleged counterrevolutionary acts.8

4. Code of Criminal Procedure

In February 1979, before the promulgation of the Criminal
Procedure Code, the PRC promulgated an arrest and detention law to
replace a similar law enacted in 1954. This law establishes three
conditions for arrests:

(1) The principal facts relating to the crime committed must be
thoroughly investigated;

(2) The crime or crimes must be such that the criminal would
be liable, if convicted, to be sentenced to imprisonment; and

(3) The arrest must be absolutely necessary.

Any arrest should, in principle, be authorized by a warrant; however,
public security organs may detain major suspects or persons accused
of a crime before obtaining a warrant from the people's court or
procuratorate in such exigent cases as assault and battery, robbery,
and seriously undermining work, production, and social orders.
Evidence against the detainees must be submitted to the appropriate
people's procuratorate within three days or, in special circumstances,
seven days. The procuratorate must either sanction the arrest or
order the release of the detainee within three more days. The law
further provides that interrogation must start within 24 hours after
any arrest and that the detainee must be released if no positive
evidence is found.

How seriously the PRC public security organs will comply with
this law remains an open question. For example, the underground
publication Dadi (Great Earth) on November 4, 1979 reported that
when Wei Jingsheng was arrested on March 29, 1979, he demanded
that the public security personnel show him their arrest warrant, but

8. Wei was the editor of the underground publication Tanshuo (Exploration)
which advocated more democracy and human rights in China. Soon after his
publication of an article telling of political prisoners' torture in China in March 1979,
he was arrested. See Fox Butterfield, "Peking Dissident, in Rare Account, Tells of
was told "We want to arrest you, why do we need an arrest warrant!"
A week later, the arrest warrant was issued by a People’s Court.

The new Code of Criminal Procedure has a total of 164 articles
and is divided into the following chapters and sections:

Part One — General Principles

Chapter I. Guiding Ideology, Function and Basic Principles
Chapter II. Jurisdiction
Chapter III. Withdrawal [of Court Officers]
Chapter IV. Defense
Chapter V. Evidence
Chapter VI. Compulsory Measures
[Arrest or detention of suspects, arrest warrant, etc.]
Chapter VII. Supplementary Civil Action
Chapter VIII. Dates, Periods and Service [of Process]
Chapter IX. Others
[Definition of parties, close relatives, etc.]

Part Two — Establishment of a Case, Preliminary
Investigation and Public Prosecution

Chapter I. Establishment of a Case
Chapter II. Preliminary Investigation
Section (1) Examination of the Accused
Section (2) Examination of the Witness
Section (3) Inspection and Investigation
Section (4) Search
Section (5) Attachment of Physical Evidence
and Documentary Evidence
Section (6) Expert Evidence
Section (7) Order to Arrest a Person at Large
Section (8) Conclusion of Preliminary Investigation

Chapter III. Bringing Public Prosecution

Part Three — Trial

Chapter I. Organization of Trial
Development of Human Rights

Chapter II. Procedure for First Trial
   Section (1) Public Prosecution Cases
   Section (2) Private Prosecution Cases

Chapter III. Procedure for Second Trial

Chapter IV. Review Procedure for Death Sentence

Chapter V. Supervision Procedure for Trial

Part Four — Execution

[There are no chapters in this section.]

On paper, the new Code of Criminal Procedure makes a major step toward rule by law, rather than by decree or whim. Article 4 provides that all citizens are equal before the application of law and that no privilege will be allowed before law. Earlier, in January 1979, the PRC proclaimed a new policy toward former landlords and rich peasants by announcing that "as long as former landlords and rich peasants and their descendants support socialism, they will no longer be discriminated against." It is also widely believed that henceforth party members will also be subject to normal criminal process and will enjoy no privilege before the law.

The Code also provides the right to defend one's case or to hire a lawyer to do so (Article 26), as well as the requirement for an arrest warrant and for notification of the family of the arrested within 24 hours (Article 50). The Code also limits preliminary detention during an investigation to three months (but the Standing Committee of the National People's Congress may indefinitely extend the detention period for specific cases) (Article 92) and provides for the principle of public trial (Article 110), the mandatory review of all death sentences by the Supreme People's Court (Article 144), and other progressive measures.

How seriously the PRC authorities will enforce the new Code of Criminal Procedure remains to be seen. However, two recent cases have cast doubts on the PRC's willingness to effectuate all the guarantees of the Code. In the case of the trial of Wei Jingsheng on October 16, 1979, less than three months before the entry into force of the Procedure Code, none of Wei's family members or friends were allowed to enter the court room and foreign correspondents were turned away, although a notice on the wall of the court on October 16

had said that Wei's trial would be open to the public. While there were several hundred spectators at Wei's trial, a woman who attended said afterward that she had received her ticket the day before the trial at work and had been instructed to attend.\textsuperscript{10} This case indicates that the authorities may in fact render the public trial provision in the Code meaningless.

Another case relates to the detention of the "Gang-of-Four" (Mao's wife and her top associates). They have been detained since October 1976 but no formal charge has ever been filed against them for more than four years, despite voluminous articles published in Chinese publications accusing them of causing all the evils of the last decade. Moreover, there has been no report that the Standing Committee of the National People's Congress has approved their continued detention. As a matter of fact, it is still not clear whether the Gang-of-Four followers will be able to enjoy equality of law under the new Procedure Code.

5. Conclusion

There is no doubt that the enactment of the Criminal Code and the Criminal Procedure Code is a landmark in the history of the PRC. These codes represent China's first serious effort to begin developing a more just, predictable and equitable criminal justice system. However, even on paper the PRC has continued to avoid certain crucial modernizing changes in its criminal justice system. The principle of analogy remains intact under the new Criminal Code; the practice of rehabilitation through labor, i.e., the placing of a person in a labor camp for up to four years without judicial review, is not only maintained but strengthened; \textsuperscript{12} and the Standing Committee of the


\textsuperscript{11} On September 29, 1980, the Standing Committee of the National People's Congress decided to set up a special procuratorate and a special court to prosecute and try the "Gang of Four" and their alleged major followers. The judgment of the special court will be the judgment of the final instance, i.e., no more appeal. See "Principal Culprits of the Counter-Revolutionary Cliques of Lin Biao and Jiang Qing to be Tried," \textit{Beijing Review}, Vol. 23, No. 40 (October 6, 1980), p. 4. While the PRC announced that the special court will conduct open trial, it is reliably reported that no foreigner will be allowed to observe the trial. See the appendix of this paper.

\textsuperscript{12} On November 29, 1979, the Standing Committee of the National People's Congress passed "Supplementary Regulations Concerning Rehabilitation through Labor," which provide \textit{inter alia}, for the establishment of a Governing Commission on Rehabilitation through Labor in Provinces, Autonomous Zones, and Large and Middle Size Cities. The duration of rehabilitation through labor is from one to three years and may be extended for another year. See \textit{Renmin ribao} (People's Daily), November 30, 1979, p. 1.
National People’s Congress has ensured the continued validity of formerly enacted criminal legislation, such as the 1951 Counterrevolutionary Act.

Technical and practical difficulties in implementing China’s new Criminal Code and Criminal Procedure Code should also be considered. For instance, the PRC lacks a sufficient number of trained legal personnel to run the new legal system for its one billion people. Qian Duansheng, a Harvard-trained political scientist, has estimated that the PRC would need 200,000 legal personnel. However, since 1949 the PRC has turned out only several thousand law graduates, with only several hundred more graduating since 1979. A leading Chinese jurist commented recently that if the right to defense provided for in the Criminal Procedure Code is to be guaranteed, China would need at least 10,000 defense lawyers. The largest number of full-time lawyers China has had since the Communist government gained power was 2,500 in the 1950’s.13

A final question in implementing both codes is the relationship between the Communist Party and the judiciary. Nominally, the PRC has three divisions in the administration of criminal justice — the public security (police), the procuracy and the court — but in practice all are under the direction of the party committee at the same level and it is the committee that makes decisions as to arrest, prosecution and sentencing. Since the Party committee has many other lines of endeavor and does not have time to review criminal cases, decision making in criminal cases is in practice delegated to the secretary in charge of political-legal affairs. This system, in PRC writers’ terminology, is called the system of “deciding a case by the secretary” (Shuji pian).14 Since the relationship between the secretary and the people’s court at the same level is that of a superior and a subordinate, the court has no choice but to accept the instruction of the secretary. Before a case is referred to the people’s court for trial, the secretary must have previously approved the investigation and prosecution of the accused; similarly, the secretary must have previously decided the punishment to be imposed. Thus, in practice, the investigation, prosecution and sentencing are all decided by one person — the political-legal secretary. While recently it was reported that the President of the Supreme People’s Court Jiang Hua told a


judicial conference, held in Peking in August 1980, that "we should abolish the practice [of party committee's] examining and approving criminal cases," it is still not clear whether the Communist Party of China would be willing to abolish this practice. If this practice of party interference with individual criminal cases continues, it is unlikely that the enactment of the Criminal Code and Criminal Procedure Code will have any significant effect on the operation and quality of the PRC criminal justice system.

Appendix

Recent Development of Human Rights in the People’s Republic of China

(The following discussion of human rights in China is taken from a statement by Patricia M. Derian, U.S. assistant secretary of state for human rights and humanitarian affairs, to a joint meeting of two congressional subcommittees held in September 1980.)

In China, the encouraging trends in some areas have been matched by the retention of repressive features associated with most authoritarian political systems.

During the three years following Mao Tse-tung’s death in 1976, there was some movement in the direction of greater freedoms marked by instituting a working legal system, expanding access to information, allowing some political dissent, a more tolerant approach to national minorities and religious groups, liberalizing emigration policies and involving more citizens in local elections. The government announced the release of large numbers of prisoners.

At the same time, entrenched patterns of harassment, arbitrary arrests and harsh punishment without fair trial for political dissent still exist. The extensive police system in China is directly involved in many of the human rights abuses reported, and police continue to monitor the political activities of China’s citizens.

The government sentenced the best known activist, Wei Jingsheng, to 15 years in prison in October 1979, and an editor of the “April 5th Forum” has been in jail since November 1979. Another activist was sentenced by the police to three years in prison for distributing transcripts of the trial.

Since the publication of the State Department’s 1979 human rights report, the senior deputy premier’s speech of mid-January 1980 ruled out any early return to China’s recent period of free wheeling, open discussion, and urged the abolition of Chinese constitutional guarantees of the “four big freedoms”: speaking out freely, airing views fully, holding debates and writing wall posters.

New legislation was adopted in September 1980, which abolished these “four big freedoms” which the Chinese government contended were protected elsewhere in the constitution. In fact, however, wall posters, which had become in the post-Mao period a genuine outlet for freedom of expression, have been outlawed.
The recently concluded National People’s Congress did offer some hope for freer political participation. Published reports of the debates indicate that there was an open discussion of many of the key national goals and there was some criticism of various government policies. The forthcoming trial of the Gang of Four may offer some indication of judicial procedures, although the trial will be closed and foreigners not admitted.

The Chinese government has declared that its long-term goal is to “build China into a highly democratic and civilized modern nation.” We hope this will prove true.
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