1984

Juvenile Delinquency and Reformatory Education in Chinese Society

Irving Epstein, *Illinois Wesleyan University*

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JUVENILE DELINQUENCY AND REFORMATORY EDUCATION IN CHINESE SOCIETY

University of California, Los Angeles PH.D. 1984

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UNIVERSITY OF CALIFORNIA

Los Angeles

Juvenile Delinquency and Reformatory Education in Chinese Society

A dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy in Education

by

Irving Epstein

1984

The dissertation of Irving Epstein is approved.

Val D. Rust

Eric H. Monkkonen

John N. Hawkins, Committee Chair

University of California, Los Angeles

1984

For my Mother

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Acknowledgements

There are a number of people who have generously offered their time and support during the course of the writing of this thesis, whom I would like to thank.

Firstly, I am enormously indebted to my advisor, Professor John N. Hawkins, for his patience and continued encouragement during times of both excitement and personal frustration. He allowed me a considerable amount of freedom to pursue my own interests, yet was continually supportive and helpful at all times. The other members of my committee, particularly Professors Eric H. Monkkonen and Val. D. Rust, shared with me their constructive insights and acute perceptions, and I am appreciative of their help.

Professor William Alford read much of the original manuscript, even though I was not his student. His sound critical judgment was greatly valued, his enthusiasm warmly appreciated. Steven Schlossman of the Rand Corporation also expressed considerable interest in the project and I am thankful for his efforts in that regard.

The original idea for this study arose from a research seminar at the University of California, Berkeley, conducted by Professor Lowell Dittmer. The course was a high point in my own graduate training, illustrating in graphic terms, the excitement produced when a serious encounter with critical ideas and issues occurs. I am needless to say, grateful to

Professor Dittmer, for allowing me to participate in the experience.

Much of the data gathered for this study was collected overseas. I am indebted to the UCLA-China Exchange Program and the University of California Education Abroad Program for allowing me the opportunity to pursue research and language training under their auspices.

In Hong Kong, I had the good fortune to conduct research at the Universities Service Center, which remains, the best facility in the world for conducting research concerned with Mainland China. John Dolfin and his staff were exceptionally kind and helpful at all times. As they well know, I treasure the time spent there on a personal as well as professional basis. It is of course, extremely doubtful that the thesis could have been completed in any form without the assistance provided by the Center.

I was fortunate to meet a number of China scholars during my stay in Hong Kong, one of whom, Professor James Finerman, gave me useful information concerning attempts in Beijing to resolve juvenile delinquency issues.

In addition, I had the opportunity to meet and converse with Suzanne Pepper, who worked independently at the Center during my stay. Dr. Pepper provided me with a generous amount of support and encouragement, along with the exceptional insight which characterizes her written scholarship. Few others could act as exemplary a role model as she did for graduate students such as myself, aspiring to

become reputable scholars.

While in Guangzhou, I met Mr. R. Ross Rogers, then political counsular at the United States Consulate in Guangzhou. Mr. Rogers' extensive knowledge of the politics of South China, which he graciously shared with the author, left is mark on the dissertation and I am grateful for his assistance too.

My own struggle with the Chinese language is a continual one. Two teachers were especially warm and effusive in their support, even while they tolerated my unconscionable assaults upon a beautiful language. I would thus like to thank Mrs. Lyang, of the Taipei Language Institute and Mrs. Hsi-ching Dolfin, of the Yale-in-China language program at the Chinese University of Hong Kong, for their help, patience and encouragement.

Professor Stan Rosen of the University of Southern California, has given magnanimously, of his time and has often shared his own considerable insights concerning many of the issues dealt with in the thesis. His reputation as an outstanding scholar is well-known, but to me he has also been a good friend and I am extremely appreciative of his generous assistance.

Finally, I have a number of Chinese friends in each of the areas investigated, who I wish not to name because of the sensitivity of the topic. For their help and good natured encouragement, I am very grateful.

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ABSTRACT OF THE DISSERTATION

Juvenile Delinquency and
Reformatory Education in
Chinese Society

by

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Doctor of Philosophy in Education
University of California, Los Angeles, 1984
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This study analyzes juvenile delinquency and reformatory education issues in the People's Republic of China, Taiwan and Hong Kong. For each case, the literature concerning juvenile delinquency is reviewed and specific institutional policies are discussed.

The evidence presented in the study is based upon primary and secondary source documentation, as well as field work and interviews conducted in each region in 1982 and 1983.

The study's three hypotheses argue that stigma is conferred upon both offenders and their family members, institutional policies can be categorized as non-rational when one compares stated goals with observable policies, and that formal educational organizations play a minor role in educating delinquent youth. While evidence is presented

which supports each of the hypotheses, the first hypothesis is strongly confirmed with respect to the People's Republic of China case while the third hypothesis is strongly confirmed with respect to the Taiwan and Hong Kong cases. The second hypothesis is observed to hold true for each of the cases.

Preface

0.1 Statement of Purpose

While it has been generally recognized that juvenile delinquency is a cross-cultural phenomenon, existing in various degrees and in different forms throughout developing, industrialized and post-industrialized societies, the phenomenon has received scant attention with respect to Chinese communities. When the topic has been discussed with specific reference to the Singaporean case or the Chinese-American case, the absence of widespread delinquent behavior is an attribute which has been heavily stressed.[1]

The published literature on the topic in Taiwan and Hong Kong is substantial, however, and the body of information currently being produced in the People's Republic of China is growing. Thus, merely summarizing the existing literature in the field can provide a valuable service to a heretofore largely uninformed western audience.

This dissertation will attempt to do much more though, as it will examine the specific responses of a number of institutions to juvenile delinquency problems as they are perceived by the communities themselves. A number of assumptions follow.

Firstly, it is assumed that in discussing the ways in which delinquency issues are viewed and in determining actual institutional responses to these issues, one can gain

a better understanding of salient cultural norms and the limits to those norms, both of which directly affect social behavior within the respective communities. Deviance and normalcy are intimately related, and a sufficient comprehension of their conceptual nature is essential if one is to acquire a more fundamental understanding of the society subject to investigation.

Secondly, it is assumed that reformatories, while serving many functions, are political institutions. Through analyzing their internal organizational structures, the nature of their links to external organizations, and through looking at the decision making processes amongst the various actors affiliated with these organizations, one can acquire a better understanding of existing political constraints and influences within the respective societies.

A third assumption of this study is that the act of comparison can serve to enlighten the observer as to the importance of recent historical and political influences upon a common set of shared cultural norms. While the study does not attempt to minimize ethnic, geographic and demographic differences between Taiwanese and Cantonese populations groups, nonetheless, each of the groups analyzed in this study share allegiance to a common set of principles and normative value structures which have their historical basis in the Confucian tradition. This fact makes the act of comparison both possible and logically necessary.

For each case, this study will summarize a review of the literature concerned with juvenile delinquency issues, analyze selected institutional responses to these issues, and will also analyze those rituals which contribute to the creation of a particular culture within the institutional setting. Such rituals include but are not limited to formal and informal regulations governing behaviors concerned with hygiene, dress, diet, recreational activity, dormitory life, discipline and punishment measures as well as academic schooling, vocational training and manual labor activities.

It is recognized that many of the rituals observed, fall under the category of status degradation ceremonies or "Those communicative works between persons, whereby the public identity of an actor is transformed into something looked on as lower in the local scheme of social types."[2] Each of the institutionas analyzed in this study fulfills the conditions necessary for the successful denunciation of the delinquent. Summarizing Garfinkel's typology, these conditions include the following characteristics: the delinquent and his delinquent act are characterized as being out of the ordinary, the delinquent and his delinquent act are typed or categorized in general rather than specific terms as being uniformly typical or an undesireable trait, to the point to the behavior being degraded, the authorities in charge of these institutions are publically recognized as acting on behalf of the community rather than according to personal whim or experience; delinquents are denounced in

the name of the society at large and those social values which it is claimed they do not uphold, authorities are given the right to speak in the name of those values and are seen by neutral observers as supporting those values; delinquents are socially separated, not only from authorities but also from ordinarily neutral observers, and delinquents are made to feel that they have been placed outside of the normal and legitimate social order.[3]

Finally, for each case, at least one example of policy change with respect to the operation of a representative institution will be examined in detail. It is therefore assumed that a greater appreciation for the political context in which these institutions function will be acquired.

0.2 Hypotheses

1. It is useful to look at reformatory institutions as structures which have usurped the traditional role of the family unit in general and parental figures in particular through assuming responsibility for discipline, education and general welfare of their children.

Correlate A - These organizational structures serve to stigmatize those delinquents and family members with whom they are connected. Stigma is defined here as that set of discreditory attributes which create a special discrepancy between a person's virtual as opposed to social identity.[4]
Correlate B - Since each institution is a govern-

mental organization, the methods through which the stigmatization process is conferred, differ according to the specific nature of the political systems which govern each area.

2. The policies of reformatory institutions can be categorized as being non-rational, when one compares the nature of the problem as defined by the relevant literature in the field, with specific institutional responses. While it is an obvious truism that no organization can implement all of its goals on a successfully continuous basis, when the space between articulated goals and actual policy is so large as to be incongruous, the process can be characterized as "non-rational". This is the claim of the study's second hypothesis.

3. For all three cases, formal education institutions play a relatively minor role in actively educating delinquents. Since almost all of the delinquents in question have been categorized as having performed poorly in school, few formal educational institutions are willing to actively involve themselves in the training of juvenile delinquents. This factor obviously influences the quality of education delinquents receive at reformatory institutions, and further influences the demand for and the nature of those messages, transmitted to the delinquents, which fall under the label of moral education.

0.3 Definition of terms[5]

For the purposes of this study, juvenile delinquency is defined as any norm-violating behavior committed by youth, or individuals considered below the age of adulthoood within their respective societies. The specific age range of those youth considered to be non-adult offenders varies, but will be made explicitly clear for each case.

Those cultural norms which continue to influence social behavior in the three areas under investigation will be discussed at length in the introduction. For definitional purposes, behavior judged to be criminal in nature within all three societies such as murder, assault, theft, larceny, burglary, rape, blackmail, forceful intimidation, gang activity, hooliganism and causing mayhem, or carrying an illegal weapon would also be considered to be deviant behavior. Non-criminal delinquent behavior can include drug use, engaged in pre-marital sexual intercourse, prostitution and morals offenses, gambling, smoking, drinking alcohol, school truancy, running away from home, and using materials judged to be pornographic or licentious (including music, books and other reading materials, films and tapes, television programs, or revealing personal dress). This list is not intended to exclude other behavior from possibly being labeled delinquent, but it does give a general picture as to what constitutes delinquent behavior within the three societies. It should also be mentioned that for those behaviors which are non-criminal in nature, the extent to which the behavior is labeled delinquent is usually dependent upon the

obviousness of the action. Whether or not the particular action in question is committed by more than one person or in fact has been committed on a repetitive basis and is therefore more likely to be publically obvious, influences the degree to which it is perceived to be serious, and the accompanying institutional response.

Reformatory is defined here as that institution which has as its primary purpose, the education, training and reforming of youth judged to have committed delinquent behavior.

0.4 Methodological Issues

This study relies upon three types of data sources: published documentation, personal interview and on-site field observation. In reviewing the literature for each case, salient information taken from primary and secondary source materials is summarized and analyzed. The attempt is to familiarize the reader with those official views which illustrate how authorities view the general problem of juvenile delinquency within their own regions.

In relying upon newspapers, journal articles, books and official governmental reports for one's data base, the issue of the selectivity of the documentation is implicitly raised. Not one of the areas studied is governed by political institutions which can be categorized as being democratic or representative; press censorship is a fact of life in both Taiwan andthe People's Republic of China. Thus, a very real question exists as to the specific motives

in publishing opinionated articles as well as the degree to which such material can be considered to be representative of a consensus viewpoint. Whenever possible then, an attempt has been made to seek corroboration with additional documentation when specific opinions are stated. An effort has also been made to buttress the author's personal opinions of institutional practices with specific documentation. This, of ocurse is not possible in all cases, but the reader will be clearly forewarned when a personal opinion based solely upon visitation or interview is offered.

In reviewing the literature for each case, a number of statistical tables have been translated and reproduced. The use of such information does not imply that the author judges the information to be statistically accurate though. Indeed, sampling and statistical procedures vary greatly from case to case; in some instances, the objectivity of the measurement instrument can be seriously questioned (the use of interviews conducted by reformatory staff members as opposed to neutral social scientists for the purpose of soliciting delinquent attitudes and opinions is common practice in the PRC and in Taiwan, for example). Nonetheless, the information provided is graphically illustrative of the way in which delinquency issues are viewed, and is presented with that purpose in mind only.

In addition to using published material, this study relies upon eleven interviews with selected government

officials and university professors, and five visitations to selected reformatory and reformatory type institutions. The visitations included interviews with institutional officials as well as on-site observations, and lasted for an average of three to three and a half hours each.

The questions which were asked were loosely adapted from the East-West Center's "Project Planning and Management Cycle" approach, which offers a conceptual frame work for investigating educational and technical projects on a case study basis (a list of these questions appears in appendices 1.1 and 1.2, along with a list of the actual questions asked at the Guangdon Reformatory at Shijing).[6]

Early during the course of the study, it became apparent that the original framework had to be significantly modified. The project planning and management cycle approach in and of itself is ahistorical and makes little allowance for the passage of time. With respect ot the operation of reformatory institutions in all three cases, each institution had its own significant history and many of the original decision-makers instrumental in formulating the basic design and operation of the institutions were no longer alive or were not accessible. In addition, questions conerning budget and/or the budget making process, and issues which concerned themselves with the allocation of individual responsiblity for specific decisions and follow-up plans were often considered too politically sensitive to be answered, especially when the questioner was

a foreign student, conducting research for a foreign audience. The information impiled here of course represents that information which was made available to the author. When specific requests for information during the course of interviews were denied, they are so noted in the body of the text.

A more general issue concerns the question of accessibility. In all cases, access to the respective institutions was limited. Repetitive visitations to the same institution were not possible. The O Pui Shan Boys Home in Hong Kong, which houses juvenile offenders aged seven to fourteen, was selected for viewing by the social welfare department of the Hong Kong government. A second reformatory, housing older offenders, remained off-limits to the author. Similarly, while the author was able to visit the Guangzhou Diesel Engineering Factory Work-Study Class for male juvenile delinquents at Fangcun (a suburb a Guangzhou city), a similar institution established with the purpose of rehabilitating female delinquents was closed to this observer for visitation and all questions on the subject were left unanswered.

At the same time, those visits which were easiest to arrange included trips to institutions which had a good deal of previous experience with foreign visitors. Thus the 1979 report of the Taoyuan Training School (Taiwan) notes with pride that many foreign visitors have observed it staff and facilities, and have acted as "zealous publicizers of

our achievement."[7] Similarly, the Guangdong Province Juvenile Reformatory at Shijing gave a full scale performance and tour of facilities for the English language teachers residing at Zhongshan University, approximately two months before this author visited the site. The institution is considered to be a model facility (at least in terms of physical plan) by informed members of the native population.

Even institutions which are not easily accessible to foreign visitors see fit to use such visits for political purposes. Thus, the Guangzhou Diesel Engineering Factory Work-study class, which has had little if any previous experience with foreign visitors, publicized the author's visit there, in the following day's edition of the Yangcheng Wanbao.

There can be little doubt that attempts to manipulate vists for political purposes or restrict access to observations ites can imping upon one's efforts to acquire a modicum of objectivity in viewing organization processes. And, there are particular difficulties in conducting research in the Peoples Republic of china.

The specific hypotheses of this study present further problems in obtaining adequate data. Juvenile delinquency issues are sensitive topics within most societies. This is especially true in socialist countries such as the P.R.C. where for many years, the existence of deviance was negatively linked with the health of the general society.

An expressed faith in the "new socialist man" can conflict with independent attempts to examine institutional policies toward those, whose behavior is acknowledges as having been less than exemplary.

Since the non-democratic governments on Taiwan and in Hong Kong claim a large measure of popular support from their native inhabitants and argue that their policies are fair and effective, especially when compared to the P.R.C. alternative, attempts to independently examine problems of fairness and equity with respect to their handling of juvenile delinquency issues can also be seen as being potentially threatening.

Not only is the general topic of this study sensitive, but the broad nature of the research addditionally requires that the researcher examine the workings of many social organizations and units extensively. It is not the case that only one or two organizations accepts full responsibility for the solving of juvenile delinquency problems within each of the respective cases. Because, in all three instances, the wide-ranging nature of the problem is accepted, organizational responsibilities are allocated in a broad-based fashion. Within this study, many different organizations must be subjected to an outsider's scrutiny, each contributing significantly to the study's full value.

Finally, the study's hypotheses largely deal with non-quantifiable data: attitudes (feelings of stigma,

isolation, etc.), decision-making procedures,and role definition and participation (especially on the part of educational authorities). Even if selected examples can be cited which tend to confirm the study's hypotheses, issues as to their inherent significance and the degree to which general conclusions can be formulated are implicitly raised.

Three basic issues remain unclarified. Firstly, are the restrictions which have been noted so severe as to make the study less than worthwile? Secondly, are the institutions analyzed representative of a larger whole? And thirdly, can the act of comparison do justice to the specific nature of each case while still providing for substantive generalization?

Quite clearly, the assumption in this study is that in spite of the restrictions mentioned, the data gathered is valuable and deserves the closer scrutiny of a wider audience. While there are limits as to the usefulness of relying solely upon each form of data collection utilized, it will be demonstrated that together, the quantity and quality of the information gathered makes a convincing case for using each of the methodologies employed.

While the actual amount of information gathered is less than one might have hoped for under ideal circumstances, it make sense to use what has been made available rather than to ignore the data completly, ininitiating an investigation into heretofore largely unexplored territory.

Are the institutions which are analyzed representative of a larger whole? The Taoyuan Juvenile Training Institute is the largest of three reformatory institutions in Taiwan. The O Pui Shan Boys' home is one of two officially designated reformatories in Hong Kong, and the Chak Yan Boy's Center (an institution for wayward boys started by a voluntary society) is also one of a few of its kind inHong Kong. The Guandong Provincial Juvenile Reformatory at Shijing is the only known existing reformatory in the province, and the diesel-engineering work-study factory class at Fangstun is one of two of its kind in Guangzhou. Thus,the institutions surveyed do appear to be at lease somewhat representative of their counterparts. The fact that in each area, there are so few of these institutions in itself, raises a series of interesting questions concerning referral and remand processes, many of which will be explored in detail in the course of this study. Why a minority proportion of the respective juvenile offender population pools is sent to these institutions, and what happens to the majority of thoses labelled delinquent, is anotner interesting question whose answer is not always clear. However, this issue too, will be discussed. However, the fact that other institutional structures have been created to help resolve similar delinquency issues does not in and of itself detract from the importance of investigating those structures whose specifically articulated purpose is the re-education and reformation of juvenile delinquents.

The final issue concerns the act of comparison. Can the specificity of each case be reconciled with the necesity to generalize? In this instance, it is a near impossible task to accurately pick one specific set of policies or look at one narrow set of indicators and accurately compare their effects amongst the three societies under investigation. Instead, a case study approach is used with a final summary chapter drawing out those factors whose commonality is readily observable. The effort here is to preserve the integrity of each specific case for the purpose of attempting broad-based comparison.

0.5 Limits

This study will only investigate those institutions which respond to juvenile delinquency issues by advertising themselves as being primarily responsible for the re-education and reformation of juvenile delinquents. While information concerning the operations of prisons, correctional facilities, and reform through labor camps, is interesting and their policies will be cited for comparative purposes, these institutions do not fall within the major focus of this study, for their purpose would appear to be coercive in nature. This is not to infer that these institutions do not claim to fulfill a reformatory and/or educational function, but that their primary functions are basically viewed as being coercive. Thus while the Taoyuan reformatory in Taiwan was directly investigated, the Xinqu Juvenile Prison was not. With respect to the Hong Kong

case, the institutions which were observed fell under the jurisdiction of the Social Welfare and Education Departments; those institutions which fell under the jurisdiction of the Department of Corrections were not observed. In the People's Republic of China, both of the institutions visited, fell under the jurisdiction of local and provincial public security officials. They specifically stated that their function was educational and reformatory, and differed from corrective labor camp facilities in that regard.

At the same time, the study focuses upon juvenile as opposed to adult forms of delinquent behavior. Crime rates and questions concerning general criminal activity are again utilized for the purpose of illustrating the specific nature of juvenile delinquency but a systematic analysis of their intrinsic importance lies beyond the major focus of this study.

0.6 Format

The data collected for this study was gathered in 1982 and early 1983. Much of the data collected in Taiwan in particular was originally distributed to the native audience inthe mid to late 1970's. It is believed that the information presented continues to be useful but the scope of the study does not extend past mid-1983.

For purposes of uniformity, Pinyin romantization will be used throughout the text, except for common terms such as Taipei, etc.

The introductory portion of the study will present a description of those normative value structures considered to be of fundamental importance within the Confucian tradition. The values will be listed, discussed and then reference will be made to the set of social behaviors which have influenced their concrete implementation.

Part One will report on the People's Republic of China, and Part Two will report on the Taiwan and Hong Kong cases respectively. A conclusion will summarize points of agreement and issues of disagreement for each case and will evaluate the extent to which the hypotheses already articulated, have been confirmed.

Chapter One - Introduction

1.0 Normative Value Structures

While the tensions and complexities inherent in a five thousand year tradition argue against attempting broad-scale generalization, there are a few salient features within the Confucian tradition which are prominent and suggest the continuous existence of a core set of normative value structures. Such structures articulate a specific view of the natural world and man's relationship to the natural world, human knowledge and cognitive capacity, and correct social behavior.

A fundamental organizing principle within the Confucian tradition was the belief in harmony. The natural world was connected with and inter-related to the human world in a total sense. Heaven was seen as the main force representing harmony and balance, but if any of the interconnections between the natural and human worlds were upset, then total universal harmony was also disrupted.[1] Such disruptions were usually caused by man through his ignorance and it was only through engaging in learning and in acquiring wisdom (through studying the Classical texts) that harmony could be restored.

Knowledge was thought of as including a significant moral component. It included the ability to understand distinctions within the natural world and recognize moral principles, express feelings, and merge what would normally

be considered to be differences between fact and value, between knowing and the behavioral implications of one's knowledge.[2] For Wang Yang Ming, an important Neo-Confucian thinker, the faculty of knowing was akin to understanding good and evil, and the best example of such moral knowledge was a child's awareness of his obligation to his parents (filial piety or Xiao).[3] Wang Yang Ming's specific contribution to Neo-Confucianism, his doctrine of the unity of thought and action, maintained that when a thought came into fruition, it already was an action. The purpose here was to guard against the tolerance of independently conceived "evil thoughts", even if they were never publically implemented.[4] For Chu Hsi, knowing or acquiring zhi "involved having an ability (based upon an innate unobservable principle) to discriminate between right and wrong; consciousness of specific distinctions; and feelings of approval or disapproval."[5] One had to be able to distinguish between good and evil which additionally meant demonstrating a personal belief in the good and revulsion of the evil.

Learning in and of itself, was not enough. Through engaging in self-study and self-discipline though, one could acquire "ren" or humaneness. Such empathy for one's fellow man was necessary if one hoped to acquire the sensitivity necessary for the understanding of the delicately balanced forces of the universe.[6] So, while the highest form of human achievement was becoming a sage, whose own worth was

measured in his ability to identify himself with the universe,[7] this process could only be achieved through merging wordliness and otherworldliness.

> According to Chinese philosophy, the man who accomplishes this synthesis not only in theory but in deed, is the sage. He is both this worldly and otherworldly. The spiritual achievement of the Chinese sage corresponds to the saint's achievement in Buddhism and in Western religion. But the Chinese sage is not one who does not concern himself with the business of the world. His character is described as one of 'sageliness within and kingliness without'. That is to say, in his inner sageliness, he accomplishes spiritual cultivation; in his kingliness without, he functions in society.[8]

Spiritual cultivation implies working toward the fulfillment of the ideal of unselfishness, or "abnegation of self in the interest of maintaining the tao, the normative social order." It demands that one exercise that degree of self-control necessary for the repressing of immediate emotional expression (which if left uncontrolled, might endanger social order).[9]

Concepts of humaneness, cultivation and "this worldliness", in spite of their emphasis upon maintaining correct social behavior, did not totally infringe upon a belief in the importance of exercising individual autonomy. The Golden Rules, as stated by Confucius, is phrased in the negative, the implication being that it is impossible to directly know how another person comes to terms with his own world.[10] And, at least one Western scholar has linked the

moral tension facing the sage who must at the same time live in this world while striving to achieve otherworldliness as being similar to the tension inherent in the man-deity relationship. In both cases, it is argued, moral responsibility is directly perceived in individual rather than in collective terms.[11]

Nonetheless, the task of the sage was to insure that there be harmony in the world and in the universe, and that harmony was to be imposed upon men whose knowledge was less than his own. Such harmony was based upon a social hierarchy of roles, including that of family and other important social relationships.[12] The five traditional social relationships accorded the most importance (wu lun), included those between ruler and ruled, father and son, elder and younger brother, husband and wife, and friend and friend. The influence of the family as the major social unit within the society is obvious, for as Pang Yu Lan categorically states, "The family system was the social system of China."[13] Arthur Wright elaborates as to the nature of approved attitudes and behavior patterns within the Analects and lists thirteen salient characteristics:

> 1. Submissiveness to authority - parents, elders and superiors. 2. Submissiveness to the mores and the norms (li). 3. Reverence for the past and respect for history. 4. Love of

traditional learning. 5. Esteem for the force of example. 6. Primacy of broad moral cultivation over specialized competence. 7. Preference for nonviolent moral reform in state and society. 8. Prudence, caution, preference for a middle source. 9. Non-competitiveness 10. Courage and sense of responsibility for a great tradition. 11. Self-respect (with some permissible self pity) in adversity. 12. Exclusiveness and fastidiousness on moral and cultural grounds. 13. Punctilliousness in treatment of others.[14]

At this point, a discussion as to the specific ways in which these attitudes influenced various social organizational units is in order. In the following sections, nine areas involving various social relationships will be briefly analyzed. While these aras do not directly exemplify each of the 13 values Wright has mentioned, they do reflect a number of the attitudes which have been discussed in a general sense, and are offered with that purpose in mind. It is intended that throughout the study the reader will note the ways in which these traditional value structures are continually redefined within modern political vocabularies.

1.1 The family

Traditionally, the Chinese gentry family was patrilineal, patriarchical and patrilocal.[15] Family members could include father, mother, sons and unmarried daughters, sons' wives and children, sons of sons, sons of sons' wives, and so forth. Line of descent was determined

through succession of male family members only. When a daughter married into another family, she was considered lost to her own family forever. Ideally, as many generations as possible would live under their parents' household. Thus, the ideal of the joint or extended family unit served to promote Confucian principles of filial piety, reverence for age and for ancestor worship.

In practice though, few families were ever wealthy enough to afford this ideal arrangement. The stem family structure, whereby parents lived with one of their married sons (and his children) was a more common arrangement which demonstrated some allegiance to the basic Confucian canons governing family behavior while being more economically viable. Nuclear or simple families, consisting of husband, wife and children without grandparents living under the same roof were of course also in existence, but the joint family was an ideal type, for which both peasantry and gentry strived to attain.

Since succession lines were patrilineal, gender roles were strictly defined. A woman's role within the family unit was to bear children, hopefully guaranteeing male descendants. Young girls were married off as soon as they became physiologically capable of bearing children (being presumably chaste beforehand); otherwise, they were considered to be of little use. Thus, when incidents of infanticide amongst the poor and destitute occurred, female infanticide was much more common. There were numerous

instances of girls who were adopted for the purpose of finding one's sons suitable wives, or sold into servitude. The practice of footbinding, which often had the effect of physically crippling young girls for life, became popular because men looked upon the smaller foot as a sign of beauty; it served to graphically illustrate female subservience to male whim. Poor relations between mother-in-law and daughter-in-law can be attributed in part to their competition for influence within the family setting. The range of alternatives open to women and the extent to which they actively sought to promote their own interests has been the subject of particular debate amongst China scholars.[16] In any event, many of the particular biases accorded women continue to appear with specific reference to contemporary delinquency issues.

Filial piety was accompanied by a reverence for age and upon one's father's death, ancestor worship. A father's power grew as he got older; upon his death, elaborate funeral procedures (depending upon the closeness of the relationship with surviving relatives) were enacted.

While it has been argued that the power of the head of the household varied with wealth of the family unit,[17] and there is some dispute as to whether or not hosuehold property was divided at the time of the son's marriage or only after the father's death[18] (the discussion has been made with particular reference to the Taiwan case), formal primogeniture did not exist in Chinese society, as was

idealized that not only would having a large number of sons provide the family with the labor necessary for increasing household wealth, but that an equal division of property could be arranged amongst the grown sons. Adorational treatment of one's sons was of course accompanied by the expectation that they would care for their parents in later years.

Specific child rearing techniques demonstrate the contrast between a "smothering" attitude toward children in young infancy, and an especially distinct aloofness and avoidance of emotional involvement, especially on the part of the father toward his son, at age seven or eight. Children were toilet trained and weaned well into late infancy, and the father-son relationship maintained its extraordinary closeness at age four to five. The creation of the ensuing emotional distance represented a sharp demarcation in attitude, and is credited in some circles with not only clarifying the father's role as authority figure in the eyes of his child, but with fostering a sense of shame which translated itself into emotional dependence and subservience on the part of the child.[19] Such withdrawal was usually unaccompanied by physical punishment, although that phenomenon did occur, as the child became older.

1.2 Education[20]

For boys, entering a school included the substantial risk of being hit, for the traditional authority of the

teacher reigned supreme at all times. Many of the school teachers themselves were examination degree candidates; parents had little recourse to complain against the scholar (or potential scholar's) teaching methods. Indeed it has been postulated that sadism did exist in the classroom if only because the teachers themselves were usually poorly paid; some had already failed the examination battery and were left with little alternative other than to teach school.[21] One popular slogan held that "if education is not strict, it shows that the teacher is lazy."[22] Apart from the disciplinary methods, the physical conditions within classrooms were poor. Students consistently faced badly lighted and poorly heated classrooms.[23]

General teaching methods included the rote memorization of characters and the learning of basic numeracy skills, after which the confucian classics were taught. Calligraphy and poetry were emphasized, also through use of rote memorization techniques, during the song dynasty, children learned to complete paired sentences and phrases as a means of improving their poetic facility.[24] It has been estimated that by the age of 15, boys would have been required to memorize over 400,000 characters, in the seven classical texts. Although many of these characters were repeated, one would have been required to continuously memorize 200 characters of text per day over a six year time span.[25]

In addition to formal learning, a respect for filial piety was reinforced informally; students were often told stories which emphasized the importance of adhering to proper rules of conduct.[26]

While students from peasant families worked in the fields rather than going to school on a full-time basis, they too received informal schooling during the winter. Teaching practices were universally similar though, and it can be concluded that the schooling process reinforced within a public forum, that deference to authority that the child was already learning within his home.

1.3 Lineage and Clan rules

In addition to the immediate family structure, an even larger grouping, including relatives with a common ancestor, or the lineage, formed an important social unit on its own accord. Relatives and their descendants, sharing a common surname, would occupy villages and act as largely self-governing units, respecting that series of clan rules adjudicated by generational elders. The clan as opposed to the single lineage, was a loooose confederation of smaller lineages occupying a single region, politically organized for the purpose of maximizing lineage power vis a vis that of other social organizations and the central government.[27]

Clan rules were formulated to ensure that the Confucian tradition be protected with respect to family and clan

social behaviors. In interpreting Confucian values, clan rules often stressed the importance of their practical application. It has been argued for example, that while the importance of filial piety was often emphasized, a moderate tone was struck so that the necessity of obeying parental authority was somewhat qualified by an emphasis upon enhancing mutual respect and understanding amongst parents and children.[28] Brotherly love was upheld because it was necessary for the continuation of family harmony; a wife's meritious conduct was deemed essential to the preservation of family welfare. While the subservience of her domestic position was clearly articulated, the necessity of her taking responsibility for family matters without infringing upon her husband's authority was also stated.[29] Those chosen as clan heads and leaders would have already acquired both generational status and some expertise in the management of clan affairs; clan rules stressed the importance of mutual cordiality at all times.[30] With respect to community affairs, a minimal degree of individual participation was encouraged; one had to additionally beware of trusting bad elements when negotiating friendships.[31] In these ways, family and clan solidarity was consistently reinforced.

1.4 Peasantry and gentry

A fundamental distinction in traditional Chinese society between members of the peasantry and gentry received

its direct mandate from Confucian ideology. As Fei-Hsiao Tung states,

> The chief occupation of the Chinese people as a nation is agriculture, and they depend on land for their living, as population increases, less fertile land can be utilized. Gradually there emerges a class of landowners who can afford to live without working on the land while they still enjoy the benefits of the land on the account of their privileges as owners. This can be done either by employing farm laborers to work for them or by renting the land to tenants. The rise of a nonlaboring renter class is an important step in the evolution of an agrarian community.
>
> An unduly heightened value usually arises from the negation of the popular practice and normal discipline. The elevation from the common order becomes the goal of the common people. The hardworking Chinese peasant looks toward leisure and comfort with unusual eagerness. The denial of the laboring class of its own importance is expressed in the generally popular saying epigrammatically pronounced by Mencius, 'those who earn their living by labor are destined to be ruled.' The self-abdication of the laboring class as the master of their own destiny is the foundation of a social dichotomy, a leisure class on top of hard-working peasants.[32]

By the nineteenth century, entrance into gentry status could be secured through possessing the appropriate academic

degree, the sheng-yuan (obtained by passing a series of government examinations, the tung-shih). This was a key prerequisite for the obtaining of high gentry status (acquired through the securing of chin-shih, chu-jen or kung-sheng titles). The regular route of social mobility was thus attained through passing the examination; alternative routes not always as prestigious but certainly viable, included the purchasing of a title such as the chien-sheng) which might allow one to become a lower level official or take a higher level examination, acquiring a military title or having a degree conferred upon oneself by imperial edict.[33]

While there may have been genuine social mobility within various layers of upper and lower level gentry, the demarcation between gentry and peasantry remained substantial. In fact, the Qing dynasty was characterized by a large degree of downward, as opposed to upward mobility resulting from demographic pressure and institutional rigidity.[34]

The philosophical roots for this social system, with its peculiar penchant for rigid social hierarchy, lie in the Song dynasty when fundamentalist, revivalist and historical minded characteristics of the original Confucian ideology were reemphasized.[35] Neo-Confucianism, as later interpreted during the Yuan dynasty and ensuing generations, was conservatively implemented and by the 19th century, it eventually served to rationalize the preservation of social

order on the basis of imperial rule, carried out with the help of gentry at local, regional and national levels. Governmental bureaucratic institutions thus took upon themselves specific characteristics worth noting.

1.5 Bureaucracy

Traditional Chinese bureaucratic structure was unique in that it was patrimonial, stressing the importance of generalization as opposed to specialization of task. Both officials within the local and provincial bureaucracies and the central bureaucracy were formally schooled through memorizing the Confucian classics; some practical experience and in-service training were prerequisites for the obtaining of highly sought position,s but local magistrates were often newly awarded degree holders placed in unfamiliar surroundings for the first time. Their own inexperience, and the necessity of their relying upon former criminals and other low status elements for police and investigative work, created the situation not only whereby the rule of law was unevenly enforced, but local contact with bureaucratic officials was discouraged. Indeed, the enforcing of formal law was considered to be a negative activity, pursued as a last resort, only when mutual trust among social groups had broken down.

> In the Great Ancient Age, the rulers and the people unconsciously trusted each other without resorting to explicit statements. In the Middle Ancient Age, the rulers and the people still

> trusted each other. But in Later Ages, the rulers and the people tried to overcome each other. The rulers used law to overcome the people, and the people employed deception to circumvent the law. The people devised tricks to overcome the rulers, and the rulers used wit to prevent tricks. How can good government be attained in this way? To return to the ancient principle, we must treat the people with sincerity; where sincerity proves insufficient, supplement it with law.[36]

While all bureaucratic organizational structure requires some degree of standardization and uniformity, there was tension in the Chinese case between that need and the desire to rely upon informal as opposed to formal rules of conduct. The distinction between fa (formal law) and li (propriety) bears witness to the point. At the same time, while the typical governmental official often admitted to the necessity of engaging in impersonal conduct on an official basis so as to successfully carry out the expressed responsibilities of his position, the cultivation of good social and personal relations with various constituencies was always preferred.[37]

The extent to which the system did work was the degree to which it did succeed in preserving social order or in re-asserting such order after periodic systemic breakdown (encouraged by peasant rebellion, natural disaster, etc.). And, one can conclude that the informal nature of the bureaucracy did prove itself viable over a considerable period of time.[38] Nonetheless, corruption often attributed to the familial nature of the social system, was a consistent characteristic of the Chinese bureaucracy.[39]

1.6 The Concept of Face

Of lasting importance within Chinese society has been the concept of face, or more corrently, the dual notions of "lian" and "mianzi". "Lian" refers to

> the respect of the group for a man with a good moral reputation; the man who will fulfill his obligations regardless of the hardships involved, who under all circumstances shows himself a decent human being. It represents the confidence of society in the integrity of ego's moral character, the loss of which makes it impossible for him to function properly within the community. Lian is both a social sanction for enforcing moral standards and an internalized sanction.

"Mianzi" on the other hand,

> stands for the kind of prestige that is emphasized in this country; a reputation achieved through getting on in life, through success and ostentation. This is prestige that is accumulated by means of personal effort or clever maneuvering. For this kind of recognition ego is dependent at all times on his external environment.[40]

While mianzi can be qualitatively and quantitatively acquired (or lost) through ascription, or achievement on a gradual basis, depending upon one's relationship with the dominant external group,[41] lian is something everyone "growing up in the same community can have claim to";[42] it cannot be acquired but only lost through unsuccessful social performance.

Unlike the notion of prestige, lian can be lost or conferred not simply according to one's own behavior, but also according to the behavior of others. "...one's actions can affect someone else's face, even that of one's ancestors. For instance, among the Chinese, 'My face is totally lost because of you' is an accusation that the offending party's action has resulted in an injury to one's face. In particular, the individual's face and the good name of his family (his jia sheng) were virtually inseparable in traditional Chinese society."[43]

An understanding of both concepts of face is essential to an appreciation of the degree to which social relationships within Chinese society have traditionally been marked by mutual interdependence. In the case of lian, when external disapproval is internalized, the effect can be one of the creation of specific constraints upon individual behavior. That at least, was a major presumption, in relying upon the informal moral sanction, as a means of maintaining social control in traditional Chinese society.[44]

1.7 Law

As has been previously mentioned, law was viewed as fulfilling a basically punitive function and its use coincided with the discovery of extreme conditions, such as when social order was being critically threatened. Nonetheless, general imperial injunctions, issued under normal circumstances, did attempt to preserve family and clan

solidarity. During the Qing dynasty for example, six imperial injunctions included "1. Render filial piety to your parents. 2. Respect your seniors by generation and age. 3. Remain in harmony with clan and community mnembers. 4. Teach and discipline your sons and grandsons. 5. Attend to your proper vocation. 6. Do not do what the law forbids."[45] The Kang-Hsi emperor in 1670 included in his own sixteen injunctions:

> 1. Be steadfast in filial piety and brotherhood. 2. Be close to fellow clan members. 3. Be kind to community people. 4. Take care of farming productivity. 5. Be industrious and thrifty. 6. Support schools. 7. Abjure heretical religions. 8. Learn the law and statutues. 9. Follow the rituals in showing deference to others. 10. Attend to your proper vocation. 11. Instruct sons and younger ones. 12. Forbid false accusation. 13. Do not harbor outlaws. 14. Pay taxes. 15. Organize pao-chia neighborhood units to maintain local order. 16. Resolve enmities.[46]

In fact, the entire legal Chinese tradition after the second century served to buttress the hierarchally dependent status relationships amongst family, clan and kinship members as enuciated by official Confucian ideology.[47] Thus, according to the Qing dynasty legal codes, a person who killed his parent was formally subjected to beheading and in the revised Qing code, strangulation.[48] In addition, the law added that even if a son was beheaded for striking his parent, his dead body would be publically dismembered, if the parent died of the injury.[49]

Insulting one's parents or grandparents to the point of causing their suicide resulted in immediate beheading;[50] if a son was arrested for gambling, fighting, etc. and this caused his parents anguish, the sentence was to be heavier than would normally be the case. Habitual delinquents who caused a parental death were to be immediately beheaded, even if the specific offense, resulting in the misfortune was minor.[51] In the following case, the son's punishment was detention in "prison for strangling", although the parent's death was accidental.

> When his father failed to respond to a request for straw, Chiang Pa gave the man who asked for it, three bunches. Later, Chiang Pa's father, while drunk, scolded his son for this action. The son argued with his father who became so angry that he struck him. Chiang Pa ran out of the house, and his father, taking out a small knife, pursued him. Being drunk, he tripped on the straw. The knife entered his breast and he died of the wound.[52]

Being cursed by one's son was grounds for his execution; while the parent could only recommend a suitable sentence for an alleged offense, the court usually carried out the parent's recommendation.[53] And, parents who were beaten or scolded by their children were not subject to punishment even if they abused or killed the offending child. T'ung Tsu Ch'u cites this illustrative case,

> Wang Chi's eldest son, Wang ch'ao-tung, hated his younger brother. At one time, the former chased the latter, knife in hand. The father caught Wang ch'ao-tung, tied his hands together and scolded him. The son answered back. This so angered Wang Ch'i that he buried his son alive. He was sentenced by the general of Chi-lin for killing his son inhumanely after the latter had disobeyed his instructions. But the Minister of Justice held that since a son who scolded his father was punishable by death, the case should not be considered under the article that dealt with a child who was killed because he had disobeyed instructions. As a result, Wang Ch'i went unpunished.[54]

Likewise, daughters who were guilty of sexually promiscuous behavior, were killed by their parents, without the parents receiving punishment. In one instance, a man who caused his daughter's death by hacking at her flesh, went unpunished.[55]

Banishment to another province was commonly invoked as an alternative punishment invoked during the Qing dynasty. The effectiveness of the policy resulted from the perception that separation from the clan and community represented spiritual and psychic as well as physical abandonment.[56]

It should be additionally remembered though, that the head of the family was responsible for the behavior of all family members and could be subjected to legal punishment, in place of the actual offender, if a law was violated and the offender went unsupervised.[57] The head of household was responsible for such offenses as the family's not paying land tax, hiding a person who was not a member of the family, failing to register all family members, etc.[58] as

well as more serious behavior on the part of his relatives. The Qing codes thus served to reinforce a reciprocity inherent within familial relationships; children were responsible for respecting, indeed honoring their elders. Elder clan members were responsible for ensuring that their children and younger relatives were correctly disciplined and schooled in behaving according to accepted social norms.

In general terms though, the Qing codes did make allowances for age discrepancies in invoking specific punishments;[59] youth were considered less responsible for their actions than their elders because they lacked the necessary knowledge to act correctly. Their age prevented them from being able to distinguish as to the seriousness of the offense. Indeed, the French legal code of 1810, which asserted that a youth under the age of 18 who committed a serious offense should receive some punishment but should also be placed in an orphanage or special institution apart from a regular prison, and which additionally held that those up to the age of twenty, guilty of a punishable offense, should receive lighter sentences than their adult counterparts, is said by one scholar to have positively influenced Chinese legal practitioners, who thought along similar lines.[60]

The issue of the awareness of one's actions as being an influential determinant in the acceptance of criminal responsibility for one's actions, was not limited to the category of youth though. The mentally disabled were

treated with leniency; until the 1700's, families of the criminally insane were charged with the responsibility of caring for their relatives. Afterwards, it is true that mandatory confinement procedures including the use of prison sentencing, initially for a one year period after recovery from mental illness, were initiated. And, in the expression of doubt as to whether a recovery was real or feigned led to the implementation of coercive measures such as life imprisonment, and the death sentence for those guilty of more than one murder. Nonetheless, concern was also expressed against the policy of needlessly punishing the instance, and a temporary measure, enforcing the death penalty for those insane criminals guilty of committing a single murder, was eliminated in 1852.[61] The importance attached to the Confucian principles affirming the acquisition of moral knowledge as a necessary prerequisite for engaging in proper social conduct was thus upheld, even for extreme cases which dealt with the mentally insane.

1.8 Self-Policing and Bao-jia

Because officially designated bureaucratic structures faced pronounced difficulties in attempting to control the day to day activities of commoners, clan elders were generally expected to help out. Implemented during the twelfth century as one of Wang An Shih's reforms, the bao-jia system served to complement official bureaucratic and military structure by offering a kind of militia-administrative unity, voluntarily organized at the

village level. During the Qing dynasty, the bao-jia system performed basically police and registration responsibilities. Households were grouped in categories of ten (pai); ten pai formed a jia and then ten jia a bao. While the system served to ensure compliance with accurate household registration records for census purposes, its surveillance purpose was repeatedly emphasized by low level bureaucrats.[62] In fact, both tasks were performed with growing inefficiency by the mid-19th century, and the deterioration of the system can be seen to have been symptomatic of the general decline of the formal bureaucracy during the late Qing dynasty. Nevertheless, as will be made clear, self-policing continues to fulfill important functions in the P.R.C.

1.9 Secret Societies

In the absence of either strong governmental organizational structure or firm lineage ties, secret societies developed in Southern China during the Qing, and contributed directly to the eventual destruction of the Confucian order.

> The importance of secret societies in China lay, rather, in their destructive potentialities with regard to the Confucian society, and in their revolutionary affirmation of the development of the voluntary association in opposition to the ascriptive association of birth; in other words, in their opposition to class and lineage organizations.[63]

Regardless of their revolutionary potential, their basic activities were criminal, even in modern times.

> ..... Robbery, housebreaking, burglary, and petty larceny were among the more obvious of the evils indulged by them. They quickly obtained control of selections of the black market and engaged in blackmail of actual or alleged collaborators of the Japanese; but most important of all were their activities in the vice and labour fields: opium divans supplied and controlled by Triad members sprang up and became centres for a majority portion of all criminal activity in the colony. In them the criminals met, planned, disposed of stolen property, and shared out their proceeds. Prostitution had been openly encouraged by the Japanese and continued to flourish, catering not only to the normal population but also to members of the Allied Occupation Forces. In some districts, whole streets were mainly devoted to this vice, and such were the profits involved that the various societies jealously guarded their particular territories and vicariously resisted any infiltration by other societies or groups. Practically all the women engaged in this trade were protected by one or other of the societies and any interlopers were liable to be beaten and have their establishments destroyed. On the labour front, Triad control was concentrated at the coolie level. Hawkers, that vast band of kerb-side merchants selling at fractional profits, paid protection money or suffered personal injury and destruction of their stock.[64]

Specific organizational features which make the secret societies interesting for our purposes include the tightness of the group structure - one was admitted and required to participate for life, all previous ties to family were sworn away in favor of professed loyalty to the organization, the abolition of social distinctions within the group which at times meant giving important leadership roles to women or

allowing youth to perform signficant organizational tasks, and the use of elaborate rituals as a means of fostering an even greater degree of group solidarity. Since these societies represented alternatives to traditional family structures, some have considered them to be primitive revolutionary groups in spite of their criminal activities and in contrast to the primitive rebel ascription for which groups such as the Italian mafia have been designated.[65]

In the twentiety century, upon making a signficant contribution to the creation of the Republic, the most active of the secret societies split into various factions, some aligning themselves with the left, many with the KMT. In fact, the KMT relied upon many of these organizations to stamp out western style trade unions and contest Communist party support;[66] secret societies not only participated in the Shanghai massacre of 1927, but continued their criminal behavior under unofficial KMT sanction until 1949.[67] Their historical importance, signifies not only the breakdown of official bureaucratic, familial and clan organizational structure, but demonstrates the propensity for small group formation and affiliation within traditional China.

1.10 Summary

Throughout this review, a few characteristics of the key social and behavioral norms within traditional Chinese culture stand out. Mention has previously been made of the mutuality or reciprocity expected of all social

relationships. Parents who spoiled their children in their early infancy, expected to be cared for in their old age. Gentry whose material advantage was acquired through the manual labor of the peasantry, were expected to protect the peasantry and preserve general social order at all costs.

At the same time, strong yet flexible hierarchies defining social status and position were continually imposed on a formal and informal basis. One's age, wealth, gender, education, position within the family and clan, directly influenced the amount of status and prestige one was afforded, although the methods employed governing the granting of such status varied considerably. Since a family's status was never guaranteed in perpetuity (every son had to eventually successfully pass through the examination system, regardless of his family's wealth and background), there was at least an expectation that upward social mobility was a possibility for those lower down on the scale.

Individual identity was consistently defined in terms of the larger group: family, clan, village, etc. The importance of maintaining propriety (li) in all external social relations, the process of saving or losing face (lian), an attribute which could never in and of itself be gained, and the use of shame in order to constrain undesirable social behavior bear witness to this point. The claim here is not that individual autonomy and independence were never sought nor achieved, but simply that external

social relationships greatly influenced an individual's own behavior, more so than would be the case within Western society.

The Chinese family has been protrayed as a political entity, with the father or head of household, representing an imperial figure and with other family members fulfilling other political roles, continually seeking to maximize their own influence within the family structure.[68] The necessary reliance upon law and clan rules to externally enforce familial solidarity demonstrates that to at least some extent, family unity was an ideal which often remained unattained. As was the case with larger social units, the existence of disunity amidst the calls for greater cohesiveness articulate some of the tension which must have existed within all social structures and amongst the various actors engaged in a multiplicity of social relationships within traditional China. These social units: family, clan, bureaucracy, when they were successful, balanced existing conflict; they did not eliminate such tension.

Reference has previously been made to the degree to which cognition and behavior were judged to be inter-related. It is thus not surprising, that faith was placed in the possibility that one could positively model his behavior. Thus, the head of household or the scholar-bureaucratic official represented moral actors whose personal and social behavior was to be emulated at all times. Additionally though, it was believed that if shown

what was correct, or if one acquired moral knowledge, he would presumably act accordingly. The use of directed immitation and behaviour modeling within the school (such as copying, writing and memorizing of characters, and later poetic and compositional forms) was a practice whose efficacy was commonly accepted.

The Chinese historical tradition has been a written tradition and has included a reverence for learning implicit in the valuing of the written word. It has been estimated that a full 30-45% of the male population of Qing China could function adequately, in communicating through reading and writing, that body of knowledge necessary for meeting basic daily needs.[69]

Being part of a historical tradition carries with it some emotional baggage though. The Chinese have often seen themselves and their own lives within the context of that tradition. One view holds that a tendency exists whereby an adherence to traditional Confucianism influences the individual thinker to evaluate experience according to totalistic categories.[70] Whether true or not, there is little doubt that the weight of tradition has had a profound impact upon modern Chinese intellectual thought.

The important issue which remains unanswerd is the extent to which the above-mentioned cultural norms are applicable on a contemporary basis. One important historian has argued that the majesty of the traditional Confucian world view was inexorably diminished through the shock of

roced accomodation with a Western industrialized world which easily bypassed the Middle Kingdom on the road to modernization. Marxist-Maoism, it is held, thus reprsented a logical compromise whereby the emphasis upon historicism coupled with the positivist belief in revolutionary progress allowed an intellectual elite to in fact save face, and salvage as much of the symbolism as possible from the Confucian past.[71] Still other thinkers, in analyzing Maoist belief and practice, have stressed the attempt to synthesize particularly Western and Confucian philosophical terms into a coherent whole,[72] or the ways in which Confucian symbols are continually redefined in modern terms for Maoist political purposes.[73] Another point of view maintains that the Confucian tradition continues to progressively evolve from a core body of thought, in unbroken pattern, regardless of the Marxist-Maoist ideological rhetoric.[74]

There are few specific terms through which one can accurately define and gauge cultural change and continuity. However, it appears clear that many of the normative value structures and social behaviors previously described continue to play significant roles in modern Chinese society. This is true of both Taiwan and Mainland China, with particular respect to schooling and schooling processes,[75] and holds true for the large scale bureaucratic enterprise in Taiwan as well.[76]

For the purposes of this study, efforts will be made to demonstrate how in each case, contemporary social behaviors serve to reaffirm or deny traditional views of normalcy and deviance, relations with and amongst youth, family responsibilities and ties, especially with respect to education, discipline and punishment, and the importance of law and the adjudication of conflict.

What is different from the past is that each of the three cases represent regions with distinct political entities. Loyalty (or subserviance) to the political state is no longer seen as an ephemeral ideal in the abstract sense, even if as is the case with Hong Kong, the political identity of the inhabitants is defined through using the vocabulary of colonialism and dependency. In the People's Republic of China, under the Maoist legacy, the use of the mass mobilization campaign served to define loyalty to the state in normative-coercive terms, terms which were applied on an informal basis.[77] Within Taiwan, an authoritarian regime bases its legitimacy upon the realistic political threat to the island's security, the population faces from the unpopular Communist entity lurking closely nearby, as well as upon the idealistic dream of retaking the Mainland (popular for that group of Mainlanders who arrived in 1949). There too, law is coercively implemented, although the political process is more formalized and structured.

It thus makes sense to view reformatories not only as political institutions, which they most certainly are, but

also as agents reprsenting a larger, political process, specifically defined in each region, impacting a shared set of traditional normative value structures in various ways. This issue will be explored in further detail in ensuing chapters. Chapter Two will specifically examine the impact of Communist rule upon many of the values and behaviors discussed in this chapter.

Notes (Introduction)

[1]Arthur F. Wright, "Values, Roles and Personalities" in Arthur F. Wright and Denis Twitchett, eds. Confucian Personalities, Stanford, (Stanford U. Press), 1962, p. 5.

[2]Donald J. Munro, The Concept of Man in Contemporary China, Ann Arbor (U. of Michigan Press), 1977, p. 26.

[3]Munro, p. 30.

[4]Munro, pp. 36-37.

[5]Munro, p. 32.

[6]Wright, pp. 5-6.

[7]Fung Yu Lan, A Short History of Chinese Philosophy, Toronto (Macmillan), 1948, p. 6.

[8]Fung, p. 8.

[9]Benjamin Schwartz, "China and the West in the 'Thought of Mao Tse Tung'" in Ping-ti Ho and Tang Tsou, eds. China in Crisis, vol. 1, Chicago, (U. of Chicago Press), 1968, p. 378.

[10]The point is made in Tu Wei Ming, Centrality and Commonality: An Essay on Chung-Yung, Honolulu, U. of Hawaii Press, 1976, pp. 46-51.

[11]See Thomas Metzger, Escape From Predicament: Neo-Confucianism and China's Evolving Political Culture, N.Y. (Columbia, 1977).

[12]Wright, p. 6.

[13]Fung, p. 21.

[14]Wright, p. 8.

[15]This discussion is taken largely from Olga Lang, Chinese Family and Society, New Haven, (Yale U. Press), 1946; Marion J. Levy, The Family Revolution in Modern China,

N.Y. (Farrar, Straus and Giroux), 1971 (1949); Hugh Baker, Chinese Family and Kinship, N.Y. (Columbia U. Press), 1979.

[16]For a summation of competing viewpoints, see Arthur P. Wolf, "Domestic Organization" in Emily Martin Ahern and Hill Gates, eds. The Anthropology of Taiwanese Society, Stanford, (Stanford U. Press), 1981, pp. 346-347.

[17]Maurice Freedman, "The Family in China, Past and Present" in Freedman, The Study of Chinese Society, essays selected and introduced by G. William Skinner, Stanford, (Stanford U. Press), 1979, pp.244-245.

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[19]See Margery Wolf, "Child Training and the Chinese Family" in Arthur P. Wolf ed. Studies in Chinese Society, Stanford (Stanford U.) 1978, pp. 225-229; see also Margery Wolf, House of Lim, Englewood-Cliffs, (Prentice-Hall), 1968 and Richard Solomon, Mao's Revolution and the Chinese Political Culture, Berkeley (U. of Cal.), 1971, pp. 39-60.

[20]For extended discussion on traditional Chinese educational practices, see Ichisada Miyazaki, China's Examination Hell, translated by Conrad Schirokauer, New Haven, (Yale U.), 1981 (1976) and Thomas H.C. Lee, "Life in the Schools of Sung China" Journal of Asian Studies, Vol. XXXVII, #1, November 1977, pp. 45-60.

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[22]Miyazaki, p. 15.

[23]Levy, p. 77.

[24]Lee, p. 48.

[25]Miyazaki, p. 16.

[26]Evelyn Rawski, Education and Popular Literacy in Ch'ing China, Ann Arbor, (U. of Michigan), 1979, p. 45.

[27]Baker, pp. 67-69; Lang, pp. 19-21.

[28]Hui-chen Wang Liu, "An Analysis of Chinese Clan Rules" in David S. Nivison and Arthur F. Wright eds. Confucianism in Action, Stanford, (Stanford U. Press), 1959, p. 85.

[29]Liu, pp. 86-88.

[30]Liu, p. 88.

[31]Liu, pp. 89-90.

[32]Fei Hsiao-tung, "Peasantry and Gentry: An Interpretation of Chinese Social Structure and its Changes" in Reinhard Bendix and Seymour Martin Lipset, eds. Class, Status and Power, Glencoe, Illinois, (Free Press), 1953, pp. 634-635.

[33]Chung-li Chang, The Chinese Gentry, Seattle (U. of Washington), 1967 (1955) pp. 3-20.

[34]Ping-ti Ho, The Ladder of Success in Imperial China, N.Y. (Columbia U. Press) 1962, p. 266.

[35]See William Theodore de Bary, "Some Common Tendencies in Neo-Confucianism" in Nivison and Wright, pp. 25-49.

[36]Lu K'un, Shen -yin Yu Chieh-lu, Chapter 2, p. 39 as quoted in C.K. Yang, "Some Characteristics of Chinese Bureaucratic Behavior" in Nivison and Wright, p. 153.

[37]Yang, p. 163.

[38]Yang, p. 163. This theme is also emphasized in Thomas Metzger, The Internal Organization of Ch'ing Bureaucracy: Legal, Normative and Communication Aspects, Cambridge, (Harvard U. Press), 1973.

[39]See Marion J. Levy, Modernization and the Structure of Societies, vol. II, Princeton, (Princeton U. Press), 1966, p. 432. In one of the most blatant cases during the Ch'ing dynasty, the Chienlung Emperor Kao-tsung's advisor, Ho Shen, amassed a personal fortune of over 80,000,000 taels, the equivalent of 23,330,000 pounds. This episode, as an exaggerated but illustrative example of the nature of corruption as well as authority relations within the highest levels of the Chinese imperial bureaucracy, is analyzed in David S. Nivison. "Ho Shen and his Accusers: Ideology and Political Behavior in the Eighteenth Century" in Nivison and Wright, pp. 209-243.

[40]Hsien Chin Hu, "The Chinese Concepts of Face", American Anthropologist, Vol. 46, January-March 1944, #1 part 1, p. 45.

[41]David Yau-fai Ho, "On the Concept of Face", American Journal of Sociology, vol. 81, January 1976, #4, pp. 869-870.

[42]Hu, p. 62.

[43]Ho, p. 880.

[44]Petty thieves for example, were often punished in Qing China by being tatooed and then sent back to their native community. The tatoo was judged an effective deterrent because of the sense of shame it provoked. See Fu Mei Chen, "Local Control of Convicted Thieves in 18th Century China" in Frederick Wakeman and Carolyn Grant eds. Conflict and Control in Late Imperial China, Berkeley, (U. of Cal. Press), 1975, pp. 121-142.

[45]Liu, p. 73.

[46]Liu, pp. 73-74.

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[49]Ch'u, p. 46.

[50]Ch'u, p. 49.

[51]Ch'u, p. 51.

[52]Ch'u, p. 52.

[53]Ch'u, p. 26.

[54]Ch'u, p. 24.

[55]Ch'u, p. 25.

[56]Derk Bodde and Clarence Morris, Law in Imperial China, Cambridge, (Harvard U. Press), 1967, p. 84.

[57]Ch'u, p. 41.

[58]Ch'u, p. 40.

[59]Bodde and Morris, p. 42, p. 138.

[60]Feng Rui, "Tan tan mou cheng nian ren fanzui de xingshi ziren" (A Talk on the Criminal Liability of Delinquency), Faxue Yanjiu, #1, 1983, p. 45.

[61]See Vivien W. Ng, "Ch'ing Laws Concerning the Insane: An Historical Survey" in Ch'ing Shih Wen-ti, Vol. IV, December, 1980, #4, pp. 55-89. See also Martha Li Chiu, "Insanity in Imperial China: A Legal Case Study" in Arthur Kleinman and Tsung-yi Lin, "Normative and Abnormal Behavior in Chinese Culture", (Holland, Reidel, 1981), pp. 75-91.

[62]The point is made in Philip A. Kuhn, Rebellion and Its Enemies in Late Imperial China, Cambridge, (Harvard U.) 1970, pp. 25-26; for an elaborate discussion of the pao-chia system, see Kung-chuan Hsiao Rural China: Imperial Control in the Nineteenth Century, Seattle (U. of Washington) 1960, pp. 43-83.

[63]Fei-Ling Davis, Primitive Revolutionaries of China, Hawaii, (U. of Hawaii Press), 1977, p. 83.

[64]W.P. Morgan, Triad Societies in Hong Kong, (Hong Kong U. Press), 1960 as quoted in Davis, p. 84.

[65]Davis, pp. 176-177. Chesneaux on the other hand, argues that since secret societies were composed of diverse elements: peasants, workers, anti-statist entrepreneurs, etc., their class character was diffuse and they were unable to reconcile a commitment to class struggle with their penchant for rebelliousness. In short, they were anti-authority without being fundamentally revolutionary. See Jean Chesneaux, Secret Societies in China, Ann Arbor, (U. of Michigan Press), 1971; Chesneaux, "Secret Societies in China's Historical Evolution" in his Popular Movements and Secret Societies in China, 1840-1950, Stanford, (Stanford U. Press), 1972, pp. 19-21.

[66]Chesneaux, "Secret Societies in China's Historical Evolution, pp. 13-16.

[67]Davis, pp. 171-172.

[68]Lang, p. 25.

[69]Rawsky, p. 23.

[70]See Lin Yu Sheng, The Crisis of Chinese Consciousness, Madison, (U. of Wisconsin Press), 1979.

[71]See Joseph R. Levenson, Confucian China and its Modern Fate, Berkeley, (U. of California), 1968.

[72]See for example, Frederick Wakeman, History and Will, Berkeley, (U. of Cal.), 1975.

[73]See Tang Tsou, "Revolution, Reintegration and Crisis in Communist China: A Framework for Analysis" in Ping-ti Ho and Tang Tsou, pp. 288-291.

[74]Ramon Meyers and Thomas A. Metzger "Sinological Shadows: The State of Modern China Studies in the United States", Washington Quarterly III, (Spring, 1980), pp. 87-114.

[75]The point is made in the writings of Richard W. Wilson. See particularly his Learning to Be Chinese, Cambridge (MIT Press), 1970, pp. 4-5.

[76]See Robert H. Silin, Leadership and Values: The Organization of Large-Scale Taiwanese Enterprises, Cambridge, (Harvard U. Press), 1970.

[77]The importance of the Communist success in unifying the Mainland through extensive penetration of all walks of life is discussed at length in Tang Tscu, pp. 279-315; See also Theda Skocpol, States and Social Revolutions, London (Cambridge U. Press), 1979, pp. 236-281.

Part One - The People's Republic of China

Chapter 2 - Institutional Background

Broadly viewed, the thirty-odd year history of the People's Republic of China can be seen as a series of struggles aimed at creating a coherent sense of national identity amongst members of the world's largest population group. The Maoist epistemological vision included a belief in pragmatic experimentation based upon inductive, investigative technique, decentralization of political authority at the higher bureaucratic levels and mass mobilization of support directed from top to bottom and based upon the articulation of shared normative value structures, coercively enforced. Policies during various eras coincided with these aims to differing degrees, the Great Leap Forward and Cultural Revolution epochs representing historical time periods when the Maoist ideological influence was at its greatest height. Currently, during the post-Maoist era, much of the revolutionary rhetoric of the past has been abandoned in favor of a professed commitment to intensive modernization. Regardless of the potential success of current political endeavors, however, a few important trends characterizing the P.R.C.'s recent history continue to stand out.

2.1 Mass Mobilization

Franz Schurmann made a fundamental distinction between ideological and organizational factors which have influenced the implementation of policy within the People's Republic.[1] The conflict between "redness" (ideological loyalty) and expertness (bureaucratic competence in a specialized sense), while very much depicted by Schurmann as an ideal type, is illustrative of the efforts of the charmismatic leader who with his followers, fights against the inevitable routinization of his charisma, a process conservative bureaucracies seek to reinforce. Within the Chinese context, there was always the additional factor of elite conflict lurking in the background; urban elites more formally schooled in traditional party practices contesting the populism inherently part of a faith in the mass line. While the use of the mass mobilization campaign was never meant to totally exclude reliance upon institutional solutions to policy issues (indeed important institutions such as the commune, work-study school, revolutionary committee, etc. were created during such campaigns), traditional institutional and mass mobilization approaches tried to accomplish different purposes. The mass mobilization campaign, and those specific organizations, loosely structured, which served to support such campaigns, attempted to create a new revolutionary social order under the rubric of class struggle. More traditionally influenced party and state bureaucratic mechanisms, often

hierarchically centralized, served to conserve the moderate gains accured as a result of the original revolutionary mandate, and sought to maintain rather than recreate social order. The Maoist world view attempted to impose upon its constituency, a sense of mechanical, as opposed to organic solidarity.[2] Maoist opponents failed to share the same motives.

When specifically analyzing the nature of the mass mobilization process, one becomes immediately cognizant of the military symbolism used to define relationships (i.e. campaign, class enemy, opponent, etc.); indeed, the creation of internal and external threats to social stability (real or imagined as they may have been), clearly expedited the formation of mechanical solidarity.[3] Not only were the conditions under which deviant behavior defined continually changing, but such changes were never clearly articulated ahead of time. There was more than a liberal tolerance for scapegoating and negative role modeling; the leaders and activists involved in particular political movements were themselves subjected to the uncertainty of possible reprisal at a later time.[4]

A potential benefit of the mass movement was that it allowed for the convenient expression of personal grievance in a public forum, grievance which was often not permitted to be expressed under ordinary circumstances. This therapeutic use of mass mobilization has been previously commented upon with specific respect to the Cultural

Revolution, where Mao's charismatic genius permitted a number of the disgruntled to express their discontent, through associating their own widespread perceptions of unfairness and abuse of privilege with Mao's own personal power struggle, which was waged at the highest levels of the central party leadership.[5]

At the same time, it has been claimed that as a political instrument which often relied upon normative-coercive means for achieving consensus, the degree of effectiveness of specific mass mobilization campaigns differed with the frequency of their use as well as the degree to which the type of power employed (normative, coercive, renumerative) corresponded with the articulated goals of the campaign.[6]

Finally, it has been observed that the indeterminacy of the process contributed to a general reinterpretation of the social meaning of voluntarism. One might participate in a campaign for personal political gain, as a means of acquiring assumed insurance against future reprisal by maintaining good political credentials, or for a myriad of reasons which in and of themselves included various degrees of personal loyalty to the official cause. Once that cause was publically articulated, widespread consensus ws presumed to already exist. Thus, the lack of an officially acceptable alternative response to volunteering, i.e, apathy, non-participation or public dissent, reenforced the perceived need to cultivate adequate informal social

relationships at all times, for one was continually subjected to public scrutiny.[7]

For our purposes, the use of the mass mobilization campaign as a mechanism affecting the political integration of the state is important, not only for its influence upon changing social perceptions of deviance in the general sense, but also for its affect upon state-family relations.

2.2 Attitudes Toward Family

The Marriage Law of 1950 represented an initial attempt, on the part of the Communist leadership, to restructure domestic relationships, limiting the traditional degree of parental and male domination within the family, especially with respect to arranged marriage and the limited possibilities for divorce. The unevenness of its actual implementation though, which encouraged rising but unfulfilled expectation on the part of Chinese women, had severe negative effects, and led to an increased degree of female suicide.[8] Following this initial period, when government propaganda consisted largely of attacking the traditional family practices head on, a more moderate approach was articulated, stressing the necessity of creating a newly structured democratic family unit. With the establishment of agricultural communes during the Great Leap Forward in 1958, while the family as a social unit received less public attention, the creation of communal mess halls (a shortlived experiment), was still seen as an

attempt to eliminate the family unit and replace it with the state operated communal structures.[9] During the early 1960's, public attention again was centered upon the necessity of transforming the family into a model socialist unit, rather than replacing it entirely.[10] It has been argued that the Cultural Revolution Era, which in its earliest stages encouraged youth to publically denounce their parents as bourgeois authority figures, served to limit the vertical, authoritarian distance between parents and children (especially fathers and sons) and inspired the re-establishing of authority relations which were more horizontally based.[11]

Nonetheless, traditional family practices and ties continue to endure within the P.R.C. Elder sons are still expected to care for their aged parents, as state subsidies and welfare allotments hardly allow the elderly to maintain an independent subsistance income.[12] Indeed, part of the continuing resentment against the single child population policy is the parental fear of lack of governmental support when retirement age is reached. In rural areas, agricultural economic policies which currently emphasize the cultivation of private plots and the acceptance of individual responsibility for farm production further serve to weaken birth control efforts, the larger family traditionally viewed as furnishing the necessary labor for increased productivity. Thus, while state-family relations over the years can be generally categorized as being

antagonistic, specific policies have had differential effects in encouraging or downplaying such antagonism. An understanding of the state-family relationship is incomplete though, without considering the functioning of those institutional mechanisms which have served to maintain social control while encouraging policitical loyalty to the state: the school, the workplace and the public security system.

2.3 Schooling

2.3.1 Institutional History

The modern educational system within the People's Republic of China represents a hodgepodge of cultural borrowing, adhering at various times in different degrees to Confucian, American, Maoist and Soviet educational models.[13] When the traditional educational system, based upon examination in the Confucian classics was finally displaced in 1905, the Republican government copied a number of features of the American system, creating the middle school as a separate and independent entity, encouraging instruction in the liberal arts as opposed to vocational streaming, etc. The elitist nature of the new system, rationalized in part by a professed commitment to westernize was easily observable. Public schooling was reserved for those who could not afford to pay the restrictive tuition charged at the better institutions; the implementation of practical, pragmatic educational techniques, popularized as

a result of John Dewey's visits to China in 1919-1920, were never given a chance to succeed within formal educational circles.[14] However, innovations such as the half-work half-study school, initiated in Yenan by Mao and his followers, were well received by their rural constituents specifically because the education provided was both basic and vocationally relevant.[15]

In the years immediately following the creation of the People's Republic, the desire to continue the westernization of the educational system remained, but it was the Soviet-Stalinist model which was copied. Private schools were taken over by the state, strict vocational streaming was enforced, research institutes separated from the general university structure were created, scientific disciplines as opposed to the humanities were emphasized, standardized textbooks were translated from the original Russian, and a national university entrance examination system was established. In a very real sense, one form of educational elitism replaced its predecessor; in spite of attempts to create uniformity of assessment, existing discrepancies between elite and ordinary schools, in terms of teacher-training, facilities, quality of students, etc. were exacerbated.[16]

During the Great Leap Forward Era, a Maoist counterattack was started. The work-study school concept was re-introduced and expanded, as attempts were made to provide for universal primary education for the entire

Chinese population. This structure was especially popular in rural areas, for it helped to reconcile the traditional concern among peasantry for adequate human labor power with the commitment to modernization, an expansion of educational opportunity typically encourages.[17]

At the same time though, since these schools were locally funded, the quality of the education which was provided varied dramatically. By the early 1960's, in urban areas, these minban schools were either assimilated into formal educational networks or were completely disbanded. Those schools which were "formalized", were placed at the lowest rungs of the educational ladder, for as population pressures increased, they absorbed that portion of the student population, who, for academic or class background reasons, had little chance of progressing onto a higher educational institution.[18]

Thus, an alternative to Stalinist educational elitism was redesigned to further perpetuate the very elitism it was created to redress. Senior middle schools in Guangzhou were formally ranked according to the percentage of graduates who were admitted into the university with the results being published in local newspapers.[19] Pressure points within the system occurred at senior middle school and university entrance levels, where the competition for advancement was extreme. Schools with better reputations attracted the best teachers, students and facilities (and were later labeled teasure pagodas, in derogatory fashion). But, as the

criteria for advancement into the university began to shift (at times stressing one's political activism, at times one's academic achievement), the competition amongst competitive elites at the better schools became pronounced. Students with a bad class background (whose parents were intellectuals or professionals) were most often favored when academic criteria for advancement stressed (their educational achievement having benefited from parental support and pressure to succeed). Students from good class backgrounds (whose parents were cadres, political activists, workers or who were on the "politically correct side" during Liberation, were favored when political criteria were stressed as a means of advancement (usually through obtaining membership in the Communist Youth League), since it was often the case that their academic records did not compare favorably with those of youth from bad class families.[20] The competition amongst these elites for increased access into higher educational institutions was an important contributing factor to the outbreak of the Cultural Revolution, during which time the country's entire educational system was restructured.

After the initial years of the Cultural Revolution, when Red Guard factionalism seriously disrupted normal schooling procedures at the middle and higher levels of the educational system, order was restored within the schools, often with the help of PLA and militia forces. Specific Cultural Revolution reforms which were implemented with the

purpose of eliminating pre-existing elitism within the system included the combining of lower and senior middle school levels into one four year middle school structure (senior level middle schools remained operational in Guangzhou however, in a notable exception to the rule), the truncation of the university experience from a four year to a three year course of study, and the forced exile of sent down youth to rural areas in order that they engage in manual labor, upon their middle school graduation. When universities did reopen, admission requirements included service in rural areas along with fulfillment of political as well as academic criteria, the national entrance examination process having been eliminated in 1966.

While the use of the three in one revolutionary committee allowed for greater community participation in the running of schools, curricular innovations stressed the necessity of engaging in interdisciplinary learning, practically based as opposed to theoretically oriented study and combining manual and mental labor through establishing student run agricultural plots and vocational workshops within urban schools. In a very real sense, the work-study ideal which had to certain elites, become symptomatic of the lack of quality within the previous educational system, was further enlarged and promoted at the expense of traditional educational practice. Compulsory middle level schooling, for example, was expanded into the countryside for the first time, and was made nearly universal. The basic aim of the

Cultural Revolution reforms then, was to eliminate the elitism of the educational ladder by cutting off the top while expanding the base.[21] Unfortunately, many of these efforts proved largely unsuccessful.

In the first place, these efforts never received the broad base of support necessary for their effective implementation. The very teachers who were publically criticized at the beginning of the Cultural Revolution were later expected to enthusiastically carry out the articulated policy changes. In a society where the authority of one's position is inseparably linked to the meaning of one's work, educational reform was made more difficult. The lack of adequate curricular materials, poor teacher training, etc. contributed to such difficulty. It is not surprising that in the crucial area of instructional technique, in spite of calls for open door and non-traditional learning, little change was evidenced. As local representation on governing committees was increasingly replaced with those with more traditional loyalties, the move toward reform became conservative in both form and substance.

The counter-revolution in educational terms, occurred after Mao's death and was crystallized with the re-initiation of a national entrance examination system, provincially administered in 1977, centralized in 1978. Important changes have included the designation of a number of schools on the primary, middle and university levels as being key (zhongdian) schools, receiving a disproportionate

amount of funding, attracting the better students, teachers and of course social status; and, although it has been criticized, the existence of homogeneous grouping along with compulsory testing at every grade level which has been noted to exist even at the primary level of instruction.[22]

As access problems remain extreme for those attempting to enter university (only 4% can attend), a vocational stream replacing the traditional liberal arts orientation of the senior level middle school curriculum is being promoted; an initial battery of examinations with the purpose of weeding out unqualified applicants before they can sit for the national examination is now in effect for rural and non-key school students. The length of schooling has been increased as the five or six year middle school structure (three years lower, two or three years senior level) has replaced the Cultural Revolution three year structure, and the university curriculum has largely returned to a four year course of study. Yet in rural areas, students have been systematically denied the chance to acquire a middle school education as many of these schools have been closed down and their teachers have been sent back to the primary level, ostensibly because of their poor training. Other schools are being converted to vocationally oriented agricultural schools, not terribly popular with their constituents.[23]

In many schools, manual labor and political study, if emphasized at all, is not taken seriously by teachers or

students.[24] The emphasis clearly is on academic achievement as a precondition for advancement. Math, science, and foreign language study (especially English), are the curricular areas which are most popular at the middle and senior middle school levels. The stress upon science and math, as a contributing factor to the nation's modernization effort is unmistakable. Yet the status of humanities and liberal arts courses is low for an additional reason. These courses have been overtly subjected to political manipulation in the past; the transiency with which specific literary schools or historical events and actors have to be politically acceptable or worthy of censure has created a cynicism toward liberal arts subject areas, not in evidence with respect to their science and math counterparts, thought of as being inherently more logically justifiable as courses of study.

2.3.2 Internal schooling processes

In spite of significant curricular and structural change, however, there is much within Chinese education which adheres to traditional socialization processes. Primary school students often are required to sit in rows, with their hands behind their backs. Questions are answered by raising the right hand only, students must look to the front of the room, keeping eye contact with the teacher at all times (wandering eyes are considered to be signals that the student is unprepared). Students stand while answering

questions and remain standing if their answers are incorrect until a classmate furnishes the teacher with the right answer. Unison responses to directed questions are often encouraged.[25]

At the middle school level, students continue to be subjected to public self-criticism sessions, where after having been attacked by their peers, they are expected to make a confession of misdeed. Abuses of this system during the Cultural Revolution, where certain targets were selected for self-criticism in order to minimize their chances of obtaining university entrance have been previously documented.[26] Suffice it to say that the peer group remains an important unit and is manipulated in order to maintain social control within the schools.[27] Communist Youth League members are still expected to peer counsel behavioral recalcitrants and academically disadvantaged students, while continually reporting to the classroom teacher or banzhuren (teacher in charge of student affairs) as to the success of their activities. In a curious way, the classroom teacher maintains his formal distance from the students while peer interaction is promoted, often for political purposes. As the emphasis upon academic achievement has become more pronounced though, CYL recruitment has suffered. Few students express a willingness to perform those time consuming activities which detract from their own study patterns.[28]

When teachers do discipline students, in addition to the self-criticism session, ideally, a four step sequential approach is used which includes verbal warning, a written record of the misbehavior, suspension, and finally expulsion from all provincial schools (normally quite rare). Teacher visitations to the household of the offending student are reportedly more common than would be the case in the west.

Since it has been claimed that school discipline was extremely poor during the Cultural Revolution, student codes of behavior have been reinstituted in an effort to reassert traditional modes of classroom order.[29] Having once lost the power and prestige of their position, and in no mood to compromise their position for a second time, teacher authority again reigns supreme although the social prestige of the position is not what it was before the Cultural Revolution. In any event, the reimposition of hierarchical structure, favoring specific elites while maintaining classroom order through exercising direct and visible control over student behavior are characteristics which mark the current educational system within the People's Republic.

2.4. The Workplace

The urban workplace is an exltemely important unit within the P.R.C. and is operated in such a way so as to promote social order and individual loyalty to the group as well as to the political goals of the state. Contemporary China faces the twin problems of pervasive youth unemployment as well as widespread under utilization of the

skills of those who are employed. The typical urban youth can thus wait anywhere from one to two years for a guaranteed job, upon graduating middle school. Once employed, the assigned tasks are often piecemeal and of a menial nature.[30]

Job allocation is directed by the labor exchange committee (laodongju) in each city. This organization, under the jurisdiction of several ministries within the state council, fulfills assigned job quotas in an independent fashion.[31] In guangzhou, the laodongju separates youth into specific categories according to their educational background. University graduates are assigned to state run enterprises and are usually guaranteed employment upon their graduation. For the vast majority of youth though, their applications are handled on the district level as local laodongju units work with street committees and street working companies in attempting to find work for the youth. At times, street committees operate local factories, while parents and relatives often negotiate to find a place within their own factory or work unit for those unemployed youth to whom they are closely related. Street committees, through their working service companies, are instrumental in licensing the small, two-three person service enterprises which have become popular in the last few years as a partial antidote to the unemployment problem.[32] Once the job is secured, the district office of the laodongju is notified, but one can conclude that in this

instance, the cultivation of good personal relations, necessary for helping children secure work (dingti), is accepted as being extremely important.[33] Youth expect that their parents will help them find work; parents accept this responsibility as a task of parenthood. Nonetheless, the ultimate decisions of the laodongju are final, and at times, even married couples have been forced to physically separate, living in separate cities for a good portion of the year, because they have been assigned work in different work units.

Once one is assigned work, he obtains lifetime tenure with the work unit. There are few exit patterns, which are formalized or are officially accepted. Firing as a result of poor performance is extremely uncommon. This fact, plus the underutilization of skill, often results in a lack of attention to specific task, and a lack of overall productivity, especially in factories. Because one must make a special application to change jobs, and such an application has to be approved at higher levels, including the public security forces, occupational mobility is restriced and is an uncommon phenomenon.

In the workplace as in the school, the peer group remains extremely important. Self-criticism sessions are held as a matter of course. In addition, there is little concern for personal privacy. Household ration coupons, necessary for obtaining basic commodities, are distribued in the workplace so that dramatic changes in one's personal

family life, affecting other family members are widely known. Even female worker's menstrual cycles and similar types of personal information have been publically posted on one cotton mill's walls, ostensibly because the information relates to the mill's overall industrial productivity. Even decisions concerning child bearing were discussed in the group.[34] It is therefore not surprising that the cultivation of good social relations with one's peer workers is a necessity if one is to successfully adapt to the environment of the workplace. At the same time, one's personal identity is intertwined with that of the work unit. Correspondences of all types are made on a unit to unit basis; individuals who make independent contacts outside of their work unit are either viewed with suspicion or are seen to represent their unit in initiating such contact.[35] Responsibility is thus defined in the collective rather than in the individual sense. Not surprisingly, fluid coordination amongst various units is often problematic, as competing work units often disclaim responsibility for policy failures. The work unit does provide the individual with security though and as has been noted, it offers an avenue for further peer interaction and socialization of ascribed political norms, competing with the family structure for influence upon individual behavior.

2.5. The Street Committee

The street committee remains the basic unit of local government in urban China. It is divided into residence

committees which elect representatives to a type of governing council who along with a majority number of party cadres, appointed from higher levels, make the basic operational decisions for the organization.[36] Whereas during the early years of the Cultural Revolution there was a significant degree of grass roots participation in the decision-making process, now official party cadres have been again given greater representative power in the running of street committee affairs.[37] These affairs include offering out of school educational, vocational and recreational programs, especially for unemployed youth; operating local factories and small businesses, maintaining social order through using self-policing mechanisms, and adjudicating informal family and peer group disputes through initiating mediation.

Mediation committees usually send an elder cadre to the family or group having difficulty (wife and mother-in-law disputes are particularly common), who listens to conflicting sides of the argument and then attempts to facilitate reconciliation. The virtues of this process, which avoids the formality of litigation, have not been lost upon western trained legal scholars, familiar with the litiguous nature of the American legal system.[38] It should be remembered though, that most of the cadres active in mediation and other street committee affairs, are , by in large, retired workers and grandparents, who have the time to participate in these matters. Their educational

background and specific understanding of youth problems might be suspect.

One police officer from the sub-prefect station is assigned to work with every residence committee, within the street committee structure. Together, residence committee members and the foot patrolman attempt to maintain order within the residence committee boundaries. Within each residence committee of the Haiju district Xingang street committee (visited by the author on April 7, 1983), smaller groups have been established with the assigned responsibility for keeping an eye out on juvenile delinquent activity. Typically, the residence committee members and the foot patrolman maintain close contact.

It is important to realize that the scale of these organizational units is large. Thus the Haiju district of Guangzhou includes thirty street committees, of which the Xin gang is the largest. Together, approximately 50,000 people live in the district. The Xingang street committee itself has 12 residence committees (juminhui), and the number one residence committee (the largest of its kind) includes approximately 500 families or 2,000 people. While the street committee structure may be tightly knit, the scale of operation is large enough to require an elaborate degree of organization.

2.6. The Public Security System

As has been previously mentioned, the public security apparatus works closely with the street committee in seeking

to preserve social order. To a certain degree, such coordination represents a throwback to the traditional bao jia security system, previously described. Currently though, the system is more efffective than was previously the case.

The public security bureau on the municipal level contains a number of sections which coordinate affairs with district paichusuo's or stations.[39] For our purposes, the most important of these sections is the social order section (zhibaoke) which directly administers policies which effect juvenile delinquents. Decisions which concern themselves with the sending of underaged delinquents to reformatories are theoretically made by a committee consisting of the director of the social order section of the bureau. No juvenile court system exists in the People's Republic, although there have been some calls arguing in favor of the establishment of such an institution.[40] Delinquents who are over 16 and whose crimes are judged to be extremely serious are tried in a regular court. The specific nature of the legal process will be elaborated upon in the next section. For our purposes, it is well worth remembering that the public security apparatus is thought of as a coercive instrument, a necessary evil, useful for the preservation of public order only.

Heads of household are expected as a matter of course to maintain accurate household registration books which include separate pages for each family member, where

information such as names, birthdates, occupation, place of work, family background, individual status, educational level, marital status, religious affiliation and ancestral place of origin is written down.[41] All changes in family membership and status are periodically submitted to the public security bureau. It is interesting to note that delinquents who are sent to reformatories, would usually have their names temporarily removed from the registration book. However, for the 1980 census, they were considered to be household residents and were so listed, unless they were sent to reform through labor camps in distant provinces, in which case, their names were permanently removed from the book.[42] In either case perpetuation of informal negative social labelling is clear.

The public security bureau of course, has kept records on everyone who is considered to have engaged in activity judged harmful to the state, or who have suspect credentials with respect to their political background and stance. As has been mentioned, if one wishes to change jobs, public security must be notified and approval secured. It is not surprising that public security officials were directly attacked during the Cultural Revolution, for unfairly suppressing the rights of those judged to be dangerous within the system. Army and militia units were therefore required to carry out the basic policing tasks normally handled by public security forces. In recent years though,

public security has made an important comeback and is once again fulfilling traditional responsibilities.[43]

It is important to reiterate that the family, peer group, school, work unit and street committee serve to define individual identity in association with the larger group. The public security system buttresses a number of these units, particularly the street committee, but together, all serve to promote the political values of the state. The severity of the implications, for that individual who is taken away from an environment where group affiliation is so prevalent and where personal relations continue to play an important role in determining one's social niche, are obvious.

At this point it is useful to examine how concepts of law and legal process have been defined in the P.R.C.

2.7. Law and Legal Process

The history of law and legal process in the People's Republic of China can be categorized in terms of a congruence between epistemological belief and pragmatic implementation of Maoist doctrine, a view of punishment as entailing necessary coercion as well as social utility and a reliance upon both formal and informal mechanisms for adjudicating disputes. While stringent Maoist ideologues have periodically articulated a pronounced mistrust of codified law, viewing such law as a characteristic of bourgeois societies inappropriate to the needs of a developing socialist society, with the enacting of a

criminal code in 1980, the P.R.C. has moved closer to adapting at least on a pro forma basis, some of the fundamental conceptions of law and legality operatonal within Western societies.

Maoist views of law and legal process crystalized during the preliberation Yenan period. Treatment of prisoners at that time can be characterized as having been pragmatic. When the prison population grew into unmanageable proportions, prisoners who had committed lighter offenses were released, pledging to work with their Communnist captors against the Japanese invaders. Labor camps were run on an independent, self-sufficient basis; prison labor was expected to pay for the benefit of the external community.[44]

Implicit in such pragmatism was the epistemological belief in the malleability of human character. Ideally, one should be forgiven for his mistakes and misdeeds if he realised the nature of his errors, offered a public confession, and demonstrated evidence of having reformed his ways. Two principles are important here. One is that behavioral characteristics are not etched in stone and can be changed. Secondly and perhaps more importantly, it is held that such change occurs only after one has cognitively understood the reasons for one's mistakes. The tradional belief in the unity of thought and action. referred to in the introductory portion of the study, is thus reaffirmed. Munro has argued that the belief in the malleability of

human character contradicts those Stalinist interpretations of Marxist ideology which give testimony to the importance of environmental conditioning in effecting social change.[45] In any event, the Maoist desire to build the "new socialist man" had direct influence in creating a unique set of penal policies and legal processes within the people's Republic.

It is not surprising that once admitted to the reform through labor and re-education through labor camps, the personal confession becamce a pre-condition to one's release. Whether or not one was told why he was being incarcerated, a signed confession detailing a personal history of the alleged misdeed was exacted. As labor camp officials already had one's public security file in their possession before arrival into the camp, the confession had to coincide with the recorded details on that file, many of which one could easily be unaware. Ample documentation of this process has demonstrated that the extracting of the personal confession was coercively implemented.[46] Certainly, the confession gave evidence not only that one's captor's were doing an adequate job, but further sanctioned the validity of one's incarceration as having a potentially reformatory aspect. Given such lofty expectations, the impatience and at times brutality with which demands for personal confession were articulated is somewhat understandable, although the existence of those factors would seem to mediate against realistic reformatory

possibilities. At the same time though, one's confession had to be judged as being sincere. A confession which was too quickly obtained could easily be held suspect.[47]

In addition to direct interrogation by labor camp cadres, the public self-criticism session, where one was "struggled against" in order that a public repentance be uttered, was commonly utilized. Similar sessions practiced in milder form, are often used in school and workplace settings, although in the labor camp situation, the stakes were often higher than would normally be the case. Since every participant in these meetings was watched and judged, the consequences were severe, not only for the target of the attack, but for those prisoners expected to enthusiastically criticize their peer. Peer surveillance and subsequent reportage to prison authorities was an accepted norm. And, the possibility that the individual who was the subject of specific recrimination during the struggle session, would internalize a sense of shame and actually believe in his own guilt, regardless of the specific merits of the criticism against him, was always present.[48] Many of these features continue to be operational today and will be further elaborated upon during the course of this study.

What has made the reform through labor or re-education through labor experience somewhat unique is the informal means through which punishment is implemented. Since it was often true, especially during times of ideological stridence, that little public distinction was made between

political and other forms of criminal behavior, specific institutional treatments have showed little variance.[49] The forced confession, the self-criticism session and the participation in heavy manual labor activity, thought of as being inherently liberating, are characteristics which have become common features of most of the country's penal institutions, regardless of the category of prisoner placed within the specific environment.

The lack of willingness to distinguish between political and other forms of criminal behavior served additional purposes and had other effects, though. Firstly, it allowed authorities to deny the existence of social conflict, except between class friends and enemies. Since the admission of such conflict as part of the normal course of events could be interpreted as a negative commentary as to the health of the socialist state, dedicated to the creation of the new socialist man, the denial of the existence of conflict among acceptable social classes allowed for the continuing ideological justification of the regime's policies. At the same time, the needs which mass mobilization techniques answered, in creating instantaneous loyalty to an articulated cause through arousing grass-roots support, did not include making fine distinctions of legality or illegality, or of submitting to due process procedures. Quite to the contrary, as has been mentioned, negative labeling and stereotyping, regardless of the accuracy or precision with which it was enforced, outwardly

allowed the masses to deny their own criminal liability and at least formally, purge themselves of criminal culpability. The fact that the targets selected for retribution were often chosen in an arbitrary manner, or were unfairly accused, simply did not matter. For the common person, the task was demonstrating loyalty to what was ascertained to be politically correct by separating oneself from the criminally labeled bad class elements as clearly as possible. Verbal denunciation represented the emotional evidence of such seaparation. Penal institutions provided for the physical separation.

But because of the lack of uniform allegiance to legal procedure, there has been an articulated need to proclaim one's separation in an extreme fashion. Wives have had to divorce their husbands once imprisonment occurs, if they and other family members hope to survive economically.[50] Once the prisoner is released, he himself finds it extremely difficult if not impossible to secure work; widespread social isolation is expected as a matter of course, to the point whereby a regulation written in 1954, allows prisoners to remain within labor camps after their sentence has been completed and work for the camp. The difficulties of prisoner readjustment are thus implictly recognized.[51] For some, the labor camp at the very least represents a sheltered environment offering some security which may not be present within normal social circles.

There can be little doubt that the lack of constant legal procedure has contributed to a genuine and reasonable fear of guilt by association, especially for the relatives of the incarcerated. But given traditional views which encouraged close family ties and reciprocity of responsibility according to family role, the fear that one might be subjected to negative labeling and recrimination has been even more pronounced. One must remember that popular assumptions concerning the efficacy of role modeling and the necessity of saving face have probably contributed in equal measure to desires on the part of friends and relatives to maintain a proper social distance from the imprisoned. The verbal denunciations of parents with bad class backgrounds on the part of their children during the Cultural Revolution can thus be viewed as an attempt to create that social distance from dangerous political targets, necessary for enhancing personal protection as well as perhaps maximizing one's self interest.

In any event, the use of the informal sanction as a means of creating social distance between the outcast and the accepted has had ramifications in terms of institutional processes and the trust of that process. On the one hand, the use of public denunciation, such as parading discredited teachers through the streets in dunce camps or allowing masses to participate in other forms of ritualized violence represents an alternative to formal institutional responses to alleged deviance where mass participation is not

required.[52] Of course, these type of outbreaks occurred specifically because state institutions including public security organs, street committees, schools, etc. were perceived to have operated unfairly and ineffectively.[53] Remedial action was deemed necessary. Nonetheless, the ease with which state institutions have been manipulated, at times ignored or destroyed (and more recently recrated), does not give reason for overconfidence with respect to the possibilities for fair and effective implementation of the Criminal Code of 1980.

Mention has been made as to the reliance upon informal mediation as an alternative to interaction with formal legal organs. However, formal structures in addition to the public security organization are important in their own right and include the procuracy (the Western equivalent would be the district attorney's office, although that office exercises more independence from police forces than does its Chinese counterpart) and a court system, operational at various levels of government (including local people's courts, special people's courts and the Supreme people's Court). A strong Soviet influence is noticeable here (the concept of a procuracy for example, is a Soviet invention). Unlike the American adversarial system of justice, the accused is considered to be neither innocent nor guilty once officially charged with a crime. In point of fact, once a case goes to trial, the guilt of the offender is already a foregone conclusion. The frequent use

of the mass public trial, where theoretically anyone with evidence or personal grievance against the accused can offer testimony (restricted for cases involving juveniles), the public display of accused offenders along with evidence gathered on the part of public security bureaus, before trial proceedings begin, and the use of public executions (some of which have been shown on television[54]), demonstrate that the formal/informal procedural dichotomy of which we have spoken is much less clear cut than one might expect. The intentional blurring of the boundaries as to what constitutes regulated, legal procedure reiterates the popular view that justice can be dispensed with through using informal means and that the utility of law is apparent in its regulatory function, preserving social order in the general sense. The perception of law and legal process thus retains its traditional focus, that of a coercive mechanism, to be avoided unless its use is absolutely necessary. When law is ineffective, or when informal methods aimed at accomplishing the same purpose can be utilized, these alternatives should be employed. Cohen has argued that the mere adherence to regulated procedural and institutional form, if not substance, is advantageous to the chaos and total mistrust of law and legal procedure in evidence in the P.R.C. during times of extreme ideological influence, such as during the Cultural Revolution. A professed commitment to the ideal of regulated legal procedure, it is held, is preferable to the absence of an enunciated commitment, for

it is only when one's goals are publically articulated that the success of their practical implementation can be analyzed and presumably improved upon. In addition, it is possible that form can influence substance, that the use of the symbolism of legal procedure can eventually result in the assimilation and acceptance of such concepts.[55]

For our purposes though, it is worth remembering that two of the punishments commonly used to deal with juvenile offenders, detention in a reformatory or similar institution for youth between the ages of 14 and 16, and detention in a re-education through labor camp (for those older than 16), often fall under the jurisdiction of informal administrative punishment. Article 59 of the Criminal Code states

> When an offender is in the circumstances calling for reduction of punishment, the penalty shall be imposed below that proscribed for the offender's offense. If an offender's case does not fall under the circumstances stipulated by the present law for reducing penalties and the lightest legal sentence is still too heavy based on the concrete condition of the case, then a punishment below the minimum penalty set by law may be imposed with the approval of the judicial committee of the court.[56]

Formal court adjudication is ity of appeal.

While the regulations governing arrest procedures of all types are specific and detailed, Article 14 of the Regulations, adapted at the Sixth Meeting of the Standing Committee of the Fifth National People's Conference on February 23, 1979, leaves authorities with a convenient out. "Stipulations of these regulations do not apply to the detention of a citizen by a public security organ for the purpose of giving administrative punishment for the violation of rules governing the management of public order."[58]

It should be mentioned that re-education or rehabilitation through labor differs little from the court ordered reform through labor experience, although the length of stay for offenders placed in the former category of labor camp is usually limited to a one to three year time period (that stay can again, be extended though). Unlike punishments which require formal court adjudication, i.e., court ordered surveillance, being sent to a reform through labor camp or being formally sent to a reformatory (if one is between 16 and 18), or if, although younger, one's offense is particularly severe, juveniles involved in the former cases are not extended any of the formal rights of due process. The reformatory, in particular, is thus potentially subject to the same type of cross-pressures common to the newly established judicial system as a whole, a system which in spite of some attempts at reform, continues to operate within traditional frameworks. An

understanding and respect for law and legal procedure is in fact beginning to take place within the People's Republic of China, but it would not be inaccurate to suggest that this understanding is still being defined in arbitrary terms.[59]

2.8 Guangzhou

Since those institutional visits and interviews which were conducted for the purposes of this study occurred within the Guagzhou environment, a brief description of that environment will be provided as a means of setting the stage for further discussion.[60] Guangzhou is one of the five major cities within the People's Republic and includes over 5 million inhabitants. It is the capital of Guangdong province, where over 55 million inhabitants reside; the province is generally regarded as being one of the wealthier in the country. Guangzhou is especially distinctive for its commercial flavor (many shop keepers and small businesses reside within the city) and its proximity to Hong Kong. The Hong Kong influence is extremely important, as thousands of relatives regularly cross the border for periodic visits on week-ends and holidays (restrictions aiming to curb illegal immigration to Hong Kong have been enforced by authorities on both sides of the border in recent years). Wealthier relatives from the British colony often send gifts and money to family members across the border. Thus, the level of economic crime is high and the possibilites for bourgeois influences infiltrating into the area are ever

present. Indeed, upon even casually walking the streets of the city, one is likely to hear western music blaring from cassette radios, an uncommon occurrance in the city as recenty as six years ago, but equally uncommon today, in other cities, in more distant proximity to Hong Kong.

Linguistic differences play an important part in preserving the distinctiveness of the region. Cantonese continues to be spoken within the city in the course of normal conversation. Mandarin or putonghua is officially mandated as the language of instruction for all schools and government agencies. In practice, this policy has been difficult to implement, especially in rural village areas. Indeed, even at Zhongshan University, a key university in the Mainland and certainly the province's most prestigious institution, while Mandarin is used as the language of instruction, its use during common, informal discourse is looked upon as expressing snobbishness, or "showing off." Putonghua continues to be associated with the educated, or those intellectuals who through their schooling, have mastered it difficulty.

In the years prior to the advent of the Cultural Revolution, it has been pointed out that children from bad class backgrounds often resented their compatriots whose parents were northern speaking cadres, and who often spoke amongst themselves. exclusively using putonghua.[61] And, it is true that there has been a traditional mistrust within the country between northerners and southerners (Guangzhou

was a center for revolutionary activity in the early twentieth century, and the Cantonese have often been depicted as being intelligent, independent and at times, stubborn). Nonetheless, it is easy to make too much out of linguistic and cultural differences. Basic organizatonal structures and specific party policies remain similar in both Guangdong Province and throughout the other parts of the People's Republic of China. Fundamental differences of approach, where they do exist, will be pointed out in the course of the study.

2.9. Summary

To this point, it has been argued that the manipulation of basic social organizations through the use of both formal and informal methods has encouraged the effective politicization of everyday life for the ordinary Chinese citizen. At times, traditional views supporting the viability of the family unit have been expressed, at times the family unit has been denounced. However, the supremacy of the state and those structures which support the state overtly, has never been seriously questioned, except perhaps during the early years of the Cultural Revolution, when rival elites attempted to maximalize their own interests in the name of the state, While a penchant for mass mobilization and informal methods of enforcing social control and stability may have undermined a fundamental faith in institutional remedies to the resolution of social

conflicts, and while allegiance to the group (within public forums) has come to rival in importance, traditional loyalties to the family unit, the locus of officially acceptable behavior open to the ordinary individual remains severely restricted within the P.R.C. This fact is becoming even more clearly evident as a newly established legal system, with an articulated promise to more effectively preserve social order, gains popular acceptance.

At this point, it is useful to turn to a specific discussion of juvenile delinquency issues, as they are defined within the People's Republic.

Notes (Chapter Two)

[1]Franz Schurmann, Ideology and Organization in Communist China, Berkeley, (U. of Cal. Press), 1966.

[2]Schurmann, pp. 99-100.

[3]Similar terminology has been used within the context of the Cuban Revolution. See Richard R. Fagan, The Transformation of Political Culture in Cuba, Stanford (Stanford U. Press) 1969, pp. 54-55.

[4]For extended discussion of the artificial nature of deviant norms created under mann mobilization conditions, see Sidney Leonard Greenblatt, "Campaigns and the Manufacture of Deviance in Chinese Society" in Amy Auerbacher Wilson, Sidney Leonard Greenblatt and Richard Whittingham Wilson, eds. Deviance and Social Control in Chinese Society, N.Y. (Preager), 1977 pp. 82-120.

[5]See Lowell Dittmer, Liu Shao-chi and the Chinese Cultural Revolution, Berkeley (U. of Cal) 1974; for a sympathetic view of the general utility of the mass mobilization campaign, see Charles P. Cell, Revolution at Work: Mobilization Campaigns in China, New York, (Academic Press) 1977.

[6]See G. William Skinner and Edwin Winckler, "Compliance succession in rural communist China" in Amitai Etioni, ed. A Sociological Reader on Complex Organizations, 2nd edition, N.Y. (Holt, Reinhart, Winston) pp. 410-438 The categorization of various authority patterns into normative, renumerative and coercive types throughout this study is derived from Etzioni, A Comparative Analysis of Complex Organizations, N.Y. (Free Press) 1961.

[7]See Ezra F. Vogel, "Voluntarism and Social Control" in Donald W. Treadgold, ed. Soviet and Chinese Communism: Similarities and Differences, Seattle, (U. of Washington) 1967, pp. 168-184.

[8]M.J. Meijer, Marriage Law and Policy in the Chinese Pecole's Republic, Hong Kong U. Press), p. 123.

[9]Meijer, p. 268, 271-272.

[10]Meijer, p. 271

[11]This is a predominant theme in the work of David M. Raddock. See his Political Behavior of Adolescents in China: The Cultural Revolution in Kwangchow, AAS Monograph XXXII, Tuscon (U. of Arizona Press), 1977; "Between Generations: Activist Chinese Youths in Pursuit of a political Role in the San-fan and in the Cultural Revolution", China Quarterly, #79, September 1979 p. 524; "The Revolutionary Successor: Some Psychological Perspectives on Youth Participation in Cultural Revolution", China Report, Vol. XI #3, May-June 1975, pp. 21-31.

[12]See Deborah Davis Freedman, "Strategies for Aging: Interdependence Between Generations in the Transition to Socialism", Contemporary China, Vol. 1 #6, March, 1977, pp. 34-42. More recently see Freedman's Long Lives: Chinese Elderly and the Communist Revolution, Harvard U., Cambridge, 1983.

[13]The body of literature concerned with contemporary Chinese education is rapidly growing. A number of important translated doucments appear in Stewart Fraser, Chinese Communist Education, N.Y., (John Wiley and Sons), 1965; useful general accounts include Jan-Ingar Lofstedt, Chinese Educational Policy, Atlantic Highlands, N.J., (Humanities Press), 1980, Theodore Hsi-chen, Chinese Education Since 1949, N.Y., (Pergamon Press) 1981, Ronald F. Price, Education in Modern China, London, (Routledge and Kagan Paul) 1979, and Jonathan Unger, Education Under Mao: Class and Competition in Canton Schools, 1960-1980, N.Y. (Columbia U. Press), 1982.

[14]See Barry Keenan, The Dewey Experiment in China, Cambridge, (Harvard University Press), 1977, particularly, pp. 111-125; the attraction of a former girl's school principal, Mao Tse Tung, is mentioned in John N. Hawkins, Mao Tse Tung and Education, His Thoughts and Teachings, Hamden Connecticut, (Shoestring Press) 1974, p. 54.

[15]A general historical analysis of the Yenan period is offered in Mark Selden's The Yenan Way, Cambridge, (Harvard U. Press) 1971; for a specific analysis of the educational reforms implemented at that time, see Peter J. Seybolt, "The Yenan Revolution in Mass Education', China Quarterly, #48, December, 1971, pp. 641-659.

[16] See discussion in Jan-Ingvar Lufstedt, pp. 50-64.

[17]See Robert Barendsen, Half-work half-study schools in Communist China, Office of Education, 1964.

[18]The Shanghai case is documented in Lyn T. White, Careers in Shangai, Berkeley, (U. of Cal.) 1978; see also Unger, Passim.

[19]Stanley Rosen, Red Guard Factionalism and the Cultural Revolution in Guangzhou, Boulder, (Westview Press) pp. 19-20

[20]The best treatment of issues which deal with the changing nature of definitions of social class is offered in Richard C. Kraus, Class Conflict in Chinese Socialism, N.Y. (Columbia U. Press) 1981; the influences that educational policy ambiguity had upon students with different class backgrounds are discussed in Susan Shirk, Competitive Comrades, Berkeley, (U. of Cal.) 1982.

[21]The best treatment of Cultural Revolution educational reform efforts is offered in Suzanne Pepper, "Education and Revolution: The Chinese Model Revisited" Asian Survey, vol. XVIII #9, September, 1978, pp. 547-590.

[22]On the general topic of post-Maoist educational reforms, see Suzanne Pepper, "Chinese Education After Mao: Two Steps Forward, Two Steps Back and Begin Again?" China Quarterly, #81, March, 1980, pp. 1-65; the existence of homogeneous grouping is discussed in Susan L. Shirk, "Educational Reform and Political Backlash: Recent Changes in Chinese Educational Policy" Comparative Education Review, vol. 23, #2, in the P.R.C. includes Stanley Rosen, "Obstacles to Educational Reform in China", Modern China, vol. 8 #1, January, 1982, pp. 3-40, Rosen's "Restoring Keypoint Secondary Schools in Post-Mao China: The Politics of Competition and Educational Quality, 1978-1983" a paper presented at the Social Science Research Council Conference on Policy Implementaton in Post-Mao China, Ohio Strate University, June 20-24, 1983 and his "Secondary and higher education in the People's Republic of China", a paper presented at the conference on "The Relation Between Secondary Education and Higher Education: An International View" UCLA, July 25-28, 1983; also see John N. Hawkins, Education and Social Change in the People's Republic of China, N.Y. (Praeger), 1983.

[23]On the closing down of rural middle schools, see Pepper, "Chinese Education After Mao..." pp. 11-13; on the lack of popularity of the rural vocational stream, see Rosen "The Relation Between Secondary and Higher Education" pp. 11-12.

[24]See Beijing Review #30, July 28, 1980, pp. 22-24; FBIS, February 25, 1980, 04; Suzanne Pepper, "Western Influences on Chinese Universities", Asian Wall Street Journal, September 9, 1981; A list of subject matter preferences among middle school students is listed in table ( ).

[25]Informal socialization processes are discussed in Richard Wilson's Learning to be Chinese, pp. 27-29, 38-39; although the author speaks of the Taiwan case, the respective environments are similar. See also Irving Epstein, "The Politics of Curricular Change" in Hawkins, Education and Social Change, chapter 3.

[26]Shirk, Competitive Comrades passim,, especially chapters 3-5.

[27]This is true not only of schools but also of workplaces. The nature and importance of small group interaction is treated extensively in Martin King Whyte, Small Groups and Political Rituals in China, Berkeley, (U. of Cal.), 1974.

[28]See "The Frustration of a Youth League Cadre", Chinese Sociology and Anthropology, vol. XIV, #1, Fall, 1981, pp. 84-90.

[29]Complaints which argue that some teachers have abused students in the name of adhering to the behavioral codes have been expressed. See JPRS #74595, Nov. 19, 1979, p. 83.

[30]John Phillip Emerson estimates that unemployment affects about 10% of the urban population in cities and provinces. See "Urban school leavers and unemployment in China", China Quarterly #93, March, 1983, p.2.

[31]For a general discussion, see Charles Hoffman, "Urban Labor Allocation Under Mao" in Sidney Greenblatt, Amy Auerbach Wilson and Richard W. Wilson, Organizational Behaviour in Chinese Society, N.Y.(Praeger),1981, pp. 94-111.

[32]Emerson estimates that by the end of 1981, there were 2,300 labor service companies which had organized 32,000 collective economic units, giving employment to 2.35 million people. "Urban school leavers...", P.

[33]The practice of allowing one's children to take one's work place upon retirement (dingti) has become especially prevalent in recent years. See Susan L. Shirk, "Recent

Chinese Labour Policies and the Transformation of Industrial Organization", China Quarterly, #88, December, 1981, pp. 575-579.

[34]Michael Parks,"China Life: Waiting Line for Privacy", Los Angeles Times, March 27, 1982, p. 1, 14.

[35]The point is made in Fox Butterfield, Alive in the Bitter Sea, N.Y. (N.Y. Times Press), 1982, pp. 40-42, 323-324.

[36]See Janet W. Salaff, "Urban Residential Communities in the Wake of the Cultural Revolution" in John W. Lewis, The City in Communist China, Stanford, (Stanford U. Press), 1971, pp. 289-324.

[37]For a description of the specific Cultural Revolution reforms in this area, in addition to Salaff's "Urban Residential Committees...", see her "Revolution in the Streets", Far Eastern Economic Review, #35, August 29, 1968. pp. 391-392,433.

[38]See for example, Victor H. Li, Law Without Lawyers: A comparative View of Law in China and the United States, Boulder, (Westview Press) 1978.

[39]The public security apparatus is described in detail in A Doak Barnett, Cadres, Bureaucracy and Political Power in Communist China, N.Y. (Columbia U. Press), 1967, pp. 221-229 and Victor H. Li, "The Public Security Bureau and Political Legal Work in Hui-yang" in John W. Lewis, The City in Communist China, pp. 51-74.

[40]See for example, Kang Shu Hua, "Yu jianli xiaonian fating de biyao xinglun zhiding baohu qingnian faguan" On the need to create a juvenile court to formulate and preserve juvenile law), Faxue Zazhi, #1, January 1982, pp. 19-20.

[41]See Lynn T. White III, "Deviance, Modernizaton, Rations and Household Registers in Urban China" in Wilson, Greenblatt and Wilson, Deviance and Social Control.. ..,p. 156.

[42]The information was based upon personal communication with Mr. Ross Rogers, U.S. Political Counselor in Guangzhou, March, 1983.

[43]For extended discussion, see June Tuefel Dreyer, "Limits of the Permissable in China", Problems of Communism, vol. XXIX #6, Nov-December, 1980, pp. 48-139.

[44]See Patricia Peck Griffin, The Chinese Treatment of Counterrevolutionaries unpublished PhD. dissertation, University of Pennsylvania, 1971, particularly, pp. 121-139.

[45]Munro, chapter 3, pp. 57-83.

[46]See Bao Ruo Wang, Prisoner of Mao, N.Y. (Coward, McCann and Geogliegan), 1973, particularly pp. 36-43.

[47]Bao Ruo Wang, pp. 53-62.

[48]See Robert J. Lifton, Thought Reform and the Psychology of Totalism, N.Y. (Norton) 1961; Bao Ruo Wang, P. 155.

[49]With the establishment of a new Criminal Code in January, 1980,a distinction is now made between crimes motivated on the basis of opposition to political as opposed to economic and social order concerns. These distinctions can be viewed as representing a progressive step in that the complexity of criminal motive and behavior is now clearly acknowledged. The code is translated in the Review of Socialist Law, vol. 7, 1981 #2, June, pp. 202-222. Future references within this study are based upon this translated version.

[50] Bao Ruo Wang, p. 252, pp. 300-301.

[51] Section 6, article 62 of the Act of the P.R.C. Reform Through Labor (September 7, 1954) states, "All offenders, when their terms of imprisonment have expired and they are about to be released, may voluntarily remain in their group and get work, or if they have no home to which to return and no employment to get or if it is possible to place them in sparsely inhabited districts, organs of reform through labor shall be covered by separately issued provisions." Translated in Jerome Alan Cohen, The Criminal Process in the People's Republic of China, 1949-1963, Cambridge, (Harvard U. Press), 1963, P. 634.

[52] As such, Cultural Revolution rituals bear some resemblance to informal methods of incarcerating offenders commonly used in 18th century France. See Michel Foucault, Discipline and Punishment: The Birth of the Prison, N.Y. (Vintage) 1979, pp. 257-263.

[53] See Amnesty International Report: Political Imprisonment in the People's Republic of China, London (Amnesty Internation Publishing Co.), 1978, p. 90.

[54] FBIS, December 6, 1979, L9 "Beijing TV Shows Execution of Hangzhou Rapist".

[55] Cohen, passim.

[56] Criminal Code (in Review of Socialist Law) p. 207.

[57] Crimianl Code, p. 205.

[58] SWB FE/6054/BII 9, February 29, 1979.

[59] The dichotomy between formalistic and informal pressures within the Chinese judicial system is a major theme in James Brady's, Justice and Politics in People's Republic of China, (New York, Academic Press, 1982).

[60] For a good description of the salient environmental, geographic, cultural and historical characteristics of the region, see Ezra F. Vogel, Canton Under Communism, Cambridge, Harvard U. Press, 1969, particularly pp. 12-37.

[61] Shirk, Competitive Comrades, pp. 141-142.

Chapter Three - Mainland Views of delinquency

3.1 Definition of the Problem

How is juvenile delinquency currently defined in the People's Republic of China, and how do current definitions compare with previous attempts to address the problem? According to Article 10 of the Criminal code, a crime of any type is defined in the following manner.

> Any action which endangers state sovereignty and territorial integrity, jeopardizes dictatorship of the proletariat, sabotages socialist revolution and socialist construction, disrupts public order, encroaches upon the property of the whole people, the collective property of workers or legitimate private property of citizens, infringes upon the personal rights, democratic rights and other rights of citizens or any other action which is an offense. However, if the act is obviously a minor one and if its harm is negligible, it should not be considered a crime[1]

Chinese legal scholars have made the point that juvenile delinquency is a sociological term; it's meaning lies beyond those boundaries which define the legal conception of criminal activity. The importance of the severity of the offense as a contributing factor in the determination of a crime, for example, would not necessarily be appropriate for all types of behavior falling within the parameters of juvenile delinquency. Age limitations which arbitrarily fix the point at which an individual becomes criminally liable, also infringe upon a wider definition of the term.[2] Nonetheless, the Criminal Code offers a basis

from which one can begin to understand the nature of the phenomenon as it is understood within the P.R.C. Specific reference to juvenile offenders is made in Article 14 of the Criminal Code.

Offenders above sixteen years of age are punishable by law. Offenders between 14 and 16 of age are liable only when they have committed homicide, mayhem, robbery, arson, repeated theft or other grave offenses which will disrupt public order. Offenders between 14 and 18 years of age should receive a lighter or mitigated penalty.

> Offending minors under 16 years of age who are not punished should be placed in the charge of their parents or guardians for disciplining. If necessary they may be taken into custody by the government for re-education.[3]

Further reference is made to the importance of restricting the use of the death penalty for underage offenders guilty of a severe crime in Article 44.

> The death penalty is not applicable to people under the age of 18 at the time of the commission of the crime or for lowmen pregnant at the time of trial. A person between 16 and 18 years of age who has committed a particularly serious offense may be sentenced to death with a two year reprieve.[4]

The importance of preserving the reciprocity of responsibility amongst various members is stated in Article 183.

> In a vile case, anyone who is duty bound to provide for the old, the young, the sick or for other persons who do not have the ability to live independently and yet refuses to discharge his duty, shall be sentenced to imprisonment for not more than five years, to detention or to surveillance.[5]

It is clear that traditional distinctions between the culpability of youth as opposed to that of their elders are preserved within the Criminal Code. Yet the determination of specific age limits at which point youth do become ciminally liable has varied considerably during the P.R.C.'s brief history.

In 1951, the Central Government's Standing Legal Committee held that youth under and including the age of 12 were exempt from criminal liability; youth over the age of 12 up to and including the age of 14 were to receive lighter sentences than would normally be the case; households, organizational groups as well as those affiliated with prisons would be held personally responsible for their disciplinary education. However, for those youth who reached the age of 12 and who committed murder, serious assault, robbery and other crimes judged to have been publically harmful, People's Courts were instructed to prosecute and punish according to the law; those who were older than 14 up to and including 18 years of age were to receive lighter sentences than their adult counterparts, for all criminal offenses committed.[6]

On August 26, 1954, Regulation #21 of the P.R.C. Labor Reform Article was passed, stating that reformatories would admit delinquent youth older than thirteen, up to and including 18 year olds. On October 28, 1955, the Ministry of Justice stated that the regulation should be re-interpreted to mean that delinquents over thirteen years of age up to but not including the age of 18 would be admitted into these institutions.[7]

The principle reason which is offered as to why the age limits for criminal liability were originally so low is that during the years immediately following Liberation, a number of counter-revolutionaries, gangs and bad influences which were left over from the past, continued to thrive in the new environment and had to be stamped out. As the situation improved, the age limitation was gradually raised.[8]

Upon analyzing the current Criminal Code, one notes that a clear demarcation exists at age 16 for the juvenile offender. Offenders aged 14-16 ordinarily are not held criminally responsible (thus, they can be sent to a reformatory without receiving a formal trial). If they commit extremely serious offenses though, they are held criminally liable. Youth over the age of 16 are held liable regardless of the severity of the offense, although if between the ages of 16 and 18, their punishments should be lighter than would normally be the case. Are 16 year olds really more mature and therefore dresponsible for their actions than their 14 year old counterparts? Or can 18 year

olds actually be considered to be more responsible for their actions than 16 year olds? It has been argued that the difference in culpability between 14 and 16 year olds is real (lower middle schooling is completed by the age of 16 and peasant boys have already begun to engage in manual labor by this time), although it is also true that social education for both categories of youth has just begun. The difference between 16 and 18 year olds, for the purpose of addressing criminal liability, is recognized as being more clear cut.[9]

In any event, popular views of delinquency ascribe a more liberal age range for the offending parties than does the Criminal Code, for those between the ages of 14 and 25 are so labelled. A distinction is made between the age of a juvenile (until age 18) and a youth (18-25), but delinquency, as it is broadly conceived, integrates both of these age categories.

Apart from the age issue, there are specific definitional terms which have sparked debate amongst Mainland scholars. Some have argued for example, that the interpretation of the term "seriously disrupt public order" be restricted to crimes which effect only the administration (guanli) of social order on the part of those governmental organizations, especially those held responsible for carrying out these arrangements. Others argue for a more expansive definition of the term to include murder, assault, etc. depending upon the circumstances under which the

activity is committed (in the course of a rape, for example, in addition to being charged with the primary offense, an offender may or may not disrupt social order and he should be so charged if the situation demands this action).[10] Similar definitional confusion exists as to the nature of hooliganism, or causing mayhem, which normally would necessitate that crowd activity be present and violence occur; unlike some perceptions of crime against the social order, hoolganism is normally thought of as being directed against society at large without a narrow or institutional focus.[11] Nonetheless, the point at which an ordinary quarrel becomes an act of hooliganism is often difficult to substantiate. Finally, definitions governing complicity in criminal activity, and the liability for complicity are also unclear (some consider the encouraging of a criminal act such as murder to be no different from the actual commission of the crime).[12] The difficulty in defining gang activity in legal terms is an additional issue which will be elaborated upon during the course of thej study.

What types of behaviours are considered deviant which fall outside of the realm of formal criminal activity? Smoking, drinking, gambling, stunt cycling (fei che), reading pornographic books and magazines, watching these types of films in theatres or observing lewd television programs (often originating from Hong Kong), engaging in promiscuous sexual relations, listening to "corrupt western music" or engaging in inappropriate dancing have all been

categorized as constituting delinquent behavior within the P.R.C.[13]

The practice of rope lassoing (tao ren) received specific comment in the press.[14] In this case, it was common practice for delinquents to pull an individual by rope without his or her permission. In an extreme case in Guangzhou in 1982, a 19 year old delinquent lassoed a girl bicycle rider from the back of a moving truck, dragging her along the street for a considerable length of time, inflicting excessive injury. The offender was publicly executed for the crime so that a negative model, communicating the consequences of continuing to pursue that type of behaviour, would be articulated.

With respect to other kinds of informal delinquent activity, a clear communication as to the nature of the deviancy expressed is often difficult. Smoking, drinking and gambling, for example, are common behaviors popular amongst the adult population; although they are not always accepted as being healthy, they are at least officially tolerated for members of the older age group. Thus, the question of participants' age becomes a significant factor in defining the degree of allowable deviance. Youth, it is commonly explained, begin their deviant behavior by engaging in these actions, and if left unattended to, will progressively commit more serious offenses.[15] These behaviors, in and of themselves, while perhaps not

necessarily serious, take on greater importance if committed by youth.

Questions as to what constitutes pornographic material are difficult to resolve in most societies and the Chinese case is no different. Official pronouncements usually designate material which is judged to be morally unacceptable in terms that some would find puritanical. In attempting to shield the population from contact with undesirable western influences, contact which inevitably occurs as cultural borrowing in the name of modernization increases, the spiritual civilization campaign, emphasizing commitments to personal decorum and to the "five stresses and the four beauties" has been given a great deal of official publicity within the last few years.[16] But tension frequently exists as to what is officially deemed proper and acceptable as opposed to what the public demands. As has been noted, in Guangzhou, it is not uncommon to see the very shops displaying "preserve civilization and decorum" banners to be playing western music at the same time. After the rapid growth of fishbowl television antennaes in Guangzhou, which allowed residents to tune into Hong Kong television programs, authorities banned the antennaes and ordered that they be taken down.[17] However, the ban has been rescinded in village areas close to the Hong Kong border because it has become impossible to enforce. Likewise, while it is extremely difficult for a native to attend western style discotheques, popular at

foreign tourist hotels, a number of underground discos do exist and in fact are popularly attended. It has been previously stated that the concern for propriety is a traditional one within Chinese society. It is clear that this concern continues to play a role in defining normalcy and deviance within the P.R.C., although the tension between official pronouncements and their popular acceptance has a clear impact upon the definitional process.[18]

The indeterminacy of delinquency terminology extends beyond legal and sociological constraints, though. The People's Republic is undergoing a period of systematic social change; and as the Maoist ideological vision has been largely repudiated in recent years (class struggle having officially ended), the possibility exists whereby new forms of deviance, unrelated to previous arch-types, are being formed and defined. This appears to be the case with crimes of property. It seems reasonable to assume that official policies which have encouraged increased consumerism along with the gradual opening up of trade to the West have had an impact upon the growth of property, commercial and transportation crime.

Because radio's, T.V.s and household appliances are shipped by rail, railway stations are a common target for theft and burglary.[19] Crimes such as bicycle theft fluctuate with the availability of the item, but the bicycle continues to be a precious commodity in the P.R.C. One notorious gang of female thieves committed over one hundred

and ninety three cases of bicycle theft before being caught in 1982.[20]

The lack of specificity with which criminal activity is characterized makes the process of historical comparability extremely difficult. Table (8), which attempts to demonstrate the historical decline of counter-revoluntionary crime and the growth of common criminal activity amongst juveniles says more about official attempts to currently downplay political labelling and stereotyping than it does about the ways in which criminal activity is actually detected. Nonetheless, the fact remains that reformatory institutions existed in Republican China and as we have seen, issues concerned with reformatory education were broached throughout the 1950's, after the People's Republic was established. Fragmentary evidence gives us a clue as to a few of the characteristics of juvenile crime in the 1950's, 60's and 70's.

11. Historical Precedents

It has been mentioned that secret society and gang activity was pervasive during the Republican era, and a number of gangs continued to operate after 1949, especially in Shanghai. One ofthe Communists' proudest accomplishments was ridding that city of incessant gang activity, a large portion of which included juvenile behavior. Today, it is claimed that an original delinquent population of 80,000 people was reduced to approximately 5,600 by the end of 1959.[21] The types of activities the offenders practiced

prior to their rehabilitation were numerous; some were guilty of anti-revolutionary political crime; others were guilty of more mundane activity such as loafing about or demonstrating unwillingness to work. Many were unemployed and uneducated; a great number came from the lower worker stratum demonstrating anti-peasant attitudes. The task for authorities became one of convincing these "hoodlums" (liu mang) that their criminality was more serious than that of simply demonstrating antagonism to the party, and reform through labor practices proved to be an effective remedy in this case.[22] In addition to clearing up the gang problem, prostitution was another area where effective control was exercised.[23]

During the late 1950's and early 1960's, accounts speak of juvenile theft in rural as well as urban areas, outside of as well as within schools (including the stealing of books, writing instruments, etc.) Other behaviors such as fighting and poor school discipline are also mentioned.[24] The lact of a broad data base argues against generalizing too much from this information. Claims that an adolescent sub-culture significantly different from its American counterpart developed in the P.R.C. at that time, whereby deviant youth assimilated academic achievement oriented values into their normal course of behavior, appear extravagant.[25] It may be the case than in conceiving of school supplies as precious commodities worth stealing, some youth might have internalized the legitimacy of certain

values propagated by the school environment in expressing their delinquent behavior. However, given the stratified nature of the educational system at that time, it is impossible to determine whether or not such behavior was limited to specific school settings or to students from specific social groups and class back grounds.

We do know that the general juvenile delinquency problem, by the late 1950's, was severe enough so as to draw attention tot he fact that few adequate reformatory facilities, designed especially for juveniles, were operational. The construction and rebuilding of 9 reformatories in 1957, was intended to address the problem of housing delinquents with adult prisoners int he same correnctional facility. Over 4,500 juvenile delinquents were admitted to have been officially sentenced for criminal punishment by February, 1958.[26]

Regardless of the type of delinquent behavior expressed, it is important to acknowledge that delinquency did occur during the pre-Cultural Revolution Era, it was identified as such, and remedies were sought to control its expansion. At the present time,policies espoused during the Cultural Revolution Era (1966-1976) are considered to have contributed fundamentally to the growth of delinquency in the late 1970's and early 1980's. And, in stressing the dehabilitating effects of the "ten years of chaos", the existence of delinquency during the previous periods is either discounted or is rationalized as being

insignificant.[27] It is claimed that that delinquency which did occur during the early 1950's was due to the continued existence of bad class elements, left over from the Republican Era; delinquency in the early 1960's (1962 especially) resulted from the failure of the economic policies and natural calamities the country experienced at that time. In any event, the extent and nature of deviant behavior was less serious than that experienced during and after the Cultural Revolution. These claims appear to be difficult to objectively substantiate. Because the nefarious effects of the Cultural Revolution Era have been given so much publicity in current attempts to assign causal responsibility for the contemporary existenceof juvenile delinquency, the literature concerning that historical period will be analyzed in detail in a latter partof the study. Suffice it to conclude though, that in spite of the numerous obstacles in defining terms precisely, within legal, sociological and historical contexts, there does appear to be a very general, yet firm notion as to what delinquency entails. And, even in periods where loyalties to differing or conflicting ideologies have been professed, it makes sense to broadly conceive of the term as having a set of core meanings, in spite of the possibilities for redefinition according to changing norms and behavioral standards.[28] The following sections will examine delinquency issues, as they are currently perceived.

3.12 Extent and Degree of Delinquency

While crime statistics are notoriously unreliable and ore noted for the ease with which they can be manipulated for political purposes, current guesstimates at least give us a clue as to the scope of the problem, as it is officially admitted. Supposedly, 0.075% of the Chinese population was convicted of criminal activity during the years 1979-1981, a seemingly favorable statistic when compared to the 5.22% of the U.S. population convicted of crimes in 1979. Such comparisons of course are meaningless, because of the litiguous nature of the legal process in the U.S. as opposed to the informal nature of its Chinese counterpart, and because the Chinese Criminal Code was not officially implemented until January, 1980.

Recent reports list the number of youth crimes and juvenile delinquency cases for 1983, handled by the poeple's courts, at 336,000 or 51.4% of all crimes committed nationwide. Over 85% of these offenses were committed by youth aged 18-25, 50,000 were committed by youth under age 18.[29] It is also claimed that for the year 1982-83, delinquent crime dropped 8.1% from 1981-2 and that in 18 major cities, there was a 12.8% decline in juvenile delinquency among youths between the ages of 16 and 18.[30] While the 12.8% statistic outwardly appears impressive, at least one survey has held that the largest group for first time offenders is 15-16 (see table 12). This is also the

average age group for those offenders held in the Guangdong Provincial Reformatory at Shijing, visited by the author.[31] The age of work-study school students, guilty of mildly delinquent offenses typically ranges from 13-15.[32]

The reporting of crime trends raises additional methodological problems. In a country as large and as geographically diverse as is the P.R.C., where communication and transportation facilities are often primitive, legitimate issues exist as to the facility with which one can report a crime. Individual security at factories and warehouses is often non-existent. Inventories are often improperly recorded and managed, making the accurate reporting of theft difficult.[33]

One must bear in mind that public telephones have only recently begun to operate in Beijing; in most areas, they don't exist. Not only is there a danger of under-reporting crime though. At times, vigilante type community groups have patrolled streets, making periodic citizen's arrests; the potential for an increase in the number of violations of arrest procedure is always present. Accuracy in reporting criminal activity must also be questioned. Statistical information correlating the time of day and the type of crime committed, or citing specific regions within cities where a preponderance of criminal activity occurs has not been made available to the public if it exists at all.[35]

The question of recidivism is itself a complex and sensitive issue. According to the Criminal Code, any one initially convicted of a crime who after serving time in a reform through labor camp or similar institution, commits another offense within three years of his discharge, is considered a recidivist.[36] However, institutions continually compute their recidivism rates in single year or smaller increments. As is the case with most crime statistics, gross exaggerations of deliberate shrinkages of time increments which are non-systematically calculated, impede upon objective attempts to ascertain the significance of the facts.

On June 10, 1981, the Ninth Session of the National People's Congress passed a measure designed to reduce recidivism. Inmates who escaped from a corrective labor facility were to be given a minimum of five years to be added onto their original sentence. Those who used violence or intimidation in escaping were to have, in addition to the initial extension of time, two to seven years added onto their primary sentence. For those who committed minor criminal activities after their release, they were to be sent back to rurally isolated corrective labor camps, and would not be allowed to return to the cities; their household registration and ration cards were to be revoked. This policy was also implemented for re-education through labor escapees, who became recidivists within three years or less, and for five year escapee recidivists.[37] In a

sense, the recidivist problem has been solved by passing it onto another venue. However, such solutions obviously make fair assessments as to the true scope of criminal activity difficult to formulate.

Perhaps the most important statistic which has been officially published is that 70-80% of all criminal activity is committed by juveniles.[38] Indeed, 87% of the inmates of the Tuanhe re-education through labor camp are under 25, and in Shanghai, in 1979, 37% of all crime was committed by students. In 1980, the figure supposedly decreased to 23.9%[39]. The People's Republic of China is of course, a relatively young country. As of 1981, 38.6% of the population was under fifteen years of age and 65% of the country's inhabitants were born after 1949. The sustained growth of high birth rates from 1966-1971 has had and will continue to have obvious consequences for social behaviors for years to come.[40] Indeed, it is not surprising that at the present time, 50% of the population is of juvenile delinquency age.[41]

Seen in this light, the existence of juvenile delinquency as a prime factor effecting many types of criminal activity is not surprising. Regardless of the actual scope of juvenile criminal behavior within the P.R.C. though, delinquency is seen as playing a major contributing role and its existence is taken seriously by those authorities assigned the task of preserving law and public order.

Where does delinquency activity occur within the People's Republic? Traditionally, juvenile delinquency has been thought of as an urban phenomenon, and the P.R.C. case presents few examples which contradict the general rule. Nonetheless, as has been noted, juvenile crime has been reported to have occurred in rural areas in the past, and continues to exist at the present time. Approximately one half of the Guangdong Juvenile Reformatory offender population comes from rural areas.[42] The author has been informally told that within selected rural areas of Guangdong province, liberal policies allowing Hong Kong residents to reclaim some of their property confiscated during the implementation of land reform policies, as well as the general revival of ancestor worship (where securing proper ancertral burial sites is very important) have encouraged tension to develop between rival families and clan members, claiming legal rights to the same land.[43] In this case, clan youth have been assigned the task of patroling the property in question and quarreling has resulted.

It should also be mentioned that many rural schools have been reported to be in a state of disarray, suffering from broken windows, run down physical plant, stolen or damaged property, etc. Since these schools are locally funded, and it is often the case that inattention is paid tomaintenance procedures, conditions may reflect little more than the normal state of affairs. Nonetheless, it is quite

possible that some of the incidences of school vandalism and destruction of property are due to juvenile activity; this has been the case in the past and is currently true for urban areas. Reports of the physical abuse of teachers in rural areas have also surfaced.[44]

With respect to delinquency within urban areas, as has been the stated, significant activity occurs within transportation centers and related facilities, trains, busses, etc. in public areas where one would expect such behavior to occur (street corners, shops, sports fields, stores, etc.)[45] as well as within some schools. Public security forces, in a few instances, have been asked to physically patrol school premises, insuring safety for students and teachers. Personal physical attacks as well as the damaging of school property are the behaviors which have been specifically reported; gang activity as well as aggressive disgruntlement on the part of drop-outs have been offered as reasons for the behavior.[46] It should be recognized, though, that the preservation of order within school premises is not an entirely new problem. During the Cultural Revolution years, army and/or militia forces periodically were called in to restore order within school premises.[47] Currently though, the physical abuse of teachers has received a great deal of negative publicity for such incidents are perceived as not only harming a general respect for teachers' social position, but are viewed as

causing injury to the country's modernization effort as well.[48]

3.13 Summary

One can conclude that juvenile delinquency is considered to be an important problem within the P.R.C. (in spite of some recent publically proclaimed self-congratulary comments expressing the opinion that the problem is no longer as severe as was the case in 1979-1980.)[49] It is not an entirely new phenomenon, having existed before the outbreak of the Cultural Revolution. Finally, delinquency occurs in both rural and urban areas, although urban delinquency has been afforded the greatest degree of public attention. Attempts to define the scope and nature of delinquency in specific yet realistic terms remain problematic, but have obvious influence upon causal explanations which are attributed to its existence, explanations which will be given further scrutiny.

3.2 Explanations for the Growth of Juvenile Delinquency

3.2.1 The Cultural Revolution

The Cultural Revolution (1966-1976) is the one factor which is most often attributed to the growth of juvenile delinquency during the late 1970's and 1980's.[50] But before discussing the specific practices which fall under the category of "Cultural Revolution harms", the ideological implications of the contention will be briefly analyzed.

Firstly, it should be remembered that the use of broad-based historical explanations in order to impute

single dimensional causality has been a common practice within the People's Republic of China. As has been previously noted, the existence of bad class elements left over from their pre-liberation years has been given as an explanation for delinquency, prostitution and gang activity during the 1950's; the effects of bad economic policies combined with severe natural disasters are said to have contributed to a rise in delinquency in 1962. What should be further recognized, though, is that the use of historical explanation fulfills important ideological functions. Even a cursory adherence to Marxist-Leninist-Maoist doctrines of historical determinism allows a leadership to depict truth in unitary, progressive terms. Possessing the force of history as a guiding light is a powerful weapon when attempting to justify policy changes as severe as those implemented in the post-Maoist Era. For a leadership which bases its legitimacy upon a professed opposition to those policies, a legitimacy which is perpetually sugject to question, it is not only in its interest to downplay the possibility that an honest cost/benefit analysis of specific policies in this area might produce some ambiguous conclusions, it becomes harmful not to do otherwise. Thus, with respect to the scholarly literature concerned with juvenile delinquency issues as well as with other social problems, the Cultural Revolution Era must be given a due share of the blame for their inception even if such condemnation is stated in terms meant to do little more than

pay lip service to the belief. In one article, for example, an attempt is made to analyze non-Cultural Revolution factors responsible for the growth of juvenile delinquency behavior. Therefore, all of the subjects studied were deliberately selected so as to be too young to have themselves been directly influenced by Cultural Revolution policies. The conclusion though, in an otherwise careful and seemingly objective study is that poor parental training, deficient because the subjects' parents grew up during the Gang of Four Era, is the main culprit here.[51] One wonders of course, how many generatons will have to pass before the effects of such training are mitigated.

Nonetheless, it should be noted that using the Cultural Revolution as an excuse for increased delinquency does answer a few ideological dilemmas. Specifically, the current leadership must explain how delinquency can occur in a society where class struggle has officially ended. The explanation which is formally presented argues that given the harm inflicted upon the society during the Cultural Revolution Era, it may have been premature to proclaim the end of bad class elements and therefore the end of class struggle;[52] in any event, the residue of Cultural Revolution policies can still be felt for society is weak and is susceptible not only to internal subversion, but to the poisonous "sugar coated bullets" emanating from bourgeois influences from abroad. What is it specifically

about the Cultural Revolution Era which created such widespread behavioral change?

In the first place, Mainland scholars view the entire ten year period as one in which there was an absence of law and respect for regulated legal process and value consistency. Denied access to clearcut behavioral models from which correct social behavior could be immitated, youth had no way of distinguishing between right and wrong. In the absence of moral and ethical clarity, youth thus turned to selfish pursuits and developed deviant attitudes and behaviors. Punishment for misdeed became an uncertainty; deviant youth not only got away with whatever a particular situation allowed, but were indirectly encouraged to take chances, heretofore not considered viable.[53] One recognizes not only a traditional faith in the efficacy of behavior modelling here, but also beliefs in the assumptions that knowledge and behavior are related and that possessing correct moral knowledge implies having the ability to act correctly. An additional underlying theme central to this explanation is that not only were there no values to model, but there was an absence of political leadership whose responsibility it was to clearly articulate those values. Since political questions continue to include significant moral conponents, the lament for the absence of value consistency during Cultural Revolution additionally implied dissatisfaction with the radicals' efforts to regulate political procedure and social order on a consistent basis.

The degree of social chaos which existed during the Cultural Revolution is an empirial question extremely difficult to answer. Some areas were impacted moreso than others; 1966-1968 were years in which factionalist strife was most pronounced; other time periods within the ten year time span witnessed varying degrees of social conflict and tension.[54] But a second, and perhaps more important claim of contemporary Mainland scholars, is that social chaos was encouraged by the Gang of Four and their supporters overtly. Politically popular slogans of the time, such as "small errors in personal behavior do no wrong" (xiao jie wu huai), "to come to blows is courageous" (da jia yonggan), "studying is of not use" (du shu wu yong) or "the more you know the more reactionary you become" (zhi shi yue duo, ywe fandong) specifically gave deviant behavior its public license.[55]

The Gang of Four's attack upon traditionally accepted social authority was widespread; schools, factories, party organizations as well as street committee and public security structures, not to mention the family unit, were all subjected to frontal attack. As a result, the old social fabric, which reinforced stringent social control over individual behavior was torn apart without being adequately replaced. Many examples are offered of good students, who became delinquent, only after their parents had been struggled against and were sent off to corrective labor camps.[56] Without either the strong family unit or

the school to offer youth that moral and political education, necessary for the combatting of negative prevailing tendencies, specific behavioral change amongst youth occurred.

It is argued that the level of family and domestic violence, where youth physically attacked parents, brothers and sisters, increased substantially during the Cultural Revolution Era. An additional contention is that the specific personality traits of youth changed; they became more inclined to exhibit aggressive and violent behavioral characteristics in the general sense.[57] The combination of political and social chaos with economic scarcity produced a situation whereby motives for engaging in criminal activity included both the desire to exhibit aggression as well as the drive to aquire peraonal profit.[58] To the extent that delinquency did occur in the years prior to the outbreak of the Cultural Revolution, not only was its scope smaller, but the seriousness of the behavior was much less extreme.

Does western scholarship pupport these claims? As has been previously stated, Raddock has argued that the fundamental nature of the father-son authority relationship changed during the Cultural Revolution, as the vertical distance between the two parties was reduced in favor of a relationship which was more horizontally based. Given the great degree of publicity allotted to the ritualized denunciation of one's parents on the part of the children,

becuase of their unacceptable class background, it appears intuitively likely that intra-family tension did indeed increase along with domestic violence, at this time. Nonetheless, it should be point out that Raddock's sample, consisting of refugee interviews with ex-students from particularly bad class family backgrounds, is limited by size and homogenaiety.[59] It is therefore difficult to extrpolate too much from his findings. One of Butterfield's informants impressionistically claims however, that external political pressure may have served to reinforce family solidarity rather than destroy it.[60] In short, claims which argue that in the absence of strong commitments to the preservaton of social order, domestic violence increased, or that the quality of delinquency behavior became more intrinsically aggressive and violent, while plausible, are impossible to verify.[61]

The one series of Cultural Revolution policies which probably did the most to harm traditional family ties were those which were involved with the sending down of youth to the countryside (shan xia xiang) upon their middle school graduation. Violence certainly did occur in these instances, both in rural and urban areas. Initially unwelcomed by a peasantry which was forced to house and feed urban youth, who were neither as well skilled not as well equipped to deal with the rigors of rural life as were their rural counterparts, a number of sent down youth found themselves subjected to physical harassment and in some

cases, violence.[62] It appears that a number of sent down youth were not above expressing their discontent through exercising overt criminal behavior either.[63] Indeed, certain areas with large numbers of sent down youth who still have been denied permission to return to their urban homes, continue to experience social order problems; Guizhou is a prime example of this phenomenon.[64]

A large degree of deviance has occurred within urban areas as a result of this policy though. Rusticated youth, believing that they were abandoned in perpetuity in stark locales, physically and culturally barren, and separated from their families without a reasonablehope of reunification, began to surreptitiously sneak back into their home cities and urban districts during the mid-1970's. Without proper household registration however, and without the possibility of attaching themselves to suitable work units, they became an underclass, surviving off family donations and/or theft and robbery.[65] In certain instances, the act of returning to the urban environment without official permission can be considered an act of political protest as muchas an activity contributing to social deviance.[66] Whatever the original intention however, it is unmistakably true that the expression of widespread urban delinquency was a consequence of these policies. Curiously though, those programs which directly influenced the fate of sent down youth during the Cultural

Revolution receive little contemporary discussion, in connection with the delinquency issue.

Currently, there is no quarrel with the contention that the quality of schooling suffered dramatically during the Cultural Revolution. Of course, it should be remembered that educational elites at any one time, seek to define the terms under which issues of quality are judged, and in the Cultural Revolution case, there were some significant ideological as well as epistemological differences governing the changes in educational policywhichwere implemented. Nonetheless, it does appear to be the case, based upon refugee interviews, that classroom behavior became worse, or at least that suchy behavior in traditionally prestigious institutions becamemuch worse. Reasons for the growth of student disruptiveness vary, but amongst the refugee interviewees, center around the lack of opportunity for advancement onto a higher educational institution upon middle school graduation (service in the countryside being a pre-requisite to any chance of obtaining upward educational mobility). The lack of educational relevance to limited future career options thus encouraged a "devil may care" attitude on the part of many students, perpetuating behavioral discord.[67]

Of course, the point at which youth begin to orient their academic behavior solely according to future career hopes and plans is never directly spelled out. Also, it should be remembered that in Guangdong province, unlike

other areas, the lower/upper middle school structural dichotomy was preserved. Whether or not the continued existence of an upper middle school structure affected student behavior in a specific sense is unknown. In any event, in addition to the cutting of higher educational linkages, the poor quality of teaching and teacher training, lack of suitable curricular materials as well as the general devaluation of teacher authority all probably contributed to growing student disruptiveness within the classroom.

For the purposes of this study, it would be sufficient to conclude that youthful deviance in various forms almost certainly did exist during the Cultural Revolution Era, although the available Western scholarship in the field does not make claims which are as expansive as those made by the Chinese themselves. Specific policies with respect to the sent down youth campaigns and the schooling process do seem to have influenced the growth of norm-violating behavior on the part of the nation's youth. Whether or not there was as dramatic a change in their behavioral attitudes as the Chinese have suggested, is a question which is not readily answerable.

3.2.2 Foreign contact

An argument, closely related to the use of historical causation as an explanatory device for the growth of juvenile delinquency emphasizes within a contemporary context, the danger, bourgeois influences have had upon the nation's youth. The social fabric, it is mused, fragilely

reconstructed after the fall of the Gang of Four, is still relatively weak and youth are susceptible to unhealthy foreign influences. Such sugar coated bullets include graft, corruption (including the unlawful seeling of coins and antiques), pursuit of physical pleasure and indulging in material and media judged to be pronographic.[68]

A few points are worth noting here. It should initially be made clear that the strains of puritanism as well as xenophobia implicit in this argument are not new to Chinese political thought. Indeed the mistrust of the West, evident in a number of radical ideological pronouncements, has been blatant, during the thirty-odd years of P.R.C. history.[69]

The literature which deals with pornography and illicit sexual relationships is interesting for a few reasons. Usually the offender is depicted with sympathy, an unwilling victim who would never engage in the norm-violating behavior if left unexposed to the licentious material. Originally he would never conceive of behaving in such a way, but once the thought has been planted, the offensive behavior naturally results. Thus, there are a number of examples offered of model students (san hao xuesheng) displaying excellent in their physical, intellectual as well as moral attributes, who, after reading an unhealthy novel or seeing an explicit movie or vide tape, have committed rape of have indulged in a similarly destructive crime.[70]

Traditional chauvinism concerning male-female culpability for engaging in sexually promiscuous activity is quite apparent. The girl is usually at fault, enticing the unwitting boy into engaging in misconduct.[71]

It has been noted that broad-scaled historical and sociological explanations which offer reasons for the existence of delinquency within the Mainland fulfill a number of functions. Nonetheless, it has also been recognized that these explanations allow for a limited understanding of the nature of the problem. In the first place, they don't give us guidance as to why differences in individual behavior occur. Everyone who grew up during the Cultural Revolution did not become delinquent, nor have all of the youth who in recent years, have been exposed to western mores succumbed to their alleged negative effects. The use of the gross generalization, be it historical or sociological, also allows individuals to deny responsibility for their own behavior and therefore, to implicitly proclaim their innocence. An individual need not fundamentally reform his behavior if he was unfairly tricked into believing the slogans popularized by the Gang of Four and acted accordingly. As a result of the admitted limitations in relying solely upon these type of explanations for an analysis of juvenile delinquency issues, the field of criminology (fanzui xinlixue) has grown in popularity within the P.R.C., where a number of scholars are attempting to determine those specific behavioral characteristics which

are common to delinquents of all types and which separate them from the normal population group.[72]

3.2.3 Behavioral Attributes

In some of the earlier of the recent articles, concerned with juvenile delinquency issues, which were published primarily for a Western audience, delinquents were depicted in extremely sympathetic terms. It was held that these "blossoms in the dust" needed help in reforming their recalcitrant ways, but deserved widespread community support.[73] Such imagery is reminiscent of the "affectional discipline" terminology used in the United States during the latter part of the 19th century. In that case, it has been argued that the rhethorical use of therapeutic terminology conveniently justified the reiteration of authority and social control over the socially dependent delinquent.[74] In the Chinese case however, this type of imagery has been largely reserved for a special category of youth, including those who are extremely young or who have committed minor infractions. The youth so depicted often attend work-study schools (gong du xuexiao), institutions which appear to be less overly coercive than alternatives such as the juvenile reformatory (guanjiaosuo). The audience, for whom these rhetorical devices have been targeted, is thus small and specific.

For the majority of youth labelled delinquent though, the descriptive rhethoric is considerably more harsh. A few of the more common terms which have been used to describe

delinquent personality types include ignorant (yumei), muddleheaded (hutu), tyrannical (chengba), despicable (xialui), impetuous (jizao), crazy (feng kuang), vain (xurong), conceited (zifei or kuangwangzida), reckless (lumang), rotten (fuxiu), audacious (danda) and savage or inhuman (miejue renxing). Actual accusations leveled against delinquents include the claim that their cognition levels are low, influencing their poor ability to distinguish between right and wrong. Their behavior is logically contradictory in that while they think they know everything, they still do poorly in school. Their personality types are often plastic (kesuxing). In other words, they appear hard on the outside, but are easily shattered. Such brittleness additionally implies an inability to cultivate flexibility of response. Delinquents are overly sensitive to peer criticism, believing that they most prove their self-worth not only to themselves but to their peers as well. It is for this reason that the cult of brotherhood (kemenyichi) is so strong and that they often engage in a blind hero-worshipping of the desparado or antihero. The desire to dominate (chengba) often conflicts with the reality of most situations where their actual options are limited. As a result, delinquents often explode and go crazy. They can't control their emotions and fly off the handle; they are often unstable (wending). While they worship false heroes, they have little respect for legitimate authority (as manifested in family figures,

teachers, street committee leaders, police, etc.). Their general confusion (hunxian) leads to responses whereby they attempt to seek revenge or bully their way into achieving their aims. Thus, their methods of action are often simplistic. In addition, many of their values are narcissistic and overly materialistic or pleasure-seeking.[75] Delinquents frequently experience the need to create excitement for themselves as a means of proving their self-worth. This leads to the acquisition of incorrect values, as they accept the validity of slogans such as "money is only power, power is only money."[76]

There often is no deliberation prior to their delinquent behavior, no sense of inner conflict as to whether their actions are morally correct or incorrect, and little remorse after the action has been committed.[77]

Female delinquents are particularly hard to reform, for once they have been indulging in immoral activity, they often believe that there is no use in changing their behavior, for they will never be able to succeed in their efforts or be accepted by the society at large. Thus they write themselves off as being hopeless and act recklessly, losing their self-respect and self control (po guan po shuai "smash a pot to pieces just because it is cracked").[78]

There are a combination of reasons which explain the existence of these attitudes and behavioral attributes. Adolescence, it is recognized, is normally a time of confusion where youth experience physical growth more

rapidly than they do emotional maturity. However the confusion inherent in the adolescent stage of development can not be used in and of itself as a rationalization for delinquent behavior; youth also develop an indepedent will. If this will remains unchecked, when combined with other social factors such as the lack of value clarity experienced during the Cultural Revolution or the existence of newly emerging unhealthy social tendencies resulting from increased western contact, an expression of deviant attitudes and behaviors becomes more likely.[79]

A brief analysis of the rhethorical devices and arguments used to describe youthful deviance leads to a few general conclusions. In the first place, emotional immaturity is associated with a lack of emotional control. The very expression of emotion gives evidence for such immaturity. Thus it may be the case that the public expression of emotion is at least important as is the legitimacy of the arguments and grievances which provoke youthful outbursts. Traditional western views which concern themselves with child development issues, sympathize with the inherent expression of emotion as a positive factor rather than with the need to repress its expression. Yet these views do not appear to be operational here. If delinquents lack the ability to control their own feelings, they additionally fail to respect those authority figures officially afforded the responsibility of maintaining social control within the society. It is not the case that

delinquents fail to respect authority in the general sense, for they do engage in hero-worshipping. However, theirs are unsuitable role models. It is the type of authority to which delinquents submit which is officially criticized as being illigitimate. Their inability to understand the meaning of true friendship therefore is due to the quality of the individuals chosen as friends, not to their ability to make friends in the general sense; the cult of brotherhood is an extremely strong phenomenon amongst delinquent adolescents.

What emerges here is a belief in moral certainty; values are correct or incorrect; moral knowledge has been acquired or is lacking. There is no middle ground, no allowance for the possibility that morally correct behavior may be situationally based. The unwillingness to tolerate moral ambiguity obviously influences general perceptions as to the depth of moral depravity delinquents experience and the extent to which their possible reformation is judged to be realistic.

Within the western literature, the concept of "drift" has played an important role in the understanding of deviant behavior. Delinquent, it is held, drift in and out of situations and experiences which test their willingness to engage in deviant behavior during the normal course of their lives. Whether or not they begin to systematically engage in deviant behavior depends upon the number and quality of their preliminary associations. At a certain point, their

experiences increasingly become patterned; behavioral attitudes become pronounced, and delinquents drift into committing deviant behavior on a large scale. The implication therefore is that the line of difference which clearly distinguishes between those who engage in innocuous acts, symbolic perhaps as rites of passage, and those who turn to hard core delinquency activity is quite small.[80] The Chinese view does not appear to share these conclusions, nor does it allow for the possibility that a "normal" youth can or will at any time, engage in deviant behavior in the general course of expressing normalcy.[81]

The practice of merely labeling particular behaviors and attitudes as being deviant still doesn't allow for an appreciation of the circumstances under which deviance occurs, nor does personality labeling add to a causal understanding of the nature of the problem. It is for this reason that Mainland scholars turn to an analysis of specific social structures and social units, in their attempt to fully explain the phenomenon. Of key importance in the influencing of personality development is an individual's relationship with his family. The family unit continues to be thought of as a key structure, responsible for correctly socializing children, and incorrect child-rearing practices have received a due amount of criticism for contributing to the growth of juvenile delinquency.

3.2.4 Family Relations

What kind of parents produce delinquents? And what are the specific child-rearing factors which encourage delinquency to develop? In separate surveys conducted at the Shanghai juvenile reformatory and a Heilongjiang work-study school, the family background of the delinquents surveyed generally was working class, although not impoverished. SES factors were generally low (see tables 10 and 13). 76.9% of the parents of delinquents from the Shanghai juvenile reformatory, for example received no more than an elementary education or were completely illiterate (see table 10). What is perhaps more interesting is the issue of family size. 78% of the delinquents came from families where they were the youngest or only child member, 17.9% came from broken homes, 13.3% from expanded families and 8.7% came from homes where either one or both parents lived outside or away from the household (for occupational or other reasons) (see table 10).

The increasing prominence of the single child family is of extreme concern to Mainland scholars.[82] It is generally held that single child parents dote on and spoil their children at an early age; the children are thus encouraged to be less disciplined and are more self-centered as they grow up. They often turn to delinquent activity by the time they become teen-agers.[83] Retired grandparents and aunties are especially guilty of indulging their grandchildren with gifts, candy, toys, etc. setting a bad

example for the future. Parents and relatives are thus repeatedly told in self-help childrearing manuals that they should not equate parental love or duty with the act of showering their children with gifts; yet traditional habits are hard to break.[84]

It has been a commonly accepted truism in the West, that the larger the family size, the greater the likelihood that youth will turn to delinquency behavior. In that situation there is an increased possibility that the individual needs of the child will be ignored, with the lack of parental attention contributing to the child's desire to seek other avenues for receiving attention. As the statistics and informal teacher observations indicate, the social behaviors and attitudes experienced by single family children constitute a nascent problem[87], but have not yet surfaced to an extreme degree at adolescent age levels, where the preponderance of delinquency activity occurs. Children who are the youngest members ofthe family though, do comprise a significant persentage of the delinquent population, perhaps indicating that family size which is either too large or too small may be problematic.

Issues which concern single parent families and their children's behavior have received a great deal of attention in the West. What is interesting in these surveys is not only that the Chinese statistics appear to corroborate the claim that there is an increase in delinquency amongst youth from non-broken families, where one or both parents live

outside of the household, usually because of economic necessity.[86]

Specific charges against inappropriate child-rearing techniques extend beyond remonstrance for spoiling one's children though. It is held that while parents do unnecessarily dote on their children during infancy, afterwards, discipline is often enforced in an overly harsh fashion, presumably as parents observe their children's growing rebelliosness. Thus, a number of delinquents complain that they've been beaten, scolded and harshly treated.[87] A primary reason for their failure to return home at night, it is claimed, is their fear of being severely treated by their parents (table 10). As children grow older, parents occasionally give up upon their childrearing responsibilities. Confronted with the obstinate older child, they ignore the unfavorable behavior by exhibiting an unwillingness to accept the significance of the behavior or by simply resigning themselves to the belief that it is too late to change the child's disposition. In one illustrative example, a father, fed up with his son's behavior, gave the boy some registration coupons and told him to get out of the house for good.[88]

The pattern of spoiling, overly harsh treatment, and then avoidance of one's disciplinary responsibilities indicates the existence of a fundamental problem as to the consistency of punishment exercised among parental practitioners. Thus, as one child-rearing manual states, it

is not the case that parents should or should not use corporal punishment with their children. Whatever their methods, they should act consistently (although experience demonstrates that the use of the leather belt is still the best method of inflicting punishment).[89]

Of fundamental importance in assesssing how well parents carry out their responsibilities is their perceived adequacy as role models. The assumption here again is that a child's behavior can be directly modelled. As table 7, translated from the original Japanese for Chinese audiences indicates, specific child-rearing techniques, be they authoritarian, democratic, etc., directly effect the child's personality and behavioral characteristics. Parental responsibility therefore extends far beyond the consistency with which punishment is applied; in fact in one manual, parents were blamed for 60% of all errors committed by juveniles.[90]

Poor parental models encourage delinquency amongst children. It is claimed that a significant number of delinquent youth have parents who themselves were sent to corrective labor camps at some point.[91] The implication is that they, having failed to adequately reform their ways, encouraged the perpetuation of similar behavior on the part of their children. In addition, one typically finds in delinquent households, an excessive degree of drinking, gambling and smoking on the part of the parents.[92] In one case, a father would give his son a cigarette as a token

reward instead of disciplining the boy, encouraging both habitual dependency as well as behavioral license.[93]

Good parents are seen as being responsible in a total sense for their children's behavior. Good parents are more likely to be aware of their children's truancy from school than bad parents. Good parents also know who their children's friends are, and guarantee that their children's peer associations are healthy ones. They of course, cooperate with and support teacher efforts within school settings.[94]

On the other hand, unlike certain cadre parents who not only spoil their children but attempt to secure for them priileged, occupational, educational and social positions, good parents do not shield their children from the force of law, if they have committed misdeeds. Parental responsibility for a child's behavior is thus especially promounced for those cadre parents whose positions are politically visible; their child's behavior very much serves as an indication as to their own worth as parents.[96]

Relevant western literature readily accepts the importance of the family unit as an entity which directly contributes to the socialization process. At the same time though, the peer group and peer group associations are also recognized as playing important roles in affecting a child's behavioral development, particularly as the individual reaches adolescence. Peer group relations, developing as a natural phenomenon, are thus considered to be somewhat

autonomous and independent from parental influence. As a result, arguments which directly equate parental responsibility withthe ensuring that one's peer group associations are of an acceptable standard, might be disputed. Additionally, the contention that a child's behavior is representative in a total sense of the quality of parenting he has received, would probably receive a controversial reception in western circles.

3.2.5. Schooling

It was previously mentioned that schooling has been assigned an important role in socializing the nation's youth to the political norms of the state. It should therefore not be surprising that schools today receive a good deal of the blame for encouraging the growth of juvenile delinquency within the society. Approximately 60% of all juvenile delinquents fall within the middle school age levels (see footnote #30). As was stated, disciplinary problems have existed within middle schools prior to and during the Cultural Revolution. Current criticisms of school practices must therefore be seen within that historical context. One reason why apparently contradictory opinions are offered as explanations for the phenomenon is that the overall importance afforded the schooling process continues to be extreme.

It has been argued, for example, that certain schools continue to be plagued by Cultural Revolution tendencies. School order and discipline has been inconsistently

reimposed and in some areas, teachers continue to receive a less than adequate amount of respect from students and parents.[96]

On the other hand, most of the criticism leveled against schools upholds an opposing view: the reimposition of school order has been rigidly applied and in some cases, has proven detrimental to individual student needs. No one educational policy has received as much negative publicity as the use of homogeneous grouping, popular at even the primary school level.[97] As far as juveniles are concerned, the practice has reinforced and has in fact been accompanied by an extreme degree of increased pressure for academic advancement. In one case, it has been reported that failure to receive a grade of 95% on periodic tests within a class section, was equated with receiving an unexcused absence from class. Two unexcused absences resulted in the student's failing the class.[98]

Teachers receive a large degree of criticism for teaching to the better students while ignoring the slower ones. At times, they have told behavior problems to leave the room without knowing or caring where their students go (as long as it is away from the classroom). Some even hope that public security officials will find the behavior problems and deal with the youth themselves, eliminating the issue from the school authorities' jurisdiction.[99]

It is interesting to note that when one model teacher was cited for his success in handling behavior problems, it

was his ability to deal with the delinquents on individual terms, finding and building upon their hidden talents as a means of increasing their self-esteem, which was stressed.[100] In addition, a Shanghai middle school received public praise for its attempt to directly address the educational needs of its slow learners by giving the students remedial attention. This practice, it is claimed, contributed substantially to a reduction in delinquency behavior.[101]

Teachers have been criticised for their traditional and authoritarian teaching methods in the general sense. It is argued that the teachers are not close enough in a personal sense to offer students preventative counselling with respect to their indulgence in materialistic, pleasure-seeking pursuits. They understand little as to what kinds of books, music and other media are fashionable or why students are attracted to those unhealthy tendencies, encouraged through increased contact with the West. The need for initiating sex education within the schools has been expressed, although the traditional distance between teacher and student mitigates against successfully implementing such a course of action.[102]

Teachers are often guilty of "unilateral education" (pian mian jiaoyu).[103] Students who perform poorly are subjected to ridicule and public embarassment not only by their peers, but also by their teachers. In one case, a Beijing middle school girl student accidentally committed an

evil deed. The teacher brought her in front of the class and said "the rock in the toilet is smelly and is hard. Your life is still not as good." As a result, the girl became truant and subsequently turned delinquent.[104]

Political study and moral education play important roles, officially, in the school curriculum. As has been noted though, in practical terms, the teaching in these curricular areas has been less successful than authorities might have hoped. The existence of delinquency in the broadest sense is seen to cast suspicion as to the effectiveness of these programs and it is not surprising that extensive internal criticism has been levelled against the content and teaching methods applicable to this curricular area.

It was previously stated that few middle school students take political study coursework seriously (in table 7, less than 3% of those questioned listed politics and government as preferred courses of study.)[105]

In the first place, there is no testing within the political study class. While there is a compulsory politics section on the national university entrance examination, there are no reported cases of students having been denied admission to a university on the sole basis of failing that section. Thus. other classes where assessment of student performance is rigorous and frequent, are considered to be more important by both students and teachers.[106] In this instance, the ideology of testing has served to define

curricular priorities in the general sense at the middle school level. Whether or not one's political knowledge and committment level should or can be formally examined in an academic context has received some debate amongst Chinese educators, although there are obvious difficulties in easily developing adequate assessment instruments for this purpose.[107]

Debate extends beyond the issue "to test or not to test", and includes questions as to the appropriate curricular content for political study. While it has been argued that students should be made aware of recent P.R.C. history as well as of the fundamental tenants of Marxist-Leninist-Maoist thought, due attention is being devoted to the need to improve students' knowledge of law and the legal process. Juvenile delinquents in particular, have claimed judicial ignorance as a reason for their misbehavior. Some don't realize that there now is a criminal code which is operational. Others don't understand the nature of the law; they don't believe that they will be punished if they break the law.[108] A typical example is that of the youth, who after stealing a pack of cigarettes, argued that he was unaware that such an inconsequential act was a violation of law.[109] Political study must therefore inform students as to the nature of the law and the consequences of their own misbehavior should they break the law.

Are the criticisms levelled against schools justified? The initial claim that school order continues to be inconsistently enforced in some areas, as a result of the negative legacy of the Cultural Revolution, appears difficult to judge. If it is true, then one would expect the problem to diminish in importance as the Cultural Revolution recedes into an unpleasant historical memory.

With respect to the more substantive charges leveled against schooling and educational practices, the accusations are deserving of merit if only because the educational background of delinquents is admittedly quite low. Delinquents can be thought of as educational casualties, in no uncertain terms.[110] Nonetheless, it remains problematic to specifically impute single dimensional causality to a phenomenon such as juvenile delinquency which is complex and multi-causational.

Thus, while a practice such as homogenous grouping may have contributed to delinquency growth, the degree of its causal importance is not verifiable. The practice is not new, and in fact occurred prior to the outbreak of the Culltural Revolution.[111] However, in analyzing the reasons for its existence, one must take into account the fact that urban middle schools acquire an informal reputation on the basis of the percentage of their graduates who are able to enter the university. As was previously the case, acceptance rates which have been published in local newspapers, exascerbate achievement-oriented pressures

placed upon teachers as well as students. Homogeneous grouping, it is believed, allows the better students to speed up the pace of their study, increasing the possibility of their passing the university entrance examination. One wonders though, whether the pressures for academic achievement are universally widespread or whether they are confined to the better schools who have a direct stake in improving their reputations. If the latter is the case, then policies such as homogeneous grouping may not be as pervasive as has been claimed or may not have been operational within those schools attended by the typical delinquent. Given the stratified nature of the educational system, and the fact that few delinquents reportedly come from families with intellectual class backgrounds whose children attend many of the country's leading key schools, there is a legitimate question as to the specific impact of this policy on delinquency growth. In any event, the practice, having received so much negative publicity, has been officially disavowed in a number of instances.

A larger and more important issue concerns the general competitive pressures for academic achievement within urban schools and the negative effects these pressures perpetuate. However, there are few proposals which fundamentally tinker with the system by eliminating, or reforming assessment procedures. Indeed, recent calls for the placing of added importance upon students' school records, instead of relying solely upon national examination performance, would serve to

increase the significance attached to assessment practices and the pressures that accompany their use.[112] It has been reported that informal connections now exist between select key schools and universities; some universities are selecting a disproportionate number of applicants from these key schools.[113] If this practice continues, competitive academic pressure will probably increase at an even earlier stage of schooling. The unfortunate preoccupation with academic excellence at the expense of physical and moral development has been duly noted by Chinese educators.[114] Yet, as long as the ideology of testing and assessment continues to play an important role in determining overall school policies, it is difficult to see how the situation will be improved.

Complaints which criticize those traditional teaching practices that fail to address the individual needs of students can be viewed with sympathy. However, one wonders whether or not the current situation is radically different from the past and if so why? In the absence of compelling evidence to the contrary, it is difficult to explain why the mere perpetuation of traditional teaching methods would contribute substantially to any overt change in the amount of delinquency existing withing the society. The harmful effects of traditional teaching methods don't explain why delinquency increased during the late 1970's and early 1980's. The impact of these practices should therefore by

judged significant, but they should be considered as contributing rather than primary causes.

3.2.6 Street Committees

As has been previously mentioned, urban unemployment amonst the nation's youth is a severe social problem in Mainland China; its existence has been recognized as a contributing factor to juvenile delinquency growth.[115] Obviously, youth who must wait a year or longer before becoming employed have the time and the opportunity to find alternative avenues which fulfill pleasure-seeking desires. However, as has been indicated, a significant percentage of delinquency behavior occurs while youth still are technically in school, before they have reached graduation age from the middle school level and are actively seeking employment. The attitudes and behaviors which are associated with youthful deviance appear to develop within the 13-15 year old age range; merely having the opportunity to act out these attitudes does not explain the reasons for their initial development. Indeed, in 1980, there was a 59.7% increase in crime (from 1979) among employed former criminals of all types;[116] in the absence of information to the contrary, it is difficult to see why the juvenile case would differ dramatically from the norm. The appropriate conclusion is that youth unemployment is probably an additional contributing rather than causal factor, explaining delinquency growth.[117]

In any event, street committees are delegated direct responsibility for supplementing the tasks of the labor exchange commission and helping youth to find work. It accomplishes this task by operating its own working service company, where short term employment is secured. The Xingang street committee should be considered a model organization, if only because a large percentage of its members are intellectuals, affiliated with the nearby university. To the extent that intellectual parents typically encourage their children to succeed in school, one would expect that the level of delinquency within the area would be small and that most of the area's youth would be able to secure work upon middle school graduation. During the author's interview with street committee officials, statistics revealed that 85% of the street committee youth were able to find short term work, for three to four months at a time, depending upon local factory needs. But even within this community, the prospects for long term employment were poor.

In addition to helping youth find jobs, street committees offer non-formal vocational training to graduates. With respect to the Xingang case, the district education bureau provides the teachers for the street committee night school. However, out of the 40 unemployed youth within the largest residence committee unit within the street committee, only 10 regularly attended night school courses.

Employment and educational policies are implemented in order to prevent delinquency from arising; their existence does not preclude the use of more direct measures though. As was previously noted, a foot patrolman ordinarily works closely with each residence committee to prevent crime from occurring at the community level. Residence committees within the Xingang street committee have additionally formed their own volunteer groups whose leaders report observed delinquent activity to higher level cadres. Within the number one residence committee, for example, 15 group leaders, representing the 500 families within the unit, meet to discuss juvenile delinquency incidents. It was admitted that these group leaders have no previous experience or training in dealing with delinquents.

Cadres regularly go to juvenile's homes and tell parents to pay attention to correct disciplinary and educational methods. Parents must ensure that their children participate in study and other spare time activities offered by the street committee. Occasionally, political cadres and army soldiers give lectures to the children on political and moral education topics. Cadres also send books to children's homes, to help them improve their reading and master basic skills.

Within the higher levels of the street committee organizational structure, there is a youth education section, directly responsible for organizing the basic youth activities on behalf of the street committee. Additionally,

leaders from the legal committee and affiliated branches of the Women's federation, Communist Youth League, various industrial companies under street committee jurisdiction, the local public security bureau, workers associations, the working service company and the street committee main office have a general meeting once every three months where youth problems are discussed.

Specific attention is afforded the delinquent who returns home after being sent to a reformatory or work-study type of institution. Firstly, it should be noted that the existence of job discrimination against delinquents with institutionalized backgrounds has been admitted.[118] In Guangzhou, a municipal regulation officially forbids such discrimination, but the need for the regulation demonstrates the existence of the problem. While ordinary middle-school graduates have their school records sent to the labor exchange commission (laodongju) which may then send the records to the street committee working service company, institutionalized delinquents sometimes have their records sent first to the local public security station, as these records report upon their character development. Evidence of their academic achievement is thus deemed less important than that of their character development and reformation. The public security substation then contacts leading cadres within the street committee, who take upon themselves, the specific responsibility of offering help to returning delinquents.

Here again, leading cadres visit delinquent families and tell the youth not to break the law again, in heart to heart, individual conversations. Juveniles are told not be be frightened and that now they will be welcomed back by the people. All of the cadres in charge of these matters it is claimed, treat the juveniles as their own children; relatives of offenders are asked to criticize the youth if their own parents prove unresponsive in performing the task. Leaders of the relevant mass organizations are also asked to coordinate activities with delinquents at the residence committee level.

The above description, solicited from members of the Xingang street committee and the Number 1 residence committee represents very much an ideal account of cadre activity. It should be noted though, that it has been admitted within the published literature that institutionalized delinquents face severe social difficulties in attempting to reintegrate into the social fabric upon their release from the correctional facility. Youth are advised not to marry immediately upon returning, but to wait until employment has been secured and the initial readjustment period has been concluded.[119] There is of course, traditional reticence in taking youth away from their natural families, but it has also been argued that in some instances, relatives should not only help with the disciplinary process, but should assume direct responsibility for their welfare, when natural parents are

unable or unwilling to do so.[120] As a basic unit of local government, the street committee is expected to organize grass roots community support for the solution of major urban problems. The success with which individual street committees cope with delinquency issues probably varies according to the socio-econimic characteristics of the population group within a particular unit. But, given the scope of its political and social responsibilities, it is not surprising that the structure is delegated some blame in the general sense, for the growth of delinquency within the society.

3.2.7 Factory Discipline

While youth unemployment is a major urban problem withing Mainland China. certain youth face problems adapting to the environment of the workplace, assuming that theyare employed. Young factory workers are especially prone to resisting the discipline of the workplace. Two reasons are offered for the phenomenon. In the first place, schools fail to give their students vocational training relevant to the factory experience. In the second place, older factory workers do little to encourage or offer help to their younger counterparts. Being unaware of unwritten factory rules, some youth believe they are intentionally exploited. Sometimes those who arrive late for work are docked their wages without being given adequate explanation for the sanction. At times, youth are delegated a disproportionate amount of the heavy, less glamorous work, and their wages

are smaller than those of the elder, more senior workers.[121]

3.2.8 The Communist Youth League

The Communist Youth League is one of the most important of all of the mass organizations within the People's Republic of China. Historically, it was a group of young student intellectuals who, originally influenced by the activist spirit of the May 4th movement, created the party which made a successful revolution in the world's most populous country. Current leaders have not forgotten that historical legacy; indeed, Hu Yao Bang, the present party secretary, was formerly head of the Youth League until his ouster during the Cultural Revolution. The League thus undertakes a number of political responsibilities which relate to youth and youth activities. Combatting juvenile delinquency is one of those responsibilities.

The League's prime importance though, is as a recruiting mechanism for future party members. As has been mentioned, the League plays an important role within the middle school. Selection into the League is based upon both peer and teacher review. A potential applicant must be recommended by at least two current members of the League as well as by one's teachers; questions of class and family background are not at this time supposed to be held against the potential applicant. In the past though, this was very much the pattern. Officially, students who have made mistakes can be accepted into the League if they show

evidence of having changed their ways.[122] Admission, however, is somewhat restrictive. Within the middle school attached to the South China Teachers's College, admittedly model institution, 30-50% of the relevant student population belonged to the CYL.[123] Entry into the organization as well as full membership responsibilities imply a commitment to offer political and socially oriented service to fellow classmates and to the society at large. Counseling delinquent youth and offering them assistance in other venues, is certainly part of that service commitment.

Outside of the formal school premises, youth league activities include offering spare time educational courses to unemployed youth, operating amusement and cultural facilities such as, in Guangzhou, the cultural palace, and providing match-making, dating and marriage counseling services to interested youth. The Guangzhou city CYL in addition to providing partial sponsorship for the night school education courses. run under the auspices of the street committees and city education bureau, offers self-training vocational classes at schools. Taught by willing middle school teachers and workers, the courses include cooking, sewing, radio and watch repair. It is claimed that as many as 85% of the city's unemployed youth attend these classes. However, it is also admitted that unlike the more formal night school courses, these classes are or a short duration, lasting only a few weeks at a time.

Occasionally, university students are sent to middle schools to offer instructional help and run extra-curricular activities. These Youth League members also help street committees with orphan affairs, and there are many "Learn from Lei Feng" groups which have been organized, specifically for the purpose of helping orphans.

CYL members also have acted as buffers between older and younger factory workers, instructing the senior workers not to get angry at their counterparts for arriving late to work, while teaching the meaning of the responsibility system to the younger workers (offering criticism when necessary). In addition, suburban excursions, football and sports activities, calligraphy and extra-curricular hobbies are frequenty arranged specifically for young factory workers.

The city's cultural palace is operated on a self-sufficient basis. During weekdays, youngsters can participate in activities for which they must pay a fee and the activities are organized solely by the Youth League Committee. On Sundays though, parents can themselves accompany their children to the palace and the activities are free.

With specific respect to the CYL's work with delinquents, it is admitted that delinquency education is a nationwide responsibility which is particularly relevant to the work of CYL, trade union and Women's Federation organizations. The Guangzhou city CYL propaganda secretary,

in an interview with the author on April 8, 1983, stated that there is no one effective educational method for treating delinquency. In general though, League members are encouraged to make friends and participate in friendship types of activities with institutionalized youth when they return home. A new youth palace is scheduled to be built within the city and delinquents from the provincial reformatory and city work-study factory class will help with the construction of that facility. Delinquent youth are additionally encouraged to participate in the volunteer activities sponsored by the League. The League occasionally sends helpers to those families who have appliances which are in need of repair: t.v.'s, radios, wrist watches, etc. and delinquents often take part in these activities. In this way, it is claimed that their personality is improved.

League members also go directly to the reformatory and work study factory class where they organize activities such as basketball and football matches, and musical or theatrical performances. Books are also sent to the reformatory for the edification of the institutional offenders.

One notes that while many of the aforementioned activities appear to be potentially productive, most of the associations League members make with delinquents are of an informal, non-systematic nature. Members do not receive special counseling or training in order to effectively deal with delinquents and their problems. The reason offered is

that such training would be constricting, for the differences in middle school environments argue against developing only one training method in this area.

Nonetheless, Communist Youth League efforts at combatting juvenile delinquency in Guangzhou appear to have been evaluated in a favorable light by party authorities. Until now, the party at the provincial level has assigned itself the task of tackling juvenile delinquency issues. A special section within the Provincial Party Central Committee devoted soley to the delinquency problem has worked with the provincial Office of Education of Young People to conduct research and coordinate activities amongst all mass organizations such as the CYL, Women's Federation, Workers' Trade Union, and the public security apparatus. A similar unit has also existed within party apparatus at the municipal level. Now, however, the juvenile delinquency section will be transferred from party to Youth League jurisdiction at both the provincial and municipal levels. The effect will be one of the Youth League directing the activities and making decisions effecting other mass organizations, officially equal in status to the League. Power has thus been directly transferred from party to youth League auspices. While it is true that many cadres hold dual positions in more than one mass organization, the change can be viewed both as a vote of confidence in the League as an effective organization, as well as perhaps, a

decision on the part of party leadership to take a less visible role in the solving of delinquency problems.

While the information heretofore provided indicates the scope of CYL responsibilities on an official level, the League and other mass organizations have been asked to redouble their efforts in combatting delinquency problems. Their success is difficult to assess but there are a number of factors which could inhibit the CYL's potential to make progress in this area.

As has been previously mentioned, the local CYL chapters confront the general problem of attracting capable members in school environments where academic pressures are intense. The amount of time required to devote to service projects is extensive and often viewed as detracting from personal study time.[124] There is a real dilemma then, of rewarding service activity in an environment which encouraged academic achievement at the expense of making such committments.[125]

Why a delinquent would ever have common interests with an over-achieving Youth League member is question which is difficult to answer. And, as has been noted, no formal training facilitating expertise in peer counseling techniques has been developed on behalf of the Guangzhou city youth league members.

It is claimed that delinquents can join the League after they have reformed. In Beijing, national attention was focused upon four graduates of the city's western

district work-study school, who, after their graduation, joined the League.[126] And, in Guangzhou, a congratulary conference was held in honor of 250 former delinquents whose behavior had changed for the better as they had recently become law abiding citizens. Twenty-five of the two hundred and fifty were admitted into the League.[127] However, it should be pointed out that in Guangzhou, no Youth League chapters exist within the reformatory or work-study factory class (although a unit does exist representing all of the young workers at the factory where the class is operated). Delinquents theoretically can't be admitted into the League until after they have demonstrated that they have improved their behavior. As long as they continue to live in institutional settings, their reformaton is considered incomplete. Thus, delinquents in Guangzhou are expected to participate in League sponsored activities such as constructing the new cultural palace while they continue to be judged in a negative light. The symbolism of upward mobility and social acceptance which Youth League chapters offer aspiring members within normal educational settings is not made available to the institutionalized delinquent. A suspicion is reinforced, that publicized inaugurations of delinquents into the Youth League organization propagandize ideal behavior rather than communicate social realities.

An additional area of concern centers around the typical organizational dilemmas of a structure as large as the Youth League. It has been admitted that school

environments vary dramatically, even within a metropolitan area such as Guangzhou. Non-controversial statements circulated by organizational leadership, which call for sympathizing with the plight of reformed delinquents or conducting general research with respect to the nature of the problem, can lose even their ephemeral meaning when adapted to divergent local situations. While this may be potentially true of any large organization, in the case of the CYL, coordination with other structures of differing sizes representing different constituencies, exascerbates management difficulties in both horizontal and verticle authority relations. Any organization, whose officers would be required to work with authorities from schools, street committees, public security agencies, other mass organizations as well as official party and governmental officials, can be expected to have articulation and coordination problems; this is particularly the case in the FRC where most of the inter-organizational communication patterns continue to be informally based.[128] It remains to be seen how efficiently mass organizations, formally afforded equal status with the CYL, will cooperate with a sister organization, now delegated supervisory authority in a major area of social concern. While the Youth League does promote a number of valuable activities on behalf of youth of all types, it is difficult to assess their specific impact with respect to delinquency questions.

3.2.9 Correctional Institutional Education

Institutions which deal directly with delinquents such as corrective labor camps, reformatories, work-study schools and work-study classes under the jurisdiction of public security authorities, have received some criticism for their efforts. The criticisms are remarkably similar to complaints made against corresponding institutions in the West, but are specific enough to reflect more than a general dissatisfaction with thepenology system. A primary complaint is that the number of inmate escapes from these institutions is excessive. This was particularly true in 1979 and 1980.[129] However, with the tightening of recidivism restrictions and the use of increasingly harsh penalties for escape in 1981, some progress has been reported in this area. A pre-occupation with inmate escapes of course reconfirms the view that these institutions should perform a security function, primarily.

Other criticisms though, voice displeasure at the effectiveness with which the reformatory function is implemented. Thus, some delinquents whose previous behavior was not seriously disruptive of the social order, became hardened criminals after they leave the institutions. It is within the institutional setting that they befriend more experienced peers, and upon leaving, together with their new friends, they renew old criminal activity or initiate even more serious crimes.[130]

It is often the case that the education provided at reformatories and similar institutions is too general to

meet the needs of the offenders.[134] Without receiving relevant vocational training, it is even more difficult to employ them upon their return to more familiar social environments.

Finally, it has been admitted that the political style of some cadres should be changed. They treat offenders in an overly harsh manner. The emphasis upon forcing juveniles to admit their crimes immediately upon entrance into the institution is now considered counterproductive. Better cadre training, inculcating a more professional attitude toward reformatory work is needed.[132]

3.2.10 Gangs and Gang Activity

To this point, the study has largely centered upon the functioning of those salient social structures which have been delegated responsibility for addressing juvenile delinquency concerns. The relevant literature in the field has argued that when these structures fail to operate effectively, deviance results, or at least is encouraged. The literature which I have gathered that examines gang activity, often treats this phenomenon as an organic whole, separate from other causes and relational behaviors attributable to delinquency. Because this literature, which largely comes from a series of articles appearing in the journal, Beijing Zhengfa Xueyuan Xuebao, deals with the nature and scope of gang activity at length, it deserves independent consideration and is so treated.

As is the case with juvenile delinquency in the larger sense of the term, gang activity is a sociological rather than a legal construct; definitional problems occur if one attempts to restrict one's understanding of the concept to the legal realm. Limitations placed upon the age level of the offenders and definitions which associate the criminal act with the severity of its results (Article 10 of the Criminal Code) appear particularly arbitrary when gang activity is categorized. Many gang members, for example, are thirteen or younger; gang activities need not be serious or severe, and even when they are, it is infrequent that every gang member participates in the harmful action to the same degree. Decisions which divide labor according to specialization of task, in fact directly work against that eventuality. Gangs exist where members do nothing more than talk; groups can commit severe crimes without being gangs.[133] Article 22 of the Criminal Code speaks of the commission of a joint offense, as occurring when two or more people act together, sharing the same criminal intention. However, the concept of a gang usually implies that more than three people will act together at any one time. Questions of geography and territoriality, or the specific nature of a particular gang's activity (be it prostitution, gambling, hooliganism, etc.) probably play a greater role in defining a gang's salient characteristics than do legal terms.[134]

What then is the nature and scope of gang activity in the P.R.C? Both issues are diffcult to address; the answers provided are noteworthy for their indeterminacy as much as for their illuminatory qualities. It has been claimed, for example, that gang structures vary so greatly so as to be hardly comparable. Some gangs may include a single criminal member, some, a few, some over ten, and in certain instances over a hundred members.[135] The activities most commmonly associated with gangs include robberty, theft, prostitution, rape, hooliganism, fighting and other acts against the social order, [136] activities frequently attributable to delinquency behavior int he general sense.

However, the scope of gang activity appears to be large. Approximately 86% of the delinquents housed within the Guangdong Provincial Juvenile Reformatory at Shijing commit their crimes in a group. [137] Gangs are specifically responsible for a large part of that percentage. In 1981, it was esimated that there were anywhere from 90 to over 100 gangs operating withn the Mainland's major cities. [138] In one mid-sized city where the population contained over one hundred people with the surname Mo, delinquent gang members numbered three hundred. It was further reported that on January 9, 1979, in one city (unnamed), there were 182 cases of armed robbery, of which youth gangs committed 146 or 86% of the crimes. In another city, from December 1979 to September 1980, the public

security authorities excavated (wa) 901 different juvenile gangs involving 4709 people.[139]

At least in one instance, gangs have been depicted as falling into anti-revolutionary as well as common criminal categories. In the first case, gang members, it is charged, deliberately attempt to "fan a fire" (shandong), or instigate anti-party activity, such as the selling of state secrets or the robbing of special places such as ammunition dumps, in order to facilitate the overthrow of the Communist party leadership. It is admitted that the number of these gangs is small, but while it is easy to stop their behavior, it is more difficult to stop the planning behind possible future activity.[140]

For the majority of gangs, guilty of the more common forms of criminal behavior, the most important characteristic which categorizes their behavior is their allegiance to the cult of brotherhood.[141] This mentality is officially considered a feudalistic concept, which should not exist in a socialist society. Thus, re-education and reform through labor techniques have specific utililty in correcting the mistaken thoughts of youth in this regard.

Nonetheless, the cult of brotherhood is admitted to being a strong, if contradictory phenomenon. Girls, for example, often form their own gangs, characterizing themselves in part, on the basis of their willingness to engage in sexually promiscuous relations (da fang). Some, in fact, have supposedly seduced boys into committing theft,

burglary and other deviant behaviors, for their own selfish purposes. However, while boys initially tolerate their promiscuous behavior, an intersection of interests occurs between personal shame and glory. As a result, if a girl has sexual relations with more than one member of the same male gang, there is a forfeit of integrity (shijie) and the offending parties are punished.[142]

The cult of brotherhood extends beyond the blind heroworshipping of the desparado or intihero. Delinquents who are caught by authorities will often ocver up for fellow gang members; they might admit their own mistakes to authorities, but not those of others. Under the code of brotherhood, one feels compelled to die for the good of the organization, since others have died or are willing to die for you. Personal desire is sublimated here. Simply acting in a corrupt manner (drinking, gambling, etc.) may not meet the needs of the organization. Thus, gang members must prove their loyalty to the code of brotherhood by participating in activities with a clear criminal orientation so that the organization will be able to sustain itself and its sense of purpose.[143]

There are four basic types of gangs operating within the P.R.C. distinguishable according to the rigidity of their organizational structure.[144] The oversight, or surveillance type of gang (jianshi jiu he xing) is the loosest of the four types. Membership remains unfixed before the criminal act is committed. There is no strong

plan of action; instead, hubub frequently occurs spontaneously. Members indulge in a great deal of blind hero worship and accidental criminal behavior.

A second type of organization is one which has a fixed and regular appearance. Although loosely organized, it is not a secret organization, for its members still display a large degree of idyll hero worship and accidential behavior. However, at the spot of a particular crime, a plan of action and some division of labor have been agreed upon beforehand. The gang has a a fixed leadership, although the number of designated leaders is small. Often, an ordinary member of this type of gang will participate in the activities of another gang, or will leave the primary gang to join another one. Some will leave the gang and commit independent criminal activity.

A third type of organizaiton is the relatively closed gang (yan mi). Membership roles are regulated here, and there appears to be little to distinguish this type of organization from a gang of hardened criminals. Gang members who are quite young are extremely few in number. The gang usually has a detailed plan of action, and oeprates with a sharp division of labor. As most of the participants within this type of gang have had previous criminal experience, the crimes which are committed are of a serious nature.

A fourth type of organizaiton is the chain of rings gang (lian huan tao shi), where two or more gangs are joined

together organizationally. Usually one structure predominates over the others, forming a nucleus - satellite relationship. Most of the memebrs of this kind of gang are also hard-core criminals.

There is a shared internal organizational structure withn most gangs, consisting of the leadership (head and body), ordinary gang members and those who have been coerced into joining. Usually the leaders of a gang must have had previous criminal experience or have been punished many times. They must demonstrate organizational ability and leadership potential. Because leaders must make decisions involving murder and violence, they must have a desparado attitude and not be afraid of dying. Therefore, the number of hooligans in the head and body of the organization, who commit spontaneous acts of violence in fulfillment of pleasure-seeking or frivolous desires, is small.

The leaders of gangs are real criminals, many of whom have escaped from reformatories, reform through labor camps and re-education through labor camps. Some haven't been thoroughly exposed to authentic reform through labor experiences. They resist external control during their period of incarceration and exchange mutural criminal experiences with peers after they are released or escape. At this time, they quickly begin new criminal activities or continue to participate in these gangs with which they were formerly affiliated. They are thus able to corrupt mildly

delinquent youth, who are in great danger of becoming severely delinquent.

The second type of organizational member is the common gang participant, who does not occupy a leadership position, but still participates in all gang activities. Sometimes, the common member will help in the drafting of criminal plans or in deciding the division of labor. If the organizational leadership is captured, members from this group must be able to take over. When the gang expands its scope of operation, their importance to the organization increases proportionally.

The third type of gang member is the one who is coerced or tricked into participating. He will engage in criminal activities, but will not be involved in their planning or in deciding how organizational labor is divided. The conditions under which these members participate are often oppressive. Most of the time, they become involved in mayhem, hubub oriented activities. Ordinarily these members are quite young; many have not yet reached adulthood. After engaging in criminal activity on any number of repeated occasions, they may be admitted into the organization as permanent members. However, they must pay their initiation dues beforehand. It is argued that this type of gang member can be more easily reformed because he hasn't yet fallen deeply into common organizaitonal traps and pitfalls.

While the above mentioned characteristics are useful in a descriptive sense, it should be noted that gangs are not

static organizations; their charactertistics and functions vary according to time and circumstance. For the most part, the younger the gang members, the looser the organizational structure. However, the number of loosely bonded surveillance type gangs is gradually decreasing and organizational structures are becoming more fixed. Most juvenile gangs center around a common purpose, be it larceny, burglary, hooliganism, assault, engaging in prostitution, etc. There can be a few or many gang members at the actual scene of a crime; what is more significant than their actual presence is the particular kind of criminal activity pursued. Thus, if a gang is a robbery gang, it will advertise itself as such. A large majority of the delinquent gangs engage in burglary, larceny and hooliganism. There are no gangs whose main purpose is to murder or gravely injure. When these events do occur, they are usually the results of activities which had different original purposes. While gangs may have one main purpose for their existence, such raison d'etres don't exempt members from engaging in other activities. A robbery gang may also engage to a lesser extent in larceny, rape or other crimes while still maintaining loyalty to a primary purpose. And, gang members, depending upon the looseness of their organizations, can join two or more gangs with different purposes at the same time.

It is also clear that the main goals of gang organizations are subject to transformation. A robbery gang

may turn to larceny, a hooligan gang might turn to robbery, etc. Usually, as the gang increases its scope of activity, it is forced to redefine its original sense of purpose. In addition, changing external conditions force the gang organization to adapt and change its original purpose. In recent years, there has been a gradual shift in popularity, from the gang whose major purpose was to disrupt social order and cause fighting and chaos, to the gang which engages in larceny, burglary as well as hooliganism. An explanation for this change is that during the Cultural Revolution, aimless fighting, vehicular theft and the use of dangerous weaponry was encouraged. However, these activities in and of themselves did not give the participants many material advantages. Thus, in order to meet their inflated desires, gangs have switched to engaging in those activities which offer a more lucrative payoff.[145]

It should be finally recognized that considerable differences exist between the activities and characteristics of contemporary gangs and those of the secret societies of the past. The use of restrictive rituals, code words, initiation ceremonies, and demands for lifelong membership on the part of participants are irrelevant to the current gang situation in Mainland China. While gang structures may vary according to their organizational rigidity, they still are more loosely structured than were the secret societies. It should also be noted that since there are many social

units which vie with the family structure for influence in seeking to define individual behavioral norms, gang activities in the P.R.C. cannnot be viewed as simply confronting an authoritarian family structure. The traditional secret society has been depicted as having fulfilled that function.

On the other hand, the secret societies of the past and the gangs opreating in Modern China are both viewed as functioning the absence of effective social control, supposedly exercized by governmental, quasi-governmental and non-governmental institutions. Both structures are seen to have operated independently from and outside of the main social fabric within their respective societies.

3.2.11 Summary

3.2.111 The need for greater social control

A few points deserve reiteration concerning basic Chinese perceptions of current delinquency issues. Conceptual frameeworks in this area remain difficult to define and extend beyond those definitions elucidated within the 1980 Criminal Code. At the same time, it should be remembered that a very general understanding as to what constitutes deviance does exit; issues concerning juvenile delinquency have been discussed during the entire thirty-odd year history of the P.R.C.

If there is one salient theme to the literature on the topic, it is the expressed desire for more control, in both societal and personal domains. It is strongly argued that

delinquency occurs in the absence of such control. Parents should control their children's behavior to the point of ensuring that they associate with proper friends; they must be both good role models for their children and enforce discipline consistently, for they share a direct blame in allowing their children's misbehavior to occur.

Schools must exercise their responsibilities with greater facility as well , not only maintaining proper school order, and preventing common misbehaviors such as truancy, but inculcating the proper moral and political values, necessary for their students to reject improper social influences.

Street committees must not only help to find work for their unemployed youthful residents, but must also cooperate with public security cadres in surveying the behavior of potential delinquents, reporting their findings to the appropriate officials. Their job is one of preventing delinquency from occurring in the first place.

Correctional institutions should be doing a better job of limiting the number of inmate escapes as well as insuring that negative peer group associations do not form. Improved reform through labor teaching techniques need to be employed so that individuals are not allowed to feign professed commitments to reform.

Adolescent desires which are unhealthy should be repressed; independence of will ought to be controlled. Spontaneiety of behavior, when it excludes a rational

calculation of its potentially harmful effects, should also be discouraged.

The Cultural Revolution Era is derided for the destruction of social order which radical elements encouraged. Extensive contact with the West during the four Modernizations Campaign is discouraged, lest innocent juveniles find themselves unable to successfully dodge the sugar coated bullets of decadent literature and unacceptable cultural mores. Indeed the pristine innocence of adolescent boys, damaged by uncontrollable desire, is presumed even to the point of articulating a traditional chauvinistic attitude toward girls, who entice their victims into committing delinquent acts.

The concept of law continues to be thought of as a basically coercive element, upholding social order in the general sense. Its deterrence function is undermined through youthful ignorance, mis-educaiton and unawareness of its essential nature as well as by the inconsistency with which it is applied. In the absence of social order where the proper social units fail to exercize their controlling responsibilities, gangs form, taking upon themselves an independent and distinctive set of characteristics.

These views of course contain implications for the social segregation and potential reintegration of delinquents into the society at large. Delinquents quilty of mild or moderately severe offenses are reformable and should be treated with a sympathy similar to the care a

loving parent gives to his dependent infant. As was the case with the use of the rhethoric of affectional discipline as espoused in the United States during the late nineteenth century, crucial authority relationships, sanctioned by predominate social norms, are reinforced rather than challenged. In this instance, however, the language invoking a tolerance of deviance on the basis of therapeutic terminology is limited to a select group. Those delinquents whose behavior is judged seriously disruptive, must be punished, full stop! Then perhaps they can be reformed. Not only does the professed tolerance for deviance have specific limits, but the categories defining those limis are predetermined ahead of time. To a certain extent, one's potential for reformability depends upon the severity of the initial offense. As was previously noted, the western concept of drift dos not appear to be operational here.

The principle social units responsible for helping delinquents to successfully reintegrate into the society after their institutionalization are the street committee and the public security bureau. Yet the fact that these organizations make a special, cooperative effort to address delinquency conerns is itself potentially stigmatizing, given the coercive nature of the public security system and the irregular route through which a delinquent's records are processed. It can be argued that attempts to exert control over delinquent behavior further serve to isolate the individuals from mainstream social contact.

3.2.112 Problems with Preventative Efforts

A different theme within the literature concerns the failure of representative social organizations to grant a requisite amount of attention to the individual's personal needs. Youth, when not spoiled, are ignored by their parents. Usually, they have little positive contact with their teachers. Factory management also displays insensitivity to the needs of the young workers. Not only do youth resist external attempts to control and discipline their behavior. They feel excluded and unwanted by the very social structures which should encourage their involvement. The acknowledged importance of CYL work with delinquents, lies not only in the country's future cadres using the opportunity to prove their own service mettle, but also in its symbolic statement that delinquents can themselves contribute to the welfare of the society. The ideology behind the reform through labor concept, which argues that coercive punishment can be transformed into socially beneficial labor, makes the same point. It is not surprising then, that in the socialist country where themes of community and sharing are particularly strong, a criticism of the lack of attention paid to the needs of the state's social outcasts (and potential outcasts) is voiced.

Another theme within the literature concerns the need for social units to better coordinate their operations amongst themselves. It is clear that there are times when similar efforts are reduplicated on the part of different

organizatons; there are times when no one organization is willing to take specific responsibility for implementing a carefully designed goal. Coordination problems typically exist when a large number of different structures assume responsibilities for completing ill-defined tasks. In the Chinese case however, coordination is made even more difficult by the varying opreating scales, of the responsible organizations. A street committee with 50,000 members is required to effectively coordinate its operations with a school of 1500 students. Public security officials must coordinate operations with both structures as well as with families, known gangs, and other clientele. In a typical city such as Guangzhou, with a population of 5 million people, differences in the size and scale of various organizations makes coordination of efforts difficult. Because the effecting of good personal relations continues to play an important role in communictitng requests and fulfilling needs amongst the participating units, organizational coordination is often non-systematic and is problematic. Whyte and Parish in the most important work to date which concerns itself with urban life in the People's Republic of China, make two important points with respect to issues of social control and criminal deterrence.

Firstly, they acknowledge that successful attempts to exert tight control over residential areas very widely from district to district. As we have seen, the problem of sent down youth surreptitiously returning to the cities during

the latter part of the Cultural Revolution contributed to the definite underclass of illegal residents. Current problems of youth unemployment obviously contribute in a further sense, to the weakening of social controls especially within street committee and work place venues. The ability of some released offenders to evade public security officials and continue committing criminal acts, offers further evidence for this point.

The authors also claims that on the basis of their extensive refugee interviews, there is little evidence to suggest that greater local efforts to prevent criminal activity actually produce lower crime rates. This being the case, the potential effectivensss of these organizations even under optimal conditions can be questioned.[146]

At this point, the study will turn to an analysis of specific institutional responses which have been implemented in attempting to address a number of the issues which have been raised to date. The focus, will center upon those institutions which house delinquents: corrective labor camps, reformatories, work-study schools and other work-study structures. As was previously noted, the major emphasis of the study will center upon the second and third type of institutional categories, as their enunciated purpose can be seen as being more clearly reformatory than coercive.

Notes (Chapter Three)

[1]Criminal Code, p. 202.

[2]See Eng Rui, "tantan mou chingpian..." pp. 47-48; Ceng Wenhui, "Qing xiaonian fanzui bu shi falu guan pain" (Delinquency is not a legal conception) Faxue Yanjiu, #5, 1982, pp. 39-40. See also, "Qing xiaonian fanzui de zhu guan yuanyin" (Subjective factors of juvenile delinquency) Fazue Zazhi, #2, 1980, pp. 51-54. The point is made with specific respect to gang activity in Guo Xiang and Ma Jing Miao, "Lun qing xiaonian tuan huo fanzui de tedian" (A discussion on the special characteristics of juvenile youth gangs) in Beijing Zhengfa Xueyuan Xuebao, #3, 1981, pp. 47-48.

[3]Criminal Code, p. 202.

[4]Criminal Code, p. 206.

[5]Criminal Code, p. 221. The importance of maintaining familial role reciprocity is also reiterated in the 1980 version of the Marriage Reform Law and in the country's 1982 revised constitution, Article 49. For that document, see Beijing Review, vo. 25, #52, December 27, 1982, p. 18.

[6]Fang Rui, p. 46.

[7]Fang Rui, p. 46. It should be noted though that according to Cohen, the Act was implemented on September 7, 1954, with the delinquent age range already being proscribed as over 13 up to 18, at that time.

[8]Fang Rui, p. 46.

[9]Fang Rui, p. 47.

[10]Fang Rui, pp. 47-48.

[11]Tai Yuan and Wang Qian, "Lue lun liu mang zui" (A discussion on Hooliganism) Faxue Jikan, #2, 1982, pp. 43-44.

[12]Fang Rui, p. 48.

[13]On the tendency for these behaviors to lead to more serious crime, see Yin Jia Bao, "Shi lun wo guo dangqian qing xiaonian fanzui de tedian" (A discussion on my country's facing the special characteristics of present day delinquents), Beijing Zhengfa Xueyuan Xuebao, #3, 1981, p. 39.

[14]See Fu Gao Xian, "Dangqian qing xiaonian fanzui xin xing tai yu dingfang yanjiu" (Facing new juvenile delingquency patterns and preventative research) in Faxue, #11, 1981, p. 21.

[15]Fu Gao Xian, pp. 23-24; Yin Jia Bao, p. 39; Cheng Ying fa and Zhao Hai Yan, "Zhong xuesheng weifa fanzui wenti shi xi" (An analysis of Middle School Students' Delingquency Problems), Beijing Zhengfa Xueyuan Xuebao #2, 1982, p. 71; Wen Zhou Shi Xhongji renmin fa yuan (Wenzhou city intermediate people's court) in "Qing Xiaonian fanzui nei zai yuande poxi" Faxue, #8, 1982 estimates that 20% of all theft committed by delinquents is related to gambling, p. 28. See also Wang Jia Hui and Xiang Ling, "How can one kick the smoking habit?" Chinese Sociology and Anthropology, vol. XIV #1, Fall, 1981, pp. 91-99; FBIS, July 8, 1980, L 9- L 14, "Wenhuibao calls for establishing new style among youth".

[16]The five stresses include decorum, courtesy, public health, discipline and morality; the four beauties include beauty of mind, language, behavior and environment. The Communist Youth League has even published a handbook encouraging youth to excel in these areas. See Wu Jiang Si Mei Shouce (The Fice Stresses and the Four Beauties), Qing nian tuan zhongyang yi zhuan bian, Beijing, 1983.

[17]See, SWB "exerpts from Guangzhou Ribao's April 9, 1982" FE/7012/BII/2-4, April 27, 1982; SWB FE/7058/BII/9, June 22, 1982.

[18]This tension of course is common to most societies and is not limited to the Chinese case. See Kai Erikson, "Notes on the Sociology of Deviance" in Earl Rubington and Martin Weinber, Deviance: The Interactioniest Perspective, N.Y., (MacMillan), 1973, pp. 27-29. Examples of official remonstrances against the use of foreign videotapes and western popular music can be found in SWB FE/7040/BII/3-4, June 1, 1982 ("Ningxia implements ban on pornographic tapes") and SWB FE/6723/BII/13-15, May 14, 1981, ("Red Flag Ban on Pop Music").

[19]Representative accounts of railway and railroad station crime are offered in SWB FE/6849/BII/12, October 9, 1981 (Canton case); SWB FE/6803/BII5, August 17, 1981 (Hunan case); and SWB FE/6808/BII/3 (Sichuan); SWB FE/6840/BII 5, September 29, 1981, (Shanghai); SWB FE/6298/BII/8, December 15, 1979.

[20]See Zhongguo Qingnian Bao, July 1, 1982, p. 2.

[21]See Xiang Bo, "Jiefang chu Shanghai liu mang gaizao ji lue" (Introduction to Remoulding Shanghai's Hoodlums during the Initial Post-Liberation Period) Shehui #2, May, 1982 p. 29.

[22]Xiang Bo, p. 29.

[23]See Zhou Yin Jun, Yang Jie Zeng and Xue Suzhen, "Xin Shehui ba gui bien cheng ren: yi Shanghai gaizao changji shi hua" (The New Society Turns Ghosts into Human Beings: A Talk on the History of Reforming Prostitutes in Shanghai), Shehui, #1, October, 1981,pp. 46-51.

[24]See for example, SSCMP #105, March 14, 1963, pp. 44-45, "Don't Let Your Children do Small Business"; SCMP #2675, February 9, 1962, pp. 18-19, "Don't overlook the work concerning teenagers"; SCMP July 24, 1957, #1576, "Rascals and Juvenile Delinguqents Rampant in Shanghai, pp. 30-31.

[25]See Lucy Jen Huang Hickrod and G. Alan Hickrod,"Communist Chinese and the American Adolescent Subcultures", China Quarterly, #22, April - June 1965, pp. 171-180.

[26]Cohen, p. 595.

[27]See for example, Yi Ronghua, "Jiating Huanjing yu qing nian de weifa fanzui" (Family Circumstances of Delinquency), Faxue Yanjiu, 1982, #5, p. 47; Zhang You Yi, "Du qing xiaonian fanzui yanjiu tongdi", Qing xiaonian fanzui yanjiu, #1, 1983, p. 2; Ma Jie, "Guanyu qing xiaonian fanzui xue" (Concerning juvenile delingquency studies), Beijing Zhengfa Xueyuan Xuebao, #3, 1981, p. 33; Fang Bo, "lun fanzui li xing cheng de yuanyin" (On the factors in the making of crinimal psychology) Faxue Zazhi, #5, 1982, pp. 40-41; Xu Jian claims that while juvenile delinquency increased by 20-30% in the 1950's and 60's, during the Cultural Revolution, the percentage of increase was 60-70%. See his "Qing xiaonian fanzui wenti yanjiu" (Questions concerning juvenile delinquency research) in Shehui Kexue,

(Shanghai), #11, 1980, p. 82; see also Wei Min, "Reforming Criminals" Beijing Review, February 23, 1981 where in an interview with the then Deputy Director of the Beijing Municipal Bureau of Public Security, it was stated that juvenile delinquents made up only 20% of the criminal offenses before the Cultural Revolutionand 80% of those offenses between 1977-1980, p. 22.

[28] Indeed, the explanations attributed to the rise of juvenile delinquency in the wake of the 1960's depression and the suggested solutions offered at that time, parallel current analyses of the problem in that the failure of schools and families to adequately fulfill their responsibilities is noted. See Union Research Service volume 28, #5, "Social Problem in Communist China: Juvenile Delinquency", July 17, 1962, pp. 71-87. For the more recent period of 1977-1981, it has beene stimated that 62.4% of delinquency activity entailed robbery and theft, 19.5% holliganism and quarrelling, 2.9% rape and 7% other activity. See Wenzhou shi . . . . p. 27.

[29] "Why the Crime Rate is Declining: Interview with Xie Heng, Director of Social Security Bureau under the Ministry of Public Security", Beijing Review, volume 26 #12, March 21, 1983, p. 15. China Daily, "Youth Crime Rate is Plummeting, May 16, 1984.

[30] "Why the Crime Rate is Declining....", p. 15.

[31] Li Yu Cai Deng, "Qing xiaonian fanzui xing weixing cheng de xinlixue fenxi" (An analysisof the psychological and behavioral characteristics of juvenile delinquents) in Qing xiao nina xinlide fazhan by Shi Zhi Xian and Wang Bi, published by Beijing Shifen Daxue, October 1982, p. 244; Cheng Ying Fan and Zhao Hai Yen report that in a survey of 20 schools where 189 students were characterized as having committed delinquent behavior, most the their bad behavior started during the middle school years, p. 71; Specifically, they claim that 50-60% of the entire criminally delinquent population is from themiddle school, p. 73; Zhao Jian and Lin Qing Shan state that 1/6th of all criminal activity is committed by youth under the age of 17; see Hunyin Jiating wenti he Qing xiao nian fan zui" (Marriage family problems and Juvenile Delingquency) in Shehui Xue Zazhi, #2, 1983, p. 32; another claim states that more than 70% of delinquent activity is committed by juveniles aged 12-16. See Su Changjun "Qing xiaonian fanzui de yishi xinli" (Youngsters' Criminal Consciousness) Beijing Shifan Daxue Xuebao, #1, 1983, p. 31; even more exhorbitant claims put the percentage of middle school delinquents at 80-90%, most of whom are 13. See Billie L.C. Lo, Research Guide to Education After Mao: 1977 - 1981, Hong Kong, University of

Hong Kong, 1983, p. 41. In truth, the statistics tell us little other than the fact that authorities are concerned aboutthe lower ages at which delinquent behavior seems to be appearing.

[32]Billie L.C. Lo, p. 41.

[33]See for example SWB FE/6298/BII/9-10, December 15, 1979.

[34]For reports on vigil antiism, see SWB FE/6683/BII 14 March 26, 1981 (Hefei); SWB/FE/6302/BII/11-12 December 20, 1979; SWB FE/6282/BII/11 (Shanghai), November 27, 1979; SWB FE/6808/BII/4, August 22, 1981 (liaoning); of course public security forces themselves have been accused of similar violations. See Michael Parks, "China Concerned with Abust of Power of Police, How it Affects Support for Regime", Los Angeles Times, Thursday, May 5, 1983, Part 1-A 1-3.

[35]When areas within certain municipal districts are cited, it is usually because of the progress these communities have made in working to decrease the amount of crime within the region. This was the case of the Haizhu district of Guangzhou, whoe crimbe problem was admitted to be complicated, but improved. See SWB FE/58311/BII/10 September 18, 1981. One report does speak of dead corners in all districts in Shanghai, were hooligans commonly reside. See SWB FE/6268/BII/10, November 10, 1979.

[36]Criminal Code, Article 61, p. 207.

[37]See China News Analysis, #1215, September 11, 1981, pp. 2-3; SWB FE/6748/BII/4-5, June 13, 1981.

[38]Ma Jie, p. 33; Zhang Ming Guang, "Qing xiaonian fanzui, yige zhongyao yuanyin fameng" in Minzhu yu Fazhi, #8, 1980, p. 6; Zhao Jian and Lin Qing Shan, p. 32; other scholars limit the 70-80% figure to urban areas. See for example Yin Jia Bao, p. 36; Fang Bo, p. 41. In truth, it is doubtful that anyone knows the full extent and nature of rural crime, let alone the percentage of that crime which is attributable to juveniles. In the absence of information to the contrary, the 70-80% figure will be used as being indicative of the popular perception that youth contribute significantly to widespread criminal activity in the country as a whole.

[39]Christopher Wren, "China Re-educates Petty Offenders Outside the Regular Court System", International Herald Tribune, August 13, 1982, p. 2; China News Analysis, #1215, September 11, 1981, pp. 7-8.

[40]Tian Xueyuan, "A Survey of Population Growth Since 1949" in Liu Zheng, Song Jian, et. al, China's Population: Problems and Prospects, Beijing, New World Press, 1981.

[41]China Daily, "Experts Intensify Study of Juvenile Delinquency", February 5, 1983.

[42]An admission as to the severity of rural crime and violent activity is offered in the internal document "Strengthen Public Security in Cities and Countryside, Consolidate Stability and Unity and Guarantee Smooth Progress of Economic Adjustment" (A document concerning rectification of ruban and rural public security issued by the CCP Yunnan Provincial Committee for Internal Information) translated in Issues and Studies, Vol. XVIII, #1, January, 1982, pp. 90-103.

[43]Personal conversation with Mr. R. Ross Rogers, Political Officer, U.S. Consulate General, Guangzhou. Specific instances of clan and other forms of rural conflict have been mentioned with respect to Hainan Island, SWB FE/6621/BII/6, January 13, 1981 and JPRS #74800 China Reports, #43, December 20, 1979, pp. 72-73 and Guangdong Province, SWB FE/6302/BII/12, January 13, 1981. See also footnote #42, pp. 92-93.

[44]See for example Jiaoyu Yanjiu #6, 1981, p. 8; Hubert O. Brown, "Recent Policy Towards Rural Education in the People's Republic of China", Hong Kong Journal of Public Administration, Vol. 3, #2, December, 1981, pp. 168-188.

[45]See China News Analysis, #1212, July 31, 1981, pp. 6-7.

[46]See SWB FE/6850/BII/13, October 10, 1981; (Shanghai) SWB FE/6751/BII/9 June 17, 1981 (Guangdong); SWB FE/6915/BII/4, December 30, 2982 (Hefei); Zhongguo Qingnian Bao, November 2, 1982, p. 3.

[47]For a description of delinquency behavior within schools at this time, in addition to information in footnote 24, see, SCMP #4251, September 5, 1968, pp. 5-11; SCMP #260, October 27, 1969, pp. 6-17.

[48]See for example, Renmin Ribao, July 9, 1982; Guangming Ribao, August 13, 1982, Guangming Ribao, July 22, 1982; Guangming Ribao, July 16, 1982. These articles largely detail one published case of teacher abuse and the harm of such abuse to the country's modernization drive.

[49]See "Why the Crime Rate is Declining", Beijing Reivew, Volume 26, #12, March 21, 1983, pp. 15-17, p. 28; see also Shanghai shi qing xiao nian jiaoyu bangong shi, "Qing nian tuan zu zhi zai zonghe zhi li de zhi neng tantao" in Qing xiaonian fanzui yanjiu #1, 1983, p. 17, where it is claimed that juvenile delinquency in Shanghai schools fell by 26.9% in 1980 (from 1979), 46% in 1981 (from 1980) and 60% for the first month of 1982 (from 1981). Gross figures of this type illustrate the difficulty in objectively assessing the problem. Recent crackdowns in the summer of 1983 illustrate that the crime problem is even more intransigent than the Chinese people themselves believed. See Michael Parks, "Thirty Executed in Crackdown on Violent Crime in China", Los Angeles Times, August 24, 1983, p. 1, p. 14.

[50]In addition to previously mentioned articles in footnote #27, see specifically Zhai Bugao, "Qing xiaonian fanzui yin ji qi tedian de tantao (Comment on the Cause and Character of Juvenile Delinquency) Faxue Yanjiu, #3, 1981, p. 44; Lin Ying, "Shi tao qing xiaonian de nei zai yinsu chu bu tiaojian" (A discussion of the Internal Factors and External Conditions of Juvenile Delinquency) Si xiang Jiefang, #3, 1980, p. 34; Fu Gao Xian and Xu Jian, "Dangqian qing xiao nian fanzui xinxing tai yu dingfang yanjiu" (Facing new juvenile delinquency patterns and preventative research) Faxue, #11, 1981, pp. 21-25.

[51]Ji Shiren, "Xiaonian fanzui yu jiating jiaoyu guanxide diaocha" (Inquiry into the relationship between juvenile delinquency and family education) Shehui #1, Feburary, 1982, p. 34. The statistical charts from this article are translated and reprinted in table (10).

[52]Ma Jie, p. 33; Lu Zhen Qing, "Qing xiaonian wei fa fanzui de tedian yuanyin nai qi dingfang" (The Special Characteristics of Delinquent Youth: Reasons and Prevention) Beijing Zhengfa Xueyuan Xuebao #1, 1982, p. 37.

[53]Zhai Bugao, p. 44; Lin Ying, pp. 32-33; Ma Jie, p. 33.

[54]Alan P. Lin attributes the extreme degree of violence during this period to the pervasive degree of factionalism within the country, the diffusive nature of authority relations, and a large number of conflicts which were not amenable to quick settlement. See his Political Culture and Group Conflict in Communist China, California (Clio Books), 1976, particularly chapter four, pp. 63-110.

[55]Lin Ying, p. 34.

[56]In Ji Shiren's study for example, 28.3% of the delinquents interviewed had at least one parent who had attended a labor camp, p. 33; Fang Bo reported that within one reformatory, for every ten groups of students totaling 225, there are 17 whose relatives received special punishment or re-education, p. 44; Yin Jia Bao cites a typical example of one model student, promoted to middle school on the eve of the Cultural Revolution, who within the span of one year, started looking for excitement, joined a gang, raped a young girl and committed murder, all of which occurred after his parents were struggled against. See also a purported letter sent from a delinquent residing in a labor camp who committed evil deeds after his family suffered harm during the Cultural Revolution, "Yige qing nian fanzui gei chu yi tongzhi de yifen xin" Minzhu yu Fazhi, #2, 1982, p. 23.

[57]Fu Gao Xian and Xu Jian, pp. 22.

[58]Fu Gao Xian and Xu Jian, pp. 23-24.

[59]Unger makes this point on page 271, footnote #19.

[60]Butterfield, p. 378.

[61]It is however a common perception amongst Hong Kong social workers and correctional authorities that refugee delinquents from the Mainland who grew up during the Cultural Revolution and then escaped to Hong Kong afterwards are more violent than their Hong Kong counterparts. The perception was offered during oral correspondence with the Assistant Director of Operations of the Hong Kong Social Welfare Department on January 13, 1983.

[62]See Thomas Bernstein, Up to the Mountains and Down to the Village, New Haven, (Yale University) 1977, pp. 264-265.

[63]Bernstein, pp. 340-341, footnote #81.

[64]For the Guizhou case see SWB FE/6757/BII/2-3, June 24, 1981; for Hainan Island, see JPRS #75255, March 5, 1980, p. 30.

[65]Bernstein, pp. 93, 261, 313-314, footnote #30.

[66]Thomas Gold listed both common delinquents and hoodlums, as well as specifically agrieved rusticated youth, as participants in a lengthy number of demonstrations in Shanghai during late 1978 and early 1979. See his "Back to the City: The Return of Shanghai's Educated Youth", China Quarterly, December 1980, #84, p. 765.

[67]Unger, pp. 171-187.

[68]See for example Yi Ronghua, pp. 48-9; Fu Gao Xian and Xu Jian specifically mention stunt cycling (fei che) as a bvehavior induced by the pleasure seeking mentality encouraged by increased western contact, p. 23; Ma Jie, p. 33, Yin Jia Bao, p. 38; Zhang You Gu, p. 2. See also "Fanzui yu dianying" (Delinquents and films), Faxue Zazhi, #4, 1981, pp. 21-23; one report of a newer form of deviance induced from increased western contact mentioned public displays of male effeminacy and the dying of one's hair. See SWB FE/6041/BII/9, February 13, 1979.

[69]Rensaeller W. Lee III used the term "technological nativism" to categorize that traditional Chinese reticence toward western contact which appears in Mao's own thought. See his "The Politics of Technology in Communist China" in Chalmers Johnson, ed. Ideology and Politics in Contemporary China, Seattle, (University of Washington Press), 1973, pp. 314-315.

[70]According to Yin Jia Bao, in one Beijing middle school, thirty-nine students who read a licentious book began to commit evil deeds. A seventeen year old peasant saw a pornographic movie and then raped a six year old girl (pp. 38-39). In a similar instance, a fourteen year old raped and caused the death of a three year old girl (p. 40). Lu Zhen Qing also reports of the example of a 16 year old who rapes a six year old girl after seeing pornographic material (p. 38). Also see, Wei Min, p. 23.

[71]Fang Bo gives the example of the spoiled girl who at the age of 12, overly dressed, quit school after meeting boys and became delinquent (p. 44). Fu Gao Xian and Xu Jian claim that many female delinquents publically flirt, uttering romantic speech without a feeling for deep love (p. 21); Zhao Hai You claims that female delinquents regularly seek to encourage male delinquency (p. 73). Yin Jia Bao similarly makes the connection between female delinquency and male gang activity as being causally related (pp. 40-41).

[72]Zhai Bu Gao, pp. 44-45.

[73]See for example, "Blossoms in the Dust Needing Special Care" in Population and Other Problems, China Today Series, April, 1981, pp. 83-95; "Turn These Children into Useful People", Women of China, February, 1981, pp. 18-21; David Crook, "Reforming a Juvenile Delinquent in China", Eastern Horizons, Vol. XV, #4, 1976, pp. 6-11; Zhou Zhen, "Save the Teenage Delinquents", Beijing Review, #44, November 2, 1979, pp. 18-26. The subheading on page 23 refers to delinquents as "contaminated blossoms". Wei Min, pp. 23-29, especially pp. 28-29. In Chinese see, Xu Yinglong, "Zai Gongdu xuexiao li zemmeyang zhi hai zi xin ling de chuangshang" (How to Heal the Spiritual Wounds of Children in Reformatories) Jiaoyu Yanhiu, #1, 1980, pp. 70-74.

[74]See Steven Schlossman, Love and the American Delinquent, Chicago, (U. of Chicago Press, 1977).

[75]See specifically Luo Da Hua, "Qing xiao nian wei fa fan zui de xinli fenxi (An Analysis of Juvenile Delinquency) in Qing Xiao Nian Xinli de Fazhan, pp. 247-254; Kang Shu Hua, p. 20; Zhai Bu Gao, p. 45, Fu Gao Xian and Xu Jian, p. 22, Yin Jia Bao, pp. 37-38, p. 40, Zhao Hai Yan, p. 70. Also, Gongqingtuan Shenxi Shen Wei Yuanhui and Shenxi Gonganju, "Weifa qing xiaonian ge sheng xinli tezheng fenxi" (An analysis of Juvenile Delinquents' psychological and personality characteristics) in Qing xiaonian fanzui yanjiu #1, 1983, p. 29; Jinan Shi Jianchayuan, "Tamen Weishemme zuo shang fanzui dao luge" (Why do they gon on a delinquent road?") Faxue Jikan, #1, 1982, p. 60; Beijing shi fa ji guan xiao qingnian fanzui lian he diaocha zhu, "Qing xiaonian fanzui de xinli tedian" (Special Psychological Characteristics of Juvenile Delinquents), Faxue Zazhi, March 1980, pp. 24-26; Su Changjun, pp. 30-32; Wenzhou shi, pp. 27-30. A chart of the purported characteristics of delinquents housed within the Guangdong Reformatory is listed in table (9). Finally see Beijing Shi Zhengfa Jiguan Qing Xiaonian Fanzui Lianhe Diaocha Zhu, "Qing xiao nian fanzui de zhu guan yuanyin" (Subjective reasons for Juvenile Delinquency), Faxue Zazhi, #2, 1980, pp. 51-53.

[76]Lin Yang, p. 32.

[77]Fu Gao Xian and Xu Jian, p. 22.

[78]Yin Jia Bao, p. 41. Authorities are particularly concerned with the participation of cadre girls in

delinquent gangs. See footnote 145; see also Zhao Jian and Lin Qing Shan "hunyin jiating wenti he qing xiaonian fanzui", Shehuixue Zazhi, #2, 1983, p. 33.

[79]Zhai Bu Gao pp. 45-46; Ma Jie, p. 34; Cheng Ying Fan and Zhao Hai Yan, p. 70; Beijing Shi Fa jiguan Qing Xiao Nian p. 24, Su Changjun additionally notes the discrepancy between the delinquent's desire for independence, yet his poor social and cultural skills, p. 31.

[80]The concept of "drift" is Matza's. See David Matza, Delinquency and Drift, New York (Wiley), 1964.

[81]Innocent or normal youth may unknowingly engage in minor deviant behavior which will usually lead to more serious trouble. However, there are few examples offered, of the mildly delinquent youth who naturally reforms. The view of character traits as being basically non-malleable, conflicts with Munro's thesis in this area. but similar disagreement is also articulated by Dittmer and Chen in their analysis of Cultural Revolution ideology and rhethoric as expressed in a number of revolutionary operas. See Lowell Dittmer and Chen Ruo-Xi, Ethics and Rhethoric of the Chinese Cultural Revolution, Studies in Chinese Terminology #19, Berkeley (Center for Chinese Studies, University of California) 1981, pp. 102, 112-113.

[82]In one juvenile prison, out of an inmate population of 90, 17 were from single child families or split families; in one Shanghai work study school, 86% or 120 out of the 140 inmates were single children or came from one parent families. At the Beijing Reformatory, in a sample of 64 girl delinquents, 39 (60.9%) were only children or had single parents, Fang Bo, pp. 43-44.

[83]One self-help manual is devoted exclusively to the problems of raising only children. See Du shengzi nu zaoqi jiating jiacyu (The Early Education of the Single Child), Beijing Shi, Jiating Jiaoyu Yanjiu Huibian, 1982. See also table 11 where the salient characteristics of single children is listed, and Zhao Jian and Lin Qing Shan, p. 33.

[84]The Cultural Revolution here too is blamed for exacerbating traditional tendencies. Parents, it has been claimed, believe that because of the suffering they and their family members experienced during the Cultural Revolution, they have an obligation to make up for these difficult times by spoiling their children. See, Jiating Jiaoyu Jiangzuo (A discussion of Family Education), Zhongyang Renmin Guangbo diantai lilun Zhengfa Bu, 1982, p.

111. One delinquent claimed that as a result of being spoiled, when he was young he didn't know suffering but when he grew up, his reaction to preliminary encounters with harsh experiences was to seek revenge. See Gongqing tuan Xhanxi . . . ., p. 60.

[85]Lucy Jen Huang's discussion of the subject is informative. See her "Planned Fertility of one couple/one child policy in the P.R.C." Journal of Marriage and the Family, August, 1982, pp. 775-784, especially p. 780.

[86]Zhao Jian and Lin Qing Shan additionally admit that the post-liberation phenomenon of both parents working during the day has contributed to the growth of behavioral difficulties among children, p. 33.

[87]Luo da Hua, p. 253; Fang Bo, p. 44, Gongqing tuan Shanxi, p. 30; Jiating Jiaoyu Jiangzuo, pp. 116-118. Jinan Shi Diaocha Yuan, p. 60.

[88]Ji Shiren, p. 33; additionally some parents place sole responsibility for the disciplining of their children on the school, Jiating Jiaoyu Jiangzuo, p. 111. Other times, parents are embarrassed to tell teachers that their children have errored, p. 147.

[89]See Jiating Jiaoyu de Yishu (The Art of Family Education), translated from the original Russian, published by the Tianjin People's Publishing Company, 1982, p. 67.

[90]Jiating Jiaoyu Jiangzuo, p. 115. Xu Jian claims that 20% of actual juvenile delinquency activity is directly due to poor parental influences, p. 84. Su Changjun states that 26% of delinquency cases are specifically due to bad parental influences, while social influences account for 33% of such activity, p. 32.

[91]Fang Bo, p. 44; Zhao Jian and Lin Qing Shan, p. 33.

[92]Ji Shiren, p. 33; Gongqing tuan Shanxi..., p. 30.

[93]Jinan Shi Jiancha Yuan, p. 60; parents with criminal backgrounds have also been chastised for instigating their children's delinquency, encouraging them to steal overtly. See Zhao Jian and Lin Qing Shan, pp. 33-34.

[94]Jiating Jiaoyu Jiangzuo, p. 148.

[95]Examples of cadre parents shielding delinquent children are mentioned in SWB FE/6840/BII/15 September 29, 1981, and JPRS #74829 December 27, 1979, p. 69. In a letter to the editor of the People's Daily, one security official complained that cadre parents gave their incarcerated children inappropriate gifts during their visits, undermining institutional discipline. Renmin Ribao, July 9, 1982.

[96]Fang Bo, p. 45; truancy is an especially severe problem associated with poor school discipline and lack of parental school coordination. In one survey, 310 out of the 469 delinquents surveyed or 64.2% had truancy and school discipline problems, Fang Bo p. 46. See also tables (13) and (13) and Unger, p. 187.

[97]In addition to Shirk, "Educational Reform and Political Backlash...", pp. 183-217, the practice is mentioned in SWB FE/6898/BII/11-12, December 5, 1981; SWB FE/6871/BII/7-8, November 4, 1981; current criticisms are offered in Cheng Ying Fan and Zhao Hai Yan and Gongqing tuan Shanxi.

[98]Cheng Ying Fan and Zhao Hai Yan, p. 72; the authors report that not only were poor students ignored (leng yan, given the cold eye) by their teachers as well as being reprimanded, they were also teased by the better students in the school and were scolded by their parents. In another instance, when one class section fell behind another class section, the students were criticised in front of the entire school. Jinanshi Jiancha Yuan, p. 61.

[99]Fan Bo, pp. 45-456. Zheng He Jun and Shen Ji Yun in "Qing xiao nian fanzui yu xuexiao" (Juvenile Delinquency and Schooling) Qing xiao nian fanzui yanjiu, #1, 1983, p. 9, report that in an investigation of 27 students within a slow class, one fourth turned to or were on the verge of turning to criminal activity.

[100]See Zhu Wenbin and Tang Minzhong, "A Psychological Analysis of the Process of the Formation of Students Moral Character under the influence of the Class Collective", translated by Sidney L. Greenblatt, in Chinese Sociology and Anthropology, Vol. XII #2, Winter 1980-81, pp. 104-126; Xinhua Ness Agency #080102, August 2, 1978, "Model Techer Liu Chun-pu", p. 46.

[101]Guangming Ribao, January 9, 1981, p. 2.

[102]Cheng Ying Fan and Zhao Hai Yan, p. 72.

[103]Zheng He Jun and Shen Ji Yun, p. 8.

[104]Cheng Ying Fan and Zhao Hai Yan, p. 72.

[105]In one Beijing class, out of the 55 students surveyed, about the clarity of their study purpose, only 9 students of 16% chose the topic to achieve the far ideal of revolutionary thought (You yuanda geming lixiang). To study and achieve was a goal generally chosen, although students' specific purposes often remained unclear. 37 students or 68% lacked a commitment to revolutionary ideals. 9 students or 16% expressed no belief at all in the importance of study; they wanted to pass through in whatever way possible. Cheng Ying Fan and Zhao Hai Yan, p. 71. In an investigation of unhealthy morality among girls, 85% of those surveyed lacked a sufficient moral concept; 100% exhibited a lower than ordinary degree of humanity (reninghui) while 85% pursued a mediocre life style. Zheng He Jun and Shen Ji Yun, p. 8. In another survey of 210 delinquents, the same authors report that 192 or 91.4% said that their education was of no interest whatsoever, p. 11.

[106]Zheng He Jun and Shen Ji Yun report that in one investigation of middle shcool practices, 30% of the political study classes at various levels were completely cancelled.. See also Cheng Ying Fan and Zhao Hai Yan, p. 71.

[107]For a general discussion on the testing issue with reference to political study, see "Si xiang pin de ke jiao xue yanjiu" (Research on moral education curiculum in school) Renmin Jiaoyu, August, 1982, p. 13. The moral education curricular guidelines for primary schools are given on pages 5-9 of the same issue. The design of moral conduct behavioral evaluations at the university level is discussed in FBIS, Daily Report, April 6, 1982, K4-5.

[108]Zhang Ming Guang reports that out of a smaple of 52 juveniles aged 14-24 who committed robbery, where 38 were students and 14 were workers, 21 or 46% had no knowledge of the law, 23 or 44% didn't understand the law and 10% were not afraid of the law being implemented. PP. 6-7. See also Lu Zhen Qing, p. 38.

[109]Zhang Ming Guang, p. 6; Lu Zhen Qing, p. 38.

[110]Within one labor camp for example, out of a total of 95 junior middle school graduates, 33 didn't know when the Chinese Communist Party was founded, 71 didn't know the Four Basic Principles and some didn't even know which were the

two largest rivers in China. Forty didn't know the temperature at which water turned to ice. Shanxisheng gongansuo and Gongqingtuan Shanxishen Wei an hui, p. 30. Su Changjun reports that one hundred inmates of a reform through labor camp who supposedly graduated from lower middle school when tested were not up to standard, while 41% were not even at the 4th. grade level, p. 31.

[111]See Rosen, Red Guard Factinalism in Guangzhou, Chapter One.

[112]The existence of pressure arguing in favor of using students' records for assessment purposes to a larger degree than is currently the case is mentioned in Rosen, "Secondary and Higher Education in the People's Republic of China", p. 23.

[113]Rosen, "Secondary and Higher Education...", pp. 16-18.

[114]See for example, Lu Zhen Qing, p. 40; Zheng He Jun and Shen Ji Yun, p. 11; Cheng Ying fan and Zhao Hai Yan, p. 87; the latter authors also argue for the increased vocationalization of the upper middle school curriculae since at the present time, the traditional liberal arts focus is only relevant for the 4% of the senior middle school graduates who will be able to continue onto some form of higher education.

[115]Xu Jian, "Qing xiaonian fanzui wenti yanjiu" pp. 83-84. In Shanghai, the author reports that 10% of the unemployed youth have become delinquent, although in some area the percentage has been as high as 33%. In Wuhan, out of 12,000 unemployed youth participating in a study, 215 were delinquent. When the delinquent youth obtained work, the number of those who continued their delinquency fell to 17. In a Suzhou investigation, because an unemployment problem was not severe, authorities were able to demolish 10 out of the 15 gang organizations and delinquency cases fell by 64.3%.

[116]Gang Bo, p. 42. Indeed, for the Wenzhou case, 58% of the recorded larceny and 68% of the burglaries among delinquent youth were committed by staff and workers at their place of work, p. 28.

[117]With respect to the situation in the U.S., there appears to be little difference in delinquency percentages between in-school and out-of school youth, presumably because their negative behavioral patterns have already been learned prior

to their formal exit from the school environment. See Jerome Bachman, Patrick M. O'Malley and Jerome Johnston, Youth to Transition, Volume IV, Ann Arbor, (Institute for Social Research, U. of Michigan) 1978, p. 184.

[118] Shandongsheng Beishu Laogai zhidui, "Wei hai shi jiaoyu anzhi xingshi renyuan de jingyan" (Weihai municipality arranges suitable education and punishment for serious offenders) in Qing xiao nian fanzui yanjiu #1, 1983, pp. 27-28.

[119] Shandongsheng Beishu laogai Zhidui, p. 28.

[120] This sentiment was stated during the author's interview with Xingang street committee officials. There is a reported instance however, of a youth who after completing his time in a reformatory, was placed with the help of public security officials in a commune dress making factory and was assigned to a homelife with poor parental influences. See Shandong Sheng Beishu laogai zhi du, p. 26.

[121] Some factories are reported to give entire youth units only $25 yuan per month. On this and other abuses, see Jinan Shi Jiaocha yuan, p. 61.

[122] See Qingnian Gongzuo Shouce (A Sourcebook on Youth Work) published by Zhongguo qinginian tuan (Beijing), August 1982, p. 204; Tuande Zuzhi Gongzuo wenda (Questions and Answers Concerning Youth League Work), Shanghai, Octoebr 20, 1980, pp. 36-40.

[123] Personal interview with school officials, March 19, 1983. Rosen has noted that in 1981, a much higher percentage of university students belonged to the League (86.39%). When they join or what their motives are for joining at this later time are not totally clear. See "Secondary and Higher Education...", p. 44.

[124] See for example, "Hong Zhongfang and Li Chengchang, "The Frustration of a Youth League Comrade", Chinese Sociology and Anthropology, vol. XIV, Fall, 1981, #1, pp. 84-909.

[125] The general issue oif CYL elitism with specific reference to competitive examination pressure is discussed in Zhongguo Qingnian, August 11, 1983, pp. 23-27.

[126] Zhou Zheng (Beijing Review #44) p. 20.

[127]Interview with Guangzhou city CYL staff, April 8, 1983.

[128]Concern with coordination problems among various agencies is expressed by Zheng He Jun and Shen Ji Yun, p. 10.

[129]See Fang Bo, p. 43; the general recidivism rate within reform through labor camps is estimated at 33% in Shandongsheng fang laogai zhi dui jingyan jiehe "be laogai changsuo ban; gaizao fanzuide xuexiao" in Qingnian Fanzui yanjiu #1, 1983, p. 19.

[130]Fang Bo reports that in 1980, 23% of those inmates who had supposedly received satisfactory education became new criminals upon their release, p. 43. See also Li Yung, p. 34; In the Jinan Shi Jiancha yuan investigation, 11 out of 12 youth investigated, had participated in public security bureau education. More than half were frequent visitors. 8 had been held in custody so as to receive more punishment. However, their education was inadequate, and at times counterproductive. One 17 year old, while attending a youth park and being educated under a legal educational organization for 20 days, stole a bicycle during the time he was attending this class. A 19 year old who had been sent to a reform school had been able to escape twice and even after returning compiled a record of 14 misdeeds. (p. 62).

[131]See Shandong sheng fang laogai zhi dui jingyan jiehe, pp. 21-22.

[132]"Shandong sheng fang laogai zhi dui jingyan jiehe," p. 20. It is claimed than an actual change in policy did occur in 1980-81. Previously, a "leftist influence" was still operational whereby general cadre methods included the creating of 'hubub' by forcing inmates to admit their mistakes by exciting contradictions. Now a new policy is in effect which encourages inmates to admit their mistakes through less coercive means. As a result, inmate morale and rehabilitation has improved.

The authors also make calls for improving prisoner literacy and technical education, strengthening labor reform by assigning clear production tasks for each prisoner and improving prison management.

[133]Guo Xiang and Ma Jing Miao, pp. 42-43.

[134]Guo Xiang and Ma Jing Miao, pp. 42, see also Zhongguo Fazhi Bao, June 18, 1984, "Zenmeyang rending liumang jituan ji gi you guan wenti," p. 3.

[135]Yin Jia Bao, p. 39.

[136]Yin Jia Bao, p. 39.

[137]Li Ju Cui, et. al, "Qing xiaonian fanzui xingwei xingcheng de xinli xue fenxi," p. 245.

[138]Yin Jia Bao, p. 39.

[139]Guo Xiang and Ma Jing Miao, pp.41.42.

[140]Guo Xiang and Ma Jing Miao, p. 47.

[141]Guo Xiang and Ma Jing Miao, p. 44; see also Wen Jing, "Dui qing xiaonian fanzui tuanhuo de fenxi yu duici" (An analysis of the policy toward collective crimes of juvenile delinquents), Faxue #6, June 1982, p. 28.

[142]Guo Xiang and Ma Jing Miao, p. 44.

[143]Guo Xiang and Ma Jing Miao, pp. 44-45.

[144]The following discussion is taken from Guo Xiang and Ma Jing Miao, pp. 45-49.

[145]In addition to Guo Xiang and Ma Jing Miao, see Baokan Wenshai, June 5, 1984, p. a4, where it is claimed that most recentlyu, not only have gangs become more secretive, but their organizational tightness has been accompanied by an increase in economic crime, licentious and promiscuous behavior as well as general violence gangs are becoming more sophisticated in their use of technology and are also coopting cadre children, especially cadre girls. And, more anti-revolutionary activity has been in evidence. I am indebted to Professor Stan Rosen for the reference.

[146]See Martin King Whyte and William L. Parish, Urban Life in Comtemporary China, Chicago, U. of Chicago Press, 1984, Chapter 8.

Chapter IV - Institutional Descriptions and Analyses

4.1.0 Correctional Labor and Re-education Institutions

According to official statistics, there were at least 50,000 offenses committed by juvenile delinquents, below the age of 18, in 1983. Yet it is also admitted that the country's 30 odd reformatories and work-study schools together house only 10-20,000 of these youth.[1] Where do the rest go?

It must be assumed that the vast majority of delinquents guilty of punishable offenses are sent to corrective labor and re-education camps. In the past, when reformatories were overcrowded, youth were sent to such facilities. And, specific camps, such as the Qinghe farm east of Tianjin, the Tuanhe farm south of Beijing and the Xing Kaihu farm in Heilongjiang Province are known to contain sections reserved for juvenile delinquents only.[2] This policy exists in spite of the fact that the Act of Reform Through Labor specifically mandates the establishing of reform through education corrective centers solely for the use of juveniles. The issue of children being detained with adult prisoners within the same institutional setting is beginning to receive world-wide attention.[3] In the Chinese case, the principle of separating erring youth from adults has been repeatedly acknowledged as being important; in practice though, it has not been closely followed.

Why would a youth ordinarily be sent to a labor camp instead of a reformatory or work-study school? Both age and the severity of the offense appear to be the formal criteria upon which these decisions are based. Youth below the age of 16 are not given a formal trial unless their crimes are particularly severe; those below the age of 18 receive punishments deemed less severe than their older counterparts. Thus, a youth who is guilty of a severe offense (such as murder or aggrevated assault) but who would be considered too young to attend a reform through labor camp would be sent to a reformatory. Upon reaching age 18, he would then be sent to a reform through labor camp, where his official sentence would be carried out. Youthful offenders can thus be sentenced for lengthy periods of time, prior to their arrival at the reformatory, and complete their sentencing by being transferred to the labor camp.[4] A second reason why a youth would be sent to a reformatory is for educational reasons. If he is young enough to be considered reformable and re-educable, then he will be sent to a reformatory. The implication is that one's offense must be severe enough to warrant systematic re-education; those youth simply guilty of minor offenses, but above the age of 16, will ordinarily be sent to a re-education through labor camp, where less emphasis is placed upon re-training (in spite of the name of the institution). Youth, guilty of minor offenses, between the ages of 13 and 15, will

ordinarily be sent to a work-study school or similar type of institution.

These rules, of course are not hard and fast, for as we have seen, youth continue to be; housed with adult offenders in a number of instances. It is interesting to note that the age range of delinquents attending the work-study factory class at Fangcun was 14-25, far beyond the 13-15 limited supposedly set at most work-study schools. And, there is evidence of both work-study schools and reformatories, of having violated their own age limits with respect to the incarceration of offenders.[5] In very general terms though, one would be safe to conclude that the purpose of the corrective labor camp is to incarcerate adult offenders (although youth will also be sent to these institutions), while the purpose of the reformatory and work-study school is to house offending youth.

What are the important differences between re-education and reform though labor camps? As has been previously noted, reform through labor is an official punishment requiring court adjudication. Re-education through labor is an administrative punishment, determined by public security bureau officials. Detention in a "re-education through labor camp" typically last from one to three years, although the length of time can easily be extended without formal court adjudication. Reform though Labor sentences are usually lengthier. Supposedly, there are few if any differences in the quality of the experiences within the two

types of institutions and the negative social sanction attached to being incarcerated at both institutions is similar.[6]

Do the experiences of juvenile differ significantly from adult offenders residing at corrective labor camps? During the 1960's, it was reported that juveniles residing at the Qinghe corrective farm adherred to a half-work, half-study daily schedule and received the same amount and a better quality of food than did adult prisoners; they received pocket money for their work and obtained resettlement money upo their release. They were allowed to maintain their political rights.[7] If the above information is correct, then at lease the tenor of the Law on Reform Through Labor was maintained.

> The time for actual labor for offenders generally shall be fixed at nine to ten hours each day. With seasonal production it may not exceed twelve hours. The time for sleep generally shall be fixed at eight hours. The time for study may be fixed in accordance with concrete circumstances, but it shall not be permissable to average less than one hour a day. Sleep and study periods for juvenile offenders shall be approximately extended. Offenders who do not participate in labour should have one to two hours a day of outdoor activities.
>
> A day of rest for offenders shall generally be fixed at once every fortnight, for juvenile offenders once every week.[8]

A work schedule for a typical day at a corrective camp is reprinted in table (1).

The following account of the model Tuanhe camp, where 87% of the inmates are under 25, the youngest being 17,[9] was published in January, 1983.

> While life at Round River surely is spartan, the farm resembles more a penal work cmap than hardened prison. Inmates work long days tending vineyards, then cram into bare bunkhouses sleeping 15 men side by side on wooden planks. With daily drills in Marxist theory, they recite their thanks to the party for giving them a new lease on life.[10]

At this point, it may be instructive to look at a case where reform through labor policy was judged to be successful, the reformation of Shanghai recalcitrants during the early 1950's. A number of reasons for the success of this program are offered. Whether or not the degree of success was as acute as is now claimed is less important than the fact that the program can be used as a measuring device, from which current reform efforts are evaluated.[11]

The first goal of the Shanghai reform through labor program was to counter inmate resistance to the reform through labor concept. This was achieved through encouraging inmates to recognize their own criminality and criminal responsibility. Such encouragement was accomplished gradually though. Prisoners read newspaper and magazine articles; where the reading level was low, they were shown photographs, films and other media which made them realize the correct standard by which their behavior should be judged, by their society and by the external

world. In this way, the fundamental nature of their criminality was exposed.

A second task was to coordinate the meaning of productive work with their educational experiences. The actual reform through labor conditions were not bad. Inmates were givne clothe-making capabilities; they operated electrical machines, made goggles, plastics, glue, raincoats, hosery, bedding, etc. and operated a printing press. Some were allowed to keep items they had manufactured. Those who were recalcitrant were labelled as such and were given inferior clothes and were excluded from going outside of the camp. While reform through labor thus made them feel personally responsble for their evil deeds, the offenders always knew they could atone for their mistakes. Good deeds were rewarded with congratulations in newspapers, and periodicals. Mass organizations and other groups went to the reforming prisoners, expressing approval of their change in behavior. Reformed elements received material incentives and in addition, were labelled "Reform through Labor activist elements" and attended a big meeting where they were honored.

A third goal was to specifically attack illiteracy and teach basic reading skills. Specially designed reform schools established a completely integrated system to handle the illiteracy issue. A head teacher, the head of the school as well as classroom teachers all worked together and coordinated their efforts in attacking the problem. Every

school term consisted of a ten week period; student studied for four hours a day and provisions were also made for self-study time. Families helped to reinforce basic study patterns, and graduates were given credentials, testifying to their progress. After three years of study, two thousand students graduated from the program; the ordinary graduate was now able to grasp 1500 - 2,000 characters, or had become functionally literate.

The fourth aim of the program was to reform penal administration. No leg irons or special marking devices were used, so as to insure that prisoners would not be subjected to public or peers embarrassment. In addition, extensive corporal punishment and scolding were not allowed. Work schedules included nine hours for work, eight hours for sleep and two hours for political study. While health and environmental conditions were primitive, a prison hospital offered inmates treatment when necessary (including dental care); inmates were given adequate food and bedding (proportional to the work that they accomplished); sick prisoners were allotted additional food. Budgetary allocations for each prisoner on a yearly basis were generous, approximately 200 yuan per year.

Work assignments were changed; some inmates were given additional and different tasks apart from those given to their peers in order to promote individual responsibility, and approximately 5.8% of the inmate population took advantage of this policy. Finally, authorities arranged for

an adequate number of extra-curricular activities for the prisoners, including movies and sports competitions.

While the above description may be idyllic, and subject to the normal historical biases of an author writing about events thirty years after the fact to a special audience, critical comparisons with this ideal are instructive for a few reasons. One would normally expect that the lofty expectations engendered in the rhetoric of reform through labor would be difficult to pragmatically implement under ordinary circumstances; previously mentioned criticsms of corrective labor camp policies are illustrative of this point. But the description of the Shanghai reform through labor experiences also demonstrates that legitimate differences in policy direction can exist amongst policy makers, their irresolution impeding effective methods which might promote reform. It is argued for example that prisoners must initially be taught to admit their mistakes, a process which under normal circumstances requires some degree of coercion. The Shanghai experience was successful because it was realized that this process should occur slowly. But how much coercion is necessary under typical labor camp circumstances to effect similar behavioral change, and as what point can an inmate's progress be certified as genuine? Indeed the fact that the use of excessive corporal punishment as well as the use of leg irons and other devices was especially prohibited in this

case, implied that measures of comparable extremes are ordinarily used in similar camp settings.[12]

It is also instructive to note that those who criticize the poor political sytle of old cadres who force inmates to make "sincere" confessions still allow them the inherent right to use coercive means in order to accomplish this purpose.

Potential discrepancies exist in the offering of extrinsic material rewards to inmates in response to their favorable behavior, appealing to thier personal need for ego gratification, while propagandizing the general reform through labor experience as containing social utility. Intrinsic and extrinsic reward systems are never inherently mutually exclusive. In this case though, the rhetoric of reform through labor implies that because one contributes his labor to the benefit of the society, his social acceptance and re-integration is made possible. The message is different from one of rewarding individual effort on an individual basis. Similar issues exist as to the importance of the labor experience being vocationally useful as opposed to being significant in a general sense. If the act of hard labor should be considered important because it fulfills reformatory and redemptive purposes, its vocational utility becomes a secondary consideration.

Finally, while the number and quality of administrative services provided to prisoners in the Shanghai case are judged to have been adequate, it should be remembered that

corrective labor camps and reformatories were created with the expectation that they become economically self-sufficient. It is doubtful that similar institutions can always provide their inmates with adequate social services, while maintaining the same degree of cost-effectiveness.

What are the actual responses of youth who have been involved with corective labor experiences? A general pattern of behavior has been noted for those who attend coreective labor institutions as well as reformatories, and is worth summarizing here.[13]

Three stages of behavior are noticeable. During the first stage, youth express feelings of fear, pessimism and self-humiliation. They are particularly afraid of being marked as social outcasts. Some try to run away; many are not open in expressing responsibility for their past crimes. Widespread dissatisfaction and numerous complaints are voiced, as they blame society for their misdeeds. Their attitudes toward reforming their behavior are generally poor.

During the middle stage, some youth do confess to their crimes and seek repentance. They try to do better than others in the same stage and express doubt as to their reformability. For these youth, their criminality is habitual and is deeply rooted. Their negative social attitudes are exascerbated by the bad political style of some cadres whose methods are overly harsh Many of these

youth display a hostile attitude before sentencing, perpetually confronting and challenging cadres. After sentencing, they become uncontrollable and work to sabotage production (this attitude becomes especially clear during the middle stage).

During the final stage, youth begin to evaluate their achievement in obtaining character reform; they have now acquired a preliminary ability to evaluate good and bad and have begun to realize the social harm they've caused. Many are now determined to become useful members of the society. However, some fear about their future and are afraid of being discriminated against by their families and by society at large. There is worry concerning the lack of continued educational opportunity and employment possibilities; some fear for their own security and some express anxiety concerning going astray again. Others, who may have incessantly committed minor mistakes, take a more carefree attitude. They believe that the decision to return home isn't of crucial importance, for if they cannot successfully reintegrate into the society, they can always return to the camp. It is acknowledges thatother factors such as family ties, urban vs. rural backgrounds, etc. obviously influence the nature and depth of those attitudes which are typically expressed.

Ammesty International received information that five correctional camps existed in Guangdong province as of 1978.[14] More recently, the author has learned that the

original five camps have been combined into three, hierarchically ranked in importance according to the nature of inmates' offenses. Thus, prisoners guilty of violent acts are sent to one camp, political prisoners and those guilty of serious offenses are sent to a second camp, and thoses guilty ofless severe offenses are sent to a third camp. The camp which holds minor offenders and juvenile delinquents is located in the northwestern section ofthe province.[15]

The policy of sending inmates, guilty of severe offenses to far-off provinces, so as to be completely isolated from family and relatives, continues.

Corrective labor camps, because of chance and necessity, have been forced to house a large portion of the country's delinquent youth. This has not been the function for which they were originally designed. It therefore becomes important to describe and analyze the operations of institutions which have been specifically assigned that task. The reformatory (guanjiaosuo) is the chief institution which fulfills that function.

4.2.0 Reformatories

The idea of the reformatory was clearly enunciated in section 4 article 21 of the Act of the Reform through Labor. It was stipulated that houses of discipline be established for youthful offenders over the age of thirteen but not having reached the age of 18 (later the age limit was raised to over 14 years). Article 22 of this act stated that

emphasis should be placed upon the teaching of political education, basic culture and production skills. In addition, youth snould engage in light manual labor activity, and attentionshould be paid to their physical development. Article 23 of the same act stated that these institutions were to be established onthe basis of need, with provinces and cities operating as jurisdictional units. The institutions were to be run directly by provincial or municipal public security bureaus. Each institution was to have a director, and one or two deputy directors, as well as a number of discipline officers, who whould be hired locally, according to specific institutional needs. The nine new or rebuilt houses of discipline constructed in 1957, were built in Changchun, Tiensin, Shanghai, Nanjing, Wuhan, Sian, Chongqing, Keming and Canton (Guangzhou) and it was made clear that these institutions, while funded by public security organizations for the first year, were later to be self-supporting, with expenses to be paid from production income.[16]

For the most part, the organizational structures of the country's reformatories appear to be uniform. However, wide variations in policy occur even within single institutions.

In 1981, for example, the Beijing Municipal Reformatory which was originally established in 1955, housed 1,008juvenile delinqquents, 51 of whom were girls. By 1982, however, the facility reduced its inmate size from 1,300 to 600.[17] A foreign visitor reported to the author though,

that by late 1982, the offender population was approximately 1,100.[18] Inmate population size policies thus appear to fluctuate dramatically even within single year time spans.

The available statistics concerning offender and family status for juveniles housed within the Shanghai and Guangdong reformatories are listed in tables (9 and 10). Together, they give a picture as to the nature of the offenses committed, offender educational backgrounds and their relationships with other family members. Ideally, it would have been useful if the statistical information presented reflected upon each institutional setting as a whole. Unfortunately though, authorities at the Guangdong reformatory refused to give the author any information concerning the SES background of offenders, claiming that no available statistics has been gathered on the topic. Thus, while the composite information which is presented must be acknowledged as being incomplete, it does present a general profile of the typical offender sent to a reformatory. One point should be made clear. Since 50% of the offender population at the Guangdong reformatory resides in rural areas, the occupational status percentages of offender parents, presented in the Shanghai reformatory study, reflect that area's urban bias, and probably do not hold true to the same degree for the Guangdong situation. Nonetheless, institutional policies and procedures appear to be similar for every reformatory and a description of the Guangdong institution is presented as a typical case.

4.2.1 Guangdong Juvenile Reformatory Institute at Shijing.

4.2.11 Institutional History and Framework

The Guangdong Juvenile Reformatory Institute at Shijing, visited by the author on March 24, 1983, is the only institution of its kind in the province. It currently houses over 520 offenders, twenty ofwhom are female, aged 14-18 (underaged offenders have been reported to have been kept here); the facility serves a province with a population of over 55 million people. During the early years of the Cultural Revolution (1968-1972), the institution was turned into a factory and cadre leaders were sent away (ostensibly for their own reformation). In 1972, they returned to the reformatory where it resumed its original organizational character.

Amnesty International reports that criticisms emphasizing the unfairness of administrative detention policies, closed many of the country's labor rehabilitation institutions from 1966-1968. Beginning in1969, new institutions were established which fulfilled the same purposes as their predecessors, except that now, those guilty of political crimes received even worse punishment than was previously the case.[19] Thus, the historical account of the Guangdong reformatory's Cultural Revolution experience appears to differ from the norm.

Currently, the reformatory includes four administrative divisions: a general administrative division (guanlichu) a

teaching division, a production division (responsible for the supervision of the reformatory's factory, agriculture fields and other venues wher manual labor is conducted) and the clinic, which is supervised by nine doctors and nurses. In total there are 116 political cadres and teachers working at the reformatory, sixteen of whom are designated as teachers with teaching as their sole responsiblity. No soldiers or army personnel are employed at the facility.

The teachers are graduates from a teaching institution or party cadre school. One instructor has previously taught at a university; some of theothers have taught at the middle school level. After teachers graduate from either university or a teacher training institution, they are normally assigned tothe reformatory by the Provincial Ministry of Education. A situation exists whereby ordinary university graduates without teacher training experience have in the pat been sent to the reformatory; graduates of teacher training institutes without abundant clinical experience can also be sent to the institution.

The cadres themselves have diverse educational backgrounds; some have graduated from a cadre school, others a university, others have not achieved that status. Nonetheless, they tell the teacher how to teach if he or she is inexperienced. While cadres have no say as to who is sent to the institution, theoretically at least, they can change an employee's work and/or send him away, if his performance is judged unsuitable. It is the political

cadre, who ultimately is responsible for ranking those decision which evaluate professional expertise.

4.2.12 Facilities and Living Conditions

The physical plant of the reformatory is visually impressive. The institution is located in a suburban village approximately forty minutes by car from the center of Guangzhou. Facilities include classsrooms, an administration building with conference rooms, student dormatories, a kitchen/canteen, live in space for full time cadres, an automotive shop, a large fishing pond, agricultural plots, a new bus, a library/reading room, a store and a dirt basketball court. The facilities appear to be relatively new and in good condition. There were no guards, sentries or watch towers on the premises, although the facility was walled. Classrooms included traditional wooden desks and chairs, two chairs to a desk, placed in rows, accommodating 40-50 students per room. There were blackboards at the front of the rooms.

While both boys and girls attended class in the same room, the dormitories were segregated into separate male and female quarters, although both facilities were within a few feet of one another. Little attempt was made to dramatically separate the facilities. The dormitories consisted of separate rooms, each containing ten bunk beds with wooden boards in place of mattresses. Each dormitory included one or two floors of rooms; usually there were five or six rooms to a floor. All of the rooms the author

visited appeared to be clean and compared favorably with the student dormitory conditions at Zhongshan University. Toilet facilities were communal, separated from the dormitory rooms. There were no observable locks on any of the doors. The reading room/library was a separate small room within the female compound and included a few books and magazines. There was also a guitar in one of the girls' rooms, supposedly a personal effect which was allowed on the premises. Finally, there was a small t.v. and t. v. room with space which accommodated a large group of offenders at any one time. Surprisingly, there were few if any political slogans on the site.

4.2.13 Food, Amenities and Dress

Offenders were allotted 15 yuan per month for food plus a 3 yuan per month allowance; girls were given an extra three yuan per month for their own personal needs. While offenders were allotted their allowance money theoretically, in practice, the author was told that if a legitimate need for an item was expressed, then the cadres themselves, would purchase the item for the offenders. Offenders were not directly issued allowance money.

Meals consisted of soup, rice and one dish; meat was served five times per week. Some youth were seen in the kitchen helping with food preparation; the weekly food schedule listing each meal of the day was publically displayed. Inmates were given twenty minutes for breakfast and thirty minutes for lunch.

Haircuts were given either monthly or bi-weekly in groups of 150 at one time.

While the author was told that the offenders had uniforms, there was no strict compliance with uniform regulations during the visitation. Clothing was unkept; some of the offenders wore socks, others only wore sandals, and some were barefoot. During an earlier visit by American English language teachers living at Zhongshan University, the offenders appeared conspicuous because they wore clean uniforms as well as new tennis shoes and socks. This was not the case the second time around.

4.2.14 Political and Reformatory Education

The offenders sent to the Guangdong Province Juvenile Reformatory Institute at Shijing were reported to have been typically guilty of committing robbery and theft. Other offenses (60-70%) included hooliganism, assault and murder (true of approximately 15% of the inmates). The figures resemble but are not identical to those taken from a representative sample of the inmate population in 1982 (See table 9 for discrepancies). For the twenty or so girls sent to the reformatory, their offenses included theft and falling under capitalist influences from Hong Kong, a clear euphemism in this context for engaging in promiscuous sexual activity and prostitution. It was admitted that their offenses were less severe than those of their male peers.

It was repeatedly stressed that the main purposes of the institution were to foster delinquent education,

reformation and provide for the preservation of safety and social order. The biggest change in policy, within the last five years, it was claimed, has been the renewed emphasis placed upon educating delinquents properly, and this emphasis has been stressed within every sector of the society including the reformatory. The basic goals of the institution are addressed within a half-work, half-study educational system.

Political education is deemed especially important and offenders engage in that political study which stresses knowledge of the legal system, knowledge of socialist morality and knowledge of their future prospects once they leave the reformatory. Because many do not understand the law, they make mistakes. Correct legal training is thus viewed as a necessity. In addition, the teaching of correct socialist morality allows youth to realize why they are criminals. Finally, offenders are told that if they reform, they will be able to successfully re-integrate into the society upon their return. To this end, delinquents are taken to court and are given lectures by lawyers, court inspectors and public security officials as to how to improve. Parental help in this area is also solicited.

Upon entering the reformatory, offenders are given a one month orientation period. During this time, they are taught institutional regulations and are taught to obey these regulations. In a large hall filled with approximately 50 boys and girls, undergoing orientation

training, the words, "Realize the danger of crime" were prominently displayed. However, it was admitted that there is no written or planned curriculum for this orientation period.

When they arrive, delinquents are fingerprinted and photographed. All of their records including previous school and public security documents are kept in the administration office, until their release.

4.2.15 Academic Study

A daily schedule is listed in table (2). The purely academic component of that schedule includes four forty-five minute classes per day with ten minute rest periods (a customary two hour rest period, xiuxi, is also granted after lunch). The subjects taught include Chinese, Mathematics, history and music (communal singing). The medium of instruction is Mandarin, which most of the students, it is claimed, can at least understand, although it is not their native language. Normal class size is fifty students in a room for every teacher, although some classes include thirty students and occassionally classes are divided into smaller ratios of twenty students per teacher, with students being grouped according to ability for remedial work.

A few points deserve elaboration. Firstly, neither history nor music would receive the same degree of attention afforded by the reformatory, in a typical middle school environment.[20] In an era where science and technology are stressed as having political value, the lack of science

coursework within the academic program is striking, and presumably reflects the instructors' particular curricular strengths and weaknesses, rather than a specific policy predilection. At the same time, it should be mentioned that the length of each class period and the student-teacher ratio which is most often utilized appear to be roughly comparable with existing situations in many urban schools. For the most part, there appears to be little desire to alter normal schooling procedures specifically because of the nature of the clientele. Indeed, it was inferred that classroom materials and teaching methods were basically the same as those used in ordinary middle schools.[21]

The fact that Mandarin is used as the medium of instruction is indicative of certain political pressure, this is a politically visible institution supervised directly by provincial public security authorities. The issue of using putonghua within all official governmental organizations and schools is sensitive, because even inregular schools within the province, Cantonese continues to be used.[22] The prevalent attitude, that putonghua (Mandarin) in the language of intellectuals only, was previously noted. Whether or not instruction in putonghua is a serious impediment for students with generally poor academic backgrounds is difficult to verify; since offenders come from all over the province and are therefore conversant in specialized dialects, the necessity of using any one language as a medium for instruction is clear. Nonetheless,

such a policy presents the poor learner with potential difficulty, especially when the language chosen demonstrates clear linguistic difference from native speech.

Since the offenders come to the reformatory at different times during the year from various schools and school settings, and since their age range is relatively large, the need to implement some degree of ability grouping for remedial training is understandable. Nonetheless, the fact that this policy is carried out only occassionally, perhaps the limits to which the differing individual needs of the students can be practically addressed. Given the previously mentioned criticisms of ability grouping within a number of the country's better urban middle schools, there would also appear to be certain limits at which point that policy could be applied to the reformatory situation, even if it were desirable.

Finally, one must not lose sight of the fact that the total amount of academic instruction given to offenders, four hours per day, is much less than that granted the ordinary middle school student. Even if facilities, teaching expertise and student motivation were comparable in normal and reformatory settings, that fact alone works against young offenders successfully returning to a school setting upon their release without being academically handicapped, if this is their desire.

4.2.16 Manual Labor Activities

Offenders engage in five basic manual labor (laodong) activities. They include: working in the automotive shop, fishing, growing beans and peanuts, gardening and flower cultivation and arrangement, and engaging in construction work. Girls' labor is lighter than that of the boys and is restricted to gardening, flower cultivation and occassionally sweeping floors.

These tasks are noteworthy for their general as opposed to mono-technical nature. Upon analyzing their educational value, one finds it difficult to clearly see where any of the above-mentioned activities require individuals to learn a variety of complex skills or acquire expertise in progressively mastering more difficult skills (the automotive shop activity may be an exception here). The nature of the work requires completion of collective rather than individually oriented projects. Tasks, when assigned, are generally shared rather than individualized. And, no specific attempt is made to match the academic coursework to the vocational training. Nor is there an attempt to match the vocational skills with salient economic demands or priorities. Fishing, peanut farming and gardening are not terribly well suited to the urban environment, from where 50% of the offenders come. Only automotive repair work and perhaps construction work would specifically provide inmates with skills useful in an urban setting. The manual labor activities pursued at the reformatory reflect the immediate rural environment of Guangzhou. The expectation that the

facility achieve some degree of economic self-sufficiency thus probably influences the kinds of manual labor activities provided.

Finally, a traditional chauvinism toward women is clearly evident. Girls don't participate in automotive repair or construction work, but are restricted to light activity, whatever their physical abilities may be.[23]

4.2.17 Extra-Curricular Activities

Authorities are proud of the number of extra-curricular activities available to offenders. These include television viewing for large groups of 150 inmates at a time, three times a week, the showing of a film once per week, ping pong, use of the library/reading room, basketball, dance, musical and theatrical performances (sometimes given by CYL members), and football competitions with a nearby local middle school. There are additional excursions and trips, often offenders are taken into the city to sweep streets or demonstrate other evidence of their having reformed, before a public forum.

Most of the activities are scheduled during the two hour daily rest period, or in the early evening. It should be noted that as there is no regular schedule of extra-curricular activities, the frequency of their occurrence is not known. Also, none of the staff appear to be specifically trained in athletics or other skill areas. The educational value of the extra-curricular experiences is thus impossible to assess.

4.2.18 Hidden Curriculum

Every educational institution has some form of hidden curriculum - informal behavior, teachers, students and administrators play out in kthe context of defining their respective roles. Reformatories and similar institutions adhere to the general rule. Personal observations based upon brief visitations, where one's access is severely limited cannot do justice to the total range of behaviors which constitute a hidden curriculum. However, a few personal observations are offered for the purpose of giving the reader a sense of the reformatory's institutional atmosphere.

Upon entering the site, the author saw some of the inmates marching to work, a seemingly normal pattern of behavior during the course of the day. They are lined up in double file, arms swayed, marching in step to military songs and slogans, with a guard in the very back of the group watching for misbehavior. At no time during the course of the visit did the author see any behavior on the part of the offenders which appeared spontaneous or unsupervised, when they were within official view. There was not evidence of their engaging in free play. Militaristic rituals, while less pronounced than was apparently the case when English language teachers visited the institution are still a part of the culture of the institution.

Informal organizational behavioral patterns are also important. The offenders are initially divided into four

groups, each consisting of approximately one hundred and fifty individuals. Twelve cadres and teachers are responsible for the behavior of each of these larger groups. Within these groups though, there is a further division into small groups of ten. Two leaders are elected for each group of ten; their jobs include leading political study sessions and reporting to the teacher and cadre supervisors of their large group with respect to the behavior of their peers. Group leaders are thus expected to spy on their acquaintances in the name of encouraging the reformatory process. Acceptable behavior within this (as well as other contexts) is rewarded with a reduced sentence, from up to one half a year to a year's time. It should be noted that the practice of informal hierarchical grouping for surveillance purposes is common at corrective labor camps as well as reformatories.[24] This policy raises a number of interesting issues. Who are the student leaders who are assigned this role and on what basis are they chosen?

There is no concrete evidence which addresses this issue within the reformatory context. However, informed speculation is possible. It is noteworthy that there is some variation with respect to the length of sentence of offenders. Most are supposedly held from one to three year time spans; as has been previously stated, some sentances are for longer time periods: five years, twenty years or even life imprisonment. The offender who would be most likely to cooperative with authorities would probably be

given a medium length sentence. If the sentence was uncommonly light, it would not be worth the risk of retaliation to spy on one's peers; if the sentence is uncommonly heavy, a six month to a year reduction would be an inconsequential reward for one's cooperation. On the other hand, as has been indicated, there is a general perception that a clear cut distinction exists among youthful offenders, between hard-core experienced types and inexperienced fellow travellers. The authorities would find it in their maximal interests to gain the cooperation of those included in the experienced criminal category, and it can be assumed that at least some efforts are made in this direction.[25]

Informal surveillance is not uncommon in Chinese society. It occurs within ordinary middle schools as Youth League members report to their teachers and leaders, concerning the behavior of peers; it occurs within street committees as residence committee members report disturbances to higher level cadres and public security officials. However, within the specific environment of the reformatory, the encouragement of peer surveillance communicates specific messages to youth concerning their ability to honor friendship ties, for if every offender informed on his friend, then eventually each individual's comparative advantage accrued from divulging the specific information would be lost. And the length of incarceration for everyone would increase.[26] While there may be

official admission as to the power of the cult of brotherhood amongst delinquent youth, the intrinsic rewards offenders acquire through engaging in mutual trust on a collective basis, are not acknowledged by reformatory officials. In a sense, offenders create a specific set of behavioral rules which perpetuate their common self-interest. The general aim of reformatory officials is to destroy such trust at any cost, including invading the parameters of normal peer association.

4.2.19 Rewards and Punishments

There is a three step system of punishment used at the reformatory. If regulations are broken, offenders are expected to offer self-criticism. If the offense is more serious, it will be officially records and written down. An extremely serious offense will require time to be added on to the originally prescribed length of stay. It is admitted that juveniles were beaten by cadres before the fall of the Gang of Four in 1976, but it is claimed that now there is no hitting which is allowed. The use of solitary confinement is acknowledged - the length of time depending upon the nature of the offense; however time limits of a half-day, a full day, two and three days were offered as being representative.

Supposedly, 5% of the offenders leave early because of good behavior, 2 to 3% stay longer because of continued misbehavior. In 1982, there were twelve escapes; after the

first three months of 1983, there had not been any escapes.[27]

The recidivism rate was reported to be 5.3% - an uncommonly low statistic, and probably inaccurate. In the first place, it was claimed to be representative over a one year time span; as has been noted, the length of time is insufficiently short to authentically guage recidivism under any circumstances. In addition though, correctional labor camps reported an average recidivism rate of 33% over a one year time span. The Guangdong reformatory information appears to vary too widely with that statistic to be logically explanable. Even the Beijing Juvenile reformatory admitted to a recidivism rate of 8.4% in 1982.[28] The Guangdong reformatory recidivism rates must thus be judged as untrustworthy.[29]

In addressing punishment issues, one must also note what was not readily observable. No offenders were seen to be wearing leg irons or handcuffs; the institutional use of these implements was denied. No suicides were reported; it was claimed that gang activity was not a problem at this institution. If true, then these facts represent institutional accomplishments which deserve acknowledgement.

What are the rewards which accrue from exhibiting laudable behavior? The biggest reward a delinquent can obtain of course, is a reduction in sentence or length of stay, not a common occurrence. In addition, offenders can be rewarded by being given extra holiday time to visit their

families, and can be taken on an extra number of excursions and visits to other areas if their behavior justifies this reward.

4.2.110 External Relations

What is reformatory policy vis a vis families, schools, street committeees and other social units which share a delegated responsibility in dealing with delinquency issues?

The Guangdong reformatory allows parents to visit their children once a month, if they reside in Guangzhou, or whenever possible, if they live in a rural setting. There are no specific visitation time periods or time restrictions. Parents can visit their children's dormitory rooms; usually they converse with teachers and staff about their child's progress. They often bring their children food upon visiting.

Cadres and teachers additionally visit the offenders' home residences prior to their release as a normal part of their job, contacting street committee and public security offices, asking for help in securing jobs for the offenders. Similar visitations are made after their release so that their readjustment progress can be measured. In addition, upon their release, offender records are sent directly to the relevant public security bureau offices.

One notes that by in large, external relations are handled non-systematically. Occasional cadre visits to local public security offices and street committee meetings may be somewhat effective in establishing personal relations

with important community members, but the overall effectiveness of such a policy must be questioned because of the scale of the task. With 50% of the inmates living in separate rural communities, the physical obstacles reformatory cadres face in attempting to personally visit and establish close knit ties with all of the various community leaders are enormous. There appears to be no systematic plan of action which serves to limit or lessen these obstacles.

4.2.111 Summary

The Guangdong Juvenile Reformatory Institute at Shijing is a representative normative-coercive institution. The emphasis it places upon political study, with its stress upon teaching correct legal knowledge and knowledge of socialist morality fulfills part of its normative function. An educational program which includes a large manual labor component complements that emphasis. The fact that administrative decisions are made in centralized hierarchical fashion, by political cadres as opposed to educational professionals, gives added notice as to the importance attached to specific normative values structures as embodied in party ideology.

The institution is clearly coercive in the way in which it assesses rewards and inflicts punishments. While the use of physical and corporal punishment is denied, the use of solitary confinement is not.[30] It should be noted that corporal punishment was admitted to being used prior to

1976. Remember, their political rehabilitation occurred in 1972. As has been noted, the "poor political style" of cadres who work in reformatory settings has been criticized in the Chinese press.

Offenders are rewarded by having their sentences reduced or by acquiring increased vacation time, to be spent with their families. In both instances, the perception of the institution as one which perpetuates inherently negative experiences, to be avoided if at all possible, is reinforced. Rewarding offenders with home visitations alos serves to express the relative importance of institutional authority over that of the family. Family contact becomes a privelege, not a right. The lack of systematic policy with respect to family visits as well as external relations with other social organizations has been mentioned.

Even the use of allowance money, a typical renumerative reward, of minor practical consequency within the reformatory setting, is restricted; cadres handle all of the offenders' money buyingthem necessities when deemed appropriate. On the other hand, the living conditions, food, clothing, physical plant and other facilities appear to be at least adequate, and demonstrate adherence to the aim of creating a model institution. Nonetheless, restrictive supervision and surveillance policies, as well as the payment of at least lipservice to militaristic rituals and values, gives further expression to the normative-coercive character of the institution.

4.30 Work-Study Schools

The work-study school represents one alternative to the reformatory structure. Young offenders, guilty of relatively minor offenses, are sent to these institutions, usually operated under the jurisdiction of municipal district education bureaus. When Edgar Snow visited a Beijing work-study school in 1960, the institution he observed held 185 youth, aged 10-15.[31] During the Cultural Revolution these schools were closed; new schools began reopening in October 1978 and continued to be established in early 1979. At that time, other urban areas were encouraged to establish similar type organizational structures.[32] The number of work study schools in Beijing grew quickly and approximately 1,300 students were enrolled in these programs. More recently however, at least half of the schools have been clsoed, as authorities are now claiming that the drop in delinquency activity within the city warrants their closure.[33]

The one work-study school which has received the most attention is located in the western district of Beijing. This institution is very much a model school; westerners and foreign tourists in fact can routinely visit the institution after receiving permission from the city's Foreign Affairs Bureau. No other work-study school in the city is open to public view. In should also be noted that the western district of the city is not noted as a particularly difficult area with respect to incidences of crime; the

socio-economic level of its inhabitants is abvoe average. Nonetheless, a brief description of some of the school's salient organizational features is provided for reader edification.[34]

3.1 Xicheng (Western District) Work-Study School

The Xicheng work-study school is a boarding facility which currently houses appriximately one hundred students with a staff size (teachers and workers) of over 130. The facility was reported to have houses 196 pupils in 1978 though.[35] Students typically range in age from 13-15 years (although the existence of older students has been noted in the press). Bi-weekly visits home are common procedure. While attending the work-study school, students still have their names kept on the registers of their former schools,[36] to lessen the stigma upon their return. Upon leaving the work-study school, the expectation is that students will re-enter their former schools or will seek employment. Youth who are sent to the work-study school are generally guilty of minor offenses; in the specific words of the institution's introductory pamphlet, these youngsters include those "who are riotous, break public orders, pilfer and rob people or have engaged in improper sex-relations and cannot continue their studies in their orginal schools." They are "admitted to this school with the consent of their original schools, their parents, and the leading group of this school."[37]

The academic subjects offered at the Xi-cheng work-study school include math, Chinese, physics, chemistry, music and physical training (the emphasis placed upon science course work more closely corresponds to regular middle school curriculae than does that of the reformatory). Students spend three hours a day engaging in manual labor at the school factory, where they learn electrical engineering, carpenty and sewing. Here too, there appears to be greater attention paid to the teaching of specific vocational skills.

Adherence to strict discipline is admitted. One report boasts that students are able to wake up, dress and be ready for morning exercises within five minutes.[38] Militaristic values and rituals such as organized drill have also been noted by outside observers. The number of extra-curricular activities offered students at the Xi-cheng work-study school is abundant.

While typical students reside at the school for two years, students are able to leave early because of good behavior or if extenuating circumstancessuch as a death in the family or family illness occur.[39]

The authorities are proud of their successes; five graduates who were admitted into the CYL after their stay at the school, received national press attention, because of their successful reformation.[40]

Still, a number of problems and potential problems exist. With a staff which is larger than its student body,

the costs of imitating the organizational structure of the Xicheng work-study school appear prohibitive.

It has been noted that there are cases of individuals above the age of 16 who are sent to the school. Since public schooling is only compulsory through age 15, the suspicion is aroused that this institution and similar types of facilities are used or can be used as dumping grounds for undesirables, a purpose at variance with more lofty aims which are publically expressed. At the same time, since most of the youth who do attend the school are between the ages of 13 and 15, the number who are successfully reintegrated into their old school setting can be assumed to be quite small; most will have reached junior middle school graduation by the time of their release.

Typical graduates can "get jobs with the help of their respective area residential committees."[41] The implication though, is that job assignment is not a prime responsibility of the school itself. This being the case, the actual possibilities for delinquents to obtain relevant work experience upon their graduation are at best no different from the majority of typical middle school graduates who face the realistic prospect of long-term unemployment.

4.50 The Public Security Political Study Class

An informal alternative to the work-study school is the political class, run under the auspices of the municipal public security bureau. In this case, youth guilty of minor

offenses, report to the public security bureau on a regular basis, where they receive political study training. At times, factory work experiences are also arranged for participating youth. The class allows public security officials to keep abreast of the activities of troublesome or potentially troublesome youth. In addition, it give visible evidence to the public that the public security bureau is responsibly handling juvenile delinquency issues. During the Cultural Revolution, army and militia units often taught similar kinds of political study classes; now as public security organs have regained their pre-eminence, some have undertaken specific responsibilities in this area.

The potential difficulties inherent in an informally designed political study program for delinquents are clear. Neither public security officials nor factory workers are professional teachers; the educational quality of their program is thus immediately suspect. Classes are often informally organized without being run on a systematic basis. It has been pointed out that attrition rates, truancy and other leakage problems lague the political study class as much as they do other reformatory structures.

4.60 The Work-Study Factory Class at Fangcun

The work-study factory class represents a unique institutional arrangement which serves as a viable alternative to the work-study school. There are two work-study factory classes in Guangzhou, one housing male, the other housing female offenders. To the best of the

author's knowledge, no other institution with the same organizational structure exists within the country. As has been previously mentioned, all questions concerning the female work-study factory class were left unanswered. The only information which was made available as a matter of public knowledge as that there are fewer female delinquents who attend their designated work-study factory class than the 200 male offenders who reside at Fangcun; those females who are sent to their facility are commonly thought to be prostitutes or were guilty of engaging in prostitution. Their institution is located at a factory site in the eastern part of the city near the southern bank of he Pearl River. The male dominated Guangzhou diesel engineering factory work-study class at Fangcun represents a fascinating example of how policy directives evolve in the People's Republic of China. Its operations will therefore be described in detail fashion, the description based upon the author's visit to the facility on April 5, 1983.

4.51 Institutional History

The institution originally was established in 1973 as a series of political and work-study classes for mildly delinquent males, and was run by the municipal public security bureau. As such, it bore little different to the typical political study classes which have been informally organized throughout the country. In 1975, a permanent factory component was established, and a tripartide administrative structure was created. The public order

section of the public security bureau undertook the responsibility for sending offenders to the institution and maintainging contacts with them upon their release; the city government at the district level was responsible for funding the operation and the factory's management undertook the responsibility for providing housing, food, staff and instructional facilities while operating the structure on a day to day basis. From 1975-1980, the institution was known as the juvenile work-study school. In 1980, the city government enacted a regulation increasing the number of courses to be taught in order to strengthen the institution's educational program. Since that time, many new subjects are purported to have been added.

District leaders visit the institution up to 18 times a year, while city-wide government leaders make their own visitations four to five times a year, carrying out investigations, personal assessments, etc. With the exception of three part-time teachers, sent to the facility by the Bureau of Education, the work-study factory class staff some from the factory. The facility's three permanent teachers are formerly primary level instructors at the factory's primary school; factory workers and cadres also instruct and supervise resident youth. Last year the city government gave the institution 90,000 yuan (approximately $45,000 U.S.) for operating expenses and teacher salaries, a substantial sum, indicative of the importance of the institutional to local political officials. Some income is

additionally derived from the offenders' production efforts as well.

4.52 Facilities

All of the work-study factory class utilities are located on the factory premises. The student dormitory formerly was the factory nursery. Construction of an additional nursery facility made this space available. While over twenty offenders per room lived in the official residences (ten or more double level beds occupied one room), authorities admitted that the living quarters were overcrowded and did not compare favorably with the more lavish rooms given to offenders at the provincial reformatory. However, the facilities appeared to be adequate and it was made clear that money already had been allocated for the construction of a new dormitory.

There were no visible locks on the dormitory doors; sutdents are allowed to bring some personal possessions into their rooms, and each room did contain a small electric fan.

A general attempt is made to treat the youth as workers. If they are ill, they can attend the factory clinic for free; if they are seriously ill, they will be sent to a city hospital. Students are given the same clothing issued to every factory worker. Their food allotment is 25 yuan per month per person. Daily meals include at least one vegetable and one meat dish; soup is given twice a week; fruit is issued at least some time during each week. Haircuts are provided by teachers or by

the students' parents; the procedure here appears to be less systematic than was the case at the reformatory.

4.53 Student Background

No statistics were made available as to the SES levels and family backgrounds of offenders sent to the factory class. It was acknowledged, however, that most of the offenders' parents were workers. The students themselves, ranged in age between 15 and 25; some are students sent from regular schools, others are factory workers or are unemployed. All of the offenders who were sent to the facility from their regular schools, attended primary or junior middle school beforehand; there were no senior middle schol students in attendance. It was pointed out that the fact that the work-study factory class could easily accomodate both students and factory workers, or a considerable age range, was advantageous, particularly in comparison with the work-study school, which operates under the auspices of a municipal district education bureau and ideally, has a norrower focus. Unlike the work-study factory class, the work-study school serves those adolescents with a limited age range, who have experiences specific difficulties within an educational environment; it would not address issues such as recalcitrance among factory workers or other non-school behavior judged undesireable, in a direct fashion.

Most of the work-study factory class offenders are guilty of theft (over 75%). Their other offenses include

quarreling, hooliganism, minor gang activity and some gambling. None of these offenders can be formally sentenced by a court because their offenses are considered too minor for prosecution. Their typical stay is for six months, although consideration is being given to extending that time frame for up to a year. If an offender's behavior is good, he can leave within four months of entry; 10% actually get out more quickly; 6% stay longer because of poor behavior and/or attitude. On Sunday's the students can return home for the day. They are expected to return to the facility Sunday evening. A 15% recidivism rate within one year of release is admitted.[45]

4.54 Political Study

It was mentioned during the author's visit that it is party policy to educate all juvenile delinquents, raising their moral, physical and intellectual levels. It is important to inculcate proper work ideals, raise their moral values and improve their knowledge of the country's legal system

Proper factory education instill a respect of factory discipline among young workers and potential workers. But emphasizing the importance of personal discipline is not neglected. Many reformed thieves turn in stolen money and personal possessions such as watches, etc. when previously they would have kept the goods for themselves. In one case, an old woman had her money stolen and a number or work-study

class students intervened to stop the thieves and they then returned the money to her.

Health education is also stressed and in one instance, the authorities helped a student solve his bedwetting problem. Whenever possible, youth are encouraged to develop their own special talents and abilities. One youth wrote a novel; he currently works in a cinema and often returns to the class to speak to youth about his own experiences; he also writes articles about the institution for the Yangcheng Wanbao, one of the city's daily newspapers. Another former student, with considerable artistic talent, painted murals ont he dormitory site. The author was told that many students return because of the close relationships developed with their teachers. Some have even invited their former teachers to their weddings.

Legal education includes defining for offenders what actually constitutes criminal activity as well as promoting their respect for the concept of law in the general sense. Emphasis is additionally placed upon determining different criminal motives, allowing offenders to see why individuals commit crime.

In addition, youth are encouraged to help public security officials solve criminal cases; they are expected to report to the officials repeatedly after their release, giving information as to the activities of bad criminal elements as well as returning stolen goods and property. Part of their political education includes visitations to

courts, where offenders observe hardened criminals being sentenced. The experience is supposed to deter youth from engaging in future criminal behavior. Offenders are also given a one week orientation period upon their arrival where they learn institutional rules and regulation. The basic aims, purposes and political content of the work-study factory class political study program can thus be seen as varying only slightly, if at all, with that of the Guangdong reformatory.

4.55 Academic Preparation

A daily schedule of activities is listed in Table (3). Students typically attend four hours of academic classes per week. The major subjects taught include Chinese and Mathematics. Singing is arranged once a week; four hours of vocational classes are additionally held per week. Each class period lasts for half an hour. Chinese instruction includes rudimentary training in history and geography, but the acquisition of basic reading and literacy skills is what is most heavily stressed. The language of instruction for all coursework is Cantonese; officials explained that since everyone at the institution was in fact Cantonese, this policy was logal and made sense. The program is divided into three instructional levels corresponding to primary, lower middle and upper middle school levels. Within each level, however, students are tested and placed into remedial, average and above average ability groups. Attempts are made to correlate textbooks, testing procedures

and the general academic curricular content with that used at the typical middle school level.

Each class contains approximately fifty students for every one teacher. Within the class, students are divided into six groups and within each group, a leader is appointed to tell teachers if someone misbehaves. The three permanent teachers divide administrative responsibililties amongst themselves, each in charge of either academic and vocational study, legal and political education or manual labor activity. One of the three serves as the banzhuren, or overall class master. As has been noted, three additional teachers serve at the facility on a part-time basis, and other cadres and workers occasionally teach vocational classes.

4.56 Vocational Preparation and Manual Labor

Specific vocational preparation is offered in five areas: arc welding, model making, wine making, electrical repair and photography (machine operation and repair). Factory engineers are specifically enlisted to teach offenders how to repair electrical equipment.

The majority of the offenders' time is spent engaging in manuel labor and general factory work. Specific taks here vary according to particular needs, but the work can generally be characterized as being menial. The author noted for example, a number of youth carrying bricks from one section to another area within the factory premises, as part of their manual labor activity. The large amount of

time spent engaging in such activity presumably facilitates their acceptance of factory and labor discipline.

4.57 Extra-curricular activities

Extra-curricular activities include playing basketball, chess, ping-pong, playing cards, reading and watching television (which is allowed two to three times per week). In addition, students participate in badmitten and football competitions with other factories and schools. The results of the preliminary intramural football matches, which decided opponents in the factory wide games, were publically displayed on the factory site. Students are also taken to the city park and cultural palance and, as was previously noted, they will help with the construction of the new cultural palace.

4.58 Rewards and Punishments

It was stressed that the purpose of the work-study factory class was to educate offenders, not to punish them. In oder to accomplish that end, a point system has been devised, whereby offenders are assessed marks on a scale of one to ten for their behavioral and academic performance. When they receive 1800 points, they can leave; until that time, they must stay. An individual's progress in obtaining his release is publically posted on a blackboard outside of the classroom, so his performance can be easily scrutinized by his peers. Self-criticism sessions occur on a regular basis; corporal punishment it is claimed, is not used although it was admitted that such practices have occurred

in the past, before 1980, when the institution's educational purpose was more clearly defined.

There have been seven escapes within the last eight years; during those instances, public security officials have brought the offender back to the institution. If a student does not return to the factory after his leave home on Sunday, his teachers will visit the home to ascertain the reasons for the truant behavior. The fact that offenders make weekly visits home lessens the degree to which they are forced to sever family and peer ties.

4.59 Hidden Curriculum

One of the principle aims of the institution is to treat offenders as factory workers and institutional policies appear to have been at least somewhat successful in this regard. Since offenders wear factory clothing, it is impossible for the outside observer to physically distinguish their presence from that of many other young factory workers. The factory site is huge, consisting of several city blocks, and a major street runs through the site. Offender residence quarters are on one side of the street, the factory physical plants and warehouses are on the other side. Thus, one saw as a matter of course, a number of offenders walking unsupervised on the public street, going to and from the physical plant and their own residences. There was no overt attempt to control their behavior. Indeed, the physical layout of the site would make such attempts difficult to effect. There was no drill,

no conscious attempt to instill militaristic spirit. Small group hierarchies do exist within the classroom, but are not as extensive as is true of the reformatory environment (where the offender population is almost three times that of the work-study factory class).

One might conclude that in this instance, authority relations are more easily disguised. Given the use of specific policies such as the awarding of points for positive behavior or the issuance of factory clothing to all offenders, allowing them to easily blend into the factory environment, this difference appears to be intentional. In any event, the institution can be categorized as falling more closely under a renumerative-coercive as opposed to normative-coercive oirganizational ideal type.

4.510 External Relations

Teachers make repeated home visits, informing parents as to how they can help their children. If an offender comes from a broken family or his parents fail to discipline him adequately, public security and street committee officials are contacted, and then work to improve the offender-parental relationship.

Possible options for work-study class graduates include working in a factory, attempt to find work through their respective residence committees or go back to school to study. In fact, 70% of the graduates are unemployed immediately after their release.[43] If an offender has parents who work at the diesel-engine factory and they

retire, he is eligible to take their place on a full-time basis. Otherwise, there is no chance that the diesel engine factory will employ work-study class graduates. It should be remembered that the facility has one of the better reputations of its kind within the city. Given the unemployment situation, any youth who would be able to secure a full-time position at the factory upon his middle school graduation would be extremely fortunate. Thus the reluctance to hire directly from the work-study class is understandable. However, the policy does not promote the educational and reformational aims of the work-study class.

The only other potential avenue for career advancement for work-study class graduates is the PLA, and they are able to join the army upon graduation if they choose to do so, without being subjected to discrimination.

A CYL chapter exists at the factory and serves the younger workers at large, but does not specifically represent the work-study class students. This lack of representation thus is consistent with similar attitudes toward youth houses in the juvenile reformatory - they redeem themselves only after having left their respectrive institutions.

4.511 Summary

The work-study facotry class at Fangcun has been described as falling under the category of a renumerative-coercive institutional type. Offenders' shortened length of stay, the program's significant

vocational component and policies which attempt to beldn the institutional environment of the class with that of the surrounding factory give evidence for this point of view. Offenders are rewarded or punished by receiving a certain amount of points, a policy which makes the degree of authoritarianism implicit within the relationship between staff and offenders. The purpose of the institution is to educate, not to punish, it is the discipline fo the factory workplace rather than a respect of military discipline in the general sense, which is stressed.

There are of course limits, to which the above categorization is applicable. The use of corporal punishment was admitted, at least in the past. And the work-study class's political and legal study program largely patterns that utilized within the reformatory setting. Basic normative value structures are shared. However, the differing emphases these institutions place upon disguising as opposed to articulating authority roles and relationships is pronounced.

Two of the important characteristics of the work-study factory class are its limited size (200 offenders participate in any one time) and the limited length of stay required of offenders (usually six months). These factors, in addition to the fact that in spite of its boarding status, it is located within Guangzhou city proper, allowing regular visits home on a weekly basis, further serve to create a distinct institutional atmosphere, judged

appropriate for that category of youth who have committed non-serious offenses. The facility serves the purpose of publically stating to various city wide constituencies, not only that authorities are tackling a perceived social problem but that the severity of their response relates to the seriousness of the offenders' activities.

Potential area of weakness do exist within this institutional structure. It is unclear for example, how the manual labor activity is tied to youth's vocational training. Do youth really have opportunities to practice arc welding or electrical repair on a regular professional basis? Secondly, with respect to the academic component of the institution's educational program, while attempts are made to insure comparability with other middle school curriculae, there are legitimate questions as to the appropriateness of the teachers' credential and qualifications, most of whom were former primary school or factory teachers. It is significant that there is no ongoing inservice program to either train teachers to the specific needs of offender youth or to improve their own subject matter expertise.

Finally, it should be noted that the diesel-engine factory at Fangcun is a model institution; it is certainly one of the more productive plants in the city if not the province. It's size, reputation and overall productivity lessen the financial and practical risks management accepts by overseeing the operation. The possibilities for

carry over or transfer of the idea to other factory settings are thus limited.

As an alternative to the work-study school, the institution presents two distinct advantages. In the first place, it serves a larger clientele in terms of age range and diversity of offender educational and occupational background. In the second place, unlike the work-study school which is run under the auspices of a city's district education bureau, the work-study class is accountable to three distinct organizational units: the municipal district government, the public security bureau and the diesel-engine factory. It is therefore in the interests of the three separate organizational constituencies to insure thatr the program succeeds. Since the municipal educational system has been publically criticized for producing a low level of educational quality within the regular schools,[44] the tri-partide arrangement would appear to contain a number of advantages over the governing structure of the typical work-study school.

Notes (Chapter Four)

[1]China Daily, "Youth Crime is Plummenting", May 18, 1984; FB is "Juvenile Delinquency Down from 1981 Figure", July 26, 1983, k 22. The more recent China Daily article claims that work study schools alone number 112 and take in 6200 youth.

[2]Amnesty International Report on Political Imprisionment . . . . .pp. 88-90, 97.

[3]The international organization, "Defense for Children" is currently conducting an extensive world-wide study on the subject.

[4]It was admitted to the author in his visit to the Gunagdong Juvenile Reformatory at Shijing that there were offenders who resided at the institution whose length of sentence (formally or informally adjudicated), was 5 years, 20 yeqrs or even life imprisonment. The Amnesty International report also states that a Swedish newspaper reported in November, 1977 that certain youth, guilty of serious offenses, were transferred to prisons at the age of 18 as a matter of course, p. 89.

[5]Li Ju Chi's study of the attitudes of Guangdong reformatory inmates includes inmates as young as 11 years old, p. 243. The Xicheng work study school in Bijing is reported to have accepted youth as old as 18 (although compulsory schooling ends at 16). See "Turn These Children Into Useful People", Women of China, January 1980, p. 15, and Zhou Zheng, 'Save the Teenage Delinquents", Beijing Review, #44, November 2, 1979, p. 18 (while the work-study school is referred to as a reformatory in this article, there are significant differences in the operational and organizational styles of the respective institutions). In the Heilongjiang work-study school survey (table), 36.5% of the delinquents surveyed were not in school prior to their arrival at the work-study school.

[6]Amnesty International Report . . . pp. 80-83, 89-90.

[7]Amnesty International Report . . . p. 89.

[8]Amnesty International Report . . ., "Article 52 of the Act for Reform Through Labor" as translated in Cohen, pp. 592-593.

[9]Christopher Wren, "China Re-educates Petty Offenders Outside the Regular Court System, International Herald Tribune, August 13, 1982, p. 22.

[10]Michael Weisskopf, "China Gulag Tries to 'Save the Wayward Through Labor'", International Herald Tribune, January 25, 1983, p. 5.

[11]The following descriptive analysis of the Shanghai program is taken from Xiang Bo, pp. 29-32.

[12]The point is reiterated in Seven Jay Gross, "Communist China's Prison System", unpublished M.A. thesis, U. of Wisconsin, 1978, p. 19.

[13]The following analysis is taken from Shen Jin Chu "Qing xiao nian fanzui gaizao xinli chu tan" (An initial discussion of juvenile delinquency reformatory psychology) in Qing xiaonian fanzui yanjiu, #1, 1983, 00. 24-26.

[14]Amnesty International Report . . . p. 101.

[15]Personal conversation with source X.

[16]Cohen, pp. 594-596.

[17]Xinhua #120422, December 5, 1981, p. 12.

[18]Personal conversation with Professor James Finerman, Fulbright Professor of Law, Beijing University, February 9, 1983.

[19]Amnesty International Report . . . p. 90.

[20]At the South China Teacher's College middle school, reportedly the best school in the province for example, while a student might be forced to repeat Chinese, Math, Chemistry or Physics because of poor grades, History, Music, Geography, Art, etc. are not considered to be as important. Based on author's interview with school officials, March 19, 1983.

[21]For a comparative view of the curricular differences between the institutions, see tables 4, 5 and 2.

[22]See SWB November 26, 1981, FE/6890/BII/15-16, "Guangdong's Ren Zhongyi discusses Putonghua issue".

[23]The Beijing reformatory, like its Guangdong counterpart, emphasixes agricultural labor, managing orchards, pond fishing, etc. A small number of offenders there work in an electrical plant. See Xinhua #121148, December 15, 1979; it should be reiterated though, that large discrepancies exist between the amount of manual labor ordinary students experience when compared with delinquents' training. Rosen reports that it has been suggested that manual labor takes up no more than 10% of the instructional time, or two to four weeks out of the school year, for key point middle school students, and only 2 hours per week (out of a total of 34 hours of instruction) for ordinary and vocational senior middle school students. See tables 4 and 5 from Rosen, pp. 42-43.

[24]While one report states that offenders are divided into groups of eighty and subgroups of eight at the Beijing juvenile reformatory, Da Gong Bao, (Hong Kong), January 12, 1982, p. 3, "Zhongguo zemme-yang jiaoyu fanzui xiaonian" (How Does China Educate Delinquents), another reports claims that there are 11 teams (ten boys and one girls team) within that facility, Xinhyua, #12138, December 15, 1979, pp. 11-12. The apparent discrepancy may be due to the fluctuation in offender population at any one time. But, the principle of "collective education" (Jiti jiaoyu) remains operational for all of these institutions.

[25]Martin C. Whyte discovered that upon interviewing Hong Kong refugees who had corrective labor experience, inmates of all types were selected for small group leader positions. The nature of their offense was not important in making this decision. In the Taiwan case though, the author was specifically told that older youth with lengthy sentences were picked as security guards, helping staff maintain order. Other inmates, knowing the severity of their sentences, accepted their role most of the time for Whyte's conclusions, see Martin King Whyte, "Corrective Labor Camps in China, Asian Survey, Vol, XIII, #3, pp. 253-269.

[26]The point is made in Michel Crozier and Erhard Friedberg, "Organization as Means and Constraints of Collective Action" in Charles C. Lemert, ed. French Sociology: Rupture and Renewal Since 1968, New York (Columbia U. Press) 1981, pp. 344-345.

[27]These numbers compare favorably with the Beijing Municipal Reformatory Admission that the institution experienced one hundred escapes in 1979 and 83 in 1980. See Wei Min (Beijing Review, Feb. 23, 1981), p. 29.

[28]Xinhua #120422, December 5, 1981, pp. 12-13; the Tuanhe model re-education through labor camp also admitted to a recidivism rate of 8% in 1982. See China Daily, July 17, 1982, p. 5.

[29]It should be mentioned however that it was argued in 1979 and 1980, that recidivism rates among reformatory offenders was approximately 6%. See Beijing Review, all #9 March 3, 1980, p. 4.

[30]Solitary confinement is a technique whose use has also been publically admitted within prison environments, although the maximum length of stay under these conditions was reportedly seven days. Wei Min, p. 26. See also SWB FE/6862/BII/1-2, October 24, 1981, "A Visit to a Peking Prison."

[31]Amnesty International Report... p. 88. The reform school Snow visited included 100 juvenile delinquents between the ages of 15 and 18.

[32]In addition to previously mentioned articles in the Beijing Review and Jiaoyu Yanjiu in 1979-1980, concerned with the operations of the western district work study school, see, Xinhua #090101, "How Beijing tackles juvenile delinquency" September 1, 1979, pp. 3-4 and FBIS Daily Report, April 12, 1982, "Hu Qiaomu visits Beijing Work-Study School, "K-15 (this visit was to the Chaoyang district work-study school). In Shanghai, the re-establishment of work-study schools was said to be directly responsible for the city's drop in crime. See China News Analysis, #1215, September 11, 1981, p. 7.

[33]James Finerman was given this explanation for the closing of certain work-study schools during his visit to the Xicheng facility. As has been noted, enrollments fluctuate, and decreasing enrollments are also offered as evidence that the delinquency problem is being solved. In addition to footnote #17, see China Daily, July 17, 1982, "How Young Offenders are Taught to Reform" where it is claimed that a 400 inmate decrease has occurred in the Tuanhe camp from 1980-1982.

[34]This description is based upon an introductory pamphlet, "Beijing Shi Xicheng chu gongdu xuexiao jiexiao" (Introduction of the Work-Study School, West District, Beijing), published by the school for foreign visitors.

[35]"Turn these children into a useful people," Women in China, January, 1980, p. 15.

[36]Zhou Zheng, p. 18.

[37]"Beijing Shi Xicheng chu...", pp. 1.

[38]"Turn these children into useful people", Women in China, p. 17.

[39]Conversation with Professor Finerman.

[40]Chapter Two, footnote #129.

[41]"Beijing Shi Xicheng chu...", p. 2.

[42]This compares with a 25% recidivism rate admitted to have existed for released offenders form work study schools in the years prior to the outbreak oif the Cultural Revolution. See Xinhua #090101, September 1, 1979, "How Beijing Tackles juvenile delinquency" p. 4.

[43]This is the comparison with a 40% unemployment figure admitted to by Tuanhe authorities for their released offenders. See China Daily, July 17, 1982, p. 5; see also table (13) for Heilongjiang work-study school statistics.

[44]See SWB Fe/6801/BII/14-15, "Guangdong: Exam results show overall decline."

CHAPTER V - CONCLUSION

Throughout this unit, it has been argued that traditional norms and behaviors remain operational within the People's Republic of China. A basic respect for the reciprocity of family roles and responsibilities, between parents and children and husbands and wives is commonly shared and is expressed within the country's criminal code and constitution. Bureaucratic organizations continue to function in centralized fashion; commands are articulated from the center to the periphery; rational allocation of responsibility and specialization of task are features uncommon to many of these structures. The concept of law is persistently defined in coercive terms; a traditional tension beween formal and informal methods of adjudicating conflict also finds enduring expression within comtemprary China.

Of course, differences between past and present do exist and should not be minimized. The effective politicization of the school, workplace and street committee serve to narrow the locus within which individuals can freely operate; these organizations have additionally had the effect of impinging upon the autonomy traditionally afforded family and clan units. Their success can be attributed to some degree, to their manipulation of peer group interactions. But even in this case, methods employed are largely diachronic. The self-policing responsibilities of the street committee, which range from surveillance to

vigilante activity to informal mediation, vary from the traditional bao-jia system basically in their degree of effectiveness. The potency of the self-criticism session is largely attributable to the traditional reticence concerned with losing face in a public forum. Other shared attitudes which have a significant historical origin include the belief in the efficacy of behavior and role modelling as well as ascriptions of gender difference with respect to behavior, attitude and motive.

It is therefore not surprising that a number of traditional normative-value structures find their expression in the literature concerned with juvenile delinquency issues. Broad-based casual explanations which invoke the power of historical inevitability or the negative effects of cross-cultural intercourse perpetuate traditional predelictions which allow the Chinese to view themselves in categorical, totalistic terms, while viewing the rest of the world with at least some degree of suspicion. Given the fact that the family remains the most important social unit within the society, it is not surprising that parents are assessed a fair share of the blame for their children's deviance. The fact that other social units such as the street committee, the factory, public security bureaus and mass organizations such as the CYL are also assigned responsibility for solving delinquency problems and are occasionally criticized for their failure to do so, further highlights their designated social importance.

Two other salient features which characterize delinquency literature within the People's Republic of China deserve further reiteration. Firstly, definitional constructs are marked by their indeterminacy. Determination of individual culpability with respect to age as well as the criminal nature of specific offenses have been subject to repeated change and continuing debate. Such impricision extends to conceptions of hooliganism as well as normal gang activity, behaviors which are directly attributed to delinquents. Delinquency as a definitional construct is of course inherently impricise. Within the Chinese context though, one is consistently reminded of that fact. In a society where propriety continues to play an important role in defining normalcy and deviance, it is possible for one to be sent to a corrective institution for engaging in allegedly sexually promiscuous behavior or flaunting one's possession of supposedly licentious material, subjective accusations to say the least. The deviance of the act can thus easily become intertwined with the specific context and circumstance under which one is caught and then subjected to negative social sanction. A thirty year history of mass mobilization techniques which served to artificially manufacture deviant norms, forced China's inhabitants to adjust to such indeterminacy. But even as concepts of law and legality are advertised as providing for the creation of that social stability which was lacking during the Cultural Revolution, informal mechanisms which adjudicate conflict

continue to exist; in the cast of youth, they sometimes perpetuate procedural inconsistency which infringes upon objective determinations of fairness and the process.

In the fact of definitional impricision with respect to delinquency within legal and procedural realms, it is not surprising that a second theme characterizes the delinquency literature - that of the need for greater social and individual control over the expression of deviant behavior. Parents should be doing a better job of disciplining their children, while insuring that they cultivate healthy peer relations and respect appropriate authority figures. Bad parents create bad children. The ideology of control extends beyong popular arguments which invoke the logic of family pathology to explain the growth of delinquency though. Individuals themselve are responsible for controlling their emotions - especially adolescents who are often plagued with an independent will which resists such control. Social units other than the family structure should be compelled to do their job in correctly modeling individual behavior also; when they fail, gang activity, hooliganism, crimes against the social order as well as other forms of deviance result. The amount of desireable control varies with the severity of the deviant behavior; hard core as opposed to mildly delinquent motives are judged to be attributable to vastly different personality and character types.

5.1 1st.Hypothesis

Having reiterated a few of the basic traits which categorize the thinking concerned with the nature of juvenile delinquency, it is useful to now assess the extent to which the original hypotheses offered at the beginning of the study can be confirmed with respect to the P.R.C. case. The initial hypothesis stated that "It is useful to look at reformatory institutions as structures which have usurped the traditional role of the family unit in genral and parental figures in particular, through assuming responsibility for the discipline, education and general welfare of their children." The correlates to the hypothesis argued that reformatory type structures serve to stigmatize both youth and their family members, and that this is accomplished through using various methods which are representative of the country's political process.

In evaluating the validity of this hypothesis, one is compelled to note the historical importance of the family within traditional Chinese society; the family operated within the context of a shared set of tasks and responsibilities, responsibilities which were codified formally and informally, guaranteeing a respect for principles of filial piety and moral education. Traditional schooling, it has been argued served to reiterate the importance of deference to authority inculcated through specific child-rearing techniques. While the father may have been forced to delegate some of his own authority to the school teacher, schooling and family loyalties were

viewed in largely complementary rather than antagonistic terms. Although the concept of a reformatory as an institution especially designed for the needs of youth is not an entirely new idea within Chinese history, these institutions were not actually operational until the Republican period. It is logical to view their role as compromising the traditional parental role because their functioning is dependent upon the force due to their alleged deviant behavior.

For the purposes of this study, the significant element of the initial hypothesis concerns issues of stigma, with respect to delinquents as well as their families. There is evidence which suggests that stigma is conferred upn both groups in both latent and manifest terms, as a result of both internal and external institutional and social practices.

For those delinquents who are subject to institutionalization, the procedures surrounding their incarceration are noteworthy. They are initially sent to an institution, often without formal trail, on the recommendation of public security officials whose own social role is accepted as entailing the use of coercion. Upon entrance to the Guangdong reformatory, they are photographed, fingerprinted, assigned special clothes (at least theoretically) and are separated for one month from the other offenders in order that they learn institutional rules. These rules require in part, that the offenders

confess to their misdeeds and admit to their sins as a precondition to their achieving reformatory status.

Delinquents subjected to work-study institutionalization are privy to less dramatic but still pronounced socializaiton proedures, different from those with which they would be normally accustomed. Here, the initiation period is for a week's time only; they receive factory worker clothing, conceivably distinctive, but not dramatically different from their ordinary dress; as is the case in the reformatory situation, all public security and school records are sent to their new residence; their political indoctrination begins with their arrival.

Such procedures dramatically separate juveniles from the normal population group. At the same time, offender individuality is blatantly discouraged. Within the reformatory and work-study school settings, militaristic rituals such as the communal drill or the singing of military songs and slogans are regularly practiced. Neither their dress, personal appearance, food allotment or dormitory environment is their own. Rules governing the basic schedule of daily activities apply to the same degree to every institutional resident. Even efforts to control offender behavior through peer surveillance are common within both reformatory and corrrective labor settings.

As part of their reformatory experience, juveniles are expected to show public evidence of their reformation; they sweep streets, engage in construction work and in Guangzhou,

are even helping to build a cultural park to be run by the CYL, an elitist organizaiton wich will not even consider enrolling delinquents as members untul they've proved their rformability by successfully reintegrating into the society, after their institutional release. It is not surprising that in each of the institutional environments analyzed, youth as a part of their political study are taken to courts and witness the public sentencing of criminals. None of these procedures would be implemented to the same degree for ordinary citizens, even in a society as tightly controlled as that of the P.R.C. The officials who are in charge of the institutions, political cadres and public security officials, are leaders whose own authority is judged to be socially and politically acceptable. Through their induced physical separation from family and peers, and through the use of the above-mentioned rituals and practices, delinquent youth are subjected to all of the important conditions, necessary for their degredation as elucidated by Garfinkel.

Stigmatization is conferred in less overt ways as well though. In each institution studied, offenders were rewarded by having their time of service reduced; they were punished by having their time of service increased. Whether time of release is determined by court sentence, a points system or the personal whims of institutional officials is irrelevant to the general message communicated to offenders: your stay is an acknowledged negative experience designed to punish you for your deviance. Incidences of corporal

punishment and solitary confinement have been admitted as having occurred within these institutions. While it would be naive to assume that harsh disciplinary methods are never used within schools or by individual parents,[1] the extreme degree of harshness of disciplinary procedure is an issue which has been raised with respect ot certian reformatory settings within the context of the poor political line of certain cadres. One should also realize that within such environments, punishment can never be considered a private affair - one is consistently subjected to punlishment and shaming within a public forum in full view of one's peers.

The aim of most of the educational programs within reformatory settings is one of achieving comparability with external educational organizations, while providing for delinquents' character reformation. In fact, comparability is a goal which is nearly impossible to achieve. For most cases, the qualifications of reformatory teachers are suspect, and even when that problem does not occur, other issues remain unresolved. The Guangdong reformatory's curricular offerings in science, for example, are non-existent. In all cases surveyed, the number of instructional hours devoted to academic instruction per week is less than their formal institutional counterparts. Perhaps the one area where comparabililty does seem to exist is within the realm of class size, where teacher-student ratios mimic those which are operational within normal educational spheres. Given the generally low educational

attainment levels of youthful offenders though, it is in this area as well as within the field of remediation, that one would expect specific attention to be devoted to surpassing comparability goals. In any event, overt discrepancies between normal and reformatory educational programs, especially with respect to the average daily time devoted to academic instruction as opposed to manual labor activity, further serves to separate the delinquent from the normal set of educational experiences he would expect to encounter under ordinary circumstances.

Problems of educational quality and comparability of program also have an important indirect effect upon the process of offender stigmatization. Since many delinquents come to reformatory institutions with poor educational backgrounds, institutional inability to redress their educational difficulties obviously perpetuates negative social attitudes and stereotypes; their lack of talent and educational capability is conveniently accepted. Indeed, the acknowledged inequality between reformatory and formal educational programs serves to encourage blanket dismissal of all educational attempts within reformatory settings as having value. Thus, upon their institutional release, delinquent records are usually sent directly to public security officials, not to the labor exchange commission, the relevant street committee or its working service corporation. Public security officials deal with those organizations directly. If offenders finally get jobs, it

is because of official intervention on their behalf, not because of a systematic evaluation of their relevant education and/or experience. The reason for the intervention is that offenders' character reformation has to be guaranteed before their re-integration into the society can be expedited. Thus, their educational achievement is deemed less important than their moral conversion, an attitude which is perhaps understandable but is nonetheless potentially stigmatizing. In a society where urban employment opoortunities are scarce, policies which serve to minimize the vlaue of delinquents' educational abilities for whatever reasons perpetuate widely shared negative attitudes.

It is not the case that stigmatization ends upon one's institutional release. In addition to the issue of employment discrimination, social isolation from family and friends is also experienced. Arguments which ask returning delinquents to postpone formulating marriage plans until after their initial readjustment period is completed, address the anxiety many youth must experience upon their return.[2]

One should also be aware of the fact that many delinquents upon their return to normal residential quarters, are required to continue their surveillance of peer group, criminal and gang activities, consistently reporting their acquired informaiton to public security officials. Cadres may or may not receive valuable

information as a result of these activities, but the practice effectively negatively labels participating youth, even after their official institutional release. Thus, there appear to be a core set of experiences which contirbute to offender stigmatization both during and after his incarceration.

Policies which affect juveniles have an obvious impact upon their parents and other family members, especially when educational and disciplinary procedures, distinctive from the norm are implemented within institutional settings. But, the parent-child relationship is most directly threatened when issues of family-offender contact are inadequately resolved. As has been mentioned, it has been common practice for wives to divorce their husbands after they are sent to correctional labor camps. Their is necessary if the wife is to be able to secure full-time employment without the threat of social sanction or condemnation. The situation is hardly better for juvenile offenders and their parents. There is one reported incidence of a juvenile suicide, ostensibly because his parents failed to visit him at his work-study school and he gave up hope for a successful return home.[3] This type of incident is perhaps a sensational exception to the general rule, but one must view institutional visitation policies within the context of those popular beliefs which assess parents with a significant portion of the blame for their children's behavior. Rather than positively encourage

parents to maintain regular contact with their children, visitation policies are restrictive and non-systematic at the Guangdong reformatory. As has been mentioned, in one instance, cadre parents were vilified for spoiling their delinquent children by offering them special gifts and candy during their visitation to a work-study school.

The issue is not simply one of parents caring or not caring about the welfare of their institutionalized children. Within the P.R.C., the potential dangers of pursuing contact with incarcerated relatives and friends are very real - this is a society with a thirty year tradition which has been practiced guilt by association; the exercise of an extreme degree of public caution is necessary at all times, especially when a child or relative has been publically castigated as being deviant. There are definite limits to which parents can safely demonstrate their concern for their children's welfare by visiting them.

The basic act of separating parents from their children is of course discruptive of their traditionally acknowledged reciprocity of responsibilities: not only are parents publically judged to be incapable of disciplining and educating their children, their children's ability to later care for their parents is also seriously threatened by the social stigma attached to their having attended a reformatory institution. Problems which individual delinquents typically face upon their release, finding a job, continuing their education as well as more normal

difficulties of social reintegration are shared by their parents. If a youth is sent to an institution, his parents' colleagues, friends, neighbors and even casual acquaintances are all made aware of the fact. Ration cards are distributed within the workplace and allotments are adjusted for missing family members. Everyone in the workplace thus quickly learns of a family's misfortune. At the same time, heads of the household fill out registration lists with all of the family member names on the list; these lists are then sent to public security officials every year. Thus, heads of household are required to comply with the fiction of dropping their child's name from the resident lists. One effect of those street committee procedures which encourage vigilanteism or even informal mediation techniques is to publicize the existence of delinquency problems within the street committee. Family members are not spared the informal publicity.

It is not the contention of this study that there are no parents who bear any responsibility for encouraging their children's deviance. Nor is it claimed that all parents are loving individuals whose sincere attempts to maintain contact with their children are repelled at every instant. However, it should be noted that few practical incentives are offered parents of delinquent youth to positively contribute to their children's reformation.

When parents of delinquents have contact with public security officials and important street committee cadres,

the context of their discussions usually appears to be negative. These leaders visit families when major problems arise and are brought to their attention. Because of their official status and position, and because cadres make family visits on an irregular basis, one would expect parents to view cadre intentions with some suspicion. Indeed, in spite of calls for better peer, family, marriage and unemployment counseling to be pursued by relevant mass organizations,[4] in the Guangzhou case, those activities which are practiced by the CYL are pursued in an admittedly adhoc fashion.

Parents are normally expected to use their own personal relations as a means of helping their children to secure employment within their own factory if a vacancy occurs, or through deliberations within relevant street committee venues. Since public security and street committee cadres work together in officially taking charge of delinquency and unemployment problems, the parent is restricted in his informal ability to help his child. This in fact, may be a practical necessity, as the need to circumvent normal channels is indicative of the widespread resistance to encouraging delinquent social reintegration. Nonetheless, the impact of such circumvention isone of reiterating the label of outcast,placed upon both the delinquent and his family members.

Within the P.R.C., unlike the case in economically developed Western societies, incidences of demographic mobility are few; personal privacy is extremely rare. And,

because an individual's identity continues to be largely influenced by family, peer group and work unit associations, an upsetting of the status quo has ramifications not only for the individual in question, but for everyone related to the individual on a direct or indirect basis.

Offender and parental stigmatization of course occurs inWestern industrialized societies. But for all of the previously mentioned reasons, the force of such stigmatization for offender and parent alike within the P.R.C. is especially severe. It is perhaps strongest for female delinquents who are admittedly the hardest group to reform, because they believe that they have no hopes of overcoming the stigma attached to their deviance. What is culturally specific about the P.R.C. case is the degree to which the organizations conferring stigmatization have been politicized, and the extent to which informal processes continue to play a significant role in defining normalcy, manufacturing deviance, and perpetuating stigma as a means of maintaining social control. It can thus be concluded that with respect to the P.R.C. case,the basic tenor of the first hypothesis is upheld.

5.2 2nd. Hypothesis

The second hypothesis of this study argues that reformatory responses to juvenile delinquency problems can be categorized as beingnon-rational. They operate within restrictive organizational frameworks which limit the available choices open to policymakers. Political

constraints impinge upon the methods utilized to effect policy implementation, and perhaps most importantly, the general aims and goals policymakers are expected to address are often vague, contradictory and confusing.

The study's literature review has illustrated the use of specific rhetorical devices which label delinquents into hard-core as opposed to mildly delinquent categories. Institutional structures, in so far as they express or disguise authority relationships between staff members and offenders to various degrees, can be viewed as offering rational responses to the behavioral categorizations. Hard-core delinquents are sent to correctional labor camps or reformatories; mildly delinquent youth are sent to work-study schools or classes. There are exceptions to the general rule of course. There is no clear delineation with respect to the behavior of female offenders attending reformatories as opposed to work-study schools and classes, no explanations as to why they would be sent to one institution and not the other (the nature of their offenses being quite similar in all cases). In addition, the Criminal Code's view of the age of legal culpability, creates a situation whereby an older youth, guilty of a minor offense, might be sent to a re-education through labor camp while the younger youth, guilty of a violent act, will be sent to the reformatory solely because of age. Nonetheless, the variety of institutional frameworks operational within the P.R.C. rationally corresponds to the

articulated perceptions of the problem. It is within the realm of specific policy formation and implementation though, that rationality of procedure is more difficult to confirm.

To begin with, there is some doubt as to whether or not the reformation of delinquent youth is a goal which all of the relevant institutions share. The existence of offenders who are issued life sentences and are sent to the reformatory until age 18 when they are sent to correctional labor camps without any opportunity of parole or reconsideration of the initial sentence, argues against basic loyalty to the concept of reformation. Comparability between labor camp and reformatory experiences in terms of the existence of self-criticism sessions, peer surveillance practices, militaristic rituals and the use of general, collective labor activity,along with the expectation that inmate labor be socially productive and of cost benefit, further serves to belie the differences between institutions with markedly different theoretical functions.

The fact that a large number of juvenile offenders are housed with adult offenders in correctional camps shades these distinctions to an even greater degree. It therefore can be argued that with the exception of a certain small group of juveniles who are unlucky enough to have been caught but whose offenses are nonetheless mild, there is little practical commitment to the reformation of delinquents on any account. This is not to imply that the

rhetoric of reformation as espoused in affectional discipline terms is unimportant or is insincerely articulated; the use of rhetorical symbolism is an extremely important phenomenon, but not at the level of policy implementation.

Specific examples of non-rational policy implementation include issues of inmate escape and incarceration, institutional creation and re-establishment on the basis of mechanical modelling, and issues of jurisdictional authority within the work-study school structure.

The importance of inmate escapes has been treated in ambiguous terms. When 80-90 escapes are reported to have occurred from one reformatory, the problem was intially treated as being unimportant (escapees have nowhere to go outside of the institution and are quickly returned).[5] Later though, critics argued that the number of inmate escapes from correctional and reformatory settings in 1979-1980 was extremely high and severely contributed to juvenile delinquency growth during that time period. Thus the philosophical issue of inmate escape is contentious and remains unresolved.

A second example illustrative of the consequences of non-rational policy implementation concerns institutional reaction tothe changing size of delinquent population groups. In most instances, the reaction is mechanical and of short-term significance. The immediate reaction to an overcrowding of reformatory facilities during the 1950's was

the sending delinquent youth to adult correctional labor camps. A reduction in the incidence of delinquency is offered as a reason why four of Beijing's work-study schools can be closed only three years after their re-establishment, and why a large number of reformatory inmates can be set foree. It should be noted that the publicity which accompanied the work-study schools' re-establishment was nation-wide; other cities and communitied were encouraged to follow the Beijing example. Yet since recidivism statistics, if they are to be judged accurately, must be compiled over a lengthy period of time, the contention that specific poliies pursued by work-study schools have contributed to the drop in delinquency rates remains unproven. There are few specific school policies which are evaluated as being particularly effective, and few if any attempts are made to analyze why certain institutional techniques are more successful than others. As a result, one notes that currently, the city's one model work-study school, operating within the Beijing Western district, has more staff than students, functioning with dubious cost-benefit.

Non-rational policy implementation also exists within the work-study school structure. Although it is operated under the jurisdiction of municipal district education bureaus, and utilizes an educational program geared for 13-15 year old junior middle school students, the existence of older students who lie beyond the age of compulsory

school attendance requirements, has been noted. Since the institution works with public security officials, it is potentially subjected to certain political pressures (such as admitting overaged delinquents into its program) which conflict with its pronouced educational goals.

At times, policy formation is not non-rational, but simply reflects a general ambiguity of aims and purposes on the part of the policymakers. When specific policies are formulated, which interests are served? The question does not have one identifiable answer since different institutional freamworks strongly influence which policy alternatives are chosen. Reformatories, for example, create an institutional atmosphere which emphsizes discipline, authority and control over individual behavior and the expression of individual emotion. These procedures thus ignore that portion of the delinquency literature which criticizes parents for avoiding and ignoring their children's individual problems when they reach adolescence, and condemns teachers for failing to address the specific needs of slow learners. Within a reformatory setting, there is no attempt to treat offenders as individuals; the very size of the offender population mitigates against reasonable attempts to do so. Instead, the ideology of control finds a more sympathetic ear here.

While this may be somehwat understandable, the institution can be faulted for failing to plan systematically. Indeed, there are few efforts which attempt

to adequately insure that institutional discipline, presumably assimilated and internalized by the offenders, will have a lasting effect after their release. No pre-release programs were operational at the Guangdong reformatory on a systematic basis. Authorities did admit to telling offenders that if they reformed, they would against be reaccepted into their native social environments. A review of the literature indicates however, that offender fears are both reasonable and justified in this regard. Merely denying the existence of negative attitudes which do exist within the society does little to help delinquent youth positively react to these attitudes. While reformatory cadres occassionally make visits to street committees and local public security stations, the basic problems of social reintegration and unemployment are thought to be the responsibility of the street committee. Delinquents thus transfer form an environment where they are heavily subjected to overt control over their personal behavior to an urban environment where the same degree of control is lacking and where there are reasonable prospects for enduring a lengthy stint of unemployment. Little systematic attention is paid to implementing policies which would help offenders cope with such drastic environmental change.

It is not surprising that there are clear efforts to control individual behavior in a normative coercive institutional setting. Policies within the work-study

factory class at Fangcun, however, represent an alternative set of responses to the externally based political and social demands.

That institution's responses to the reported increase of juvenile delinquency during 1979-1980 is enlightening, for it included a strengthening of the facility's academic and vocational program. It should be mentioned that education improvement is a goal to which most of the correctional facilities including reformatories and labor camps pay lip service.[6] What is instructive of the work-study class case is what was not implemented. There were no attempts made at that time to increase the normal length of stay required of offenders, nor were there basic changes made in the operation of the facility other than to strengthen educational and vocational training components. It is reasonable to assume that during this time, there may have been pressure exerted in favor of increasing the required length of time to be served, since this is a policy change which is currently being discussed. Whatever the specific reasons for the decision not to make a more fundamental change in institutional policy in 1980, the fact that the strengthening of the educational program was advertised as the sole antidote to the increasingly serious juvenile delinquency problem, demonstrating perhaps that policy decisions are formulated within clearly defined institutional frameworks.

5.2.1 Policy Change

A larger issue which begs elaboration concerns how the limits to potential policy change are defined and how outright resistance to change is expressed. As has been mentioned, this issue will be discussed for all three cases within the study. One of the most interesting features of the P.R.C. case though, is the lack of innovative response to articulated juvenile delinquency problems. After analyzing the extensive hyperbole which has been directed toward the Cultural Revolution Era, it is surprising that few innovative alternatives have been proposed since the purge of the Gang of Four. The Guangdong reformatory, for example, was reopened in 1972, and its organizational structure has remained pretty much the same since that time. Nor is there any indication that the corrective labor camp system has been radically altered in terms of internal organizational processes and procedures.

Perhaps, the one exception to this rule is the work-study school, originally established before the Cultural Revolution, abolished during that time and reinstituted in late 1978 and early 1979. Since that institution fell into disrepute during the Cultural Revolution, it acquired instant legitimacy upon its re-establishment; however the recent decisions which have closed a number of these schools is Beijing may indicate that the original judgments which assessed their performance as being inadequate were not solely based upon ideological criteria.

Chinese predilections for traditional solutions to contemporary problems are well-known; the penchant for modelling responses according to accepted external models is equally well understood. Together though, these factors argue against the probability that significant institutional change in response to perceived problems will easily occur.

It is therefore important to look at one example where measured yet significant institutional change has successfully taken place: the work-study factory class at Fangcun. What appears to be initially distinctive about this structure is that it has semmingly prospered in spite of the publicity in favor of modelling the work-study school format. In a sense, this is one example of a successful display of municipal and provincial autonomy int he face of pressure from the country's center. The importance of powerful regional and ethnic ties must not be overlooked. It is additionally noteworthy, that by 1979, the work-study factory class had acquired a number of powerful benefactors and answered to a wide enough constituency so as to allow its operators to maintain its unique organizational from.

A second factor which is important here is that when institutional change did take place, it was implemented gradually in incremental fashion. An informal work-study class begun in 1973, evolved into a more full-scale operation in 1975. Seven years after its initial inception, the organizational stability allowed some policy changes to occur, moderate as they may have been. Change did not occur

as a result of a knee-jerk reaction to newly publicized problems.

The work-study factory class demonstrates two advantages over its other institutional counterparts. Unlike the work-study school, it caters to a wider age range; the needs of delinquents with problems lying beyond the range of those which afflict lower middle school students can therefore be addressed. Secondly, because there is a greater measure of local control involved in the operation of the institution, there is more flexibility with respect to the language of instruction issue - unlike the provincial reformatory which has a large degree of political visibility, the students at the work-study class are taught in Cantonese, not Mandarin, since "we are Contonese". The potential problems of second language acquisition amongst youth with generally poor educational backgrounds are thus alleviated.

There are of course limits to which organizational policies in the general sense can be categorized as being non-rational. The importance of legal and political study has received a great deal of attention within the delinquency literature and almost all of the institutions analyzed contain a significant political study component as a part of their overall program. These organizations admit responsibility for providing for the basic needs of offenders in terms of clothing, food and health care; the institutions which the author visited appeared to fulfill

this responsibility; there are few documented instances where it is intended that these basic needs need not be provided as a matter of policy.[7]

Nonetheless, general policy formation and implementation does include a large number of non-reational elements; the delinquency literature itself includes conflicting values and viewpoints; generally defined institutional orientations and organizational frameworks place severe limits upon the range of specific policy alternatives available to local decision-makers. Often, policy change occurs as an immediate reaction to perceived crisis. When successful change does occur, it is incremental, gradual and must content with contrary pressures which as the lethargy induced by loyalty to traditional policies over the penchant for mechanically modelling from official example. In many ways, the tension between political as opposed to professional expertise (redness vs. expertness) continues to be visible especially within the era of policy implementation. The major decision makers at reformatory type institutions are political cadres, usually with official ties to municipal and provincial public security bureaus. For all of these reasons, the quality of the policy formation and decision making processes can be categorized as largely non-rational (although as the Fangcun example demonstrates, this need not be inherently the case). The study's second hypothesis is thus for the most part confirmed.

5.3 3rd. Hypothesis

The third hypothesis of the study is that formal educational institutions contribute little to the education of delinquents. It is postulated that since a large portion of the delinquent population group has already failed to succeed within the formal educational system, the decision-makers within that system, unwilling to risk further questioning of their own accountability, play a small role in contributing to deliqneunts' re-education and reformation.

However, one must remember that Chinese schools have been criticized for failing to teach to the needs of problem children; the rhetoric advocating that specific attention be paid to the reforming of delinquents is strong, and educational structures within the P.R.C. are less immune from overt external political and economic influence and manipulation that is true of western systems. One might therefore expect that there would be more than a cursory interest in visibly promoting the rhetoric of educational achievement as an important social equalizer in a country where the symbolism of egalitarianism remains strong (in spite of present day realities). Working closely with reformatory institutions would accomplish this purpose.

Since the work-study school is an institution operated directly by the district education bureau, some connections between formal educational structures and reformatory type institutions do exist. But the closeness of the

relationship is limited. As has been mentioned, questions of obtaining educational partiy in terms of program quality, teacher expertise and manageable class size ratios oftenh remain unanswered. One notes for example, that the disparity of educational program occurs even within those institutions which are designed as models and are therefore non-representative of the whole because of their relative affluence. Financial considerations are insufficient explanations for this penomenon.

Apart from the specific operations of the work-study school, local and provincial education ministries do send teachers to all types of reformatory institutions upon request (although many of the staff are part time or have suspect qualifications), but generally their influence in the design, control and operation of reformatory programs is restricted.

It is true that in Guangzhou, the district education bureau does work with street committees in providing informal training to unemployed youth, although the actual number of active participants remains small. One also notes though, that expulsion rates amongst Guangdong reformatory youth are significant; truancy rates amongst delinquents of all types are high. Similar problems exist of course in Western societies, but because youth in the P.R.C. are normally subjected to an inordinate degree of social control, their negative responses to their adjudged educational failings cannot be considered common or

inconsequential.[8] Official scholars, who speak with bitterness about the prospenity of youth to form strong friendship ties without understanding the true nature of friendship, see such youth as deliberately insulting offical authority. Their anger toward delinquent attitudes is marked. Whatever the actual reasons for their reticence, formal educational structures can be said to play on a moderate role in the re-education of delinquents. The third hypothesis of the study is thus partially confirmed.

For part two of the study, the same hypotheses will be explored with respect to the Taiwan and Hong Kong cases. The general format will be similar but not identical to that presented for the P.R.C. case.

Chapter Five Notes

[1]Complaints about the harsh treatment afforded even pre-schoolers, for isntance, are voiced in Rennin Ribao, January 16, 1983, p. 3.

[2]See Shandong sheng Beishu laogai zhidui..., p. 28.

[3]Wen Hui Bao, (Shanghai), "Shi liusui xiao nian wei he li bu ren shi?" (Why did a sixteen year old youth commit suicide?), March 26, 1982.

[4]See for example, Qian Guan Liu, (of the Shanghaishi xiaonian jiaoyu bagong shi), "Gongqingtuan zhuzhi zai zonghe zhiil Zhongde Zhineng tantao" (Inquiry into the necessity of the CYL synthesizing its administrative functions), p. 18.

[5]Wei Min, p. 29.

[6]In 1979, it was mentioned in the Party's Central Committee meeting $58 that every party member must resolve juvenile delinquency issues by promoting education as well as through reforming the unacceptable behavior. See Ma Jie, p. 34.

[7]Even the harsh conditions of reform through labor incarcertion, as described by Bao Ruo Wang, occurred during times of ovrall economic scarcity. The author gives few examples of ill-treatment where motive and intention were clearly pre-meditated.

[8]Indeed, Renaud Sainsaud claims that within the French context, working class children are amongst the first to reject the pedagogical authority fo schools. See, "On Reproduction" in Charles c. Lembert, French Sociology... pp.168-169.

Part Two Taiwan and Hong Kong

Chapter Six. The Republic of China (Taiwan)

6.1 Introduction

There is little doubt that the island government of the Republic of China has brought an important degree of stability and affluence to its people during its thirty-five year reign. A population total of 18,193,955 which resides within an area of 13,892 square miles makes Taiwan one of the most densely populated areas of the world.[1] Yet no other Asian country, with the exception of Japan has experienced the same degree of robust economic growth as has taken place on Taiwan, where per capita income has risen from $137.00 to $2,444 US between 1951 and 1983.[2] At the same time, the phenomenon of creeping modernization and its ensuing affluence has been accompanied by a number of social problems, one of which is a rise in the incidence of juvenile delinquency. Before turning directly to the principal focus of concern, some background information will be provided.

When the Kuomintang party leadership, led by Chiang Kai-Shek, was driven into forced exile in the aftermath of their 1949 Civil War defeat, it brought Sun Yat Sen's ideological legacy to Taiwan. A commitment to Sun's Three Principles: Nationalism, Democracy and Livelihood thus represents the basis for the regime's ideological legitimacy.

That legitimacy is called into question implicitly, if not explicitly, because of the government's circumvention of broad-based political rights and civil liberties. The island is still under martial law rule technically, and little opposition to the KMT is tolerated.

Secondly, only 14% of the total population is of direct Mainland origin, having come to the island in 1949 or being directly related to those who emigrated at that time. Linguistic and cultural differences between Mainland and native Taiwanese population groups are marked. Instances of job discrimination and social segregation, although less pronounced now than in the past, have been common. Political corruption on the part of some Mainlander government officials has served to occasionally exascerbate ethnic tension as has the government's continued claim to represent all of the inhabitants from every province and region of China. The people of Taiwan proper are thus officially treated as residing in one of the country's many provinces and are thus afforded proforma representational political power, commensurate with that status in parliamentary bodies such as the National Assembly and the Legislative Yuan. During the 1970's, some efforts were made to increase Taiwanese representation in these bodies.

It should be made clear though, that the fear of Mainland invasion predominates other political concerns for all of Taiwan's population groups. At the same time, official rhethoric which continues to call for the forcible

reunification of all of China on Kuomintang terms does not have a great deal of popular support.[3]

In general terms, Taiwan follows a cabinet form of government, with the president and vice-president being elected by a national assembly whose members are popularly elected. The current president of the Republic of China is Chiang Ching-Kuo, who was elected to the post upon his father's (Chiang Kai Shek's) death in 1978. As chief of state, the president represents the country in foreign relations and state functions, serves as chief military commander and promulgates laws, sometimes coordinating tasks with the president of the Executive Yuan.

The president of the Executive Yuan, akin to a premier or prime minister, is nominated by the President and is confirmed by the Legislative Yuan. His job is to coordinate the different ministries within the executive branch of government, ministries which include interior, foreign affairs, national defense, finance, education, justice, economic affairs and communications. Within the Ministry of Justice, a Department of Corrections assumes directly responsibility for the administration of Taiwan's reformatories, juvenile prisons and correction centers, while a Departments of Civil and Criminal Courts administer almost all of the country's courts.

The Legislative Yuan is the country's principle legislative body, and is made up of 403 members (as of 1981). As has been the case with the National Assembly,

with natural attrition, the number of vacancies within the parliamentary body has increased over the years and Taiwanese reprsentation has also increased somewhat. The important committees within the Legislative Yuan for our purposes include education and judicial affairs. In recent years, the Legislative Yuan has begun to play a more vocal role in contesting Executive Yuan policies. Other central government organs include the Judicial Yuan, the Examination Yuan (responsible for administering civil service exams and personnel matters) and the Control Yuan (responsible for administering impeachment, censure and auditory procedures).

Provincial, county and municipal governments operate within set jurisdictions along similar lines. Originally, direct administrative responsibility for the operation of the country's reformatories was delegated by the central government to the provincial government. In 1981 however, direct administrative responsibility was returned to the Ministry of Justice and the Department of Corrections. this change reflected a growing concern with a perceived rise in juvenile delinquency and was initiated within the Legislative Yuan, whose members felt that since the Ministry of Justice hjad done a good job administering prisons and adult correctional facilities, it would be logical for jurisdiction to be transferred within this domain.[4]

Taipei, the capital and largest city in Taiwan, and Gaoxiong, the second largest city, have been given the status of special municipalities, and operate under the

direct jurisdiction of the Executive Yuan. Both cities have appointed mayors who oversee executive bureaux and commissions. Within Taipei, the most important of these structures for our purposes include the Bureau of Social Affairs and bureaux of police and public health, who maintain direct contact with the reformatories and the Ministry of Justice when issues of mutual concern arise.

Reference has been previously made to Taiwan's remarkable economic growth rate. Two main factors deserve to be stressed in this regard. Firstly, after a successful land reform policy was initiated in the mid-1950's, the government shifted planning emphasis somewhat so that both light and heavy industrial expansion were encouraged during the past twenty years. As a result, while in 1953, agricultural products represented 35% of the national income and industry accounted for only 19% (with the remainder coming from service occupations), by 1979, industry accounted for 46.1% of the domestic product and agriculture, only 10.5%.[5] Crime statistics, especially with respect to theft and burglary, also reflect this urban bias (see table 43). A second factor characteristic of the modernization effort is the degree to which it has been accomplished without exascerbating social class differences. Indeed, although in 1952 family income for the top 20% of the population was 15 times that of the bottom 20%, by 1978, the gap had narrowed to 4.18:1.[6]

A number of reasons are offered by explanations for Taiwan's economic success. Some point to the era of Japanese rule from 1895 to the end of the Second World War as having helped lay the foundation for the latter economic takeoff. Transportation and communications facilities were improved, and a successful if rudimentary educational system, which attempted to colonize the nation's inhabitants so that an educated elite would contribute to the political aims of the Japanese empire was established.[7]

Others mention the large amount of economic aid offered to Taiwan by the US during the 1950's and 60's as a signficant reason for the country's economic success.[8]

Furthermore, it is argued that the problems of corruption and ineffective government which plagued Chaing Kai Shek and the Kuomintang party during the Republican Era were less significant after their forced exile to Taiwan. Chiang and his immediate followers, it is argued, realized that this was a last chance situation in which they could prove to the outside world their capabilities in effecting efficient government.[9]

Whatever the specific reasons for the country's successful modernization drive, there is little doubt that the educational system has played an important role in facilitating these efforts. Indeed, the expansion of compulsory free schooling from a six to a nine year time span in 1968 is considered to be a prime example of policy success in this area.

The basic educational system in Taiwan operates under a 6-3-3 structure, the primary level being compulsory, the three year junior middle level being free (and in a de facto sense compulsory). The three year senior secondary level includes both academic and vocational options.

Chapter 10 of the constitution divides educational administrative responsibility into national, provincial and county or municipal jurisdictions. Primary education is typically the responsibility of county and or municipal government; responsibilities for senior secondary and vocational education are usually delegated to the provincial authorities (or special municipalities). University and collegiate education is administered under national, provincial or private auspices. At the same time, power can be delegated from a higher administrative authority to a lower one if the circumstances warrant the change. Finally, while the central government has a Ministry of Education, there is a Department of Education at the provincial level, special municipalities have bureaux of education and counties and regular municipalities have their own divisions or bureaux of education. Thus, reformatories, which generally admit youth aged 12-18, must coordiante their own educational efforts with different officials from separate administrative levels.

Curricular and instructional techniques are noteworthy for their inclusion of socio-political values, and for their adherence to traditional teaching methods, employing a heavy

dosage of rote memorization and authoritarianism. Formally, the Confucian tradition is reaffirmed in schools. It is thus not surprising that traditional values such as filial piety, loyalty, kindness, love, faith, righteousness, harmony and peace are considered to be the eight national moral virtues (originally articulated by Sun Yat Sen) which should be taught to every Chinese student.[10] At this point, we will turn to a specific discussion of delinquency and delinquency issues in Taiwan.

6.2 Institutional and Legal History[11]

As we have seen with reference to the P.R.C. case, the concept of reducing punishment for a juvenile because of age considerations has its foundation in traditional Chinese law. After the founding of the Republic of China in 1912, Article 30 of the Provisional Criminal Law stated that "an act committed by a person below thirteen years of age shall not be subject to a penalty", and that "an act committed by a person older than thirteen but younger than 16 shall be reduced in penalty; such a personal shall be imposed with reformatory education."[12]

In the fall of 1923, a Buddhist organization founded the Xingnan Reformatory School northwest of Peking and in 1924, the Ministry of Justice formally founded the Peking Reformatory School in coordination and in cooperation with the Xingnan facility. This was the first government-run reformatory, to be followed by the Qinan Juvenile Prison,

established in 1933 and the Wuchang Juvenile Prison, established in 1934.

The Criminal Law of the Republic of China was established on January 1, 1935 and its enforcement began on July 1st of the same year. All issues concerning reformatory education were covered in the Peace Preservation Measures, Articles 86 through 99. Now, in accordance with Article 86 of the Criminal Law, an offender below the age of 14 would not be subjected to a criminal sentence but would receive reformatory education; an offender below 18 might have his sentence commuted but would additionally receive reformatory education for a maximum of three years after execution or remission of the original punishment.

In 1955, after the government had moved to Taiwan, the "Statute Governing Peace Preservation Measures on Offenders Committing Larceny or Receiving Stolen Property during the Period of Communist Rebellion" was enacted. Here too, according to Article 3, an offender guilty of larceny or receiving stolen goods above the age of 14 but below 18 could be exempt from receiving a criminal sentence but would be given reformatory education instead. If only a first offense was committed, the offender would be put on probation.[13]

In 1956, the Ministry of Justice authorized the Taiwan Provincial Government to establish three juvenile reformatories at Taoyuan, Zhanghua and Gaoxiong. The

institutions were relabelled "Juvenile Training Institutes" (fu yu yuan) in 1959.

The Enforcement Law of Peace Preservation Measures, enacted in July 1963, and put into practice on August 1, 1964, called for the existing reformatories to be managed by the Taiwan Provincial Government but under the direction and supervision of the Ministry of Justice.

According to the "Law Governing the Disposition of Juvenile Cases" (formed on January 31, 1962 but enforced only in July 1917), there should be a juvenile division in each district court to govern juvenile reformatory and criminal cases (article 5). Article 42 of the Law further declared that reformatory education was to be considered one of the reformatory measures imposed by a junveile court on offenders aged 12-18. This was to be used in addition to other procedures enunciated in the Peace and Preservation Measures of the Criminal Law (practices such as official reprimand, probation or institutional release to guardians during holidays and vacations).[14]

Two general trends are interesting. As table 26 indicates, in recent years offenders below the age of 12 have occasionally been admitted to reformatories.[15] And, while our own areas of interest focus upon the reformatory as an institutional solution to juvenile delinquency issues. Other alternatives, including probation have been utilized on a frequent basis (see table 4, showing the number of

cases actually resolved through reformatory education as opposed to other means in 1981).

6.3 Review of the Delinquency Literature

6.3.1 Scope of Delinquency and Types of Delinquent Activity

Table 39 lists the distribution of juvenile delinquents by their offenses from 1972-1981; table 11 categorizes the offenses committed by Taoyuan Juvenile Training Institute youth from 1976-1978, table 31 categorizes the offenses committed by youth residing at all of the juvenile training institutes from 1977-1981, and table 1 categorizes the offenses committed or allegedly committed by youth who were involved with a court declared criminal case between 1977-1981. A few points are noteworthy. Firstly, burglary appears to be the most common offense committed by juveniles in Taiwan. Secondly, the "other" category is quite large. As table 8 indicates for example, 9.40% of the juvenile delinquent population in 1981 was guilty of behavior which was judged to be delinquent but not in official violation of the law. While most of the categories of criminal activity appear quite familiar to a Western audience, the denotation of drug use and drug addiction as a criminal offense (to be distinguished from drug smuggling) would raise a few eyebrows in Western quarters. Other than burglary, residents of Taoyuan most often committed crimes involving assault, with perhaps the possibility of committing attempted murder and were judged to have been attempting or conspiring to break the law without actually doing so.

Their other crimes include dealing in stolen goods, injuring personal freedom, committing sex and morals offenses, forgery, blackmail and intimidation.

In terms of the overall population, between 1969-1978, one could accurately identify approximately 3-4 juvenile offenders for every 1,000 youth aged 12-18 residing in Taiwan, a ratio which is extremely low by Western standards.[16]

In any event, juvenile delinquents make up 27.40% of the total offender population, a seemingly smaller proportion of the offender population than is the case in the P.R.C. One also observes that although the adult offender rate dropped slightly from 1979-1981, criminal and delinquency behavior amongst juveniles rose (see table 41).

As one would expect, delinquency is very much an urban phenomenon in Taiwan. Taipei City itself, accounted for more than 25% of the total number of delinquents within the country in 1981. In addition, delinquency is a male phenomenon; only 3.7% of the delinquent population group in 1981 were female.

In analyzing the variations in age patterns amongst delinquents, a few trends appear significant. Ages 13-15 appear to show the greatest degree of increase in delinquency activity, although 56.94% of the total delinquent population is 15 and over. It also seems that youth sent to reformatories are slightly older than their peers. As has been mentioned, the number of youth under 12

assigned to reformatory settings is growing; in 1978, 5 youth fell into this category who entered the Taoyuan Juvenile Training Institute (see table 13). In 1981, 4.21% of all youth attending juvenile training institutes in Taiwan were 12 and under (see table 26).

6.3.2 Primary Causes of Juvenile Delinquency

The literature concerning the causes of juvenile delinquency in Taiwan is both extensive and varied. In this section, we will summarize a few of the major findings representing much of the published literature on the topic. In so doing, we will rely upon both academic studies completed by Taiwan scholars and government statistics compiled on reformatory students and juvenile offenders in general.

A common assumption to which many Taiwanese scholars subscribe, is that the growth of delinquency is largely attributable to the country's successful modernization drive. One scholar has directly correlated rise in GNP to the rise in juvenile delinquency.[17] And, noticeable increases in specific crimes, often property related, make the connection plausible (see table 18).

More specific research links family background and the quality of family relationships to the likelihood that one's child will become delinquent. Government statistics illustrate what one would expect: SES levels of delinquent families are relatively low and the number of delinquents

coming from broken homes is higher than the norm (see tables 19, 28, 29, 30).

Certainly, as modernization increases, the change in family structure from extended to nuclear type is in evidence. Yet in one important study, the issue of family structure was observed to be less important than the degree of disorganization within the family unit regardless of its type.[18] Disorganization was defined here as including any of the following factors: living in a broken home, living with at least one family member convicted of committing a criminal offense, living with a family member who experienced chronic mental and/or physical impairment, experiencing impoverishment of being exposed to maladaptive parenting. Maladaptive parenting was defined as including strict or overly authoritarian disciplinary procedures including the excessive use of corporal punishment, overt desertion, extreme emotional neglect and rejected, or extreme over-protection.[19]

Another study concluded that teenagers of all types in Taiwan viewed parental child-rearing techniques as falling within the polarities of 'love and acceptance', 'authoritarian control' (for the father) or 'tyrannical and inconsistent' discipline (on the part of the mother). Correlational analysis within the study demonstrated that authoritarian control oriented techniques had the greatest degree of negative influence upon teenager social and personal adjustment.[20]

Table 11 Source: Working Group Report...

Number of Juvenile Offenders (Sentenced to Probation or SWD/Prisons Department Institutions) by Year of Offence by Whether Having a Broken Home

Year of offence / Whether a broken home	1978		1979		Jan-Oct 1980	
	Number	% of Total	Number	% of Total	Number	% of Total
No	109	60.2	133	65.8	150	64.1
Yes, with step-father or step-mother	4	2.2	11	5.4	17	7.3
Yes, without step-father or step-mother	34	18.8	26	12.9	41	17.5
Unknown	34	18.8	32	15.8	26	11.1
TOTAL	181	100.0	202	100.0	234	100.0

Table 12 Source: Working Group Report...

Number of Juvenile Offenders With Living Parents by Year of Offence by Parents' Relations

Year of offence / Parents' relations	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Not applicable (deceased, separated/ divorced)	5	6.4	14	11.3	20	11.4
Very good	4	5.1	21	16.9	26	14.9
Good	40	51.3	60	48.4	74	42.3
Fair	21	26.9	18	14.5	36	20.6
Poor	1	1.3	9	7.3	7	4.0
Very Poor	3	3.8	1	0.8	8	4.6
Unknown	4	5.1	1	0.8	4	2.3
TOTAL	78	100.0	124	100.0	175	100.0

In a study of delinquent vs. non-delinquent parental attitudes, delinquent boys shared the same general view of their fathers' attitude as did non-delinquent boys. But the delinquent group was slightly more likely to see their fathers as being more rejecting and restrictive, less indulgent, having lower expections (for their future), more conflictory and more inconsistent when paired with their mothers' attitudes. This group was also less willing to see their mothers as having high expectations for their futures.

Delinquent girls were more inclined than non-delinquent girls to see their fathers as being less indulgent but having higher expectations for their future. They were slightly more likely to see their fathers as being rejecting, restrictive while displaying attitudes inconsistent with those of their mothers. In addition, delinquent girls were more likely to view their mothers' behavior as being non-indulgent.

One conclusion of the study was that comparative perceptions of parental attitudes on the part of delinquent boys and girls differed significantly. With respect to the degree of fathers' indulgence and mothers' indulgence and conflictory attitude, delinquent girls gave more affirmative responses than did delinquent boys. These boys, on the other hand, generally perceived their fathers to be more rejective, restrictive, conflictory and inconsistent than their mothers were.[21]

In a preliminary report based upon a two year longitudinal study, a group of fifth through eighth graders from one elementary and one junior high school were divided into three sections: a control group, a maladjusted but not acting out typical behavior problems group and a maladjusted group which did express typical behavior problems overtly. Maladjustment was determined by the Bowers' Screening Table. The categories of analysis surveyed were numerous and included: family intactness, history of separation from parents. family SES, parental attitudes toward childrens' homework, parental attitudes toward self-training habits (e.g. cleaning the room), issuance of allowance, parental contact with the school, parental knowledge of childrens' friends, frequency of celebration of child's birthday, predictability of parental punishment, follow up attention after the punishment, effectiveness of punishment, general attitudes toward discipline (such as warm vs. strict), consistency between each parent in dealing with the child, average daily t.v. viewing time (reported by both children and parents) and parental concern over child's t.v. viewing habits. For every major category, youth who were placed into one of the two maladjustment groupings received more negative scores than did those belonging to the control group.[22]

Finally, in another study examining the attitudes of delinquent parents in Taipei, a control group tended to communicate with other children in a more "concept-oriented"

fashion than did the parents of delinquents, who used "socially-oriented" communication patterns. Specifically, the parents of delinquents would be more likely to use first, consensual and then, laissez-faire communication techniques, while parents of ordinary youth would first use laissez-faire techniques, to be followed by protective and then consensual methods. Delinquent parents in this study generally were older than the norm (average age, 48) and delinquent fathers had a lower educational background than that of their peers.[23]

Clearly, the quality of parenting and the specific nature of the parent-child relationship demonstrates important influences upon individual personality development, the degree of potential or actual social maladjustment, and the overall tendency of youth to engage in delinquency behavior. In some respects, these factors appear to be constant on a cross-cultural basis. Indeed, the extent to which Taiwanese scholars have borrowed from their American and western literature in the field is quite remarkable. However, arguments which embellish the concept of family pathology and link delinquency behavior directly to family relationships must be accepted with some care.

It is interesting to note for example, officials views concerning family role in positively contributing to social welfare difficulties. Such varied thinkers as Confucius and Herman Kahn are cited by one thinker to buttress the rationale which maintains that a de-emphasis in governmental

support for family assistance is permissable because of the strength of the traditional family unit.[24] Such optimism is obviously in contradiction to the pessimistic accounts of parenting which are linked to delinquency occurrence.

Traditional wisdom has argued that family size plays a contributing role to the expression of juvenile delinquency. The larger the size of the family, the greater the likelihood that children will be ignored and that they will resort to various types of norm-violating behavior. In the P.R.C. case, we saw that children residing in single child families or who were the youngest family member represented a nascent problem with respect to delinquency expression. For the Taiwan case though, no such evidence is available. While family size may be a significant factor, it appears to be much less important than parent-child relationships, disciplinary practices, and communication procedures.

Non-family related factors which are delegated some degree of importance in explaining delinquency in Taiwan are categorized under physiological, psychological, social, educational and miscellaneous groups (see table 10). A few general points are worth noting.

Firstly, personality charactristics which are attributed to delinquents such as stubbornness, fragility of will, expression of symptoms of mental illness and a general lack of intelligence compare favorably with a number of the attributes mainland scholars have given to delinquents there.

Secondly, of all the general categories mentioned, education and school related factors are said to have contributed only 0.71% of the time to delinquency activity in 1981 and are consistently ranked below the other categories for the entire five year period of 1977-1981. This is in spite of the fact that the educational background of delinquents attending the juvenile training institutes and Taoyuan specifically, is consistently below that of the average population (see tables 27 and 23). Within the category of education and school related factors though, truancy plays an important role, as is the case in the P.R.C.

The physiological and psychological factors which are mentioned in table 10 are at least as descriptive as they are explanatory. One often finds it necessary to hypothesize causality without direct evidence being offered. Finally, as statistics in the Taoyuan follow up report illustrate (see table 19), unemployment and underemployment appear to be obstacles to delinquents' social reintegration, once they are released from institutional custody. Whether or not unemployment originally contributes to delinquency occurrence is difficult to determine because the existence of significant unemployment of any type is a sensitive political topic.

Traditionally, Taiwan youth gangs have been classified into two types, tai bao and liu mang.[25] Tai bao youth were thought of as being middle or upper class youth of

middle school age or else older, unsuccessful students. They were observed to frequent amusement and entertainment sections of cities, often played truant and committed offenses such as stealing, blackmail, assault and robbery. Group loyalty ws important and the leader of the gang was so credentialled on the basis of his toughness. Conflicts occurred within the gang or with non-gang members, but organizational cohesion was weak. Gang members would often wear attention-seeking dress.

Liu mang youth were thought to be more rural oriented. They planned local activities with village elders and thir own internal organization was tightly disciplined. The use of excessive physical force and the practice of blood bonding reinforced group loyalties. In the latter case, members drank the blood of a chicken in front of a temple and swore loyalty to an oath of brotherhood, professing a willingness to sacrifice their lives for the gang's welfare. Often, liu mang leaders were professional criminals with visible community voices, and they controlled local economic affairs through dealing in such vices as prostitution, gambling and protection rackets. It is commonly accepted that during the 1950's, most of Taiwan's liumang were effectively controlled by police and government officials.[25]

According to Rin, with the growth of increased modernization, neither the tai pao nor the liu mang model exists in Taiwan today. However, most of the contemporary

gangs resemble the tai pao model more so than they do the liu mang type. The most frequent activities of contemporary gangs include fighting with other youth groups, assault and buglary.[27] While there is no evidence that liumang blood drinking types of ritual continue, the tatoo has become an important initiation symbol. This is significant in that it directly conflicts with traditional Confucian precepts against bodily mutilation. Authorities at the Taoyuan Service Training Center photography every offender's tatoo, and tatoos have been found on almost every part of the body (see table 14; table 16) which describes gang related information for the Taoyuan offenders is interesting in the variance of gang size; typical memberships can vary up to 20 participants, although some gangs have been reported to have included 50 or even 100 members. Variances in membership size and tightness of organization are specific characteristics which can also be said to be true of Mainland gang units.

Drug use in Taiwan has steadily increased since the early 1970's. Poor enforcement and regulatory procedures allow for a number of drugs, normally manufactured by legitimate pharmaceutical companies, to be easily if illegally produced and then sold under the table by druggists.[28] For Taiwanese youth, the principal drugs used include glue (glue sniffing), pentazocine, a narcotic which is usually injected into the body and halluncinogens such as mescaline, PCP and LSD (see table 3). It should be

stressed that for most delinquent youth, pleasure seeking experimentation is the primary motive for using drugs, rather than that of hard-core addidtion. In any event, although increasing, the degree of juvenile drug use is much less in Taiwan than is the case in similarly industrialized western countries.

6.3.3 Summary

A few points deserve brief reiteration in examing the Taiwanese literature concerning juvenile delinquency. Firstly, while a growing social problem, juvenile delinquency is not as serious in Taiwan as it is in Western countries such as the U.S. Secondly, many of the explanations attributed to dlinquency growth are familiar to Western ers; differences appear to be less striking than similarities. Finally, overall comparisons with the P.R.C. case are worth restating. While specified historical and sociological explanations for delinquency growth are not particularly relevant for each case (Taiwan has not experienced a Cultural Revolution and the P.R.C. has not experienced a modernization effort on the scale of Taiwan's successful development), problems concerning parental discipline, family SES background, individual personality attributes educational achievement and gang related activities are shared by both countries and are offered as legitimate explanations for the rise in delinquency occurrences.

There are of course important differences which should not be minimized: the drug abuse problem is one which is not admitted as being important in the P.R.C., behaviors associated with harmful western ionfluences (such as dress, music, dance, etc.) are considered to be much less important in Taiwan. Perhaps the most important difference between the two cases is the much larger percentage of youth who engage in all types of criminal behavior in the P.R.C. than those who so act in Taiwan. There is the additional probability that delinquent youth might start their norm-violating behavior at a slightly earlier age in the P.R.C. than in Taiwan. Gender differences on average do not appear to express themselves in significantly different fashions for each case. In both instances, females make up a much lower percentage of delinquent youth than do males. Their offenses (theft, burglary and sexual misconduct) appear to be similar in both cases as well. Given traditional values which stress the importance of family and schooling, the existence of explanatory similarities in both countries is understandable.

6.4 Preventative Solutions

6.4.1 Educational Solutions

As has been mentioned, educational factors are not considered to be amongst the most significant when causal explanations for juvenile delinquency outbreaks are solicited. Nonetheless, it should be remembered that the extension of free schooling to include the junior high

school years was thought to contribute to delinquency decrease, if only by providing custodial care to those youth who would be difficult to employ.[29] Currently, schools have undertaken a few measures as a means of identifying actual or potential problems while preventing delinquency problems from arising or worsening. An extra period per week has been added to the middle school curriculum where activities and assemblies take place and a general effort is made during these occasions to establish closer communication ties between students and teachers. Educational authorities also participate in cooperation with the China Youth Corps, in identifying potential problem students and referring them to Youth Corps counselling and activity oriented programs, specifically designed for potential delinquents.

There has been a move to offer more vocational alternatives to those middle school students whose academic performance indicates little likelihood that they would continue in an academic track after age 15. As is the case in the P.R.C., the educational system in Taiwan is examination oriented and officials are beginning to see the need for offering greater curricular flexibility to third year middle school students in this category.[30]

Supplementary education is an important area of concern to the Ministry of Education and some effort has been made to buttress parental education through using books and the

Table 13

Number of Juvenile Offenders with Living Parents by Year of Offence by Frequency of Quarrels Between Parents

Frequency of quarrels between parents / Year of offence	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Not applicable (deceased/separated/ divorced)	5	6.4	14	11.3	20	11.4
Do not quarrel	10	12.8	16	12.9	21	12.0
Seldom	45	57.7	69	55.6	93	53.1
Once a month or less	5	6.4	15	12.1	20	11.4
Once every two weeks	3	3.8	3	2.4	10	5.7
Once a week	5	6.4	2	1.6	5	2.9
More than once a week	3	3.8	4	3.2	6	3.4
Unknown	2	2.6	1	0.8	-	-
TOTAL	78	100.0	124	100.0	175	100.0

Source: Working Group Report....

broadcast media (primarily radio) to reach as wide an audience as possible.[31]

6.4.2 China Youth Corps

The China Youth Corps is similar to its Mainland counterpart, the Communist Youth League, in that its general function is one of training future party leaders. It too works extensively with youth and makes a significant effort to help solve youth problems. One of its more innovative programs is a peer counselling program, entitled "Zhang Laoshi" (Teacher Zhang). This program, initiated in 1969, includes the publishing of magazines, books and selected articles on youth and general human interest issues which offer self-help counseling advice to parents and to youth, chronicling the reasons for certain behavioral problems and elucidating the correct responses.[32]

Perhaps more important than the informal services the program provides is the active person-person peer counselling which is offered. Youth with a variety of problems can write for assistance, talk by phone or even meet in a CYC operated coffee house to talk over pressing problems with a volunteer counselor. The volunteers are usually university students with interests in psychology or similar social science fields. As of 1982, there were eleven counties and cities in Taiwan housing "Teacher Zhang" telephone stations with interviewing services and six counties housing post office boxes for correspondence purposes. Specific services offered included individual

counseling, psychological assessment, group counseling, community work and long term case study work. Staffing needs are provided by an executive directory, advisory directors, specialists in psychology, education, guidance and counseling, law, sociology, religion and the health sciences as well as by the full time and volunteer counselors. In the Taipei Center, there were 60 full-time staff members, thirty of whom were full-time counselors, supervising approximately 150 volunteers. Table (45) details the services provided during 1980-81. An admitted problem is one of gender. A far greater percentage of the youth who take advantage of "Teacher Zhang" services are female. The author was told that males often view the process of seeing a counselor and admitting to the existence of a personal problem as a sign of weakness. It is interesting to note that while the program is thus perceived in some quarters as answering feminine needs, regulations require that the full-time male counseling staff outnumber the female staff by at least 2:1; volunteer staff are 6:1 female.[33]

The "Teacher Zhang" program additionally operates a "Young Lions" camp for juveniles, aged 12-15, who are thought to be potentially delinquent or express various forms of behavioral maladjustment. These youth are recommended to the camp by teachers and attend with the permission of their parents. The summer camp session lasts for twenty days and during the academic year, follow-up work

is continued with the youth participating in individual or group counseling sessions. These are a number of self-reported problems with the program, many of which a western audience would be familiar with and sympathetic to.

While the camp experience itself has been praised, once youth return to their normal school and family environments, their continuing problems remain intractable and are not easily resolved. Many have been observed to fall back upon old strategies for gaining attention as a means of combatting feelings of low self-esteem. Volunteerism has also presented officials with a number of problems. Although the training period for volunteer counselors lasts for six months, few serve beyond a full year's term. University students with other commitments often find it difficult to devote the amount of time necessary to make significant contributions to the program. Some find it especially difficult to run effective group counseling meetings with children with overt behavior problems. Program continuity, unevenness of youth participation and ensuing drop-out are major difficulties. Staff members believe that both parents and teachers are not as supportive as they could be, relying totally upon the counselor to solve disciplinary problems while blaming the program for being ineffective when problems do arise.[34]

6.5 Institutional Solutions

6.51 Taipei Juvenile Protection House[35]

Youth who are awaiting court trial and sentencing can be sent to institutions such as the Taipei Juvenile Protection House. Originally established in 1971, it now houses up to 500 youth in a newer facility, completed in 1974. The organizational structure of the facility includes a director, deputy director and departments concerned with education, testing, health, budget, personnel, accounting and statistics.

The institution services a number of functions, most important of which is to investigate the criminal circumstances of each offender's case. Juveniles have their backgrounds investigated and are given psychological, personality and intelligence tests. The information is then shares with the juvenile court. A full physical examination is additionally given to each inmate.

The education provided to the juveniles is primarily vocational, although some attention is paid to providing for citizenship and moral education. Courses offered include photography and printing; recreation activities include basketball and chess. Primiarly though, this is a temporary, holding type of institutional facility.

6.5 2. Juvenile Prison at Xinqu [36]

The Xinqu Juvenile Prison was originally established in 1896 under Japanese rule, and was then named the Taipei County Xinqu Prison. It became a juvenile facility in 1926 and received its current name and status in 1948. It is the principal facility of its kind in Taiwan. Most of the

inmates at the facility are 18 years old, but older inmates under the age of 20 can be kept there if conditions permit.

The organizational structure of the institution includes a warden, his secretary and separate departmental sections concerned with inmate classification, education and moral instruction, prison labor, health and hygiene, custodial affairs, general affairs and accounting matters. Oversight committees concerned with a number of these issues meet periodically.

Upon entering the prison (after being sentenced in court or transferred from another facility), the typical inmate is registered, has his belongings taken away for safekeeping until his release, has his fingerprints taken and documents checked. He is then given a physical examination, an orientation concerning the rules and regulations of the institution, receives his clothes, is taken to his dormitory room, is given a haircut and is bathed.

At this point, the inmate is subjected to direct and indirect investigatory procedure. He is personally questioned by prison authorities as to the nature of his crime and questionaires are also sent to police, community leader, relatives, friends, family members and employers. That information, together with court records and the results of IQ, personality and interest area tests constitute's the inmate's case file. On the basis of that file, the inmate is classified accordingto the nature of his

recorded behavior and is assigned specific types of moral educational instruction and prison labor tasks.

Moral education includes group instruction, selective group instruction and individual instruction. Group moral instruction which is given to everyone Sundays and holidays, includes lectures about the sayings of historical figures, Sun Yat Sen's doctrines, Chiang Kai Shek's instructions, legal knowledge, a review of news affairs and reviews of national policies.

Selective group instruction takes place one hour a day. Offenders are divided into groups on the basis of the offense committed: economical offenses, social order offenses, morals offenses, assault and bodily harm, injuries to personal liberty, etc. Together, they discuss the nature of their crimes and ways of reforming their behavior. Individual moral instruction is held daily with every offender receiving at least one hour of individual instruction per month. This instruction consists of general training such as how to conduct a family funeral or what to do in the event in case of family or personal illness. Specific matters concerning one's individual status with respect to receiving a pardon, conditional release or transfer to another institution are also discussed.

Finally, there is always a motto for the day, and inmates are encouraged to keep correspondence with those inmates who have already been released. Tape recordings mentioning various aspects of moral education are broadcast

from 7:00 p.m. - 9.00 p.m. every evening in both Mandarin and in Taiwanese.

Academic instruction consists of two hours of general education per day at either the junior or senior high level. Inmates are first allowed to take a certified examinatin and receive official degreees and diplomas from the Taiwan Provincial Department of Education in 1964. In 1973, the facility established an extension school.

Offenders, who are placed into specific classes on the basis of testing results and personal interests, can take either vocational classes, junior high preparatory classes, junior high or senior high school classes.

While the courses of study are said to be equivalent to a general standard of acceptable academic quality, it should be noted that all of the full-time instructors on the staff are designated counselors or moral instructors. Their expertise is of a very general nature. Instructors with specific subject matter expertise are hired on a part-time basis.

Monthly examinations are given to students three times a semester with a terminal exam administered once per semester. Students are also tested specifically on subject matter content on a periodic basis, their performances used as one factor in evaluating the quality of their time spent at the institution. Graduates are given official diplomas while non-graduates are occasionally certified by the local schools.

Vocational training is offered in carpentry, operating the lathe, mechanics, printing, dressmaking, gardening, engine repair, plumbing and water piping, and electrical work. Full-time staff will teach these skills and stay on the premises all day. Inmates are paid for their work on the basis of the quality of goods produced and the amountof time spent laboring on a specicic job. Special rewards for outstanding work are handed out.

In addition to general academic and vocational training, the inamates at Xinqu receive military training. They are divided into units based upon their regular academic classes or vocational workshops and participate in military drill and similar type exercises for about two hours a week. Their instructors are usually those staff members who participated in the initial investigation of their cases.

Inmate run discussions within classes or workshop units are also held, with teachers and staff present as observers only.

Recreational activities include sports, track and field events, gymnastics, swimming, tug of war, wall papering, movies, plays, band, chess and t.v. Offenders exercise 10-15 minutes a day and one hour of sports activity per day is permitted.

In terms of the physical care offered, inmates are given haircuts once every ten days, a cold bath every day, a hot bath twice a week during the winter. A health

inspection is carried out once every season as well as when the initital incarceration occurs or when release is warranted. X-rays are given once a year. There is a sick room at the facility; if an inmate is severely ill, he can go outside on bond for medical treatment.

Food supplies are determined in large part by government regulations but generally include an egg once a day along with two dishes and soup for each of the basic meals. An extra dish of meat is allotted once a week. Other food is obtained from the profits of prison labor.

Bedding includes a blanket, sheet coverlet and pillow; every inmate receives two t-shirts and two pair of trousers during the summer and a jacket during the winter.

Offenders are graded according to their behavior and work habits. They are given a maximum number of four points per month for conduct, five points per month for showing evidence of reformation and three points per month for engaging in prison labor. These point totals then allow the inmates to move from one grade to another. At the fourth grade, they are eligible to leave solitary confinement, are required to complete assigned work, are allowed to spend one fifth of their monthly remuneration and can have visitation and correspondence priveleges once a week.

At the third grade, they can spend one fourth of the month remuneration and are allowed visitation and correspondence rights once or twice a week.

At the second grade, they can live together in communal dormitory style and can occasionally change their work tasks. They are allowed to spend one third of their monthly remuneration and are allowed correspondence and visitation rights once every three days. At this level, they can also participate in a parent-teacher meeting which usually lasts for a three hour session.

Upon reaching the first grade, inmates can live in an unlocked room, be an assistant for the discussiong group, spend one half of their monthly remuneration and have unrestricted visiting and correspondence privileges.

A conditional release is granted according to the following criteria: having spent at least a year at the facility and having reached grade two, or having served either a third of one's sentence or having completed over seven years of a life sentence. After these criteria are fulfilled, inmates are formally examined according to conduct records and recommendations of police, their own guardians and after-care workers. Cases must be specifically approved by the custodian and moral education sections, the Committee of Prison Affairs, and finally approved by the Ministry of Justice. The actual document of conditional release is given to the inmate, who takes an oath of allegiance prior to his release. Upon actual release, he is put on probation.

After care assistance consists of direct aid such as finding a residence for those who have no family and

indirect aid such as recommending a released prisoner for specific employment. If necessary, temporary assistance in the form of a loan may be provided for medical care or start up money upon one's return home (see table 5).

Actual contact after the prisoner's release is basically indirect, through mail or through contact with local police and after-care officials. It is claimed that prisona and welfare officials will make occasional follow-up visits to the juveniles' residences after their release.

This acocunt of the operations of the Xinqu Juvenile Prison, based totally upon the facility's own brochure, is of course descriptively idyllic. And, the author has no independent evidence to confirm or refute the claims made concerning the rules and operations of the facility. Nonetheless, even as an ideal type, the facility represents a typical normative-coercive institution. It is important to note that renumeration for one's individual labor, as well as visitation and correspondence rights are not only strictly regulated, but are subject to institutional manipulation and control depending upon inmate behavior. These are rights which are conferred according to institutional whim. In any event, the institutional style of the Xinqu Juvenile Prison invites comparison with the reformatory institution, the major focus for our study.

6.53 Taiwan's Reformatories [37]

The country's general regulations which apply to ech of the three reformatories in Taiwan are explicit. Youth aged

12 or older but less than 18 years of age can be sent to these institutions after having committed a crime or having shown evidence of the possibility of committing a crime in the future.

Article 86 of the criminal Code states that a person who is not punishable because he is 14 or under may be ordered to enter a reformatory or he who has had his punishment reduced because he is under 18 may be sent to a reformatory. Under certain conditions, an offender 14 or older but less than 18 who has committed larceny or has received stolen goods can be sent to a reformatory (or put on probation) in lieu of being formally sentenced.

Offenders who reach age 18 while in the reformatory may not stay beyong the age of 21. Indeed, the length of stay is from one to three years maximum. According to Article 56 of the Law Governing the Disposition of Juveniles, if reformatory education is no longer necessary after a 6 month period of time, a waiver can be obtained if reformatory and governmental officials submit reports testifying to the advisability of placing the offender on probation.

On the other hand, the Statute Governing Peace Preservation Measures on Offenders Committing Larceny or Receiving Stolen Property stipulates that a minimum of one year is required before probation can be considered for youth guilty of these offenses.

There are a total of three reformatory institutions in Taiwan located in Taoyuan, Gaoxiong and Zhanghua. Taoyuan is the largest of the three facilities, although they commonly hold up to 400 or 500 juveniles at any one time.[38] The Zhanghua facility is the only one which houses females in a separate dormitory site. Offenders are said to be generally younger when sent there. The Gaoxiong facility, located in the heart of the country's industrial center, places a heavy stress upon vocational training as a part of its curriculum. The Taoyuan facility stresses both academic and vocational programs (although it is expected that the academic emphasis will take precedence).

All three of the institutions follow generally the same procedures with espect to classification of inmates, treatment programs, discipline and release. While the Taoyuan case is thus somewhat specific, its institutional character is representative of the other two facilities. The following section is based in part upon the author's visit to the site on Sept. 9, 1982.

6.54 Taoyuan Juvenile Provincial Training Institute[39]

6.54 1.0 Institutional History

Created in 1956 under the name "Provincial Reformatory for Juveniles", the Taoyuan facility was first housed as a part of the Xinqu Juvenile Prison until a more permanent site could be established. In September 1956, the institution changed its name to the Xinqu Reformatory but in 1957, it was relocated at Yingge, Taipei County where it was

called the Taipei Reform School for Juveniles. In April 1958, the school was moved to its current location and renamed Juvenile Provincial Training Institute at Taoyuan. Currently, teh facility serves Taipei city and teh surrounding counties of Taipei, Xinqu, Taoyuan, Jilong, and Yilan.

6.54 2.0 Organizational Structure

The organizational structure of the facility includes a superintendent, a council of administrative policies, a secretary, and committees concerned with student discharge, welfare, diet, health and evaluation of acquisition of learning skills. There is additionally an accountancy office, a personnel office, a general affairs office, a health section (including sanitation facilities and a clinic run by nurses) as well as offices of discipline and studies.

The personnel office my hire part-time and temporary staff, but important appointments are made by the Ministry of Justice, or at least with the approval of the Ministry. In many cases, counselors and other staff members are recruited from the country's police colleges, where they graduate with a degree after attending for four years.

The Office of Discipline collects dossiers on each of the students, maintains a list of student names and their places of birth, directs the guards at the facility, conducts social work responsibilities and is resonsible for other disciplinary and counseling services.

The Office of Studies is responsible for both vocational training and regular classroom instruction.

6.54 3. Orientation Period

Orientation and classification procedures are somewhat similar to those employed at the juvenile prison. At Taoyuan though, students upon entering are considered to be A level students and are given a month long orientation period. Upon its successful completion, the students are assigned to Class B where they will be able to receive training in vocational/industrial education, general education or engage in factory labor. Students who fail to complete the orientation period successfully are segregated into Class C and are isolated from the rest of the group.

What though is exactly taught during this initial period? All of the students, regardless of age, in addition to being informed as to the rules and regulations of the institution are required to memorize the typical primary school text Guomin Shenghuo Xuzhi Shouci (A primer on Essential Citizenship Life Education), which covers topics such as: walking across a street correctly, tying one's shoes, correct methods of maintaining personal hygiene and personal grooming. The author was told that an average of ten students per orientation session (ouot of a total of approximately thirty students) are demoted to the C level after completing the experience.

As is true of the prison situation, case study files are compiled on each of the reformatory students while they

are undergoing orientation. The contents of the files include the result of official and unofficial investigations into the student's background (usually completed before his or her arrival). Specific items include the actual writ consigning the offender to the institution (or if applicable the written verdict from the criminal court), a fingerprint card (fingerprinting does take place at the facility) and a note from teh household registration office. Interviews covering the student's personal and family life, the results of a physical examination and a record and pictures of tatoos on the inmates' body are also included in the file. Finally, the results of IQ, personality, achievement tests and the student's general educational record complete his case file.

6.54 4. Instructional Program and Curriculum

The Taoyuan Juvenile Provincial Training Institute's instructional program consists of both academic and vocational tracks. The academic track which includes a senior technical school program for older students and a primary level program for younger students includes approximately 8 hours of classes, military exercises and moral education (see tables 33 and 34). The vocational track includes factory and technical labor activities for approximately 50% of the week's activities, and is supplemented with some academic work as well as moral education and military training (See table 36). Approximately 70% of the students participate in the

vocational program, 30% participate in teh academically oriented studies. As the number of younger offenders has increased in recent years, specific attention has been paid to upgrading the level of education offered at the primary level (for students working at grades 5 and 6).

The author saw two vocational classes in session upon visiting the facility. In both instances, the instructional technique was one of the teacher demonstration or lecture to the larger group. Class size for the technical courses was reportedly restricted to a 20:1 ratio.

The vocational program has traditionally been based upon reciprocal agreements made with local factories. The service training center supplies the necessary physical plant facilities along with the student labor while the cooperating factory supplies machinery, technicians and instructional staff. Two of these factory arrangements were in operation in 1982. Students are supposedly paid for their work, their renumeraiton allocated to the individual or to the family upon release from the institution. There were seven different sections of students participating in factory work during the author's visit.

In total, there were 9 academic type classes which were operated with an average student:staff ratio of 50:1. The classroom the author visited was on the lower level of one of the dormitory buildings. Forty students were in the classroom, supervised by three staff members, a head teacher and two assistants. Thus, some attention was paid to the

issue of staff-student ratios, but basiclaly for supervisory purposes.

For the moral education course (de yu), no testing is administered, but for all other academic classes, one test is administered per week. The classroom texts which the author saw were paperbacks, originally published by the Ministry of Education for the primary level. Actual content appeared to correspond to mid-primary level. It should be noted that a number of courses listed in tables 34, 35 and 36 reflect the title of the text used for the course (e.g. Ethics of Life, Life Education, Society, etc.). With respect to the Mandarin courses taught, both use texts. The Mandarin literature course is basically a course in vernacular literature while the language course is based upon a text which includes historical tales and fables. Cultural as well as linguistic components are considered to be important parts of the curriculum.

Of special note are study hall classes, which may or may not be supervised by an official staff member and service-oriented classes, where students help maintain the grounds and general physical plant of the institution.

The author was informed that in addition to the above-mentioned programs, one senior and one junior high school class are held at night where approximately 50 students attend.

Most of the counselors live on reformatory premises on a full-time basis, often in a room adjacent to the boys'

living quarters. The counselors teach for two hours and counsel the rest of the time. As was the case with the Xinqu Juvenile Prison, individual counselling is conducted on an ad hoc basis at the initiative of the student. The author was told that counselors conduct sports and other recreational activities when they have the time to do so and are not engaged in attending to individual problems. As is noted in tables #34 and 35, time is set aside in the weekly schedules for such activity.

While the counselors are called upon to fulfill certain teaching responsibilities, their educational background is of a general nature and is the case with the Xinqu facility, part-time teaching staff, hired from neighboring schools, buttress the efforts of the full-time employees. The increased focus upon improving the academic program for younger offenders has been implemented by tapping this resource.

6.54 5 Hidden Curriculum and Disciplinary Procedures

In a number of classes, student security guards help regular guard memebrs keep order and as has been mentioned, they also help police self-study classes. It was explained to the author that there was little resentment over the fact that one was being observed (and disciplined) by a peer because it was generally understood that these students would have their sentences shortened through publically cooperating with authorities. Informing upon the activities of one's peers was an expected behavior, and as has been

noted, this is the case at the Xinqu Juvenile Prison as well as within the similar mainaldn institutions.

When asked about the use of corporal punishment as a disciplinary measure used during classroom instruction, the author was told that the Ministry of Justice prohibited these measures from being carried out. Before there were official regulations giving clear guidance on the matter though, students were hit. In one particular incident in 1979, fourteen students attacked a teacher whom they considered to be overly strict. He was subsequently transferred and in 1982, was working as a probation officer.

The general physical plant of the institution was extremely well kept. In addition to dormitories, staff offices and classrooms, the author visited the cafeteria and noticed a number of basketball courts and other recreational facilities. A library, consisting of donated materials is also operated.

The dormitory rooms were large and were able to accomodate up to 66 students at one time. The students sleep in wooden bunk beds. The dorm room is barred and locked at night after dark.

Students are issued uniforms, t-shirts, blue shorts, black socks and tennis shoes. Each student wears an identification tag pinned to the t-shirt which includes his name and institutional number. Haircuts are given once every two weeks en mass to all of the students. All told,

the institution's annual budget averages $3,000 NTS per student.

As was the case with the Guangdong reformatory at Shijing, the use of military rituals including drill was pervasive at the Taoyuan site. At no time did the author see any of the students engage in free play or spontaneous activity. Students normally march from class to class in rows of two, consistently following a leader who conducts the marching and the singing of slogans and songs.

During the lunch period, students were granted an hour for lunch but were required to finish their food within half that time. Afterwards, they were forced to sit in silence for the remaining half of the hour with their hands on their knees. The purpose of this exercise, it was explained to the author, was to instill a sense of self-discipline on the part of the students. The tactic is used at the Xinqu Juvenile Prison for inmates participating in classroom instruction and resembles traditional disciplinary efforts in Chinese elementary classrooms, where students are required to put their hands behind their backs while sitting in their chairs.

On a more ominous note, the Taoyuan Provincial Service Training Center was the only institution where youth were obserably placed in leg irons chained to one another. No individual appeared to be in any pain but the public use of leg irons seemed to have as its purpose, the instilling of some degree of embarrassment on the part of the victims.

Two points ought to be noted. Firstly, there has been a traditional use of leg irons in Chinese prisons of all types; indeed, reformatory efforts in Shanghai during the early 1950's were exceptional in part because this tactic was not used. Secondly the issue of inmate escape is of utmost concern to these types of institutions and is especially important at Taoyuan.

Four watchtowers guard the school. Each watchtower is manned by a guard on duty for a two hour shift (from 6:00 a.m. to 7:00 p.m.). The entrance to the facility is guarded by two sentries who are on duty in the morning and in the afternoon. Students who are sent to their dormitory rooms at 7:00 p.m. are accompanied by a guard, placed inside the room, who watches them. A replacement enters at 12:30 a.m. and stays until the morning.[40]

In spite of these security procedures, anywhere from 25-40 inmates escape or try to run away per year. The author was told that 85% are caught, although some are caught only after committing another crime. The principle reason cited for the escape attempts is poor parental training. Many of the students are considered "habitual loafers" coming from families where parental guidance was found wanting.[41] The author was also told informally that a prime motive for attempting to escape was the desire to see one's friends. Confirmatory sentiments with respect to feelings of being consistently watched and separated from regular friendship contact are expressed in table 19).

6.54 6 Institutional-Family Relations

The institutional stance toward offender families and relatives is strict. Families and relatives are allowed to visit their children once every two weeks, but not on Sundays, when a considerable portion of the full-time staff have the day off (this is also when most of the relatives would have free time). Lengthy records and questionaires are kept for every participant involved in a visitation (see table 20) and assessments are made as to the degree to which relatives are cooperative in facilitating offender rehabilitation. Family access to the offender is severely restricted in the sense that relatives can not see youth in their dorm rooms and can not visit after 7:00 p.m. The author was told that one reason for these policies was that parents in the past have aided their children in committing delinquent behavior such as sniffing glue. 25% of the students have tried to sniff glue at some point while on institutional premises. And, parents have been charged with smuggling the glue to their children, placing the substance in toothpaste tubes. Parental motivation for aiding in their children's habit, it was explained, stemmed from their children's pleadings that they needed the substance in order to withstand the harshness of the disciplinary conditions at the institution.

As was the case with the Guangdong Reformatory at Shijing, frequency of parental-child contact is regulated and depends in part upon the student's behavior. Students

who have behaved well are allowed three day leaves for national holidays such as the Dragon Boat Festival, the Mid-Autumn Festival and Spring Recess. Those who remain at the institution participate in sports and other recreational activities for the three day period. Mothers Day is celebrated at the facility by inviting all of the students' mothers to be present on that date. Letters of appreciation are sent out on institutional stationery and studens are encouraged to remit some of their earnings to their mothers as a toek of their love.

6.54 7 External Relations

Table 24 details the follow up information recorded on Taoyuan leavers as of 1978; table 26 records official recidivism rates compiled from 1972-1977 and table 39 reports these figures as they relate to all of the reformatories, from 1956-1979. Officials admit that they encounter difficulty keeping track of students who do leave because they often change residence, enter the army or have little contact with their original environments. The information compiled is derived from questionaires, the rate of return for the students themselves, being particularly low. In addition, recidivism is determined on the basis of a year's time between the student's actual departure form the institution and the initial follow up contact. As has been previously mentioned in this study, the longer the lag time, the greater the degree of accuracy with respect to the reporting of recidivism rates. Officials at Taoyuan do

contact local welfare agencies such as the Taipei Municipal Government Bureau of Social Affairs when they learn of specific cases of family indigence. In an informal interview with an official at that Bureau, the author was told that a few of these cases are reported each month and the family is then contacted and will possibly receive assistance. It is worth noting that the institution itself takes prime responsibility for originating and maintaining parental contact during the students' stay and after their release. The Ministry of Justice does operate a Rehabilitation section within the Department of Corrections, so there is an attempt at some centralization of procedure in this area, but local initiative remains extremely important. Table 5 documents the range of the services provided by the Rehabilitation section in 1981.

Good institutional-community relations are cemented through encouraging student participation in public parades and ceremonies during national holidays. Occasionally field trips are planned. Superintendent Hsu's report mentions that students from Taoyuan did participate in a government initiated cleanliness campaign by cleaning roads and trimming plants at a couple of local parks. This concern for a public display of the delinquents' citizenship and reformed character closely parallels similar activities described in the first part of the study, with respect to Mainland institutions.

6.6 Summary

A general comparison of the Mainland and Taiwan cases is informative because perceptions of delinquency and ensuing institutional responses are so similar in both instances. There appears to be little difference in the basic behavior categorized and the quality of family relationships is closely scrutinized and is often offered as an explanatory factor contributing to delinquency growth. There appear to be a few significant factors though, reflecting the socio-political and geographical differences in the regions which are not shared.

As has been mentined, delinquents appear to constitute a greater percentage of total criminal activity int eh Mainland than they do in Taiwan. And, the unemployment situation facing Mainland youth is not admitted as having as similar a degree of significance in Taiwan. While educational institutions are criticized in both areas for failing to respond to the needs of delinqent and potentially delinquent youth, these institutions are less severely criticized in Taiwan. Indeed, the expansion of free schooling from a six year to a nine year cycle in 1968 is offered as evidence of a policy change which not only reduced the level of deinquency nationally but also postponed the willingness of youth to engage in norm-violating behavior until they were older.

The issue of drug abuse, while an admitted probloem in Taiwan, is not recognized as being serious in Mainland

China. And, because more physical and geographical mobility is permitted in Taiwan than in the Mainland, direct community and work unit responsibilities for the prevention of delinquency occurrence are not emphasized to the extent which is in evidence in the P.R.C. It should be noted that household registration lists are filled out in Taiwan and are sent to police authorities. Officially, police permission must be obtained before changing residences. However, enforcement and compliance with these procedures is taken less seriously in Taiwan than in the Mainland.

General social factors, such as the demand for increased social order in the wake of the Cultural Revolution or the mistrust of certain elements of Western mass culture are issues of crucial importance to Mainland society and are not shared by their Taiwanese counterparts. And, the pressures of intensive industrial growth which have contributed to increased rural-urban migration are more influential in Taiwan than in the Mainland.

A basic social difference which has been implications for the definition and attitudinal response to delinquency occurrence concerns the role of law in the two societies. Mainland China's Criminal Code is relatively new; not only is enforcement of its statutes uneven, part of the code are deliberately written in ambiuous fashin so as to permit the circumvention of orderly legal procedure. Taiwan has a legal code and juvenile court system which explicitly deals with juvenile crime and delinquency behavior. Certainly in

terms of process, the system is more orderly. Yet here too, there is some definitional ambiguity with respect to the age of issue.

One is reminded that in spite of these differences, the basic similarities between the two cases in terms of the types of offenses committed, the existence of gang activity and specific descriptions of gender-related behavior are characteristics shared by each region.

Having noted the above mentioned caveats, upon analyzing the preventative measures the respective societies have employed to stem the growth of delinquency, similarities again seem to outweigh differences. In both cases, extensive appeals are made through the mass media to improved parenting and disciplinary techniques. In both cases, the respective government sponsored youth organizations, the CYL and CYC work directly with youth and attempt to resolve common youth problems. The China Youth Corps efforts appear to be extensive and extremely well planned, particularly with respect to their general peer counselling programs. The work with potential delinquents and problem children through the operation of the summer camp, while not entirely successful as measured by its own standards, does represent a direct and visible effort to combat delinquency not in evidence in the Mainland case. Nonetheless, both of the organizations define a significant portion of their organizational purpose within the realm of combatting delinquency and act accordingly.

When specific institutional structures are examined on a comparative basis, only the reformatory type is operational in both settings. To the best of the author's knowledge, the protection house facility which is basically a depository for youth awaiting trial and or sentencing, does not exist in the P.R.C. Youth guilty of major offenses would be sent to a labor camp in Mainland China (if not the reformatory) rather than spend time in a juvenile prison such as that of Xinqu.

The protection house, juvenile prison and reformatory together can be categorized as following normative-corrective organizational styles. General procedures include an orientation period during which time dossiers are compiled and youth are classified according to the nature of their crimes. Moral and vocational education are deemed important in each instance and while there is no evidence to suggest that the inmates' basic needs are not met, inmates are closely watched at all times, and the use of military ritual is pronounced.

When we look specifically at the Taoyuan Provincial Juvenile Training Institute and its counterparts in Mainland China, similarities are quite vivid. Like a number of Mainland institutions for delinquent youth, Taoyuan originally was part of a regular prison system before being allocated its own identity as a youth reformatory. Both Taoyuan and the Guangdong Juvenile Reformatory at Shijing have one month orientation periods for their students, where

they are washed, fed, fingerprinted, given uniforms and are taught the rules of the institution. Both institutions strongly emphasize moral education and the vocational training offered at eaach facility is general rather than individualized. In both cases, the use of corporal punishment, currently denied, has been admitted to have existed previously. This is in spite of the fact that for both cases, the current administrators were in power when these incidents occurred. Both institutions also admit to the practice of socially segregating youth into some form of solitary confinement for disciplinary purposes. And, in both places, youth are asked to inform upon their peers to institutional officials.

The institutions share the common problem of attracting adequate teaching staff, a problem solved through reliance upon part-time help. Nonetheless, the quality of the instruction offered at each site is inferior to the quality of instruction offered in average schools.

And, the administrative staff at both institutions are usually political appointees with little professional expertise in dealing with youth matters. The superintendent of the Taoyuan Provincial Juvenile Training Institute, for example has a military background. Most of the staff members there who have college degrees have attended police colleges, possessing backgrounds not too distant from those cadre university graduates staffing Mainland reformatories.

Youth residing at both institutions complete service work for the facility or for the external community. Each reformatory places regulations upon parental visitation rights, their frequency being at least partially tied to offender behavior. And finally, both institutions rely significantly upon local police reporting, for assessing the success of their treatment.

As vivid as these similarities appear to be, one would be remiss in not mentioning the important differences. There is no evidence that youth spend more than three years time in Taiwan reformatories, while this is not true in the Mainland case. Secondly, the rhethoric of reformation is different in each area. While it is true that the Chinese term for rehabilitation used in Taiwan (gengsheng) literally means "born again", the emphasis upon the confession of misdeed so important in the mainaland is not stressed to the same degree in Taiwan. And, the importance of "jiti jiaoyu" (collective education), where the group confessional is utilized is not promoted at the Taoyuan facility. Certainly the use of self-criticism as a behavioral sanction is not used as openly in Taiwan as is the case in the Mainland.

6.6.1 Policy Change

The major example of policy change which has occurred with respect to the operation of Taiwan's reformatories is the decision of the Ministry of Justice to take over direct administrative responsibility for their operations. We recall that originally the Ministry of Justice as an organ

of the central government, delegated its administrative authority to the provincial government. Upon receiving pressure form the Legislative Yuan, the change in policy was implemented in 1981, to be totally completed within a three year period. Thus, this change in authority is a respresentative example of a decentralized agency becoming centralized.

Specific changes which have occurred since the Ministry of Justice's takeover include the replacing of the superintendent of the Gaoxiong reformatory and the strengthening of Taoyuan's academic program for its youngest offenders. It should be noted that while authorities at the Taoyuan Provincial Service Training Center alleged that previous uses of corporal punishment arose in the absence of firm guidelines ununciated from a central authority, because of the Ministry of Justice's firm expression forbidding the use of such methods, the new regulation was now being followed. In many ways, the shift in responsibility is thus seen as a method by which local institutional policy can be professionalized on a nation-wide basis.

Nonetheless, conflicts remain. In interviewing both reformatory and Department of Correction officials, the author discovered a disparity of views concerning a departmental proposal advocating a sharing of facilities between the reformatories and similar correctional institutions, while closing down wasteful, non-productive programs. Authorities at the Taoyuan Provincial Service

Training Center interpreted the proposal as having potentially dramatic and negative consequences for their own operations. It was perceived that each of the three institutions would be forced into operating under a narrow and circumscribed role: Gaoxiong would operate vocational programs only, Zhanghua would only cater to the younger offenders and Taoyuan would stress its academic programs. Since only 30% of the offenders at Taoyuan participate in the senior technical or lower level academic programs at the present time (the remainder pursue factory work), such a change would require a significant orientation and could conceivably involve changes in staff and materials.

Officials from the Department of Corrections denied to the author that any changes which were being contemplated were so dramatic. They argued that when the three institutions were originally established, there was talk of specifically defining the roles of each facility in a fashion similar to that just described, but this is not what a new policy would entail. Their aim, it was claimed, was simply to make programs which were exceptionally strong, available to as many juveniles as possible. Thus, because the Xinqu juvenile printing press program wss highly regarded, it might be possible to admit students from one of the reformatories who had an interest in learning printing, into the program on a case by case basis. In any event, statistics from each of the reformatories would be used to evaluate the strengths of each of the programs under

scrutiny (the most important of which was the percentage of youth currently enrolled in the programs). The advantages of such a change, such as the elimination of wasteful and reduplicative programs while strengthening programs which have already proven successful, are clear from an administrative viewpoint.[42]

It should be noted that errors of articulation and mis-communication between center and periphery are common occurrences in many bureaucracies. In this case though, legitimate concerns over the expression of institutional authority are part of the dispute. Since Department of Corrections officials admittedly will rely upon the reports of individual institutions in making their decisions, the local institution is not helpless in this debate. Departmental on-site visitations and inspections occur only a few times a year, so it is likely that a jockeying for authority will continue to take place until precedents clearly establishing authority relations become more firmly entenched.

6.6.2 First Hypothesis

The first hypothesis of this study maintains that institutions such as the Taoyuan Provincial Service Training Center confer stigma upon both the juveniles who reside at the institution and their immediate family members, having usurped many responsibilities traditionally accorded to senior family members.

There can be little doubt that juveniles at Taoyuan undergo a series of degredation rituals which serve to confer stigma upon them. One notes initially that as a normative-coercive institution, Taoyuan's procedures are similar to those used at the Xinqu Juvenile Prison. The extensive use of military drill and ritual, the use of the uniform, compulsory haircuts given at the same time to each student, fingerprinting and the compilation of dossiers (which inthe Taoyuan case include the photographing of tatoos wherever they occur on the body) can be clearly seen as practices which degrade the individual while promoting institutional and staff authority. While most of these practices occur at both the juvenile prison and the reformatory, one must stress that there is an important age difference amongst those undergoing the experiences; prison offenders are 18 or older, reformatory offenders are 12-18, an increasing minority are under 12.

The use of leg irons as a method of public embarrassment of the individual, the requirement that students sit in silence at a meal table for half an hour with their hands on their knees, and the use of name and i.d. tags pinned onto every inmate were specific examples of degredation rituals observed by the author during his visit to the institution. One could convincingly argue that the orientation requirement stipulating that every new student memorize a primary level text, complete with information which was probably below their cognitive ability and

maturational levels, could easily be interpreted as an additional degredation procedure. A comparison of tables 32 and 34 further demonstrates that the academic curriculum offered at Taoyuan is at best, a watered down version of that typically afforded to regular primary and junior middle school students, which may in the long run, further serve to indirectly stigmatize the institutionalized youth.

It should be clear that basic necessities in terms of food, clothing and shelter were provided to each of the students. The institution's physical plant was modern and well kept. And, it is also true that students do have the choice of participati8ng in vocational or factory labor; in addition, a small extension program is operated at night.

Nonetheless, the basis normative-coercive style of management is reaffirmed through the emphasis upon preventing escape, the use of corporal punishment (at least admitted to have existed in the past) and the physical separation and segregation of behavioral malcontents. Like the Mainland counterparts, practices which encourage peers to inform upon one another or act as security guards in return for having their length of stay shortened further serve to embellish perceptions of institutional authoritarianism, at least symbolically.

There can be little doubt that parents and family members are stigmatized as well. Table #24 is instructive for a number of reasons. Local police reporting suggests that it is their perception that a significant number of

family members don't feel responsible for their children's deviance. It is further admitted that both the attitudes of authorities and neigbors toward the delinquents themsleves, is often unsatisfactory or poor, after they return home. Delinquents, when asked about friendship and family attitudes toward them upon their return, answer affirmatively for the most part, although the possibillity of negative discrimination is admitted in the questionaire. The existence of such discrimination being transferred specifically to family members is clearly in evidence when one examines the investigative form, for which visitors are required to provide answers (table 25). There, a direct assessment of parental culpability as well as their willingness to help the institution is made. It has additionally been noted that parents have been blamed for their children's attempts to escape from the institution, and have been charged with conspiring to smuggle glue into the institution on behalf of their children. The institutional response to these claims is to increase surveillance of the facilities and to prohibit student-parent conferencing on dormitory premises.

The general system of regulating student-parental contact is strong in other ways and is not inherently supportive of the family. Parents can visit their children once every two weeks before 7.00 p.m. They cannot visit on Sundays or in the evening, the times when they would most likely be free from work.

When the author asked Department of Corrections officials whether or not a decision to send Gaoyuan students to one of the other institutions for entry into a strong training program, would have adverse repercussions for family members wanting to visit their children, the response was that the size of the country made visitations possible wherever juveniles were housed. Whether or not such visitation would occur with any degree of frequency though, is a speculative question not readily answerable. Suffice it to conclude that the issue of parental visitation rights was not a primary consideration in the formulation of that policy change.

Finally, it should be reiterated that as is the case with similar Mainland institutions, student visications home on holidays and festivals are a matter of institutional perogative rather than student or parental right.

It has been previously observed that traditionally, it has been difficult it not impossible to separate Chinese concepts of legality with notions of coercion. The Taiwan reformatory, which deals directly with delinquents and their families during and after their stay, is viewed by both parties as being a coercive agent. And, this is a view which is not an unreasonable perception. Indeed, it should be reiterated that while policy makers argue against governmental interference into most social welfare areas, lest the cohesiveness of the family unit be damaged, these concerns don't extend to delinquents' families, where

institutional interference is quite strong. From the Taoyuan Juvenile Training Institute's own data, one senses that the potential and actual consequences of such interference include feelings of stigmatization for both offender and family members. Thus, both parts of the initial hypothesis are confirmed for the Taiwan case.

6.6.3 Second Hypothesis

The second hypothesis of this study argues that specific institutional responses to juvenile delinqency issues can be categorized as being non-rational, if one compares the widely shared perceptions of these problems with the actual solutions which are implemented. For the Taiwan case, the literature review revealed that parents, particularly with respect to the consistency of their disciplinary methods, are thought to bear substantial responsibility for juvenile delinquency occurrence. Delinquents who have been interviewed themselves view parental discipline as being overly harsh particularly on the part of their fathers. And, juveniles have been generally categorized as possessing hedonistic motives which explain their penchant for engaging in common deviant behaviors such as burglary, theft, morals, offenses and drug abuse. Educational factors, while recognized as contributing to delinquency occurrence, are thought to be less important than other considerations. Sociological factors including low paretnal SES do have contributory significance.

In judging the variety of institutional responses, one notes that a number of the preventative measures taken by the Ministry of Education and the China Youth Corps do speak to the need for better parental training and the necessity to identify problem behaviors at an early stage and to take steps toward their remediation. It should be noted through, that even in the "Young Lions" summer camp program for delinquent youth, tensions between administrative staff and parents and teachers, concerning who should bear direct responsibility for such remediation, are admitted.

With specific respect to the quality of the Taoyuan Provincial Service Center institutional response, one observes that insofar as the tenor that response defines itself in normative-coercive terms, closely following organizational patterns established at the Xinqu Juvenile Prison, the institutinal reactin is one of non-rationality. Certainly, youth who perceive themselves as having been subjected to harsh disciplinary treatment at home are not likely to have their social perceptions changed or their attitudes improved after living at Taoyuan. Indeed, one could plausibly argue that the treatment of adolescents and pre-adolescents being so similar to that dished out to 18 and 19 year old offenders, denies the importance of maturational, cognitive and affective developmental growth processes. Insofar as Taoyuan juveniles are treated as adult prisoners, their offenses are not considered to be specific to their age or emotional development.

One also realizes that, as is the case with similar institutions which are as large as Taoyuan, treatment for specific behaviors is broadbased and generalized. The problems of a sex offender are quite different from those of a burglar. Yet, in terms or program, schedule or activities, quality of counselling offered, etc. the institutional treatment provided as Taoyuan is the same.

If delinquent youth are thought to engage in hedonistic practices, the experiences at Taoyuan do not appear to be able to stem those tendencies. The admitted use of drug use on institutional premises gives evidence to this point.

However, the very coercive nature of the authority relationships present within the institution additionally works against efforts to train juveniles to be more independent and more responsible. Repeated escape attempts, feelings of being continually observed and a general reluctance to maintain contact with the institution after leaving its premises (as evidenced by authorities' admitted difficulty in keeping in touch with the juveniles) are indicative of the general perception of Taoyuan as being a coercive place. One notes that youth are offered few chances to act responsibly there. Allowance and the payment of wages, for example, are strictly controlled and are often given to juveniles only after their release. Certain youth are allowed to go home during festivals and holidays and there are a few instances when youth can work outside of the institution during the day. But within the institutional

setting, youth are not required to fulfill taks encouraging a demonstration of individual responsibility and initiative. It is difficult to see how policies emphasizing close surveillance and the denial of substancial material reward for work would stem hedonistic practices once these youth find themselves in environments which are less subject to overt control.

The ultimate test as to whether or not reformatory policies work is if youth repeat the same offenses or commit even more heinous offenses upon their release. Table 21 claims a 17% recidivism rate at Taoyuan form 1972-1977 and an 18.95% rate in 1977. Table 46 claims a general recidivism rate for all three reformatory institutions of 6.53% from 1956 to 1979. This latter statistic is similar to the average 5% rate admitted to occur within Mainland institutions. We have previously noted the difficulty in accurately reporting and interpreting recidivism rates, statistics which are easily manipulable according to the time of reportage. And, we have also noted the uneven return rate of questionaires designed to measure such activities. For all of these reasons, whether or not reformatory policies actually work is extremely difficult to determine. But even if this is the case, it is the contention of this study that such success would not be due to the fact that reformatory practices directly respond in rational ways to perceived juvenile problems, as elaborated

within the literature in the field. Thus, the study's second hypothesis is confirmed.

6.6.4 Third Hypothesis

The third hypothesis of this study argues that formal educational institutions will play a relatively minor role in educating delinquents. For the Taiwan case, the hypothesis is only partially confirmed. We note that although educational factors are not considered to be amonst the most significant in contributing to juvenile delinquency, still the Ministry of Education has initiated a number of preventative measures including parental education programs and extra-curricular activities withinthe regular school curriculum.

With respect to the specific relations educational organizations maintain with reformatories, part-time teachers on regular assignment at local schools are hired by reformatory officials to teach academic subjects andthe cirricular texts normally used in elementary schhols are also utilized within the reformatory. Finally Ministry of Education officials will certify those delinquents wishing to ootain a junior high school diploma or a senior secondary school certificate if they pass a competency test administered by these officials.

Nonetheless, a comparison of the Taoyuan curriculum with that used in regular elementary, junior and senior high schools demonstrates that the Taoyuan Provincial Juvenile Training Institute program is academically deficient, at

least in terms of instructional hours and course offerings. We recall that only 30% of the offenders even participate in that academic program on a regular basis anyway. There are both structural and non-structural reasons for these deficiencies. Since the institution itself has little control over the number of students or the age of students they are required to admit, the continuity of instructional program is consistently threatened. Ad hoc admissions procedures make it difficult to either individualize instruction or create classes which directly reflect upon all of the students' ability levels.

This being noted, it should also be mentioned that local educational institutions have little incentive to either share resources or participate more actively in the education of delinquents. Since delinquents from Taoyuan originally reside in a number of counties and communities in northern Taiwan, they don't form an identifiable community constituency. Their needs can be more easily ignored, especially when a neighborhood school must answer directly to formal and informal local community pressures. Since such schools generally gain their reputations according to the successful achievement rates of their students, progressing onto more prestigious schools, there is little incentive to actively help students such as those in Taoyuan, most of whom have already performed poorly in their own schools. Thus, while local educational institutions as well as the Ministry of Education do contribute to the

education of delinquent youth, their contributions are not fundamental. The third hypothesis of the study is therefore partially confirmed.

Notes

[1]Population figures are taken from Educational Statistics of the Republic of China, (Taipei, Ministry of Education, 1982) and reflect 1981 figures; geographical area statistics are taken from the China Yearbook, 1980, (Taipei, China Publishing Company, 1981), p. 140.

[2]Ramon Meyers, "The Economic Transformatin of the Republic of China on Taiwan," China Quarterly, #99, Sept. 1984, p. 502.

[3]The best general discussion of these political issues can be found in Ralph N. Clough, Island China, (Cambridge, Harvard U. Press, 1978); see also Emily Martin Ahern and Hill Gates, ed., The Anthropology of Taiwanese Society, (Stanford, Stanford U. Press, 1981).

[4]The above discussion is taken from China Yearbook, 1980, pp. 89-133. Confirmation as to the reason for the change in administrative responsibility ws given to the author during a Nov. 25, 1982 interview with the Department of Corrections officials.

[5]Lin, p. 104

[6]LIn, p. 105

[7]See E. Patricia Tsurumi, Japanese Colonial Education in Taiwan, 1895-1945, (Cambridge, Harvard U. Press, 1977).

[8]Clough, p. 34

[9]Clough, pp. 33-34

[10]See Wilson, Learning to be Chinese..., Chiang-Jiang Lin, "The Republic of China", in R. Murray Thomas and T. Neville Postlethwaite, Schooling in East Asia, (Oxford, Pergamon Pess, 1983, pp. 104-135..., and Education in the Republic of China, (Taipei, Ministry of Education, 1980), particularly p. 8.

[11]The following discussion summarizes that offered in Thomas Yang-Chih Kao, "Reformatory Education for Juvenile Delinquents in Taiwan, Republic of China" in Proceedings of the First Asian-Pacific Conference on Juvenile Delinquency (Taipei, Pacific Cultural Foundation and Cultural and Social Centre for the Asian-Pacific Region, 1980) pp. 92-102.

[12]Kao, p. 92.

[13]Kao, p. 93.

[14]Kao, p. 93.

[15]According to Taoyuan Provincial Service Training Center authorities, this practice is permitted according to the first rule of the "Rules Governing the Legal Custody of Juveniles and Children". See, Hsu Hou-pin, Facts about the Provincial Training School at Taoyuan (Taoyuan, May 1979), p. 3.

[16]Hsien Rin, "The Effect of Family Pathology on Taipei's Juvenile Delinquents" in Proceedings of the First Asian-Conference on Juvenile Delinquency, p. 316.

[17]See Chen-ou Chow, "Economic Development and Efforts of Prevention and Treatment of Juvenile Delinquency in the Republic of China" in Proceedings..., pp. 49-52.

[18]Rin, p. 319.

[19]Rin, p. 318.

[20]Kwang-Kuo Hwang and Huei-Yunn Lo, "The Parental Child-Rearing Practice as Perceived by Chinese Teenagers and their Personal and Social Adjustments", in Proceedings..., pp. 205-233.

[21]Yung-ho Ko, CHu-huei Yao, "The Relation between the Perceived Parental Attitude and Delinquent Behavior", in Proceedings..., pp. 305-315.

[22]Chen-chih Hsu, Shih-houng Hsu, Wen-tang Yeh and Wei-hai Cheng, "Characteristics of 5th. to 8th. Graders Manifesting Acting Out Type Behavior Problems: A Preliminary Report of a Two Year Longitudinal Study", in Proceedings..., pp. 111-131.

[23]"Parents of Delinquent Youth in Taipei", in Proceedings... pp. 418-449.

[24]See Ko-wang Mei, "Chinese Cultural Impact on Social Welfare Systems" in Proceedings of the Sino-American Conference on Social Welfare Development in the 1980's, (Taichung, Tunghai University, 1981), pp. 56-69.

[25]These terms were originally coined by T. Lin in "Tai-pau and Liu-mang: Two types of delinquent youths in Chinese society" in British Journal of Delinquency, #8, 1958, pp. 244-256. The following discussion summarizes the work of Hsien Rin, "The Effects of Family Pathology on Taipe's Juvenile Delinquents" in A. Kleinman and T.Y. LIn eds., Normal and Abnormal Behavior in Chinese Culture, (Netherlands, D. Reidel Co. 1980), pp. 213-229, particularly pp. 226-229.

[26]Rin, p. 226.

[27]RIn, p. 227.

[28]See Cho-Boon Sim, Chao-Yu Kung and Chiow-Law Cheng, "The Patterns of Drug Abuse Among Adolescents Seen at the Psyciatric Clinic" in Proceedings..., pp. 178-189, particularly 181-182.

[29]Lin, p. 117.

[30]This fact ws related to the author during an interview with a member of the Committee on School Discipline and Moral Education within the Ministry of Education; that committee has published, Xundao Faque Xuanji (A Collection of Guidance Regulations), (Taipei, Ministry of Education, 1980) which elaborates upon life education and moral education programs as well as legal regulations defining delinquency.

[31]Some of these works include Xinli jianshe yu qing xia nian fudao Guangbo Jiangzuo Zhuanji (A Collection of Counselling Broadcast Lectures on the Psychological Development of Youth), (Taipei, Ministry of Education, 1982).

[32]Representative Zhang Laoshi publications include Dui Fei Xing Xiaonian fu mu zhi chuan ye fuwu (Service Training in Negative Parent-Youth Behavior), (Taipei, 1980), Shehui Wenti yu Fudao (Counseling Social Problems) (Taipei, 1982), Fu mu yu haizi (Parents and Children) (Taipeim, 1982) and Tuanti Lingdao zhe Xundong, (Group Leadership Training) (Taipei, 1982).

[33]See the pamphlet and table (44) "A Brief Introduction to Teacher Chang", Taipei, 1982.

[34]See Der-huey Yu, "Several Common Problems in Helping Pre-Delinquent Adolescents" in Proceedings..., pp. 348-355.

[35]The following informaiton summarizes the data states in the pamphlet Zhonghua Minguo Taiwan Taibei Difang Fayuan Xiaonian Guanhusuo Jianjie (An Introduction to the Taipei Juvenile Protection House) (Taipei, no date given).

[36]The information provided here summarizes that given in the unpublished pamphlet Taiwan Hsin Chu Juvenile Prison, (Hsin Chu, 1979).

[37]The following summarizes Kao, pp. 93-95.

[38]Kao reports that 800 students could reside in Taoyuan, 420 in Zhanghua and 440 in Gaoxiong. p. 94. Usually authorities when questioned will cite the number of offenders entering or leaving per year, but the total number of actual residents on an average basis was information which was not available during the author's interview with reformatory officials. More recently it has been reported that the three reformatoris average approximately 900 students each and that the Taoyuan population is about average. See Zhongyang Ribao, August 20, 1983, "Dushu xiyi shibei junju yenguan chinjiao huanmiam."

[39]Unless otherwise states, the information concerning the Taoyuan Provincial Juvenile Training Institute was derived from interviews obtained during a visit to the institution on Sept. 9, 1982, statistics compiled and distirbuted by the Center (1976-1978) or the Ministry of Justice (1977-1981) and the report of Superintendent Hsu Hou-pin (May, 1979), previously cited.

[40]Hsu Hou-pin, p. 13.

[41]Hsu Hou-pin, p. 13.

[42]In fact, such changes were implemented in late 1983. See Zhongyang Ribao, August 20, 1983, "Dushu..."

Chapter 7

Hong Kong

7.1 Introduction

With its population of approximately five and a half million people living within a land area of 1,064 miles, Hong Kong is one of the most densely populated areas of the world. Its proximity to Mainland China, its development into one of the world's major business and commercial centers, and above all, its colonization by British forces for the past 143 years, have together served to characterize the region into a unique set of terms. The identification, scope and treatment of youth problems such as juvenile delinquency have thus been influenced by many of these considerations.

The governor of Hong Kong (who is the Queen of England's representative within the colony) presides over an Executive Council, which as a policy making organization, offers him advice, and a Legislative Council, which passes bills signed into law with his acquiescence. The chief secretary, who is the governor's main advisor on matters of public policy, is not only a member of the Executive Council, but is also in charge of the Government Secretariat. This body consists of the principal branches and departments of the executive part of the Hong Kong government. For our purposes, the most important of these is the Social Services Branch, newly retitled the Health and Welfare Branch. Under its auspices, the Social Welfare

Department operates five correctional institutions for juvenile offenders, is in charge of the colony's probation policies, and supports voluntary agencies which house and give assistance to trouble youth.[1]

The Judiciary is headed by a chief justice and is totally independent of the Executive Branch. Juvenile courts, which are headed by a magistrate appointed by the chief justice, hear cases involving children aged 7-14 and juveniles, up to the age of 16. A child is not considered to be responsible for committing a criminal offense below the age of 7, and is considered an adult at age 16. Juvenile courts do not hear cases involving juveniles charged with committing homicide, and their jurisdiction is restricted in other instances, such as when participants of disparate ages (one of whom is above 16 or over) commit joint offenses. In this case, the participating youth may be tried in an adult court and then handed over to the juvenile court for sentencing. In any event, the juvenile court is charged with the official responsibility of sending offending youth to the Director of the Social Welfare Department, who then assigns them a place in one of their designated correctional institutions.[2] A distinction is thus made between institutional treatments involving "social inquiry" and treatments directly involving Correctional Services Department jurisdiction (prisons).

7.2 Review of Literature

7.2.1 Nature of Delinquency as Compared with Crimes of all Types in Hong Kong

In a crime victimization survey conducted in January 1982 by the Census and Statistics Department of the Hong Kong government, the following data was obtained concerning the scope and type of criminal activity in evidence within the colony.

Personal crimes, categorized as being violent included rape, female sexual assault, serious assault, robbery, blackmail, and intimidation. Theft related crimes included personal theft, pickpocketing, snatching and fraud while household crimes consisted of burglary, vehicular related theft, household theft and property damage. The survey indicated that 270,600 criminal victimizations occurred in 1981 (victimization being defined as both attempted and successfully completed offenses), 60% of which involved individuals, 40% of which were household related. Crimes of theft consisted of 60% of the total number of offenses; violent crimes were in evidence 15% of the time. 92% of the violent crimes were stranger related and 45% of these crimes involved a single perpetrator. Over 90% of all violent crimes were committed by males and 70% of the single offender related violent crimes were committed by adults aged 21 and over. 24% of all multiple offender violent crimes were committed by youth below 21. Table (1) lists the ages of all persons prosecuted in 1981 on the basis of

their offenses, and categorizes the age groupings into juvenile (7-15), young person (16-20) and adult classifications. Age specific prosecution rates are also listed.[3] Together, the data indicates that juvenile crime represents a significant, yet minor portion of all of the reported criminal activity for the region. It should be further noted that the total degree of juvenile crime decreased by 22.8% in 1982, from the 1981 numbers.

Most of the offenses committed by juveniles are neither serious nor violent. Shoplifting, petty theft, small-scale robberies and burglaries are the types of crimes which have traditionally been associated with juveniles. As table (2) demonstrates, the juvenile crime rate increased from 189 prosecuted cases per 100,000 juveniles in 1964, to 478 per 100,000 in 1980. By way of comparison, a ration of 300-400 delinquents per 100,000 people was claimed for the Taiwan case between 1969 and 1978, for youth aged 12-18. Criminal activity occurs most frequently amongst juveniles aged 14 and 15, although it should be noted that the frequency of criminal activity amongst 12 and 13 year olds increased significantly from 1978 to 1980. Students constitute the largest percentage of juvenile offenders, a percentage which increased by 10 points from 1978-1980. And, by 1980, females still constituted less than 15% of all juvenile offenders.[4]

Tables (23-25) document the age, sex and crime of youth sent to the Social Welfare Department Probation Division for

treatment in 1981-82, while tables (26-29) document the specific offenses committed by youth residing in Hong Kong's five reformatory institutions. Since the delinquents in question would be initially remanded to either the Begonia Road Boy's Home or the Ma Tau Wei Girl's Home until their court trial, their number of juvenile residents is proportionately large in comparison with that of the other institutions. Frequent youth offenses included theft, robbery, burglary, inflicting grievous injury, committing murder, loitering, common assault, food and drug offenses, possessing weapons, breaking immigration regulations (illegally entering from the Mainland), disobeying probation orders, and committing sexual offenses. In this last instance, engaging in unlawful sexual intercourse was a particularly prevalent offense amongst incarcerated females in 1982-83.

Differential classifications of delinquent activity according to age as well as the time span of the recorded activity make substantive comparisons difficult, but it appears to be the case that for the most general of instances, juvenile crime constitutes a greater percentage of total criminal activity in the Mainland than in Taiwan and Hong Kong, and that a greater percentage of juveniules participate in joint crimes in the P.R.C. than in the other two regions. For all three areas, female delinquents are greatly outnumbered by males and their "crimes" consistently include behaviour judged to be sexually promiscuous in addition to theft and more common types of crimes. Those

offenses which are especially typical of all juveniles include robbery, theft and assault.

7.22 Juvenile Behavioral Patterns and Causational Factors

7.22.1 Family Relationships

The quality of juvenile-family relations is thought of as a major factor explaining delinquency occurrence in Hong Kong. In an important study conducted by Professor Agnes Nq of the Chinese University of Hong Kong, both delinquent and control groups were identified and surveyed. After holding factors such as family size and SES constant, the author discovered that the quality of family relationships differed signficantly between members of each group. As Dr. Nq concluded,

> We are convinced that parents who expect little educational achievement from the children and mothers who use inappropriate means for disciplining their children provide little positive framework for development. In addition, when parents are constantly quarrelling with one another, they may not be able to provide the emotional support their children need, and the bond between the child and the family will be rather weak.[5]

According to the report of the "Working Group on Juvenile Crime", the percentage of offenders surveyed who "liked both parents" decreased from 39.7% to 27.4% from 1978 to 1980. The largest percentage of those interviewed liked their mother more than the father, while the reasons offered for disliking one's parents included their being "fastidious, authoritarian and stubborn".[6]

Both parents individually, were more likely to use scolding or physical punishment techniques as a means of disciplining their children rather than using "advice and persuasion". For both parents taken together though, scolding and physical punishment occurred in only 2% of the offender cases.[7]

Most of the offenders perceived their parents as having expected them to be responsible citizens and to complete their secondary education. Table (13) which lists the frequency of quarrels between parents, offers contradictory data, although the number of those cases where parents quarrelled once every two weeks increased from 1978-1980.

7.22.2 Family Background

While the quality of family relationships is of obvious and perhaps crucial importance in understanding delinquency occurrence, specific SES factors and family background characteristics must be additionally considered. "The Working Group on Juvenile Crime" study, for example, reported that few juveniles came from families earning less than a poverty level of $2,000 HK per month. The percentage of offenders residing in broken homes in 1980, on the other hand, was 19.4%. Most of these family breakups occurred before the juvenile committed the crime; for 29% of the offenders, the family breakup occurred before they reached 7 years of age.[8]

A majority of the offenders' fathers worked in factory-related occupations; offenders' mothers who were not

housewives were employed in factories or by the service trades.[9]

Table (18) reports the offenders' parental educational attainment levels. In 1980, approximately 60% of the fathers and mothers completed only a primary level education or below. Thus, a convincing case can be made for the conclusion that low SES factors and unstable parental backgrounds do correlate significantly with delinquency occurrence in Hong Kong.

7.22.3 Educational Factors

As has been noted, delinquent youth perceive their parents as having rather high expectations for their children's educational attainment. Yet as table (7) indicates, the percentage of students who committed offenses and were overage with respect to their own educational standing is significant (50% in 1980). Tables (8 and 7) list the reasons offenders gave for their low level of educational success.

Authorities seem convinced that the expansion of compulsory schooling through the junior secondary level form three (including age 15), implemented in 1980, and the initiation of the Secondary School Places Allocation Scheme, initiated in 1978 (which allowed mixed ability grouping to occur more frequently at the junior secondary level), have contributed to delinquency growth.

The Education Department itself admitted that problems resulting from these policy changes have included a decline

of academic standards at the primary level (since admission into the junior secondary level is now assured), an increased need to cater to students with different ability and interest levels, and a greater number of discipline problems.[10]

Related issues include a waning of parental concern for student academic performance and the exascerbation of difficulties for slow students who, although too old to be held back, find it hard to keep up, yet must stay in school through age 15. It has also been pointed out that since only 60% of the junior secondary level leavers will continue onto a higher educational level, the motivation to succeed for the slower student becomes even less obvious.[11] Other educational factors, postulated as having contributed to delinquency growth include the routinized nature of the primary level curriculum, the use of English as a language of instruction at the junior secondary level, inadequate teaching of moral educational principles in the schools, poor techer training and inservice practices and disproportionate class size and teacher-student ratios.[12]

It is interesting to note that a significant proportion of juvenile offenders claim to have been punished by their teachers, having been exposed to treatments such as direct physical punishment, writing lines, staying for detention and being required to stand up during a significant amount of class time.[13] The use of corporal punishment is

supposedly outlawed within the regular educational system, though.

There seems to be little doubt that the educational performance of juvenile offenders is often poor (see table 5,6,7,8). While 50% of the offenders surveyed in the "Working Group" study were attending school in 1980 and 37.1% were employed, 13.2% were both unemployed and not attending school. The percentage of offenders belonging to the above category had increased significantly from 1978 (Where it stood at 3.8%).

7.22.4 Peer Relationships and Gang Activity

Clearly, the quality of one's peer relationships also plays a significant role in determining individual propensity to engage in delinquent behavior. Gang activity of course, plays an especially important factor here. Professor Ng discovered for example that

> More delinquents than non-delinquents were found to be making friends on football grounds, in soda shops and cafes and in many other areas where they would be likely to encounter triad members. More frequently the parents of offenders reported that they disapproved of their child's companions and wished for these associations to cease. Also more offenders than non-offenders reported poor relationships with their siblings.[14]

Issues concerning youth participation in triad societies in Hong Kong are extremely controversial. Histroically, the Hong Men, translated into English as triad society, was a Chinese secret society established in the

17th century. As we have previously noted in the introductory portion of this study, there is considerable historical dispute as to whether or not such societies were truly revolutionary. In any event, the term triad society has been popularly if incorrectly associated with criminal gangs of all types in Hong Kong in recent years.

A report of the Hong Kong Discharged Prisoner's Aid Society in 1981, claimed that 7.69% of their survey respondents admitted that they were persuaded or coerced into joining triads, and 24.07% of the students believed that some of their friends were triad society members.[15] It was also reported that 78.38% of the students understood one or more of what would constitute triad jargon and that 5.46% of those questioned would like to join a triad society.[16] The study was criticized for its limited sampling size (3,992 students were questioned but they came from only 18 different schools of all types and levels within Hong Kong), and the inexact methods in which the therm "triad society" were communicated.[17] Nonetheless, as has been mentioned, the number of juvenile crimes involving two or more offenders is significant and it is generally recognized that peer pressure remains an important motivation for committing a criminal act.

7.22.5 Use of Leisure Time

A further ocnsideration is the delinquents' or pre-delinquents' constructive use of leisure time. Dr. Ng discovered that the delinquents surveyed in her study were

more likely to be susceptible to unhealthy as opposed to beneficial leisure time activities.

> The young people under study had two different sets of patterns of free time activities. The offenders were inclined to choose more adventurous activities such as gamnbling, going out with friends and enjoying exciting/sensation provoking/adventurous programs on T.V. On the other hand, the non-offenders participated in more educational activities during their free time. As a group, they were more able to enjoy their homes as a place in which to spend free time, engaging in activities such as reading or listening to music as well as watching television. The non-offenders also were able to enjoy television programs that had more educational material and less sensationalism.[18]

Significant differences between offender and non-offender personal values and attitudes, which of course influence how one will spend his leisure time, have also been noted by Hong Kong authorities and specific offender attitudes are listed in tables (16-17).

7.22.6 Summary

It appears clear that family, school, peer and environmental influences have all been targeted, as having played important roles in contributing to delinquency occurrence in Hong Kong. Almost all of these factors have been previously discussed with respect to the P.R.C. and Taiwan cases as well. Thus, the unique set of preventative and institutional solutions, implemented by the Hong Kong government, while important in and of themselves, take on added interest.

7.3.0 Preventative Solutions

7.3.1 Introduction

The need to prevent delinquency occurrence has been expressed publically by a number of government officials over the past five years and in following the recommendations of the 1981 "Review of the Program Plan on Personal Social Work Among Young People", a Central Coordinating Committee within the Social Services (now retitled the Health and Welfare) Branch, of the Government Secretariat was established. Its aim is to oversee official government efforts in this area. The committee consists of representatives of the Social Welfare and Education Departments, the Hong Kong Council of Social Services, and various agencies involved with the original program plan.[19] However, direct responsibility for the implementation of the government's social welfare programs involving youth lies with the Social Welfare Department.

7.3.2 Social Welfare Department

With the prevention of juvenile delinquency as a general goal, Social Welfare Department (SWD) efforts have been categorized as falling into school social work, family life education, and outreach social work domains.

In 1983, 12 social workers form the department provided services to 50 secondary schools (an increase of 12 schools form 1982) while 4 social workers supported student guidance officers, employed by the Education Department in primary level schools. The SWD additionally gave monetary support

for 16 voluntary agencies which send school social workers to the 409 other secondary schools along with 4 student guidance officers to the other primary schools.[20] It should be noted that a significant degree of tension between social workers and school guidance counselors and other Education Department officials has admittedly occurred in the past.[21] While clear delineations of role responsibility may have contributed to that tension, the SWD's continued commitment to providing its staffing in this area has been demonstrated.

Efforts to promote family life education in 1983 included offering assistance to 14 voluntary agencies who employed 54 family life education workers. In addition, a Family Life Education Resource Center compiles multimedia resources and materials which are lent out to interested parties.[22] In 1981 and 1982, "Adolescent and the Family" theme campaigns were held, where professinally stages performances were performed before the live public as well as on television.[23]

Direct outreach work is implemented by voluntary agencies with the financial assistance of the SWD. Teams of social workers attempt to make contact with those youth who would not normally frequent officially organized youth activities, and their participation is then solicited.

The SWD also conducts research, as to the success of the above mentioned activities and programs. While success

in these matters is often difficult to substantiate, a few points are noteworthy.

Firstly, as the Department openly admits, it is short of needed manpower. Social workers are often overburdened with excessive case loads, unncessarily burdening their efficiency and performance quality. Efforts to rectify this problem include the implementation of a probation officer volunteer program, where volunteer probation officers are responsible for the matching process and for coordinating and exercising oversight over the cases. After six months, a decision is made as to whether or not a specific case should be continued or terminated, as the participating party is directly interviewed about the success of the program. The official probation officer and the volunteer additionally write their own progress assessments.[24] While the program may help to alleviate staffing needs, the desirability of increasing direct professional contact with delinquents and their families is obvious.

A second issue concerns the quality of the outreach programs offered by the SWD. Professor Ng discovered, for example, that for her sample, more offender than non-offender families asked for help from the Department and more offenders than non-offenders participated in youth center activities. However, the quality of their participation did not appear to improve their general attitudes or behaviors."...while some offenders may have been reached by established youth services, as a group they

are less inclined to show interest in community service activities, even though these might hae a significant and positive effect on their immediate environments."[25] Clearly the quality of the outreach contact made with delinquents and pre-delinquents is somewhat suspect.

7.3.3 Education Department

The Education Department has additionally attempted to offer its own set of preventative delinquency solutions. In-service training for primary and secondary level teachers has been expanded so that special education teachers, pursuing a two year course of study at the Sir Robert Black College of Education, are now exposed to a curriculum designed to meet the needs of handicapped children (including those designated as being maladjusted and socially deprived). An increase in teacher-class ratios (from 1.1:1 to 1.2:1) in government and government aided primary schools, which went into effect in September, 1982, was designed to improve the number and quality of remedial teaching opportunities at the primary level. And, similar efforts were initiated at the junior secondary level so as to improve remedial teaching specifically in Chinese and English language coursework, and later, in other subject matter as well. Finally, in 1982-83, instructional methods which promoted "activity learning" at the primary level were actively encouraged by Department Officials.[26]

The promulgation and expansion of moral education within Hong Kong schools has been considered a priority in

further implementing preventative delinquency measures. To that end, the Ethical and Religious Section of the Department's Advisory Inspectorate has now assumed responsibility for encouraging the development or moral education within Hong Kong's regular schools. In April 1981, a "Seminar for the Heads of Secondary Schools on Moral Education" was held, where initial discussions concerning the practical implementation of this subject matter occurred. On the basis of recommendations made at that seminar, a series of guidelines, determined by a working group under the jurisdiction of the Department's Curriculum Development Council were formulated, and in September 1981, a Department official was assigned responsibility for overseeing those guidelinses. By 1983, the Ethical and Religious Section was expanded to include three people.

Departmental moral education guidelines suggest that areas of inquiry should include the self, family life, school life and community life.[27] While the guidelines do not definitely comment upon the advisability of teaching a specific course in moral or ethical education, as opposed to incorporating these principles throughout the normal course of instruction, the objectives of any specific moral education program should include "developing a moral sensibility, character formation and training, encouraging correct attitudes for life, school and the community" and "an appreciation of traditional values".[28]

It should be noted that the diverse nature of schooling in Hong Kong makes it difficult to proscribe curricular priorities in a precise fashion relevant to every constituent need. Government, government-aided and private schools, some of which have specific denominational orientations, coexist with one another, and the Education Department authorities, mindful of that diversity, are loathe to dictate to religious schools what should or should not be construed as moral education. What is of even greatern interest for our purposes though, is that the Ethical and Religious Section of the Education Department maintains jurisdiction over regular primary and secondary school programs only. It does not coordinate its efforts with the Social Welfare Department, whose educational programs are considered to be geared for the "non-educable", and has minimal contact with the Special Education section which operates classes specifically for the "maladjusted and socially deprived".[29]

The Ethical and Religious section does send out questionnaires to determine how the moral education guidelines are practically implemented, and it does carry out a random inspection of schools for the same purpose (in the past), it was pointed out to the author, questions concerning religious education were assigned to history inspectors).

The section has additionally worked with the Independent Campaign Against Corruption in creating "social,

moral programs" in ten pilot schools. And, with the help of representatives from the colony's sxi major religions, 8 lessons which stress the importance of filial piety, loyalty, faithfulness and a respect for basic virtues have been designed. Finally, in 1982, four seminars were held for secondary school teachers, where guest speakers participated and were interviewed; an exhibition of secondary level resources was also held. Approximately 120 teachers participated in each of the seminars.[30]

7.3.4 Voluntary Agencies

7.3.41 Introduction

Hong Kong has a strong tradition of relying upon voluntary agency work to complement the efforts of the government as a means of providing residents with needed social services. Many private agencies and foundations operate programs for the disadvantaged, and government departments, such as SWD or Education, contribute significantly to the funding of these programs. A general trend, whereby the decision-making authority of the voluntary organizations has been coopted by official government channels, as their financial support has commensurately increased, has been noted.[31] Nonetheless, organizations such as the Society of Boys' Centers and the Order of Good Sheperds operate boarding schools for troubled youth, attempting to contribute significantly to delinquency prevention. As the author was allowed access into one of

the Society of Boys' Centers facilities, the programs of that organization will be summarized in some detail.

3.42 Society of Boys' Centers[32]

Originally, the founding members of the Society of Boys' Centers started the Shanghai Street Children's Center in 1952. By 1963, the Society had assumed its current name and had moved to larger quarters on Shing Tak Street, Kowloon. The Center there had a serving capacity for 140 boys. In 1974, a Center at Chak Yan in the Shamshuipo District of Kowloon was opened, serving 160 boys, and in 1978, the Hui Chung Sing Memorial School, providing primary and lower secondary level educational training on a site close to chak Yan, began its operations. Today, the Society operates the Shing Tak and Chak Yan Centers, the Un Chou Hostel (housing 40 youth) and the Hui Ching Sing Memorial School; the educational programs for each of the centers and the school are registerdd by and therefore subject to the supervision from the Special Education Section of the Education Department.

In 1981-82, the majority of the Society's operating funds came from SWD sources ($3,034,576.50 HK), while the Education Department also contribued significantly ($1,631,079.19 HK). Donations from other sources amounted to less than $400,000.00 HK during this period. An annex to the Chak Yan Center, which would allow 90 boys to receive junior secondary level schooling, was being built at the

expense of $4.5 million HK and was funded by the Education Department.

Table (31) diagrams the organizational structure of the Society as a whole and includes the individual internal organizational structures as well. Under the category of class, "p" refers to the primary level and "M" refers to the junior secondary or middle school level. One notes that for the cases of the Shing Tak and Chak Yan Centers, staff members are hired by both the SWD and the Education Department separately. In the Chak Yan case, this led to a bifurcation of work schedules; teachers and social workers had different vacation periods as well as timetables, presenting some degree of administrative difficulty for a small institution providing boarding care services.

Table (32) charts the sources of cases for 1981-82. Referrals by parents (self-application), the Society Welfare Family Services and Probation Divisions, and the Education Department constituted the highest percentages of cases. It is interesting to note that there was a general belief, as explained by the Superintendent of the Chak Yan Center to the author, that many parents sought to place their sons in these facilities only because they had experienced normal frustrations in attempting to discipline their children and wanted to relieve themselves of that responsibility. The allure of enrolling a problem child into a free boarding care facility with the child returning home for the weekend, was perceived to be a significant inducement for parents,

unqualified to receive Chak Yan services, to nevertheless apply for aid. Specific information listing the parental background factors of boys accepted into the Center programs is given in table (34).

The ages and types of problems common amongst Society of Boys Center Youth admitted in 1981-82, are listed in table 33). Poor atitudes toward school, the commission of acts of theft and robbery, and acting beyond the perameters of parental control, were especially prominent problems, experienced by these youth. It is thus important to note that the instances of violent behavior, committed by youth housed at these institutions is quite small and that the boys generally are accepted into the Society institutions at relatively young ages, some being as young as 7 or 8.

Upon looking specifically at the Chak Yan Center educational program, one discovers that it closely parallels that offered at ordinary primary schools in that basic subjects such as Chinese and mathematics are taught on a daily basis. The program differs from typical curriculae in its craft and vocational emphasis. Carpentry, sewing and electrical work were specific classes the author witnessed during his visit. Other classes offered at Chak Yan and its sister institutions include metal works, air conditioning repair, shcemaking and advertisement drawing (commercial art). Unlike most of the courses offered at reformatories in Taiwan and the Mainland, the classes sharply emphasized the mastery of specific vocational skills.

Recreational activities included sports competitions and interest group activities such as chess, stamp collecting, model building, etc. And, youth periodically participate in regionwide tournaments, competitions and other events. Intramural events are held at the Chak Yan Center; various dormitory sections are labelled according to morally virtuous terms and the results of the intersectional competitions are posted.

It should be noted that the author saw considerbale evidence of free play at the Chak Yan Center. Students were friendly and talkative; they did not appear to be watched or observed in an overt sense. Institutinal grounds, while small, appeared to be adequate (the physical plant facility was built in 1974).

However, a number of admitted problems exist. While 80% of the primary and junior secondary level graduates continue with their education (education being compulsory through form 3 for the junior secondary level), students are encouraged to learn vocational skills at an extremely early age, because "Factually speaking, it is a wise decision if our boys should choose working in the industrial program."[33] The programming of youth as young as 7 or 8 into vocational tracks thus reinforces a deterministic set of conclusions concerning their limited intellectual abilities and the possibilities for their future educational success. The use of specific curricular and instructional methods which socialize youth into accepting inferior status

positions upon their entry into the job market is a process which has been commented upon at length with respect to the British case.[34] The Chak Yan example gives some evidence for the phenomenon existing in Hong Kong as well, although under admittedly different circumstances.[35]

Authorities admit that their youth are often hyperactive and restless. Indeed these characteristics often contribute to what is termed "behavioral maladjustment and social deprivation", categories which originate from 1955 British special education regulations. It is unfortunate that specific instructional remedies for such behavior are often lacking or are in need of gross refinement. It was confirmed to the author during his visit, for example, that teachers occasionally hit students with rulers in response to their misbehavior, although as has been noted, the use of corporal punishment is officially prohibited. 9 of Chak Yan's teachers resigned at the end of 1981-82, citing reasons as "Out of my wit to deal with their unruly behavior" and "No job satisfaction."[36] While many of the teachers were young and inexperienced, and in-service training for special education classes such as these was limited in scope, the Education Department policy which has increased funding for remedial teaching within ordinary schhools has had the negative effect of allowing teachers at special schools, such as those operated by the Society of Boys' Centers, to move into easier work environments.

As of 1983, one social worker was alloted for every 70 students housed at Society of Boys Center institutions. To compensate for their heavy case loads, teachers occasionally interview parents and perform supplementary social welfare duties. Yet, problems associated with excessive case loads as well as some feelings of discomforture on the part of the social workers, for being assigned to oa voluntary agency rather than directly to the SWD, continue to exist and are difficult to rectify.

It is apparent though, that in spite of these difficulties, the Society of Boys' Centers performs a number of useful services aimed at stemming delinquency occurrence. At this point though, it is important to analyze specific formal institutional responses to delinquency issues within the colony.

7.4 Institutional Solutions

7.4.1 History and General Background

As has been mentioned, there are five reformatory type institutions operated under the jurisdiction of the Social Welfare Department in Hong Kiong: the Kwun Tong Hostel, the Castle Peak Boys Home, the O Pui Shan Boys Home, the Begonia Road Boys Home and the Ma Tau Wei Girls Home. Each has its own institutional purpose and organizational character. The Kwun Tong Hostel for example, houses 60 youth aged 16-21 who are on probation. They work outside the facility during the day and return at night, although the hostel does not fulfil the role of a detention facility. The Castle Peak and O Pui

Shan Boys Homes are considered to be senior and junior level reformatories respectively; Castle Peak houses youth ages 14-18, O Pui Shan houses youth aged 7-14.

Castle Peak was the first reformatory in the Colony, taken over by the SWD in 1958, after having been previously oprated by the Salvation Army. The Begonia Road Boys Home performs multiple responsibilities as a detention, remand and probation center for troubled youth, while the Ma Tau Mei Girls Home serves as a residential training center for probationers as well as a place of refuge under the Protection of Women and Juvenile Ordinance, and a remand center for females. All of these institutions are relatively small; none hold more than 160 youth at a particular time. A new home was scheduled to open in 1984, to serve probationers under age 14, while plans were also being completed to build an additional facility for females while expanding the physical plant of the Begonia Boys Home and the Castle Peak Boys Home.[37]

Tables (27) and (28) list the admission figures and the nature of offenses committed by youth admitted to the five institutions in 1983. Tables (20) and (21) list the regulations which apply to all reformatory institutions and houses of refuge within the colony. A few points are especially noteworthy. Firstly, with respect to the operations of reformatory institutions, youth must reside in their designated institution from 1-5 years. However, in point of fact, youth are often released before their

sentence. If they violate the terms of their "aftercare status", they are then returned to their home institution on a full-time basis.

Secondly, general provisions are made for nutritional, health related and visitation matters for all of the institutions, and disciplinary procedures, including the recording and punishments are clearly spelled out. Caning, although controlled, is officially allowed. The author was told that there was only one actual instance of caning from 1978-1983, that fact having been mentioned during the visitation to the O Pui Shan junior reformatory.[38] As this was the only visitation which the SWD permitted, that institution will be analyzed in some detail.

7.4.2 O Pui Shan Reformatory

7.4.2.1 Institutional History[39]

The O Pui Shan Boys Home was established in 1969 under the Reform School Ordinance. The Castle Peak Boys Home, which had already been in existence for a lengthy time, could not meet the demand for places, and there was a perceived need to separate older and younger youth. Thus, the decision was made to start O Pui Shan.

7.4.2.2 Organizational Structure

Table (37) diagrams the organizational structure of the facility. In addition to the staff mentioned in table (37), a clinical psychologist from the SWD visits twice a month in the afternoons to carry out testing.

The assistance social worker officer (at O Pui Shan, he has full-time status) stores all cases and case records. Two headmasters per house manage the five dormitory residences and also take responsibility for managing the youth's pocket money while administering home leave requests.

In addition to the ten housemasters, 4 teachers, two of whom are actually certificated, teach the majority of the classes. All four of the teachers received their B.A. degree, though. The aftercare unit, which serves both O Pui Shan and the Castle Peak Boys Home, includes three aftercare officers and one supervisor.

Official examiners, appointed by the juvenile courts, make monthly visitations and their recommendations are shared with the staff. In one instance, offered as being typical, the allowance money issued to the boys was increased as a result of their recommendations.

The Special Education Department gives advice when it is requested to do so. And, upon the recommendation from an external expert from the United Kingdom, a senior officer from the Education Department was seconded to the SWD to conduct a review of trhe reformatories' curricular and instructional programs. That review, begun in September 1982, was completed in April, 1983. However, since the reformatory is operated under direct jurisdiction of the SWD, the degree of involvement of the Special Education Department has not been extensive.

7.4.2.3 Rules and Regulations

As of January 14, 1983, 71 boys resided at the O Pui Shan Boys Home and 23 were on placement leave under the care of an aftercare officer. In this case, they attended the institution during the day and went home at night.

While the facility has a holding capacity for 140 youth in 1980, an external examiner from the United Kingdom determined that no more than 70-90 boys could receive beneficial training and treatment by participating inthe O Pui Shan program. The examiner made preliminary and follow-up visits within the span of six months, and his recommendations have largely been followed.

Originally, it was thought that a 21 month stay was desirable before discharge; later the average length of full-time stay was shortened to 18 months and by 1983, the average length of stay had been shorteend to 14 months. Students are graded according to their progress; if marks are deducted, a student's length of stay is increased.

Student progress is determined according to staff recommendation, and the boys' progress is specifically graded according to four categories. Initially, boys are placed into category 1 where they learn to adjust to institutional rules and environment. While this category usually lasts for 3 months, the adjustment is slower for youth with severe problems.

The second category, which lasts for 4 months on average, is labelled problems solving. According to the

superintendent, the boys at this stage become aware of their own problems, a pre-condition to the effecting of their successful resolution.

Category three, which also lasts for 4 months, stresses security and confidence development, while category 4, lasting for an additional 4 months, seeks to prepare the youth for reintegrationn with the family and the community.

A fifth category, labelled readjustment, occurs when youth are under the official custody of aftercare officers. These officers beging to build a relationship with the boys after their completion of grade 2, but before their release is immediately pending.

It should be mentioned that allowance and pocket money is allotted according to one's grade. Grade 1 boys receive 50 cents a week, grade 2 boys 60 cent, grade 3 70 cents, and grade 4, 80 cents per week.

7.4.2.4 Daily Program

On the first day of admission, the offending youth will relinquisn his personal goods and effects for storage or will release them to other family members for safe keeping. He will then meet the institution's social worker for a half hour visit. The head of the school unit will then decide which class level he should enter on the basis of his educational attainment, documented in the probationer's report.

Classes are divided into junior (primary 1 and 2), intermediate (Primary 3 and 4), senior (primary 4 and 5)

and special class, (junior secondary forms 1 and 2) levels. The actual academic subjects taught, number of sessions offered per week and the number of weekly insructional hours pursued are listed in table (37), and a daily schedule is listed in table (36). For the most part, academic subjects are taught in the morning and vocational subjects are taught in the afternoon (or visa versa). Those vocational subjects which are offered include carpentry, metal work and electrical repair. While the average class size for academic classes is 15-20 students, vocational classes contain no more than 12 students per section.

If youth are released before age 15, then they are required to attend school and the aftercare officer will help facilitate the youth's school placement. Parents can additionally attempt to make individual arrangements with specific schools (hoping to negotiate entrance into a school with a good reputation). In any event, thre were no statistics made available which documented where O Pui Shan youth completed their education after leaving the institution. Nonetheless, it was the prevailing opinion of SWD authorities that almost all of the youth who decided to continue their studies, would do so in a special education school or program (as opposed to enrolling in a regular curricular program). When youth are above age 15, the aftercare officers attempt to find suitable employment opportunities for them.

7.4.2.5 Extra-Curricular Activities

In addition to academic and vocational training, a number of extra-curricular activities are offered to the youth. They include ball games, films and shows, television, chess, swimming, and camping. Interest groups which meet nightly participate in activities which include scouts, Duke of Eidnborough activities, harmonica, flute, photography, drawing, ping pong, horticulture, string design, football and handicrafts.

Normal house activities include individual counseling, group discussion, moral education lectures, letter writing, porject planning and reading. In addition, occasional cultural visits and intra and interschool competitions are oganized. Social activities include community service work, evening gatherings, dances and parties.

7.4.2.6 Equipment, Physical Plant and Maintenance

There are six beds per room in each of the five dormitory sections. And, in addition to dormitory space, facilities include a kitchen, business offices, classrooms, a play area, an infirmiry and an assembly hall which is used for parental visitations and group meetings. Offenders can keep some personal effects in their rooms (presumably those obtained during their stay) such as cassette radios and recorders. While all chores are determined by the housemaster, the chief is occasionally assigned student helpers, who aid in food preparation.

7.4.2.7 Institutional Culture

Boys who reside at O Pui Shan are given uniforms, but the uniforms are unnumbered. The youths' names are stitched onto the inside section of the clothing. Barbers give haircuts once a week to approximately 15 boys a day, so everyone receives a haircut once a month, but not at the same time. There is no fingerprinting at the facility.

No drug problem of any kind was admitted to have existed. But, the existence of triad activity was admitted, and students were prohibited from uttering triad slogans or names, or practice triad rituals in the presence of teachers or other boys. Nonetheless, 90% of the boys are associated with or claim association with triad members. "Following one's older brother" and "handling the blue lantern" (going along with the crowd) are common phenomena, but the percentage of boys who are seriously involved in triad activity at this relatively young age was not readily determined.

Some tatooing did exist at O Pui Shan, but it was treated as being less serious than was the case with Taiwan authorities. Basically, tatooing was considered by the boys themselves to be a "fun" activity, and was often mutually performed by friends or acquaintenaces in an unprofessional manner.

Informal observationn indicated that O Pui Shan's institutional atmosphere was basically non-restrictive, much like that of the Chak Yan Center in that some spontanaiety

of behavior on the part of the residing youth was clearly in evidence.

7.4.2.8 Extra-Institutional Relations

Parents are allowed to meet with the children on "visiting day" which is the Thursday of each week. They attend a conference where they social welfare officer and the youth's teacher report his progress. 60-70% of the parents make regular visits and special arrngements can be made with official approval, so that parents can visit on Saturdays or Sundays, if they visiting day schedule is inconvenient. If parents fail to regularly visit their children, arrangements are made so that the boys will go home for a visit, to be accompanied by a staff member. As was previously mentioned, conferences are conducted at the assembly hall and parents often bring food for their children during these occasions.

7.4.2.9 Punishment and Discipline

It was claimed that no physical punishment of any kind was practiced at the institution. Instead, punishment consisted of restricting one's privileges or placing the unruly youth in a meditation room (solitary confinement). This treatment usually lasts for one day or one afternoon. By law, the maximum length of time a youth can spend in the "meditation room" is seven days. Magazines and newspaperss are available within the room. However, the door to the room remains locked at all times; the youth so incarcerated can ring a bell if he is in need of further assistance.

It was admitted that approximately one or two youth escaped per month (not an insignificant number given the relatively small size of the offender population). Usually, those who escape, don't return. If they do, they lose their privileges for two months or have their length of stay increased for an extra two months time.

The recidivism rate, based upon a follow-up study conducted three years after the youth's release was estimated to average 25% (the exact study was not made available to the author).

7.4.2.10 Summary

It would be safe to conclude that the O Pui Shan reformatory is representative of an institution which successfully disguises the authoritarianism of its governing procedures. This is accomplished in part by offering the residing youth a number of renumerative rewards in return for their cooperation; they can participate in special interest activities, interschool competitions, field trips as well as receive small amounts of allowance money. Indeed, punishment in the general sense is defined in terms of restricting previously granted privileges. The successful disguise of institutional authority is also accomplished through the use of specific nomenclature. Solitary confinement is defined as spending time in a "meditation room", admitting or confessing to one's personality faults is associated with "problem solving". While youth are required to wear uniforms, get haircuts and

attend moral education lectures, the procedures pursuant to these policies are generally benign and non-obtrusive. Indeed, the small size of the institution and the relatively young age of its residents allow for some spontaneity and free play on the part of the offenders.

Nonetheless, there are limits upon which institutional authority can be so masked. A good example is the question of triad slogans and rituals. The official response to the uttering of such statements or the practicing of such rituals is simply one of forbidding their continuance. The issue is considered important enough to deserve the full weight of official authority in order to effect an immediate solution, the effectiveness of which is very questionable.

Generally though, O Pui Shan's administrative procedures appear to be less overtly authoritarian or punitive than those of the other institutions analyzed in this study. A number of factors may contribute to that fact. Firstly, as has been noted, the age of the offenders sent to O Pui Shan is young. Whether or not actual procedures are the same at the Castle Peak Boys Home or the Begonia Road Boys Home is an issue whose answer is unknown. Secondly, as the population of offenders within these reformatory type institutions has decreased and as the de-institutionalization of offenders through various probationary schemes has become more popular, there may be parallel pressures to change the popular perception of the reformatory as constituting a restrictive and authoritarian

setting. The author was informed, for example, that some parents preferred the voluntary operated institutions such as the Chak Yan Boys Center, becuase they still adhered to the "feudal" belief that government-operated institutions were no better than prisons.[40] In point of fact, Chak Yan and O Pui Shan were quite similar in terms of program contents and general institutional style. The attempt to redefine public perceptions of SWD operated reformatories may have some influence upon their policies.

Finally, the SWD is in competition with the Correctional Affairs Department in the sense that both departments are assigned responsibilities related to the rehabilitation of offenders. Correctional Affairs Department institutions hosue generally older, more dangerous offenders, but issues concerning the respective recidivism rates amongst released offenders as well as typical interdepartmental jealousies can be presumed to play perhaps some role in defining administrative style according to a specific sec of terms.[41]

7.4.2.11 Policy Change

For each of the reformatory institutions analyzed in this study, an attempt has been made to analyze at least one instance of policy change effecting the scrutinized institution. For the O Pui Shan case, the most interesting instance of policy change involves the role of the external examiner, sent from the United Kingdom. On the basis of the examiner's initial visit and follow up visit six months

later, an official from the Special Education section of the Education Department was seconded to the SWD, with the purpose of evaluating the quality of curricular and instructional programs at the two reformatories. In fact, quality of instructional program has remained inconsistent for a number of reasons.

As of 1983, it was the superintendent who ordered textbooks for the educational program at the O Pui Shan facility, even though his previous background was that of a social welfare officer, not that of a professional educator. In addition, two of the four teachers at the facility did not have official teaching credentials. Staff turnover was less of a problem at O Pui Shan than at the Chak Yan Boys Center, but only because the teachers didn't have the qualifications or the expertise to find employment in regular schools. Nonetheless, because O Pui Shan lies outside of the jurisdiction of the Special Education section of the Education Department, its staff members were not eligibile to receive in-service training or use the resources of the Department to improve their program. Thus, it would be to O Pui Shan's advantage to have closer ties with the Special Education section and it can be assumed that the external examiner's recommendation, based upon information provided by SWD officials as well as his own visitation, was congruent with the articulated needs of the reformatory staff. Having a Special Education officer seconded to the SWD can be construed as constituting a first

step in increasing the Education Department's official role in overseeing the educational components at Social Welfare Department operated institutions. It appears clear that for the Hong Kong case, overspecialization of bureaucratic function serves to sharply define and limit the scope of interagency cooperation and collective responsibility. The need to use an external examiner to argue one's case, demonstrates the lengths to which officials must proceed if policy change is to be implemented successfully on an interdepartmental basis. At the same time, the role of an external examiner can be effectively used to allow the competing factions to save face, once a decision is made involving both parties.

7.5.0 Summary

7.5.1 First Hypothesis

The initial hypothesis of this study claimed that reformatory institutions serve to stigmatize both offenders and their family members, usurping responsibilities traditionally reserved for the family. It must be concluded that there is no direct evidence of such stigmatization occurring either amongst offenders or their family members for the Hong Kong case. Within the context of severely restricted accessibility, the author found those institutionalized youth who were observed, to be generally well treated. Lines of communication between parents and institutional authorities, especially with respect to

visitation and access issues, also appeared to be direct, at least with respect to officially stated policy.

There was some fragmentary and indirect evidence of offender and family stigmatization though. For the institutionalized youth, who generally perceives parental expectations of his own educational ability to be high, institutionalization creates exposure to a strong vocationally oriented program. As the Chak Yan authorities indicated, career preparation in these areas provides these youth with a realistic program which matches their interests and abilities. Vocational streaming at age 7 or 8 though, does communicate a series of messages about a child's perceived intellectual ability and capacity; since such streaming does not begin at that age for the ordinary Hong Kong child, its potentially stigmatizing impact for both parent and child has to be recognized as constituting a legitimate possibility.

It should be further recalled that corporal punishment (through hitting the child with a ruler on the hand) was admitted to exist at the Chak Yan Center, in spite of official pronouncements which claim that the practice is not usually allowed in regular schools, and is only infrequently used in reformatories. Since juvenile offenders generally claim that they are subjected to harsh disciplinary procedure more often than is true of non-offenders, the possibility that such caning contributes to the pre-delinquent's sense of stigmatization must also be

recognized. A similar case may be made for the use of solitary confinement procedures at O Pui Shan, if used on extremely young children.

No corporal punishment was admitted or was observed to have occurred at the O Pui Shan reformatory. Yet it also was stated that there is a continued popular perception that reformatories operate like prisons. This is in spite of the fact that the educational program and general institutional atmosphere of O Pui Shan paralleled that of the Chak Yan Boys Center, which was officially operated under voluntary auspices. As has been noted, the Social Welfare Department makes strong efforts to involve the community in its volunteer probation scheme, and to sponsor enriching recreational experiences for youth in danger of becoming delinquent. The fact that popular and widespread misperceptions continue to exist in spite of these efforts may indicate that the basic process of forceably separating children from their family members continues to be met with mistrust, regardless of the degree to which such efforts are implemented through the use of humanistic methods.[42]

It should be reiterated though, that the evidence gathered supporting the contention that offenders and their families are stigmatized is fragmentary, impressionistic and inconclusive. For that reason, the initial hypothesis of the study cannot be upheld for the Hong Kong case.

7.5.2 Second Hypothesis

The second hypothesis of the study argues that if one looks broadly at the nature of the juvenile delinquency problem, as articulated by the scholars and officials conducting research in the field, and then observes the institutional solutions as implemented by the responsible agencies, the solutions will fail to rationally address the expressed needs requiring resolution.

While there is considerable evidence supporting this hypothesis for the Hong Kong case, generally the Social Welfare Department, in its operation of probation, after care, voluntary agencies and official reformatory institutions addresses the major concerns expressed by delinquency researchers. Attempts are made to counsel families who house delinquents, provide enriching activities to pre-delinquent youth and facilitate the reintegration of delinquents into the society, once their institutionalization has been completed. And, the Education Department too has taken steps to strengthen moral and special education programs, provide students with greater remedial and support services, while slightly reducing class size and teacher-student ratios. Nonetheless, when one looks at specific policies, positive accolades become more difficult to substantiate.

Although voluntary agencies such as the Society of Boys' Centers receive most of their funding from government agencies, it is difficult to understand why staff members would work according to completely different daily and

vacation schedules, simply because of their original departmental affiliation.

And, there appears to be no adequate explanation from the point of view of the welfare of the children themselves, as to why a boy residing at the Chak Yan Center should have the advantage of being taught by a trained teacher while a boy residing at O Pui Shan might not have the same opportunity. In a similar vein, it is difficult to understand why those few teachers who were professionally certificated and taught at O Pui Shan, would not have the same opportunities as their Chak Yan counterparts in terms of attending workshops and inservices, and receive training and support from the Special Education Department.

One would additionally think that it would be productive for all children to receive similar opportunities with respect to their exposure to moral education methods, curriculae and training, regardless of the type of institution they attend. The lack of coordination between moral education officials, Special Education and SWD officers, and reformatory administrators appears to be strikingly disadvantageouys to the needs of the targeted youth.

It is difficult to determine whether or not official reluctance in offering the author specific data concerning offender family background and SES information at O Pui Shan was due to a specific departmental policy or a general penchant for secrecy in this area. Of perhaps greater

importance was the inability of officials to offer data concerning the educational progress of institutionized youth once they left O Pui Shan. Since arrangements for continuing one's education can be made by the aftercare workers, or by the parents themselves, who eventually winds up where within the educational ladder is difficult to determine. The Special Education section was additionally unable to trace with precision what happened to graduating O Pui Shan youth. Such information, if it is indeed lacking to even the Hong Kong authorities themselves, would seriously undermine objective efforts to assess the total worth of reformatory educational programs.

It has been previously noted that the terms under which the Special Education section defines behavioral maladjustment and social deprivation are borrowed from a 1955 British ordinance. In an area which is overwhelmingly Cantonese, the desireability of making such determinations according to criteria which would more closely reflect cultural expectations is obvious. The fact that Education Department researchers have made considerable progress in constructing a culturally sensitive intelligence test,[43] would seem to indicate that authorities are not blinded to the ethnic and cultural realities of Hong Kong, but have not yet seen fit to reevaluate behavioral maladjustment and social deprivation categories in these lights.

While one would expect that the programs offered at SWD operated reformatories would be less overtly authoritarian

than those run by the Correctional Services Department, there is some doubt as to whether or not youth residing at any of the institutions operated at either of the Departments acquire a significant sense of personal responsibility for their actions. In a Hong Kong University study, surveying attitudes of offenders residing at a number of representative correctional institutions within the colony, a prevailing sentiment was one of associating the correctness of an action with the seriousness of the negative consequences.[44] Thus, renumerative reward systems as were in evidence at the O Pui Shan facility may not produce their desired effects.

Finally, it should be reiterated that in Hong Kong, administrative bureaucratic terrain is rigidly marked and boundary disputes are occasionally difficult to reconcile. Relying upon an external examiner from the United Kingdom to make a case for greater official involvement in the instructional programming within reformatories, demonstrates the difficulties officials face in establishing clear lines of communication between different agencies. For these reasons, one can conclude that the second hypothesis of the study is largely confirmed with respect to the Hong Kong case.

7.5.3 Third Hypothesis

The third hypothesis of the study argues that formal educational organizations play a minor role in educating delinquent youth. For the Hong Kong case, this is partially

true. The Special Education section operates a number of schools and programs for youth judged to be behaviorally maladjusted and socially deprived; it contributes specifically to voluntary agencies such as the Society of Boys Centers both by offering materials and staffing and giving financial support.

The Moral Education group seeks to increase general sensitivity to moral educational concerns within regular schools, while efforts have been made to reduce class size, increase inservice training and provide more remedial assistance for slow learners. These are all potentially positive policies aimed at least in part in reducing delinquency occurrence.

Nonetheless, as has been mentioned, there are significant limits upon the Education Department's active and direct involvement in the operations of reformatory education programs. Whether that involvement will increase as a result of the United Kingdom external examiner's report remains to be seen. In any event, the third hypothesis is at least partially confirmed.

Notes (Chapter 7)

[1]General information concerning the governing structure of Hong Kong can be found in the annual yearbooks published by the government. See, for instance, Melinda J. Parson, editor, Hong Kong: 1983, A Review of 1982, (Hong Kong Government, 1983), pp. 125-134, 252-256.

[2]Specific regulations governing the operation of reformatories and the determination as to who constitutes a juvenile offender were originally established in Chapters 225 and 226 of Ordinance #6 of 1932, revised in 1977. The revised editions of these regulations are listed in tables (20) and (21).

[3]See Crime and Its Victims in Hong Kong, 1981: A Report on the Crime Victimization Survey Conducted in January 1982 by the Census and Statistics Department, Hong Kong Government, (Hong Kong Census and Statistics Department under the auspices of the Fight Crime Committee, 1982), pp. 5-6. Table (1) is taken from the Hong Kong Annual Digest of Statistics, 1982 edition, pp. 224-226.

[4]The statistics come from the Report of the Working Group on Juvenile Crime, (Hong Kong Government, 1981), pp. 6-12, and appendix 5.9.

[5]See Agnes Ng Mung-Chan, Family Relationships and Delinquent Behavior, unpublished DSW thesis, Columbia University School of Social Work, 1980, p. 45.

[6]Working Group, pp. 75-76.

[7]Working Group, p. 76.

[8]Working Group, p. 68.

[9]Working Group, pp. 72-73.

[10]Working Group, pp. 212-213, 139-150.

[11]Working Group, pp. 139-143.

[12]Working Group, p. 144.

[13] Working Group, p. 83.

[14] Professor Agnes Ng, p. 69.

[15] Hong Kong Discharged Prisoners Aid Society, Triad Influences in Schools, March, 1981, p. 7.

[16] Hong Kong Discharged Prisoners . . . ., p. 7.

[17] Working Group, p. 151.

[18] Professor Agnes Ng, p. 57.

[19] J.W. Chambers, Hong Kong Annual Departmental Report by the Director of Social Welfare for the Financial Year 1982-83, (Hong Kong, 1983), p. 20.

[20] Hong Kong Annual Report by Director of Social Welfare, p. 21.

[21] See for example, Jean M. Robertson, "The Partnership of the Social Worker and the School Teacher in School Social Work Programmes", in Peter Hodge, editor, Community Problems and Social Work in Southeast Asia, (Hong Kong University Press, Hong Kong, 1980), pp. 135-148, especially 146-148.

[22] Hong Kong Annual Report by Director of Social Welfare, p. 21.

[23] Ibid, p. 21.

[24] See Divisional Exhibition, Special Issue: 1977, Probation and Corrections Division, Social Welfare Department, p. 2; specific details were provided during interview on January 14, 1983.

[25] Professor Ng, p. 73.

[26] For details, see Haye, C.H., Education Department Annual Summary 1982-1983, (Hong Kong, 1984), pp. 5-7.

[27] See Hong Kong Education Department, General Guidelines on Moral Education in Schools, (September, 1981), pp. 1-5.

[23] See General Guidelines, p. 7.

[29]Interview on January 5, 1983 with members of Ethical and Religious Section of Advisory Inspectorate Office of Education Department.

[30]Interview with Ethical and Religions Section...

[31]Ambrose Yeo-ch King, "Administrative Absorption of Politics in Hong Kong: Emphasis on the Grass Roots Level", Asian Survey, May, 1975, Volume VII, #5, pp. 422-439.

[32]The following information on the Society of Boys' Centers, is derived from the organization's 1981-1982 Annual Report; a visit to the Chak Yan Center was conducted on January 7, 1983.

[33]Society of Boys' Centers, Annual Report: 1981-82.

[34]See Basil Bernstein, Class, Codes and Control, London, Routledge and Kagen Paul, 1975. Bernstein claims that in the British case, invisible pedagogy is reinforced through weak classification and framing procedures with respect to curriculum, as well as with the teacher exercising implicit rather than explicit control.

[35]For the Hong Kong case, the cirricular framing and classification systems are clear; subject areas have definite boundaries and contours. But attempts are made to exert implicit rather than explicit teacher authority over the young juveniles. In the Mainland and Taiwan cases though, the framing and classification systems are weak but the authority expressed over juvenile offenders is quite explicit. All three instances though, attempt to socialize youth into jobs which are at the lower end of the status scale.

[36]Society of Boys' Centers Annual Report, 1981-82.

[37]See Hong Kong Annual Department Report by Director of Social Welfare, pp. 31-33; Divisional Exhibition, 1977..., especially pp. 14-27.

[38]Visitation conducted on January 14, 1983.

[39]This is taken from Divisional Exhibition, 1977..., pp. 14-16 and interview notes.

[40]Interview with Superintendent of O Pui Shan and Social Welfare Department Assistant Director of Operations conducted on January 14, 1983.

[41]The author was told during the January 14th interview that the Correctional Services Department had better recidivism statistics for its offenders than did the Social Welfare Department, but that they computed recidivism over a shorter period of time, making their statistics less accurate.

[42]In the North American context, with respect to the issue of mental illness, a general pattern of familial response has been noted prior to the admission of a patient to an institutional facility. The Chinese families in general, experienced (1) "exclusive intrafamilial coping, (2) inclusion of certain trusted outsiders to the intrafamilial attempt at coping, (3) consultation with outside agencies . . . while keeping the patient at home, (4) labeling of mental illness and subsequent series of hospitalizations, and (5) scapegoating and rejection" (of the patient). Taken from Tsung-Yi Lin and Mei-Chen Lin, "Love, Denial and Rejection: Responses of Chinese Families to Mental Illness", in Arthur Kleinman and Tsung-yi Lin, ed., Normative and Abnormal Behavior in Chinese Culture, Reidel, Rortrecht, Holland, Vol. 2, 1981, pp. 387-400, particularly p. 394.

[43]Haye, C.H., p. 7.

[44]See Mildred McCoy and Erik Kvan, Attitudes Toward Punishment: A Repertory Grid Study of Young Offenders in Hong Kong, Center for Asian Studies, University of Hong Kong, 1979.

Conclusion to the Study

A basic assumption of this study is that a core set of traditional normative values and behaviors, of intrinsic importance to Chinese culture, continue to be shared in varying degrees by the constituents of each of the regions scrutinized. It is not surprising for example, that the quality of family relationships or the success of specific educational policies, both of which were historically significant in traditional China, are offered as causal explanations in the negative sense, for the growth of juvenile delinquency. In a similar vein, the existence of gang activity in the P.R.C., Taiwan and Hong Kong, must be observed within a historical context where secret societies during and after the Ming dynasty became prolific in urban as well as in rural areas, and continued to exist during the Republican Era.

The patrimonial nature of traditional Chinese bureaucracy has also been noted, and it has been observed with particular respect to the organizational relationships encompassing reformatory operations in Mainland China and Taiwan, creeping professionalization is occurring.[1] Calls to replace party officials with professionals or at least raise their educational levels while systematizing and regulating institutional procedures, can be heard on both sides of the Straits of Taiwan. Indeed, it is not surprising that officials in each area independently yet

readily look to Japan as a model worthy of study and perhaps emulation.[2] The professionalization of the Hong Kong bureaucracy, strongly influenced by British forces, is a separate occurrence worth remembering.

Finally, we noted that law was irregularly yet coercively enforced in traditional China, as it was expected that nonformal means of adjudicating disputes, according to clan rules would be frequently utilized. The three areas investigated in this study now rely upon their own legal systems to adjudicate serious disputes. Yet with the possible exception of Hong Kong, law continues to be associated with the coercive methods with which it is enforced. Although the continued adherence to a number of traditionally held values remains clearly in evidence, the significant differences within each of the regions analyzed deserve to be reiterated.

While the family unit remains strong, perhaps stronger in the P.R.C. than in Taiwan or Hong Kong, where the effects of successful industrial modernization have been clearly experienced for a number of years, the family structure in the P.R.C. is subjected to a number of cross-pressures directly related to the country's contemporary political and social system. The legacy of mass mobilization with its ensuing artificial manufacture of social deviance and the general importance attached to the work unit and the street committee, have served to diminish the importance of the family unit as the solitary structure worthy of singular

affiliation and loyalty. Severe restrictions placed upon physical and geographical mobility, not to mention the government directed employment allocation process, further serve to make a closed society with few opportunities for upward social mobility, even more constricting. And, when youth are found to publically error, the implications for their relatives as well as for the subjects in question are often dire.

The People's Republic of China is the one area of the study surveyed, that has experienced as cataclysmic a series of events as the Cultural Revolution, and has only recently reinstituted a legal system. It is thus not surprising that a fundamental adherence to legal process remains difficult to enforce. Shortly after the author's stay in Guangzhou for example, a nationwide anti-crime campaign was initiated, where alleged criminals, many of whom were youth, were quickly rounded up, tried, convicted and punished; many were executed outright.[3] The traditional view of law as being a coercive necessary evil, continues to be operative within the P.R.C.

While the government of Taiwan does not subject its residents to the same degree of political control that is in evidence in the P.R.C., it nevertheless operates an authoritarian political system, where law continues to be enforced in coercive terms. The external threat by the People's Republic of China may serve to rationalize such authoritarianism, but its existence is nonetheless

significant. Indeed, one of the more surprising findings of this study is the degree to which the reformatories within both the Mainland and Taiwan adhere to similar administrative styles and follow similar policies.

The Hong Kong case stands out from the other two because its colonial legacy is so apparent, from the nature of the Hong Kong bureaucratic and legal system, to the very terms which are used to define behavioral maladjustment and social deprivation. Specific juvenile court practices also mirror their British counterparts to a large degree.

With specific respect to the nature of the delinquency issues as defined by the three areas scrutinized, there are a number of broad similarities as well as some important differences which each region shares. Reference has been previously made to the importance attached to family relationships, educational policies and gang activity as contributing factors, responsible for delinquency occurrence.

In Taiwan, Hong Kong and the People's Republic of China, the available evidence suggests that family background issues, such as parental SES and family size are important indicators of potential delinquency behavior, but are less important than the quality of parent-child relationships themselves. The family income levels for delinquent families in both the P.R.C. and Taiwan, for example, while low, are not always at the lowest end of the scale. Family size is additionally considered to be less

important than the quality of the parent-child relationship, although in the P.R.C. and in Taiwan, some evidence suggests that the larger the age gap between parent and child, the grater the likelihood that the child will engage in deviant activity. The specific problem of the single child, dotted upon by parents and grandparents, appears to be a nascent problem in the P.R.C. but cannot yet be considered a sufficient explanatory device for current delinquency occurrence.

Finally, the P.R.C. is the only area studied where family background is directly and causally linked to juvenile delinquency. The claim that a significant number of children of those imprisoned (during the Cultural Revolution or afterwards) have become delinquent, either because of the absence of or the forced separation from one or more family members, has not been as vigorously articulated for the Taiwan and Hong Kong cases. While the general problems affecting broken families of all types have been raised in all three regions, the charge that delinquents parrot the negative behavior of their parents is vociferously expressed in the Mainland instance only.

It has been previously noted that not only has education played an important role in traditional Chinese society, but that contemporary edeucational systems in Taiwan, the Mainland and Hong Kong continue to perform similar functions. Education is compulsory in each of the areas through the middle school years (at least in the

official sense); each system can be categorized as being hierarchical, and the pressures to succeed academically increase at the higher ends of the educational ladder, as the respective pyramids sharpen their end points. In addition, delinquents in each region generally perform below average in school, and truancy is a problem, especially prevalent amongst delinquents in Taiwan and the Mainland. Hyperactivity and behavioral maladjustment are charactristics attributed to Hong Kong youth, who do poorly in school and exhibit deviancy characteristics. For the Taiwan case, educational factors are considered to be less important than other considerations attributed to delinquency growth. Nonetheless, they are recognized as having some significance.

The existence of gang activity in each of the three areas has also been noted. For each of the regions, it appears that the degree of organizational tighthness or rigidity increases as the participating youth gets older.[4]

For the Taiwan and P.R.C. cases, the existence of gangs within reformatory institutions has been admitted. The fact that the reformatory or labor camp has acted as a forum for crating and initiating gang activity on the part of heretofore unassociated youth is a specific self-criticism made in the Mainland.[5]

For the Taiwan and Hong Kong cases, informal associations with gangs appear to be common rites of passage occurrences, especially for younger youth. Elaborate and

extensive rituals such as tatooing appear to be especially prevalent in Taiwan.

The connection between the workplace and delinquency occurrence is most direct in the Mainland and less so in Taiwan and Hong Kong. Youth unemployment is a national problem in the People's Republic, while it is not recognized as being such in the other two areas. Nonetheless, the existence of and possibility for employment discrimination to occur because or prior delinquency involvement has been admitted in both Taiwan and the Mainland.

Incidences of drug use and possession appear to be more serious in Taiwan and perhaps Hong Kong than in the P.R.C., although younger delinquents in Hong Kong did not appear to be strong or frequent abusers.

Finally, the three regions view delinquents' psychological and emotional attitudes in roughly similar terms. For each case, there is a general awareness that delinquency usually manifests itself during the adolescent stage of development, a time period when specific age related desires and needs are often expressed. Mainland scholars admit that adolescence is not only a confusing period, but that such confusion often leads to the worship of false heroes and authority figures. Taiwanese research points to a signficant degree of mistrusfulness on the part of delinquents, as especially expressed toward parental figures. For each region, there is a general assumption that delinquents are less intelligent than their average

counterparts, as evidenced by their poor academic performance, and it is assumed that they additionally lack the self-discipline necessary for the successful resolution of their inner conflicts. The P.R.C. reference to plasticity as a personality trait, characteristic of many delinquent youth, would probably be shared by Taiwan and Hong Kong observers as well. Finally, the categorization of female sexual promiscuity, as constituting deviant behavior, is a determination which the three regions together share. It, interestingly enough, has historical precedent in the United States context as well.[6]

It should not be surprising that in general terms, the nature and scope of criminal activity is similar for the three areas surveyed. To be sure, the lack of contact with western popular culture has created conditions whereby youth who wear certain dress or listen to western music have been criticized in the Mainland; expressing similar sentiments in Taiwan or Hong Kong would not provoke the same reaction. And, as has been mentioned, the artificial manufacture of deviance, often for politically expedient purposes, has occurred in a more overt fashion in the P.R.C. than in Hong Kong or Taiwan. Nevertheless, youth offenses in all three areas share important characteristics. More often than not, such offenses are property and theft related as opposed to being directly violent. Few of the youthful offenders who wind up incarcerated in reformatories actually commit murder, rape or arson. A significant number, especially in

the P.R.C., are found guilty of committing aggravated assault and hooliganism type crimes though. There appears to be less actual crime in each of the areas than in the United States, although legitimate questions arise as to the accuracy of the data collected.[7] And, females constitute a small proportion of those juveniles charged with committing delinquency offenses within each of the areas surveyed.

It appears that delinquency remains basically an urban phenomenon in Hong Kong, Taiwan and the Mainland, although impressionistic evidence supports the contention that significant rural crime involving youth does occur in the P.R.C. For the Taiwan case, the problem of rural youth, moving to urban areas for employment purposes, creates a de-rootedness attributed to some delinquency occurrence. The more general problem of instilling a sense of factory discipline onto inexperienced young workers is admittedly existent in the People's Republic.

The single most important distinguishing factor worthy of consideration is that a much larger percentage of the total criminal population are juveniles in the Mainland than is the case in Hong Kong or Taiwan. This, to some degree can be explained by the peculiar demographic situation in the People's Republic, whereby the country is coping with its own baby boom generation, conceived during the late 1960's. Youthful resistance to attempts to reassert political and social control within the street committee,

school and work place in the aftermath of the Cultural Revolution, may account for part of this phenomenon, especially when it is recalled that popular perceptions maintain that domestic violence increasing during the Cultural Revolution Era.[8]

A second area where the P.R.C. situation appears to be at some variance with its counterparts concerns the frequency of joint offenses committed. More crime is committed by groups of youth in the P.R.C. than in Hong Kong and Taiwan. While formal gang organizations exist in all three regions, the joint offense, where two or more youth engage in the same criminal act, is especially prevalent in the People's Republic.

How similar are the institutional responses to these sets of issues? Given their common historical legacy, it is not surprising that Mainland and Taiwanese reformatories share a number of common features. Unlike the work study schools or work-study classes, officially designated reformatories in the P.R.C. as well as in Taiwan are large, normative-coercive type institutions which are basically operated as prisons or labor camps. It should be reiterated that the author saw no evidence of malnourishment, torture, or the physical abuse of children (with the possible exception of the Taoyuan Juvenile Training Institute in Taiwan, where offenders were placed in leg irons). The inmates in both the Mainland and Taiwan reformatories appeared to be well fed and clothed; each of the

institutional facilities were clean and well kept. However, the inmates' schedule of activities, their compliance with expected ritualized institutional behavior, from the wearing of uniforms to the issuance of compulsory haircuts and fingerprinting, along with the institutions' own organizational structures, closely parallel that of prisons and labor camps within the respective areas.

The work experiences performed by reformatory inmates in Taiwan and the Mainland emphasized general rather than specific vocational training, and closely paralleled the work experiences described as having taken place at prisons and labor camps within the respective areas. In both instances, there was at least the official expectation that inmate work would contribute to the operation of the institution. In the P.R.C. case, it was hoped originally that the profits of inmate labor would make the facility financially independent while in the Taiwan case, inmate labor was used to support local factory maintenance.

For both instances, education is thought of as playing a distinctive role in the reformation of delinquent youth. In the Mainland case, the educational component represents a principle difference between reform through labor camp and reformatory administrative practices. The change in nomenclature to the term "fu yu yuan" or training institution, for the Taiwan case, has been previously noted, and is important at least for symbolic reasons. While the degree to which these institutions successfully perform

their educational mandate is a debatable issue, the fact that they have been officially delegated such responsibility should not be forgotten.

While reformatory youth in both Taiwan and the People's Republic were closely watched, at times through the use of peer surveillance techniques, the use of "jiti jiaoyu" or collectivist education, whereby self-criticism within the small group was expressedly encouraged, was a phenomenon specific to the Mainland case. And, it should be noted that there were stronger efforts to separate offenders on the basis of their gender within the Taiwan reformatory setting, than was true of the Mainland case (this of course did not extend to the Guangzhou work-study factory class situation though).

Within the American historical context, the initiation of a large reformatory type institution represented a fundamental recognition of the need to segregate youthful offenders from their older counterparts. But such "House of Refuge" institutions bore close similarity to prisons, in terms of size of offender population, organizational structure and governing style. The Taiwan and Mainland cases closely resemble these traditional patterns. In both instances, the reformatories gained a degree of physical and structural autonomy after being initially linked with formal prisons (one Beijing reformatory continues to share its facilities with an adult prison though). While there have been documented instances whereby the separation of youth

and adult prisoners has not been rigorously observed, as adults have resided in reformatories and youth have been sent to prisons or labor camps, the validity of the principle of separating offenders according to age has been recognized in both areas.

The popular reliance upon work-study schools and work-study factory classes in the People's Republic, and the institutional structures of reformatories in Hong Kong, represent different areas of emphasis. These institutions are often smaller than the traditional reformatory in terms of physical size and offender population. In the case of the representative institutions visited by the author, they were located in urban areas and did not visibly stand out apart from their local surroundings. Their vocational offerings appeared to be more specifically geared to urban occupational skill requirements than did those in evidence at the official reformatories. In addition, institutional discipline in the P.R.C. and the Mainland appeared to be less overt and certainly less observable at these institutions than at their counterparts. Within the American context, the switch in institutional style from the large prison-like structure during the late 19th century has been well documented.[9] The evidence thus points to similar trends occurring in Hong Kong and the P.R.C.

Having noted the general similarities and differences in the perceptions of delinquency activity and the institutional responses to those perceptions, it is

worthwhile to return to the original hypotheses formulated at the beginning of the study.

8.1 1st Hypotheses

The initial hypothesis of this study argued that reformatories have usurped the traditional role of the family unit and in so doing, both offenders and their relatives have been stigmatized. It has been noted that such usurpation of role occurs because the reformatory, as an institution, forcefully separates youth from their families while assuming many of the custodial responsibilities traditionally reserved for parents. Since reformatories existed during the Republican Era, there can be little doubt that their usurpation of traditional family role is not a new phenomenon. However, because these institutions as governmental agencies, have assimilated distinct political vocabularies, reflecting general efforts to penetrate local living conditions in politically meaningful terms, the effects of their practices upon family living patterns have been in all likelihood more pronounced over the past thirty years.

Forced separation breeds stigmatization. This was certainly true in traditional China, where issues of land ownership, clan lineage and descent and ancestor worship were inherently threatened through the use of banishment as a criminal punishment. Hence, its utility as a deterrent. Forced separation through reformatory institutionalization today, threatens the traditional reciprocity of relations

between parent and child, still operational within the three regions surveyed. Thus the symbolism of incarceration not only implies official criticism of parenting efforts, but in a practical sense indirectly places limits upon parental expectations for their own futures, expectations largely tied to their children's capacity to care for them in later life. Discriminatory employment procedures and disparate educational opportunities, problems commonly facing delinquent youth, thus directly involved their parents as well.

Within the course of this study, the largest amount of documentary evidence arguing in favor of the existence of parental stigmatization appears with reference to the Mainland case. Less direct evidence exists for the other two cases, although plausible instances have been mentioned.

To what extent do institutional practices degrade and stigmatize youth? While the institutions surveyed in this study vary considerably according to size, organizational structure and general operational style, it has been noted that the larger reformatories, especially in the Mainland and Taiwan, operate in similar fashion to prisons and labor camps in the respective areas. This factor in and of itself, is stigmatizing in that a due recognition of the specific needs of adolescents is lacking. Those degradation rituals which serve to deny a personal sense of inidividuality in terms of dress, personal hygiene and appearance, have been mentioned with specific respect to the

Taiwan and Mainland reformatories, while fewer of such instances were in evidence with respect to the Fangcun work-study factory class or the Hong Kong institutions observed by the author.

A second area of stigmatization concerns the surveillance process, especially prominent within the large Mainland and Taiwan reformatories. Not only is one's personal freedom restricted with respect to physical movement, free expression and decision-making opportunities, but the heavy use of surveillance signifies a fundamental and continuous institutional mistrust of individual motive, character and personality.

Finally, it has been noted that the overall quality of the educational programs offered in a number of the institutions surveyed, as measured by the training of staff members, number of educational resources and type of course offerings is often substandard. Participation in deficient educational and work experience programs can additionally if indirectly serve to stigmatize youth in terms of their own judgements concerning their educational potential as well as that of external parties: relatives, employers, and community members.

We have thus observed that both portions of the initial hypothesis appear to be plausible in certain instances. A related issue is the degree to which negative labelling and stigmatization initiates deviant behavior in the first place.[10]

With respect to the P.R.C. case, both the irregularity of legal procedure and the artificial manufacture of deviance have created situations where the commission of primary deviant acts is likely to occur (primary deviance being the commission of an act which may or may not be considered deviant depending upon specific circumstances). Whether or not instances of secondary deviance are more common is more difficult to determine (secondary deviance implies that the act of negative labelling incites the victim to commit further deviant acts). Chinese scholars themselves admit to the existence of secondary deviance, specifically in the case of delinquents who become hardened after their initial experience in the reformatory situation. However, Whyte and Parrish's findings, which parallel those of Unger, suggest that labelling theory may not provide a sufficiently causal explanation for the growth and existence of urban crime in Mainland China. They point instead, to the Cultural Revolution changes which restricted future employment and educational opportunities for youth as having had a significant impact. For the Hong Kong and Taiwan cases, the evidence of labelling theory directly contributing to conference of secondary deviance upon reformatory youth is also impressionistic.

8.2 2nd Hypothesis

The second hypothesis of this study argues that institutional responses to delinquency issues can be

categorized as non-rational, if one compares the scated literature in the field, defining the scope and nature of delinquency problems with the specific institutional responses. It should be noted that evidence was gathered in each of the three areas to support this hypothesis. Yet this should not be surprising given the traditional charactor of Chinese bureaucracy as well as the imprecision with which definitional constructs such as rationality are formulated. Perhaps March and Simon's concept of "bounded rationality" is useful here, for organizations of all types consistently attempt to formulate policy within a restricted range of immediate situations and consequences.[10] Lofty pronouncements and ephemeral rhetoric generated by higher level decision makers might serve to articulate a very general set of goals concerning the necessity of reforming delinquent behavior or preventing further criminal activity from arising. However, the act of translating those goals into specific policies in response to immediate priorities, (such as coping with a local crime wave) without direct guidance from the higher bureaucratic levels, invites the type of unevenness of implementation which contradicts the very intent of these policies. Thus, it can be agreed that some freedom must be given to local reformatories, work study schools and classes and similalar institutions so as to convincingly interpret local guidelines in specific terms.

However, when the boundaries of decision-making are so large so as to invite abuses concerning the age of offender intake, maximum allowable population size, use of corporal punishment or solitary confinement, and the quality of the education and work experiences provided, the institutuional responses appear to be at such variance with officially articulated goals so as to be legitimately categorized as being non-rational.

The Hong Kong case differed significantly from its counterparts in that specific instituional policies labelled non-rational originated from a type of bureaucratic dissonance common when specialized departments attempt to protect clearly articulated roles without accepting a greater amount of responsibility. While Taiwan and Mainland institutions may be slowly experiencing creeping professionalization of task and role, overspecialization may be a factor in the Hong Kong case.

Three distinct behaviors have been observed with respect to the decision-making processes in the areas scrutinized. Within the P.R.C., the mechanical nature of the modelling process has been described in connection with the proliferation of work-study schools, most of which have copied the Beijing example. At the same time, the work-study factory class at Fangcun appeared to be an exception to the rule, demonstrating how incremental policy change can acquire positive results. In any event, the

attempt to model by example (at least on a pro forma basis), continues to hold appeal within Mainland China.

For the Taiwan case, re-centralization of authority was meeting some resistance at the local level, as attempts were made to both professionalize operations while responding to political pressures that the central government respond to an increasingly serious problem.

For the Hong Kong case, the use of the foreign examiner, whose role allows competing interests to save face while policy change can be implemented creates a process which is not without a considerable degree of inefficiency. Nonetheless, results can be obtained.

8.3 3rd Hypothesis

The third hypothesis of this study argued that formal educational institutions would play a minor role in delinquency reformation, their reticence tied to the generally low level of educational achievement delinquent youth have obtained prior to their incarceration. In actuality, the role educational institutions performed in contributing to delinquency education varied considerably from region to region, and the hypothesis could only be partially supported, most directly with reference to the Taiwan and Hong Kong cases. The work-study factory school, usually operated by the local education department within the larger Mainland cities, offered specific evidence of the direct involvement of education authorities, contradicting the hypothesis. However, issues were raised concerning the

comparable quality of the educational programs offered at all of the reformatory type institutions. With respect to the Mainland and Taiwan cases, there was real doubt expressed as to whether the programs operated at the respective reformatories offered delinquents real opportunities for career training and successful reintegration into the social system. Whyte and Parrish argue for example, that the post-Cultural Revolution educational reforms, applicable to regular middle school students, are attempting to do just this.[11]

8.4 The Comparative Context

Having analyzed delinquency occurrence and institutional response in the respective regions, it becomes important to place the findings of the study into a more comparative context. It has been noted that many of the institutional patterns observed in this study reflect Western precedent. It is interesting to further note that specific practices documented in this study are also occurring in juvenile correction facilities in the United States. Institutions operated by the California Youth Authority, for example, have been observed to restrict the physical movement of incarcerated youth, chaining them to beds, using handcuffs and similar devices in the process. While peer surveillance is no longer officially sanctioned, it was commonly practiced in one California institution in the 1940's and 1950's. Children as young as 8 are currently housed in the California institutions, and it is generally

accepted that incarcerated youth are afforded fewer personal rights than are their adult counterparts.[13]

Clearly, there is an issue of reasonable expectation which must accompany any study of the Chinese institutions. Given the fact that the above mentioned practices exist or have recently existed in as wealthy and industrialized a country as the United States, laxity of procedure for the Chinese cases can not be viewed as being surprising, unusual or unexpected.

However, the larger issue raised in this study concerns that of the protection of children's rights on an international basis, once they are institutionalized.[14] If it can be agreed that children and youth, no matter what the nature of their offences, deserve to be given special institutional treatment because of their age; that there are minimum standards and procedures which must be guaranteed concerning rights of family visitaton, use of corporal punishment and solitary confinement, dress, hygiene, nutrition, exercise, limits placed upon maximum length of stay without an official reevaluation of the case and similar issues, then there must be increased vigilence in insuring that these procedures are consistently implemented. The records of the areas visited by the author, while mixed, do not demonstrate deliberate attempts at total noncompliance with the granting of basic rights to institutionalized youth. In fact, it is quite probable that worse instances of institutional child abuse are occurring

in other parts of the world. Nonetheless, what the study does demonstrate is the need to vigorously insure that the rights of institutionalized youth are guaranteed wherever they reside. Hopefully, the research pursued here will make a small contribution to that effort.

CONCLUSION NOTES

[1]For a good general discussion on Mainland efforts in the general sense to professionalize the work of cadres, see John Burns, "Reforming Chinas's Bureaucracy: 1979-82", Asian Survey vol. 23 #6, June, 1983, pp. 692-122.

[2] An example of the Mainland penchant for investigating Japanese developments can be found in "Riben Xiaonian weifa xingwei de lishi xing fenxi" (A Historical analysis of Japanese Juvenile Delinquency Behavior) in Faxue Yicong, 1982, #4, pp. 12-18. The article is translated into Chinese from the original Japanese. In Taiwan, within the Ministry of Justice Criminal Problems Research Center annual report, Fanzui zhuangkuang jichi fenxi 1981, (Analysis of Criminal Conditions 1981) one finds tables which detail the rehabilitation agencies and their organizational structures in both Japan and South Korea, pp. 643-644.

[3]Amnesty International Reports,

> A major concern in 1983 was the increased use of the death penalty. Mass executions were carried out during a nationwide campaign against crime launched in August. Amnesty International recorded over 600 executions in some 20 cities and counties between August and October, when the rate of executions was the highest since the early 1970's.
>
> However, the organization believed that the total number of executions carried out throughout the country was far higher. Foreign correspondents in Beijing estimated the total number at over 5,000. Although the rate of executions appeared to be lower in November and December, many continued to be carried out. Among the cases reported were those of a 27 year old woman executed in Shanxi province after beging convicted of stealing large quantities of petrol and selling it on the black market, and a 20 year old man executed in Guangzhou after being convicted of kicking several women in the streets. Many were executed in groups of 15 to 40, being shot together in the same place after being paraded in public in the streets or during mass rallies. Most were reportedly unemployed people between 18 and 40. While the majority appeared to have been convicted of murder, rape or robbery, people were also executed for a wide range of other offenses including theft, spying, organizing

a secret society, corruption, embezzlement, molesting women or gang fighting.

Amnesty International Report: 1984, (London, 1984) pp. 216-217. Also, see Amnesty International, China: Violations of Human Rights, (London, 1984) pp. 54-55. It is interesting to further note that when the National People's Congress Standing Committee adapted amendments to the Criminal Code in September, 1983, amongst the offenses now punishable by the death penalty are forcing females to engage in prostitution and instigating a person under 18 to commit an offense. See Amnesty International, China: Violations.....,pp. 121-122.

[4]For a discussion concerning the cohesiveness of gangs within the North American context, see Malcolm Klein and Lois Crawford, "Groups, Gangs and Cohesiveness" in James F. Short, ed. Gang Delinquency and Delinquent Subcultures, Harper and Row, New York, 1968, pp. 256-272.

[5]As such, it conflicts with Whyte's conclusion concerning the degree of subcultural activity amongst inmates within Chinese correctional facilities of all types. See Martin Whyte, "Corrective Labor Camps..." passim.

[6]See Steven Schlossman and Stephanie Wallach, "The Crime of Precocious Sexuality: Female Juvenile Delinquency in the Progressive Era", Harvard Education Review, vol. 48 #1, February, 1978 pp. 65-94;
[6a] also Barbara Benzel, "Domestication as Reform: A Study of the Socialization of Wayward Girls", Harvard Education Review, vol. 50 #2, May, 1980, pp. 196-213.

[7]The FBI Uniform Crime Report for 1983 estimates that for Crime Index Offenses (murder, forcible rape, robbery, aggrevated assault, burglary, larceny-theft, motor vehicle theft and arson), 47% of the arrestees were under 21, 30% were under 18 and 12% were under 15. This is somewhat higher than the percentage of juvenile crime to total crime given for Taiwan and Hong Kong, but below that of the Mainland. In 1983, the incidences of violent crime per 100,000 inhabitants within the U.S. were 529.1 Whyte and Parish estimate that the official guesses as to differences between U.S. and Mainland Chinese crime rates, in the total sense, which have claimed a 15:1 difference in favor of the P.R.C., are exaggerated. Whyte and Parish, p. 249.

[8]See Whyte and Parish, p. 264 where the authors discovered that neighborhoods with stricter control and deterrence

mechanisms seem to have experienced the greatest amount of criminal activity, as reported by refugee informants.

[9]Schlossman, Love and the American Delinquent, passim

[10]The theoretical literature concerned with labelling theory is extensive. Some of the fundamental work on the subject includes H.S. Becker, The Other Side (New York, Free Press, 1964), J. Douglas (ed.) Deviance and Respectability, (New York, Basic Books, 1972), E. Lemert, Human Deviance, Social Problems and Social Control, (Englewood Cliffs, N.J.: Prentice-Hall, 1972) E. Schur, Labeling Deviant Behavior, (New York, Harper and Row, 1971), E. Rubington and M.S. Weinberg, Deviance: The Interactionist Perspective. Two concepts are especially important here. Primary deviance refers to the initial labelling process, much of which is arbitrry and irregular. Secondary deviance is concerned with the process by which once initially labelled, the victim continues to commit and perpetuates deviant activity.

[11]See James G. March and Herbert A. Simon, Organizations, (N.Y.,Wiley and Sons, 1958.

[12]Whyte and Parish, pp. 271-273.

[13]See the series of articles by John Hurst in the Los Angeles Times, "Unruly Youths Face Shackles, Isolation", July 22, 1984, p. 1, "Four Boys in J Unit - the Kindergarten of Prisons", July 23, 1984, p. 1, "The Factory - Gateway to State's Reformatories" July 24, p. 1, "Folsom Prison: Graduate School for Young Offenders" July 25, p. 1, and "In Some States, the Key is Unlocking Juvenile Halls", July 26,1984, p. 1.

[14]For a theoretical discussion on the issue, see Stanislaw Tomkiewicz, "Institutional Violence", International Child Welfare Review, #60, March, 1984, pp. 22-38.

Appendix One - General Information

Appendix One

1.0 Note on Statistical Tables

All of the statistics mentioned in this study should be taken with some degree of skepticism. The manipulation of statistical information for political purposes has frequently occurred within the P.R.C. and Taiwan. But one should be especially sensitive to attitudinal surveys purporting to document delinquent beliefs, activities and behaviors. The sampling procedures utilized and the objectivity and neutralilty of the instrument (human or otherwise) used to gather the information, as well as the internal consistency of compiled responses, can and should be questioned by all fair-minded observers. For the purposes of this study, the information is presented in order to illustrate how delinquency issues, offender attitudes, backgrounds and behaviors are officially perceived in each of the three areas under investigation. No claims are made as to the veracity of the statistical tables presented.

Appendix One - General Methodology

1.1

Integrated Project Planning and Management Cycle.

Phase I - Planning, Aopraisal and Design:

1. How has the problem of juvenile delinquency been defined (through national, regional or local planning processes)? And, what is the nature of the policy-making process which defines juvenile delinquency in this manner?
2. What political, economic, social and environmental factors led to the initiation of the reformatory?
3. What was the source of the idea? Who were the individuals who first piloted similar programs? Through what type of forums did they communicate their intentions?
4. How intensive was the design? Who prepared it?
5. Was a feasibility analysis conducted? If so, by whom?
6. What appraisal criteria were used? Who was authorized to make the appraisals? How syscematic were these criteria?
7. How were uncertainties and information gaps dealt with?
8. What data sources and information bases were used to design the programs?
9. How were immediate, short term and long term objectives defined?

10. How clearly were the project's activities, functions, tasks and structural components defined?

11. What types of obstacles were anticipated?

12. Were internal and external communication mechanisms developed?

13. Was an evaluation plan prepared and were arrangements made for collecting data?

Phase II - Selection, Approval, Activation:

14. Once the general design was approved, what specific political, social, technical, economic, administrative factors influenced those decisions made at each stage of the school's development?

15. What were the sources of funding? What organizations offered external support?

16. What limitations were placed upon the program's operations by funding or external policy-making authorities?

17. How is the school organized with respect to work and task division lines of authority, responsibility and supervision, internal and external communication channels, resource allocation and monitoring and reporting of progress? How are curricular priorities determined?

18. What were the major sources of program inputs, e.g. financial resources, material resources, and facilities, manpower, technical support, public assistance, etc.?

19. How detailed were plans formulated for budgeting, recruitment, training of personnel, data collection, activity scheduling, etc.?

Phase III - Operation, Control and Handover:

20. How were the activities and program tasks scheduled?

21. How was information gathered and distributed?

22. How were the activities of supporters, suppliers and clients arranged?

23. What unanticipated problems were faced and how were they handled?

24. What kinds of procedures were utilized to procure and inspect materials, to recruit students, to monitor budgets?

25. What methods were used to report progress and problem areas to higher authorities?

26. Were project completion reports prepared? Reviewed?

Phase IV - Evaluation and Refinement:

27. Was the need for systematic evaluation perceived?

28. Were the objectives of the evaluation process clear?

29. Were formal evaluation procedures established? If so, within what kind of time framework?

30. Were evaluation techniques used which were uniquely devised?

31. Who was responsible for completing the evaluation process?

Were evaluators independently based apart from an institutional affiliation, or did they come from within the institution?

32. What was their status or seniority level?

33. Was the data and background information provided, adequate for evaluation purposes?

34. Was the evaluation team provided with adequate institutional support?

35. What were the results of the evaluation? Were intended benefits realized? If not, why?

36. How did the evaluation procedure assess the school's management information system, manpower capabilities, and organizational stucture and flexibility?

37. Did outcomes meet anticipated goals?

38. Were unmet needs identified through the evaluation process?

39. Was the community response supportive?

40. Were formal evaluation reports written? If so, to whom were they distributed? How were they used?

41. Were the results of the evaluation followed up? If so, how? If not, why not?

42. Were further programs proposed as a result of the evaluation of this one?

43. What specific refinements were made? How were discrepancies between long and short-term objectives rectified?

44. How can lessons learned from this one program be applied to future policy decisions affecting the design and operation of other reformatories.

List of Questions (modified from IPPMC format) asked at interview at Guangdong Juvenile Reformatory Institute at Shijing, March 24, 1983.

1. Briefly describe the history of your institution with respect to the 1950's, 60's, Cultural Revolution Era and the 1970's and 1980's.

2. What is the nature of the institute's organizational structure, with specific respect to overall administration, teaching, procurement of materials, coordination with external agencies, intake, food, clothing hygiene, budget, records and security?

3. How are staff hired? Evaluated? What qualifications do they hold?

4. What is the size of the unit? How many staff members, inmates boys, girls? What are the academic class size ratios? How have these figures changed?

5. What is the nature of inmate offenses? Please list percentages. What is their average length of time spent here?

6. What happens to offenders on their first day at the institution?

7. Do offenders wear uniforms?

8. What is the daily schedule? What courses are taught?

9. How are students evaluated? Are there class monitors? How are student leaders chosen?

10. How is collective education enforced?

11. What textbooks are used in classes?

12. Is Mandarin or Cantonese used as a language of instruction?

13. Are there professional counselors among the staff?

14. What is done to connect work experience with employability?

15. Is there military training?

16. What are students SES and family backgrounds?

17. Which of the following problems typically occur amongst youth sent here: gangs, single children or children with destroyed families, theft,truancy, gambling, smoking, other?

18. Are offenders hit?

19. Sent to solitary confinement?

20. Are chains, leg irons, identification tags or handcuffs used on offenders?

21. How much food do offenders receive per month? How much meat?

22. How much time do they have for meals?

23. Have there been any suicides at your institution within the last five years?

24. Can home visitation privileges be denied? If so, on what grounds?

25. Are allowances given to offenders?

26. Can their length of stay be extended for misbehavior? How many get off sooner than would normally be the case? How many stay longer?

27. What % are recidivists?

28. What % try to escape? How are escapes prevented?

29. How often can/do parents visit?

30. Can parents meet in a group with administrators?

31. How are follow-up studies conducted? Home visits?

32. What happens when the relationship between an offender and his parents is poor?

33. Are girls especially hard to reform? If so, what measures are taken for them?

34 What major policy change has occurred at this institution within the past five years?

35. Why would a person be sent here rather than at a re-education through labor camp?

36. How does the Provincial Education Ministry help with the re-education of delinquents? The CYL? Women's Federation?

37. What is the process by which an inmate is sent here?

Interview and Visitation Schedule

September 9, 1982 -	Visitation and interview with officials at Taoyuan Juvenile Training, Taoyuan,Taiwan
November 25, 1982	Interview with Department of Corrections' officials, Ministry of Justice, Taipei, Taiwan.
December 15, 1982	Visitation to Chak Yan Boys' Center and interview with Superintendent, Hong Kong.
January 5, 1983	Interview with Members of the Ethical and Religious Section of the Advisory Inspectorate, Hong Kong Department of Education.
January 14, 1983	Visit to O Pui Shan juvenile reformatory and interview with Superintendent and Deputy of Operations for Social Welfare Department, Hong Kong.
January 21, 1983	Interview with Special Education section inspector, Education Department, Hong Kong.
March 19, 1983	Visit to South China Teacher's College Middle School (P.R.C.) and interview with staff.
March 24, 1983	Visit to Guangdong Juvenile Reformatory Institute and interview with staff (P.R.C.).
April 5, 1983	Visitation to Fangcun Work-Study Factory Class and interview with staff (P.R.C.).
April 7, 1983	Interview with Members of the Xingang Street Committee (P.R.C.).
April 8, 1983	Interview with officials of the Guangzhou Communist Youth League (P.R.C.)

Appendix Two - The People's Republic of China (13 tables)

Table 1

Daily Schedule of the Baoanzhao Reform through Labor Camp taken from Amnesty International Report on Political Imprisonment in the People's Republic of China, pp. 106-107.

Spring/Summer

Time:	Activities:
6:00 am	Get up and have breakfast
6:30 am	Assemble and departure for work in the fields
12:00 am	Lunch and rest in fields if not busy, until 2 pm.
1:00pm	Resume work
6:00 pm	If work is finished, assemble and return to camp
7:00-8:00 pm	Dinner in cells; then free time
9:00 pm	Study, which normally occurs in groups

Schedule of a Tianjin Prison

6:00 am (winter), 5:30 am (summer)	Get up
6:30 am	Breakfast
7:30 am	Work
12:00 noon	Lunch
1:00 pm	Resume work
5:30 pm	Dinner
6:30-8:30 pm	Study
9:00 pm	Lights out. Prisoners have one day a week of rest.

Table 2

Daily Schedule of activities of the Guangdong Juvenile Reformatory Institute at Shijing

Summer Schedule (5/1-9/30)		Winter Schedule (10/1 - 4/30)	
6:00 am	Rise, roll call drill and wash	6:30 am	Rise, roll call, drill, wash
6:30 -7:30	Breakfast, take care of internal affairs.	7:00-8:00	Breakfast, take care of internal affairs.
7:30-11:30	Work or class	8:00-12:00	Work or class
11:30-12:00	Lunch	12:00-12:30	Lunch
12:00 -3:00 pm	Rest	12:30 -2:30	Rest
3:00 - 6:00	Work or class	2:30 -5:30	Work or class
6:00 - 6:30	Dinner	6:00 - 6:30	Dinner
6:30 - 7:30	Daily self-criticism, read newspapers, self-study	6:30 -7:00	Daily self criticism, read newspapers, self-study.
7:30 - 9:00	Study, watch t.v. or view a movie	7:00 - 8:30	- Study, watch t.v. or see a movie

Table #3
Daily Schedule of Work-Study Factory Class at Fangcun:

Weekday:

Rise: 6-7:15 am	Morning: 7:30-10 am	Noon: 11-1 pm	Afternoon: 1-3 pm	Afternoon: 3-7 pm	Evening: 7-9 pm

Monday:

Rise, wash, breakfast	work	rest	work	sports	academic studies

Tuesday:

Rise, wash, breakfast	work	rest	vocational classes	sports	academic studies

Wednesday:

Rise, wash, breakfast	work	rest	work	sports	legal education

Thursday:

Rise, wash, breakfast	work	rest	work	sports	watch t.v.

Friday:

Rise, wash, breakfast	work	rest	work	sports	study politics

Saturday:

Rise, wash, breakfast	vocational classes	rest	clean rooms, dorms, grounds	sports	self criticism + class meeting

Sunday:

Rise, wash, cleaning breakfast	Go home	----------	----------	----------	Return, watch t.v.

TEACHING PLAN FOR [illegible]
[illegible]
(Working Draft, January 1982 - [illegible])

Course	Junior High Hours per week in class 1	2	3	Senior High Hours per week in class 1	2	3	4	5	Total Time in 3 yrs 1 (Hours)	2 (Hours)
Politics	2	2	2	2	2	2	2	[illegible]	701	[illegible]
Chinese Language	6	6	6	5	[illegible]	4	3	4	1008	[illegible]
Mathematics	5	6	6	5	3	5	3	5	905	1076
Foreign Language	5	5	5	5	5	5	5	4	900	402
Physics	1	2	3	4	1	4	1	5	292	550
Chemistry	1		3	3	3	4	1	4	358	402
History	3	2		3	1	1	3		350	256
Geography	3	2		1	2	2	3		308	224
Biology	2	2		1	2	1	1	2	200	192
Hygiene	1	1	2	1	1	1	1		64	64
Physical Education	2	2	2	2	2	2	2	2	384	384
Music	1	1	1	1	1	1	1		100	100
Fine Arts	1	1	1	1	1	1	1		100	100
Hours Per week in Class	30	31	31	29	26	29	25	29	5554	5724
Labor Training	2 WEEKS			4 WEEKS					576	

NOTES: (a) Program A in Senior High 2 and 3 is for those who select a liberal arts specialty; Program B is for those who select a science specialty.

(b) During the labor training period, there are 4 classes per day in Junior High and 6 classes per day in Senior High.

Table 4 Source: Stanley Rosen, "Secondary and Higher Education in the People's Republic of China", a paper presented at the Conference on "The Relation between Secondary Education and Higher Education: An International View", UCLA, July 19-28, 1983.

Table 5 [illegible] "Secondary and Higher Education in the People's Republic of China"...

TEACHING PLANS FOR VARIOUS KINDS OF SENIOR HIGHS
(Working Draft, January [illegible] - [illegible])

Course	Keypoint Schools (hours per week in class)									(hrs./wk. in class) Ordinary Schools		(hrs./wk. in class) Vocational Agricultural High Schools		
	Classrooms not divided by coursework			Classrooms divided into Arts and Science students										
	1	2	3	1	A 2	B 2	A 3	B 3		1	2	1	2	3
Politics	2	2	2	2	2	2	2	2		2	2	2	2	2
Chinese Language	5	4	4	5	7	4	8	4		4	4	5	4	4
Mathematics	5	5	5	5	3	6	3	5		6	6	5	5	5
Foreign Language	5	5	4	5	5	5	5	4		3	3	2	2	2
Physics	4	3	4	4		4		5		4	4	4	4	
Chemistry	3	3	3	3	3	4		4		3	3	3	3	
History	2			3			3			2				
Geography		2			2	2	3				2			
Physical Education	2	2	2	2	2	2	2	2		2	2	2	2	2
Biology			2		2			2						
Elective Courses		4	4											
Vocational Classes										6	6			
Specialized Technical Courses												8	8	16
Labor Training	4 WEEKS			4 WEEKS						2	2	2	2	2
Hours Per Week in Class	29	30	30	29	26	29	26	29		34	34	33	32	33

NOTES: (a) Program A in Senior High 2 and 3 is for those who select a liberal arts specialty; program B is geared for those who select a science specialty.

(b) During the labor training period, there are 6 classes per day in Keypoint Schools; Ordinary and Vocational Schools can arrange labor training in accordance with their regular vocational or specialized courses.

(c) The physics and chemistry textbooks for vocational schools are geared to a 3-year program, and are the less rigorous of the two levels of textbooks available.

Table (6)

Preferred courses of study for Junior Middle and Senior Middle school students. Survey of 16 classes and 829 student opinions. Taken from Fang Nian, Zhao Rui Xiang and Yang Xin Yi, "Dang qian zhongxuesheng zixiang qingkuang de diaocha" (An analysis of the current conditions and thinking of middle-school students) originally appearing in Jiaoyu Yanjiu, #4, 1981:

Junior Middle School			Senior Middle School		
No.:	Subject:	%:	No.:	Subject:	%:
1.	Math	29.21	1.	Math	33.27
2.	Physics	13.36	2.	Physics	16.19
3.	Language	12.36	3	Chemistry	11.74
4.	English	7.87	4.	Language	8.01
5.	Physical Education	5.62	5.	English	7.30
6.	History	3.0	6.	Physical Education	3.38
7.	Chemistry	3.0	7.	Biology	2.85
8.	Music	1.0	8.	Government	2.49
9.	Geography	0.75	9.	Music	2.31
10.	Painting	0.75	10.	Painting	1.98
11.	Biology	0.75	11.	History	0.71
12	Government	0.37	12.	Geography	0.18

Table (7)

"Muqin de taidu yu ertong xing ge de quanxi" (The Relationship between a mother's attitude and the child's persunality), from Faxue Zazhi, #5, 1982. (Translated from the original Japanese):

Mother's Attitude	Child's Personality:
1. Dominaces everything.	1. Obedient, no attention to active personality, mild, temperate personality.
2. Looks after the child.	2. Childish, dependent, sensitive, excessively passive, timid, cowardly.
3. Protective.	3. Lack of social contact, likes to ponder deeply, not sensitive, stable.
4. Spoils the child.	4. Willful, rebellious personality, childish personality, nervous.
5. Forces excessive compliance:	5. No responsibility, no obedience, easily attacks, is rude.
6. Ignores, neglects the child:	6. Unfeeling, callous, easily attacks, unpeaceful spirit, strong creativity, wants social contact.
7. Rejects child.	7. Overly nervous and sensitive, anti-social, rude, tries to force people to pay attention, apathetic.
8. Cruel, brutal.	8. Stubborn, difficult, cold, overly sensitive, elusive personality.
9. Democratic.	9. Independent personality, frank, straightforward, cooperative, cordial, kind.
10. Autocratic.	10. Dependent, rebellious, spirit does not like peacefulness, ego centered , bold and [illegible].

Table #8

Juvenile Crime Statistics from a Certain Province:

Generation:	50's & After:	1965:	1980:
Criminality:	100%	100%	100%
			Prison Statistics:
Anti-revolutionary Crimes:	50%	Under 20%	5%

Percentage of City criminal offenses committed by juveniles:

Generation:	1966-73	1978	1979	1980
Criminality Totals:	100%	100%	100%	100%
Juvenile Delinquency %	70%	77.8%	83.5%	72.9%
Special Characteristics:	10 years of internal chaos.			Strengthening of juvenile delinquency education:

Source: Faxue Zazhi, #5, 1982.

Table (9)

Characteristics of youth in Guangdong Juvenile Reformatory Institute at Shijing, "Analysis of Psychological Factors of Juvenile Delinquency Behavior" taken from Development of Adolescent Psychology.

One-hundred offenders picked at random and surveyed with cooperation and participation of reformatory officials. Age range - 11-17 years.

Nature of Offense:	Percentage:	Social Status:	Percentage:
Robbery	53%	Student	36.7%
Hold a rifle or gun	21%	Expelled from from school:	7.1%
Assault or murder	15.9%	No study, no profession:	44.8%
Other	0.15%	Other	11.4%

Personality Characteristics:

	Extremely:	Obviously:	No expression of:
Disposition - not peaceful not stable, easily excited.	23%	47%	30%
Will - especially daring, not fearful of difficulty, unconscious of self-produced difficulty.	18%	60%	22%
Reality attitudes toward self - large ego, self desire unfulfilled.	18%	58%	24%
Attitudes toward people; many disputes often started deliberately, enjoys envy.	9%	61%	30%
Attitudes toward society - unfulfilled heart, often lets off steam.	85%	0%	15% not obvious

Table 10
Juvenile Offenders and their Families

Interviews with 173 offenders from the Shanghai Juvenile Reformatory; ages between 14 and 18. Nearly all of those interviewed were at the middle school level. They arrived in 1980. 127 or 73.4% were guilty of stealing, 46 or 26.6% engaged in gang activity. Two girls committed crimes outside of the category of theft. Otherwise, all those interviewed committed delinquent crimes. Source: Ji Shiren "Xiao qingnian fanzui yu jiating guanxi de diaocha"("Inquiry into the Relationship Between Juvenile Delinquency and Family Education"), Shehui #1, February, 1982.

	Number	Percentage
I. Seniority in the family		
Last Person	114	65.9%
Only Child	21	12.1%
Other	38	22.0%
Totals	173	100.0%
II. Parents Occupation		
Worker	279	83.8%
Peasant	10	3.0%
Individual	3	0.9%
Unemployed	12	3.6%
Cadre, office worker, staff member	22	6.6%
Intellectual	7	2.1%
III. Parental Educational Background		
University	6	1.8%
Senior Middle, Vocational School	13	3.9%
Lower Middle School	58	17.54%
High Primary, Low primary school	135	40.64%
Illiterate	121	36.3%
Totals	333	100.00
IV. Broken Families		
Broken Family	31	17.9%
Expanded Family	23	13.3%
Father and Mother together in household	104	60.1%
Either or both parents live outside	15	8.7%

Table 10 (Continued)

	Number	Percentage
V. Family Attitude toward delinquent children vis. a vis. their brothers and sisters		
Show favoritism	111	64.1%
Treat the same	56	32.4%
Discriminate against delinquents	6	3.5%
Totals	173	100.0%
VI. Parental Discipline		
Patient	32	18.5%
Rude	107	61.8%
Shield, cover up	28	16.2%
Instigate Trouble	6	3.5%
Totals	173	100.0%
98 or 57% of the delinquents surveyed left home at night		
VII. Reasons for Leaving Home		
Afraid of Being Hit	73	74.5%
Afraid of Being Grabbed	12	12.2%
Seduced by Men	8	8.2%
Other	5	5.1%
Totals	98	100.0%
VIII. Parental Understanding of children's educational conditions		
1. Life Activities		
Excessive Questioning	45	26%
Slack, loose	70	40%
Indulgent	58	34%
Totals	173	100.0%
2. Study Activities		
Excessive Questioning	75	43%
Slack, loose	58	34%
Indulgent	40	23%
Totals	173	100.0%

Table 11 - The Single Child

Source: Gao Zhifang, "Du shengzi nü de zaochi jiaoyu wenti" (The problem of early education for the only child), Jiaoyu Yanjiu, #6, June, 1981. Survey of behavior of 160 single children and 120 very single children.

	Number	Percent
I. 70 Single Children		
Pick at food	49	70%
Well developed temper	45	64%
Timid, weak	35	50%
Do not like to lend goods	31	44%
II. 30 Extremely Single Children		
Pick at food	12	40%
Well developed temper	6	20%
Timid, Weak	8	27%
Do not like to lend goods	5	17%
III. 70 Single Children		
Not friendly to companions	30	43%
Lacking in independent capability	23	33%
Picky dress	19	27%
Do not respect elders	19	27%
IV. 30 Extremely Single Children		
Not friendly to companions	6	20%
Lacking in independent capability	1	3%
Picky dress	3	10%
Do not respect elders	1	3%
V. 60 Single children families		
Education has a plan	43	71%
Always tell child stories	39	65%
Family is literate, knowledgeable	43	71%
Family members studied a foreign language	11	18%
VI. 60 Extremely Single Child Families		
Education has a plan	14	23%
Always tell child stories	11	18%
Family is literate, knowledgeable	14	23%
Family members studied a foreign language	6	10%

Table 12 - Delinquents vs. a Control Group. The attitudes and behaviors of 500 delinquents and 500 normal youth are compared. Source: Gao Shu Qiao, "Lun qing xiaonian fanzui de shehui jiyin" (A Discussion of the Social Reasons for Juvenile Delinquency), Xuexi yu Tansuo, January, 1982.

	Delinquent Group		Ordinary Group	
	Number	Percent	Number	Percent
I. Importance of father's disciplinary method				
Persuade Patiently	185	39.8%	364	74.9%
Hits	208	44.7%	57	11.7%
Scolds	52	11.2%	35	7.2%
Doesn't care	10	2.2%	30	6.2%
Unable to control	10	2.2%	0	0%
Totals	465	100.0%	486	100.0%
II. From the time of childhood, the child often requests small change from parents.				
Often	111	23.1%	29	5.9%
Sometimes	299	62.3%	336	68.7%
Basically don't need	70	14.6%	124	25.4%
III. Mother gives money to children without father knowing.				
Tells him	191	45.6%	249	55.8%
Doesn't Tell him	87	20.8%	51	11.4%
Don't Know	141	33.7%	146	32.7%
Totals	419	100.0%	446	100.0%
IV. Purposes for which money is solicited				
Study materials	68	16.0%	234	57.4%
Recreational activities	91	21.4%	112	27.5%
Buy snacks	122	28.6%	47	11.5%
Smoke and drink	124	29.1%	12	2.9%
Invite friends to go drinking	21	4.9%	3	0.7%
Totals	426	100%	408	100%
V. If your mother doesn't lend you enough money, what will do?				
Borrow money from friends	80	23.8%	41	18%
Save money	142	42.3%	184	80.7%
Steal or rob	106	31.5%	0	0%
Collect rubbish and exchange for money	8	2.4%	3	1.3%
Totals	336	100%	228	100%

Table 12 (Continued)

Spoiled--------Bad habits--------Unsatisfied------Commit a crime

	Delinquent Group Number	Delinquent Group Percent	Ordinary Group Number	Ordinary Group Percent
VI. Afterclass Activities				
At home with family	139	30%	368	81.4%
Outside	325	70%	84	18.6%
Totals	464	100.0%	452	100.0%
VII. Undesirable elements (those detained, sent to reform through labor camps, sentenced for crimes) with whom youth associate within the residential street area.				
1-3 persons	52	11.5%	92	19.5%
4-6 persons	28	6.2%	31	6.6%
7-10 persons	39	8.6%	11	2.3%
More than 11	79	16.2%	12	2.5%
Unclear	260	57.5%	327	69.1%
Totals	452	100.0%	473	100.0%
VIII. Neighborhood friends, living next door who were detained, sent to a labor camp or sentenced for a crime.				
A few	97	21.8%	46	10.6%
Some	69	15.5%	10	2.3%
Many	181	40.7%	120	27.6%
Not one	98	22.0%	258	59.4%
Totals	445	100.0%	434	100.0%
IX. Main topic of conversation with neighborhood friends.				
Brotherhood, friendship	107	22.7%	7	1.5%
Eating and drinking	32	6.8%	5	1.1%
Girls	19	4.0%	6	1.3%
Cultural life	33	7.0%	35	7.7%
Any topic	182	38.6%	121	26.6%
Affairs about the country	8	1.7%	17	3.7%
Study, work	50	10.6%	214	47%
Other	41	8.7%	50	11.0%

Table 12 Continued

	Delinquent Group		Ordinary Group	
X. Comparative Academic Achievement				
Good	43	8.8%	109	23.6%
Not Good	189	38.7%	139	30.2%
Sometimes not good	169	34.6%	104	22.6%
Average	9	1.8%	44	9.5%
Very Poor	78	16.0%	65	14.1%
Totals	448	100.0%	461	100.0%
XI. Truancy				
Often	141	29.2%	16	3.3%
Sometimes	257	53.2%	100	20.8%
Never	85	17.6%	364	75.8%
Totals	483	100.0%	480	100.0%

Academic achievement------no interest in studying---truancy----------crime

XII. Order of importance of bad influences upon delinquents

Order	Item	Percentage (Ty) %
1.	truancy	35.3%
2.	bad habits	27.8%
3.	No proper moral training	26.8%
4.	Effects of friends	25.1%
5.	Similar activities pursued by friends	24.9%
6.	Environment	19.4%
7.	Father's disciplinary methods	17.6%
8.	Cultural, social life	16.7%
9.	Unemployment	11.4%

	Delinquent Group		Ordinary Group	
	Number	Percentage	Number	Percent
XIII. Parental Awareness of Truancy				
Know	23	5.8%	22	17.7%
Don't know	266	66.8%	44	35.5%
Don't know entirely	55	13.8%	46	37.1%
At beginning don't know	19	4.8%	7	5.6%

Table 12 Continued

XIII. Parental Awareness of Truancy (Continued)

Don't know anything	35	8.8%	5	4.0%
Totals	398	100.0%	124	100.0%

Delinquent Group

XIV. Activities after being truant

Meet friends	240	80.5%
Recreational activities	26	8.7%
Wandering	27	9.0%
Other	5	1.7%
Totals	298	100.0%

Truancy----------meet friends-------friends'influence------
----------crime----------

	Delinquent Group Number	Percentage	Ordinary Group Number	Percent
XV. General activities pursued within a group				
Enjoy fighting	185	41.2%	23	5.2%
Stealing	43	9.6%	5	1.1%
Interred by police	27	6.0%	3	0.7%
Use of immoral speech	8	1.8%	3	0.7%
Other harmful activities	24	5.3%	2	0.5%
Practice studying	162	36.1%	406	91.9%
Totals	449	100.0%	442	100.0%
XVI. Important activities pursued while unemployed.				
Serve the family	34	29.6%	27	34.6%
Meet friends	42	36.5%	5	6.4%
Look for work	7	6.1%	7	9.0%
Review classwork	4	3.5%	5	6.4%
Wander	18	15.7%	22	28.2%
Others	10	8.7%	12	15.4%
Totals	115	100.0%	78	100.0%

XVII. Common activities pursued while unemployed after meeting friends.

Quarrel	18	42.9%
Gamble	5	11.9%
Drink	9	21.4%
Steal	6	14.3%
Other	4	9.5%
Total	42	100.0%

Table 12 Continued

	Delinquent Group Number	Delinquent Group Percentage
XVIII. Most important help derived from friends		
Give money	44	9.8%
Help in quarrels	170	37.7%
Screen from arrest	11	2.4%
Introduce friends	6	1.3%
Provide accomodation	13	2.9%
Help study	100	22.2%
Other	107	23.7%
Totals	451	100.0%

XIX. Hypothesis listed as examples with which youth are in agreement.

	Delinquent Group			Ordinary Group			Remainder
	No.	Total	%	No.	Total	%	%
The more friends one has, the more roads one has	269	474	56.8%	210	484	43.4%	13.4%
At home depend upon parents, outside depend upon friends	274	473	57.9%	236	488	48.4%	9.5%
For friends, one ought to expose both sides of one's chest to a sword	219	453	47.8%	159	458	34.7%	13.1%
No matter what time, one can't sell out friendship	221	458	48.3%	214	475	45.1%	3.2%

XX. After your release, if friends come to you and seek to continue criminal activity, how will you handle the situation?

	Delinquent Group Number	Delinquent Group Percentage
Refuse	125	29.5%
Talk over	31	7.3%
Hard to say	199	46.9%
Can't meet them	25	5.9%
Don't know	44	10.4%
Totals	424	100.0%

Table 12 Continued

XXI. Age of First Time Offenders

Age	Number	Percentage
11-12	8	1.7%
13-14	31	6.6%
15-16	157	33.5%
17-18	139	29.6%
19-20	52	11.1%
21-22	42	9.0%
23-25	40	8.5%
Totals	469	100.0%

XXII. Number of Times Youth have committed criminal offenses

Once	272	65.1%
2-3 times	109	26.1%
4-5 times	32	7.7%
6-7 times	2	0.5%
8 or more	3	0.7%
Totals	418	100.0%

XXIII. Association with friends.

Number of friends	Number of delinquents	Percentage
1-3	171	35.3%
4-6	105	21.7%
7-10	58	12.0%
11 or more	25	5.2%
Totals	484	100.0%

XXIV. Post-release environment.

Seeking employment	Number of delinquents	Percentage
Looking most of the time, unsuccessfully	15	41.7%
Continuously looking unsuccessfully	13	36.1%
Find a job very quickly	8	22.2%
Totals	36	100.0%

Table 12 Continued

	Delinquency Group Number	Delinquency Group Percent	Ordinary Group Number	Ordinary Group Percent
XXV. Attitudes toward the future.				
Pessimistic	287	60.4%	117	24.1%
Optimistic	94	19.8%	243	50.1%
Lack of consideration	94	19.8%	125	25.8%
Totals	475	100.0%	485	100.0%

XXVI. Hypotheses testing (examples where agreement is expressed).

	Delinquency Group No.	Total	%	Ordinary Group No.	Total	%	Remainder %
People in society speak in one way but behave in another	239	449	53.2%	214	452	47.3%	5.9%
People in society are selfish and are out for themselves	316	458	69.0%	280	468	59.8%	9.2%
People in society use each other	345	457	75.3%	315	472	66.7%	8.8%
It is just as good to spend stolen money as it is to spend earned money	168	464	36.2%	26	475	5.5%	30.7%
Concerning one's world outlook, eating and drinking are the most important things	216	464	46.6%	82	481	17.0%	29.6%
Youthfulness is not beautiful(if you don't enjoy youth, you'll have regrets after death)	259	467	55.5%	107	479	22.3%	33.2%

Table 12 Continued

	Delinquent Group Number	Percentage
XXVII. How many more friends do you associate with after entering a reformatory compared with before?		
1-2	74	17.2%
3-5	44	10.3%
6-8	20	4.7%
9-10	5	1.2%
11 or more	31	7.2%
Not one	255	59.4%
Totals	429	100.0%
XXVIII. At the reformatory, what percentage of the friends you associate with are best friends?		
1-2	128	29.6%
3-4	59	13.6%
5-6	30	6.9%
7 or more	21	4.8%
Not one	195	45.0%
Totals	433	100.0%

Truancy]
Driven out of class]
Irresponsible parental discipline] -- meet friends -----
Unemployment] --- commit delinquency
Difficulties in finding work]
Reformatory Experiences]

Table 13
Heilongjiang Work-Study School Statistics.
Source: Zhao Wang,"Yi guanyu Heilongjiang sheng gongdu xuexiao qingkuang diaocha baogao" (An investigative report concerning the conditions of a Heilongjiang Province work-study school), Zhongguo Renmin Daxue Shubao Ziliao she, #2, 1982.

	Number	Percentage
I. Nature of Crimes		
Theft	124	51%
Robbery	41	17%
Quarrelling	57	23%
Hooliganism	22	9%
Totals	244	100%
II. Characteristics of offense		
Committed in a group	156	64%
Committed alone	88	36%
Totals	244	100.0%
III. Last person in the family		
Single Child	12	5%
End child	79	32%
Totals	244	100.0%
IV. Age		
8 and under	5	2%
9-10	20	8%
11-12	34	14%
13-14	132	54%
15 and over	53	22%
Totals	244	100.0%
V. Institutional affiliation before entering work-study school.		
In school	156	63.5%
In society	47	19%
In collecting post (houses refugees and displaced persons)	40	17%
In Jail	1	0.5%
Totals	244	100.0%
VI. Evidence of change after entering work-study school.		
Joined CYL after graduation	7	
Obvious progress (thinking is better, studies hard, works hard, good discipline, no capacity to return to old criminal ways)	60	24.6%

Table 13 continued

VI. Evidence of change after entering work-study school (continued)

	Number	Percentage
Some progress (study, work is good, relapses in terms of discipline are not great)	144	59%
Lack of progress (some relapses, criminal capacity to continue making mistakes)	49	16,4%

VII. Comparison of in and out of school work study school students.

In school (224 students total)		
Obvious progress	60	20%
Some progress	144	59%
Poor manifestation	40	16%
Out of school (221 students who have left the work-study school)		
Joined army	2	
Returned to original school	31	
Graduate after having left work-study school	96	
Found work	21	
Got sick	10	
Ran away	5	
Returned to collecting post	3	
Further sentencing contemplated	28	
Discontinued schooling	25	

VIII. Family Conditions

Family Status		
Cadre	51	21%
Worker	193	79%
Working couple	114	47%
Totals	244	100.0%
Situation where a family member is missing		
Father sentenced for criminal offense.	24	10%
Father with no mother, acts in unhealthy manner.	9	1%
Either father or mother is lacking	30	12%
Father and mother divorced	11	5%

Table 13 Continued

VIII. Family Conditions continued		
Situation where a family member is missing		
Both parents are missing	4	2%
IX. Family Economic Conditions		
Under 20 yuan per month	81	33%
Over 20 yuan per month	99	41%
Over 30 yuan per month	64	26%
Totals	244	100.0%
X. External causes of criminal behavior.		
Bad social factors	28	11.5%
Bad friends instigate bad behavior	118	48.3%
Bad influence of head of household	28	11.5%
Head of household's disciplinary methods are irresponsible	40	16.4%
Youth receive discriminatory attacks	2	0.8%
Teacher's disciplinary methods are ineffective	28	11.5%
Totals	244	100.0%

Appendix Three - The Republic of China (46 tables)

Appendix 3

Table I

Youth who have been involved with a Court Declaration of a Criminal Case. (Fanzui Zhuangkuang Jichifenxi [Analysis of Criminal Conditions - 1981] Min. of Justice, Criminal Problems Research Center:) (Tables 2-10, and 24-30 are additionally taken from this source.)

Category of Crime (top line = population; bottom = percentage.)	1977	1978	1979	1980	1981
Totals:	2,266	2,089	2,394	1,608	1,495
	100.00	100.00	100.00	100.00	100.00
Larceny:	1,243	1,099	1,192	697	648
	54.85	52.61	49.79	43.34	43.35
Blackmail, intimidation:	337	342	360	228	171
	14.87	16.37	15.04	14.18	11.44
Assault, bodily injury:	163	157	157	123	78
	7.19	7.51	6.56	7.65	5.22
Dealing in stolen goods:	75	68	85	39	35
	3.31	3.25	3.55	2.43	2.34
Murder:	160	120	221	218	258
	7.06	5.74	9.23	13.56	17.26
Offense vs. personal liberty (freedom):	46	41	43	41	60
	2.03	1.96	1.80	2.55	4.01
Swindling:	22	8	13	6	10
	0.97	0.38	0.54	0.37	0.67
Public danger:	12	13	35	14	22
	0.53	0.62	1.46	0.87	1.47
Offense vs. public morals (sex offense):	17	33	39	44	35
	0.75	1.58	1.63	2.74	2.34
Occupy by force:	5	10	9	10	5
	3.22	0.48	0.38	0.62	0.34
Counterfeiting:	30	25	17	15	13
	1.32	1.20	0.71	0.93	0.87
Injure family member:	14	2	10	4	16
	0.62	0.10	0.42	0.25	1.07
Offense vs. gov't business:	18	11	13	6	3
	0.79	0.53	0.54	0.37	0.20
Offense vs. public order:	28	10	30	1	—
	1.24	0.48	1.25	0.06	—
Run away, escape:	7	7	14	5	3
	0.31	0.34	0.58	0.31	0.20
Remedy bypunishing illegally:	—	2	6	16	2
	—	0.10	0.25	1.00	0.13
Opium smoking:	10	2	5	—	2
	0.44	0.10	0.21	—	0.13
Robbery:	6	2	20	98	2
	0.44	0.10	0.84	0.50	0.13
Forceful taking:	44	78	75	92	101
	1.94	3.73	3.13	5.72	6.76
Violation of drug use:	—	—	—	—	24
	—	—	—	—	1.60
Other:	29	59	50	41	7
	1.28	2.82	2.09	2.55	0.47

Table #2

Relationship betwen Age and Offense for Those Youth Involved in a Declaration of a Criminal Case before a Court of Law, 1981.
(From Fanzui Zhaung kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center.)

Category:	Totals:	13 and older:	14 and older:	15 and older:	16 and older:	17 & older (not including 18)
Totals:	1495	--	150	366	490	489
Offense vs. gov't business:	3	--	1	--	2	--
Offense vs. public order:	--	--	--	--	--	--
Counterfeiting:	13	--	--	2	7	4
Morals Offense:	35	--	6	9	11	9
Offense vs.family member:	16	--	--	2	7	7
Murder:	16	--	--	2	7	7
Assault,bodily injury;	78	--	7	15	27	29
Offense vs.personal liberty:	60	--	4	10	20	26
Larceny:	648	--	77	191	206	174
Robbery:	2	--	--	--	1	1
Forceful taking:	101	--	8	17	39	37
Occupy by force:	5	--	--	--	4	1
Swindling, fraud:	10	--	1	1	5	3
Blackmail:	171	--	25	63	57	26
Dealing in stolen goods:	35	--	1	8	11	15
Remedy by punishing illegally:	2	--	--	1	--	1
Violation of laws of the forest:	--	--	--	--	--	--
Opium smoking:	2	--	--	1	--	1
Illegal drug use:	32	--	2	5	9	16
Other:	24	--	1	7	9	7

Table #3

Drug Use amongst youth in Taiwan

Jing xiaonian lanyung yaowu wenti zhi yanjiu (Research on drug abuse amongst youth), June 30, 1982, published by Fawu tongxun zazhi she yinhang (Law Communication Magazine Press):

Page 14	1977	1978	1979	1980	1981
Type of Drug: (Population = top line; percent = second line):					
Glue:	754	1,740	2,676	3,091	3,015
	37.11	48.61	50.84	56.32	65.40
Pentazocine:	896	1,557	1,952	1,538	869
	44.09	43.49	37.08	28.03	18.85
Hallucinogens:	212	221	534	545	581
	10.43	6.17	10.14	9.93	12.60
Other:	170	62	102	314	145
	8.37	1.73	1.94	5.92	3.15
Totals:	2,032	3,580	5,264	5,488	4,610
	100	100	199	100	100

Table #4
Conditions of Arraignment
[From Fanzui Zhuang kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center.]

Category:	1977	1978	1979	1980	1981
Number of Cases terminated:	4,969	5,528	6,570	9,530	9,737
Total cases handled by court prosecutor:	7,834	8,345	9,797	14,869	15,478
Cases moved by prosecutor:	216	222	170	389	651
Cases not delivered for arraignment:	314	234	266	392	551
Warnings issued:	3,140	3,541	4,234	6,835	7,040
Placed under official protection, control:	3,606	3,821	4,505	6,597	6,544
Reformatory Education:	357	394	526	539	490
In order to offer official procection, control, sent to reformatory:	—	—	—	—	—
Other:	—	—	—	—	—

Table #5
(From Fanzui Zhuang Kuang, as above)

Rehabilitation Services:

1981 - 5,425 people served: 81.45% - Temporary expenses issued for funerals, travelling, etc.
13.4% - Counseled, then continue to study.
3.2% - Counseled, then employed.
1.2% - Receive shelter protection.
0.7% - Receive emergency help.
0.06 %- Counseled, then adopted.
0.04 - Counseled, then sent to a hospital.

Table #6
Behavior of Juveniles Awaiting a Court Hearing (Category of Offense)
[From Fanzui Zhuang kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center.]

Behavioral Category	1977	1978	1979	1980	1981
Often meet with people with a criminal disposition:	23 2.81	5 0.52	10 0.70	5 0.30	37 2.64
Come and go without legitimate entry into playground areas:	6 0.73	3 0.31	4 0.28	1 0.06	3 0.21
Participate in injuring public order with non-desirable youth organizations:	179 21.86	64 6.60	128 8.93	52 3.09	56 4.00
Often carry a weapon (knife) on one's self with intention of fighting:	11 1.34	10 1.03	55 3.83	113 6.71	134 9.58
Often loafing outside late at night or break police regulations:	72 8.79	52 5.37	29 2.02	7 0.41	66 4.72
Youth have no home to return to and fear public security:	-- --	-- --	-- --	-- --	-- --
Often run away from home/school.	12 1.47	8 0.83	8 0.56	6 0.36	44 3.15
Absorb, eat or inject opium or other drugs:	516 63.00	827 85.34	1,200 83.58	1,500 89.07	1,059 75.70
Totals:	819 100.00	969 100.00	1,434 100.00	1,684 100.00	1,399 100.00

Table #7

Behavior of Female Juveniles Waiting Court Hearing:

[From Fanzui Zhuang Kuang Jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center]

Behavioral Category:	1977	1978	1979	1980	1981
Often meet with people with a criminal disposition:	1 0.83	— —	2 0.68	1 0.27	1 0.39
Come and go without legitimate entry into playground areas:	— —	— —	1 0.34	— —	— —
Participate in injuring public order with non-deirable youth organizations:	2 1.65	3 1.69	2 0.68	1 0.27	— —
Often carry a knife (weapon) with intention of fighting:	1 0.83	— —	— —	1 0.27	— —
Often loafing outside late at night or break police regulations:	7 5.79	1 0.56	3 1.03	— —	3 1.15
Youth have no home to return to and are considered a social influence upon public security:	— —	— —	— —	— —	— —
Often run away from home and/or school:	10 8.26	6 3.37	3 1.03	2 0.54	6 2.31
Absorb, eat inect opium and other drugs and hallucengens:	100 82.64	168 94.38	281 96.24	367 98.65	250 96.15
Totals:	121 100.00	178 100.00	292 100.00	372 100.00	260 100.00

Table #8
Employment Background of Youth Receiving Hearings and Arraignments in Criminal Courts

[From Fanzui Chuang kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center].

Category:	1977	1978	1979	1980	1981
Totals:	7,952	7,736	8,211	10,092	10,602
	100.00	100.00	100.00	100.00	100.00
Craftsman, Skilled in manual arts:	51	17	41	47	1
	0.64	0.22	0.50	0.47	0.01
Assistant helper:	3	1	1	2	—
	0.04	0.01	0.01	0.02	—
Businessman:	111	138	109	108	193
	11.40	1.78	1.33	1.07	1.82
Service trades:	102	89	108	88	278
	1.28	1.15	1.32	0.87	2.62
Farmer, hunter, lumberjack, fisherman, etc.	252	270	300	302	234
	3.17	3.49	3.65	2.99	2.21
Factory and physical labor:	2,468	2,474	2,726	2,874	3,107
	31.04	31.98	32.20	28.48	29.31
Can't analyze profession:	98	64	97	59	185
	1.23	0.83	1.18	0.58	1.74
Student status:	3,060	2,865	2,956	3,715	3,575
	38.48	37.04	36.00	36.81	33.72
Other, not yet graduated:	1,807	1,818	1,873	2,897	3,029
	22.72	23.50	22.81	28.71	28.57

Table #9
Educational background of youth involved in Court Hearings and Arraignments:
[From Fanzui Zhuang kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center].

Category: (Population top line) (Percent second line)	1977	1978	1979	1980	1981
Totals:	7,952 100.00	7,736 100.00	8,211 100.00	10,092 100.00	10,602 100.00
Cannot read:	48 0.60	18 0.23	30 0.37	14 0.14	12 0.11
Graduated primary level:	1,537 19.33	1,468 18.97	924 11.25	970 9.61	776 7.32
Studied at primary level:	1,541 19.38	1,360 17.58	684 8.33	891 8.11	909 8.58
Graduated junior high - studied at junior high:	1,362 17.13	1,386 17.92			
Graduate junior high:			1,818 22,14	2,324 23.03	2,496 23.54
Studied at Junior high:			3,505 42.69	4,573 45.32	4,733 44.64
Graduated - attended senior high school:	3,463 43.55	3,460 44.73			
Graduated senior high:			11 0.13	31 0.31	46 0.43
Attended senior high:			1,235 15.04	1,281 12.69	1,585 14.95
Graduated Higher education institution:	-- --	-- --	-- --	-- --	-- --
Attended an institution of higher education:	-- --	43 0.56	-- —	78 0.77	45 0.47
Self Study	[illegible] [illegible]	[illegible] [illegible]	[illegible] [illegible]	[illegible] [illegible]	-- --

Table #10

Reasons for Commission of Criminal Offenses amongst Juveniles Undergoing Hearing and Arraignment Proceedings:

[From Fanzui Zhuang kuang jichifenxi (Analysis of Criminal Conditions - 1981) Ministry of Justice, Criminal Problems Research Center.]

	1977	1978	1979	1980	1981
Year: (%= top/#= bottom)	7,952	7,736	8,211	10,092	10,602
	100	100	100	100	100
Totals:					
Psysiological reasons:	194	160	153	105	107
2.44 2.07 1.06 1.04	1.01				
Psychological:	1,235	1,374	1,020	1,182	1,543
	15.53	17.76	12.53	11.72	14.45
Family:	2,833	2,853	3,141	4,153	3,896
Society:	1,815	1,998	2,184	2,641	2,937
	22.82	25.83	26.60	26.17	27.70
School:	74	44	112	70	75
	0.93	0.57	1.37	0.69	0.71
Other:	1,801	1,307	1,592	1,941	2,044
	22.65	16.89	19.39	19.23	19.28

Psychological Reasons:				
Totals:	194	150	153	130
	100	100	100	100
Maimed, handicapped, crippled:	11	6	7	3
	5.67	3.75	4.58	2.36
Abnormality, deformed:	3	1	1	—
	1.55	0.63	0.65	--
Hereditary illness, incurable disease:	7	1	1	2
	3.61	0.63	0.65	1.90
Sudden natural urge to be excited:	61	32	43	36
	31.44	20	28.11	34.29
Surplus stamina;	112	120	101	64
	57.73	75	66.01	60.95

Table 4 20 [illegible]:

Physical and Mental Conditions:

Totals:	1,235 100	1,374 100	1,029 100	1,182 100	1,543 100
Disposition is stubborn and stupid:	371 30.04	372 27.07	374 36.35	456 38.58	836 54.18
Fragile Will:	674 54.57	804 58.52	531 51.60	625 52.88	648 42.00
Mental Illness symptoms:	18 1.46	8 0.58	13 1.26	18 1.52	13 0.84
Lack of Intelligence:	172 13.93	190 13.83	111 10.79	83 7.02	46 2.98
	Social Factors:				
Totals:	1,815 100	1,998 100	2,184 100	2,641 100	2,937 100
Social environment is unhealthy:	170 9.37	71 3.55	117 5.36	99 3.75	104 3.54
Lack of care in making friends:	1,570 86.50	1,880 94.10	2,019 92.44	2,479 93.87	2,717 92.51
Participate in unhealthy gangs:	32 1.76	28 1.40	30 1.37	49 1.85	72 2.45
Receive unhealthy reading materials or is influenced by their dissemination:	5 0.28	4 0.20	5 0.23	4 0.15	29 0.99
Unemployed:	38 2.09	15 0.75	13 0.60	10 0.38	15 0.51

Table 410 cont'd:

School Factors:					
Totals:	74 100	44 100	112 100	70 100	75 100
Unhealthy adapcation to Environment:	21 28.38	10 22.73	14 12.50	23 32.86	20 26.67
Truancy, (absence from school):	27 36.49	12 27.27	12 10.71	7 10	33 44.00
Not adequately handling responsibility:	26 35.13	22 50	86 76.79	40 57.14	22 29.33
Family Factors:					
Totals:	2,833 100	2,853 100	3,141 100	4,153 100	3,896 100
Criminal Family:	13 0.46	19 0.66	8 0.25	13 0.31	7 0.18
Family Destroyed:	236 8.33	209 7.33	207 6.59	200 4.82	181 4.64
Father/mother relationship not amiable:	30 1.06	22 0.77	15 0.48	18 0.43	19 0.49
Relations with relatives not normal:	28 0.99	8 0.28	10 0.32	19 0.46	6 0.15
Large number of children in family:	47 1.66	9 0.32	4 0.13	13 0.31	15 0.39
Inconsistent fulfillment of disciplinary responsibilities:	2,405 84.89	2,558 89.66	2,867 91.28	3,871 93.21	3,647 93.61
Impoverishment; difficult to sustain life:	74 2.61	28 0.98	30 0.95	19 0.46	21 0.54

Other Factors:

Totals:	1,801 100	1,307 100	1,592 100	1,941 100	2,044 100
Jess but:	12 0.67	12 0.92	17 1.07	7 0.36	11 0.54
Curiosity in ordering a person about:	327 18.15	284 21.73	327 20.54	508 26.17	444 21.72
Vanity:	76	104	95	95	179
Habitually lazy:	187 10.38	143 10.94	108 6.78	154 7.93	287 14.04
External Pressure:	139 7.72	82 6.27	52 3.39	27 1.39	54 2.64
Lacking general knowledge of law:	588 32.65	330 25.25	529 33.23	547 28.18	417 20.40
Other:	472 26.21	352 26.93	454 28.52	603 31.07	652 31.90

Table # 11

Analysis of Juvenile Delinquency Conditions Amongst Th an
Provincial Training Institute Youth - 1979
I. Analysis of Criminal Record:

Year:	Pop. %	1976	1977	1978	Totals:
Totals:		201	155	156	512
		100	100	100	100
Burglary:		109	80	67	256
		54.22	51.61	42.95	50.00
Dealing in stolen goods:		5	0	2	7
		2.49	0	1.28	1.37
Attempted murder and assault (bodily injury):		22	20	19	61
		10.95	12.90	12.18	11.91
Offense vs. personal freedom:		2	3	4	9
		0.99	1.93	2.56	1.76
Morals offense:		9	6	1	16
		4.48	3.88	0.64	3.13
Forgery:		0	2	0	2
		0	1.29	0	0.39
Blackmail and intimidation:		8	7	17	32
		3.98	4.42	10.90	6.25
Expect to violate law:		12	22	38	72
		5.97	14.19	24.36	14.06
Other:		34	15	8	57
		16.92	9.68	5.13	11.13
TOTALS:		201	155	156	

Table #12

Analysis of Items Stolen by Taoyuan Youth - 1979

	Number of Offenders:		Analysis of Items Stolen by Taoyuan offenders:	
Category:	1976	1977	1978	Total:
Motorcycle:	57	21	18	96
Car:	1	1	0	2
Bicycle:	22	7	12	41
Cash:	33	60	46	139
Jewelry:	6	7	5	18
Electrical appliances:	6	2	5	13
Construction materials:	4	1	2	7
Poultry and farm produce:	5	0	0	5
?	6	1	5	12
?	24	24	19	67
TOTALS:	184	124	112	420

Table #13
Ages of Offenders : Taoyuan Youth:

	1976	1977	1978	Total:
11 and under	2 (pop.)	3	5	10
	0.99 (%)	1.93	3.21	1.95
12	8	10	7	25
	3.98	6.45	4.49	4.88
13	18	13	13	44
	8.96	8.39	8.33	8.59
14	26	22	18	66
	12.94	14.19	11.54	12.89
15	24	25	25	74
	11.94	16.13	16.02	14.46
16	49	23	36	108
	24.38	14.84	23.08	21.09
	47	38	31	116
	23.38	24.52	19.87	22.66
18	21	15	13	49
	10.45	9.68	8.33	9.57
19	5	6	6	17
	2.49	3.87	3.85	3.32
20	1	0	2	3
	0.49	0	1.28	0.59
TOTALS:	201	155	156	512
	100	100	100	100

Table # 14

Analysis of Tatoos of Taoyuan Juvenile Training Institute Youth-1979

Category: Offenders:	Comment:	Number of
1. Motives:	1. Own reasons	72
	2. Forced to comply	12
2. Age:	1. Ten and under	1
	2. Eleven - fourteen	9
	3. Fifteen - eighteen	74
3. Location on body	1. Chest	3
	2. Back	5
	3. Hand, arm	66
	4. Leg	30
	5. Other	7
4. Pattern:	1. Art design	66
	2. Alphabetic lettering	38
5. Meaning:	1. Gang slogan	10
	2. Curiosity	50
	3. Represents another's belongings	14
6. Place where tatoo was engraved:	1. At home	5
	2. At a friend's home	25
	3. Place of amusement	3
	4. Hotel	6
	5. Jail	9
	6. While being held under observation	8
	7. At the reformatory	6
	8. Other	17

Table # 15

Frequency of Joint Offenses

Year:	Pop. %	Single person:	2 people:	3 or more people acting together:	Totals
1976		103	54	44	201
		51.24	26.87	21.89	100
1977		65	41	49	155
		41.94	26.45	31.61	100
1978		67	53	36	156
		42.95	33.97	23.08	100
TOTALS:		235	148	129	512
		45.90	28.91	25.19	100

Table #16

Gang participation amongst Taoyuan youth:

[454 delinquents interviewed; 47 participate in gangs] 1979

Category:	Comment:	Numbers:	1.
Age of participants:	1. Ten and under	1	
	2. Eleven - fourteen	17	
	3. Fifteen - eighteen	29	
2. Motives:	1. Freely joined	39	
	2. Coerced into joining	8	
3. Size of group:	1. Ten people and under	4	
	2. Eleven - twenty	21	
	3. Twenty-one - fifty	6	
	4. Fifty-one - one hundred	4	
	5. More than one hundred	2	
4. Identifying characteristics:	1. Tatooes		10
	2. Uniforms		6
	3. Other identification marks		31
5. Feelings after joining:	1. Obtain security		7
2. Very regretful	21		
	3. Want to leave but this is beyond one's control		15
	4. At first sweet, but then the feeling degenerates		11
	5. Other		5

Habits of Taoyuan Delinquents

I. Ordinary healthy habits:	1. Reading novels, newspapers	282
	2. Climbing and going on outings	163
	3. Playing chess	83
	4. Singing	147
	5. Collecting valuables	54
	6. Other	43
II. Unhealthy habits:	1. Gambling	81
	2. Smoking	413
	3. Drinking	162
	4. Going into inappropiate places	217
	5. Taking drugs	122
	6. Other	37

Table 4.17
When [illegible] [illegible]?

1. Running away from home:	172
2. Participating in gangs:	47
3. Going away to attend school:	48
4. Going away to work:	124
5. Other:	58
6. Not stated	19

Motives for engaging in criminal activity:

1. Seduced by desire for other things:	161
2. Under influence of bad friends:	199
3. Incited by scoundrels and villains:	9
4. Roaming around in a state of vagrancy with no money:	63
5. Other	39
6. Not stated	

Table #18
Taoyuan offenders' knowledge of wrongdoing:

Content	Numbers:
1. Knowledgeable, aware:	294
2. Don't know, are not aware:	149
3. Not stated:	19
Delinquents' perceptions after committing the crime:	
1. Pleased:	44
2. This is good fortune, luck:	108
3. It is of no matter now, everything lacks consequence:	37
4. Guilty conscience, feel responsible:	232
5. Other:	22
6. Not stated:	11
Family members who are criminals:	
1. None	374
2. Some	68
3. Unknown	12
Family Parental Status:	
1. Both parents are present, healthily married and are stable:	325
2. One parent is not present:	46
3. Both parents are present and are married but their relationship is unstable and unhealthy:	60
4. Not stated:	23
Delinquent attitudes toward their incarceration at the Taoyuan Service Training Center:	
1. They are observed too stringently:	142
2. They are often scolded:	242
3. Closeness (between students) is very seldom allowed:	37
4. [Authorities] show carelessness, negligence:	20
5. They fundamentally don't care:	9
6. Other:	18
7. Not stated:	
10	
Delinquent attitudes toward society:	
1. Don't trust society:	165
2. Regard society as an enemy:	31
3. Loathe, detest society:	43
4. Practice avoidance:	101
5. Society is good, contact desireable:	123
6. Other:	12

Table 7 14

Taoyuan Juvenile Training Institute Follow-up Report:

Part I: Impressions of Police:

Question and answer:	Number of responses:
What is the student's physical condition?	
1. Healthy:	254
2. Died of illness:	3
3. Committed suicide:	0
4. Killed:	0
5. Unknown:	9
Where is the student now residing?	
1. Native residence:	109
2. External (different) residence:	38
3. In military service:	71
4. Serving prison sentence:	35
5. Don't know where student returned to:	13
What is the student's employment situation?	
1. Engaged in commercial, service work:	8
2. Engaged in factory work (industrial work):	112
3. Other:	25
4. Not employed:	80
5. Unknown:	33
What is the student's academic situation?	
1. Studying at high school or senior vocational schools:	8
2. Attending a university:	1
3. Attending a military academy:	1
4. Other:	182
5. Unknown:	74
What is the student's family environment?	
1. Wealthy, prosperous:	6
2. Little abundance:	99
3. Average:	128
4. Impoverished:	31
5. Very impoverished:	2
To what degree do family members feel responsible?	
1. Very responsible:	4
2. Responsible:	102
3. Not responsible:	121
4. No details:	39
Degree of criminal activity in families:	
1. There resides at least one family member with a previous criminal record:	34
2. Some family members have broken police regulations:	35
3. More than two family members falling under either of the above mentioned categories reside in the household:	32
4. There are no more than two family members falling under the above mentioned categories who reside in the house:	165
Conditions of the released students themselves:	
1. They become criminal:	37
2. They frequently break police regulations:	79
3. They have done either of the above more than twice:	18
4. They have committed the above offenses less than twice:	192

Table # 19, cont'd:

Friendship relations:	
1. Students participate in unhealthy gangs:	3
2. They associate with people who are unhealthy influencs:	94
3. They fall into the above categories more than two times:	12
4. Their behavior falls into the above catexories less than two times:	157
Attitudes of neighbors and the community toward delinquents:	
1. Very good:	15
2. Average:	123
3. Unsatisfactory:	96
4. Very poor:	21
5. No details:	14
Attitudes of authorities toward delinquents:	
1. Very good:	13
2. Average:	26
3. Unsatisfactory:	192
4. Very poor:	35
Part II: Impressions of Heads of Household:	
Impressions of student's health:	
1. Healthy:	108
2. Sick:	4
3. Dead:	3
Nature of work:	
1. Long term and regular work:	28
2. Temporary or part-time work:	30
3. No work	57
Delinquent's schooling:	
1. Higher level schooling	8
2. Quit schooling:	4
3. No schooling (not in school):	103
Martial Status:	
1. Not married:	112
2. Married:	2
3. Cohabitation:	0
4. Divorce:	0
5. Remarried:	1
Delinquent's indepedence:	
1. Leads independent life:	34
2. Dependent on family	14
3. Lives with family but contribute:	67
Where is delinquent living?	
1. In another location:	48
2. In family village:	58
3. Don't know:	9
Delinquent's conditions (attitudes):	
1. Mended his ways:	90
2. Occasionally goes against rules:	9

Table # 12 cont'd:

3. Commits the crime again:	16
Friendship relations:	
1. Cut off relations with previous friends:	101
2. Continues relations with previous harmful friends:	14
Neighbors and community attitude toward delinquent:	
1. Very good:	55
2. Average:	54
3. Unsatisfactory:	4
4. Very bad:	2
Family economic condition:	
1. Affluent:	0
2. A little affluence:	40
3. Average:	58
4. Poor:	13
5. Very impoverished:	4
Impressions of police and authorities' attitude toward offenders:	
1. Very good:	48
2. Average:	61
3. Unsatisfactory:	3
4. Very bad:	3
Part III: Impressions of Youth themselves:	
(347 questionnaires, 4 responses, return rate of 27.09%)	
Physical condition:	
1. Healthy:	88
2. Weak:	3
3. Have a certain disease:	3
Employment condition:	
1. Technician:	24
2. Semi-technician:	5
3. Temporary work:	30
4. No work:	35
Study situation:	
1. Can follow the courses:	8
2. Cannot follow the courses:	4
3. Not engaged in a course of study:	82
Marital circumstances:	
1. Satisfactory:	1
2. Unsatisfactory:	0
3. Not married:	93
Family responsibilities:	
1. Fulfill a large portion of family responsibilities:	5
2. Fulfill partial family responsibilities:	49
3. No responsibilities:	40
Adaptation toward social relations:	
1. Easy, having no trouble:	82
2. There is difficulty:	7
3. Not smooth:	5
Unhealthy pressure from previous friends:	

Table [illegible]:

1. Very great:	8
2. Average:	19
3. Very small:	16
4. None:	53
Friends and relatives' attitudes toward you after you leave:	
1. Try by all means to help:	62
2. Average:	30
3. Try to avoid you:	0
4. Discriminate against you:	2
Police impressions of you:	
1. Very good:	47
2. Average:	42
3. Unsatisfacatory:	3

Have you received assistance from agencies after you left (Taoyuan)?

Yes: - 30 No: - 64

Are you willing to stay in contact with rehabilitation agencies?

Yes: - 82 No: - 22

Table # 2'

Record of Student-Family Visitations at Taoyuan:

1. Name of Visitor
2. Name of Receiving Person
3. Date of Birth of Visitor

Information concerning the student receiving the visitor:

1. Name:
2. Student I.D.number:
3. Sex
4. Native residence
5. Birthdate:
6. Address:
7. Cause of case:
8. Time of entry into institution:
9. Time of taking action
10. Personality:
11. General performance at institution:
12. Educational background:
13. Health history:
14. Peer relations:

Information concerning the family head:

1. Father, mother's name:
2. Address:
3. Relationship of relative (e.g. own son or not):

Family circumstances:

1. Family members:
2. Relationship Health:
3. Name:
4. Living or dead:
5. Religion:
6. Employment:
7. Hobbies:
8. Other:

1. Style of parental discipline:
2. Parental relationship to child:
3. Child's attitude toward parents:
4. Relationship with brothers/sisters:
5. Moral level of the family:
6. Economic conditions of family:
7. Neighborhood, community environmental conditions:

Information concerning school life before student entered Taoyuan:

1. Study performance :
2. Studies he likes best:
3. Readings he enjoys:
4. Teacher-student relationshp:
5. Past record of moral behavior:

Table # [illegible]:

[illegible] Taoyuan:

[illegible]:

2. Degree of transferring from one place to another:
3. Income:
4. Balance (including debts):
5. Continuous or temporary job - technical skill requirements of job:

Parental Opinions

Analysis of result of visitation: Parents' attitude, willingness of parents to coordinate efforts with Taoyuan authorities, their expectations, the degree of parental concern, etc.

Table 21
Taoyuan Juvenile Training Institute Recidivism Statistics (1972-1977). Source: Hsu Hou-pin, *Facts About the Provincial Training School at Taoyuan*, May, 1979.

Category	1972	1973	1974	1975	1976	1977
No. of students discharged	284	287	259	257	203	265
No. who answered official inquiries (questionaires)	198	215	207	149	102	153
% of responses	69.72%	74.91%	79.92%	57.98%	50.25%	59.77%
Born again persons	171	180	172	121	84	124
%	86.36%	83.72%	83.09%	81.21%	82.35%	81.05%
Recidivists	27	35	35	28	18	29
%	13.64%	16.28%	16.91%	18.79%	17.65%	18.95%

Table 22 - First Time Offenders at the Taoyuan Juvenile Training Institute (from 1979 report)

Age	Population Percentage	1976	1977	1978	Totals
11 and under		12	13	5	30
		5.97%	8.39%	3.21%	5.85%
12		20	14	14	48
		9.95%	9.03%	8.97%	9.38%
13		32	22	23	77
		15.92%	14.19%	14.74%	15.05%
14		41	31	33	105
		20.40%	20.00%	21.16%	20.50%
15		42	25	38	105
		20.89%	16.14%	24.36%	20.50%
16		34	28	29	91
		16.92%	18.06%	18.59%	17.77%
17		20	22	14	56
		9.95%	14.19%	8.97%	10.94%
18		0	0	0	0
		0%	0%	0%	0%
Totals		201	155	156	512
		100.0%	100.0%	100.0%	100.0%

Table 23 - Educational Attainment amongst offenders residing at the Taoyuan Juvenile Training Institute (from 1979 report)

Amount of schooling	1976	1977	1978	Totals
Never entered school	8	1	2	11
	3.98%	0.65%	1.28%	2.15%
Primary, grade one	0	2	2	4
	0	1.29%	1.28%	0.78%
Grade 2	3	5	2	10
	1.49%	3.23%	1.28%	1.95%
Grade 3	5	7	5	17
	2.48%	4.52%	3.21%	3.32%
Grade 4	8	7	3	18
	3.98%	4.52%	1.92%	3.51%
Grade 5	9	0	4	13
	4.48%	0.0%	2.56%	2.55%
Grade 6	22	10	6	38
	10.95%	6.45%	3.86%	7.42%
Graduate primary level	33	20	17	70
	16.42%	12.90%	10.90%	13.67%
Junior high grade 1	24	25	23	72
	11.94%	16.13%	14.74%	14.06%

Table 23 continued

Amount of Schooling	1976	1977	1978	Totals
Junior High grade 2	27 13.43%	28 18.06%	35 22.44%	90 17.58%
Grade 3	21 10.45%	20 12.90%	17 10.90%	58 11.33%
Graduate junior high	22 10.95%	12 7.74%	23 14.74%	57 11.13%
High School grade one	12 5.97%	11 7.09%	12 7.69%	35 6.84%
Grade 2	5 2.49%	4 2.58%	5 3.20%	14 2.73%
Grade 3	0 0%	2 1.29%	0 0%	2 0.39%
Other	2 0.99%	1 0.65%	0 0%	3 0.59%
Totals	201 100.0%	155 100.0%	156 100.0%	512 100.0%

Table 24

Truancy occurrence amongst Taoyuan Juvenile Training Institute Youth (from 1979 report)

	Number
I. <u>First Time Offenders committing truancy</u>	
Attended primary school	162
Attended junior high school	165
Attended senior high school	5
II. <u>Repeat Offenders</u>	
Committed truancy once more	43
Twice	39
Three times	42
Four times	208
III. <u>Reasons for committing truancy</u>	
Too fond of play	148
Influence of friends	130
Class schedule is too heavy and I haven't studied	48
Other	30

Table 25 - Juvenile Training Institute Admissions and Leaver Statistics. Source: Fanzui Zhuangkuang Jichi Fenxi (An Analysis of Criminal Conditions) 1981 Fawubu Fanzui Wenti Yanjiu Zhongxin (Ministry of Justice Criminal Problems Research Center, 1981)

Year	Totals	Taoyuan Juvenile Training Institute	Zhanghua Juvenile Training Institute	Gaoxiong Juvenile Training Institute
		Admissions		
1977	367	145	150	72
1978	379	160	119	100
1979	526	174	139	123
1980	532	156	234	142
1981	522	228	188	106
Totals	2316	863	911	543
		Leavers		
1977	613	260	202	151
1978	473	214	129	130
1979	540	244	190	106
1980	471	146	198	147
1981	512	158	216	238
Totals	2629	1013	935	672

Table 26 - Age of Youth Attending Juvenile Training Institutes (1977-81). Source: Fanzui Zhuangkuang...

Age	Totals	1977	1978	1979	1980	1981
12 and under	81	14	11	12	22	22
	3.48%	3.81%	2.90%	2.28%	4.14%	4.21%
13	13	14	21	19	28	31
	4.01%	3.81%	5.54%	3.62%	5.26%	5.94%
14	194	32	29	38	52	43
	8.34%	8.72%	7.65%	7.22%	9.76%	8.24%
15	309	46	43	67	80	73
	13.29%	12.53%	11.35%	12.74%	15.04%	13.98%
16	433	67	80	81	95	110
	18.61%	18.26%	21.11%	15.40%	17.85%	21.07%
17	487	63	74	105	128	117
	20.94%	17.17%	19.53%	19.96%	24.06%	22.41%
18	458	83	81	121	91	82
	19.69%	22.62%	21.37%	23.00%	17.12%	15.72%
19	165	32	17	62	24	30
	7.94%	8.72%	4.48%	11.79%	4.51%	5.75%

Table 26 Continued

Age	Totals	1977	1978	1979	1980	1981
20	36	16	23	21	12	14
	3.70%	4.36%	6.07%	3.99%	2.26%	2.68%
Totals	2376	367	379	526	532	522
	100.00%	100.00%	100.00%	100.00%	100.00%	100.0%

Table 27 - Educational Background of Youth Attending Juvenile Training Institutes (1977-1981) Source: Fanzui Zhuangkuang...)

Cate-gory	Totals	1977	1978	1979	1980	1981
Can't read	27	8	5	6	4	4
	1.16%	2.18%	1.32%	1.14%	0.75%	0.77%
Pri-mary level school-ing	679	114	111	154	156	144
	29.29%	31.06%	29.29%	29.28%	29.32%	27.59%
Middle level school-ing	1425	204	231	320	337	333
	61.26%	55.59%	60.95%	60.84%	63.35%	63.79%
Senior level school-ing	154	40	15	33	31	35
	6.62%	10.90%	3.96%	6.27%	5.83%	6.70%
Vocation-al School-ing	41	1	17	13	4	6
	1.76%	0.27%	4.49%	2.47%	0.75%	1.15%
Totals	2326	367	379	526	532	522
	100%	100%	100%	100%	100%	100%

Table 28 - Family Economic Conditions of Youth Attending Juvenile Training Institutes (1977-1981) Source: Fanzui Zhuangkuang...

	Totals	1977	1978	1979	1980	1981
Impoverished	249	62	67	49	35	36
	10.71%	16.89%	17.68%	9.32%	6.57%	6.90%
Average	1956	284	287	459	477	449
	84.09%	77.39%	75.72%	87.26%	89.66%	86.01%
Affluent	121	21	25	18	20	37
	5.20%	5.72%	6.60%	3.42%	3.77%	7.09%

Table 29 -Family Economic Conditions of Youth Assumed to Commit Offenses Appearing before a Criminal Court for a Hearing (1977-1981) Source: Fanzui Zhuangkuang....

	1977	1978	1979	1980	1981
Impoverished, no way to live	46	57	77	66	66
	5.62%	5.88%	5.37%	3.92%	4.72%
Compelled to sustain life	394	467	550	710	608
	48.11%	48.20%	38.35%	42.16%	43.46%
Little abundance	346	432	773	879	699
	42.24%	44.58%	53.91%	52.20%	49.96%
Mid-level affluence and above	33	13	34	29	26
	4.03%	1.34%	2.37%	1.72%	1.86%
Totals	819	969	1,434	1,684	1,399
	100%	100%	100%	100%	100%

Table 30 - Head of Household's Occupational Status (for youth attending Juvenile Training Institutes, 1977-1981) Source: Fanzui Zhuangkuang....

Category	Total	1977	1978	1979	1980	1981
Factory Worker	909	124	150	196	231	208
	39.08%	33.79%	39.58%	37.26%	43.42%	39.85%
Commercial Worker	518	84	101	119	99	115
	22.27%	22.89%	26.65%	22.62%	18.61%	22 03%
Farmer	284	59	49	76	51	49
	12.21%	16.08%	12.93%	14.45%	9.59%	9.38%
Military	49	19	7	9	8	6
	2.11%	5.18%	1.85%	1.71%	1.50%	1.15%
Fisherman	49	8	6	12	11	10
	2.02%	2.18%	1.58%	2.28%	2.07%	1.92%

Table 30 - Head of Household's Occupational Status Continued

Category	Total	1977	1978	1979	1980	1981
Self-employed	44 1.89%	8 2.18%	4 1.06%	9 1.71%	13 2.44%	10 1.92%
Public service	137 5.89%	17 4.36%	23 6.06%	29 5.51%	35 6.58%	33 6.32%
Transportation; moving things	124 5.33%	16 4.36%	13 3.43%	21 3.99%	35 6.58%	39 7.47%
No job	154 6.62%	23 6.26%	18 4.75%	39 7.43%	36 6.77%	38 7.28%
Other	60 2.58%	9 2.45%	8 2.11%	16 3.04%	13 2.44%	14 2.68%
Totals	2326 100%	367 100%	379 100%	526 100%	532 100%	522 100%

Table 31 - Criminal Offenses of Youth Attending Juvenile Training Institutes (1977-1981)
Source: Fanzui Zhuangkuang...

Category	Total	1977	1978	1979	1980	1981
Burglary	1031 44.33%	183 49.86%	159 41.95%	242 46.01%	222 41.73%	225 43.10%
Dealing in Stolen goods	32 1.33%	5 1.36%	7 1.85%	3 0.57%	2 0.37%	14 2.68%
Taking by force	58 2.49%	19 5.18%	11 2.90%	8 1.52%	8 1.50%	12 2.30%
Assault, bodily injury	184 7.92%	39 10.63%	44 11.61%	37 7.04%	35 6.58%	29 5.56%
Fraud	8 0.34%	0 0%	4 1.06%	1 0.19%	2 0.38%	1 0.19%
Occupy by force	1 0.04%	1 0.27%	0 0%	0 0%	0 0%	0 0%
Blackmail, intimidation	117	20	27	17	22	21
Offense vs. personal freedom	51 2.19%	10 2.73%	6 1.58%	17 3.23%	10 1.88%	8 1.53%

Table 31 Continued (Criminal Offenses of Youth Attending Juvenile Training Institutes 1977-1981)

Category	Total	1977	1978	1979	1980	1981
Other	845	90	121	201	231	202
	36.33%	24.52%	31.93%	38.21%	43.42%	38.70%
Totals	2326	367	379	526	532	522
	100%	100%	100%	100%	100%	100%

Table 32 Source: Education in the Republic of China, Ministry of Education, 1980

Grade	Elementary School			Junior High School		
	1 2	3 4	5 6	1	2	3
Civics & Ethics	120	120 200	200	2	2	2
Health Education				2		
Mandarin	400	400	400			
Chinese				6	5	6
English				2-3	2-3	
Mathematics	120	160 200	240	3-4	3-4	3-4
Social Studies	80	120	120			
History				2	2	1
Geography				2	2	1
Natural Science	120	150	160	3	4	4
Singing & Playing	160					
Physical Education		120	120	2	2	2
Music		80	80	1	1	1
Fine Arts				1	1	1
Craftwork	80	120	120			
Industrial Arts (Home Economics for girls)				2	2	2
Selective Subjects: Plantation of Agricultural Products					2	
Drawing						
Abacus						
Agriculture						6-9
Industry						
Commerce						
Home Economics						
Marine Products						
English						
Mathematics						
Music						
Fine Arts						
Boy Scout Training				1	1	1
Group Activities	80	80	80			
Guidance Activities				1	1	1
TOTAL	1160	1360 1480	152[illegible]	30-32	33-33	31-35

Notes:

1. The teaching hours of foreign language (English) and mathematics at junior high school are flexible in order to meet actual local requirements.

2. In the senior year of junior high school, plantation of agricultural products, drawing, and abacus are electives. The student may elect any one of the three courses for two hours weekly.

3. In the third year of junior high school, electives are divided into two categories, namely, professional electives and commercial electives. The former is again divided into agriculture (including agricultural plantation, agricultural processing, poultry and animal raising courses), industry (including drawing, metal works, and electronic works courses), commerce (including abacus, bookkeeping, and statistical drawing courses), home economics (including tailor management, dressmaking, and home electrical appliances courses). The latter's subdivided into natural science, English, music, and art courses. Industrial courses have 6-8 hours weekly, while other courses are two hours each week. The student must elect two courses out of the twelve weekly courses with at least one professional course, or three courses with at least two professional courses. But only one elective from industrial courses is required.

4. One hour each week for weekly meeting and extracurricular activities in junior high school are not included in the table.

Table 33 Source: Education in the Republic of China.

TEACHING SUBJECTS AND WEEKLY TEACHING HOURS
IN SENIOR HIGH SCHOOLS

	1		2		3		1		2		3	
	I	II	I	II	I	II	I	II	I	II	I	II
Chinese	6	6	5	5	5	5	6	6	7	7	7	7
English	6	6	5	5	5	5	6	6	7	7	7	7
Civics	2	2	2	2			2	2	2	2		
Three Principles of the People					2	2					2	2
History	2	2	2	2			2	2	2	2		
History of Chinese Culture												2
Geography	2	2	2	2			2	2	2	2	2	2
Mathematics	4	4	6	6	6	6	4	4	4	4	4	4
Physics					6	6					3	3
Chemistry			6	6					3	3		
Biology	3	3					3	3				
Earth Science					2	2						
Physical Education	2	2	2	2	2	2	2	2	2	2	2	2
Music	1	1	1	1			1	1	1	1		
Fine Arts	1	1	1	1			1	1	1	1		
Industrial Arts (Home Economics for girls)	2	2	2	2			2	2				
Military Training (Military Training & Nursing for girls)	2	2	2	2	2	2	2	2	2	2	2	2
Selective Subjects					2 / 6	2 / 6					2 / 5	2 / 5
TOTAL	33	33	36	36	32 / 36	32 / 35	33	33	35	35	33 / 36	33 / 36

Table 33 Continued Education in the Republic of China.

Example TEACHING SUBJECTS AND WEEKLY HOURS OF AGRICULTURAL MECHANICAL COURSE IN SENIOR AGRICULTURAL VOCATIONAL SCHOOL

Grade	1		2		3	
(Semester)	I	II	I	II	I	II
Chinese	4	4	4	4	4	4
English	2	2	2	2	2	2
Civics	2	2	2	2		
Three Principles of the People					2	2
Mathematics	4	4				
Physics	2	2				
Physical Education	1	1	1	1	1	1
Military Training	2	2	2	2	2	2
Introduction to Agriculture	2	2				
Drawing Study & Drawing	1	1				
Welding						
Farm Machines			6	6		
Introduction to Machines	3	3				
Farm Machines Repair					4	4
Selective Courses			1	3	4	4
Practice	14	14	17	17	18	18
TOTAL	37	37	37	37	37	37

Example TEACHING SUBJECTS AND WEEKLY HOURS OF TECHNICAL ENGINEERING COURSE IN SENIOR INDUSTRIAL VOCATIONAL SCHOOL

Grade	1		2		3	
(Semester)	I	II	I	II	I	II
Chinese	4	4	4	4	4	4
English	2	2	2	2	2	2
Civics	2	2	2	2		
Three Principles of the People					2	2
Physical Education	1	1	1	1	1	1
Military Training	2	2	2	2	2	2
Related Mathematics	2-4	2-4	2-4	2-4	2	2
Related Sciences	3	3				
Drawing Study & Drawing Practice	3	3	3	3	3	3
Mechanical Engineering	2	2	4	4	4	4
Selective Courses	0-2	0-2	0-2	0-2	4	4
Practice	14	14	14-15	14-15	14-15	14-15
TOTAL	37	37	36-37	36-37	36-37	36-37

Example TEACHING SUBJECTS & WEEKLY HOURS IN SENIOR COMMERCIAL VOCATIONAL SCHOOL

Grade	1		2		3	
Semester	I	II	I	II	I	II
Chinese	5	5	5	5	5	5
English	4	4	4	4	4	4
Civics	2	2	2	2		
Three Principles of the People					2	2
Mathematics	4	4	4	4		
Physical Education	1	1	1	1	1	1
Music	1	1				
Military Training	2	2	2	2	2	2
Economic Geography	2	2				
Economics	1	1				
Commercial Basic Knowledge	5	5				
Basic Accounting					4	4
Cost Accounting					5	5
Money & Banking			2	2		
Statistics					3	3
Introduction to Commerce	2	2				
Accounting			5	5		
Commercial Mathematics			2	2		
Business Management					2	2
Commercial Law			2	2		
Commercial Practice					2	2
Abacus	2	2	2	2	2	2
Chinese Typing					2	2
English Typing			3	3		
Introduction to Finance & Taxation			2	2		
Marketing & Advertisement	1	3				
International Trade					2	2
TOTAL	36	36	36	36	36	36

Table 34 - Daily Schedule for Senior Technical Program at the Taoyuan Juvenile Training Institute (1982)

Time	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.
7:30-8:00am	group exercises	Military training	Group exercises	Military training	Group exercises	Military training
8:00-8:30	----------Rest----------					
8:30-9:20	Electrician internship	Civics	English	Math	Moral education lecture	Electrical industrial training
9:30-10:20	Electrician internship	Civics	English	Math	Mandarin (lit.)	Electrical industrial training
10:30-11:20	Electrician internship	Study Hall (self study)	Self study	Math	Mandarin (lit.)	Principles of Electricity
2:10-3:00pm	Study Hall	Electrical Principles	Composition	Mandarin (lit.)	Study Hall	Group exercises
3:10-4:00	Military training	Electrical Principles	Composition	Mandarin (lit.)	Drafting	Group exercises
4:10-5:00	Military Training	Electrical Principles	P.E.	Music	Drafting	Moral Education
6:20-6:50	Moral Education	Unforgettable Year (review of events)	Moral Ed.	Road to Victory	Unforgettable year	Class meeting

Table 35 - Schedule of Classes for Primary Grade 5 level students attending the Taoyuan Juvenile Training Institute (1982)

Time	Mon.	Tues.	Weds.	Thurs.	Fri.	Sat.
7:30-8:00 am	Moral Ed.	Military Training	Moral Ed.	Military Training	Moral Ed.	Military Training
Rest						
8:30-9:20	Ethics of Life	Music	Mandarin (lang.)	Society (Social Studies)	Moral Ed. lecture	Nature
9:30-10:20	Math	Life Education	Mandarin (lang.)	Society	Ethics of life	Moral Ed.
10:30-11:20	Math	Health Education	Nature	Moral Ed.	Health	Life Education
2:10-3:00pm	Mandarin (lang.)	Moral Ed.	Matn	Mandarin (lang.)	Society	Service Work
3:10-4:00	Mandarin (lang.)	Military Training	Math	Mandarin (lang.)	Society	Service Work
4:10-5:00	P.E.	Military Training	P.E.	Life Education	Service Work	Class Meeting
6:20-6:50	Business Writing	Recreational activities	Busniess Writing	Recreational Activities	Business Writing	Rec. Activities

A similar schedule is in operation for students studying at the primary grade six level.

Table 36 - Vocational Work-Study Schedule at the Taoyuan Juvenile Training Institute (1982) The principal vocational work is automobile repair and maintenance.

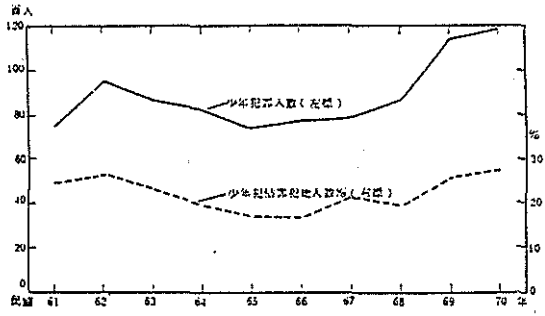
Time	Mon.	Tues.	Weds.	Thus.	Fri.	Sat.
7:30-8:00am	Moral Ed.	Military Training	Unforget-table year	Military Training	Prin-ciples of filial piety	Mil. Train-ing
8:00-8:30	Rest					
8:30-9:20	Voc-ation-al Ed.	Voc. Ed.	Voc. Ed.	Mandarin (lang.)	Moral Ed. lecture	Ethics of Life
9:30-10:20	Voc. Ed.	Voc. Ed.	Voc. Ed.	Mandarin (lang.)	Society	Math
10:30-11:20	Voc. Ed.	Voc. Ed.	Voc. Ed.	Society	Ethics of Life	Math
2:10-3:00pm	Voc. Ed.	Mandarin (lang.)	Ethics of Life	Voc. Ed.	Voc. Ed.	Ser-vice Work
3:10-4:00	Voc. Ed.	Mandarin (lang.)	Military Training	Voc. Ed. (Skills)	Voc. Ed.	Ser-vice Work
4:10-5:00	Voc. Ed.	Society	Military Training	Voc. Ed.	Voc. Ed.	Class meet-ing
5:20-6:50	Filial Piety	P.E. Activities	Moral Ed.	Unforget-able year	Moral Ed.	P.E. Activ-ities

A similar schedule is in operation for those students whose vocational education consists of electrical repair.

Table 37 Source: National Bureau of Criminal Investigation, Crime Statistics 1981

歷年少年犯罪人數比較

Juvenile Delinquents, 1972-1981



年份 Year	61 年 1972	62 年 1973	63 年 1974	64 年 1975	65 年 1976	66 年 1977	67 年 1978	68 年 1979	69 年 1980	70 年 1981
人犯總數 Total Offenders	30.200	34.328	33.266	40.856	40.818	44.122	39.184	43.585	44.669	43.612
少年犯人數 Juvenile	7.532	9.326	8.628	8.14[illegible]	7.282	7.845	7.385	9.693	11.288	11.951
少年犯佔百分比 Juvenile Percentage	24.94	27.18	22.35	19.94	17.84	17.78	20.12	19.94	25.27	27.40

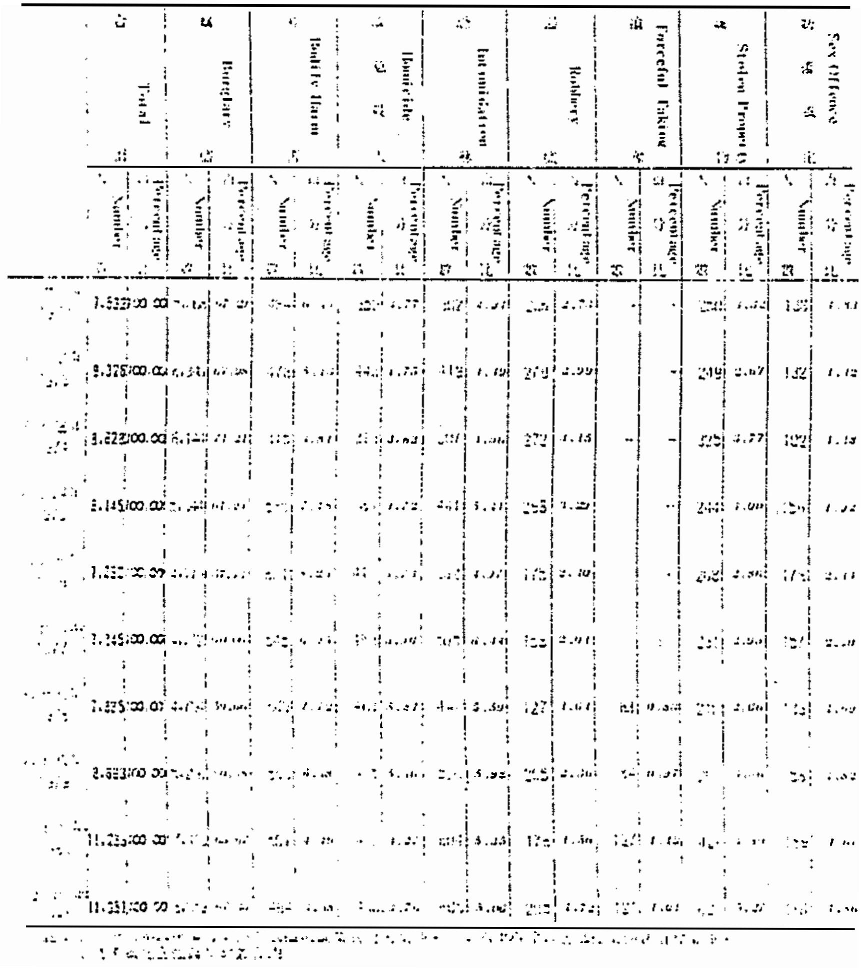
說明：1少年犯之統計係以18歲人為標準。
2少年犯人數較62年9.326人，69年11.288人，70年11.951人較多外，其餘各年均在七、八千人之間。
3少年犯佔總人犯百分比以70年為最高，佔27.40%，62年次之，佔27.18%。

Table 38 Source: Crime Statistics, 1981

Comparison Between Total Offenders and Juvenile Delinquents, 1972-1981

年 (Year)	総人員 Total Offenders			少年犯罪 Juvenile Delinquents		
	合計 Total	男 (M)	女 (F)	合計 Total	男 (M)	女 (F)
六十一年 1972	30,200	27,439	2,761	7,532	7,084	448
六十二年 1973	34,328	30,662	3,666	9,326	8,715	611
六十三年 1974	38,265	34,509	3,757	8,628	8,140	488
六十四年 1975	40,856	36,254	4,602	8,145	7,603	542
六十五年 1976	40,818	35,893	4,925	7,282	6,812	470
六十六年 1977	44,122	38,425	5,697	7,845	7,383	462
六十七年 1978	39,184	34,738	4,446	7,885	7,460	425
六十八年 1979	43,585	38,555	5,030	8,693	8,400	293
六十九年 1980	44,669	40,096	4,573	11,288	10,805	483
七十年 1981	43,612	39,510	4,102	11,953	11,505	448

Table 39 - Distribution of Delinquents by Offense (1972-81) Source: Crime Statistics 1981...



	Total		Burglary		Bodily Harm		Homicide		Intimidation		Robbery		Forceful Taking		Stolen Property		Sex Offense	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
[illegible]	[illegible]	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	4.77	[illegible]	[illegible]	[illegible]	[illegible]	-	-	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	8,378	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	270	[illegible]		-	219	[illegible]	132	[illegible]
[illegible]	8,622	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	272	[illegible]	-	-	325	3.77	[illegible]	[illegible]
[illegible]	8,145	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	255	[illegible]		-	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	175	[illegible]		-	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	7,245	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	127	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	5.92	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	100.00	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible]

Table 39 Continued Source: Crime Statistics, 1981...

Fraud		Embezzlement		Drug Addiction		Smuggling		Malfeasance		Kidnapping		Drug Trafficking		Other	
Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
[illegible]	0.71	25	0.74	3	0.01			3	0.04	5	0.07			802	7.99
[illegible]	0.36	33	0.32	6	0.06	4	0.01	3	0.01	3	0.03	1	0.01	269	9.32
[illegible]	0.39	37	0.34	4	0.05					2	0.02			646	7.19
[illegible]	0.31	56	0.69	1	0.01	1	0.01			12	0.15			887	10.89
[illegible]	0.33	[illegible]	0.46	5	0.07			3	0.04	11	0.16			1,077	11.19
[illegible]	0.38	[illegible]	0.34	2	0.10	1	0.01	1	0.01	4	0.05	2	0.03	989	12.30
[illegible]	0.43	35	0.70	2	0.03			1	0.03	3	0.04			[illegible]	[illegible]
[illegible]	0.35	57	0.65	5	0.06					3	0.04			[illegible]	[illegible]
[illegible]	0.38	[illegible]	0.62	4	0.01	3	0.03	1	0.01	8	0.16			[illegible]	10.55
[illegible]	0.21	52	0.52	1	0.03	5	0.04	2	0.02	7	0.06			[illegible]	9.40

		Total		Under 8		Under 9		Under 10		Under 11	
		Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
昭和47年 1972	総 Total	7,532	100.00	61	0.81	60	0.80	86	1.14	166	2.20
	男 (M)	7,084	100.00	56	0.79	57	0.80	82	1.16	150	2.12
	女 (F)	448	100.00	8	1.79	3	0.67	4	0.89	16	3.57
昭和48年 1973	総 Total	9,326	100.00	90	0.97	87	0.93	161	1.73	205	2.20
	男 (M)	8,715	100.00	81	0.93	79	0.91	149	1.71	271	3.11
	女 (F)	611	100.00	9	1.47	8	1.31	12	1.96	24	3.93
昭和49年 1974	総 Total	8,628	100.00	32	0.37	33	0.38	61	0.71	145	1.68
	男 (M)	8,140	100.00	30	0.37	29	0.36	54	0.66	137	1.68
	女 (F)	488	100.00	2	0.41	4	0.82	10	2.05	8	1.64
昭和50年 1975	総 Total	8,145	100.00	28	0.34	40	0.49	68	0.83	93	1.14
	男 (M)	7,603	100.00	24	0.31	35	0.46	57	0.75	81	1.07
	女 (F)	542	100.00	4	0.74	5	0.92	11	2.03	12	2.22
昭和51年 1976	総 Total	7,282	100.00	27	0.37	28	0.39	45	0.62	101	1.39
	男 (M)	6,812	100.00	21	0.31	22	0.32	38	0.56	87	1.28
	女 (F)	470	100.00	6	1.28	6	1.28	7	1.49	14	2.98
昭和52年 1977	総 Total	7,845	100.00	30	0.38	27	0.34	47	0.60	97	1.24
	男 (M)	7,383	100.00	25	0.34	24	0.32	41	0.56	93	1.26
	女 (F)	462	100.00	5	1.08	3	0.65	6	1.30	4	0.87
昭和53年 1978	総 Total	7,835	100.00	26	0.33	25	0.32	67	0.86	121	1.55
	男 (M)	7,360	100.00	26	0.35	21	0.28	61	0.82	110	1.47
	女 (F)	425	100.00	-	-	4	0.94	6	1.41	11	2.59
昭和54年 1979	総 Total	8,633	100.00	19	0.22	27	0.31	57	0.66	109	1.26
	男 (M)	8,400	100.00	13	0.16	25	0.30	53	0.63	103	1.23
	女 (F)	293	100.00	6	2.05	2	0.68	4	1.37	6	2.05
昭和55年 1980	総 Total	11,289	100.00	45	0.40	50	0.44	107	0.95	176	1.56
	男 (M)	10,775	100.00	38	0.35	44	0.41	95	0.88	164	1.52
	女 (F)	433	100.00	7	1.62	6	1.39	12	2.48	12	2.48
昭和56年 1981	総 Total	11,951	100.00	36	0.30	66	0.55	116	0.97	223	1.87
	男 (M)	11,505	100.00	31	0.27	62	0.54	110	0.96	212	1.84
	女 (F)	446	100.00	5	1.12	4	0.90	6	1.34	11	2.47

Table 40 - Distribution of Delinquents by Age (1972-81) Source: Crime Statistics, 1981

未滿 12 歲 Under 12		未滿 13 歲 Under 13		未滿 14 歲 Under 14		未滿 15 歲 Under 15		未滿 16 歲 Under 16		未滿 17 歲 Under 17		未滿 18 歲 Under 18	
人數 Number	百分比 Percentage	人數 Number	百分比 Percentage	人數 Number	百分比 Percentage	人數 Number	百分比 Percentage	人數 Number	百分比 Percentage	人數 Number	百分比 Percentage	人數 Number	百分比 Percentage
302	4.01	484	6.43	788	10.46	1,071	14.22	1,369	18.16	1,552	20.61	1,501	21.12
270	3.81	452	6.38	727	10.26	1,021	14.41	1,225	18.30	1,473	20.79	1,509	21.18
32	7.14	32	7.14	61	13.62	50	11.16	72	16.07	79	17.63	91	20.32
387	4.14	667	7.13	1,129	12.11	1,430	15.33	1,525	16.35	1,752	18.80	1,802	19.32
341	3.91	633	7.27	1,[illegible]	12.23	1,343	15.41	1,413	16.21	1,638	18.91	1,671	19.10
46	7.53	34	5.57	63	10.31	87	14.24	112	18.32	105	17.18	111	18.17
290	3.91	460	6.33	720	8.35	1,072	12.43	1,549	17.95	1,631	18.90	2,662	30.86
243	3.99	426	6.23	669	8.22	1,011	12.42	1,458	17.91	1,543	18.96	2,540	31.20
17	3.48	34	6.97	51	10.45	61	12.50	91	18.65	88	18.03	122	25.00
239	2.91	384	4.72	655	8.04	1,003	12.32	1,446	17.75	1,726	21.19	2,463	30.21
212	2.79	356	4.68	602	7.92	931	12.25	1,374	18.07	1,610	21.29	2,312	30.41
27	1.98	28	5.17	53	9.78	72	13.28	72	13.28	107	19.74	151	27.86
159	2.18	309	4.24	519	7.13	960	13.18	1,231	16.90	1,523	20.92	2,380	32.68
135	2.11	280	4.41	495	7.27	909	13.34	1,158	17.00	1,432	21.02	2,221	32.63
13	2.26	29	5.17	24	4.11	51	10.85	73	15.53	91	19.36	156	33.19
181	2.31	347	4.42	581	7.41	1,001	12.76	1,432	18.25	1,651	21.12	2,445	31.17
166	2.35	329	4.46	545	7.38	949	12.85	1,343	18.19	1,570	21.26	2,298	31.13
15	2.95	18	3.90	36	7.79	52	11.25	89	19.26	87	18.83	147	31.82
169	2.39	330	4.30	615	7.80	1,006	12.76	1,378	17.48	1,801	22.84	2,318	29.40
155	2.31	319	4.28	565	7.54	967	12.96	1,280	17.16	1,734	23.08	2,212	29.52
14	3.29	20	4.71	30	7.06	39	9.18	98	23.06	87	20.47	116	27.29
183	2.11	344	3.96	626	7.20	1,179	13.56	1,549	17.82	1,871	21.52	2,729	31.39
168	2.00	330	3.93	603	7.24	1,132	13.71	1,436	17.84	1,793	21.46	2,636	31.50
15	6.12	14	4.78	18	6.14	27	9.21	50	17.06	68	23.21	93	25.35
357	3.95	574	3.97	1,293	11.11	2,015	17.86	1,997	17.69	2,174	19.26	2,394	21.21
343	3.17	560	3.11	1,248	11.55	1,962	18.12	1,895	17.61	2,079	19.21	2,271	21.02
24	4.97	14	2.90	45	8.28	53	12.01	92	19.05	95	19.67	123	25.47
472	3.95	773	6.52	1,131	11.97	2,011	16.53	2,108	17.96	2,253	18.90	2,412	20.18
453	3.94	756	6.57	1,394	12.12	1,952	16.97	2,092	17.90	2,162	18.79	2,314	20.11
19	1.26	23	3.16	37	8.29	59	13.27	87	19.51	97	21.75	98	21.97

Table 40 Continued Source: Crime Statistics...

Table 41 - Adult Offenders and Juvenile Delinquents Source: Crime Statistics 1981...

年 Year	份	六十七年 1979	六十八年 1980	七十年 1981
少年犯 Juvenile (非)	人數 Number	8,693	11,283	11,951
	犯罪人口比率 Offender Rate	12.57	14.31	17.28
成年犯 Adult (計)	人數 Number	34,202	33,381	31,561
	犯罪人口比率 Offender Rate	33.58	31.13	28.64
犯罪人數中少年犯所佔比率 Juvenile Delinquent Rate		19.91	25.27	27.40

註一：少年年齡係指18歲以下之人，犯罪率則按每一萬人少年人口數計少年犯罪人數比較計算之。

註二：成年年齡係指18歲以上之人，犯罪率則按每一萬人成年人口數計成年犯罪人數比較計算之。

Table 42 Source: Crime Statistics 1981...

Distribution of Juvenile Delinquents by Month, 1981

中華民國七十年

	合計 Total	百分比 Percentage	人數 Offender	
			男 (M)	女 (F)
合計 Grand Total	11,951	100.00	11,535	416
一月 Jan.	731	6.12	703	28
二月 Feb.	697	5.83	671	26
三月 Mar.	777	6.50	745	32
四月 Apr.	1,038	8.69	995	43
五月 May.	1,373	11.49	1,313	60
六月 Jun.	909	7.61	874	35
七月 Jul.	1,199	10.03	1,165	33
八月 Aug.	1,229	10.28	1,191	38
九月 Sept.	1,055	8.83	1,020	35
十月 Oct.	1,015	8.49	972	43
十一月 Nov.	947	7.92	899	47
十二月 Dec.	1,092	8.47	976	116

Table 43 Geographic Distribution of Delinquents, 1981 Source: Crime Statistics, 1981...

		合計 Total	犯人 Offenders 男 (M)	犯人 Offenders 女 (F)
合計	Grand Total	11,951	11,505	446
臺灣省	Taiwan Province	7,660	7,412	248
臺北縣	Taipei Hsien	1,302	1,270	32
桃園縣	Taoyuan Hsien	879	845	34
新竹縣	Hsinchu Hsien	378	359	19
宜蘭縣	Ilan Hsien	237	229	8
基隆市	Keelung Municipality	305	294	11
花蓮縣	Hualien Hsien	376	362	14
苗栗縣	Miaoli Hsien	135	132	3
臺中市	Taichung Municipality	769	730	39
臺中縣	Taichung Hsien	469	458	11
南投縣	Nantou Hsien	184	180	4
彰化縣	Changhua Hsien	409	384	25
雲林縣	Yunlin Hsien	178	171	7
嘉義縣	Chiayi Hsien	251	247	4
臺南縣	Tainan Hsien	300	293	7
臺南市	Tainan Municipality	588	570	18
高雄縣	Kaohsiung Hsien	309	300	9
屏東縣	Pingtung Hsien	347	335	12
臺東縣	Taitung Hsien	111	105	6
澎湖縣	Penghu Hsien	94	88	6
臺北市	Taipei City	3,048	2,925	123
高雄市	Kaohsiung Municipality	966	922	44
警察局	Airfield	10	10	
公路警察局	Highway Patrol Division	44	41	3
基隆港	Keelung Harbor	13	12	1
臺中港	Taichung Harbor	1	1	-
花蓮港	Hualian Harbor	-	-	
高雄港	Kaohsiung Harbor	24	23	1
鐵路	Taiwan Railroad	94	91	3
第二保安	2nd Peace Reservation Team	71	68	3

Table 44 Source: Crime Statistics, 1981...

Distribution of Juvenile Delinquents by Education Level, 1981

中等學校別 少年犯

		合計 Total	構成比 Percentage	犯罪少年 Offenders 男 (M)	犯罪少年 Offenders 女 (F)
合計	Grand Total	11,951	100.00	11,505	446
無學	None education	41	0.36	37	4
小學中退		873	7.31	836	37
小學卒業	Primary School	429	3.59	419	10
小學退學		1,492	12.48	1,377	115
國中在學		2,804	23.46	2,750	54
國中卒業	Junior High School	1,265	10.61	1,228	37
國中退學		2,791	23.35	2,674	117
高中在學		869	7.27	856	13
高中卒業	Senior High School	521	4.36	506	15
高中退學		58	0.49	52	6
專科在學		94	0.79	93	1
專科卒業	College	18	0.15	18	-
專科退學		3	0.02	3	
其他	Others	-		-	—
不詳	Unknown	103	0.86	100	3

Table 45
Statistics of the Teacher
Zhang Service
1980 - 1981

I. Number of Youth Receiving Individual Services

Sex	Number	Percentage
Male	22,662	36.92
Female	38,715	63.08
Total	61,377	100.00

II. Problem Classifications

Problem	Number	Percentage
Health	5397	7.44
School	11,516	15.84
Employment	8,773	12.06
Family	5309	7.30
Heterosexual relations	9875	13.58
Interpersonal relations	5375	7.39
Life philosophy	2844	3.91
Others	14,201	19.53
Continuous cases	9,412	12.95
Totals	72,701	100.00

III. Type of Services

Types	Number	Percentage
Telephone	37,356	60.86
Interview	7,800	12.71
Mail	16,221	26.43

Table 46 Source: Kao, p. 101

STATISTICS SHOWING THE EFFICIENCY OF REFORMATORY EDUCATION CONDUCTED BY JUVENILE TRAINING INSTITUTIONS IN TAIWAN, ROC

Efficiency / Reasons of Release	No. of the Released				No. of re-offenders				Percentage of re-offenders	Percentage of efficiency
	Sub-total	Taoyuan Ins.	Changhua Ins.	Kaohsiung Ins.	Sub-total	Taoyuan Ins.	Changhua Ins.	Kaohsiung Ins.		
Exemption from execution	6,542	2,158	2,215	2,169	224	32	84	108	3.42%	96.58%
Suspension from execution	2,003	450	750	773	163	57	73	33	8.13%	91.87%
Completion the full term	3,449	1,694	873	882	397	181	56	130	11.51%	88.49%
Grand efficiency	11,994	4,320	3,868	3,824	784	270	243	271	6.53%	93.47%

Remarks: 1. Source: Taiwan Provincial Dept. of Social Affairs.
2. The ones released by reason of termination as they reached 21 of age are excluded from the above table.
3. The Statistics covers a period from 1956 to June 30, 1979.

Appendix Four - Hong Kong
(37 tables)

Table 1 - Source: Hong Kong Annual Digest of Statistics, 1981

18.5 **Age-specific Prosecution Rates**

per thousand population

Age group	*1972*	*1973*	*1974*	*1975*	*1976*	*1977*	*1978*	*1979*	*1980*	*1981*
7–11	14	23	28	24	32	44	39	56	76	[illegible]
12–13	162	165	177	144	170	212	196	354	585	[illegible]
14–15	530	493	558	449	463	560	465	[illegible]	[illegible]	[illegible]
16–20	943	883	1 148	1 052	901	832	782	793	865	[illegible]
21–30	501	754	1 100	1 129	1 217	1 054	995	929	975	[illegible]
31–40	419	375	555	621	664	666	780	857	804	[illegible]
41–50	346	297	375	411	475	445	394	369	356	[illegible]
51–60	240	211	291	270	352	307	303	256	254	[illegible]
61 and over	125	118	156	153	192	170	157	124	125	[illegible]

18.6 **Persons Prosecuted by Type of Offence by Age Group, 1981**

Offence	*7–11*	*12–13*	*14–15*	*16–20*	*21–30*	*31–40*	*41–50*	*51–60*	*61 and over*	*Total*
Against lawful authority										
Against public order	2	15	120	665	1 134	377	154	109	25	[illegible]
Unlawful society	1	25	107	228	91	15	4			[illegible]
Other offences	15	9	20	57	176	47	17	16	7	[illegible]
Sub-total	18	49	247	947	1 372	439	175	125	32	[illegible]
Against public morality										
Rape	–	–	4	37	26	17	4			[illegible]
Indecent assault	1	11	31	93	172	52	17	[illegible]	1	[illegible]
Other offences	–	1	12	139	72	24	12	[illegible]	1	[illegible]
Sub-total	1	12	47	281	272	97	32			[illegible]
Against the person										
Murder and manslaughter	–	1	5	23	31	12	3	1		[illegible]
Attempted murder	–	–			2		2			[illegible]
Serious assaults	9	49	152	952	1 062	900	377	3	1	[illegible]
Other offences	–	3	24	96	124	73	31	3	1	[illegible]
Sub-total	9	53	211	[illegible]	[illegible]	[illegible]	409	2[illegible]	1	[illegible]
Against property										
Robbery with firearms				1	[illegible]	2				[illegible]
Other robberies	27	126	246	551	926	116	20	3		[illegible]
All burglaries	90	123	222	376	360	101	26	3	1	[illegible]
Theft from persons	30	21	35	123	504	172	51	16	4	[illegible]
Other thefts	299	497	940	1 772	2 674	1 036	221	2[illegible]	[illegible]	[illegible]
Other offences	33	140	301	463	[illegible]	97	337	[illegible]	[illegible]	[illegible]
Sub-total	524	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2[illegible]	4	[illegible]
Other crimes										
Forgery and coining		2	9	113	170	59	13	4		[illegible]
Bribery and corruption				2	7	8	1	2		[illegible]
Possession of arms and ammunition	–	–	1	20	30	17	5	2		[illegible]
Others	3	3	25	95	301	126	47	12		[illegible]
Sub-total	3	5	37	230	506	210	67	20		[illegible]
Serious narcotic offences	–	4	46	266	955	444	275	2[illegible]	4	[illegible]
Total	357	1 040	2 286	6 602	11 521	4 198	1 [illegible]	1 2[illegible]	[illegible]	2[illegible]

Juvenile Crime Rate 1964-1980

Year	No. of juveniles (7-15) prosecuted	Juvenile Population	Juvenile Crime Rate (Number of juveniles prosecuted per 100,000 of the juvenile (7-15) age group)
1964	1,422	754,000	189
1965	1,644	791,200	208
1966	1,459	825,600	177
1967	1,539	858,300	179
1968	1,078	888,900	121
1969	1,364	914,600	149
1970	1,652	935,400	177
1971	1,645	949,900	173
1972	1,511	955,100	158
1973	1,526	954,300	160
1974	1,745	949,100	184
1975	1,433	932,100	154
1976	1,567	905,500	173
1977	1,685	871,200	193
1978	1,597	839,100	190
1979	2,641	825,200	320
1980	3,853	806,600	478

Table 2 Source: Report of the Working Group on Juvenile Crime, Hong Kong Government, 1980

Table 3 Source: Working Group Report...

Number of Juvenile Offenders by Year of Offence by Age and Sex

Year of offence / Sex / Age	1978						1979						Jan-Oct 1980					
	M		F		Total		M		F		Total		M		F		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
7	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
8	1	0.3	–	–	1	0.3	1	0.2	–	–	1	0.2	1	0.2	–	–	1	0.2
9	8	2.5	–	–	8	2.2	3	0.6	1	1.7	4	0.8	4	0.7	1	1.1	5	0.8
10	10	3.1	–	–	10	2.8	10	2.1	–	–	10	1.9	5	0.9	–	–	5	0.8
11	15	4.7	1	2.8	16	4.5	25	5.3	1	1.7	26	4.9	19	3.3	3	3.3	22	3.3
12	30	9.4	4	11.1	34	9.6	33	7.0	2	3.3	35	6.6	51	8.9	7	7.8	58	8.7
13	51	15.9	4	11.1	55	15.4	70	14.9	5	8.3	75	14.2	98	17.0	10	11.1	108	16.2
14	74	23.1	11	30.6	85	23.9	125	26.7	19	31.7	144	27.2	151	26.2	29	32.2	180	27.0
15	131	40.9	16	44.4	147	41.3	202	43.1	32	53.3	234	44.2	247	42.9	40	44.4	287	43.1
TOTAL	320	100.0	36	100.0	356	100.0	469	100.0	60	100.0	529	100.0	576	100.0	90	100.0	666	100.0

Table 4 Source: Working Group Report...

Number of Juvenile Offenders
by Year of Offence by Educational Level

Year of offence / Educational level	1978		1979		Jan-Oct 1980	
	Number	% of Total	Number	% of Total	Number	% of Total
No schooling/ Kingergarten	-	-	2	0.4	2	0.3
Primary 1	-	-	1	0.2	2	0.3
Primary 2	8	2.2	1	0.2	6	0.9
Primary 3	11	3.1	10	1.9	8	1.2
Primary 4	24	6.7	22	4.2	33	5.0
Primary 5	40	11.2	43	8.1	51	7.7
Primary 6	64	18.0	76	14.4	102	15.3
(Primary education sub-total)	(147)	(41.3)	(153)	(28.9)	(202)	(30.3)
Form 1/ Middle 1	63	17.7	91	17.2	163	24.5
Form 2/ Middle 2	39	11.0	76	14.4	89	13.4
Form 3/ Middle 3	12	3.4	26	4.9	41	6.2
Form 4/ Middle 4	3	0.8	5	0.9	8	1.2
Form 5/ Middle 5	-	-	-	-	-	-
(Secondary education sub-total)	(117)	(32.9)	(198)	(37.4)	(301)	(45.2)
Unknown	92	25.8	176	33.3	161	24.2
TOTAL	356	100.0	529	100.0	666	100.0

Table 5 Source: Working Group Report..

Percentage distribution of juvenile offenders by educational level

Educational level / Year of offence	1978 %	1979 %	Jan-Oct 1980 %
Primary 4 or below	12.0	6.9	7.7
Primary 5 or 6	29.2	22.5	23.0
Form 1 or 2	28.7	31.6	37.9
Form 3 or 4	4.2	5.8	7.4
Unknown	25.8	33.3	24.2
Total	100.0	100.0	100.0

Table 6 Source - Working Group Report

Year of offence / Activity status	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Student	73	40.3	83	41.1	105	44.9
Employed	59	32.6	75	37.1	63	26.9
Unemployed	37	20.4	35	17.3	44	18.8
Unknown	12	6.6	9	4.5	22	9.4
Total	181	100.0	202	100.0	234	100.0

Percentage distribution of juvenile offenders (sentenced to probation or Social Welfare Department/Prisons Department institutions) by class performance at the last school

Class performance \ Year of offence	1978 %	1979 %	Jan-Oct 1980 %
Below average	38.7	34.7	47.4
About average	13.3	15.8	15.0
Above average	1.1	1.5	0.9
Unknown (i.e. not recorded)	47.0	48.0	36.8
Total	100.0	100.0	100.0

Table 7 - Source: Working Group Report

Table 8 Source: Working Group Report...

Number of Juvenile Offenders
(Sentenced to Probation or SWD/Prisons Department Institutions)
by Year of Offence by Reason for Dropping Out from Last School

Reason for dropping out from last school / Year of offence	1978		1979		Jan-Oct 1980	
	Number	% of Total	Number	% of Total	Number	% of Total
Unable to catch up	10	9.3	12	10.1	19	14.7
Having no motivation to study	39	36.1	53	44.5	59	45.7
Financial difficulties or ordered by parents	9	8.3	3	2.5	4	3.1
Discontented with teachers or classmates	2	1.9	-	-	2	1.6
Others	12	11.1	10	3.4	13	10.1
Unknown	36	33.3	41	34.5	32	24.8
TOTAL	108	100.0	119	100 0	129	100.0

Table 9 Source: Working Group Report...

Number of Juvenile Offenders
(Sentenced to Probation or SWD/Prison Department Institutions)
(Both Employed and Unemployed)
by Year of Offence by Occupation at Last Employment

Occupation \ Year of offence	1978		1979		Jan-Oct 1980	
	Number	% of Total	Number	% of Total	Number	% of Total
Sales workers	8	8.3	8	7.3	12	11.2
Service workers	16	16.7	12	10.9	20	18.7
Production & related workers, transport equipment operators & labourers	57	59.4	72	65.5	56	52.3
Others	15	15.6	18	16.4	19	17.8
TOTAL	96	100.0	110	100.0	107	100.0

Table 10 Source: Working Group Report...

Number of Juvenile Offenders by Year of Offence
by Whether Parents Living Together

Whether parents living together \ Year of offence	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Parents living together	68	87.2	102	82.3	141	80.6
Father living; mother deceased, divorced or separated	8	10.2	7	5.6	9	5.1
Mother living; father deceased, divorced or separated	1	1.3	15	12.1	23	13.2
Both parents deceased or lost contact	1	1.3	-	-	2	1.1
TOTAL	78	100.0	124	100.0	175	100.0

Table 11 Source: Working Group Report...

Number of Juvenile Offenders
(Sentenced to Probation or SWD/Prisons Department Institutions)
by Year of Offence by Whether Having a Broken Home

Year of offence / Whether a broken home	1978		1979		Jan-Oct 1980	
	Number	% of Total	Number	% of Total	Number	% of Total
No	109	60.2	133	65.8	150	64.1
Yes, with step-father or step-mother	4	2.2	11	5.4	17	7.3
Yes, without step-father or step-mother	34	18.8	26	12.9	41	17.5
Unknown	34	18.8	32	15.8	26	11.1
TOTAL	181	100.0	202	100.0	234	100.0

Table 12 Source: Working Group Report...

Number of Juvenile Offenders With Living Parents
by Year of Offence by Parents' Relations

Year of offence / Parents' relations	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Not applicable (deceased, separated/ divorced)	5	6.4	14	11.3	20	11.4
Very good	4	5.1	21	16.9	26	14.9
Good	40	51.3	60	48.4	74	42.3
Fair	21	26.9	18	14.5	36	20.6
Poor	1	1.3	9	7.3	7	4.0
Very Poor	3	3.8	1	0.8	8	4.6
Unknown	4	5.1	1	0.8	4	2.3
TOTAL	78	100.0	124	100.0	175	100.0

Table 13

Number of Juvenile Offenders with Living Parents by Year of Offence by Frequency of Quarrels Between Parents

Frequency of quarrels between parents \ Year of offence	1978		1979		Jan-Oct 1980	
	Numbe	%	Number	%	Number	%
Not applicable (deceased/separated/ divorced)	5	6.4	14	11.3	20	11.4
Do not quarrel	10	12.8	16	12.9	21	12.0
Seldom	45	57.7	69	55.6	93	53.1
Once a month or less	5	6.4	15	12.1	20	11.4
Once every two weeks	3	3.8	3	2.4	10	5.7
Once a week	5	6.4	2	1.6	5	2.9
More than once a week	3	3.8	4	3.2	6	3.4
Unknown	2	2.6	1	0.8	-	-
TOTAL	78	100.0	124	100.0	175	100.0

Source: Working Group Report....

Table 14 Source: Working Group Report...
Number of Juvenile Offenders by Year of Offence
by Disciplinary Measures Used by Father Since Childhood

Year of offence / Disciplinary measures used	1978		1979		Jan–Oct 1980	
	Number	%	Number	%	Number	%
Physical punishment	12	15.4	29	23.4	42	24.0
Scolding	22	28.2	33	26.6	42	24.0
Withholding pocket money	-	-	-	-	1	0.6
Confinement at home	1	1.3	2	1.6	2	1.1
Do nothing	2	2.6	2	1.6	3	1.7
Advice and persuasion	2	2.6	2	1.6	2	1.1
Physical punishment & scolding	19	24.4	21	16.9	38	21.7
Others	16	20.5	30	24.2	31	17.7
Unknown/Not applicable	4	5.1	5	4.0	14	8.0
TOTAL	78	100.0	124	100.0	175	100.0

Number of Juvenile Offenders by Year of Offence
by Disciplinary Measures Used by Mother Since Childhood

Year of offence / Disciplinary measures used	1978		1979		Jan–Oct 1980	
	Number	%	Number	%	Number	%
Physical punishment	12	15.4	21	16.9	28	16.0
Scolding	35	44.9	39	31.5	66	37.7
Withholding pocket money	2	2.6	-	-	-	-
Confinement at home	1	1.3	1	0.8	3	1.7
Do nothing	3	3.8	7	5.6	6	3.4
Advice and persuasion	-	-	4	3.2	4	2.3
Physical punishment & scolding	11	14.1	21	16.9	35	20.0
Others	9	11.5	23	18.5	22	12.6
Unknown/Not applicable	5	6.4	8	6.5	11	6.3
TOTAL	78	100.0	124	100.0	175	100.0

Source: Working Group Report...

Number of Juvenile Offenders by Year of Offence by Reaction to Being Disciplined

Reaction to being disciplined \ Year of offence	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Accept and change behaviour	26	33.3	51	41.2	87	49.7
Accept but behave the same	12	15.4	28	22.6	29	16.6
Ignore and reproach	9	11.5	6	4.8	18	10.3
Accept if reasonable	21	26.9	33	26.6	25	14.3
Other reactions	10	12.9	6	4.8	16	9.1
TOTAL	78	100.0	124	100.0	175	100.0

Table 15

Table 16 Source: Working Group Report...

Information on Juvenile Offenders' Personal Attitude

Statement \ Year of offence	Percentage of juvenile offenders agreed/strongly agreed with the statement		
	1978 %	1979 %	Jan-Oct 1980 %
Most rich people get rich by dubious means	33.3	26.6	25.7
The end justifies the means	24.4	19.4	24.6
Most people in Hong Kong cannot be trusted	37.2	46.0	43.4
There is no future staying in Hong Kong	16.7	12.1	9.7
One is always a slave to money	47.4	46.0	37.1
"Eat, drink and be merry for tomorrow we die"	26.9	30.6	20.6
Failure to revenge a personal insult or wrong brings dishonour	43.6	34.7	42.3
Hard work brings success	79.5	83.9	88.0
Most employers only care for profit and totally disregard the welfare of employees	47.4	42.7	43.4
Do unto others as you would be done by	71.8	72.6	70.9
Total number of juvenile offenders	78	124	175

Information on Juvenile Offenders' Social Attitude

Statement \ Year of offence	Percentage of juvenile offenders agreed with the statement		
	1978 %	1979 %	Jan-Oct 1980 %
One should be loyal and devoted to one's parents	98.7	96.0	97.7
One should be respect and take care of one's grand-parents	96.2	92.7	94.3
Blood is thicker than water	85.9	84.7	84.0
As your father brings you up, you should bring up your son	66.7	56.5	55.1
One should not be controlled by the family norms and values but should be one's ownself	50.0	49.2	41.7
Better to have neighbours than distant relatives	59.0	64.5	60.0
One must help ones friends whenever they are in trouble, regardless whether they are right or wrong	37.2	33.1	34.3
Parents' advice is not always right	66.7	61.3	58.3
Good friends' advice is right in most cases	6.4	5.6	5.1
One needs not respect one's teacher	16.7	18.5	21.7
It is fun to imitate the behaviour of some TV characters	5.1	7.3	8.6
It is boring to watch moralistic TV programmes	52.6	47.6	46.9
There is excessive violence on TV	56.4	66.1	69.7
Total number of juvenile offenders	78	124	175

Table 17 Source: Working Group Report...

Number of Juvenile Offenders by Year of Offence by Education Level of Father

Education level of father \ Year of offence	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
No schooling/Kindergarten	12	15.8	18	16.2	32	20.8
Primary	46	60.5	57	51.4	52	33.8
Secondary	6	7.9	15	13.5	24	15.6
Post secondary & University	1	1.3	2	1.8	5	3.2
Unknown	11	14.5	19	17.1	41	26.6
TOTAL	76	100.0	111	100.0	154	100.0

Number of Juvenile Offenders by Year of Offence by Education Level of Mother

Education level of mother \ Year of offence	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
No schooling/Kindergarten	34	47.2	45	38.1	79	47.6
Primary	24	33.3	49	41.5	32	19.3
Secondary	2	2.8	3	2.5	14	8.4
Post secondary & University	-	-	-	-	-	-
Unknown	12	16.7	21	17.8	41	24.7
TOTAL	72	100.0	118	100.0	166	100.0

Table 18 Source: Working Group Report...

Number of Juvenile Offenders by Year of Offence by Occupation of Father

Year of offence / Occupation of father	1978		1979		Jan-Oct 1980	
	Number	%	Number	%	Number	%
Home-makers	1	1.3	6	5.4	6	3.9
Retired or unemployed	10	13.2	3	2.7	7	4.5
Professional, technical and related workers	1	1.3	2	1.8	-	-
Administrative and managerial workers	-	-	3	2.7	4	2.6
Clerical and related workers	3	3.9	2	1.8	1	0.6
Sales workers	14	18.4	12	10.8	20	13.0
Service workers	13	17.1	15	13.5	32	20.8
Agriculture, animal husbandry and forestry workers and fishermen	3	3.9	2	1.8	4	2.6
Production and related workers, transport equipment operators & labourers	26	34.2	61	55.0	75	48.7
Occupation unclassifiable and armed forces	5	6.6	-	-	4	2.6
Unknown	-	-	5	4.5	1	0.6
TOTAL	76	100.0	111	100.0	154	100.0

Table 19 Source: Working Group Report...

Table 20

CHAPTER 225

REFORMATORY SCHOOLS ORDINANCE

ARRANGEMENT OF SECTIONS

Table 20 Continued

CHAPTER 225

REFORMATORY SCHOOLS

To provide for and regulate reformatory schools.
(Amended, 30 of 1977, s. 2)

Originally 8 of 1932. (Cap. 225, 1950.)

21 of 1933.
29 of 1948.
22 of 1950.
6 of 1952.
32 of 1959.
13 of 1966.
66 of 1967.
30 of 1977.

[20th November, 1933.]

Proc. No. 5/1933.

1. This Ordinance may be cited as the Reformatory Schools Ordinance. Short title.

(Amended, 30 of 1977, s. 3)

2. In this Ordinance, unless the context otherwise requires— Interpretation.

"child" means a person under the age of 14 years; *(Added, 21 of 1933, s. 2)*

"expenses", when used in relation to a person detained under an order of detention, includes the expenses of or in connexion with the custody, education and maintenance of the person; *(Added, 30 of 1977, s. 4)*

"manager" means the superintendent or manager of any reformatory school established by the Government; *(Replaced, 30 of 1977, s. 4)*

"order of detention" means an order of detention made in pursuance of this Ordinance;

"parent", when used in relation to a youthful offender, includes a guardian and any other person legally liable to maintain such youthful offender;

"reformatory school" means any school or institution established by the Government under the provisions and for the purposes of this Ordinance;

"visitor" means any person appointed by the Governor under this Ordinance to be a visitor of any reformatory school; *(Amended, 30 of 1977, s. 4)*

"young person" means a person of 14 years or upwards and under the age of 16 years; *(Added, 21 of 1933, s. 2)*

"youthful offender" means any offender who, in the absence of legal proof to the contrary, is, in the opinion of the court before whom such person is brought or appears, 7 years of age or upwards and under the age of 16 years. *(Replaced, 21 of 1933, s. 2)*

3-9. [*Repealed, 30 of 1977, ss. 5 and 6*]

GOVERNMENT REFORMATORY SCHOOLS

Governor may establish reformatory schools.

10. (1) The Governor in Council may, by order to be published in the *Gazette*, establish one or more reformatory schools for the reformation of youthful offenders.

(2) Every such order shall specify the premises in which the reformatory school to which it refers shall be established, and shall state whether the same shall be used for male or female offenders or both.

Any prison or part thereof may be declared a reformatory school.

11. The Governor in Council may declare any existing or future prison or part thereof to be a reformatory school within the meaning and for the purposes of this Ordinance.

Governor may appoint officers to reformatory schools.

12. The Governor may appoint to every reformatory school a superintendent or manager and such other officers, either male or female, as may be deemed necessary, and allow to the said officers such remuneration as he thinks proper.

Rules by Governor in Council for reformatory schools.

13. The Governor in Council may make rules providing for the following matters in connexion with reformatory schools established under this Ordinance—

(*a*) all matters relating to the regulation and management of a reformatory school and the maintenance or order and discipline therein;

(*b*) discharge of youthful offenders under sections 20 and 20A, *(Amended, 66 of 1967, Schedule)*

(*c*) the duties to be performed and powers to be exercised by—

(i) the superintendent and other officers including medical officers appointed under section 12; and

(ii) visitors appointed under section 14.

(Replaced, 32 of 1959, s. 2)

VISITORS

Visitors.

14. The Governor may appoint one or more fit and proper person or persons to be the visitor or visitors of reformatory schools, and may remove every such visitor and appoint another in his stead.

(Amended, 30 of 1977, s. 8)

Powers and duties of visitors;

15. (1) Every person so appointed and every judge of the Supreme Court or District Court, member of the Executive or Legislative Council or magistrate may enter at all times any reformatory school, and may make such inquiries or examination therein as to him appears necessary, and also make such reports

as are required by the Governor. *(Amended, 32 of 1959, s. 3, and 30 of 1977, s. 8)*

(2) Any manager who at any time refuses admittance to any such visitor, or to any judge of the Supreme Court or District Court, or to any member of the Executive or Legislative Council, or to any magistrate, or offers to him any hindrance or obstruction, shall be liable on summary conviction to a fine of $50. *(Amended, 13 of 1966, Schedule)*

Penalty for obstructing visitors and others having the right of inspection.

YOUTHFUL OFFENDERS

16. Every reformatory school shall be a lawful place of detention for such youthful offenders as are ordered to be detained therein, and shall be subject to be inspected and reported on as herein provided.

Reformatory schools lawful places of detention.

(Amended, 30 of 1977, s. 9)

17. (1) When a youthful offender is convicted before any court of an offence punishable, in the case of an adult by a fine or by imprisonment, the court may, in lieu of any such sentence of fine or imprisonment, order such offender to be detained in a reformatory school; and such order shall take effect as a sentence of detention for a period of not less than 1 year and not more than 5 years, and in any case not longer than until such offender attains the age of 18 years, and the powers conferred under section 20A shall be exercisable upon the expiry of the said period of 1 year. *(Replaced, 32 of 1959, s. 4. Amended, 66 of 1967, Schedule)*

Order of detention.

(2) Before a sentence of detention is passed, the court shall consider any report or representations made by or on behalf of the Director of Social Welfare on the youthful offender's physical and mental condition and his suitability for such sentence; and for such purpose the court may remand the said offender in custody by order made under subsection (4). *(Replaced, 32 of 1959, s. 4)*

(3) An order of detention made in pursuance of this section may, if the court thinks fit, be made to take effect either immediately or at a later date specified therein, regard being had to the age or health of the youthful offender.

(4) If—

(*a*) an order of detention is made but is not to take effect immediately; or

(*b*) at the time specified for the order to take effect the youthful offender is unfit to be sent to a reformatory school; or

(*c*) the school to which the youthful offender is to be sent cannot be ascertained until inquiry has been made,

the court may make an order committing him either to custody in any place to which he might be committed on remand or to the

custody of a relative or other fit person or institution named by the court and be shall be kept in that custody accordingly until he is sent to a reformatory school in pursuance of the order of detention. *(Amended, 30 of 1977, s. 8)*

Religious persuasion of offender to be considered.

18. In selecting the place of detention to which a youthful offender is to be sent the court shall have regard, so far as practicable, to the religious persuasion of the youthful offender.

Duties and powers of manager.

19. (1) It shall be the duty of the manager of a reformatory school to report to the Governor immediately he considers it would be consistent with the welfare of a youthful offender for him to be discharged from the custody of the school.

(2) The manager of a reformatory school to which a youthful offender under the age of 10 years is sent, may, with the consent of the Governor, board the offender out with any suitable person until he reaches the age of 10 years and thereafter for such longer period, with the consent of the Governor, as the manager considers to be advisable in the interests of the offender, subject to the exercise by the manager of such powers as to supervision, recall and otherwise as may be prescribed by rules made by the Governor in Council; and where an offender is so boarded out he shall nevertheless be deemed for the purposes of this Ordinance to be a youthful offender detained in the reformatory school, and the provisions of this Ordinance shall apply accordingly, subject to such necessary adaptations as may be made by order of the Governor in Council.

(Amended, 21 of 1933, s. 7 and 30 of 1977, s. 8)

Discharge by Governor.

20. The Governor may at any time discharge a youthful offender from the custody of any reformatory school.

(Replaced, 66 of 1967, Schedule)

Discharge by Director of Social Welfare.

20A. (1) Subject to section 17(1), the Director of Social Welfare may discharge a youthful offender from the custody of any reformatory school.

(2) The discharge of a youthful offender under subsection (1) may be on licence and the licence may be in such form and may be subject to such conditions as the Director thinks fit, and the Director may at any time revoke, or vary the condition of, such licence.

(3) When a licence has been revoked, the Director may direct that the youthful offender to whom it related shall report in person to such place as may be specified in the direction; and if he fails so to report he may be apprehended without warrant by a police officer and taken to that place.

(4) Where a licence has been revoked and the youthful offender concerned is not discharged under subsection (1), any order made

under section 26(1) shall revive and be in force during the period for which the youthful offender is detained.

(Added, 66 of 1967, Schedule)

Removal to another school.

20B. The Director of Social Welfare may at any time direct that a person detained in a reformatory school be removed from one such school to another such school.

(Added, 66 of 1967, Schedule)

POWER TO APPRENTICE YOUTHFUL OFFENDER

Power to apprentice offender.

21. (1) The manager of a reformatory school may, if the youthful offender consents thereto and with the approval of the Governor, bind any youthful offender detained under this Ordinance as an apprentice notwithstanding that his period of detention has not expired. *(Amended, 30 of 1977, s. 8)*

(2) Any youthful offender who is bound as aforesaid and who absconds from the service of his master shall be liable to be arrested without warrant and brought before a court of competent jurisdiction and shall be liable to imprisonment for 3 months and may be ordered by the court to return to the place in which he was detained before his apprenticeship there to complete his period of detention:

Provided that such youthful offender shall not be detained longer than until he attains the age of 18 years.

Leave of absence.

22. (1) The manager of a reformatory school may grant any youthful offender leave of absence from the reformatory school for such periods as may be prescribed.

(2) A youthful offender granted leave of absence shall reside during his leave at the address directed by the manager. Any youthful offender who contravenes the provisions of this subsection shall be liable to be punished in the manner prescribed by the rules of the reformatory school.

(3) Any youthful offender who without due cause does not return to the reformatory school at or before the expiration of the period for which he has been granted leave shall be deemed to have escaped from the reformatory school and the provisions of sections 29 and 31 shall apply and the said youthful offender shall be liable to be punished in the manner prescribed by the rules of the reformatory school.

(Added, 6 of 1952, s. 2)

Classes of instruction outside reformatory.

23. (1) The manager of a reformatory school may, in the interests of training, order any youthful offender to attend any class of instruction or to participate in any other activity outside the precincts of the reformatory school and conducted by persons other than members of the staff of the reformatory school.

(2) Any youthful offender shall be deemed, while absent from the reformatory school in pursuance of an order under this section, to be in legal custody.

(Added, 6 of 1952, s. 2)

24-25. [*Repealed, 30 of 1977, ss. 6 and 7*]

EXPENSES RELATING TO YOUTHFUL OFFENDERS

Expenses of offenders.

26. (1) Any court having power to order a youthful offender to be sent to a reformatory school shall have power to make orders on the parent of the youthful offender to contribute for the whole or any part of the expenses of the youthful offender during the period of detention such sums as the court may think fit and may of its own motion, or on the application of any person, from time to time revoke or vary such orders or remit wholly or partially any payment ordered to be made under this section. *(Amended, 30 of 1977, s. 8)*

(2) Any such order may be made on the complaint or application of the manager of the reformatory school to which the youthful offender is ordered to be sent or on the complaint or application of the Commissioner of Police and either at the time when the youthful offender is ordered to be sent to the reformatory school or subsequently, and the sums ordered to be contributed shall be paid to such persons as the court may name. *(Amended, 30 of 1977, s. 8)*

(3) A court having power to make an order for contribution under this section may issue an order requiring the parent to attend and show cause why an order for contribution should not be made, and an order for contribution under this section may be made on a parent who, having been required to attend, has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard.

(4) A court making an order for contribution under this section shall have regard to the means of the person on whom such order shall be made.

(5) Any sums ordered to be contributed by a parent under this section may be recovered from him by distress or imprisonment in like manner as if the same were a fine legally imposed on him by the court.

(6) Where an order for contribution has been made under this section the person on whom such order has been made shall give notice of any change of address to the Commissioner of Police and, if he fails to do so without reasonable excuse, he shall be liable on summary conviction to a fine of $100.

OFFENCES IN RELATION TO REFORMATORY SCHOOLS
(Amended, 30 of 1977, s. 10)

Punishment of refractory offender.

27. Any youthful offender detained in a reformatory school who—

(*a*) wilfully neglects or wilfully refuses to conform to the rules thereof; or

(*b*) is guilty of wilful insubordination against the discipline thereof,

shall be liable to be punished in the manner prescribed by the rules of the said reformatory school.

(Amended, 30 of 1977, s. 8)

Incorrigibles.

28. (1) On an application being made on behalf of the Director of Social Welfare in respect of an incorrigible, a court or magistrate may order that such incorrigible be detained in a training centre or in a detention centre or may commute the unexpired part of his period of detention to such term of imprisonment as it may see fit not exceeding the said unexpired period of detention. *(Amended, 30 of 1977, s. 11)*

(2) For the purpose of determining which order, if any, would be the more expedient for the reformation of the youthful offender and for the prevention of crime, the court may conduct such inquiry as it may see fit, including the hearing of the youthful offender.

(3) An order for the detention of a youthful offender in a training centre shall take effect as if it had been made under the provisions of the Training Centres Ordinance. (Cap. 280.)

(3A) An order under subsection (1) for the detention of a youthful offender in a detention centre shall take effect as if it had been made under the Detention Centres Ordinance. *(Added, 30 of 1977, s. 11)* (Cap. 239.)

(3B) A court or magistrate shall not make an order under subsection (1) for the detention of a youthful offender in a training centre or detention centre unless the Commissioner of Prisons has informed the court or magistrate that in his opinion the youthful offender is suitable for detention in a training centre or a detention centre and that a place is available for him in a training centre or a detention centre. *(Added, 30 of 1977, s. 11)*

(3C) On an application made under subsection (1) a court or magistrate shall remand the youthful offender who is the subject of the application in the custody of the Commissioner of Prisons for such period, not exceeding 3 weeks, as the court thinks necessary to enable the Commissioner to form an opinion as to whether or not the youthful offender is suitable for detention in a training centre or in a detention centre. *(Added, 30 of 1977, s. 11)*

(4) For the purposes of this section, an incorrigible means a youthful offender over the age of 14 years in respect of whom the Director of Social Welfare has certified in writing that in his opinion the youthful offender is an incorrigible by reason of any of the following—

(*a*) absconding;

(*b*) persistent refusal to conform to the rules of the reformatory school;

(*c*) wilful insubordination against the discipline of such school;

(*d*) such other conduct as renders him a bad influence on the other youthful offenders detained in such school.

(Added, 32 of 1959, s. 5)

Escape of offender.

29. Any youthful offender detained in a reformatory school who escapes therefrom may, at any time before the expiration of his period of detention, be apprehended without warrant and brought back to the place in which he was detained there to complete his period of detention:

Provided that such youthful offender shall not be detained longer than until he attains the age of 18 years.

(Amended, 30 of 1977, s. 8)

Prosecution of detained person committing offence.

30. (1) Any youthful offender detained in a reformatory school who—

(*a*) during his period of detention commits any offence; or

(*b*) prior to being detained committed any offence, other than the offence for which he is detained,

shall be liable to be prosecuted on account of such offence.

(2) If found guilty and sentenced—

(*a*) to imprisonment or to detention in a detention centre or training centre, the order for the youthful offender's detention in the reformatory school shall be discharged;

(*b*) to any other punishment, including a suspended sentence, he shall be taken back to the reformatory school wherein he was detained or such other school as the Governor may direct, there to complete his period of detention:

Provided that such youthful offender shall not be detained longer than until he attains the age of 18 years.

(Replaced, 30 of 1977, s. 12)

Penalties for assisting escape.

31. Any person who—

(*a*) knowingly assists or induces, directly or indirectly, a youthful offender to escape from any reformatory school wherein he is detained; or

(*b*) knowingly harbours, conceals or prevents from returning to such reformatory school any youthful offender who has escaped therefrom or knowingly assists in so doing,

shall be liable on summary conviction to a fine of $1,000 or to imprisonment for 6 months.

(Amended, 22 of 1950, Schedule, and 30 of 1977, s. 8)

GENERAL

Provisions as to custody of person detained.

32. (1) The order of detention made by a court in pursuance of which a youthful offender is sent to a reformatory school shall be in writing under the hand of the presiding magistrate and the seal of the court and shall be delivered with the youthful offender to the manager of the reformatory school and shall be sufficient authority for his detention therein, or in any other place to which he is transferred in pursuance of this Ordinance, in accordance with the tenor thereof.

(2) A youthful offender whilst so detained and whilst being conveyed to and from a reformatory school shall be deemed to be in legal custody and if he escapes may be apprehended without warrant and taken to the place wherein he was detained or to or from which he was being conveyed.

(3) Every officer of a reformatory school authorized by the manager thereof or by the court to take charge of any youthful offender ordered to be detained under this Ordinance, for the purpose of conveying him to or from the school or of apprehending and bringing him back to the school in case of his escape or refusal to return, shall for that purpose and while engaged in that duty have all the powers, protection and privileges of a police officer.

(Amended, 30 of 1977, s. 8)

Orders of the Governor.

33. (1) Every order, authority or direction which by the provisions of this Ordinance may be given by the Governor shall be in writing.

(2) A copy under the hand of the Chief Secretary shall be evidence of any such order, authority or direction purporting to be contained therein until the contrary is shown.

Presumptions.

34. (1) The production of the order, warrant or other document, in pursuance of which a child or young person is directed to be sent to a reformatory school, or committed to the care or custody of a society or institution with a statement endorsed thereon or annexed thereto purporting to be signed by the manager to the effect that the child or young person named therein was duly received into and is at the date of the signing thereof in such school, or by the secretary of such society or institution to the effect that such child or young person was duly taken into the custody or care of such society or institution and is at the date of signing thereof still

in its care or custody, or has been otherwise dealt with according to law, shall in all proceedings relating to such child or young person be *prima facie* evidence of the identity and of the lawful detention or disposal of the child or young person named in such order, warrant or other document.

(2) A school to which any youthful offender is ordered to be sent in pursuance of this Ordinance shall, until the contrary be proved, be presumed to be a reformatory school within the meaning of this Ordinance.

(Amended, 21 of 1933, s. 8, and 30 of 1977, s. 8)

Evidence of certification.

35. (1)-(2) [*Deleted, 30 of 1977, s. 13*]

(3) A copy of the rules of a reformatory school purporting to be signed by the Clerk of Councils, shall be evidence of such rules in all legal proceedings whatsoever. *(Amended, 30 of 1977, s. 13)*

Service of notice.

36. Any notice required to be given to a manager of a reformatory school may be served on him by being delivered personally to him or by being sent by post or otherwise in a letter addressed to him at the school.

(Amended, 30 of 1977, s. 8)

Order not to be invalidated by subsequent proof of age.

37. Where a person charged with an offence is brought before a court and it appears to the court that he is above the age of 7 and under the age of 16 years an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated or presumed or declared by the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Ordinance, be deemed to be the true age of that person; and where it appears to the court that the person so brought before it is of the age of 16 years or upwards, that person shall for the purposes of this Ordinance be deemed not to be a youthful offender.

Power to make regulations.

38. The Governor in Council may by regulation provide for the carrying into effect of the provisions of this Ordinance and forms to be used for the purpose of legal proceedings thereunder or otherwise.

Saving.

39. Save in so far as other provision is expressly made in this Ordinance, nothing in this Ordinance shall be deemed to affect any other law relating to children or young persons.

CHAPTER 226

JUVENILE OFFENDERS ORDINANCE

ARRANGEMENT OF SECTIONS

Table 21

CHAPTER 226

JUVENILE OFFENDERS

Originally, 1 of 1932. (Cap. 226, 1950.)

22 of 1933. 5 of 1938. 13 of 1947. 1 of 1951. 29 of 1952. 37 of 1956. 35 of 1959. 8 of 1960. 66 of 1967. 7 of 1968. 34 of 1972. 48 of 1972. 15 of 1973.*

To make provision for juvenile courts and juveniles.
(Amended, 15 of 1973, s. 2)

Proc. No. 6/33.

[20th November, 1933.]

Short title.

1. This Ordinance may be cited as the Juvenile Offenders Ordinance.

Interpretation. 1908 c. 67, s. 131.

2. (1) In this Ordinance, unless the context otherwise requires—

"child" means a person who is, in the opinion of the court having cognizance of any case in relation to such person, under the age of 14 years;

"guardian", in relation to a child or young person, includes any person who, in the opinion of the court having cognizance of any case in relation to the child or young person or in which the child or young person is concerned, has for the time being the charge of or control over the child or young person;

"Panel" means the Juvenile Courts Advisory Panel appointed under section 3B(2); *(Added, 15 of 1973, s. 3)*

"place of detention" means a place of detention appointed under section 16; *(Added, 15 of 1973, s. 3)*

"young person" means a person who is, in the opinion of the court having cognizance of any case in relation to such person, 14 years of age or upwards and under the age of 16 years.
(Amended, 8 of 1960, s. 2)

[cf. 1933 c. 12, s. 107(2)]

(2) References in this Ordinance to a finding of guilty shall be construed as including references to a plea of guilty and an admission that an offence has been committed. *(Added, 15 of 1973, s. 3)*

Age of criminal responsibility. 1933 c. 12, s. 50.

3. It shall be conclusively presumed that no child under the age of 7 years can be guilty of an offence.
(Replaced, 15 of 1973, s. 4)

* Effective from 8th February 1975, see L.N. 42/75.

Juvenile courts. [cf. 1933 c. 12, s. 45.]

3A. (1) Courts constituted in accordance with this section and sitting for the purpose of hearing any charge against a child or young person or for the purpose of exercising any other jurisdiction conferred on juvenile courts by or under this or any other Ordinance shall be known as juvenile courts.

(2) A juvenile court shall consist of a permanent magistrate appointed by the Chief Justice.

(3) A juvenile court shall have jurisdiction to hear and determine a charge against a child or young person of any offence other than homicide.

(4) A juvenile court shall have all the powers of a permanent magistrate and, subject to this Ordinance, the Magistrates Ordinance shall apply to proceedings before a juvenile court as it applies to proceedings before a magistrate. (Cap. 227.)

(Added, 15 of 1973, s. 4)

Juvenile court may take advice as to method of dealing with juvenile.

3B. (1) A juvenile court may, in determining the method of dealing with a child or young person who has been found guilty of any offence, take the advice of 2 persons selected by the court from the Panel.

(2) For the purposes of subsection (1), the Chief Justice may, after consultation with the Secretary for Home Affairs, appoint a panel of persons, which shall be known as the Juvenile Courts Advisory Panel.

(3) Notice of the appointment of any person to the Panel shall be published in the *Gazette*.

(Added, 15 of 1973, s. 4)

Assignment of certain matters to juvenile courts. [cf. 1933 c. 12, s. 46.]

3C. (1) Subject as hereinafter provided, no charge against a child or young person shall be heard by a court of summary jurisdiction which is not a juvenile court.

(2) Notwithstanding subsection (1)—

(*a*) a charge made jointly against a child or young person and a person who has attained the age of 16 years shall be heard by a court of summary jurisdiction other than a juvenile court;

(*b*) where a child or young person is charged with an offence, the charge may be heard by a court of summary jurisdiction which is not a juvenile court if a person who has attained the age of 16 years is charged at the same time with aiding, abetting, causing, procuring, allowing or permitting that offence; and

(*c*) where, in the course of any proceedings before any court of summary jurisdiction other than a juvenile court, it appears that the person to whom the proceedings relate is a child or young person, nothing in this subsection shall

be construed as preventing the court, if it thinks fit so to do, from proceeding with the hearing and determination of those proceedings.

(3) No direction, whether contained in this or any other Ordinance, that a charge shall be brought before a juvenile court shall be construed as restricting the powers of any judge, District Judge or magistrate to entertain an application for bail or for a remand, and to hear such evidence as may be necessary for that purpose.

(Added, 15 of 1973, s. 4)

Procedure in juvenile courts. [cf. 1933 c. 12, ss. 47 and 49.]

3D. (1) Juvenile courts shall sit as often as may be necessary for the purpose of exercising any jurisdiction conferred on them by this or any other Ordinance.

(2) A juvenile court shall not sit in a room in which sittings of a court other than a juvenile court are held if a sitting of that other court has been or will be held within an hour before or after the sitting of the juvenile court.

(3) No person shall be present at any sitting of a juvenile court except—

(*a*) officers of the court;

(*b*) parties to the case before the court, their solicitors and counsel, and witnesses and other persons directly concerned in that case;

(*c*) *bona fide* representatives of newspapers or news agencies;

(*d*) such other persons as the court may specially authorize to be present.

(4) Notwithstanding subsection (3)(*c*) a juvenile court may exclude any representative of a newspaper or news agency from any sitting thereof.

(Added, 15 of 1973, s. 4)

Miscellaneous provisions as to powers of juvenile courts. [cf. 1933 c. 12, s. 48.]

3E. (1) A juvenile court sitting for the purpose of hearing a charge against a person who is believed to be a child or young person may proceed with the hearing and determination of the charge notwithstanding that it is discovered that the person in question is not a child or young person.

(2) The attainment of the age of 16 years by a person—

(*a*) under supervision by virtue of a probation order made under the Probation of Offenders Ordinance; or (Cap. 298)

(*b*) in whose case an order for conditional discharge has been made,

shall not deprive a juvenile court of jurisdiction to—

(i) enforce his attendance and deal with him for any contravention of the requirements of the probation order or for the commission of a further offence; or

(ii) amend or discharge the probation order.

(3) When a juvenile court has remanded a child or young person for information to be obtained about him, any juvenile court may—

(*a*) in his absence extend the period for which he is remanded, so, however, that he appears before a court at least once in every 21 days; and

(*b*) when the required information has been obtained, deal with him finally.

(Added, 15 of 1973, s. 4)

Power of other courts to remit juvenile offenders to juvenile courts. [*cf.* 1933 c. 12, s. 56.]

3F. (1) If a child or young person is found guilty of an offence other than homicide by any court other than a juvenile court, the court shall, unless satisfied that it would be undesirable to do so, remit the case to a juvenile court; and where any such case is so remitted the offender shall be brought before the juvenile court accordingly, and that court may deal with him in any way in which it might have dealt with him if he had been tried and found guilty by that court.

(2) Where any case is so remitted—

(*a*) the offender shall have the same right of appeal against any order of the juvenile court to which the case is remitted as if he had been found guilty by that court, but shall have no right of appeal against the order of remission; and

(*b*) any appeal against the finding of guilt shall be made in accordance with the provisions for appeal against the finding of the remitting court and the time within which such appeal shall be made shall run from the date of the final order of the juvenile court to which the case was remitted.

(3) A court by which an order remitting a case to a juvenile court is made under this section may give such directions as appear to be necessary for the custody of the offender or for his release on bail until he can be brought before the juvenile court, and shall cause to be transmitted to the juvenile court a certificate setting out the nature of the offence and stating that the offender has been found guilty thereof, and that the case has been remitted for the purpose of being dealt with under this section.

(Added, 15 of 1973, s. 4)

Bail of children and young persons arrested. 1908 c. 67, s. 94

4. Where a person apparently under the age of 16 years is apprehended, with or without warrant, and cannot be brought forthwith before a juvenile court, an inspector of police, or other police officer of equal or superior rank, or the officer in charge of the police station to which such person is brought, shall inquire into the case, and may in any case, and—

(*a*) unless the charge is one of homicide or other grave crime; or

(*b*) unless it is necessary in the interest of such person to remove him from association with any undesirable person; or

(*c*) unless the officer has reason to believe that the release of such person would defeat the ends of justice,

shall release such person on a recognizance, with or without securities, for such amount as will, in the opinion of the officer, secure the attendance of such person upon the hearing of the charge, such recognizance being entered into by him or by his parent or guardian or other responsible person.

Custody of children and young persons not released on bail after arrest. 1908 c. 67, s. 95.

5. Where a person apparently under the age of 16 years having been apprehended is not so released as aforesaid, the officer in charge of the police station to which such person is brought shall cause him to be detained in a place of detention until he can be brought before a juvenile court unless the officer certifies—

(*a*) that it is impracticable to do so; or

(*b*) that he is of so unruly or depraved a character that he cannot be safely so detained; or

(*c*) that by reason of his state of health or of his mental or bodily condition it is inadvisable so to detain him,

and the certificate shall be produced to the court before which the person is brought.

(Amended, 15 of 1973, s. 5)

Separation of children and young persons in police stations, courts, etc. [cf. 1933 c. 12, s. 31.]

6. (1) No child or young person while—

(*a*) detained in a police station;

(*b*) being conveyed to or from any criminal court; or

(*c*) waiting before or after attendance in any criminal court,

shall be permitted to associate with an adult (not being a relative) who is charged with any offence other than an offence with which the child or young person is jointly charged.

(2) Any girl (being a child or young person) shall, while so detained, being conveyed or waiting, be under the care of a female.

(Replaced, 15 of 1973, s. 6)

Remand or committal to custody in a place of detention. 1908 c. 67, s. 97.

(Cap. 280.)

7. (1) A court on remanding or committing for trial a child or young person who is not released on bail shall commit him to custody—

(*a*) in the case of a child, in a place of detention;

(*b*) in the case of a young person, in a place of detention or a training centre established under the Training Centres Ordinance.

(Replaced, 15 of 1973, s. 7)

(2) A commitment under this section may be varied, or, in the case of a young person who proves to be of so unruly a character

that he cannot be safely detained in such custody, or to be of so depraved a character that he is not a fit person to be so detained, revoked by any court, and if it is revoked the young person may be committed to prison.

Procedure in juvenile courts.

8. (1) Where a child or young person is brought before a juvenile court for any offence it shall be the duty of the court as soon as possible to explain to him in simple language the substance of the alleged offence.

(2) If the court is satisfied that the child or young person understands the nature of the alleged offence it shall (unless the alleged offence is homicide) ask the child or young person whether he admits the offence.

(3) If the court is not satisfied that the child or young person understands the nature of the alleged offence, or if the child or young person does not admit the offence the court shall then hear the evidence of the witnesses in support of the complaint or information. At the close of the evidence in chief of each such witness, the court shall ask the child or young person, or, if it sees fit, the parent or guardian of the child or young person, whether he wishes to put any questions to the witness. If the child or young person instead of asking questions wishes to make a statement he shall be allowed to do so.

(4) If it appears to the court that a *prima facie* case is made out, the evidence of any witnesses for the defence shall be heard, and the child or young person shall be allowed to give evidence. *(Amended, 34 of 1972, s. 22)*

(5) The court may, for the purpose of assisting the child or young person in his defence, put to such child or young person such questions as it may think necessary. *(Amended, 34 of 1972, s. 22)*

(6) It shall be the duty of the court to put to the witnesses such questions as appear to be necessary in the interests of the child or young person.

(7) Where—

(*a*) the child or young person admits the offence or the court is satisfied that it is proved; or

(*b*) the case of a child or young person is remitted to the court under section 3F,

the child or young person shall be asked if he desires to say anything in extenuation or mitigation of the penalty or otherwise. *(Replaced, 15 of 1972, s. 8)*

(8) Before deciding how to deal with the child or young person the court shall obtain such information as may be readily available as to his general conduct, home surroundings, school record, and medical history, in order to enable it to deal with the case in the best

interests of the child or young person, and may put to him any question arising out of such information. For the purpose of obtaining such information or for special medical examination or observation or for the purpose of considering how to deal with the case in the best interests of the child or young person the court may from time to time remand the child or young person on bail or to a place of detention.

(9) If the child or young person admits the offence or the court is satisfied that it is proved, and the court decides that a remand is necessary for purposes of inquiry or observation, the court may cause an entry to be made in the court register that the charge is proved and that the child or young person has been remanded. The court before which a child or young person so remanded is brought may without further proof of the commission of the offence make any order in respect of the child or young person which could have been made by the court which so remanded the child or young person. *(Amended, 15 of 1973, s. 8)*

Attendance at court of parent of child or young person charged with an offence, etc. [cf. 1933 c. 12, s. 34]

9. (1) Subject to subsection (1A), where a child or young person is charged with any offence or is brought before a court under the provisions of this or any other Ordinance, his parent or guardian shall, unless the court otherwise orders, attend before the court during all stages of the proceedings; and the court may compel the attendance of the parent or guardian as if he were required as a witness in the proceedings. *(Replaced, 15 of 1973, s. 9)*

(1A) If it appears to a court to be necessary to do so in the interest of a child or young person, the court may require his parent or guardian to withdraw from the court. *(Added, 15 of 1973, s. 9)*

(2) Where a child or young person is arrested, the police officer by whom he is arrested or the officer in charge of the police station to which he is brought shall, if the parent or guardian lives within a reasonable distance and can be found, cause him to be warned to attend at the court before which the child or young person will be brought.

Power to order parent to pay fine, etc. instead of child or young person. [1908 c. 67, s. 99.]

10. (1) Where a child or young person is charged before any court with any offence for the commission of which a fine, damages or costs may be imposed, and the court is of opinion that the case would be best met by the imposition of a fine, damages, or costs, whether with or without any other punishment, the court may in any case, and shall if the offender is a child, order that the fine, damages, or costs awarded be paid by the parent or guardian of the child or young person instead of by the child or young person, unless the court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the child or young person.

(2) Where a child or young person is charged with any offence, the court may order his parent or guardian to give security for his good behaviour.

(3) Where a court thinks that a charge against a child or young person is proved, the court may make an order on the parent or guardian under this section for the payment of a fine, damages, or costs or requiring him to give security for good behaviour, without proceeding to the conviction of the child or young person.

(4) No order shall be made under this section unless the parent or guardian has been given opportunity of being heard. *(Replaced, 15 of 1973, s. 10)*

(5) Any sums imposed and ordered to be paid by a parent or guardian under this section or on forfeiture of any such security as aforesaid, may be recovered from him by distress or imprisonment in like manner as if the order had been made on the conviction of the parent or guardian of the offence with which the child or young person was charged.

(6) A parent or guardian may appeal against an order of a juvenile court under this section in manner prescribed by Part VII of the Magistrates Ordinance, the provisions of which Part shall apply to any such appeal. (Cap. 227.)

Restrictions on punishment of children and young persons. 1908 c. 67, s. 102.

11. (1) No child shall be sentenced to imprisonment or committed to prison in default of payment of a fine, damages, or costs.

(2) No young person shall be sentenced to imprisonment if he can be suitably dealt with in any other way. *(Amended, 15 of 1973, s. 11)*

(3) A young person sentenced to imprisonment shall not be allowed to associate with adult prisoners.

(4) The conviction of a child or young person shall not be regarded as a conviction of felony for the purposes of any disqualifications attaching to convictions of felony. 1908 c. 67, s. 100.

Detention in case of certain crimes committed by children or young persons. 1908 c. 67, s. 104.

12. Notwithstanding anything in this Ordinance to the contrary, when a child is convicted on indictment of manslaughter or where a young person is convicted on indictment of an attempt to murder, or of manslaughter, or of wounding with intent to do grievous bodily harm, the court may sentence the offender to be detained for such period as may be specified in the sentence; and where such a sentence is passed the child or young person shall, during that period, notwithstanding anything in the provisions of this Ordinance, be liable to be detained in such place and on such conditions as the Governor may direct, and whilst so detained shall be deemed to be in legal custody.

Provisions as to discharge of children or young persons detained in accordance with directions of the Governor. 1908 c. 67, s. 105.

13. (1) A person in detention pursuant to the directions of the Governor under section 12 may, at any time, be discharged by the Governor on licence.

(2) A licence may be in such form and may contain such conditions as the Governor may direct.

(3) A licence may at any time be revoked or varied by the Governor and where a licence has been revoked the person to whom

the licence related shall return to such place as the Governor may direct, and if he fails to do so may be apprehended without warrant and taken to that place.

Detention in place of detention.

14. (1) Where a child or young person—

(*a*) is found guilty of an offence punishable in the case of an adult with imprisonment; or

(*b*) would be liable if he were an adult to be imprisoned in default of payment of any fine, damages or costs,

and the court considers that no other method in which the case may be dealt with is suitable, the court may order that he be detained in a place of detention.

(2) A child or young person ordered to be detained in a place of detention shall be so detained for such period not exceeding 6 months from the date of such order as the Director of Social Welfare may determine:

Provided that the period of detention shall not exceed the maximum term of imprisonment to which the child or young person would have been liable, if he were an adult, for the offence of which he was found guilty or in default of payment of the fine, damages or costs, as the case may be.

(Replaced, 15 of 1973, s. 12)

Methods of dealing with children or young persons charged with offences.
1908 c. 67, s. 107.

15. (1) Where a child or young person charged with any offence is tried by any court, and the court is satisfied of his guilt the court shall take into consideration the manner in which, under the provisions of this or any other Ordinance or law enabling the court to deal with the case, the case should be dealt with, and subject to such provisions, may deal with the case in any of the following manners or a combination thereof, namely— *(Amended, 66 of 1967, s. 2)*

(*a*) by dismissing the charge;

(*b*) by discharging the offender on his entering into a recognizance;

(Cap. 298.) (*c*) by dealing with the offender under the provisions of the Probation of Offenders Ordinance; *(Replaced, 8 of 1960, s. 3)*

(Cap. 227.) (*d*) by dealing with the offender under section 96(*b*) of the Magistrates Ordinance; *(Replaced, 15 of 1973, s. 13)*

(Cap. 213.) (*e*) if the offender is in need of care and protection, by dealing with him under section 34 of the Protection of Women and Juveniles Ordinance; *(Replaced, 15 of 1973, s. 13)*

(*f*) by sending the offender to a reformatory school;

(Cap. 222.) (*g*) by ordering the offender if a boy to be caned in accordance with the Corporal Punishment Ordinance; *(Amended, 35 of 1959, Schedule and 15 of 1973, s. 13)*

(*h*) by ordering the offender to pay a fine, damages, or costs;

(*i*) by ordering the parent or guardian of the offender to pay a fine, damages, or costs;

(*j*) by ordering the parent or guardian of the offender to give security for his good behaviour;

(*k*) by committing the offender to custody in a place of detention; *(Amended, 15 of 1973, s. 13)*

(*l*) where the offender is a young person, by sentencing him to imprisonment or to detention in a training centre established under the Training Centres Ordinance; *(Amended, 15 of 1973, s. 13)* (Cap. 230.)

(*m*) where the offender is a male person, by dealing with him under the provisions of the Detention Centres Ordinance; *(Added, 15 of 1973, s. 13)* (Cap. 239.)

(*n*) by dealing with the case in any other manner in which it may be legally dealt with:

Provided that nothing in this section shall be construed as authorizing the court to deal with any case in any manner in which it could not deal with the case apart from this section.

(2) Damages which may be ordered under subsection (1)(*h*) or (*i*) shall be by way of compensation for—

(*a*) personal injury;

(*b*) loss of or damage to property; or

(*c*) both such injury and loss or damage,

as the court thinks reasonable; but in the case of an order made by a magistrate's court, the compensation shall not exceed $5,000. *(Added. 48 of 1972, s. 4)*

Provision of places of detention. 1968 c. 67, s. 108.

16. (1) The Governor may by order—

(*a*) appoint any place to be a place of detention for the purposes of this Ordinance;

(*b*) declare that any place of detention shall be used only for such of the purposes for which places of detention are provided as may be specified in the order.

(Replaced, 15 of 1973, s. 14)

(2)–(3) [*Deleted, 15 of 1973, s. 14*]

(4) In selecting the place of detention to which a child or young person is to be committed the court or police officer shall have regard to whether the place is suitable for the reception of convicted or of unconvicted persons, or of persons charged with serious offences or minor offences, as the case may be, and also, where practicable, to the religious persuasion of the child or young person.

(5) A child or young person detained in a place of detention may be, by order of the Governor, either discharged therefrom or transferred to some other place of detention.

Provisions as to the custody of children and young persons in places of detention. 1908 c. 67, s. 109.

17. (1) The order or judgment in pursuance of which a child or young person is committed to custody in a place of detention shall be delivered with the child or young person to the person in charge of the place of detention and shall be sufficient authority for his detention in that place in accordance with the tenor thereof.

(2) A child or young person whilst so detained and whilst being conveyed to and from the place of detention shall be deemed to be in legal custody and if he escapes may be apprehended without warrant and brought back to the place of detention in which he was detained.

(3) The Governor shall cause places of detention to be inspected, and may make rules as to the places to be used as places of detention, and as to their inspection, and as to the classification, treatment, employment, and control of children and young persons detained in custody in a place of detention, and for the children and young persons whilst so detained being visited from time to time by persons appointed in accordance with those rules.

(Amended, 15 of 1973, s. 15)

Expenses of maintenance of child or young person. 1908 c. 67, s. 110.

18. The expenses incurred by the Government in respect of any place of detention, including the expenses of the maintenance of any child or young person detained therein, whether detained on apprehension or committed to custody on remand or commitment for trial or in lieu of imprisonment or in default of payment of a fine, damages, or costs, shall be defrayed out of the general revenue.

(Amended, 15 of 1973, s. 16)

Order not to be invalidated by subsequent proof of age. 1908 c. 67, s. 123.

19. Where a person, whether charged with an offence or not, is brought before any court and it appears to the court that he is a child or young person, an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated to or presumed or declared by the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this Ordinance, be deemed to be the true age of that person, and where it appears to the court that the person so brought before it is of the age of 16 years or upwards, that person shall for the purposes of this Ordinance be deemed not to be a child or young person.

Power to clear court whilst a child or young person is giving evidence in certain cases. 1908 c. 67, s. 114.

20. In addition and without prejudice to any powers which a court may possess to hear proceedings *in camera* the court may, where a person who in the opinion of the court is a child or young person is called as a witness in any proceedings in relation to an offence against, or any conduct contrary to, decency or morality, direct that all or any persons, not being members or officers of the court or parties to the case, their counsel or solicitors, or persons otherwise directly concerned in the case, be excluded from the court during the taking of the evidence of the child or young person:

Provided that nothing in this section shall authorize the exclusion of *bona fide* representatives of a newspaper or news agency.

Restriction on reports of proceedings in juvenile courts and power of other courts to prohibit certain reports. [*cf.* 1933 c. 12, s. 49.]

20A. (1) Subject to subsection (2) no person shall—

(*a*) publish a written report or broadcast a report of any proceedings in a juvenile court or on appeal from a juvenile court—

(i) revealing the name, address or school; or

(ii) including any particulars calculated to lead to the identification,

of any child or young person concerned in the proceedings, either as being the person against or in respect of whom the proceedings are taken or as being a witness therein; or

(*b*) publish in a written report any picture or broadcast any picture as being or including a picture of any child or young person so concerned in any such proceedings.

(2) The court may, if satisfied that it is in the interests of justice so to do, by order dispense with the requirements of subsection (1) to such extent as may be specified in the order.

[*cf.* 1933 c. 12, s. 39(1).]

(3) In any proceedings in any court, other than proceedings to which subsection (1) applies, the court may direct that, except in so far as the court may otherwise permit, no person shall publish any of the matters specified in subsection (1) in respect of the proceedings before it.

(4) If a report or picture is published or broadcast in contravention of subsection (1) or of a direction of a court under subsection (3), the following persons—

(*a*) in the case of publication of a written report or picture as part of a newspaper or periodical publication, any proprietor, editor publisher or distributor thereof;

(*b*) in the case of a publication of a written report or picture otherwise than as part of a newspaper or periodical publication, the person who publishes or distributes it;

(*c*) in the case of a broadcast of a report or picture, any person who transmits or provides the programme in which the report or picture is broadcast and any person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication

shall be guilty of an offence and shall be liable on conviction to a fine of $10,000 and to imprisonment for 6 months.

(5) Proceedings for an offence under this section shall not be instituted except with the consent of the Attorney General.

(6) Subsections (1) and (3) shall be in addition to, and not in derogation from, the provisions of any other Ordinance with respect to the publication of reports of judicial proceedings.

(7) In this section—

"broadcast" means sounds or visual images broadcast by wireless telegraphy or by means of a high frequency distribution system over wire or other paths provided by a material substance and intended for general reception;

"publish", in relation to a report, means publish the report, either by itself or as part of a newspaper or periodical, for distribution to the public.

(Added, 15 of 1973, s. 17)

Power to make rules.

21. The Governor in Council may make rules, as from time to time appear to him to be necessary, providing for the proper carrying into effect of the purposes of this Ordinance.

(Replaced, 8 of 1960, s. 4)

Saving.

22. Save in so far as other provision is expressly made in this Ordinance nothing in this Ordinance shall be deemed to affect any other law relating to children or young persons.

No. of cases referred for social enquiry by probation officers x type of offences x sex x age of probationers (1982 - 1983)

Classification of Offences	Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	
I. Against Lawful Authority									
1. Unlawful Society & Assembly	32	1	78	1	18		128	2	130
2. Perjury & Kindred Offences (e.g. impersonating public officer)	2		2		5	1	9	1	10
3. Escape & Rescue from Lawful Custody	1			1	4		5	1	6
4. Other Offences (e.g. resisting arrest, obstruction to police in performing duty)	10	2	30	4	17	5	57	11	68
II. Against Public Morality									
1. Unnatural Offences	3		4		1	2	8	2	10
2. Rape	1		2				3		3
3. Sexual Offences									
(a) Carnal Knowledge	3						3		3
(b) Defilement of Girl	20		67		29		116		116
(c) Indecent Assault	7		32		51		90		90

Table 22 Source: Hong Kong Annual Report by the Director of Social Welfare 1982-83.

Classification of Offences		Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
		M	F	M	F	M	F	M	F	
	4. Other Offences (no connection with prostitution e.g. selling indecent, photographs, indecent exposure in public place)	2	1	33				35	1	36
II.	Against the Person									
	1. Murder & Infanticide						1		1	1
	2. Manslaughter	3		10	2	8	2	21	4	25
	3. Wounding & Grievous Bodily Harm	65	5	138	2	102	10	305	17	322
	4. Kidnapping	1		2		1		4		4
	5. Other Offences	46	11	66	5	51	11	163	27	190
III.	Against Burglary									
	1. Burglary	227	10	209	7	131	7	567	24	591
	2. Robbery & Assaults with intent to Rob	152	30	270	11	103	1	525	42	567
	3. Demanding with Menaces, Blackmail	38	17	67	4	66	3	171	24	195

Table 22 Continued(Annual Report 1987-88...)

Classification of Offences	Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	
4. Theft	500	78	546	107	430	88	1476	273	1749
5. Taking Conveyance with Authority	71	1	98	1	27	2	196	4	200
6. Handling Stolen Goods	25		33	2	25	1	83	3	86
7. Obtaining Property by Deception	1		12	1	44	3	57	4	61
8. Obtaining Pecuniary Advantage by Deception	5		5		13	10	23	10	33
9. Going Equipped for Stealing	26		26		17		69		69
10. Dishonest use of Electricity, Public Telephone or Telex-system			1				1		1
11. Arson	2		2		3		7		7
12. Malicious Damage	19	1	18		5	3	42	4	46
13. Unlawful Possession	26		21		16		63		63
14. Loitering with Intent to Steal & Rob & Trespassing	15		61		102		178		178
15. Other Offences	13	5	17	1	15	2	45	8	53

Table 22 Continued (Annual Report 1982-83)

Classification of Offences		Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
		M	F	M	F	M	F	M	F	
IV.	Against the Penal Code									
	1. Forgery & Counterfeiting	3	1	18	6	27	4	48	11	59
	2. Conspiracy (incl. conspiracy to commit affray)	3	1	8		32	2	43	3	46
	3. Bribery & Corruption					4		4		4
	4. Possession of Arms & Ammunition, Offensive Weapons	23		58		33		114		114
	5. Other Offences	7		6	2	14	4	27	6	33
V.	Against Local Laws									
	1. Common Assault, Affray	79	14	86	1	45	7	210	22	232
	2. Food & Drug Offences	5	1	10	1	9	1	24	3	27
	3. Dangerous Goods	1			2	4		5	2	7
	4. Drunkenness & Disorderly Conduct	6	9		7	4	2	10	18	28
	5. Breach of Expulsion Order	2	6	2	1			3	7	10
	6. Firecracker Offences	4						4		4

Table 22 (Annual Report 1982-83...)
Continued

Classification of Offences	Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	
7. Forestry Offences			1	1			1	1	2
8. Gambling & Lotteries	3		5		3	3	11	3	14
9. Hawking	1	1			2	1	3	2	5
10. Obstruction					1	1	1	1	2
11. Nuisances, Breach of Queen's Peace	2		10	2	43	3	55	5	60
12. Narcotics Offences	54	4	229	27	580	91	863	122	985
13. Loitering for Immoral Purposes & Brothels	9		6	1	6	3	21	4	25
14. Stowaways & Breach of Immigration Regulation		1	20	5	83	29	103	33	138
15. Traffic Offences of Technical Nature	3		3		7		13		13
16. Dangerious Driving	1		6	2	8	3	15	5	20
17. Offences Against Women, Girl & Children	1	1			4	12	5	13	18
18. Trade Mark Infringement			1		3	1	4	1	5

Table 22 Continued (Annual Report 1982-83)

Classification of Offences	Juvenile below 16		16 - 20		Adult 21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	
19. Breach of Import & Export Regulations					2		2		2
20. Offences against Public Health	1		1		2	2	4	2	6
21. Breach of Probation requirement, for which sentence was passed, order cancelled	3		3	1	1		7	1	8
22. Other Offences	143	3	120	2	129	6	392	11	403
Total	1670	204	2442	210	2330	327	6442	741	7183

Table 22 Continued (Annual Report 1982-83...)

Table 23 (Annual Report 1982-83...)

Probation and Corrections Services

No. of cases x sex x age of probationers under probation supervision (1982 - 1983)

Caseload \ Sex	7 - 13		14 - 15		16 - 20		21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	M	F	
Caseload as at 1st April	525	68	835	133	935	107	361	85	2656	393	3049
New cases	314	33	640	72	786	75	348	69	2088	249	2337
Inter-regional Adjustment	-33	-5	57	-4	21	1	17	-4	62	112	50
Completed cases	320	46	706	102	764	103	305	54	2095	305	2400
Caseload as at 31st March	486	50	826	99	978	80	421	96	2711	325	3036

Probation Cases	1982 - 83
No. of home visits	4660
No. of office interviews	49028

No. of completed cases x sex x age of probationers x result (1982 - 1983)

Result of Completed Cases	7 - 13		14 - 15		16 - 20		21 & over		Total	
	M	F	M	F	M	F	M	F	M	F
Satisfactory*	275	30	610	85	672	88	263	47	1820	250
Unsatisfactory	45	16	96	17	92	15	42	7	275	55
Total	320	46	706	102	764	103	305	54	2095	305
Grand Total	366		808		867		359		2400	

* Cases in which the probationers completed the period without a breach of the conditions of the order or committing fresh offences.

Table 24 (Annual Report 1982-83...)

No. of new probation supervision x type of offence x sex x age of probationers (1982 - 1983)

Classification of Offences		Juvenile 7 - 13		Juvenile 14 - 15		16 - 20		Adult 21 & over		Total		Grand Total
		M	F	M	F	M	F	M	F	M	F	
I.	Against Lawful Authority											
	1. Unlawful Society & Assembly	1		22		24	1	2		49	1	50
	2. Perjury & Kindred Offences			1						1		1
	3. Other Offences (e.g. resisting arrest, obstruction to police in performing duty)	2			3	4	2	7		13	5	18
II.	Against Public Morality											
	1. Unnatural Offences								1		1	1
	2. Sexual Offences											
	(a) Carnal knowledge			6		5				11		11
	(b) Defilement of Girl			11		37		5	1	53	1	54
	(c) Indecent Assault	3		4		19		10		36		36
	3. Other Offences (no connection with prostitution e.g. selling indecent photographs, indecent exposure in public places)				1	4	1	8		12	2	14

Table 25 (Annual Report 1982-83 ...)

Table 25 Continued (Annual Report 1982-83)

Classification of Offences	Juvenile 7 - 13		Juvenile 14 - 15		16 - 20		Adult 21 & over		Total		Grand Total
	M	F	M	F	M	F	M	F	M	F	
III. Against the Person											
1. Wounding & Grevious Bodily Harm	5		27	2	44	3	10	2	86	7	93
2. Kidnapping			1		2		3		6		6
3. Other Offences	6		21	6	27	4	9	5	63	15	78
IV. Against Property											
1. Burglary	74	1	96	5	73	1	24	1	267	8	275
2. Robbery & Assaults with Intent to Rob	31	7	71	10	40	3	7	1	149	21	170
3. Demanding with Menaces, Blackmail	11	2	14	6	27	1	5	1	57	10	67
4. Theft	127	14	200	16	228	43	60	29	615	102	717
5. Taking Conveyance without Authority	6		27	1	45	3	7	1	85	5	90
6. Handling Stolen Goods	4		8		17		4		33		33
7. Obtaining Property by Deception	1		1		9		3		14		14

Table 25 Continued (Annual Report 1982-83 ...)

	Classification of Offences	Juvenile 7 - 13		Juvenile 14 - 15		16 - 20		Adult 21 & over		Total		Grand Total
		M	F	M	F	M	F	M	F	M	F	
	8. Obtaining Pecuniary Advantage by Deception							1		1		1
	9. Going Equipped for Stealing	7		15		8		2		32		32
	10. Malicious Damage			4		7		2		13		13
	11. Unlawful Possession	8	2	9	1	9		3		29	3	32
	12. Loitering with Intent to Steal & Rob & Trespassing	5		8		17		14	1	44	1	45
	13. Other Offences	1	2	5	3	9		2	1	17	6	23
V.	Against the Penal Code											
	1. Forgery & Counterfeiting			2	1	1	1	2		5	2	7
	2. Conspiracy (e.g. conspiracy to commit affray, to rob)	1		1		1		2		5		5
	3. Possession of Arms & Ammunition, Offensive Weapons	1		8		16		3		28		28
	4. Other Offences	2		2	1	6	2	2	1	12	3	15

Table 25 Continued (Annual Report 1982-83...)

Classification of Offences		Juvenile 7 - 13		Juvenile 14 - 15		16 - 20		Adult 21 & over		Total		Grand Total
		M	F	M	F	M	F	M	F	M	F	
VI.	Against Local Laws											
	1. Common Assault, Affray	11	1	42	8	49		2		104	9	113
	2. Food & Drug Offences				4	1		1		2	4	6
	3. Drunkenness & Disorderly Conduct	1	1	3		2	1	2	1	8	3	11
	4. Gambling & Lotteries					2				2		2
	5. Nuisances, Breach of Queen's Peace					1				1		1
	6. Narcotics Offences	2		16	2	38	6	130	9	186	17	203
	7. Loitering for Immoral Purpose & Brothels	1		4				1	1	6	1	7
	8. Traffic Offences of Technical Nature			3		2		6		11		11
	9. Dangerous Driving			1		2				3		3
	10. Offences Against Women, Girls & Children	1	1	1		1	3	2	8	5	12	17
	11. Offences Against Public Health								1		1	1
	12. Other Offences	2	2	6	2	9	1	7	4	24	9	33
	Total	314	33	640	72	786	75	348	69	2088	249	2337

Table 26 Source: Hong Kong Annual Report by the Director of Social Welfare 1982-83

No. of inmates x Correctional Institutions (1982 - 1983)

Home	No. of inmates as at 1.4.82	No. of Admission during the year (Remand, Detention, etc.)	No. of discharged during the year	Adjustment for absconders	No. of inmates as at 31.3.83
Begonia Road Boys' Home	160	2864	2867	-	157
Ma Tau Wai Girls' Home	148	3476	3430	-	194
Castle Peak Boys' Home	118	78	66	-19	111
Kwun Tong Hostel	59	100	89	-	70
O Pui Shan Boys' Home	150	24	72	-23	79
Total	635	6542	6524	-42	611

Table 27 Source: Hong Kong Annual Report by the Director of Social Welfare 1982-83

No. of admission x Correctional Institution (1982 - 1983)

Home	No. of Admission				
	Remand	Detention	Probation	Care & Protection	Total
Pagoda Road Boys' Home	2711	8	138	7	2864
Ma Tau Wai Girls' Home	3355		32	89	3476
Castle Peak Boys' Home		78			78
Kwun Tong Hostel			100		100
O Pui Shan Boys' Home		24			24
Total	6066	110	270	96	6542

Table 28 Source: Hong Kong Annual Report
by the Director of Social Welfare 1982-83

No. of inmates of correctional institutional x sex x age of inmates (1982 - 1983)

Age \ Sex	No. of inmates as at 1.4.82		No. of admission during the year		No. of discharged during the year		Adjustment for absconders		No. of inmates as at 31.3.83		Grand Total
	M	F	M	F	M	F	M	F	M	F	
7 - 13	189	32	919	643	911	642	- 37	-	160	33	193
14 - 15	229	71	2049	1831	2079	1784	- 9	-	190	118	308
16 - 18	67	45	82	1001	99	1003	4	-	54	43	97
19 - 21	2		16	1	5	1	-	-	13	-	13
Total	487	148	3066	3476	3094	3430	- 42	-	417	194	611
Grand Total	635		6542		6524		- 42		611		

Table 29 Source: Hong Kong Annual Report 1982-83...

No. of new admission x correctional institution x type of offence x sex of inmates (1982 - 1983)

Classification of Offences		Kwun Tong Hostel (Male)	Castle Peak Boys' Home	O Pui Shan Boys' Home	Begonia Road Boys' Home	Ma Tau Wai Girls' Home	Total		Grand Total
							Male	Female	
I.	Against Lawful Authority								
	1. Unlawful Society and Assembly	2	1		36		39		39
	2. Perjury and Kindred Offences (e.g. impersonating Public Officer)				4		4		4
	3. Other Offences (e.g. resisting arrest, obstruction to police in performing duty)				2	16	2	16	18
II.	Against Public Morality								
	1. Rape				9	9	9	9	18
	2. Sexual Offences								
	(a) Carnal Knowledge	1					1		1
	(b) Defilement of Girl	4				7	4	7	11
	(c) Indecent Assault				49	9	49	9	58
	(d) Unlawful Sexual Intercourse					91		91	91

Table 29 Continued Source: Hong Kong Annual Report by Director of Social Welfare 1982-83...

Classification of Offences		Kwun Tong Hostel (Male)	Castle Peak Boys' Home	O Pui Shan Boys' Home	Begonia Road Boys' Home	Ma Tau Wai Girls' Home	Total		Grand Total
							Male	Female	
	3. Other Offences (no connection with prostitution e.g. selling indecent photographs, indecent exposure in public places)				3	3	3	3	6
III.	Against the Person								
	1. Murder and Infanticide				82	3	82	3	85
	2. Wounding and Grevious Bodily Harm	7	5		149	25	161	25	186
	3. Kidnapping				7		7		7
IV.	Against Property								
	1. Burglary	4	15	5	289	23	313	23	336
	2. Robbery & Assaults with Intent to Rob	12	14	3	426	60	455	60	515
	3. Demanding with Menaces, Blacksmail		3		66	10	69	10	79
	4. Theft	43	19		540	57	602	57	659

Table 29 Continued Source: Hong Kong Annual Report 1982-83...

Classification of Offences	Kwun Tong Hostel (Male)	Castle Peak Boys' Home	O Pui Shan Boys' Home	Begonia Road Boys' Home	Ma Tau Wai Girls' Home	Total		Grand Total
						Male	Female	
5. Taking Conveyance without Authority			10	45		55		55
6. Handling Stolen Goods	2	1		14		17		17
7. Obtaining Property by Deception				9		9		9
8. Obtaining Pecuniary Advantage by Deception				1		1		1
9. Going Equipped for Stealing		3		32	1	35	1	36
10. Arson				16		16		16
11. Malicious Damage		2		20	6	22	6	28
12. Unlawful possession	2	3		39	1	44	1	45
13. Loitering with Intent to Steal and Rob, and Trespassing		1		81		82		82
14. Other Offences					10		10	10

Table 29 Continued Source: Hong Kong Annual Report 1982-83...

Classification of Offences		Kwun Tong Hostel (Male)	Castle Peak Boys' Home	O Pui Shan Boys' Home	Begonia Road Boys' Home	Ma Tau Wai Girls' Home	Total		Grand Total
							Male	Female	
V.	Against the Penal Code								
	1. Forgery and Counterfeiting				3	1	3	1	4
	2. Conspiracy (e.g. conspiracy to commit affray, to rob)				3		3		3
	3. Possession of Arms & Ammunition, Offensive Weapons	4			80	3	84	3	87
VI.	Against Local Laws								
	1. Common Assault, Affray	4	2		83	14	89	14	103
	2. Food and Drug Offences	1			148		149		149
	3. Drunkenness & Disorderly Conduct				4	2	4	2	6
	4. Hawking				4		4		4
	5. Narcotic Offences		5	2		32	7	32	39

Table 29 Continued Source: Hong Kong Annual Report 1982-83 ...

Classification of Offences		Kwun Tong Hostel (Male)	Castle Peak Boys' Home	O Pui Shan Boys' Home	Begonia Road Boys' Home	Ma Tau Wai Girls' Home	Total		Grand Total
							Male	Female	
	6. Stowaways and Breach of Immigration Regulation				186	230	186	230	416
	7. Offences Involved I.D. Card					18		18	18
	8. Breach of Probation Order	5	4	4	163	18	176	18	194
	9. Other Offences	9				131	9	131	140
VII.	Care and Protection				271	2696	271	2696	2967
	Total	100	78	24	2864	3476	3066	3476	6542

Table 30 Source: Hong Kong Director of Social Welfare Annual Report 1982-83

Aftercare Supervision of Boys from Reformatory School

(1.4.82 - 31.3.83)

Caseload as at 1.4.1982	236
New cases	117
Completed cases	76
Caseload as at 31.3.1983	277

ORGANIZATION

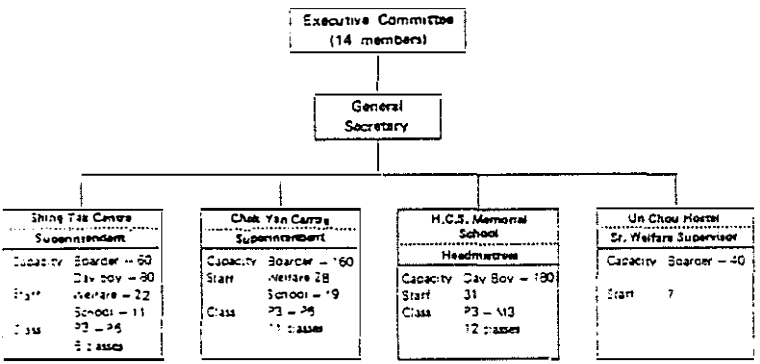
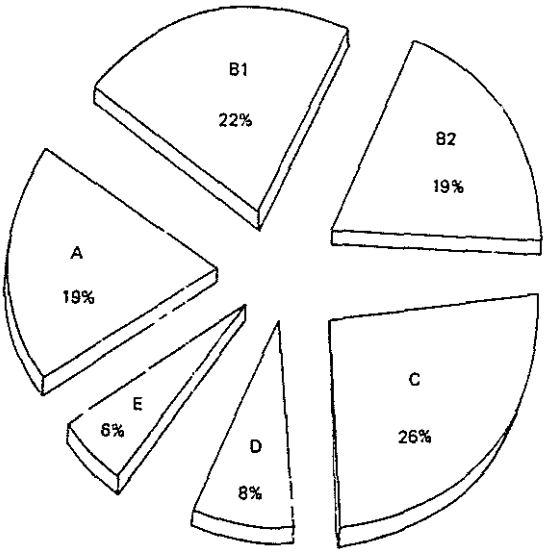


Table 31 Source: Society of Boys' Centers Annual Report 1982-83

院童來源

SOURCES OF CASES (1981-1982)

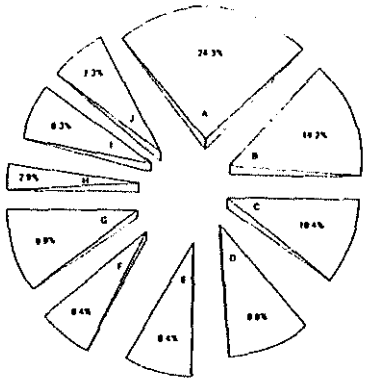


A	教育署 Education Department
B_1	社會福利署家庭服務部 S.W.D. Family Services Division
B_2	社會福利署感化事務部 S.W.D. Probation Division
C	家長家長自行申請 Self-Applications
D	志願機構 Voluntary Agencies
E	其他（校長、醫務社會工作員等） Others (Headmasters, Medical Social Workers, etc.)

Table 32 Source: Society of Boys' Centers Annual Report 1982-83

兒童入院前問題分類
PROBLEMS BEFORE ADMISSION (1981-1982)

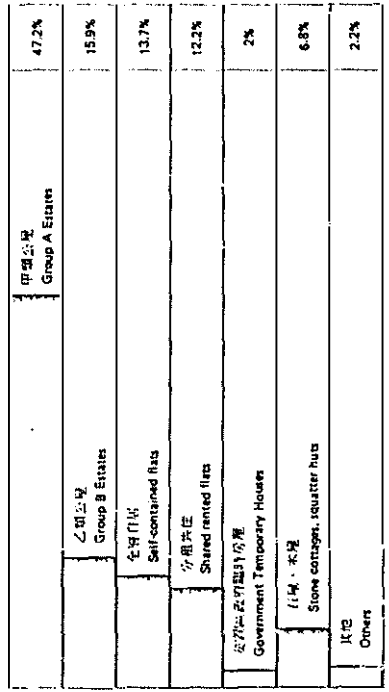
Table 33 Source: Society of Boys' Centers Annual Report 1982-83



A Stop schooling/Apathy towards study/Truancy
B Theft/Robbery
C Beyond Parents' Control
D Loitering
E. Associating with triad society members or Undesirable peer groups
F. Absconded from home
G. Deprived of proper care from the family, e.g. irresponsible parents, parents in prison, parents in hospital etc
H Care and Protection Order bearers
I Probationers
J Others (fighting, gambling, begging, ill treated)

Remark: A boy usually has one or more problems

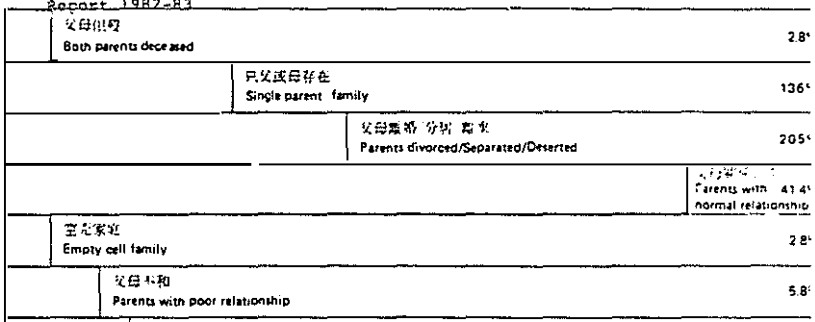
院童家庭居住情況
TYPE OF ACCOMMODATION(1981-1982)



院童家庭狀況

Table 34 Source: Society of Boys'Centers Annual Report 1982-83

FAMILY STRUCTURE(1981-1982)



院童年齡統計

AGE DISTRIBUTION (1981-1982)

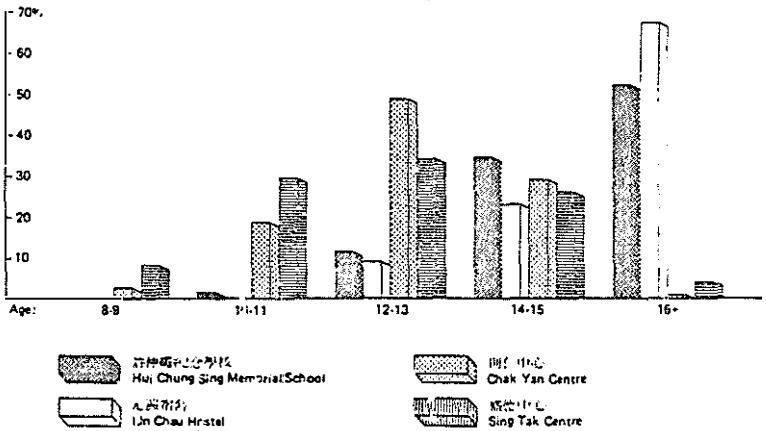
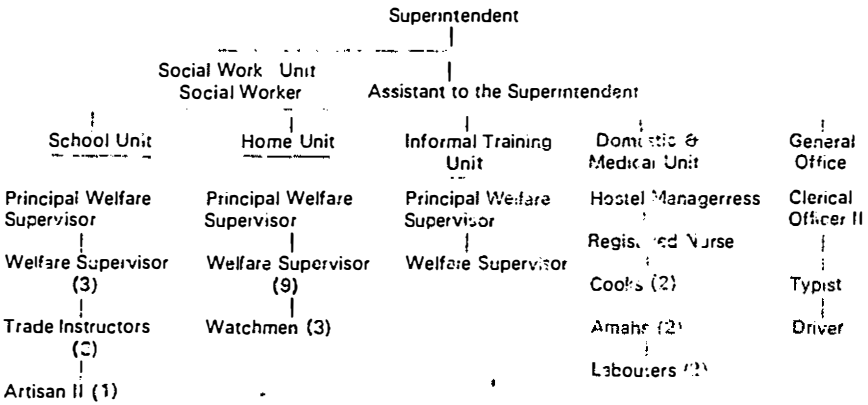


Table 35

Organizational Structure of O Pui Shan Junior Reformatory



Source: Social Welfare Department Divisional Exhibition 1977

O PUI SHAN BOYS' HOME

DAILY PROGRAMME

7:30 a.m.	Getting up; tidying-up of dormitory
8:15 a.m.	Morning exercise
8:30 a.m.	Breakfast
8:50 a.m.	Morning inspection
9:00-12 noon	School and Trade Classes
12:00 noon	Lunch
12:30 p.m.	Mid-day rest / quiet time
1:30 p.m.	Tidying-up of dormitory
1:50 p.m.	Afternoon inspection
2:00-5:00 p.m.	School and Trade Classes
5:00 p.m.	Interest groups / Recreational activities
6:00 p.m.	Dinner
6:40 p.m.	Shower / Leisure hours
8:00 p.m.	House Activities : (i) House Discussion (ii) Interest Groups (iii) Indoor/Outdoor games (iv) Educational/Recreational activity
9:00 p.m.	Snack
10:00 p.m.	Lights out/Night inspection
10:30 p.m.	Change of shift

Table 36

Table 37
O Pui Shan Reformatory
Instructional Program

Subject	# of Sessions per week				Hours per week
	Junior	Senior	Inter-mediate	Special class	
English	4	4	4	4	2
Chinese	4	4	4	4	2
Math	4	4	4	4	2
Social Study (Civics)	2	2	2	2	1
Health	2	2	2	2	1
Social Science	2	2	2	2	1
P.E.	3	3	3	3	11/2
Music	1	1	1	1	1/2
Drawing	1	1	1	1	1/2
Composition/ Penmanship	1	1	1	1	1/2
Project Planning Activity/ Group Activity	1	1	1	1	1/2
Assemply including Moral Training (abiding by rules and regulations)	1/2	1/2	1/2	1/2	21/2
Recess	1/2	1/2	1/2	1/2	21/2
Total	25	25	25	25	171/2

Glossary and Bibliography

Glossary of Terms

Term	Definition
1. Xiaonian fanzui 少年犯罪	juvenile delinquency
2. Xiao 孝	filial piety
3. Lian, Mianzi 脸,面子	traditional concepts of saving face
4. Laodongju 劳动局	Labor Exchange Commission (Mainland)
5. Juminhui 居民会	Residence Committee (Mainland)
6. Dingti 顶替	receiving a job through parental connections (Mainland)
7. Guanjiaosuo 管教所	Reformatory (Mainland)
8. Ganhuaguan, Ganhuayuan 感化馆 感化院	Reformatory (Taiwan)
9. Fuyuyuan 辅育院	Training Institute (Taiwan term which now designates reformatories)
10. Gongdu Xuexiao 工读学校	Work-study school for mildly delinquent youth (Mainland)
11. Gongdu ban 工读班	Work-study class for mildly delinquent youth operated by public security officials (Mainland)

12. Shourusuo 收容所	Collecting post, orphanage, refugee shelter, occasionally housing delinquent youth (Mainland)
13. Guanhusuo 管护所	Protection house, holds delinquents before their court case is heard (Taiwan)
14. Paichusuo 派出所	Local Public Security Station (Mainland)
15. Zhibaoke 治保科	Social order section of public security bureau, usually responsible for handling delinquency matters (Mainland)
16. C.Y.L. 共产主义青年团	Communist Youth League (Mainland)
17. C.Y C 中国青年反共救国团	China Youth Corps (Taiwan)
18. Zhang Laoshi 張老师	Teacher Zhang Counselling Programs (Part of the China Youth Corps)
19. Lao gai 劳改	Reform through labor (Mainland)
20. Lao jiao 劳教	Reform through education (Mainland)

21. Jiti jiaoyu	集体教育	Collectivist education (Mainland)
22.Pian mian jiaoyu	片面教育	Unilateral education (Mainland)
23. Geng sheng	更生	Born again, rehabilitate (Taiwan)
24. Banzhuren	班主任	Teacher in charge of student affairs (Mainland)
25. Liu mang	流氓	hoodlums, delinquents (Mainland)
26. Liu mang, Tai bao	流氓,太保	Traditional terms denoting two different types of youth gangs in Taiwan
27. De yu	德育	Moral Education
28. Zhi ye jiaoyu	职业教育	Vocational Education
29. Kesuxing	可塑性	Plasticity (Mainland)
30. Da fang	大方	Sexually promiscuous behavior, used to denote behavior of female gang members (Mainland)

31. Po guan po shuai 破罐破摔 Literally, break like a pot (meaning it is not easy to put back together in the same way, referring to female delinquents and the difficulties they experience in attempting to reform.

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I. Translation Services

1. FBIS — Foreign Broadcast Information Service
2. JPRS — Joint Publications Reference Service
3. CNA — China News Analysis
4. SWB — Summary of World Broadcasts
5. Xinhua — New China News Agency
6. SCMP — Survey of China Mainland Press
7. SSCMP — Supplement to the Survey of China Mainland Press
8. URS — Union Research Service

II. Translated Mainland Newspapers and Periodicals

1. Beijing Review
2. China Daily
3. Women in China
4. Eastern Horizons

III. Chinese Newspapers and Periodicals

1. Renmin Ribao
2. Guangming Ribao
3. Zhongguo Qingnian
4. Zhongguo Qingnian Bao
5. Wenhuibao
6. Faxue
7. Faxue Jikan
8. Faxue Zazhi
9. Faxue Yanjiu
10. Beijing Zhengfa Xueyuan Xuebao
11. Qing Xiaonian Fanzui Yanjiu
12. Shehui
13. Shehui Kexue
14. Minzhu yu Fazhi
15. Sixiang Jiefang
16. Jiaoyu Yanjiu
17. Renmin Jiaoyu
18. Zhongguo Fazhi Bao

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