
China: Keeping a Lid on Crime

Posted by Sandvand - 2007/02/08 22:48

Our member TomCarter has shared an interesting article he has written about the remarkable low crime rate you meet when you travel in China.

You find the article here:

<http://www.china.org.cn/english/LivinginChina/189672.htm>

Any comments? What are your experiences travelling in China? Is it safer than in other tourist destinations?

John:)

Post edited by: Sandvand, at: 2007/02/09 06:27

Re:China: Keeping a Lid on Crime

Posted by Igor - 2007/03/09 19:12

The crime rate in China is low for some very specific types of crime, normally acutely visible in the city-scape of large cities in other countries, like street violence and drug related crimes.

The crime rate for other types of crime in China is still exasperatingly high, fraud, insider trading, tax evasion spring to mind.

The overall crime rates in China are furthermore not all that low as soon as one enters the interior of the country.

Having said all this, I'd like to end with a comparison that puts the Chinese crime rates in perspective:

The crime rates of most large Chinese cities and those of most large Japanese cities are comparably low, but apparently for entirely opposite reasons. In China prompt and stiff respons from the judiciary stems a flow. In Japan social control prevents there from ever becoming a flow needing to be stemmed.

This latter point to ponder can be visualised by comparing crime rates for the two ethnicities in overseas societies. The numbers for the ethnic Japanese are virtually nought and the numbers for the ethnic Chinese...?

Re:China: Keeping a Lid on Crime

Posted by Sandvand - 2007/03/10 10:46

You got some interesting reflections, I think. Thank you.

Are there any official crime statistics out there for China that is trustable?

John

Re:China: Keeping a Lid on Crime

Posted by Igor - 2007/03/10 12:03

I don't think crime statistics for China are very helpful in understanding the nature of some of the more frequent crimes committed in China, nor in appreciating the challenges facing anyone in China considering using the judiciary in ways comparable to how the judiciary is frequently used in Western countries.

First, the Chinese legal system is young. The present Constitution and even the principle of rule of law itself is not yet a generation old. The penal and civil codes are not even close to cover most malicious acts criminals can think of carrying out. Secondly, in the areas where the law speaks, precedences are not always abundant. The Penal Code is perhaps the most transparent. The Civil Code in turn has a number of great sounding paragraphs, but to succeed in putting those to use in obtaining fairness in many areas of society where one would expect it in Western countries, one has to face a judiciary unfamiliar with the ideals that the legal system now is supposed to protect. This is not as much a problem of

communism or of dictatorship or of feudalism as such, but rather a problem of judges from a generation ago trying to keep up with the introduction of a legal culture, largely imported, and often totally unfamiliar to them. Legal costs is another challenge. In order to take a clear-cut case through the courts one also has to evaluate the economy of the case, and while the well-off will readily spend an amount equal to hundreds of thousands of US Dollars just to get even, the majority is often deterred from approaching the legal system.

In short, while there are some types of criminals that face very short-lived careers in China, murderers and rapists among them, there are other types of criminals which now have a ball, in particular if they work the fields of large scale property development, stocks and bonds, and other spheres which on the one hand depend on and enjoy official connections and where on the other hand legal responsibilities are unclearly defined and loopholes are doorways to fortunes.

In short, crime in China is in its nature different from crime in many Western countries. The streets of large Chinese cities are for all practical purposes extremely safe. Women and children go out to stroll in the moonlight in the inner cities without any fears. The only acts of violence the undersigned has witnessed in China has been an instance of mob-beating outside, exactly, a stock-holders convention.

Post edited by: Igor, at: 2007/03/10 12:10

Post edited by: Igor, at: 2007/03/10 12:23

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Re:China: Keeping a Lid on Crime

Posted by tomcarter - 2007/03/10 13:20

Hi, this is Tom Carter, author of the article under discussion. I had a heck of a time locating crime stats and was forced to heavily rely on state-run newswire stories.

My original story was also edited by the publication to exclude information about crimes perpetuated by and committed against foreigners in China.

Speaking of, I recently received this email from a friend of a friend, a foreigner who was locked up in Chinese prison for a period of time. The facts are unclear and I have suggested to him that he include more information about himself and what exactly he was doing in China to have been so ill treated.

Nonetheless, it's an interesting read.

To Whom it may concern,

I am writing this letter in the hopes that some change can be affected in the People Republic of China including, but hopefully not limited to the release of foreign visitors who are being unlawfully detained and treated by the Ministry of Public Security and Immigration at the Beijing Municipal Detention Center (Beijing Ji liu suo) and other facilities. On August 31st, 2006 I was arrested at the An Ding Men Public Security office in Beijing to pay a visa overstay fee as I was planning on traveling to Thailand with my girlfriend the following week. When I arrived at the Ministry I was put into an interrogation room and interviewed about my activities in China and was finally asked the all important question, one of which by the surname peng, who would be my main contact throughout this ordeal. This man repeatedly lied to me and my girlfriend and demonstrated a surprising lack of knowledge and aptitude to do his job properly, how much of a fine i was willing to pay. Having done my research online I told them I was willing to pay the maximum of 5000 rmb, at this point Mr. Peng left the room, leaving me under guard to 'talk to his superior', which i have no doubt he did. When he returned some 45 minutes later, he told me to leave for lunch (it was noon) and return at 1pm, he was holding on to my passport.

As he led me to the exit of the ministry he told me to contact my parents/girlfriend and inform them of my situation, as a decision had not been reached as to what was going to happen to me. I started to panic, realizing that something was not right here and called my girlfriend who then called the US embassy in Beijing, speaking to a woman named Kate and a man named Adam to inform them of my situation. They in turn called me and told me to relax and try offering them the money for the fine as we were fairly certain this was simply a matter of intimidation. When I returned

from lunch, I was taken back into the same room and I did indeed try to offer them payment of the fine, to this they replied that they were going to detain me. When I asked why, they said they suspected me of a crime and needed to investigate what I was doing in China. They did not say what crime i was suspected of during this nor the next 27 days I was incarcerated. It is important to note that Peng told me that a) I was not going to a "jail", but a "detention center", I, my family and my embassy were also told at varying states of this ordeal about the conditions of the 'detention center' being a lot better than they were. Among the lies told were that I was being put into a humane facility, I would be allowed visitors, and I was only going to be in cells with westerners.

That afternoon I was taken to the Beijing West Municipal Detention Center, I was given a cursory medical examination, strip searched and ultimately escorted into the 'general detainment' cell block. I was placed into a room with 6 other people, the room was about the size of a college dorm room and the facilities were despicable. The 'bed' was a raised wooden platform big enough for 4 adult males, yet 6 people crammed themselves on it. I, being the neophyte, was required to sleep on the floor. The smell of the Chinese squat toilet that hadn't been cleaned in literally months was overwhelming and made me physically ill for the duration of my stay in that cell. At night time the lights were kept on as a way to manipulate our sleeping cycles, we were also woken up at random times for forced 'checks' at which point we were to stand at attention for a role call, failure to do so would result in physical abuse. I was personally never abused, due in large part to the US Embassies intervention from the very beginning.

The makeup of this first cell was 4 Africans, a Slovenian, myself and a Chinese prisoner, after speaking to him i discovered he was convicted of murder and slated for execution and was only in this 'better' facility (from his Max security prison) to ride out the remaining time before his execution in more comfortable surroundings. Aside from him, all the other people in the cell were detained for the exact same reason, visa's were expired (in the case of a Nigerian named jize ajadi, his visa was one day expired - thus within the grace period to get it renewed, and when he went in to get a small extension so he could return home, they told him he was to be arrested, he fled was cornered and beat, when i arrived he still had fresh gashes on his skull and knee from where he was kicked and hit with the edge of the police officers handcuffs.)

I arrived on a Thursday evening and I was aware that my embassy was already trying to see me. They were not allowed to see me until Tuesday, six days after I was brought in. I was unable to eat for the first six days I was there (i lost about 15 pounds during the duration of my stay, though this cannot be confirmed as when I was released I did not get the same physical examination, or any examination at all.) The food was unpalatable, unwashed, dirty potatoes and onions, chicken and beef that was still bloody when served, truthfully, I can only assume it was beef and chicken.

After speaking with my embassy that Tuesday I still did not have any more information as to why i was being detained, nor did my embassy, Peng, the attache from the ministry of defense was especially vague on any specifics. when Adam, from the US embassy asked how long I could be detained without charge, peng said he didn't know, when asked what law he was being held under, he replied he did not know, when asked if the embassy could get a copy of the law, once again, peng did not know. This would be a running theme of my, my girlfriend and the embassies interaction with peng, who was in charge of my case and thus responsible for me. The embassy was not allowed to see the facilities with which I was subjected, instead I was taken into a very plush, extremely large room with soft couches, nice artwork on the walls, and pictures of inmates smiling and having a good time.

We were kept in our cells for 23.5 hours a day, let out for half an hour IF we were behaved and IF the guards felt like it, for exercise. we were

allowed to shower twice a week and were not given basic necessities like toothpaste until 2 days after we asked for them.

During my stay I was used to translate as I was one of the only Chinese and English speaking detainees and the guards English was non-existent. During one incident I was taken to a cell where they had people who had been staying for quite some time to translate for a guard during his inquiry to why one detainee was being insubordinate. This insubordination was in the form of an inability to move. When I asked the detainee, an African, he told me he was having shooting pains in his abdomen, asking his permission first, I proceeded to touch the area mentioned, the lower right quadrant, and saw him reel in pain. Not being a doctor, I could not say for certain, but I told the guard that I think the man might have a problem with his appendix, the guard scoffed and made me translate that the detainee was a 'no good lying piece of shit.' He was denied medical attention even after I implored the warden, the most reasonable (which isn't saying much) of the guards.

During my stay, I was allowed to speak to my girlfriend when immigration came and brought me my phone. I discovered that she and my family had been told by the police, a lawyer and a government official that if they wanted me released quickly they would pay 30,000 rmb (about 4,000 USD), the embassy advised my family and girlfriend against this as it was an obvious bribe.

I was released on September 26th and deported to the United States and given a persona-non-grata for 5 years, I was never charged with a crime.

That ends MY part of the story, but it continues.

During my detention I became aware of several unlawful detentions and actions on the part of the Chinese government and public security officers. Beginning with abuse, whenever a detainee was being unruly, arguing with a guard or not following directions, a guard would unlock the door (which used key locks, all the keys were carried on what looked like a metal artists palette with keys hanging off of it), they would enter the facility, usually 2 or three guards, and the one holding the key thing would whip it across the detainees face, often lacerating. If a detainee was especially ruling, we was taken outside and, while I was unable to see it, from the screams of pain, the sadistic laughter and the meat packing sounds, it was obvious that there was torture and abuse going on. In instances like this, the detainees were not brought back to their cell afterwards but put into 'solitary.' Verbal abuse was common as well, this was worse for me, not as a recipient, but as I was required to translate a lot of times, though I would usually translate whatever the guards were saying to a significantly more polite sentence.

Sleep deprivation and strict control of our schedules served as an attempt at brainwashing/torture, but also we were not given enough water so most of us were dehydrated, and often when we were given water it was contaminated. On two separate instances during my 27 days, the water made people sick and caused massive vomiting and diarrhea.

A Gambian, Pabriam Sonko, nicknamed 'Babylon' had been there for 11 months when I arrived. I found out that he was also picked up when he went in to renew a visa. His passport was confiscated and has not been allowed to speak to the British embassy for the time he has been there, and has received a great deal of grief from the ministry of immigration. Gambia has no embassy in China, so the British embassy is to handle their affairs.

Dr. Zvonko Berdik-Allen, an Austrian, had been there for three months and alleges he was kidnapped. This man alleges he was kidnapped because of evidence linking Wen Jiao Bing to the super bills coming out of Macao and money laundering through the world bank. After I returned home, I did some research and found pages calling Berdik-Allen a conman, but I'm not entirely

sure it's not misinformation on China's part. He told me that his son apparently contacted his embassy in Beijing in search for him and his embassy was told that he wasn't being held. How he knew this, I'm not entirely sure.

Lastly, there were 9 Kashmir refugees who were detained for about 6 months (8 months now if they're still there), who had their UN refugee papers confiscated AND destroyed. These men were seeking asylum as they are persecuted in Kashmir, but were treated as common criminals. At this point I should note that 90% of the people in the detention facility were Africans, and 70% of them were Muslims, who were routinely stopped from praying, regardless of the time in which they did it. The Chinese Government has made it an official policy to profile and arrest people based on the color of their skin, I just had the unfortunate luck of being the first white American detained, most likely because some mid-level police officer wanted extra pay.

I would like to note that I am about to start seeing a therapist specializing in Post Traumatic Stress Disorder because of this situation.

I would like to thank those who read this for taking the time, and apologize for my lack of articulateness (if that is a word), A lot happened to me over 27 days, and even more over the 2 years I was in China, too much for me to put into one email, but this serves as the highlights of my experience in the Beijing West Detention Center. My main concern at this point is making sure people like "Babylon" and the Kashmir's and, well, anyone else, are not deprived their human and civil rights by oppressive and non-transparent regimes like the PRC.

As outlandish as everything above is, what you read is true and if there is one positive thing I can take out of this experience it is that I can bare witness on these peoples behalf.

Sincerely,
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Post edited by: tomcarter, at: 2008/01/04 03:06

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Re:China: Keeping a Lid on Crime

Posted by Igor - 2007/03/10 22:09

In general, one is advised to try to stay on the outside of Chinese prisons and criminal detention centres. It appears as if the gentleman in this story overstayed his visa by a Roman league and his story fails to provide us with the details about this part of his ordeal.

In my experience Chinese officials are without exception polite, generous and helpful to a foreigner which is not acting with obvious malevolent intent. If one wishes to explore the realms of Chinese officialdom without said politesse, generosity and helpfulness, I guess overstaying one's visa past the time where the maximum fine is incurred might be the place to start. I think that means overstaying one's visa more than three months (I am not sure, need to check upon this).

During my frequent trips to China I have always paid keen attention to keeping my paperwork in order. In return the local police has invariably been extremely helpful, and often offered detailed guidance way past their obligation on how to extend my visa and arrange other items legally.

The kind of experience being recounted here sounds outlandish indeed, and I cannot help but think it is only comparable to stories being told by those who overstay their visas in other countries (with the possible exception of the USA, where one is met with a comparable degree of politesse at immigration even with a valid visa).

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Re:China: Keeping a Lid on Crime

Posted by Sandvand - 2007/03/14 07:49

Here is an article from Washington Post with some information about crime in China:

China prosecuted nearly one million people last year and sent more people to jail than in 2005, officials said on Tuesday, and they vowed to keep up the fight on crime while promising to limit executions.

READ THE REST HERE

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Re:China: Keeping a Lid on Crime

Posted by Igor - 2007/03/14 11:38

There is a common outsider's apprehension about China (and some other Asian countries) to the effect that a death sentence is a somewhat harsh and a life term in its place is a somewhat less harsh punishment for a serious crime. As our American friend has just fully elucidated he was not able to stand less than one month in a detention center. Personally I think we should not weigh these alternatives as very different. If a Chinese court is considering a life term in place of a death sentence, then life will mean precisely that - life. And the situation in a regular Chinese prison will be far worse than in the detention centre our American friend just described. So, let's forget about this death or not discussion, it is really not for real.

A discussion that would be for real will have to start elsewhere. My I suggest we direct this discussion to the Chinese educational system?

China has a registered population of 1.3 billion people. So, if we start to include the "black hukou", what sort of number do we wind up with? (I really dont know.)

According to figures quoted in official media 800 to 900 million of this huge population lives in the poor interior. When Chinese media says "poor", we would have to say that these people live in areas without almost any infrastructure, without access to clean water, functional health services or educational facilities. That is what "poor" means in this context. It does not mean that someone has little money. These people mostly never see money. They eat what they grow. They sleep in clay huts with soil as the floor.

Average or typical education levels in the Chinese interior rarely exceeds grade 5 or 6.

It is not the least amongst this segment of the Chinese population that the Chinese judiciary struggles to contain hideous crimes and struggles to uphold some sort of law, and often the judiciary has to rely on judges little better educated than the populace it is to govern.

It is amongst this segment of the population that myths replace knowledge, that foolhardiness serves as ratio, and where desperation motivates most actions.

If education can be brought to the generations now growing up in the Chinese interior, from Anhui and Jiangxi all the way to Urumqi, then China will face radically lower crime rates in the decades to come. The West's preoccupation about death row or life row does in effect not touch upon the problem at hand.

Post edited by: Igor, at: 2007/03/14 11:45

Post edited by: Igor, at: 2007/03/14 11:48

Post edited by: Igor, at: 2007/03/16 00:32

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