

Report on the suppression of counter-revolutionaries and regulations on punishing counter-revolutionaries*

(February 20, 1951)

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Chairman, Vice Chairman, Members:

The issue of suppressing counter-revolutionary activities is an issue of great concern to the people of the whole country. In the past period, because we have not effectively implemented the principle of combining repression and leniency in Article 7 of the Common Program [1], excessive leniency has occurred in many places, which has caused dissatisfaction with the people's government from all walks of life.

The people blamed us for being "unbounded" and "indefinitely impossible", saying: "Don't be afraid of the sky, and the earth is not afraid of the Communist Party's lenient." It's not good to be the master of the people." Some workers were filled with outrage and asked the cadres: "Look! We competed for a few months, and the spies would be over if they set fire; if we don't suppress it, we won't compete anymore." Some said: "The government is asleep",

"We are not even the enemy." Some people say that the government "tolerates rape and harms the people", "it's not like a people's government."

The people are fair and smart. The people praised the good work done to resist the US and aid Korea, the good land reform, the good price and financial stability, the good city management and democratic construction, but they think that they are too lenient for the counter-revolutionaries. Indeed, on this issue, we have not done well in the past, and there was a period when we did not do well in some areas. Especially after the US imperialists launched the war of aggression against Korea, the problem became clearer.

At that time, the U.S. and Chiang Kai-shek spies and other remaining counter-revolutionary forces thought that the time had come for their dream of "three wars to counterattack the mainland" and that U.S. Chiang was about to come back and restore. They arrogantly tore through the ancient woodcutting net masks that usually pretend to be repentant, sticking their heads out of the hidden underground activities, carrying out various explicit sabotage activities, and blatantly attacking the people. The spies and bandits conspired to destroy railway bridges, destroy factories and mines, burn down warehouses, and rob publicly.

Incidents of robbery, assassination of cadres, and harassment of riots have occurred in many places. All political bandits who have not been severely suppressed or suppressed have become more active. Some reactionary party special elements who have expressed repentance and are willing to obey control have also refused or evaded control in various forms, and even colluded with reactionary organizations and carried out sabotage activities. The reactionary Daomen Feudal Gang [2] also spread rumors and sabotage in various ways, and carried out activities against the people's government. Not only in the newly liberated areas, some landlords threatened the peasants with "Chiang Jieshi's coming to decapitate", undermined the land reform, and prepared to welcome Chiang Kai-shek. Even in the semi-old districts where land reform has been implemented, some of the "prestige" has not been completely destroyed. On the ground, they have also risen up against the peasants, threatening them to return the land, grain, livestock, and agricultural tools, and drive them to move. In some places, counter-revolutionary underground forces have been organized to prepare for riots. In some places, the whole family of the village cadre was killed. Some farmers' association

cadres have been killed more than ten people at a time; some farmers' association members in a village have been killed more than 40 people; civilian husbands who transport military supplies for the People's Liberation Army have been killed. In Guangxi alone, cadres of the people's government were killed

There are more than three thousand people. And the bandits there have been more and more suppressed in the past period, because we do not kill or rarely kill bandits and habitual bandits. As for the destruction of production, construction, and various material assets by counter-revolutionaries, it is even more difficult to calculate numerically. The frenzy of the spies and bandits is really intolerable.

It can be proved from this that the Kuomintang reactionaries and their accomplices, the running dogs of the imperialists, are not willing to die because their rule has been overthrown, but are always using all possible means to attack the people and the people's government in a vicious manner.

This proves that generosity is wrong. We must not be merciful to all wicked counter-revolutionary chiefs and others who continue to carry out counter-revolutionary activities after liberation, and must be severely suppressed. The murderer kills, the customs officer shuts down, and the regulator controls. You must not be indecisive and tolerate rape. This is clearly stipulated in the common program, and Chairman Mao has repeatedly instructed us.

Since Chairman Mao and the Central People's Government have such a firm and clear policy, why have they ever been indiscriminately biased? This is because there are many confused thoughts among cadres.

First of all, after the victory, he underestimated the enemy and was insensitive, thinking that so many Chiang Kai-shek gang troops had been wiped out, the Kuomintang reactionary rule had been overthrown, and the remaining counter-revolutionaries had nothing to do with them, so they lost their vigilance and relaxed the suppression.

Secondly, some comrades confuse the consolidation and expansion of the people's democratic united front with the issue of resolutely eliminating the remnants of counter-revolution in the struggle against the enemy. They don't understand that the more thoroughly the remnants of the counter-revolution are eliminated, the fewer factors that will instigate dissension and destroy the united front, and therefore the more consolidated the united front will be. At the same time, the more consolidated and broader the united front, the more isolated the enemy will be, and the easier it will be for the remnants of the counter-revolution to be wiped out.

Some people fear that resolute suppression of counter-revolution will "cause shock and panic." They did not distinguish between who was shaking and who was panicking. It is the spy gangster who shakes the panic. The purpose of suppression is to destroy them. They should shake and panic. Isn't this bad? What's so scary about this? The people did not shake or panic. The people's government suppresses the counter-revolutionary. As long as it does not disrupt and kill indiscriminately, it is stable and accurate. The people can only clap their hands and applaud, and they will never panic. What they panic is that the government is magnanimous, indecisive, tolerates rape, and connives spies and bandits to brutalize the people, instead of taking control of the people.

Some people think that the people have already won and should be kind and generous. Those who say this do not understand: if the enemy of the people is not resolutely eliminated, there will be no victory for the people; if the remaining US-Chiang gang of wolves are not resolutely suppressed, there will be no security of the people and the consolidation of the victory of the people. Kindness

and forgiveness mean cruelty to the people, treating the great people's revolutionary cause as a trifle, and disloyal to the people. The severity of the sentence imposed on the offender should be based on the magnitude of the crime. If the crime deserves to be killed, the death penalty should be resolutely executed; if the crime should not be killed, it should not be killed; for those who are between slainable and non-killable, don't kill either; kill only those who deserve to be killed and those who must be killed. Kill important counter-revolutionaries with definite evidence.

Although the leniency and boundless prejudice occurred because of the above-mentioned chaotic thoughts, as Chairman Mao said, the key to the decision lies in the leadership.

Since the Central People's Government successively issued instructions and stepped up its leadership last autumn, all localities have quickly corrected the boundless bias in accordance with the general policy of combining repression and leniency. The head of the reactionary society began to resolutely suppress. So the situation changed quickly. The landlords and bullies who originally counted on the peasants have bowed their heads to the peasants and pleaded guilty; the spies who used to carry out sabotage and rampant activities were shot or imprisoned; and many political bandits who had become groups were quickly wiped out, or the land fell apart and surrendered; even in Fujian, Xiangxi, Guangxi, Guangdong, Sichuan, Guizhou, Yunnan and other places where banditry was the most rampant, the revolutionary order has gradually consolidated. In short, evil spirits have fallen and righteousness has risen. When all localities resolutely suppress counter-revolutionary activities and shoot down important bandits, habitual bandits, bullies, spies, and reactionary leaders,

What the crowd showed was not panic and shock, but thunderous applause, long live cheers, or firecrackers to celebrate. Wherever the correct policy of the Central People's Government is implemented, the masses no longer blame us for "it is impossible", but praises "the people's government has a day and a law", "makes the masters for the people", and praises "the people's government has targeted and implemented good methods". , "Really looks like a people's government". However, there are still some places where the suppression of counter-revolutionary activities is not resolute enough, indecisive, weak and incompetent, and continues to condone the impunity of spies and bandits, thus incurring dissatisfaction among the people. We believe that these places must promptly correct this bias and resolutely suppress all counter-revolutionary activities in accordance with the guidelines of the Central People's Government.

At present, in order to give cadres and the masses a legal weapon to suppress counter-revolutionary activities, in order to impose penalties on those who try counter-revolutionary criminals, and in order to overcome or prevent the right and "left" biases in resolutely suppressing counter-revolutionary activities, it is necessary to have a Regulations to punish counter-revolutionaries. Local governments also generally require the Central People's Government to issue such regulations quickly. Therefore, the Political and Legal Committee of the State Council drafted the "Draft of the People's Republic of China on Punishment of Counter-revolutionaries" in accordance with the principles of Article 7 of the Common Program, which was passed by the 71st political meeting of the State Council and is now submitted to the Central People's Government Committee for review and approval.

This ordinance is based on a combination of repression and leniency, that is, "the first evil must be dealt with, those who threaten will not ask, and those who do meritorious service will be rewarded." For the chief elements of various counter-revolutionaries, the principle of prudence is adopted for the spies who assess evil and continue counter-revolutionary activities after liberation; for coerced and deceived counter-revolutionaries to participate in counter-revolutionary activities. Although they had participated in counter-revolutionary activities before liberation, the crimes were

not serious. Those who have indeed repented after liberation, especially those who have served the people, adopted the principle of lenient treatment.

In order to make it easy for cadres to grasp this regulation, when we drafted it, we tried our best to solve the problem while avoiding complexity and cumbersomeness, so we wrote it briefly.

Whether it is appropriate, please approve.

Regulations of the People's Republic of China on Punishing Counter-Revolutionaries
(approved at the 11th meeting of the Central People's Government Committee on February 20, 1951)

Article 1 These Regulations are formulated in accordance with Article 7 of the Common Program of the Chinese People's Political Consultative Conference to punish counter-revolutionary criminals, suppress counter-revolutionary activities and consolidate the people's democratic dictatorship.

Article 2 All counter-revolutionary criminals whose purpose is to overthrow the people's democratic regime and undermine the people's democratic cause shall be punished in accordance with these Regulations.

Article 3 Anyone who colludes with imperialism to betray the motherland shall be sentenced to death or life imprisonment.

Article 4 Anyone who instigates, seduces or bribes public officials, armed forces or militia to rebel, and whose leaders or troops rebel, shall be sentenced to death or life imprisonment. Others who participate in instigating, seducing, bribing or mutiny shall be sentenced to imprisonment of not more than ten years; if the circumstances are serious, the punishment shall be increased.

Article 5 The mastermind, commander and other serious criminals of armed rebellion shall be sentenced to death; other active participants shall be sentenced to imprisonment of not less than five years.

Article 6 Anyone who commits any of the following acts of espionage or aiding the enemy shall be sentenced to death or life imprisonment; if the circumstances are less serious, he shall be sentenced to imprisonment of not less than five years:

- (1) Anyone who steals or spies on State secrets or supplies intelligence to domestic or foreign enemies;
- (2) Anyone who indicates bombardment targets for enemy aircraft or ships;
- (3) Anyone who supplies weapons, munitions or other military supplies to domestic or foreign enemies.

Article 7 Anyone who participates in a counter-revolutionary spy or espionage organization and commits any of the following offenses shall be sentenced to death or life imprisonment; if the offense is less serious, he shall be sentenced to imprisonment of not less than five years:

- (1) Anyone who is sent by domestic or foreign enemies to engage in lurking activities;
- (2) Anyone who organizes or participates in a counter-revolutionary spy or espionage organization after liberation;
- (3) Anyone who organized or led a counter-revolutionary spy or espionage organization before liberation, or committed other serious crimes but did not make meritorious contributions to atone for his crimes after liberation;
- (4) Anyone who participated in a counter-revolutionary spy or espionage organization before liberation and continued to participate in counter-revolutionary activities after liberation;
- (5) Anyone who continues to participate in counter-revolutionary activities after registering with the People's Government and surrendering himself;
- (6) Anyone who continues to contact counter-revolutionary spies or spies or engages in counter-revolutionary activities after being educated and released by the People's Government.

Article 8 Anyone who uses feudal societies to engage in counter-revolutionary activities shall be sentenced to death or life imprisonment; if the offense is less serious, he shall be sentenced to imprisonment of not less than three years.

Article 9 Whoever, for the purpose of counter-revolution, plots or carries out any of the following acts of destruction or murder shall be sentenced to death or life imprisonment; if the circumstances are less serious, he shall be sentenced to imprisonment of not less than five years:

- (1) Whoever robs or destroys military facilities, factories, mines, forests, farms, dams, transportation, banks, warehouses, fire-fighting equipment or other important public or private property;
- (2) Whoever releases poisons, spreads pathogens or uses other methods to cause serious disasters to humans, livestock or crops;
- (3) Whoever, at the behest of domestic or foreign enemies, disrupts the market or sabotages finance;
- (4) Whoever attacks or kills or injures public officials or the public;
- (5) Whoever, under the pretext of the names of military and political organs, democratic parties or people's organizations, forges official documents and engages in counter-revolutionary activities.

Article 10 Anyone who, for the purpose of counter-revolution, commits any of the following acts of incitement or provocation shall be sentenced to imprisonment of not less than three years; if the circumstances are serious, he shall be sentenced to death or life imprisonment:

- (1) Anyone who incites the masses to resist or undermine the implementation of the people's government's grain collection, taxation, public service, military service or other government orders;
- (2) Anyone who incites discord among the various nationalities, democratic classes, democratic parties, people's organizations or the unity between the people and the government;
- (3) Anyone who conducts counter-revolutionary propaganda and agitation, creates and spreads rumors.

Article 11 Anyone who, for the purpose of counter-revolution, sneaks across the border shall be sentenced to imprisonment of not less than five years, life imprisonment or death.

Article 12 The organizer or mastermind of a prison break or prison break shall be sentenced to death or life imprisonment; other active participants shall be sentenced to imprisonment of not less than three years.

Article 13 Anyone who harbours or shields counter-revolutionary criminals shall be sentenced to imprisonment of not more than ten years; if the circumstances are serious, he shall be sentenced to imprisonment of not less than ten years, life imprisonment or death.

Article 14 Anyone who commits a crime under this Regulation and meets any of the following circumstances may be given a lighter, mitigated or exempted sentence at the discretion of the court:

- (1) Those who surrender themselves to the People's Government and sincerely repent;
- (2) Those who sincerely repent and make amends for their crimes before or after exposing or reporting;
- (3) Those who were coerced or deceived by counter-revolutionaries and were not willing to do so;
- (4) Those whose counter-revolutionary crimes were not serious before liberation and who have truly repented and severed their ties with the counter-revolutionary organizations after liberation.

Article 15 Anyone who commits multiple crimes, except those sentenced to death or life imprisonment, shall be sentenced at the discretion of the court to a sentence lower than the total sentence but higher than the highest sentence among the multiple sentences.

Article 16 Other criminals with counter-revolutionary purposes who are not covered by this Regulation may be punished in accordance with similar crimes under this Regulation.

Article 17 Anyone who commits a crime under this Regulation may be deprived of his political rights and his property may be confiscated in whole or in part.

Article 18 Counter-revolutionary criminals before the implementation of this Regulation shall also be subject to the provisions of this Regulation.

Article 19 Anyone has the right to expose or report counter-revolutionary criminals to the People's Government, but they may not make false accusations.

Article 20 Anyone who commits a crime under this Regulation shall be tried in accordance with this Regulation by a military court organized by the military command of the local military region, the military control committee or the anti-bandit command during the period of military control.

Article 21 This Regulation shall come into force on the date of approval and promulgation by the Central People's Government Council.