

Instructions of the GAC and the Supreme People's Court on clearing up the backlog of cases involving counter-revolutionary criminals

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To all major administrative regions, provinces (municipalities, administrative offices), and the People's Governments of the Inner Mongolia Autonomous Region:

Directive of the GAC of the Central People's Government and the Supreme People's Court on clearing up the backlog of cases involving counter-revolutionary criminals: Since the GAC of the Central People's Government and the Supreme People's Court issued the "Directive on Suppressing Counter-Revolutionaries" on July 23, 1950, and particularly since the Central People's Government proposed correcting the "unlimited leniency" bias in the work of suppressing counter-revolutionaries in the winter of 1950 and promulgated the "Regulations on Punishing Counter-Revolutionaries" in February 1951, all parts of the country, under the leadership of the people's governments at all levels and relying on the concerted efforts of the public security, judicial, procuratorial and other departments and military courts, have earnestly reviewed and corrected the rightist bias of "unlimited leniency" in treating counter-revolutionaries, mobilized cadres and the masses, reported and arrested large numbers of counter-revolutionaries, executed large numbers of bandit chiefs, habitual bandits, bullies, spies, underground military chiefs, reactionary secret society chiefs and other counter-revolutionary ringleaders, thus making the work of suppressing counter-revolutionaries a nationwide mass movement, dealing a heavy blow to the arrogance of the counter-revolutionaries and achieving great victories and achievements. The people of the whole country were so excited and applauded that the victory of the people and the rule of the people were further consolidated.

At the same time, in the vigorous suppression of counter-revolutionaries across the country, the number of counter-revolutionary criminals in custody increased greatly, and there were many backlogs of cases. Now not only do the people demand that the government deal with them quickly, but the prisons are crowded and prisoners are prone to diseases, which greatly increases the difficulties in management. Therefore, clearing up the backlog of cases of counter-revolutionary criminals has become a central task that needs to be solved urgently in the current movement to suppress counter-revolution. Now the work of clearing up the backlog of cases has made great achievements in various places, but because it is an extremely urgent and arduous task, in areas where there are still many backlogs of cases, the people's governments at all levels should concentrate more efforts to deal with the backlog within a time limit. The following are the precautions for clearing up the backlog of cases, and we hope that the relevant organs will implement them earnestly:

1. The sentencing standards for handling the backlog of counter-revolutionary criminals should be based on the "Regulations of the People's Republic of China on Punishing Counter-Revolutionaries", and its policy is "combining suppression with leniency". Based on this, there are seven ways to deal with the backlog of counter-revolutionary criminals:

1. For counter-revolutionaries who have blood debts or other serious crimes that cannot be appeased without death and who have caused the most serious damage to national interests, they should be sentenced to death and executed immediately.

2. For counter-revolutionaries who have no blood debts, are not very angry with the people, and although they have seriously damaged national interests but have not reached the most serious level, they should be sentenced to death with a two-year reprieve and forced labor to see the effect.

3. All those who are between being killed and not being killed should not be killed. If they are killed, it would be a mistake. They should be sentenced to life imprisonment or long-term imprisonment according to the severity of their crimes.

4. For other counter-revolutionaries who have indeed committed crimes, they should be sentenced to life imprisonment or fixed-term imprisonment according to the severity of their crimes.

5. For those who have committed minor crimes, have truly repented, or have been sentenced to less than one year in prison, they can be handed over to the masses for control or parole even if their sentences have not been completed, provided that the majority of the masses or the plaintiff agree; however, criminals who should not be released should not be released indiscriminately due to prison overcrowding or to reduce the trouble of supervision.

6. All those who have been arrested by mistake should be released immediately.

7. Criminals who have committed general criminal offenses should be handed over to the People's Court for general criminal case handling.

2. In order to complete the work of clearing up the backlog of cases of counter-revolutionary criminals, all localities must mobilize and mobilize sufficient capable cadres from all aspects, concentrate the forces of military courts and various political and legal departments, and basically clear up the backlog of cases in all localities by the end of October.

3. In the process of clearing up the backlog of cases, in order to continue to mobilize and educate the masses in depth and further strike and disintegrate the enemy, it is necessary to make a big fanfare and carry out extensive publicity. When sentencing, various different sentences, namely, death penalty, suspended death sentence, life imprisonment, fixed-term imprisonment, and control by the masses and release under education, should be pronounced at the same time, so as to concretely and first embody the comprehensive policy of "combining repression with leniency".

4. In handling the work, a serious and persistent attitude must be adopted, and carelessness must be strictly prevented. The materials obtained from various aspects such as systematic investigation and interrogation, calling on criminals to confess and investigating the masses must be comprehensively studied before sentencing; the wrong style of not paying attention to evidence and easily believing confessions and extorting confessions by torture is strictly prohibited. When handling criminals, neither injustice nor leniency must be done. In order to encourage prisoners to repent and reform, except for those who have caused great public outrage and should be sentenced to death, all prisoners who voluntarily confess their crimes and prove their crimes or have made meritorious contributions should be treated leniently as appropriate.

5. The clearance of backlog cases must be closely combined with the clearance of prisons. The performance of prisoners in prisons should be systematically investigated and understood so as to serve as a reference for sentencing; and efforts should be made to evacuate overcrowded prisoners so that some prisoners can participate in labor outside prison while awaiting sentencing.

6. In order to strengthen the leadership of the clearance of backlog cases, major administrative regions, provinces (prefectural governments) and special regions should organize inspection teams or working groups to inspect and assist in the work in various places.

7. After receiving this instruction, the people's governments at all levels and relevant departments should discuss and implement it immediately, and report the summary to the higher authorities after the clearance work is completed.

Premier Zhou Enlai of the GAC President
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