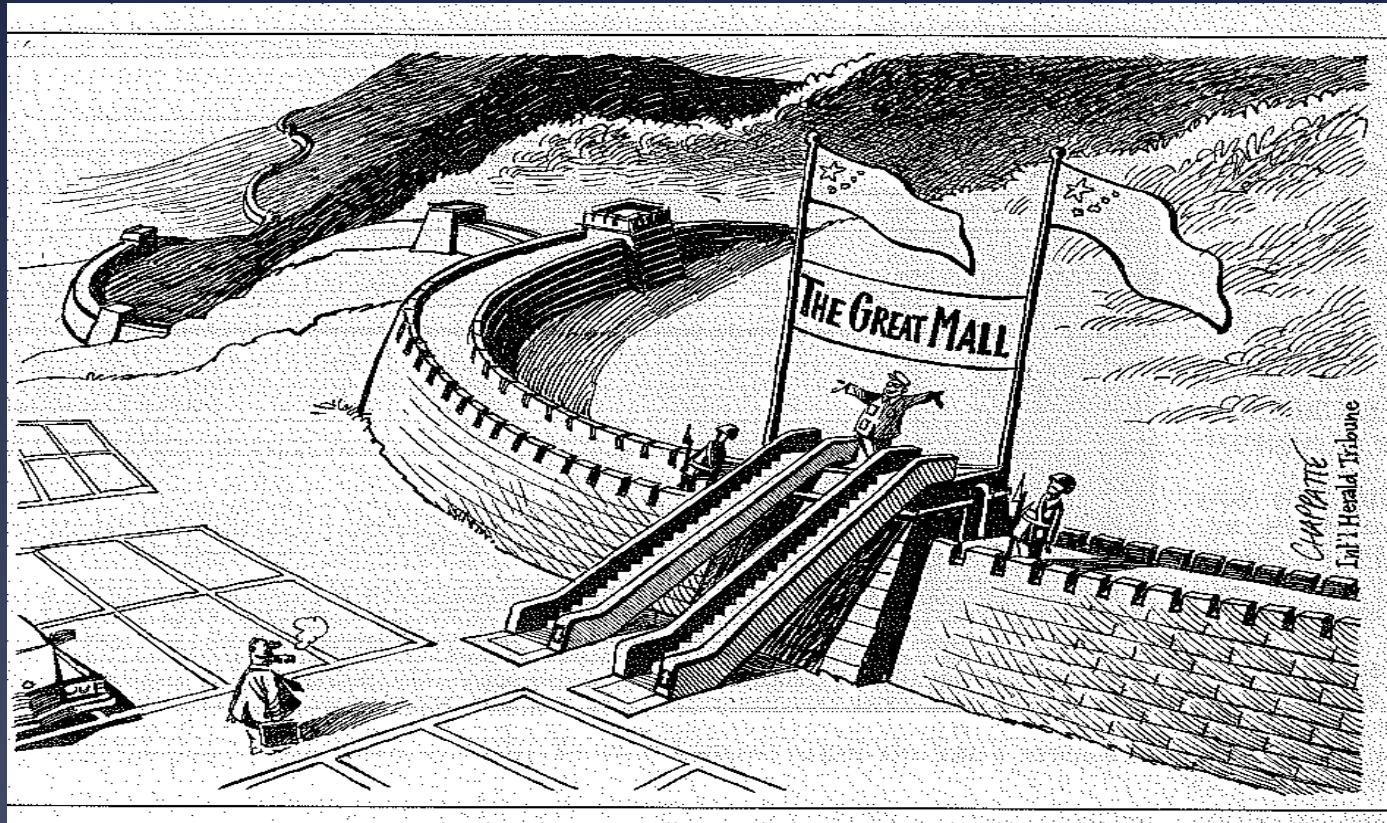


# The Transformation of 'Black' Societies in Greater China



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## a one minute intro...

- \* The re-emergence 'black' societies in the context of modernization, market reforms (capitalism savage), globalization, and rapid socio-economic change.
- \* Only criminal groups with the "characteristics of a black society" exist - threats arise from foreign mafia like groups who combine with local criminals (also 'splittists' and cults).
- \* The cost of public order and stability now exceeds that of the costs of (PLA) security. Crime groups a major public order problem.
- \* *"Striking against organized crime eradicating the dark forces"* mass 'Strike Hard' programmes are ineffective [Zhang & Chin 2008]

# CHINA: ORGANIZED CRIME ACTIVITY



 Provinces with the highest organized crime activity

... to history and tradition





"Though not born on the same day of the same month in the same year, we hope to die so" - Oath of the Peach Garden

The loyalty of brothers Kuan Di (Guan Yu), Cheun Fei (Zhang Fei) and Lau Bei (Liu Bei)

OFFICIAL SELECTION  
TORONTO

OFFICIAL SELECTION  
FESTIVAL DE CANNES

OFFICIAL SELECTION  
NEW YORK

# TRIAD ELECTION

A JOHNIE TO FILM

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a rich spectacle!"

—*THE NEW YORK TIMES*

"Moments of absurd hilarity... To love  
and going to be delighted!"

—*THE NEW YORK TIMES*

★★★★

—*THE NEW YORK TIMES*



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# INTERNAL SECURITY TECHNOLOGY

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...change



**Hong Kong**  
**Sun Yee On**  
**14 K**  
**Wo Shing Wo**  
**Wo Ho Top**

**Formosa**  
**Four seasons**  
**United**  
**Bamboo**  
**Celestial**  
**Heaven**  
**native jiaotou**



9:41  
13. 9. 1996



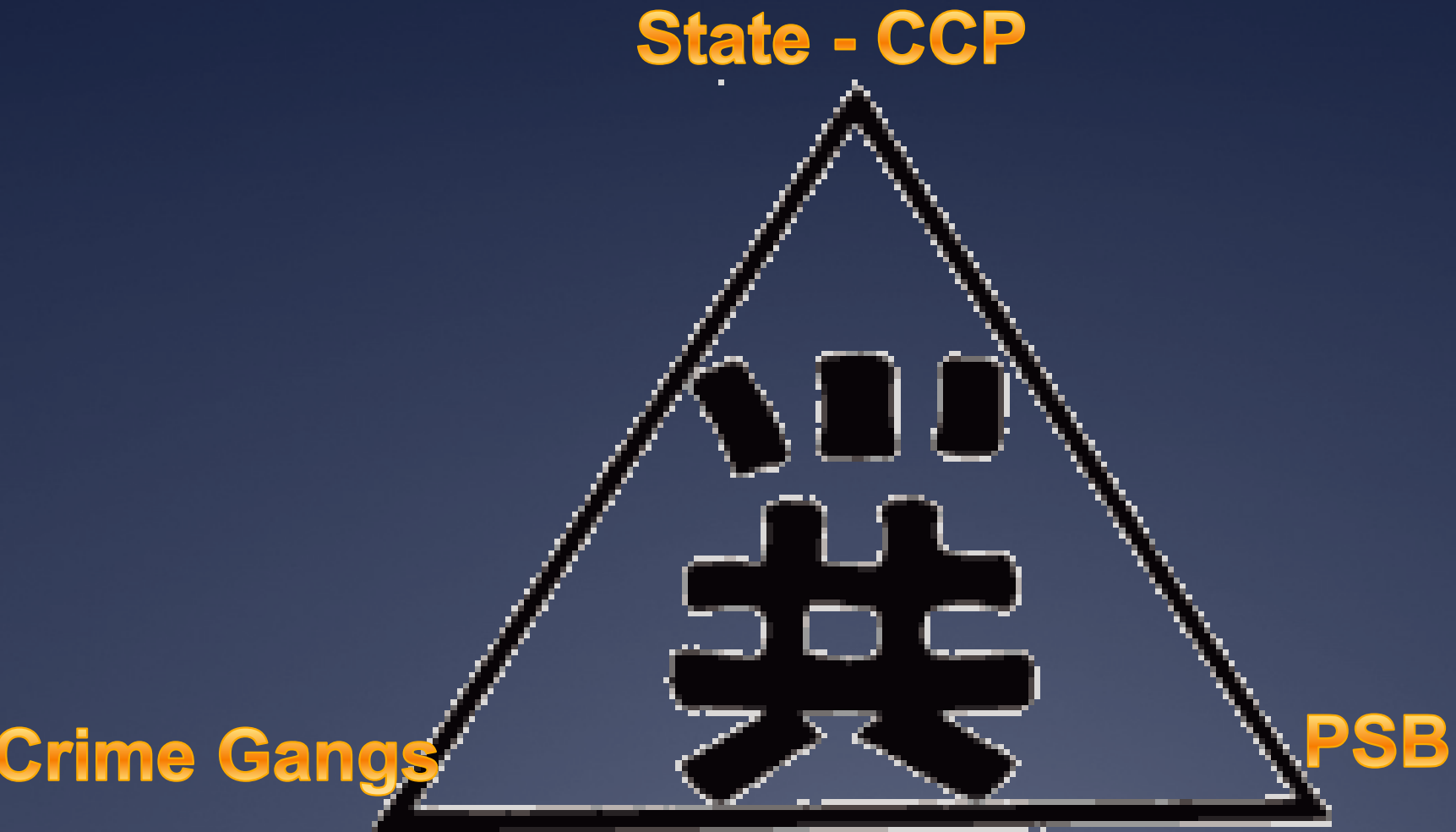
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# out west....the Chongqing case



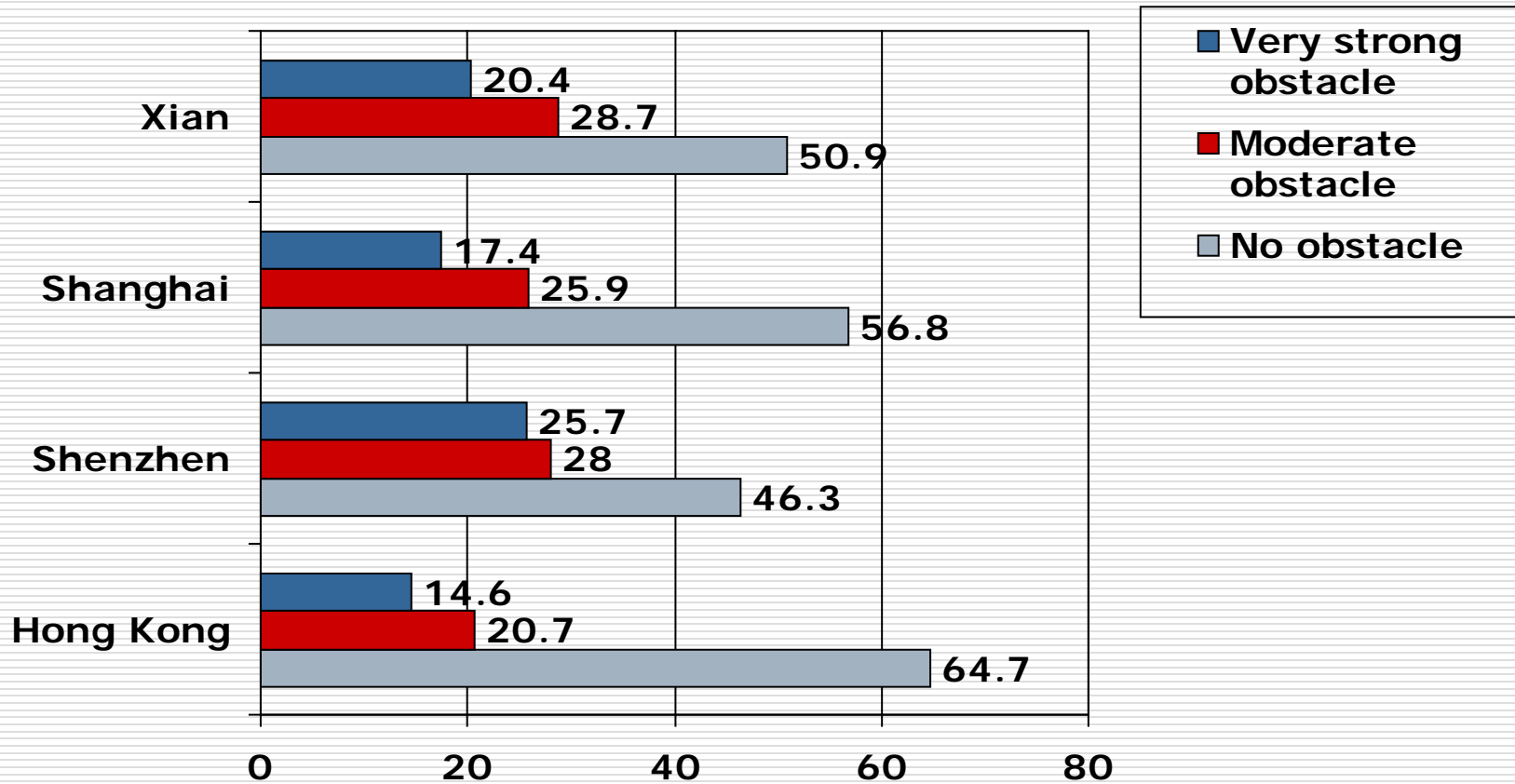
# The new triad, 'bang' or black-gold....



'If the water is too clean the fish have nothing to eat'.

# Perception of Corruption

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# Chinese Organised Crime Groups

'criminal groups with mafia like characteristics'

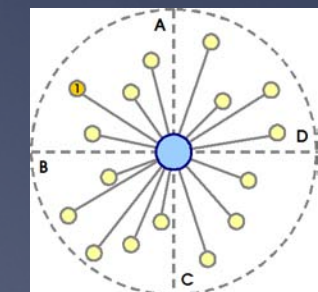
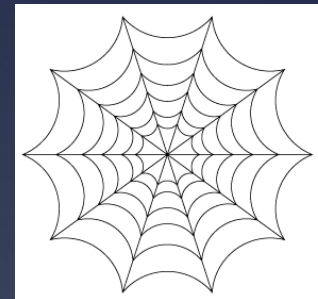
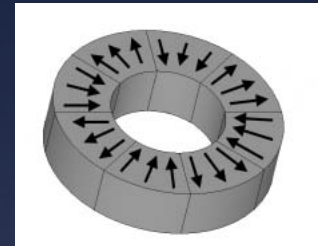
- \* Loose criminal ("cartwheel") personal networks (*guan-shi*) evolve into hierarchical forms of organised crime & force authorities to respond (Xia 2008; Zhang & Chin 2008)
- \* convergence & adaptation of different OCG forms in post-war Chinese Diaspora – the growth of illicit markets.
- \* The evolution/devolution of the pyramid structures of the 'old' model crime groups (e.g. the ching & hong)
- \* Revival, re-invention and appropriation of symbols of traditional secret societies

# Chinese Crime Networks

"ants moving house"

- \* Multi-polar network
- \* "Cobwebs"  
(zhizhu-wang)
- \* Chain - production & distribution (yitiao-long)
- \* "Hub and Spokes"  
(lun-fu)

Xia Ming (2008)



# Chinese OCG - morphology

- \* **Pagoda-like** 'tight organisational structure, clear division of labour, and strict discipline'
- \* **Hermit crab** – legitimate agencies over-run
- \* **Corporate** – business fronts
- \* **'Associations'** – e.g. cults of 'qigong', clan/genealogy societies (Xia 2008)
- \* **Capture** - local regime political-crime nexus; sale of positions/local elections "trophy" for tyrants: "*village rule by villains*"; "*hooliganism of the local government*"; "*Sultanistic state*".

# Triads Vs "Organized" Crime Groups

- \* Collection of loose-knit groups (gangs)
- \* Independent power base
- \* Horizontal organization
- \* Chairperson – honorary - 'powerless'
- \* Full autonomy
- \* Profit belongs to individual gangs
- \* Disputes settled through negotiations and fights
- \* Made up of criminal fraternities
- \* A dedicated criminal organization
- \* Power diffused from a central source
- \* Rigid chain of command
- \* Chairperson – the leader "Godfather"
- \* Centralized command
- \* Profit goes to organization
- \* Disputes adjudicated by core leadership
- \* A criminal enterprise

# Counter-measures



# PRC Law

Three activities related to OC are criminalized:  
a)organizing, leading and participating;  
b)recruitment by overseas OC; and  
c)officials 'harbouring and conniving'.

Harsh punishment is meted out for offenders especially for those who lead and officials who protect them. Yet prosecutors and courts are subject to direction and defer to legal and constitutional committees who have oversight.

# Article 294: Criminal Law of the People's Republic of China

- \* *“Whoever organizes, leads, or actively participates in an organization with characteristics of a criminal syndicate, which carries out lawless and criminal activities in an organized manner through violence, threat, or other means, with the aim of playing the tyrant in a locality, committing all sorts of crimes, bullying and harming the masses, and doing what has seriously undermined economic and social order”*

# Greater China

Efforts to curtail corruption and reduce organised crime crucial and need to be guided by:

- \* greater clarity in the PRC criminal law,
- \* firmer use of Communist party disciplinary mechanisms,
- \* transparency in the oversight role of all levels of the CCP Political and Legal committees – strengthen independence of procurator's office
- \* development of 'untouchable' units at all levels, especially at provincial level and improved (financial) intelligence sharing
- \* improved tainted wealth, confiscation of assets and anti-money laundering measures

Success in China will be equally important in HK's and the region's attempts to suppress black societies.

# Hong Kong and Vicinity





# HK triads: adapting to change

- \* By 1970s hostile political climate emerges around theme of legitimacy and the legacy of good governance
- \* End of police-triad symbiosis led by creation of ICAC [1974]
- \* Later focus on serious & organised crime activity
  - OSCO [1994]
  - Witness Protection [2000]
  - Interception of Communications [2006]
- \* LEA shift from attacking triad culture to prosecuting illicit enterprises
- \* Greater HKP & PSB cooperation – especially post 1999 [post Macau SAR]

# HK dark societies: transformation

- \* Shift in HK economy from manufacturing to service – shift in needs, values & attitudes
- \* Rise of PRC market economy – Shenzhen gateway
- \* Displacement of crime to lower risk mainland opportunities
- \* Institutional anomie – the emergence of corruption and the 'umbrella'
- \* Partial colonisation of Guangdong by triads & the impact of the BCB on HK and abroad.

# 'Dai Huen' – Big Circle Boys

- \* Ex-PLA/Red Guards who arrived from Guangdong [re-education camps] in 1970s and a later group who arrived in the 1980s as IIs
- \* BCB general term used by HK 'triad' & HKP - obscure
- \* Armed robbery, jewelry, M/Vs & heavy crime attributed to these aggressive mainlanders in the mid-70s thru' to early 1990s
- \* BCB - criminal group? [cf. Chung 2008]
- \* Loose structure, limited leadership, no ritual & brand control at the outset - BCB overlap with triads
- \* Shift to drug trafficking and legal business
- \* Limited functional specialism & hierarchy but reputation and capacity for violence

# Societies Ordinance

- \* The offence of membership or acting as a member of a triad (s 20(2)) has been deliberately

**“...caste wide...to enable triad type activities to be stamped out”.**

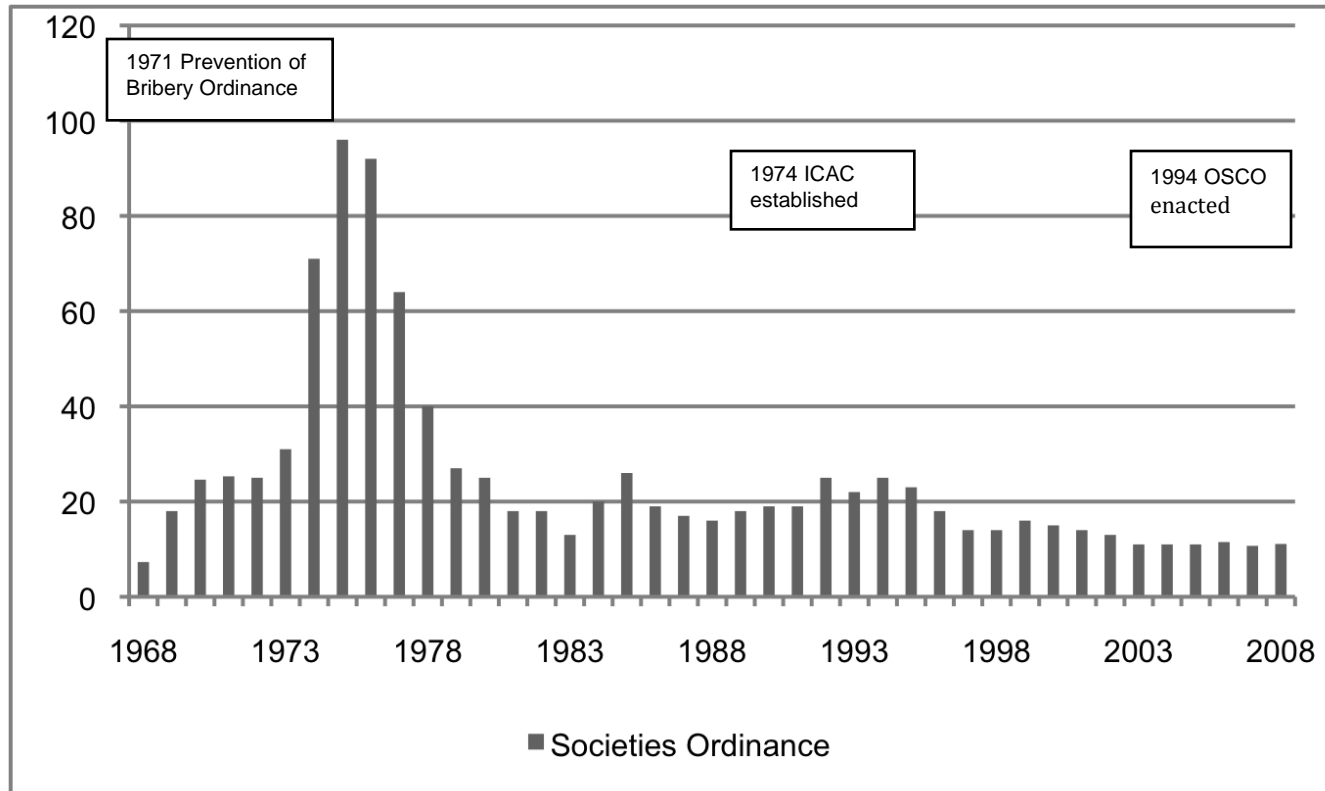
- \* The prosecution need not prove that a person was a society member but rather acted

**“...in a manner which emulated the actions of a member of a triad”.**

- \* The HK courts have been consistent in recognising the inherent difficulties in establishing formal membership and readily admit the evidence of police officers who undertake the dangerous work of infiltrating triads.

*(HKSAR v Chan Yuet Ching 2008)*

# Suppression of HK Triads



# Triad related homicide 1989-1998

- Internal discipline of OCG 7.4%
- Competition Between  
Illegal Entrepreneurs 21.1%
- Competition Between  
Triads (honor & turf contests) 49.5%
- Discipline of customers 16.8%

Lee, Broadhurst and Beh 2006: n=95



# HKP Strategy

legal framework: *Societies Ordinance 1949*: All triad societies are unlawful & criminalizes membership, recruitment & activities

*Organized & Serious Crime Ordinance 1994*: defines offences, money laundering, enhanced sentencing, confiscation/restraint of crime proceeds, production orders, witness orders

*Witness Protection Ordinance 2000 & Interception of Communications Ordinance 2006*

- \* Public support actively fostered & special attention to youth [*Junior Police Call* etc]
- \* Hostile enforcement context = political will

# Structure of Current Triad Society

