

Congressional Testimony at the hearing of  
Chen Guangcheng: His Case, Cause, Family, and Those Who are Helping Him

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In September 1993, I was released half a year ahead of schedule, with conditions restricting my personal freedoms. Such a release is called as a controlled released by China law. The supervision would not end until Mary 29, 1994, at the end of my 15-year sentence.

After being released from the prison, I had done the following work:

- 1) Helped to collect donations for individuals and organizations subject to political persecutions.
- 2) Purchased bank stock shares as a preparation for facilitating money transfers.
- 3) Planed to establish independent workers' unions for workers;
- 4) Planed to set up non-governmental organizations for artists to relieve them from exploitations of the government;
- 5) Assisted in offering 1 billion yuans' worth of stock in state-owned enterprises, and in proving with facts after making huge profits that the government had been manipulating the stock market to exploit mass investors.

On February 27, 1994, I met with US Assistant Secretary of State John Shattuck privately in a restaurant. He asked me if I was willing to meet Warren Christopher, the US Secretary of State, to discuss human rights issues in China when Christopher would visit China in the following month. Shattuck mentioned about debates in the US Congress on decoupling human rights from trade issues, and potential risks of this meeting.

I thought if my opinions would have some effect in preventing the US from moving backward on human rights issues in China, I'd be willing to take such risks and meet the Secretary of State. Shattuck mentioned that my opinions had been passed on to President Clinton by Senator Kerry and already had a positive effect on the setup of Radio Free Asia. He hoped my views could help

the Secretary of State Christopher. We discussed and agreed on some details of the meeting with Secretary of State Christopher during his visit.

In a morning about two or three days later, a police who had been in charge of my surveillance came to my home, and said their superior would like to talk to me. Later, they brought me to a resort hotel near the Ming Tombs Reservoir, saying that I should relax here and wait for their superior. I asked whom I would meet and what to discuss, but got no answers.

On the next day, an official came, who claimed to be a senior official representing the highest authority. By observing the way he casually dismissed the police officers to have a private talk with me, I could tell that his status should be true. Based on the fact that he had to leave for half an hour after our talk then came back with responses, I would assume there were officials with higher rankings nearby who monitored our conversations and made decisions.

At the very beginning of the talk, this official said that it was a negotiation, because they needed my help. He said that he knew I had an appointment to meet the US Secretary of State, and also knew my opinions. "We could not change your opinions and will not want to do so. But we wish you would not meet the US Secretary of State."

I said that's not possible. Since I had agreed to meet, I couldn't break the promise.

He said that they could offer things in exchange. "We know what you want to do," he said. "If only you will not meet the US Secretary of State, we will agree to what you want."

I said I did not believe things could be so simple. Why was it so important for me to meet or not with The US Secretary of State? Why would you agree to let me do the things that you had been prohibiting us from doing just because of this?

He said, "You might not know how important the Sino-US trade is to us: taking away those false figures, 70% of our real profit was from the foreign trade, and 70% of that came from the Sino-US trade because the US market's profit was higher. You might think we the Communist government would collapse without the American profit, which is true. I would want to do the same if I were you. But the Chinese people would suffer and many Chinese companies would go bankrupt. Since you love the people very much, we had guessed that you would agree to our offers."

I said: "Not really. I believe that the collapse of the Communist government and the establishment of a democracy system would be more beneficial to the Chinese people. It would be the lesser of two evils. And the interests of the Chinese people would be better compensated in the future."

He said that "You have described the issue too simply. You were once in our internal circle, and should know politics. Do you really think it would lead to trade sanctions?"

I said why not?

He said that the interests of both China and the US had dictated that trade sanctions, if any, would be short lived. The businesses of countries would not allow them to continue to the degree that I would need, i.e., resulting in the collapse of the Communist government.

I said in that case, you had no need to negotiate with me. You also know that I'd rather stay in prison than give up the principles.

He said: "We knew that. We understand you better than your comrades. But we also hoped that you could think about it carefully. Someone would have to hold the responsibility for even short-term sanctions, and the highest authority would be forced to step down because of it. That's why someone wanted to make a fuss on you, and why we had to protect you from getting into trouble."

He also said that "You might laugh at me for such a low-level lie, but I have to tell you that it was the truth. You are now standing at the focal point of the Sino-US relationship. If you were in trouble, whether real or false, the highest authority would bathe in shit. Only after he steps down, could others take his position. Therefore, some people are eager to get you in trouble to achieve their own objectives. When they reach their goals, they would cooperate with the US government to resolve the trade issues. But you would lose your chance to reach your own goals. You should know better about the stakes in this deal."

I said "I still do not believe in your promises. I would need an assurance. The stepping down of Jiang Zeming might not be a bad thing, and the person replacing him might want to compromise with us as well."

He said "We would agree with the several things that you want to do. Would you think about it again? I have something to do, and will be back in half an hour."

He gave me a piece of paper with the offers listed on it. The first one was to release political prisoners, including a list of 35 names. The next three were also what I really wanted to do, i.e., establishing workers' unions, establishing artists' own businesses, and purchasing bank shares and helping with the receiving and transfer of humanitarian donations.

After more than a hour, the official - who's last name was Guo - came back and asked how I thought about it.

I said "What you agreed to means nothing: the establishment of a workers' union requires approval from the Ministry of Civil Affairs; an artists' company requires approval from the Ministry of Culture; and purchase of bank shares requires approval from the People's Bank. Those were not under the authority of the Judiciary branch. Therefore, all of what you have said sounds like lies."

He said: "I repeat again that I am representing the highest authority to negotiate with you. All these items are within our scope of power. When the time comes, I will help you to complete all the procedures."

I still said that I could hardly believe what he just said.

He said "How about this: we will add one more offer that you would be able to see. In addition to releasing the political prisoners, provided that you don't betray your promise, we will not arrest any of your people." by which he meant all pro-democracy activists.

I said "But you just detained a number of pro-democracy activists recently who were not on your list. What about those people?"

He said those who got detained recently had not get in the legal procedures yet. "If you give me one day, I will get them all released. We could decide tomorrow whether you would accept our offers. Tomorrow you could make phone calls to verify if we had the ability to keep our promise."

The next day I called several friends and verified that those detained were released without either conditions or explanations. But I was still inclined not to accept their offers.

This official seemed very anxious and almost lost his posture, and told me that "You must know that we are already bearing a great deal of risk. We have also explained it within the Communist Party. If you still disagreed, then we would have to arrest you, which would just be playing into the hands of the other side, and all the offers to you would be blown away."

Then he added: "The Americans are not as reliable as you might think, and could ultimately reach a compromise with the new leader. Then political prisoners would be rounded up as usual, and you would not be able to complete anything that you wanted to do. You should think about what is at stake. Let me give you a worse case scenario. Even if we recanted in the future, you at least got the benefit of having the political prisoners released. The other side might not even give you that benefit."

At this time, I felt that the credibility of his words was pretty high, so I accepted their offers and made a detailed plan for me to leave Beijing to seek medical treatments, and I politely declined to meet Secretary of State Christopher. I felt that I definitely would not get these offers through the meeting with the Secretary of State. And if the US were to insist on scrutinizing the human rights issues in China, it would not have canceled the annual review of the Most Favored Nation status.

The offers included the proviso that immediately after Secretary of State Christopher had left Beijing, I could go back to the city and continue to do what I wished to accomplish, and they would fulfill their remaining offers.

On March 29, 1994, while I was in Jinan, they notified me two things: first, I had completed my prison sentence and would no longer be under their control, and all my civil rights were restored. Second, although Secretary of State Christopher had already left China, the situation had changes somewhat, and they hoped I could spend some time relaxing in the South and return to Beijing after one or two months. I rejected the second request and insisted on going back to Beijing according to the original conditions. I thought by doing so, I could verify if they had the ability to fulfill their promise.

Two days later, I entered the highway from Tianjin to Beijing. But the entire highway was closed with just the car carrying my friend and me and four police cars surrounding us. When we arrived at the exit of Tong County, we were blocked by more than one hundred police officers, including agents from several different departments of the Public Safety Bureau, and officials from the State Security Bureau and the Procuratorate.

A police officer, whom I was familiar with and who has been in charge of my surveillance for many days, told me that the current situation was too complicated and they did not know what was going on either. He asked me not to make a stiff scene, and they were doing backroom negotiations. Later, a policeman whom I did not recognize came and showed me a subpoena. They took me and the businessman, who was going to transfer stock shares of one billion yuan's worth, to a counterfeit antique making company in Tong County.

I slept until the afternoon, and then heard the policeman I knew arguing with someone. I heard a strange voice saying: we got orders that no one was allowed to meet him alone. The policeman I knew said: we got instructions from our superior that we must meet with him alone. You had no authorization to listen to our conversation, and your superior had agreed to this.

Then they made phone calls. After that, the police officer I knew took me to a private room in an outside restaurant, and told me that after the departure of Secretary of State Christopher, the debate within the Communist Party got more heated. The other side did not believe the Americans, and also did not believe that I did not influence the Americans. They insisted on handling me by the dictatorship theory of the Communist Party, and did not think that they should abide by the terms of the agreement, otherwise it would be a loss of the spirit and principle of the Communist Party. Their superior was dealing with this conflict and they asked me to be more patient. I said I did not know their internal affairs, but my patience had a time limit.

On the third day, I formally informed the police who were guarding me that according to the Law of Criminal Procedures, a subpoena for interrogation could not last longer than three consecutive days. Unless they could get an arrest warrant, I would leave by my own this evening. They said "You just wait, we will go immediately to the Procuratorate to get the arrest warrant."

At evening, I asked if they got the arrest warrant. They said not yet. The Procuratorate would not issue an arrest warrant. But they had got a residential surveillance certificate issued by the Public

Safety Bureau, which did not need approval from the Procuratorate. I said that "Residence under Surveillance meant that I would stay in my own home and there would be no restriction of my personal freedom, I just could not leave your surveillance. What you are doing now is an illegal detention."

They laughed at me and said that I should not try to use their legal loopholes. Their laws would be interpreted by them, not by my own understanding. Although there was none, they could create a precedent for me in regarding this "Residence under Surveillance". And because it did not get into the legal procedure, they did not even need to notify my family members. I would not have any rights provided by the law. Thus they started an illegal detention against me that lasted 18 months, without newspapers and TV, without any contact with the outside world.

From what I learned later, at least by the summer of 1995, the promises of releasing political prisoners and no arrest of my people had been kept for about a year. I think it was because the trade sanctions could not be lifted smoothly, and the American people still cared about human rights situations in China. Otherwise, Jiang Zemin would not be able to get a compromise between the trade and the theory of dictatorship under the Chinese Communist Party.

From this process, we can learn several features concerning negotiations with the Chinese Communist regime.

1) They are only restrained by their interests, but not bound by their promises. That is because, fundamentally, they do not recognize common knowledge and reason, but only their great ideals. This is the same as all evil cults. Therefore, by insisting on staying in China, Mr. Chen Guangcheng made a wrong judgment due to a lack of common knowledge. And the US government did not let him learn such a common knowledge, and thus brought to himself the trouble that will come up.

2) The Chinese government is not a whole, but consists of various interest groups. The struggles within those factions lack rules, and national interests often become bargaining chips between their negotiations. Promises made by one faction often become targets to be attacked by other factions. Non-compliance of agreements is a common happening in China. The US government, by believing in promises made by one particular faction without any assurance, has made a mistake of political judgments.

3) Taking a hostage first and then making negotiations is a traditional way of negotiation by the Chinese Communists. In their ideology, obtaining maximum benefit regardless of means is a legitimate method against those who are deemed as not fit to their ideals. They would use any means to advance their interests, which is their official theory. By returning Mr. Chen Guangcheng to the hands of Chinese police, the US government has made yet another mistake of political judgment, and will pay an extra price for it.

United States House of Representatives  
Committee on Foreign Affairs

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| <b>1. Name:</b><br><br><i>WEI, Jingsheng</i>  | <b>2. Organization or organizations you are representing:</b><br><br><i>Overseas Chinese Democracy Coalition</i>   |
| <b>3. Date of Committee hearing:</b><br><br><i>May 15, 2012</i>   |  |
| <b>4. Have <u>you</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b><br><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  | <b>5. Have any of the <u>organizations you are representing</u> received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?</b><br><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
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