

The Role of Jiang Zemin in the Persecution of Falun Gong - a Legal Brief

A. Jiang Zemin's Role in the Persecution

Former Chinese Communist Party General Secretary Jiang Zemin personally launched, planned, and executed control over the “*douzheng*” crackdown on Falun Gong. He established this crackdown not as a law enforcement program within the context of criminal law or procedure, but as an extralegal political campaign utilizing primarily Chinese Communist Party (CCP)—not state—personnel and resources.

Jiang Zemin was the highest-ranking official in China during the initiation of the violent persecution of Falun Gong. Jiang occupied two primary roles relevant to this case: first, he served as General Secretary of the CCP between 1989 and 2002; and second, he served as President of China between 1989 and 2003. He also served as the Chairman of the Central Military Commission between 1989 and 2005, a role that reinforced his power in China as an extremely well-connected figure maintaining informal influence over his successors.

As the General Secretary of the CCP, Jiang was the leading authority within the seven-member Politburo Standing Committee, which has control over the CCP Politburo, which has control over the CCP's Central Committee, which has control over each of the CCP's regional subsidiary committees. Under the authoritarian, single-party system of governance in China, these CCP committees all exercised high levels of control over parallel governing organs at various levels, especially within the security hierarchy.

In June 1999, Jiang Zemin ordered the establishment of a new extralegal CCP leadership group, the “Leading Group for Handling the Falun Gong Issue,” and its office of operations, referred to as the “610 Office,” to carry out the persecution. After its establishment, the “610 Office” was the primary command platform and tool for Jiang Zemin to personally oversee the persecution of Falun Gong. In December 2013, the existence of the “Leading Group” and the 610 Office were both publicly confirmed by the CCP's Discipline Inspection Commission, in an announcement regarding the formal disciplinary investigation of Leading Group Vice Director and 610 Office chief, Li Dongsheng.

Jiang Zemin planned, directed, and oversaw implementation of the violent persecution of Falun Gong beginning in July 1999. His letters and speeches to top leaders of the CCP were transformed into official CCP Central Committee internal documents, ordering preparation and guidelines for the persecution. He established the chain of command for the persecution, especially by creating the “Leading Group” and “610 Office” as authoritative intra-CCP bodies able to direct lower level CCP (and low-level state) officers to commit abuses against Falun Gong adherents.

Jiang retired from the positions of General Secretary of the CCP and the President of China in 2002 and 2003, respectively. But he kept his positions as Chairman of Central Military Commission of the CCP and of the State until November 2004 and March 2005, respectively. Thus, he was still able to pressure his successor Hu Jintao against ending the persecution. Even after his full retirement in 2005, Jiang Zemin continued to oversee the persecution through a major change to the CCP’s top-level Standing Committee. Jiang changed leadership rules by expanding the CCP’s ruling Politburo Standing Committee from 7 to 9 members, with two newly added members: Luo Gan (in charge of security forces as the head of the Political and Legal Affairs Committee (PLAC)) and Li Changchun (in charge of propaganda). Jiang Zemin continued to collaborate with Luo Gan, Li Changchun, and other close allies, such as Zhou Yongkang, to manage the persecution after his formal retirement.

1. Jiang Zemin’s Preparation for and Initiation of the Persecution

On April 25, 1999, several thousand Falun Gong practitioners peacefully and legally assembled before a government petition office, asking for official public assurance of their legal right to practice Falun Gong (following a few local incidents where Falun Gong adherents had been treated roughly by low-level security officers). First, government petitioning authorities assured the peacefully assembling Falun Gong adherents that their religion was in no way prohibited. Three months later, on July 20, 1999, the CCP’s extralegal persecution began.

During these three months, Jiang Zemin established the extralegal chain of command to persecute Falun Gong. He gave speeches or wrote letters at least four times, using his personal influence and intra-CCP authority to call for violent “*douzheng*” suppression against Falun Gong and seeking to build CCP consensus for this decision. (Note: Part II of this article will address the history and nature of political unlawful (ultra vires) *douzheng* campaigns in China.)

At least three of these intra-CCP statements by Jiang Zemin became official, internal instruction documents of the CCP central leadership, ordering lower level CCP branches to comply with the persecution. Jiang’s most widely distributed orders to begin the persecution are described below.

a. DOCUMENT I (Letter of April 25, 1999)

On April 27, 1999, the Office of the CCP Central Committee issued a “Notice about Copying and Distribution of the ‘Letter from Jiang Zemin to Politburo Standing Committee Members and Other Related Leaders.’” This notice ordered CCP leaders to study a letter written by Jiang Zemin on the night of April 25, 1999. It also ordered CCP leaders to implement the directives contained in the letter and report their progress in meeting those orders to the CCP’s Central Committee. According to this notice, it was Jiang Zemin who personally decided to respond to Falun Gong adherents’ peaceful appeal with a violent persecution. Jiang Zemin’s letter and notice showed that he sought to impose his views on the top leadership of the CCP. (The notice ordered CCP leaders to study and implement the letter, rather than asking for suggestions and advice.)

Jiang Zemin sent CCP leaders a few important signals in his letter:

- “Was this [April 25 peaceful petitioning incident] related to overseas and the western countries? Were there ‘Master-hands’ behind the scenes planning and directing?” The use of this aggressive and militaristic language against Falun Gong adherents was a signal for the launching of the violent crackdown, even before any investigation of the peaceful petitioning incident had been conducted.

- “Can the Marxism, Materialism, and Atheism that we Communists have really not win over the theory that Falun Gong advocates? If that were true, it would be a real joke!”

- “This incident showed how weak our ideological, political, and mass work has been in some areas and sections. We must insist on educating the cadres and general public with the right world outlook, philosophy, and values . . . Our leaders at all levels, especially at high levels, should be clearheaded now!” This indicated that the high level leaders in the CCP still did not want to comply with the crackdown. It was a personal order by Jiang Zemin. Thus, it became necessary to “educate the cadres and general public” and to make sure that the high level leadership was “clearheaded” about Jiang Zemin’s demand for their compliance in the persecution.

b. Letter of April 29, 1999 (Document currently unavailable)

Unfortunately, we do not have a copy of this letter. We only know that this second letter by Jiang Zemin was addressed to the members of the CCP’s ruling 25-member Politburo. The content regarded how the CCP should “deal with” what the letter described as a “May 1, 2, and 3 Falun Gong practitioner gathering.” There has never been any Chinese or Western media report from any source about this “gathering,” and so it seems likely that Jiang Zemin was just using this as a further excuse to mobilize his persecution plan.

c. DOCUMENT II: Memorandum of May 8, 1999

This is the second available document, “Notice about Printing and Distributing ‘Comrade Jiang Zemin’s Instructions to Politburo Members, the Offices of the Central Party Secretaries, and the [CCP’s] Central Military Commission’ by the Office of the Chinese Communist Party Central Committee” (Office of CCP Central Committee Official Document #19 [1999]). This document was officially sent out on May 23, 1999, based on Jiang Zemin’s instructions regarding Falun Gong issued on May 8. The CCP’s Provincial-level committees held meetings to study this document around May 28, 1999. So far, we do not have any original copies. The content of the document discusses how to secretly prepare for the persecution of Falun Gong (i.e., how severely to punish Falun Gong adherents, what CCP resources to use for this purpose, and who should be in charge of implementing overall CCP orders regarding these tasks). This document was made available as evidence because it was incorporated into and referenced by an

official document of the CCP Hebei Province Committee: (Hebei Official Document [1999] #21 “Seriously Following and Carrying out the Order of ‘the Office of CCP Central Committee Official Document [1999] #19’”). This document was exposed by Xu Xinmu, who worked for the Hebei provincial government. Due to exposing this secret document, Xu Xinmu and his collaborator in the exposure, Duan Rongxin, were sentenced to four and eight years in jail, respectively. CCP media reported on the trial.

d. DOCUMENT III: Speech of June 7, 1999

The third available document was also issued by the Office of the CCP Central Committee. This document ordered CCP leaders to study and implement “Jiang Zemin’s Speech in the Politburo Meeting about Paying Attention to Dealing With and Solving the Falun Gong Issue.” This document was dated June 7, 1999. The June 7 speech by Jiang Zemin directly ordered the establishment of the “610 Office” three days later on June 10 (that is also how “610 Office” was named). In the speech, Jiang Zemin said, “the Falun Gong issue involved deep political and societal contexts and a complex international background. It was the most significant incident since the political turmoil in 1989. We must treat it seriously, do thorough research, and take effective countermeasures.” The speech equated Falun Gong adherents with the Tiananmen Square protestors in 1989, who were massacred for their nonviolent protests. This was another command by Jiang Zemin to mobilize the CCP to persecute Falun Gong.

In this speech, Jiang Zemin also announced that “the central [CCP] authority has decided that Li Lanqing is going to lead the effort of establish a ‘Leading Group’ particularly for dealing with the Falun Gong issue. Li Lanqing will be the chief of the group. Ding Guangen and Luo Gan will be the deputy chiefs. Other group members will be the leaders from all related [CCP] departments. It will centralize all effort of discussing and implementing the detailed steps, tactics, and measures for solving the Falun Gong issue. The [CCP] Central Committee, and all [CCP] departments at the state level, provinces, municipal autonomous regions, and [other municipalities] must cooperate closely.” The leading group mentioned here was later called “the Leading Group For Handling the Falun Gong Issue.” Its operating office was called “the Office of

the Leading Group for Handling the Falun Gong Issue,” which is also called the “610 Office.”

This speech indicates two important facts. The first is that establishment of the “610 Office” was Jiang Zemin’s personal decision. Usually, “central authority” refers to the CCP Central Committee or its Politburo; it is the CCP leadership instead of the Chinese government. But the central authority in the speech could not be the CCP Central Committee, because the Central Committee would not have a meeting to discuss an issue before the Politburo. So the “central authority” should be the Politburo meeting, which was however *ongoing* when the speech was given. However, Jiang Zemin’s speech establishing a ‘Leading Group’ was just to tell the Politburo an already finalized decision, instead of proposing a motion. If the Politburo had already had a meeting on this subject before this meeting, it would be unnecessary for Jiang Zemin to tell the Politburo a decision they had made. If there was no meeting before that, it must have been Jiang Zemin’s personal order.

Given that Jiang Zemin’s speech ordered that “the [CCP] Central Committee, and all [CCP] departments at the state level, provinces, municipal autonomous regions, and [other municipalities] must cooperate closely,” it also gave the Leading Group extreme power, above the existing administration of CCP and state bodies. Since the Central Committee of the CCP and all state level departments had to comply with the Leading Group’s directives and orders, the latter would only be responsible to Jiang Zemin himself.

The speech also mentioned that the Leading Group should “collect among Falun Gong practitioners in all areas the extraordinary cases including schizophrenia, suicide, and refusing medicine resulting in diseases worsening or death.” Those “victim situations” were declared here before any investigation even started. The speech also said, “after the establishment of the central Leading Group of dealing with Falun Gong issue, it should immediately organize the resources to investigate the organization structure of Falun Gong nationwide, establish the fighting strategy and tactics, and fully prepare for the work of dividing and demoralizing [Falun Gong]. We should not go in a fight without preparation.” That indicated that the investigation had not been started at the time of

speech. Those “1400 death cases of mental disorder, suicide, and refusing to take medicines” used to slander Falun Gong later were completely in accord with the framework that Jiang Zemin gave in this speech for the “610 Office,” indicating all the “evidence” presented later on was fabricated by the “610 Office” according to Jiang Zemin’s personal wishes. The existence of Jiang Zemin’s speech can be proven by local reports by CCP authorities requiring CCP members to study this speech.

Importantly, on June 14, 1999, four days after Jiang Zemin’s formation of the “610 Office,” Chinese major official media reported “the talking points of the Department of Complaint of the Office of Central Committee and State Council to the visitors of Falun Gong practitioners” (two office talking points). In this report, the two offices denied the “rumor” about any possible crackdown on Falun Gong, and re-issued the key talking points of their meeting with Falun Gong representatives on April 25, 1999. The key talking points were: “the government of all levels has never forbidden the various normal Qigong and other body exercises; people have the right to believe or not to believe in certain Qigong practice; it is normal to have different opinions, which can be reported through the formal channels and measures.” Jiang Zemin’s activities during this time period, especially the June 7 speech, show that he not only *ignored* these official statements by CCP and state spokespersons, his orders actually *overrode* them: Jiang Zemin’s secret documents overrode the power of the official policies of the CCP and the government.

e. DOCUMENT IV: Ordering the launch of the persecution on July 19, 1999

Even though the CCP media announced the persecution as formally beginning on July 22, 1999, marked by two department announcements from the Ministry of Civil Affairs and Ministry of Public Security, the mass arrest and arbitrary detention of Falun Gong local contacts began two days earlier, on July 20, 1999. On July 19, one day before the mass roundup, Jiang Zemin gave a speech at a meeting of CCP leaders of the CCP Provincial-level committees to mobilize final orders for beginning the persecution. This meeting was later confirmed by internal U.S. diplomatic documents published by the activist group Wikileaks.

2. Jiang Zemin personally acted to build support for the persecution of Falun Gong, demonize its adherents, and extend abuses against them overseas.

1) In September 1999, at the APEC meeting in New Zealand, Jiang Zemin made a very unusual move that was highly unprecedented at such gatherings. He gave leaders of all countries, including then-president Clinton, a book full of the CCP's anti-Falun Gong propaganda, including portrayals of Falun Gong adherents as dangerous and/or insane persons needing to be suppressed.

2) On October 25, 1999, before Jiang Zemin's state visit to France, he accepted an interview in written format by the French newspaper *Le Figaro*. Jiang Zemin attacked Falun Gong and called Falun Gong an "evil cult," before any documents or media controlled by the CCP had used the term. That again showed that it was Jiang Zemin who had personally made the decision for the crackdown and kept pushing it forward. Three days later, the CCP's official mouthpiece, the People's Daily, published special commentators' articles to echo Jiang's claim: "Falun Gong Is A Cult." Five days after Jiang's interview, the Standing Committee of People's Congress hurriedly passed the "Decision to Ban Heretical Organizations [using the same phrase as 'Evil Cults.']"

3) In September 2000, Jiang Zemin was interviewed by CBS TV and made the following statement: "after careful deliberations, we concluded that Falun Gong is an evil cult."

4) The notice (State Council No. 8 of 2003) that the Chinese State Council issued on March 21, 2003, about 610 Office organization structures, clearly stated that "the Office for Preventing and Dealing with the Evil Cult Issue in the State Council, and the Office of the Central CCP Leading Group for Dealing with the Falun Gong Issue are one organization with two names. It is listed as an organization directly under the Chinese Communist Party Central Committee." This indicated that even though the State Council established an organization corresponding to the "610 Office," the State Council does not really have the leading authority over this organization. In addition, in the database of "People.com.cn," the official mouthpiece of CCP, there is not a formal name of "Leading Group for Dealing with Falun Gong Issue" or "Office for Preventing and

Dealing with the Evil Cult Issue” on the lists of organizations directly under the CCP Central Committee. Thus, it can only be regarded as a secret organization, similar to the “CCP Central Committee Leading Group for the Cultural Revolution,” responsible only to Mao Zedong in the 1960’s and similarly exercising vast extralegal powers.

3. The Direct and Indirect Recipients of Jiang Zemin’s Instructions

There were two groups of officials that received Jiang’s instructions to persecute Falun Gong. Group One is the direct audience or recipients of Jiang Zemin’s letters and speeches; Group Two consists of officials and low-level officers that received instructions to persecute Falun Gong through the CCP’s internal documents that issued Jiang Zemin’s letters and speeches, and ordered officers to study and implement these directions.

a. Direct recipients

Document I: Standing Committee Members of the Politburo and other leaders. The other leaders are generally those at various levels of the CCP and state hierarchies who had duties directly relevant to the issues concerned in the order. For example, the head of the PLAC or the head of CCP propaganda coordination, or the person who was in charge of religious issues at the time, if they were not already Standing Committee members of the CCP Politburo at their level.

Document II: Members of the Politburo (including Standing Committee member), Secretariat of the CCPCC, members of the Central Military Commission.

Document III: Politburo meeting (including members and Standing Committee members of Politburo)

Document IV: The heads of the CCP Provincial (the Autonomous Regions, and the Municipalities Directly under the Central) Committees.

b. Indirect recipients

Document I: This document was issued by the General Office of the CCPCC. It issued 720 copies. This means that all CCP Central Committee members, the Minister and Provincial-level officials, and the heads of the departments of CCP Central Committees at various levels were the indirect recipients, if they were not already the direct recipients.

Document II: This document was also issued by the General Office of the CCPCC. We do not know how many copies were printed, but we know that it was received by the CCP Provincial Committees. Since this is how a typical chain of command worked, it will be discussed in detail below.

Document III: This was highly similar to Document I. It was issued by the General Office of CCPCC. The indirect recipients were the same as those of Document I.

Document IV: Since this speech was the order finally mobilizing the persecution, it relied upon the prior documents and was not issued as a formal Party document. We do not know if it had any indirect recipients.

Further extension of the recipients: The CCP Provincial Committees throughout China re-issued their own versions of the internal documents to the city levels. The orders would then finally reach the county and district levels, or even lower. See case analysis below.

During that period, the Defendants, Luo Gan, Jia Qinglin, and Wu Guanzheng, were all members of the Politburo, and thus all were the direct or indirect recipients of all four documents. Bo Xilai was the mayor of Dalian City and the vice secretary of the CCP Dalian City Committee. He was also a recipient.

4. Case Analysis: How the Chain of Command Worked to Direct Persecution in One City

The above Document II is a very good example of how the chain of command worked:

a. Background

With the previous two letters from Jiang Zemin (April 25 and April 29), the military had already started its own preparations to persecute Falun Gong. On May 5, Zhang Wannian, then Vice Chairman of the CCPCC Military Commission, saw an article written by a retired general, former President of the General Hospital of People's Liberation Army (PLA), Li Qihua. Li Qihua was a Falun Gong practitioner. He wrote several letters to circulate in the high ranks of CCP and state officials, to explain his own positive views on Falun Gong. Zhang Wannian added his own highly critical comments and submitted this annotated article to Jiang Zemin.

b. Jiang Zemin's Memorandum

On May 8, 1999, Jiang Zemin wrote a memorandum to the comrades of Politburo, Office of Secretariat, and the Central Military Commission of the CCP Central Committee on Zhang Wannian's report. This Memorandum has never been published, but from official CCP Provincial documents and the People's Daily official website, we can see the existence and parts of the content of the Memorandum.

c. Jiang Zemin's Memorandum became a CCPCC formal document

First, CCP authorities forced the retired General Li Qihua to write a "self criticism" letter (admitting to have made political mistakes and begging for CCP forgiveness), approved by Jiang Zemin. Then, the General Office of the CCP Central Committee issued a Notice about Jiang Zemin's Memorandum to all levels of the CCP organizations.

This Notice remains unavailable, but at least one CCP Provincial document and one CCP Provincial Standing Committee meeting were based on this Notice.

d. The CCPCC's document reached CCP Provincial Committees, which then issued their own documents to lower-level CCP organizations.

On May 28, 1999, the CCP Provincial Standing Committee members studied "the Notice of the General Office of the CCP Central Committee Official Document [1999] #19." At this point, the document reached the level of the CCP Provincial Standing Committee.

On June 3, 1999, the Office of the CCP Hebei Province Committee issued its own Notice, distributing and endorsing the General Office of the CCP Central Committee's Notice.

The text version of this document was exposed by a Falun Gong practitioner, Xu Xinmu, who was an employee of the Hebei provincial government. He and another practitioner who was also involved in revealing the content of the document were sentenced to four and eight years in prison, respectively.

e. The Provincial document reached the city level, and the CCP city committees issued their own documents.

On June 11, 1999, the CCP Committee of Langfang City (one of the cities in Hebei province) issued its own Notice distributing and endorsing the Hebei Province Committee's Official Document [1999] #21.

Up to this point, the orders to persecute Falun Gong from Jiang Zemin reached all the way to the city level through CCP channels, not through State organs. This same chain of command has been used since then. After the establishment of the extralegal directing body "Leading Group For Handling the Falun Gong Issue" and its "610 Office," implementation of the persecution of Falun Gong at all levels was supervised and carried out by the officers of the Leading Group and its "610 Office" at all levels. In particular, the "610 Office" gives the orders it receives from above to security personnel to subject Falun Gong believers to carry out *zhuanhua* (ideological conversion through torture), *douzheng* (violent forms of suppression), and other related forms of torture, brainwashing, and abuse.

While the orders to persecute Falun Gong believers in China passed through several channels, as set forth above, the below chain of command sets forth in summary form, its operation in China.

- The CCP Central Committee and CCP Secretary, i.e., Jiang Zemin, gives orders to:

- Leading Group for Handling the Falun Gong Issues of Central Committee of CCP gives orders to:
 - Central “610 Office” that directly or through Office of CCP Central Committee gives orders to:
 - CCP Standing Committee and CCP Secretaries at provincial and city levels give orders to:
 - Leading Group for Handling the Falun Gong Issues in CCP provincial and city Committees give orders to:
 - “610 Office” at provincial and city levels gives orders to:
 - Labor camp and detention center officials give orders to:
 - Security personnel to torture and brainwash Falun Gong practitioners.

Thus, as subsequent sections of this article will demonstrate, while Jiang Zemin may not have physically subjected Falun Gong to “*zhuanhua*,” “*douzheng*,” or other persecutory abuses, he is responsible for the directives that result in the actual harm.