

FOCUS

In the dungeon of Bo Xilai

In the first of a four-part series, Revisiting Chongqing, we look at one of the earliest and most high-profile victims of the disgraced party chief's crackdown on so-called gangsters

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In mid-July 2009, 21-year-old Li Jun (黎俊), freshly graduated from an American university, tried to call her father in Chongqing (重慶) from a Greek restaurant in downtown New York.

She could not reach him but thought, "that's all right, maybe he's in a meeting".

In fact, her father Li Qiang (黎强), once one of the southwestern municipality's most successful businessmen, had been shackled to a metal chair by police mounting the mainland's largest anti-triad campaign in decades. A stocky man with a round face and big eyes, he was forced to sit in the straight-backed, custom-made chair which was too small for him, for 76 days. In addition he had heavy leg irons around his ankles and his wrists were in manacles, his daughter and a fellow prisoner said.

A black robe was often draped over his head most of the time. For the first five days and six nights he was not given any food or water, or allowed to go to the bathroom.

The fellow prisoner said Li was scared to sit on a bed after weeks on the chair, introduced by then Chongqing police chief Wang Lijun (王立军) and widely used to torture suspects in the ruthless crackdown he oversaw. Many victims and police sources said that after weeks on the chair a suspect's feet became totally numb, and left them with long-lasting damage. Some had permanent spinal damage.

Li Jun tried to call her mother, her aunt and many other members of her family, but none of them answered. She began to grow more concerned.

"The wildest guess I had was that they had been in a car accident, but I could never have imagined they were all detained as gangsters," she said.

Most of the people she called were shackled to the same kind of chair as her father at that moment, undergoing interrogation in various motels in rural parts of Chongqing, leased by the police and used as torture centres during the crackdown.

Li Qiang, 51 at the time, was a local people's congress representative when he was detained and the biggest private operator in Chongqing's transport system. The authorities said he owned a fleet of 1,000 taxis and operated 100 bus routes.

He and six members of his family were later accused of being members of a criminal syndicate. They received sentences ranging from fines to 20 years in jail.

Li, sentenced to 20 years in prison in 2009, remains incarcerated while the family appeals against his conviction.

The case announced the arrival of then-Chongqing Communist Party secretary Bo Xilai's (薄熙来) massive anti-triad crackdown, which nabbed thousands of people, including the municipality's powerful police chief, Wen Qiang (文强), and was widely seen as an attempt to tap into widespread anger over the cor-



Illustration: Stephen Case

ruption that accompanied the mainland's economic boom.

However, since Bo's downfall in March, many of those jailed in the crackdown have said they were tortured into making false confessions. They have also blamed Bo and Wang, his right-hand man, for tampering with evidence and a lack of due process when their cases went to trial.

Li Ping (黎萍), Li Qiang's younger sister, said police detained her without showing any documentation or police identification.

"Many undercover police took me to a motel far from the city on the afternoon of July 14 and shackled me on a chair," she said. "They forced me to stay awake. I wasn't able to sleep for seven days."

She said her husband was subjected to similar treatment for more than a week.

An accountant with Li Qiang's Chongqing Yuqiang Group, founded by her brother and his wife in 1992, Li Ping was jailed for 18 months and fined 100,000 yuan (HK\$123,000) for hiding details of its accounts. Her husband was jailed for 18 years for playing a supporting role in her brother's gang.

"I told the police investigators where the documents were," Li

I wanted to come back earlier but I was afraid the police might use me as a hostage to coerce my parents

LI JUN

Ping said. "I don't understand why the accusation was made."

When she was in detention, a police officer told her she had only been picked up because she was Li Qiang's sister.

A Chongqing businessman who knows both Bo and Wang, said Li Qiang's forceful personality had led to his downfall. He said Li Qiang had clashed with Bo twice.

The first time was in early 2008, shortly after Bo arrived in Chongqing, when the municipal government offered to buy Li Qiang's bus lines for about 70 million yuan. He knocked back that offer and said the government should double the price.

The second time was at a

meeting after a strike involving more than 8,000 taxi drivers in November 2008. During the meeting, Li Qiang interrupted Bo, saying: "Secretary Bo, you may not be familiar with the situation in Chongqing as you are still new here."

"Bo was very unhappy about that, plus he believed Li Qiang was the organiser of the strike," the businessman said. "Bo didn't allow any challenge to his authority, or any kind of protest under his rule."

Police later accused Li Qiang of using violence and intimidation against competitors in various businesses, and said he orchestrated the strike by hiring gangsters. However, at his trial in October 2009, the prosecutors did not provide any evidence showing that Li Qiang was connected with the strike.

Zhao Changqing (赵长青), Li Qiang's defence counsel and a law professor at Southwest University of Political Science and Law, said the case "had nothing to do with organised crime" and the prosecution was not able to prove its case despite presenting nearly 2,000 pieces of evidence.

"It's very important to identify the difference between a criminal syndicate and a private company that engaged in illegal behaviour," Zhao said.

Zhao, 78, was one of the people who drafted the mainland's Criminal Law in 1997, which made membership of a criminal syndicate a new crime. He also led a Supreme People's Procuratorate team studying organised crime.

Chongqing officials were apparently nervous about his involvement in Li Qiang's defence. He and Li Qiang both complained during and after the trial that they had only been allowed to meet twice. Zhao also said he had been given only a few sheets of paper before the trial, even though the prosecution had prepared documents running to half a million words to support its case.

"Those are normal practices for other trials as well," Zhao said. "Lawyers have very few rights."

Li Jun said Zhao was the only Chongqing lawyer who dared to stand up for her father.

A person with knowledge of the case said Bo had visited Zhao

twice and threatened him to stay away. He said Bo warned Zhao that he had a daughter who should not be affected by his defence of gangsters.

"Zhao was told that even though he was old and might fear nothing, he still had a family to take care of," the source said, adding that Bo and Wang started to realise the power of lawyers after Li Qiang was only given a 20-year jail sentence rather than the death penalty faced by most other gang leaders.

Bo, one of China's most charismatic politicians and the son of a former state leader, became party secretary of Chongqing, a municipality of 30 million people, in 2007. Once there, he embarked on a series of spectacular campaigns to stay in the national limelight, including the staging of mass public gatherings to sing nostalgic, revolutionary songs and the heavy-handed crackdown on organised crime. He made Wang head of the municipality's public security bureau in March 2009 to lead the crackdown.

The campaigns appeared to be successful but Bo's plan started unravelling in February this year, when Wang fled to the US consulate in Chengdu (成都), the capital of neighbouring Sichuan (四川) province. Bo was removed as party secretary a month later and now faces trial for corruption and obstruction of justice in his wife's murder of British businessman Neil Heywood, which Wang helped cover up.

Wang has been jailed for 15 years. His victims and Chongqing police sources said he was a bigger criminal than those he pursued, and a man with contempt for human rights and the rule of law.

Two people who were asked to help the investigation said they perjured themselves after being put under pressure by police while in detention. One of them said the police told him that if he refused to commit perjury, they would arrest his wife. Another person said police had put two pieces of paper – an arrest warrant and a piece of written testimony – on a desk and said: "You have to pick one of these to sign."

Their testimony became part of the 240 volumes of case files that helped the police accuse Li

Qiang of creating disturbances and vandalism by hiring gangsters. Li Jun said the accusations against her father were not true and that the prosecution had told only half the story. She said some of the conflicts her father was blamed for were simply reactions to deliberate provocation by public transport companies.

During the trial, Zhao said the crime of creating disturbances should not be applied to Li's case because most of the evidence presented related to disputes with competitors.

Li Qiang was also accused of corruption in his dealings with municipal officials with prosecutors, giving the example of an official dealing with public complaints who had received about 10,000 yuan over a decade after becoming Li Qiang's friend in 1995. The official, Jiang Chunmei, was jailed for five months for conniving with gangs.

"Given the cultural context in China of gift giving as part of building a relationship, the small amount of money is really not a big deal but a label that the police stuck on people they wanted to jail," the businessman said.

Li Jun said that while in detention, her father had been forced to confess to offering Jiang 20,000 yuan in bribes "so he could get out of the chair". During his trial, Li Qiang disputed the amount of money given to Jiang.

The court imposed fines of more than 30 million yuan on Li and his company, but the police confiscated every fen the family had. Li Jun said even her grandmother's personal savings were confiscated. When a policewoman went to the bank to transfer the money to the police account, weeks before the trial, she did not even bother to fill in the amount on the form, simply writing "all".

Li Jun returned to China in June 2010, a year after her parents were labelled as gangsters.

"I wanted to come back earlier but I was afraid the police might use me as a hostage to coerce my parents," she said. The police told her parents during their detention that she had already returned and would be jailed if they did not confess to more crimes.



(From left) Li Jun, Li Qiang and his wife in a 1993 photograph and (above) the notice issued to the bank which said "all" of Li's wife's savings would be confiscated. Photos: Li Jun

\$36.95m
The fine, converted to Hong Kong dollars, imposed on Li Qiang and his company for corruption

FOCUS

LOCKED UP

for wearing a T-shirt



Illustration: Stephen Case

In the second part of our Revisiting Chongqing series, we meet the people punished harshly for even the smallest gesture of dissent against Bo Xilai

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On a two-hour flight from Beijing to Chongqing (重慶) early this month, Ren Jianyu (任建宇) spent most of the time with his face pressed against the window, watching the clouds streak past. At one point he murmured: "This is freedom."

The 25-year-old former village official was freed late last month after serving 15 months in a Chongqing labour camp for reposting numerous microblog comments criticising the policies of the southwestern municipality's former Communist Party boss, Bo Xilai (薄熙來).

In his more than four years in Chongqing, the now disgraced Bo introduced a series of political campaigns echoing Mao Zedong's (毛澤東) 10-year-long Cultural Revolution, which began in the mid-60s.

Under Bo, Chongqing's police, headed by Wang Lijun (王立軍), relied heavily on an old system of punishment known as *laojiao*, or re-education through labour, to incarcerate petty criminals and activists without trial.

Ren and many others thrown into labour camps as the authorities tried to muzzle dissent remember those years of "red terror" with loathing.

The police at first wanted to charge Ren with inciting subversion after he posted a photograph online showing him wearing a T-shirt bearing the words "Give me liberty or give me death".

"That was ridiculous," Ren said. "It was just a normal T-shirt from an online store."

But after spending more than a year in the labour camp, Ren said he had become more reticent.

The same "red terror" still haunts Xie Suming (謝蘇明), a 41-year-old factory owner who was arrested in late 2009 after he commented on a popular internet forum about a posting that Chongqing's highest officials might have connections with local businessmen.

His comment was less than 30 characters long. Police detained him and searched his house without a warrant.

Then he was sent to a labour camp for a year for "creating a disturbance" and "disturbing social order".

Xie told authorities: "Are you really going to send me to jail for a reply?" A police officer replied: "Don't blame us. It's Wang Lijun you should blame."

Xie is now afraid to talk to people using the mainland's mobile phone services, preferring to make most of his calls via Skype on an iPad that he carries every-

where. "They monitor all the calls we make," he said. "And I don't want to go back to that camp."

Xie moved to Guangdong after his release, not knowing whether he would ever return to Chongqing.

"People can so easily lose their freedom for ridiculous reasons," he said.

Tian Hongyuan, a 30-year-old former stock analyst who was packed off to a labour camp for two years in 2010 for joking in an online chat group that then vice-president Xi Jinping (習近平) was set to visit the city, said such treatment was just part of daily life for Chongqing residents.

Tian, who was preparing to get married, wrote the post on December 4 and was arrested two days later – when Xi actually did visit Chongqing. Police grilled him about the source of his information. He was strapped to a chair and tortured for nearly three days, kicked and punched by guards and denied sleep and water.

He said he was threatened and forced into "agonising positions" to make him divulge his source.

"I was afraid. I told them it was a joke but they just didn't believe it," Tian said. His fiancée broke up with him months after he was sent to the camp.

The labour camp system was

People like me just tried to stay alive and prayed that the wrongdoing would stop

REN JIANYU, JAILED MICROBLOGGER

introduced by the newly established communist regime in the 1950s to purge "counter-revolutionaries" and "class enemies". Police can impose sentences of up to four years without a court hearing.

Pu Zhiqiang (浦志強), a human rights lawyer, said that although *laojiao* was widely used by local governments across the mainland, Chongqing had made the most use of the system.

"Opposition views were anathema to Chongqing's rulers," he said. "Anyone could end up in a labour camp by saying something insignificant online."

Peng Hong (彭洪) still remembers the rainy October night three years ago when police knocked on his door at midnight to take him into custody. He had reposted an edited picture online, which implied that a top Chongqing official was involved in corruption.

"[The officers] all wore black raincoats," he said. "They frisked my wife [who was three months pregnant at the time], confiscated my computer and mobile phone, and took me to the police station."

He was later declared to have committed libel and sent to a labour camp for two years.

Peng blames his daughter's sickness when she was born on the pressure his wife was put under during her pregnancy.

Pu, the lawyer, said such abuses could be prevented if the labour camp system was re-

346

The number of re-education centres in 2006, according to the Laogai Research Foundation

to the unjust treatment they received.

The administration started to pay compensation in September, admitting that many of the punishments had been "misconducted".

Peng received about 110,000 yuan (HK\$135,000) in compensation for his two years in the labour camp – 166 yuan for every day he served. Others, however, were not placated by simple payouts. Xie said: "It was horrible. Who would want to stay in the camp for that amount of money?"

A police source with direct knowledge of some of the cases said Wang estimated in early 2009 that Chongqing, a sprawling municipality of 30 million people, had at least as many criminals as Beijing or Shanghai. "If we can't meet the assigned quota, then it means we are the 'protective umbrella' for the criminals," he quoted Wang as saying.

The police source said that in many cases, the families of innocent victims suffered greatly.

Ren said the violence inflicted by Bo and Wang had left a profound legacy on the people of Chongqing.

"During the past five years, people like me just tried to stay alive and prayed that the wrongdoing would stop," he said.

"We didn't dare fight against those in power and had to wait for so long to seek justice for ourselves. The past is like a gaping wound and it may take a long time to heal."



Disgraced Chongqing party chief Bo Xilai (above) and his former head of police Wang Lijun (left). Prisoners perform manual labour in Chongqing. Photos: Reuters, SCMP Pictures



FOCUS

Illustration: Henry Wong

Trying to escape Bo Xilai's shadow

In the third part of our four-part series Revisiting Chongqing, victims of Bo's crackdown recall a time that has left them with scars they still bear

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Despite being tortured for 37 days in a Chongqing (重慶) motel room, businessman Chen Guixue (陳貴學) remained defiant.

"This is illegal. The government has policy and law," he told the police who were tormenting him during former Chongqing Communist Party secretary Bo Xilai's (薄熙來) crackdown on organised crime.

Chen said the police replied that Bo was the policy and that his police chief, Wang Lijun (王立軍), was the law.

"Don't you realise that our secretary, Bo, will become the president in the future, and that our police chief Wang will become minister Wang," they said. "But you may not live to see that, you zombie. You're going to die if you don't confess."

Chen, now 58, incontinent and suffering from a host of health problems attributed to the abuse he suffered in detention, was arrested on December 23, 2010. The next day, he said, there were many times when he thought he was about to die.

More than 20 police forced him into the motel room without showing any legal documentation. They cut off his clothes, leaving only his underpants and a T-shirt, and poured cold water on him, from head to foot. They turned the air conditioner to its coldest setting, stood in a circle around him and began beating him. At one stage, two police officers held him against a wall as others kicked his legs to force him to do the splits – tearing his groin muscle. Other forms of torture he endured were being hung by his wrists, having the soles of his feet beaten and being subjected to electric shocks.

The police said there was nothing he could do to protect family members who had also been arrested. "I could sleep with

your wife in front of you and you couldn't do anything about it," one officer told him.

Speaking in Chongqing earlier this month, Chen said he was then shackled to a metal chair and the police beat his manacles, leaving bruises that are still visible two years later. He was forced to confess to paying former Chongqing mayor Wang Hongju (王鴻舉) 2 million yuan in bribes.

Interviews with other victims of Bo's crackdown show that the use of torture to extract confessions was an unsavoury feature of his Chongqing model of social and economic policies which his administration pursued for more than four years. It was notable for its emphasis on infrastructure upgrades, affordable housing and rapid growth, but also for its anti-triad campaign and the encouragement of mass singalongs of revolutionary-era songs.

The man who replaced Bo as

the southwestern municipality's party chief following his sacking in March, Vice-Premier Zhang Dejiang (張德江), said at the party's national congress last month that the Chongqing model never existed. Sun Zhengcai (孫政才), a rising political star who took over from Zhang right after the congress as the new party chief, vowed that the new government would protect the interests of private business and create a suitable environment in Chongqing in which businessmen, many of whom fell victim to Bo and Wang's anti-triad campaign, could thrive.

Beijing Institute of Technology law professor Xu Xin (徐昕), who used to work at Chongqing's Southwest University of Political Science and Law, said it was important to look at the whole political management system that made such a system possible.

"It's a model that lets those

with power do things arbitrarily," Xu said.

The unbridled power of local officials cows those they target.

One woman, a lower-level city official who was sentenced to 18 months' jail in 2009 during the anti-triad campaign, said she had dared to file an appeal only last month, following Bo's downfall in March. "If Bo and Wang [Lijun] were still ruling the city, I would not have filed the appeal," she said. "It would have been useless anyway."

She suffers from headaches whenever she thinks about her

time in detention and has asked a court to order her reinstatement and monetary compensation.

But many former detainees, including Chen, say they just feel fortunate to be alive and want no more at the moment. Chen said he would wait until the political outlook became more certain before filing an appeal.

"Let me wait for the decision on Bo first," he said. "I've been waiting for two years, and I don't mind waiting a bit longer."

The Bo scandal surfaced when Wang Lijun attempted to seek asylum at the US consulate in Chengdu (成都), Sichuan (四川), in February. Since then it has seen Bo's wife, Gu Kailai (谷開來), jailed for the murder of a British businessman, and has metastasized into a full-blown political crisis, with Beijing still trying to figure out how to resolve it.

Sources say that more than 2,000 Chongqing police officers who were sidelined by Wang Lijun have appealed for their cases to be re-examined, with about half reinstated or their cases under review. A senior police source in Chongqing said if the authorities publicly announced they were reviewing cases dating back to Bo's time in charge of the municipality, tens of thousands of people would file appeals.

"It is very important to seek truth from facts, and that includes telling the public everything Bo did in Chongqing without any hesitation," said Lei Yi (雷毅), a historian with the Chinese Academy of Social Sciences.

"Covering up the facts for political reasons could create a hidden danger."

Li Zhuang (李莊), a former lawyer who was jailed for fabricating evidence in his defence of an alleged triad boss in 2010, said victims had a responsibility to stand up and reveal the ugly, dark side of Chongqing under Bo.

"I will become a criminal in history if I do not tell the story," Li said. "It's important to rule the country by law because that could regulate people and power."

Li's case attracted a great deal

5,700

The number of arrests in Chongqing during Bo Xilai's crackdown, according to media reports

Chongqing is not the only place that has fallen under the rule of men

HE BING, ACADEMIC



Chongqing businessman Chen Guixue shows the bruises which he says were left after his beating at the hands of police sent by Bo Xilai. Photos: SCMP Pictures

of attention from China's legal community because it highlighted concerns among many lawyers that the Chongqing government was trampling on legal procedure in its zealous crackdown on criminal gangs. Li Zhuang spend 18 months behind bars and is pursuing an appeal against his conviction.

Mainland officials insist that the Bo scandal – the biggest political scandal in decades – was a rare aberration, but the problem may be more widespread.

He Bing (何兵), from the Chinese University of Political Science and Law, said it highlighted the problem that after decades of opening up, the mainland was still governed by the rule of men, rather than the rule of law.

"Chongqing is not the only place that has fallen under the rule of men," he said. "Many local heads would be more than happy to destroy the rule of law, so that they can do whatever they want."

In late 2007, when Bo succeeded Wang Yang (汪洋) in Chongqing, most political analysts believed his new posting would become a springboard for a triumphant return to Beijing, and possibly membership of the party's supreme Politburo Standing Committee. He tried hard to stay in the national limelight, using methods reminiscent of political campaigns in the time of Mao Zedong (毛澤東) that later evolved into what became known as the Chongqing model.

Chen Youxi (陳有西), a prominent lawyer, said that what happened in Chongqing offered a profound lesson for the rest of the country.

"It's important to prompt nationwide soul-searching about what really happened in Chongqing," he said.

"The soil of the Cultural Revolution can still be found in China and the Chongqing tragedy could also happen in other places. The way it fixes the problems in Chongqing can be seen as an indication of the government's view of the country's legal system."