

# Anti-China witch-hunt: Harvard chemistry professor convicted for lying to federal authorities

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On Tuesday, a federal jury in Boston convicted Harvard University professor Charles Lieber, former chair of Harvard's Department of Chemistry and Chemical Biology, of lying to federal authorities and reporting fraudulent tax information, actions the Department of Justice (DOJ) claimed were meant to conceal his close connections to China.

The 62-year-old Lieber, along with two Chinese nationals, had been indicted in three separate counts on January 2020 on charges in connection to "aiding the People's Republic of China," according to a statement that was released by the DOJ's Office of Public Affairs. These were not, however, the charges on which he was tried and convicted.

Lieber was found guilty of two counts of making false statements to federal authorities, two counts of making and subscribing a false income tax return and two counts of failing to file reports of foreign bank and financial accounts with the Internal Revenue Service.

The DOJ's allegations cited court documents demonstrating that since 2008, Dr. Lieber received more than \$15 million in grant funding from the National Institutes of Health (NIH) and Department of Defense (DOD). According to authorities, possession of these grants required "disclosure of significant foreign financial conflicts of interests, including financial support from foreign governments or foreign entities." A charge of making false statements carries a maximum sentence of five years in prison.

The jury found that Lieber had lied to federal authorities and to Harvard about his affiliation with the Wuhan University of Technology in China and a contract he had with a Chinese talent recruitment plan to attract high-level scientists to the country. Lieber was a contractual participant in China's Thousand Talents Plan from about 2012 to 2017. This is one of the China's most prominent research programs, designed to attract and recruit high-level scientists to further the interests of the country's scientific, economic

and national security apparatuses.

The central issue in the case was the joint venture that Dr. Lieber launched in 2011 with the Wuhan University of Technology, where one of his former students had taken a post. Outside employment is standard for high-level researchers, who often contract with private sector firms or universities overseas for part of the academic year. Dr. Lieber was given a three-year contract by the Wuhan university in 2012, in an email which was displayed to the jury by prosecutors. The contract entitled him to \$50,000 a month, plus about \$150,000 in living expenses and more than \$1.5 million for a laboratory, called the WUT-Harvard Joint Nano Key Laboratory.

In 2018, as the China initiative got underway, investigators from the Department of Defense and the National Institutes of Health questioned Dr. Lieber as to whether he had taken part in the Thousand Talents programs. Jurors heard from a series of witnesses who said that in both instances, Dr. Lieber had denied participating. They also watched video clips from an FBI interrogation, conducted on January 28, 2020, the morning Dr. Lieber was arrested at 6:30 a.m. at his office at Harvard.

After initially asking for a lawyer, Dr. Lieber went on to answer the agents' questions for about three hours, denying having ever received income from the Wuhan university or participating in the Chinese recruitment program. Then the agents produced a series of documents, including contracts from 2011 and 2012. The professor then backpedaled and made the admission, "I should pay more attention to what I'm signing ... Now that you bring it up, yes, I do remember," according to investigators.

The researcher explained his financial arrangements with the Wuhan university to the federal agents. A portion of his salary was deposited in a Chinese bank account and the remainder—an amount he estimated as between \$50,000 and \$100,000—was paid in \$100 bills, which he carried home in his luggage. "They would give me a package, a brown thing

with some Chinese characters on it, I would throw it in my bag,” he said. After returning home, he said, “I didn’t declare it, and that’s illegal.”

Dr. Lieber also acknowledged that he “wasn’t completely transparent by any stretch of the imagination” when he was questioned by DOD investigators in 2018 and knew charges could be filed against him. “I was scared of being arrested, like I am now,” he added. As the jury prepared to deliberate, Jason Casey, an assistant US attorney, told jurors to remember Dr. Lieber’s demeanor in the FBI interview. Casey demanded them to “use your common sense.”

The prosecutor went on to say, “it’s not that the defendant has no memory. He does not want to remember because he knows that he agreed to that contract, that he participated in the Thousand Talents program, that he took bags of cash on an airplane and never reported them to the I.R.S.”

In an article announcing the conviction of Lieber, the *New York Times* called the verdict a “victory” for the so-called “China Initiative,” a viciously anti-China program that was concocted in November 2018 by the Trump administration and Attorney General Jeff Sessions and led by the Department of Justice’s National Security Division. The program has been aimed at curtailing supposed “Chinese espionage against the United States.”

Over the past summer, half a dozen cases under the “China Initiative” were dismissed, while the first case to reach the trial stage, against University of Tennessee researcher Anming Hu, ended in acquittal. Lieber’s trial was watched closely in scientific circles as an indicator of whether the Justice Department will proceed with prosecutions of other researchers. Dozens of similar cases have opened up against academic researchers, with most, like the case against Dr. Lieber, not alleging espionage or intellectual property theft, but failure to disclose Chinese funding.

Among the scores of researchers who have been investigated and prosecuted for their ties with China, Dr. Lieber is recognized as the most prominent. In addition to his academic position at Harvard, Dr. Lieber was a leading international authority on nanoscience and nanotechnology with a large body of published research. Lieber is listed as the principal inventor on over fifty US patents and applications of nanotechnology and nanodevices in materials and biology.

While Lieber admitted to tax evasion and evidently sought to conceal it from federal agents, there is no evidence that he engaged in anything related to espionage or provided China with sensitive military information.

In closing arguments on Tuesday’s trial hearing, Dr. Lieber’s lawyer, Marc Mukasey, declared the government had little or no credible evidence that the professor engaged in wrongdoing.

Mukasey also raised warnings of the ominous implications for scientific discourse involved in the case. “Isn’t it troubling that nobody in this courtroom has explained what the Thousand Talents Plan is and who is in it?” he said. “Isn’t it troubling that Dr. Lieber’s work was all public, was for the benefit of the world, yet he is facing criminal charges for it?” He added, “No villains, no victims, no one got robbed, no one got rich, but over a few seconds of conversation—Special Agent Mousseau called it a blip on the radar—the world’s greatest nanoscientist is facing multiple felonies.”

Although a guilty verdict has been handed down, with a sentencing date for Dr. Lieber still waiting to be determined, there is no doubt that the persecution of the renowned Harvard professor is bound up with the geopolitical interests of America’s ruling class, who see China’s increasingly sophisticated scientific technology and research development as an existential threat to US imperialism’s global hegemony.

The persecution of Lieber is meant to foster an atmosphere of intimidation among academics and researchers who participate in scientific projects with their Chinese colleagues. The military-intelligence apparatus seeks to browbeat American scientists with threats that scientists can be fired from their tenured positions, face criminal prosecution, or have their immigration status revoked if they collaborate with their Chinese counterparts.

The threat of persecution undoubtedly played a role in the case of Dr. Lieber, who chose to conceal his affiliation with China in order to avoid being a target of the xenophobic witch-hunt that’s been launched by the US government against researchers. Peter Zeidenberg, a Washington D.C. lawyer who is representing some of the dozens of researchers who are under similar investigations, said Dr. Lieber’s case was notable because he denied his participation in the Chinese program while being questioned by authorities.

“The reason people like Lieber lie is because they are afraid,” Zeidenberg said. “It’s really sad. They are afraid to answer truthfully, ‘Are you a member of the talent program?’ I’m sure during the Red Scare, people said they were not a member of the Communist Party.”



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