

HAN DONGFANG

## CHINESE LABOUR STRUGGLES

*How would you describe your family background?*

I WAS BORN IN Beijing, but my family is from the province of Shanxi. We came from an extremely poor area in the Taihang mountain range, where my parents were peasants. In the early 1950s, however, my mother came to Beijing when the husband of her elder sister moved there as an official, to work in their home and help look after their children. So I was born there in 1963. Soon afterwards my parents divorced. When I was three, the Cultural Revolution broke out and we were sent back to the village, where we spent the next five years. Everyone went hungry. People assume it was the peasants who had the hardest time, but we had come to the country from the city, and therefore did not receive even the small food allowance given to those officially registered in the village. Relatives helped us survive, and I started primary school there. In 1971 we went back to Beijing, where my mother got a job as a construction worker. We were dirt poor, and the work was extremely hard. The building sites were all over Beijing, but to save money, she wouldn't take a bus. Virtually every morning she used to leave home around six o'clock, and wouldn't get back till nine or ten in the evening. That was the life of a construction worker in the 1970s.

Coming from the countryside, I had to repeat a year of primary school and found life at school very tough, as a village boy who didn't speak proper Mandarin and stubbornly refused to learn it. But I continued through elementary, middle and high school in Beijing. On graduating in 1980, when I was seventeen, I joined the army. Everyone is supposed

to do military service, but this isn't how it works out in reality. In practice, I volunteered. Why? I clung to a dream. I hadn't been able to square my experience of school with the idea of people living in harmony under communism. Like many other young people of my generation, I very much admired Lei Feng, the soldier officially celebrated since the 1960s for his concern for others, and joined the PLA hoping to follow his example.

*How long were you in the army?*

I served three years in the Beijing area, in a detachment of military police assigned to guard the prisons of the region. Within six months, I had become known as a model soldier; in fact, when I was eventually arrested, one of the prison officers immediately remembered me, as we had served in the same unit. I was put in charge of a squad and could have made a career in the PLA simply by following orders. But I became disillusioned with the corruption of the officers, and began increasingly to question the orders I received. So I was passed over for promotion, and repeated applications to join the Party were turned down. After I left the army, I briefly worked in the library of Beijing Normal University before being offered a job on the railways in 1984. There I was trained as an electrician, controlling the temperature on refrigerated trains used for transporting meat, fruit and vegetables from one region to another. I got to travel around the country a great deal, which had always been a childhood dream.

*How did you get involved in the movement of 1989?*

On New Year's Day in 1987, a friend who worked at the *Beijing Daily* told me there was a student protest in Tiananmen Square. I was living in an alley opposite the paper, a few blocks east of the Square, so we went off to take a look. It was a really cold evening, and there were two or three hundred students holding banners with slogans such as 'We support the Communist Party', 'Fight Corruption', and 'Support Reform Policies'. Foreign reporters were filming the scene—there were also police cars and cameras. The students were just entering the largely empty square from the north-west to cross it towards its north-east end, when I saw the police pushing the TV cameras around, and then between fifty and a hundred policemen charged the students and began to beat and kick them, dragging several away and throwing them into police cars. This was probably the last straw for me: all my illusions collapsed.

My involvement in 1989 was really an accident. My work on the railway took me out of Beijing a lot—we would spend a month or more away, and then have three weeks' leave. It was during one of these periods that my wife and I went past Tiananmen Square on a bus. Someone mentioned that people were gathering on the square and my wife, who is a very curious person, insisted we go and have a look. This was on 16th April, the very first day of the movement, and there was very little happening—two or three hundred students were discussing why Hu Yaobang died, how there was no internal democracy, what democracy is, and so on. I began to talk to people there, and it was the first time I had heard serious discussion of democracy as something with an independent meaning: it had always been incorporated into other concepts, such as 'democracy under the proletarian dictatorship'. Of course, I knew what the word meant—the Chinese *min zhu* translates as 'the people are the master'. I joined in the discussion there and then. I tried to interpret it in my way, to make this general idea of democracy, which I did not understand at all, apply to my life. I said that we should think about workplace democracy, about control over management and profits. Because I lived close to Tiananmen Square, I had a lot of discussions with people there and became part of the demonstrations. It was a place where I was being educated as well as communicating with people—collectively. It had something of the feel of a festival.

*How did the idea of setting up an independent trade union come about?*

The union was created on the evening of 19th May, right after Li Peng declared martial law. A group of teachers and workers from state enterprises were trying to get together to appoint stewards in the Square. Early on the morning of the 20th, I think, I arrived at the north-west corner of the square and saw their banner. I just walked in.

I talked to various people, especially Li Jinjin, who was doing a PhD on the Constitution at the law school in Beijing University. I asked him several questions, because I was not a well-educated person, but really wanted to make sure this independent union would have a solid legal basis. He told me that according to the Constitution, we *did* have the right to demonstrate and to freedom of association. So I said I wanted to join, but was told there was as yet no organizational structure—people had just been getting together to protect the students. We discussed how to form a structure for this workers' organization, under the already existing

banner of the Beijing Workers' Autonomous Union. We set up a preparatory committee and held elections—those running for election gave a speech to the 50 to 100 people who were there, and voting was done by a show of hands. I was one of five people elected as committee members, and was then appointed as a spokesperson for the committee.

*Were you in touch with workers in big factories in the city?*

There were huge popular demonstrations in the second half of May—on the 17th, 23rd and 28th, in which very many workers rolled into the Square from different factories with their trucks and banners. But when we approached them asking if they wanted to join our organization, they would step back, saying they were just there to support the students—they didn't want complications. This was to some extent a hangover of fears dating from the Cultural Revolution—being part of a counter-revolutionary organization was far worse than being declared a counter-revolutionary individual, so people would rather join demonstrations as individuals and not take responsibility. On 1st or 2nd June Wang Chaohua and several other students came over to our tent for discussions. They said the student mobilization was losing momentum, and wanted to see how workers could be organized. This was the first time students had talked with us about this, and I was very encouraged. But our fledgling organization lacked strength. So I suggested that instead of talking to workers in the street, the students, who were already organized, should send teams to several different factories to talk to the workers and discuss how they could organize themselves. We would accompany them, but didn't have the capacity to do this by ourselves. Later that evening we all went to Beijing University to set up a meeting with some students, and I stayed there overnight. The next morning we went back to the square, and heard that an army car had run people over the previous night, and soon the disaster occurred.

*You mentioned the fear stemming from the Cultural Revolution. But did the workers not also have a sense that, as the Constitution of the PRC then declared, they were the masters of the country?*

Yes, I absolutely agree. The reason the workers came out onto the streets was to provide moral support for the students, like a big brother, but there was nothing in particular they wanted for themselves. When we asked factory workers, they said they wanted the government to treat the

students better—and nothing more. Even when we got organized and drafted our charter, we wrote in a very general way; there was nothing as concrete as benefits, salaries, working hours or collective bargaining, though we did mention factory democracy, if I remember correctly. Politically and socially, we had never had the chance to be ourselves, as individuals or even as working-class people; we had not been able to base our thinking on what we needed. We were trying to make a leap, but it was our first leap, and we didn't know how.

*Were you in contact with your workmates at all during this period?*

At that time, no. The only contact I had with my colleagues was when some of them came to Tiananmen Square to warn me that representatives from the railway would come and ask me to return; they said I should refuse, that it was a trap. Sure enough, I was visited by people from the railway company and its security section, who offered to protect me by putting me on a train for six months, away from Beijing. I thought they were treating me like a child, but politely thanked them, and said I had a duty to fulfil. I was elected as a committee member, I was a spokesperson—I had to keep speaking. I would probably end up in prison, but this was something I had to accept. When they told me I might be executed rather than imprisoned, I actually felt a kind of elation: it would be alright to die like this, I thought—and doubtless many students thought the same thing. Dreams of heroism were in the air.

*Where were you when the repression came on June 4th?*

I arrived back in Tiananmen Square in the afternoon of June 3rd on foot, because there was no public transport. For the previous few days there had been rumours about the army moving in, and I was trying to calm people down—I kept saying that I had done time in the army, and didn't believe well-trained soldiers whose moral understanding was they should serve the people would fire on their fellow citizens. On one level I really believed this, but in another part of my mind I thought they might attack, but if they did so it would be with rubber bullets, tear gas or water-cannon. I didn't know for sure that they had such equipment—the Chinese official supposedly responsible for human rights, Zhu Muzhi, later claimed that the troops did not have rubber bullets, so 'had no choice' but to use live ammunition on the demonstrators. I simply

thought, as a matter of principle, that soldiers such as I had been would not carry out orders to fire live rounds at civilians.

By evening I was incredibly tired—I hadn't slept properly for days—and went to sleep in my tent. I was woken up by Robin Munro from Amnesty International, who was there to observe the occupation of the Square. He was very nervous, and warned me to be careful. We talked for two hours or so, before I said I was too tired to continue, and he left. I had just fallen asleep when someone woke me up saying they had started shooting—with real bullets. I couldn't believe it. I walked out of my tent and saw these pink lines in the sky—rubber bullets would not make that colour. For a moment I thought it could be a sign that they were shooting into the air, rather than at people, but then I told myself to stop being so naïve. Others were asking me what to do, the police were breaking into the square. I didn't know what to say, my mind had gone completely blank. I just walked back to my tent, physically exhausted, unable to think, watching people running out and in, trying to burn documents. I was completely lost.

At around 11.30 pm on June 3rd, a group of fifteen or twenty young people arrived looking for me. My comrades tried to push them out, but they just broke in, saying I had to go with them, that there was going to be a bloody massacre here. Without saying who they were, they insisted I should not stay, and mentioned *Solidarność*, comparing me to Lech Wałęsa. Of course, I was flattered to be accorded such importance, but I didn't think my life was more valuable than anyone else's. Besides, it would be shameful for me to run away. I told them I was staying. Eventually the young people left, but returned five minutes later and one of them said: 'Excuse me, but I'm afraid you have to go with us. That's our mission, your destiny'. A very strong fellow gestured to the others, and several of them just picked me up and physically carried me out of the tent. Then they walked me to the east side of the square—the army came from the west—surrounding me to protect me from bullets. It was an extremely touching moment. In the north-west corner we saw a burning tank. We went past the Public Security headquarters, and then the Beijing Hotel, where I saw a man riding a bicycle eastwards with one arm, the other bleeding copiously. By this time it was around one in the morning. When we reached the Dongdan intersection on Chang'an Avenue, near where I lived, they said: 'Alright, now leave the city. We have to go back to the square to protect some other people'—and then

they disappeared. I never found out what happened to them, whether they survived in the square, were injured or went to prison.

*What did you do next?*

I got my bicycle and rode out of Beijing, into Hebei province. My plan—like everything else I did, it was naïve, considering I was 25 years old by then—was to disappear for a year or two, travelling south by bicycle, talking to peasants and workers wherever I went. I didn't have any money, but thought I could track down student leaders in cities I passed through—since I thought there must be student organizations everywhere—and ask them for help. I would study what was happening in society, get to know the lives of people in factories and villages, and so be better equipped to help present a real challenge to the Communist Party. For I felt embarrassed to be the spokesman for a workers' organization that the workers themselves didn't recognize. It was a nightmare for me when reporters would ask me in the Square, 'How many affiliates do you have? How many members?'. I knew that when we approached workers on mass demonstrations, they denied we were any kind of organization representing them. Nobody had followed us, nobody had supported us.

For a few days I wandered through the countryside, sleeping out in the fields. I remember a conversation with a farmer looking after his watermelons, asking him about his life, his income, what he really wanted, and trying to talk to him about democracy, the need for a genuinely elected government—things I had learnt just in the last month—and I realized that he did not have that many complaints about the Communist Party. Then, in a town one day I found myself watching a tv monitor, and suddenly, one after another, pictures of the twenty-one most wanted student leaders appeared on it, many of whom I recognized. Then my picture appeared too. It suddenly felt as if my universe had fallen apart. Of course I knew my situation was serious, but hadn't imagined it could come to this. Having thought I could go around the country talking to people, discussing with students in Zhengzhou or Nanjing, I now realized this was impossible. I felt as if everyone was watching me. Pulling my straw hat down over my face, I took off on my bicycle, heading nowhere. It was very hot, and feeling sleepy, when I came to a river bank with some shade I lay down beside it. There I started thinking about what to do. Should I just keep running? Then I remembered the speech I had made

when standing for election in Tiananmen Square. I had given my name and personal details, so that everyone would know who I was, and that they could trust me; after that, I had said we had legal grounds for what we were doing, and that if one day we were put on trial, we would have a good defence. But if we had to go to jail, I would be the first to go—and I would not let anyone arrest me, I would walk voluntarily into the prison myself. I had been loudly cheered. Now, I thought, I faced a choice: I could try to escape, swallowing the words I had said in front of these people, and be branded a liar—and that would be the end of my political life. Or I could keep my promise.

So I decided to go back to Beijing. Hurrying along, asking people for directions—I didn't know exactly where I was—I rode towards the city. My great fear was that I might be arrested before I could get to Beijing. I remember crossing a bridge over a river, with guardhouses at either end, and uniformed police sitting outside them. I went past them very slowly, whistling casually, and had gone about 30 metres when they called out for me to stop. They asked where I was from, and got very animated when I said Beijing. I told them I was unable to go to work because of the chaos there, and had decided to return to my village for a few weeks. I pretended I was lost, and asked them the way to Shanxi. Suspicious of my travelling by bicycle, rather than by train or bus, they accused me of being a student who had fled Beijing, and asked to see my ID card. For some reason I had hidden it in my shoes, but said I didn't have it with me, and made up a name when they asked me. They took me to a yard, asked me to empty my bag and searched me. Then they made me undress and stand in the corner, and kicked me. At this point I decided to preserve my dignity, and told them they should treat me with respect. I was a normal citizen, I had done nothing wrong. And did they want to search my shoes—or even just shoot me?

They had calmed down by this point, and told me to put my shoes and clothes back on, and sit down. But one of them was looking at a little handbook, his eyes moving from me to one page, and then to another. 'This looks like him', he said, reading out the description. The other one said 'Stand up', and they compared my height with the particulars in the book. Luckily they didn't quite match, and I had cut my hair very short. So the other said, 'That's not him', and they eventually told me to pack my things and leave. I had ridden 10 metres away, when I turned around, going back to ask them for a chit to prove that I had been okayed, in case I was stopped



at other checkpoints. The policeman who had said I definitely didn't match the descriptions replied, 'You know what, just run and save your ass'. I'm pretty sure he knew who I was, and had helped me through.

*You got back to Beijing safely?*

Yes, I arrived on my bicycle without further difficulty. In Tiananmen Square I saw soldiers with guns, and thought with pride of what I was about to do. In front of the Public Security headquarters, I walked up to a soldier and said, 'I am Han Dongfang, I gather the Public Security Bureau are looking for me.' He just took two steps back—he was a very young boy—and said, 'Which department are you looking for?' I said, 'No, it's not which department I'm looking for, it's Public Security that's looking for me'. He merely replied: 'Go to reception, and get registered'. For a second I began to regret my decision. I thought I had become famous, but no one had recognized me, even when I gave my name; I could easily still run away. But then I was approached by someone coming down the stairs who clearly did know my face, and I remembered that this was not just about myself, but about the whole movement. It turned out this was one of the security officials who had been present on May 28th or 29th when I and others from our organization had negotiated the release of three workers who had been arrested in the Square. He said: 'So you came in to give yourself up. What a wise decision—it'll save your life'. I replied, 'What do you mean—"give myself up?" I'm here to be responsible for what I did, because I believe what we did was absolutely right. Please get the soldiers to record that I have not given myself up.'

I had raised my voice, and by now there were a few onlookers in the reception area. He asked me not to create a scene, but to go quietly with him into the building, where he took me to a room and gave me tea. Half an hour later, another three or four plain-clothesmen came in and took me away through a back door into a car. We drove out past Dongdan, by my home, and I asked if I could speak to my family or pick up some clothes. They just said 'Where do you think you are?'—and took me to the Paoju detention centre. There I was stripped and searched by two young armed policemen, who poured vicious abuse on me. When I said, 'Why don't you just beat or shoot me then?', the plain-clothesmen told them to leave me alone. To me they said, 'Now you know where you are, you'd better behave. You're not in charge. We can do what we want next time.' Then they took me to a cell.

*How soon were you tried after that?*

There was no trial. There was continuous interrogation. For the first ten days or so they focused relentlessly on one aim: getting me to say that I had given myself up—which of course I denied. They showed me newspaper reports of executions in Zhengzhou, Shanghai and Beijing, comparing me, for instance, with a man who was condemned to death for burning a truck. They said I could be shot a thousand times over for the damage I had caused, but that I had a golden opportunity to save my life—I just had to say I had given myself up. They kept me awake day and night—I slept no more than an hour each day. The worst was when they would get me up at midnight and bring me into a small, very brightly lit room. I would be put in a corner and cross-examined by people who were behind the light—I couldn't see their faces, but could hear their voices. I could see a little red dot in the corner of the room which I was sure was a camera.

They just wanted me to say that I knew I had been wrong, and therefore had given myself up. Each time all I wanted was an hour of sleep, until the longing became truly desperate: counting the minutes, telling myself I must hang on for just one more before giving in, was really tough. In the end, one morning they said they had tried their best to save me, but that I didn't know the value of life. 'One day soon you will face a bullet, and we hope you remember us then'. I thanked them, and asked if I could go back to sleep. 'Yes, now you can go to sleep forever'. So on the one hand, I had achieved a certain dignity. But on the other, life was about to vanish. It was a kind of emptiness that terrified me. I went back to sleep, and woke up haunted by guilt at not having been better to my own family, and because I no longer had any chance to express regrets to them before dying. For a month, I expected every day that the door would open and I would be called out to be killed. From a journalist friend I knew how executions were done in China. The final humiliation is to make you kneel down and face the earth, in front of a hole that has been dug in the ground. Then you are shot in the back and pushed into the hole. This moment before you die, when you have to kneel on the ground, about to be killed, was the most painful of all thoughts to me. I began to imagine how I would escape from this position. Eventually I decided I would bolt as soon as I got out of the police car in which I was being taken to be executed, so they would have to shoot me while I was running. Or else I imagined that, if they caught me, they would have

to hold me down and shoot me while I struggled and shouted against them. After forming this plan I was calmer: I felt ready to die, and bore myself more firmly in the detention centre. My attitude of standing up to this whole killing machine earned me respect from the prison guards. Nobody ever touched me or beat me physically while I was in prison, although in due course I was tortured in other ways.

After a while I was put in a cell with twenty prisoners, all of whom had tuberculosis; some also had liver problems or skin conditions. These people really looked terrible—they were all coughing blood. The deputy chief of the prison, before putting me in this cell, told me he respected me a great deal, but that I was going too far; didn't I know what co-operation meant? By then my only fear was of getting sick, and not living long enough to see the Communist Party fall. In the cell I contracted tuberculosis, and received no proper treatment. I was there for about nine months, till the spring of 1990. Then I was moved to Beijing First Prison in Banbuqiao, until the Public Security Bureau decided to build an apartment compound for its employees there, when all the prisoners there were transferred to Qincheng, in the northern suburbs. Several times I went on hunger strike, and came really close to dying. I couldn't do anything on my own, and eventually had to be fed. One day some people from the prosecutor's office in Beijing came into my cell—I had by this time been moved to Qincheng—and said they wanted to question me. I was too weak even to speak, so the other prisoners asked them to bring a pen and paper. I wrote that if they wanted to complete my case before I died, they should send me to hospital. They were so shocked, they just went away. But an hour later the prison authorities came and cut my hair, moved me out of the cell and put me on a drip for a day to make me stronger. They then sent me to a major hospital, where I stayed for two weeks and recovered a little.

My family was asked to sign papers for my release in the spring of 1991, but was not told about my illness. They thought I would be able to go for walks in the park, but I couldn't stand up, or string a full sentence together. I weighed 90 pounds. Even the military hospital couldn't diagnose my condition. My right lung was so badly damaged that it was like a piece of rock—nothing went in or out, so no bacteria showed up in any of the X-rays. A doctor from the Boston-based NGO Physicians for Human Rights, who had flown over to Beijing, looked at one of my X-rays and said he had never seen a case of tuberculosis infect a whole lung in this way. I was on medication for a year and a half, and then I was told the lung would

have to be removed—otherwise, my heart would be affected. The AFL-CIO organized the operation for me at Columbia University Medical Center, and I got a visa to go to New York in the autumn of 1992. My friends told me that I should have the operation in Beijing, since if I left China I would never be allowed to return. I told them I knew what I was doing—I didn't want any medical accidents—and said I would be back within a year.

One year later, I did come back. I didn't tell anyone, not even my wife. I flew from Boston to Helsinki to give a speech at a conference of international public-sector trade unions, and bought a one-way ticket from there to Hong Kong. Nobody knew I was coming, I just arrived. On landing I called Robin Munro, who was very surprised to hear me, but picked me up and hid me on Lantau Island. After a week my Hong Kong tourist visa expired, so a Hong Kong friend and I took a boat to a little town on the border. We chose a place with just a police checkpoint but no computer, since I figured—correctly, as it turned out—that a computer would remember my name, but a policeman wouldn't. Everything went as planned. Once across the frontier, we went by bus and taxi straight to Guangzhou airport. But all the flights to Beijing for that day were sold out, so my friend suggested we check into an expensive hotel, which would undoubtedly have a way of getting tickets for their guests. So we went to the Orient Hotel, which I learnt afterwards is controlled by the Public Security Bureau. At around 4.30 the next morning, there was a knock on the door, and a group of policemen burst in and arrested me. That afternoon they sent me back to Hong Kong via the Luohu bridge in Shenzhen.

*After you were returned to Hong Kong, did you begin organizational work fairly quickly?*

During the first two months, I tried several times to get back into China—after all, it is my country, I was born and grew up there and have a Chinese passport. Each time I was turned back, on one occasion being physically grabbed halfway across the bridge, and thrown back to the other side. But then I realized it wasn't my job simply to make the Chinese government look bad by trying to cross the border every two weeks surrounded by reporters. I had to go back to my original purpose, which was to help create a workers' movement. So in March 1994 I started the China Labour Bulletin. The aim was to produce a weekly paper that would talk about what was happening in China, describing the lives of workers, and explaining the idea of trade-union organizing

to them. The concept was essentially an educational one. Based in Hong Kong, the Bulletin would face two ways, with one edition published in Chinese and another in English. Because of the amount of work involved, especially in the translations, it gradually turned into a monthly. We would send the English version out to trade union organizations abroad, and the Chinese version to factories in the PRC. You can buy a directory of mainland factories, updated annually, in Hong Kong bookstores, which contains around 100,000 addresses. We would send the Bulletin out in an exploratory sort of way, to different plants selected from it. We would address the Bulletin to the trade union office in the factory, though I knew this meant it would often, if not always, end up in the local police station. But I didn't mind that—police officers need educating most. After 1999 or 2000, we stopped printing the Bulletin and switched to a purely online version, an e-newsletter. We find it's more attractive, and reaches more people. There's also the fact that we can put transcripts of conversations with workers from my radio programme straight online and send them out, together with my commentary on the cases in question. You can check it out: [www.china-labour.org.hk](http://www.china-labour.org.hk).

*What about your radio programme, Labour Express?*

I started doing a programme on Radio Free Asia in March 1997, shortly before the handover of Hong Kong by the British to the PRC. They gave me airtime twice a week to comment on Chinese labour matters; but after a few months of this—at the end of 1997—I told them I couldn't continue to talk about Chinese workers without talking to them. I was losing touch, my ideas were drying up. I suggested I give out a telephone number so that my audience could call toll-free. Sure enough, people began to call in. I would ask those ringing from home to call again from a public phone, and then I would return the call. Those ringing after office hours would leave messages—when we arrived in the mornings we would find the tape full. My writings really benefited as a result of this dialogue with my radio listeners—my articles became much more down-to-earth and concrete. I then realized that all these conversations should really be brought into the open, and decided we should put them on the air, provided the callers agreed. I began to get more and more phone calls, and people were very willing to talk. To begin with we used software to alter callers' voices so they couldn't be recognized, because I didn't want to get them into trouble. But they increasingly said, 'No, I don't want my voice changed! I want to speak the truth.'

Then we began to cover demonstrations and strikes, not after the fact, but as current news stories. I would produce a report including interviews with workers, government officials, trade unions, management and so on. For example, in 1998 there were a number of disputes over back pay, and the treatment of retired and off-post workers. There were protests in the street, and I would receive a call from a public phone in front of a government building, telling me there were five hundred people there. So I would phone back, and interview people at the other end of the line, asking them about their problems and their lives. It was extraordinary—like having a reporter on the scene, recording the news live. Then I would call local government officials, and ask what they were going to do, and why the situation was getting worse and worse. And I would ask the trade union officials what they were doing for the workers—and they would reply that they were trying to calm them down and send them home, because workers didn't understand the difficulties that management and government faced, and so on.

*Were the calls you were getting coming from any regions in particular—for example, were they mainly concentrated along the coast?*

No, they came from everywhere—even Tibet and Xinjiang. The distribution of the calls has depended more on the period than on the region, in particular on the timing of the reforms of state enterprises in any given part of the country. Around 1998–99 there were a lot of off-post protests in Heilongjiang, Gansu and Guizhou, for example, and stoppages of trains in the coalmine areas of Sichuan.

*Are people able to listen to the programme all over China?*

It depends on the area—sometimes the signal is jammed, and people call and complain. They can't believe the Americans, with all their technology, can't get around the jamming, which is done by local radio stations where the army is involved. Basically, they just broadcast alternative programmes over the same frequency, operas and the like.

*Has the element of fear diminished since you started this kind of reporting?*

Yes, people's fear is disappearing. The reason, in my view, is that anger is growing, and eclipsing fear.

*How would you say your ideas have developed as a result of the radio programme and the Bulletin?*

I've learnt a great deal. By talking to so many different people I have been forced to become more realistic, and think in increasingly concrete terms about how to resolve problems. It was very difficult in the beginning, but I developed an ability to get a general picture of a factory by talking to different workers, managers and government officials. Then I realized that though I could comment on these things, I could not provide solutions—firstly because I was unable to, and secondly because no one had voted for me. I did not represent anyone.

To start with, when I put together reports on demonstrations and talked to various officials, I would try to force them to respond to my questions, to which they would give stupid answers that highlighted the sickness of the system. I would get quite excited about our success in doing this. But after a while I realized that activity of this kind doesn't actually help resolve any of the problems in the factory. The question of back pay, for example, is dependent on the budget of the enterprise; if the money isn't there, I could be sitting in the official's chair without any better solution myself. I felt then that workers should try to resolve disputes in a peaceful and rational way, by negotiation. If nine months of back pay are owed, and the government can only pay for three, there's no point standing in the street until the full sum is paid; you negotiate and get them to pay three months, say, and the rest in nine months' time. But then I realized that, without a legal basis for the negotiations, there is nothing to hold the government to its promises.

So we developed a form of struggle which involved encouraging workers to file lawsuits. The law is very clear on the government's responsibility to pay workers' salaries; not only is the Ministry of Labour obliged to disburse back pay, it must also pay a fine for letting arrears build up. Since about two and a half years ago, the Bulletin has been actively intervening in such cases. We no longer observe from the sidelines, we explain the legal procedures to workers, and find lawyers willing to take their cases. Two years ago, some ten workers from a huge textile factory in Suizhou, in the province of Hubei, were arrested after a demonstration. We got them a lawyer from Beijing, whereupon the charges were dropped and the authorities sent them directly to a re-education centre without trial. So we went to the local Public Security Bureau with the lawyer, insisting

that this was an illegal administrative decision, and they released the workers. It was a very effective intervention. After this, we developed a 'law case intervention programme', which has been very productive so far. More and more lawyers are willing to work with us directly, they don't feel the need to hide themselves at all—they are making money from it, in professional fashion.

*So far you've spoken about state enterprises. What about disputes in the private sector?*

The private sector can be divided into two parts: domestic and foreign enterprises. It's much easier to deal with foreign firms than with Chinese. Local companies mostly consist of privatized former state-owned enterprises, whose current owners are former managers or officials, cutting local officials in on their profits. So in cases like these, one is still up against local government functionaries, who are very protected. With foreign factories—including those owned by Taiwanese, Hong Kong and Korean investors—the owners of course pay off local officials, but you can push these officials into a corner by pointing to the labour law and telling them they are protecting foreign investors at the expense of Chinese workers. It's much easier to apply pressure by making this kind of argument.

I've also realized it's easier for workers in foreign factories to launch actions. They often come from the countryside, and have never been taken care of by anybody. In former state-owned enterprises, many workers stayed on after privatization, even at dramatically reduced wages. Yet many of them still feel as if the state should somehow take care of them. The belief is residual, but it's enough to stifle their independence—they don't want to burn their bridges by doing anything drastic on their own. Years ago, for example, the government was going to close down a factory. We encouraged the workers to take legal action and organize, but they didn't want to. Many of them were scared, and willing to accept less favourable terms. Most lost everything, and even those who kept their jobs are working in far worse conditions. Now they're eager to fight, but it's too late. The platform for building solidarity has been lost—where you had, say, five thousand workers before, now you have only three hundred. All this makes organizing in former state-owned enterprises a disheartening experience. We believe that workers in foreign factories should be the main target of organizing for the labour movement in



China. Once you get these people organized, they will influence the privatized state-owned enterprises.

*You mentioned back pay. What are the other main issues that arise? Working conditions? Wages? What about unemployment?*

Alas, we cannot hope to organize the unemployed. Often workers contact me complaining in advance about an unfair dismissal. I encourage them time and again to file a lawsuit, but they refuse, preferring to petition the authorities—again and again, until they formally lose their job. By that time it is too late, because there is no legal record to show that they did not consent to their dismissal. This sort of thing is especially upsetting, because these people are the poorest of all, those who need help most. Against our will, we are forced to choose particular points of entry, if we hope to build a movement. We don't see China Bulletin as a service centre—though we will of course help with individual cases where we can. We see ourselves as creators of a labour movement, and believe that workers' protection in future depends on whether we can successfully create a strong one. So we have to make painful choices—to drop one case and continue with another, if the second looks as if it could develop into a collective issue, in which workers might select representatives who could eventually develop into trade union leaders. For it is through these legal struggles that they can be encouraged to form a union in their factory. Once there are elected union representatives, we are one step further towards reforming the official trade union, which we do not want to get rid of, since we see it as a useful shell. It has to be changed internally, with increased worker participation. At factory level, once you have members pushing for elections, impeaching irresponsible officials, bringing lawsuits, so many things become possible. We offer legal education to workers, telling them how to organize a union, helping them with election procedure, producing membership cards, keeping contact with people.

At the same time, because we do everything on a solid legal basis, the local Public Security Police can't do much to these workers. We explain to the workers that we are helping them because of their labour disputes, and that we wish to solve them for the good of everyone. So if the police ask them if we have a hidden agenda, there's nothing anyone can say against us. Recently, there was a 49-day strike in a textile factory in Xianyang in Shaanxi. Most of the workers were women. I drafted election procedures

for them, highlights of the trade union and labour laws, and offered to find a lawyer for them in Beijing. Then the leaders were arrested. On the one hand, I was reasonably sure they would not be treated like the workers in Liaoyang. On the other hand I thought, my God, I have effectively sent these people to prison. Three months later, they were released. After this, we learnt to stay focused on the most down-to-earth labour disputes and concrete issues. The Xianyang factory was bought by a Hong Kong-listed company, with a state background, called China Resource. They promised the workers nothing would change, and that everyone would get long-term contracts. But as soon as the deal was done, the workers were told that the longest contract available would be for three years, and that everyone was on six months' probation. Extremely skilled workers who had been in the same job for 20 years were now on probation, and receiving only 60 per cent of their previous salary. That's why they began to protest—they locked the factory gates and completely stopped production. Today, they are still working. They have not been laid off.

Just recently I received an email from a primary school teacher employed at a coal mine in Jilin, writing on behalf of thousands of miners. He said he had read one of my articles on the internet, and absolutely agreed about the need to organize the workers, so he had downloaded the article, printed it out and circulated it among the miners. They were very excited about the idea of getting organized legally, but wanted my help because they didn't know the correct procedure. These are the sorts of cases I want to focus on, which need to be dealt with extremely carefully. People in China experienced the Cultural Revolution, June 4th, and then after June 4th came darkness; they are very afraid, but cannot explain *why* they are afraid. I believe the worst fear is felt when you can't understand it or find a reason for it. Once you know the reason, you can deal with it. By giving legal assistance to the workers, we're making it very clear that there is no reason to be scared, that for everything they are asking for there is hope.

*Would it be accurate to say that all branches, wherever one looks, of the official trade union are acting on behalf of the management, rather than for the workers?*

Yes, this is absolutely true, and it applies everywhere. In most cases, the trade-union functionaries themselves are also part of the management.

*Is your strategy to get workers to be sufficiently self-confident to vote these people out of office, and insist on having real representatives?*

I used to think that, but I view it as impossible so long as people are afraid. Also, I don't know the technical procedure. Furthermore, even when I've talked to workers about labour law, trade union law and so on, they would still rather concentrate on specific cases than on trade union elections. I have to convince them that a union election is closely connected to their case, to make it more legitimate. But we do believe that if there are more workers in the factory organizing elections, there will be real pressure on this trade union system—if you don't represent these workers, they will kick you out of office. Even the best people in the present machinery, who have genuine sympathy for the fate of their workers, have never been trained to organize anything. They have no idea how to represent the workers. So far as lawsuits go, on the other hand, the most important thing is that they build self-confidence. If you have collective self-confidence, it's fine to make mistakes with procedure, you can correct them, learn and move on. But if you don't have self-confidence, you won't even begin. This is why providing legal guidance and lawyers is so helpful to these workers—they've finally found solid ground to walk on.

*The implication of what you're saying is that the workers can have confidence in the courts.*

If you have enough workers together, you make it more difficult for the courts to make decisions that go against the country's own laws—which of course they are fully capable of doing.

*Are there cases in which workers try to strike for higher wages? This would be a normal thing elsewhere.*

It is happening more and more now. There are virtually daily strikes in the Shenzhen area. These are strikes for shorter working hours, higher wages, better working conditions. But this is the nature of the working class—they will wake up by themselves, whether or not the China Bulletin is there. All we can do is to make the journey to collective self-confidence shorter, and one for which workers will pay less of a price, avoiding desperate struggles that they can only lose.

*Are the people who get in touch with you mostly elderly or younger workers?*

A mixture. It depends on where they work. In former state-owned enterprises, it's mostly older people, who are not yet retired—around 40 or 50 years old. They still need their jobs, and now want to fight, but don't know how. At the moment we are focusing on foreign factories, especially in the Shenzhen and Guangdong areas, on cases of work-related disease. In struggles over wages, it can sound like you're asking for more than the basic; but here, where people have contracted diseases because of bad working conditions, you're asking for well below the basic. For this reason, when we hold the local labour bureau to account, we get a lot of sympathy from reporters, lawyers, judges, even government officials responsible for other areas. It's through cases like these that we can explain everything—freedom of association, collective bargaining, labour and trade union law, respect for basic human rights—analysing everything in concrete terms. It's because we go through the legal system that no one can be against these workers. If we can persist, we could make ourselves indestructible.

*Your strategy wagers everything on legal actions, of a defensive character, to build collective self-confidence. But don't ordinary people in China, both workers and peasants, employed and unemployed, feel passionately about issues of social justice, just as strongly as about legal justice, if not more so? There is massively growing economic inequality, seizures of peasant land, huge enrichment of corrupt officials, businessmen and yuppies. How can one realistically expect the anger this causes not to lead to popular explosions outside, and against, the highly repressive laws of the land? Would you tell people they must keep quiet and suffer the status quo, when their indignation boils over?*

It is correct that ordinary people in China now feel no less strongly about social justice than about legal justice. However, our approach does not mean that our understanding of the one precludes the other. In China's modern history, efforts to solve social problems by social means have occurred again and again, in a cyclical pattern. This is not just something that has happened in the past—it is very much present at the moment. In other words, it does not require anyone to push or to mobilize for it to take place. It happens all the time without special mobilization. The contribution that we can make at the China Labour Bulletin is to offer another line of thinking, that differs from the tradition of uprisings, armed struggles, revolutions.

Our approach is to offer more options to ordinary Chinese people when there is an explosive social problem. Will you put your trust in gathering tens of thousands of people onto the streets, or in seeking legal help from a lawyer? Most Chinese people believe in the former rather than the latter. It's not just part of our modern history. It's very much in the blood of our reality today or even tomorrow. So there is no need for us to work on it. What China has historically lacked is a fair legal system and the rule of law. Efforts to create these have never yet succeeded. This is what we are trying to do—to solve existing social problems through existing legal systems. In a sense, you could call it a cultural project: encouraging people to trust in peaceful negotiations. That kind of confidence is needed for a healthier development of the country in the future. When people speak of 'sustainable development', it must also mean a society where the government is restricted by laws, and cannot abuse its power with impunity. Meanwhile, citizens have to learn the skills to negotiate for their own benefit, as well as to use legal leverage to fight for their civil rights.

These are all means that lie outside the 'old' modern Chinese conception of social revolution. Unfortunately, they have not yet taken root in contemporary China. But we have to try to develop them. To speak pessimistically, this is to work when you know it is almost unworkable. It's to make an effort. To be sure, I will never criticize or try to stop ordinary people in China when they take to the streets to protest against social injustice. I have no objection to mass protests and no obligation to defend the ccp's version of 'social stability'. However, I will not encourage people to take to the streets, either. Whenever there is an opportunity, I try to point out the other options.