

Liberate China's Workers

by Han Dongfang (2011)

Hong Kong — There is no legal right to strike in China, but there are strikes every day. Factory workers, hotel employees, teachers and taxi drivers regularly withdraw their labor and demand a better deal from their employer. Strikes are often successful, and these days strike leaders hardly ever get put in prison.

It may seem ironic that workers in a nominally Communist country don't have the right to strike, and that workers are apparently willing to defy the Communist Party by going out on strike. But China effectively abandoned Communism and embraced capitalism many years ago. And in a capitalist economy, strikes are a fact of life.

Chinese scholars, government officials and even some businessmen have long recognized this fact and have called for the restoration of the right to strike, which was removed from the Constitution of the People's Republic of China in 1982. Deng Xiaoping feared that the economic reforms he was introducing would lead to labor unrest.

Although Deng and his successors were able to quiet labor unrest and strike action for a while, the trend over the last five years or so has been clear.

As the business leader Zeng Qinghong noted recently, the number of strikes is increasing every year. Mr. Zeng, who is head of the Guangzhou Automobile Co., reported that in just two months last summer, there were more than 20 strikes in the automotive industry in the Pearl River Delta alone, and that new strikes were occurring all the time.

Mr. Zeng suggested in a submission to this year's National People's Congress, China's annual legislature, that the right to strike should be restored because it was a basic right of workers in a market economy and a natural adjunct to the right to work.

I agree with Mr. Zeng on this point and would like to take his argument one step further. The right to strike is clearly important, but the most vital and fundamental right of workers is the right to collective bargaining. After all, why do workers go out on strike?

Very simply, they go on strike for higher pay and better working conditions. The strike is not an end in itself but is part of a bargaining process. And if the collective bargaining process were more effective, in many cases, workers would not need to go out on strike at all.

If you talk to factory workers, most will tell you they would rather not go on strike if they can avoid it. Indeed, most only go on strike because they have no alternative.

China's workers want and need an alternative. They want a system in which they can raise their demands for higher pay and discuss those demands in peaceful, equal and constructive

negotiations with management. If workers can achieve their goals through peaceful collective bargaining, in the long run there will be fewer strikes, workers will be better paid and labor relations will be vastly improved.

We also have to be aware that if the right to strike is reinstated in the Constitution in isolation — without the right to collective bargaining — there would be a danger that the right of workers to go on strike might actually be eroded.

Just look at the right to stage a public demonstration. Chinese citizens do have the constitutional right to demonstrate but in reality they have to apply to the police for permission, and of course very few of those applications are granted.

Likewise, if workers have to apply to the authorities before they can go on strike, the right to strike will become meaningless. Moreover, the number of strikes would not be reduced because workers would continue to go out on strike regardless and labor relations will deteriorate even further.

On the other hand, if the right to strike is framed in a way that can liberate workers and encourage and empower them to engage in collective bargaining, safe in the knowledge that they have a powerful weapon that can be deployed if necessary, labor relations will be enhanced and the number of strikes might actually decrease.

There is a saying in China that “you should not only focus on your head when you have headache because the real reason for the headache could be your foot.” As Mr. Zeng noted, the rapidly increasing number of strikes in China has become a major headache, not only for business but for the government as well.

If the government wants to reduce the number of strikes in China, it needs to take a holistic approach and address the root cause of the problem — the absence of an effective collective bargaining system in which democratically elected workers’ representatives can negotiate better pay and conditions with their employer.

If such a system can be implemented in China it would obviously benefit workers but it would also benefit employers like Mr. Zeng who are concerned about high worker turnover and the loss of production through strike action.

Crucially, it is also in the interest of the Chinese government to introduce collective bargaining. The authorities may be nervous about handing power to the workers but they should bear in mind that by doing so they would aid the development of more harmonious labor relations, which could lead to the Communist Party’s goal of creating a more prosperous, stable and harmonious society.

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