

China: An open letter from scholars to the Shenzhen Government and Federation of Trade Unions regarding violence against workers attempting to form a union at Jasic Technology in Pingshan District

Tuesday 9 October 2018, by [Scholars](#) (Date first published: 6 September 2018).

[Note of Update as of 6th Sep 2018]

1. 238 international scholars have joined the co-sign.
2. With the pressure and support from the concern group, international scholars and activists, some of the arrestees were released but still under different level of monitor and control. According to the concern group, 15 people are still detained or disappearing as of 6th September [\[1\]](#)
3. Multiple lawyers who were willing to represent the arrestees received warnings from the Justice Department to step back or their lawyer licenses will be at risk. All the arrestees are deprived from their legal right to meet with lawyers and therefore their conditions and charges are unknown.
4. Instead of confronting the fact that workers are self-organized and the concern group was formed voluntarily by university students, the authority tried to associate the movement with so called "overseas anti-China forces". "Da Gong Zhe", a worker centre in Shenzhen were smeared to be the manipulator behind the scene which receive overseas funds. Although the concern group and Da Gong Zhe have repeatedly raised evidences to proof the claim untrue, two activists from Da Gong Zhe are still detained.
5. We demand the Shenzhen People's Procuratorate and the Shenzhen People's Court to respect and guarantee i) Jasic workers' legal right to unionize according to the Chinese Union Law ii) the arrestees' legal right to have legal representation and their legal right to be visited iii) Da Gong Zhe, the concern group or other arrestees should not be made a scapegoat of the imaginary "manipulation from overseas" given that the accusation is groundless and not on fact. They should be released guiltlessly.

Statement

In May of this year, employees at Shenzhen Jasic Technology Co., Ltd., jointly registered a complaint with the Pingshan Department of Human Resources and the Pingshan Federation of Trade Unions (PFTU) regarding Jasic's illegal behavior, including: illegal last-minute adjustment of employees'

schedules, an illegal system of fines, underpayment of employees' housing funds, and the illegal compilation of a blacklist divulging employees' information. To this complaint, the PFTU's vice-chair and other personnel responded, stating that the employees could organize a union and develop its membership. Following these instructions, the employees prepared to form a union, collecting signatures from eighty-nine of their coworkers expressing their willingness to join.

In July, however, PFTU staff and Jasic managers claimed that this formation of the union was illegal. The company then retaliated by illegally transferring the employees to different posts, eventually terminating their employment, threatening and defaming them. The police physically assaulted the workers, took some of them into custody, and even put them and other people who had come to express support under extended detention as suspects for the crime of "picking quarrels and provoking trouble." At present, thirty people are still being held in criminal detention, including former Jasic employees, workers from other workplaces who came to support them, and students. (A list of their names is included below.)

The Jasic workers had acted in accordance with both the law and instructions by the PFTU in organizing a union to address an industrial dispute. Yet the company and the police disregarded their legal demands, using illegal and violent measures to obstruct the workers' legal right to organize and participate in union activity. As a socialist nation led by the working class, China should not tolerate this sort of behavior that violates the class's interests. This brazenly illegal behavior by the company and the police also gravely contradicts the spirit of Xi Jinping's speech at the Nineteenth National Congress of the Communist Party of China (CCP), where he emphasized the need to "uphold the rule of law in all respects."

This incident reflects the vast disparity of power between capital and labor in contemporary China. When workers propose to organize a union in accordance with the law, and to mediate an industrial dispute within the framework of the law, they are suppressed by the company, the police, and higher levels of the union apparatus. When companies violate labor laws and regulations, on the other hand, they are able to mobilize the police and the union system in order to oppose workers' demands to form unions in accordance with the law. Unions are meant to serve as a bridge between the party and the workers, as an organization for achieving class solidarity. In this incident, however, the PFTU and Jasic's official enterprise-level union both acted in a regrettable manner. They not only failed to change the disparity of power between capital and labor, but actually worsened it in a way starkly inconsistent with the CCP's role as the vanguard of the working class.

Therefore, in order to uphold the legal rights of workers, we call on the Shenzhen Municipal Government and the Shenzhen Municipal Federation of Trade Unions (SFTU) to deal with the Jasic incident in an appropriate manner:

- (1) Immediately release all the workers and their supporters who are being held in criminal detention, and drop the charges of "picking quarrels and provoking trouble."
- (2) Seriously punish the police and company managers who broke the law, compensate the workers for the economic and emotional damages they have suffered due to this incident, and publicly apologize to them.
- (3) The Shenzhen Municipal Government and the SFTU should implement the Trade Union Law of the People's Republic of China, supporting Jasic workers' demand to form a union in accordance with the law.

We hope that the Shenzhen Municipal Government and the SFTU can actively and rationally intervene in this matter, affirm the workers' legal demands, and deal with the problem in a non-

violent manner. Only when the workers truly hold the right to organize themselves can unions actually become organizations that represent their interests. And only then can Chinese society truly embody its Core Socialist Values, can Chinese workers find a place in the “Chinese Dream,” and can the four decades of Reform and Opening finally transcend the stage of inequality and move toward truly comprehensive social development.

(The 30 currently detained include: Jasic Workers YU Xun Cong, MI Jiu Ping, SONG Yao, LIU Peng Hua, KUANG Heng Shu, ZHANG Bao Yan, CHEN Zhong Ge; Progressive student HU Kai Qiao; Ex-Jasic Workers and Supporting Workers ZHANG Yu, TANG Xiang Wei, LAN Zhi Wei, QIAO Zhi Qiang, CHEN Ye Ling, SHANG Yang Xue, WU Shuang, ZHANG Ze Ying, HE Qiong, YU Kai Long, LI Zhan, LI Li, YU Wei Ye, ZHANG Yong, MO Jue Zhan, XIONG Zhi, YE Yan Fei , HUANG Lan Feng, HUANG Wen Yi, HE Xuan Hua, Yu Xun Chuan, HU Zhi)

Co-signed by:

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16. Christian Fuchs, Westminster University
17. Kaxton Y. Siu, The Hong Kong Polytechnic University*
18. Eileen Boris, University of California Santa Barbara
19. Doris Lee, City University of Hong Kong
20. Jacob Eyferth, University of Chicago
21. Daniel Vukovich, Hong Kong University
22. Michael Burawoy, University of California, Berkeley
23. Julie Greene, University of Maryland at College Park
24. Jean-Philippe Béja, Centre National de la Recherche Scientifique
25. William P. Jones, University of Minnesota
26. Michael Honey, University of Washington Tacoma
27. Leslie Sklair, London School of Economics
28. Richard P. Appelbaum, University of California Santa Barbara
29. Sora Kim, The Chinese University of Hong Kong
30. William I. Robinson, University of California Santa Barbara
31. Devi Sacchetto, University of Padua
32. Stephen C. K. Chan, Lingnan University
33. Elaine Hui, Pennsylvania State University
34. Ruth Milkman, CUNY Graduate Center
35. Stephen Nugent, Goldsmiths University
36. Nik Theodore, University of Illinois at Chicago

37. Mark Graham, University of Oxford
38. Eli Friedman, Cornell University
39. Christian Sorace, Colorado College
40. Kevin Yang, University of Essex
41. Nicholas Loubere, Lund University
42. Darwin Tsen, Carthage College
43. Brian Hioe, Independent Scholar
44. Maggie Clinton, Middlebury College
45. Tim Bartley, Washington University in St. Louis
46. Hongwei Bao, The University of Nottingham
47. Jeb Sprague, University of California Santa Barbara
48. Bridget Fowler, University of Glasgow
49. Nelson Lichtenstein, University of California, Santa Barbara
50. Meaghan Morris, University of Sydney
51. Imre Szeman, University of Waterloo
52. Fuk Ying Tse, University of Warwick
53. Peter Birke, University of Göttingen
54. Daniel Fuchs, University of London
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56. Fabio Lanza, University of Arizona
57. David Brophy, University of Sydney
58. Elly Leung, University of Western Australia
59. Zhang Shuchi, The University of Essex
60. Chloe Froissart, Tsinghua University
61. Lee Youngchae, Keisen University
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72. Ian Cook, University of Exeter
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74. Regina Chung, The University of Hong Kong
75. Wanning Sun, University of Technology Sydney
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80. Qiaochu Li, Renmin University of China
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82. Laleh Khalili, SOAS University of London
83. Richard Mead, SOAS University of London
84. Ganga, SOAS University of London
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94. Jake Lin, Tokyo University of Foreign Studies
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106. Samson Yuen, Lingnan University
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132. Yige Dong, Johns Hopkins University
133. Chan Kit Wa, The Education University of Hong Kong
134. Maurizio Atzeni , Ceil Conicet
135. Subir Sinha, SOAS, University of London
136. Colin Sparks, Hong Kong Baptist University
137. Jim Maffie, University of Maryland
138. Yue Meng, University of Toronto

139. Jerome Hoffman, UCLA
140. Teri L. Caraway, University of Minnesota, Twin Cities
141. Angela Xiao Wu, New York University
142. Yossi Dahan, College of Law & Business
143. Elaine McCrate, University of Vermont
144. Leslie Gates, Binghamton university
145. Markus Haunschmid, University of Vienna
146. Tom Armstrong, SOAS University of London
147. Bruce Cohen, Worcester State University
148. Helga Zaunegger, Universität Wien
149. Benjamin McKean, Ohio State University
150. Dana Howard, Ohio State University
151. Daniel Sidorick, Rutgers University
152. Stephen McFarland, The University of Tampa
153. Allie Robbins, CUNY School of Law
154. Chris Wegemer, University of California, Irvine
155. Tom Langford, University of Calgary
156. Peter Shrock, Southeastern Louisiana University
157. James R. Barrett, University of Illinois at Urbana
158. Patricia Morton, University of California, Riverside
159. Matthew S. Williams, Loyola University Chicago
160. Éric Florence, University of Liege
161. Marquita Walker, Indiana University
162. Thomas Stieber, University of Göttingen
163. Mary L. Gray, Indiana University
164. Karoline Duchene , University of Duisburg-Essen
165. Mary E. Frederickson, Emory University
166. Xiao Liu, McGill University
167. Lorenz Wolf, Universität Wien
168. Josef BAUM, University of Vienna
169. Stephan Ortmann, City University of Hong Kong
170. Saul Thomas, School of the Art Institute of Chicago
171. Paolo Novak, SOAS University of London
172. Chris Chase-dunn, University of California, Riverside
173. Dan Graff, University of Notre Dame
174. Timothy Choy, University of California, Davis
175. Michael Palm, University of North Carolina at Chapel Hill
176. Nicole Mayer-Ahuja, University of Goettingen
177. Damian Tobin, SOAS, University of London
178. Meredith Katz, Virginia Commonwealth University
179. Anne Engelhardt, Kassel University
180. Alessandra Mezzadri, SOAS University of London
181. Michael Fütterer, Paris Lodron Universität
182. Timothy Choy, University of California, Davis
183. Victor Chen, Virginia Commonwealth University
184. Fabian Namberger, Goldsmiths, University of London
185. Feyzi Ismail, SOAS, University of London
186. Ulrich Brand, University of Vienna
187. Chris Rhomberg , Fordham University
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190. Chan Yin Ha, The Chinese University of Hong Kong
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195. Rose Luqiu, Hong Kong Baptist University
196. Guanchen Lai, SOAS University of London
197. Choi Po King, The Chinese University of Hong Kong
198. Chun Chun Ting, Nanyang Technological University
199. Manel Ollé, UPF Universitat Pompeu Fabra
200. Rolien Hoyng, Chinese University of Hong Kong
201. David P., Independent Researcher
202. Rolien Hoyng, Chinese University of Hong Kong
203. Jessica Sklair, School of Advanced Study, University of London
204. Winifred Poster, Washington University, St. Louis
205. David Burley, Southeastern Louisiana University
206. Lisa Leung, Lingnan University
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208. Ryan Luk, UC Davis
209. Kenneth Yeung, L'université catholique de Louvain
210. Jessica Wong, École des Hautes Études en Sciences Sociales
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212. Jonas Riese, Friedrich-Schiller-Universität Jena
213. Oliver Scholten, Hermann-Gmeiner Berufskolleg
214. Louisa von Freytag, University of Göttingen
215. Jonathan Pattenden, University of East Anglia
216. Christian Jooß, University of Göttingen
217. Nancy Holmstrom, Rutgers University
218. Jeroen Merk, University of Edinburgh
219. Richard Smith, Independent Researcher
220. Nancy Holmstrom, Rutgers University
221. Jeroen Merk, University of Edinburgh

*also appear on the Chinese version of co-signed list

(List to be updated continuously)

P.S.

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Footnotes

[1] see: https://twitter.com/SACOM_HK/status/1036980968605736960