

Prisoners die in Chinese mines: an indictment of "reform through labour"

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In the six weeks from April 1 to May 18, at least 592 men lost their lives in 66 separate mine disasters in southern China. Ninety of these deaths took place in four accidents on May 18.

The *Beijing Morning Post* reported that a roof collapse on that day at a small gypsum mine at Beihai, in the province of Guangxi, had trapped 29 miners 200 metres underground. A rescue operation over the following four days failed to find either bodies or survivors, leading authorities to presume all the workers had died. The *China Daily* reported that another 12 miners had been killed on the same day by gas explosions in two Sichuan province coal mines.

The worst disaster on May 18 occurred at a remote coal mine in Qinglongzui, near the city of Chengdu in Sichuan. A sudden flood trapped thirty-nine men. The men, however, were not paid employees, but, in the words of a government official, "convicted criminals".

The official, from the Sichuan Security Supervision Bureau, told press agencies: "There is little hope that they are alive. They may have drowned immediately when water poured into the pit." Rescue workers attempting to drain the pit could not find the source of the water still flowing into the mine. Three days later, rescue efforts were abandoned and the 39 prisoners declared dead.

According to reports by *Agence France Presse* and *Deutsche Press-Agentur*, 19 prisoners were also killed last November when another Sichuan coal mine flooded. The reports quoted a provincial government official describing the mine as "a base to educate prisoners" incarcerated at the Fengcheng Prison. The official admitted that a local mining company paid the prison a fee for the use of the labour.

The death of dozens of prisoners hired out to businessmen and sent hundreds of metres underground

to mine coal in poorly constructed and badly ventilated shafts testifies to the barbaric character of the system of "reform through labour" or *laogai* in force across China. It has nothing to do with "reform", but is a form of slave labour.

Article 41 of the Chinese Criminal Code states that anyone sentenced for a crime and is able to work, "shall undergo reform through labour". The US-based Laogai Research Foundation estimates that there are at least 1,100 "reform through labour" institutions in China, with up to 6.8 million inmates.

A percentage of those performing forced labour, however, have not been convicted of any crime. Under China's legal system, police agencies have the administrative power to impose terms of up to three years of "re-education through labour", or *laojiao*, without any judicial procedure. Those sentenced have neither right to defence counsel nor any right of appeal.

Reminiscent of England's "Poor Laws" during the 18th and 19th centuries, the police can condemn a Chinese citizen to *laojiao* for "not engaging in honest pursuits" and "being able-bodied but refusing to work".

Such powers are used arbitrarily against rural migrants without proper residency permits, the homeless, suspected prostitutes or drug users and political opponents of the regime. According to the New York-based Human Rights in China, some 260,000 people were being held in December 2000 for "re-education".

Even after a sentence has been served, there is no guarantee an individual will be released. A law adopted at the 1981 National Peoples Congress decrees that both convicts and *laojiao* inmates "who have served their sentences but who have not reformed fully are to be kept in the camps for job placement" or *jiuye*.

Most recently the Falun Gong religious movement,

which was officially declared an evil cult and banned in July 1999, has been targeted. The Falun Gong claims that up to 10,000 adherents who refused to renounce their beliefs have been sentenced by local police to between one and three years of *laojiao*.

A Falun Gong press release on May 30 denounced a recent stage-managed tour for foreign journalists of the Masanjia camp where some of its adherents are interned. The media was presented with a clean, freshly-painted building where former Falun Gong practitioners enthusiastically watched “re-education programs”—in English with Chinese subtitles—outlining the dangers of religious cults.

However, Falun Gong members formerly interned in camps and now residing in Canada and the US have testified they were forced to assemble toys, plastic flowers and other export products. The press release declared that the reality of life for prisoners was “hard labour, rotten food and soiled water, unsanitary and overcrowded living space and financial extortion of themselves and their families”.

The *Washington Post* last week reported on conditions at the Hunan Special Electrical Machine Factory, or the Hunan Province No. 1 Prison, which holds between 2,000 to 3,000 prisoners, including at least 50 political dissidents.

According to inmates, they are forced to work 12-16 hours a day, sometimes seven days a week. The prison used to produce industrial generators but can no longer compete against its more efficient rivals and now uses its captive labour to manufacture wigs, medicine boxes, gloves and Christmas lights.

Zhang Shanguang was imprisoned from 1989 to 1996 for his role in the 1989 anti-government upsurge. He was re-arrested in 1998 for attempting to form an association of laid-off workers and sentenced to “re-education”.

In a petition authored by Zhang and smuggled out to the Human Rights in China group, he explains: “On some occasions inmates work throughout the night without sleep. It’s very common to see inmates spitting blood and fainting from exhaustion... Unless someone is clearly dying, inmates hardly ever get proper medical attention.”

Prison labour plays a minor but nevertheless considerable role in the Chinese economy. In 1999, analysts Dun and Bradstreet estimated that 99 known

laogai camps—just 9 percent of the total—had total annual sales of \$842.7 million. Prison labour is involved in everything from the manufacture of spring clips to mining, both for the domestic market and for export.

To disguise the fact that businesses associated with prisons are using forced labour, the camps are given a corporate name. “Hangzhou Wulin Machine Works,” for example, is one of the public names of Zhejiang Province No. 4 Prison.

The camps are responsible for financing up to 70 percent of their expenses out of their business activities, including paying the salaries of prison staff. As well, many have accumulated large debts and are generally inefficient. This has encouraged the increasingly ruthless exploitation of prisoners, such as contracting them to work in coal mines—with the inevitable tragic results.



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