

Two Chinese workers tried for subversion over protests

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Two Chinese workers' leaders—Yao Fuxin, 52, and Xiao Yunliang, 56—could face the death penalty if found guilty of charges related to their role in demonstrations of laid-off workers in the city of Liaoyang in north-east China last March. As many as 30,000 workers participated in the protests to demand financial assistance and the prosecution of corrupt officials.

Local police have held Yao and Xiao in detention for 10 months. On January 15, the two were dragged before the Liaoyang Intermediate Peoples Court to face charges of subversion. A verdict is expected to be announced in the next few days.

The detention and trial of the two workers has been a politically-motivated farce from start to finish. Chinese authorities have flouted even the limited legal rights available to the detainees under the country's constitution. Originally charged with organising an illegal gathering and demonstration, the two should have been tried or released by last October.

In November, however, new charges of “terrorism” were brought, based on false claims that cars had been bombed during the March protests. Prior to last week's trial, the previous charges were dropped. A decision was obviously taken at the top levels of the Stalinist bureaucracy to make an example of the two workers by trying them on the political charge of subversion, which is notoriously vague and carries more serious penalties.

The court proceedings were surrounded by tight security. Chinese authorities ignored the standard procedure of providing three days notice and announced the case on the day of the trial. Most of the 200 tickets to the public galleries had already been distributed to police officers and government officials in order to ensure that few of Yao and Xiao's supporters were in court.

Despite the short notice, hundreds of workers gathered outside the court building to register their protest against the proceedings. Police blocked off the streets near the trial and established a substantial presence in workers' neighbourhoods. A French journalist attempting to cover the case was detained and forced to return to Beijing.

Prior to the trial, police cut the phone lines of other local leaders—Wang Zhaoming and Pang Qingxiang—and threatened their families if protests took place. Wang, who disappeared from his home on New Year's Eve, has since returned home but was warned not to discuss the trial.

The trial itself took only four hours. The prosecutors called no witnesses to testify and presented little evidence. The only basis for the accusations of “subverting” the government was that Yao and Xiao had contacts with foreign news services, human rights groups and the banned China Democracy Party. Phone records of conversations were submitted.

The prosecution produced one statement from another protest leader, Pang Qingxiang, who was arrested along with Yao and Xiao in March. He had obviously been pressured to incriminate his fellow detainees. He was released after he alleged that Yao had had contact with the China Democracy Party. Based upon Pang's statement, the court accused Yao of signing a Democracy Party petition letter in 1998.

Yao was also accused of having communication with a “hostile element”—Han Dongfang, director of the Hong Kong-based China Labour Bulletin and the expelled leader of the Beijing Workers Autonomous Union, which played a prominent role in the 1989 protests in Tiananmen Square and elsewhere. Han immediately told the media that the Chinese authorities had made up the story and accused them of turning the

trial into a “showcase” to deter other workers from taking action.

According to a report in the *Washington Post*: “When given a chance to speak, Xiao mocked the charges against him, asking how an unemployed worker like himself could overthrow the government, audience members said. Yao delivered a more emotional statement, they said, arguing that everything he did was for his fellow workers and shedding tears as he described how poor they were. Some workers in the gallery wept too, and police forced them to leave the courtroom.”

Mo Shaoping, defence lawyer for the two workers, told Reuters after the hearing that the prosecution had “just accused them of this crime” but had provided no concrete evidence in court. He said the two defendants were not guilty and felt the accusations were false.

It is highly unlikely, however, that China’s politically subservient court system will do anything other than bring down the required guilty verdict and a harsh penalty. Yao’s daughter was quoted in the *Washington Post* as saying: “We’re not optimistic. We still have hope, but we’re very worried.”

The newly installed Chinese Communist Party leadership has clearly decided to prosecute Yao and Xiao both as a warning to workers and as a signal to foreign investors that the regime will not hesitate to use police-state measures to crack down on any further protests.

The Stalinist bureaucracy is deeply concerned at the prospect of further protests by millions of workers who have been retrenched from state-owned enterprises over the past decade. These privileged and utterly cynical layers have charged two workers with seeking to “subvert state power and overthrow the socialist system” even as they themselves dismantle the remnants of state-owned industry, destroy the conditions and entitlements of workers, and engage in an unseemly scramble to grab control of the most profitable enterprises.

The protests last March by workers from the Ferroalloy Factory, demanding an investigation into corruption, directly threatened the interests of a number of top officials. An inquiry into Liaoyang’s state-owned firms may have revealed the involvement of the provincial governor Bo Xilai, who is notorious for corrupt operations. The son of former high-level party

official Bo Yibo, the governor has just been elected to the Central Committee at the recent 16th party congress.

The demonstrations erupted after the Ferroalloy Factory was declared bankrupt. A rally on March 11 attracted large numbers of workers, in part because the Liaoyang city mayor had just told the media, while attending the National Peoples Congress in Beijing, there was no unemployment in his city. His statement outraged laid-off workers and tens of thousands turned up behind a banner, “The army of the industrial workers wants to live”.

Standing at the city hall, Yao told the crowd: “We devoted our youth to the [Communist] party, but no one supports us in our old age.” Yao, who has been previously jailed twice for organising workers’ protests, was detained on March 20, provoking a demonstration by 10,000 workers who stormed the city buildings. Despite severe police repression, smaller protests have continued.

What the new capitalist elite in Beijing fear is underscored by a recent study by the Commercial Swiss First Bank, which showed that unemployment in China has vastly worsened. In 1998, one in every two laid-off workers found a new job within half a year as compared to only one in every 10 today. The study concluded that China has arrived at “an explosive point” in both economic and social relations.



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