

THE FUTURE OF THE

NEW

UNION

MOVEMENT

New Union Movement
Research Group

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INTRODUCTION

1 Employees are in an asymmetrical relationship with their employers. This is because employees are more dependent on their employers than employers are dependent on their employees.

In a competitive job market, an individual employee who is troublesome to their employer – for example, by agitating for improved working conditions – is liable to be terminated. Both the employer and the employee know there will be unemployed but qualified candidates who will be more than happy to replace the terminated worker, and who will be more likely to put up with inferior working conditions.

Employees whose skills are valued less have less bargaining power against their employers and are more disposable since they can be easily replaced. Janitors and cleaning staff employed by a university have less bargaining power than professors and teaching staff do.

2 By joining a union, employees can exercise their collective power.

An employer can easily terminate an individual employee who is troublesome, but when a group of employees unite against their employer, their bargaining position is strengthened. First, this means that the employer cannot easily terminate all the

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dissenting employees. Furthermore, by engaging in collective bargaining, employees refuse to view their colleagues as competitors, but as friends and comrades with whom they share a common struggle in solidarity with one another.

3 The most powerful tactic at the disposal of a union is their ability to formulate a strike.

4 Therefore, the power of a united, politically aware, and well-organized working class lies in their ability to strike. ■

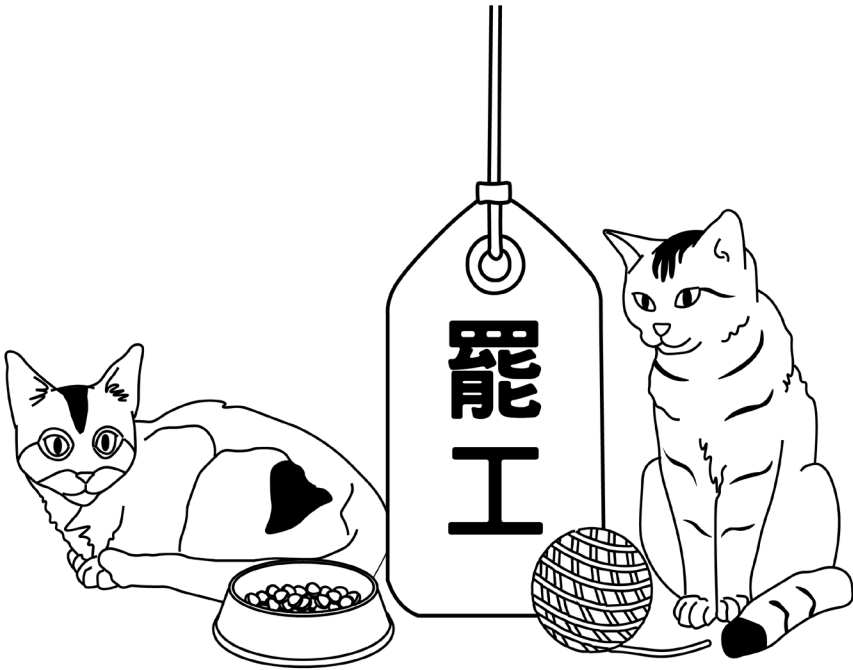
WHAT IS A STRIKE?

1 There are two kinds of strikes: industrial strikes and political strikes.

2 Industrial strikes are aimed against an employer to secure concessions such as reduced working hours, better wages, or workers' compensation, whilst political strikes seek to challenge the government in order to achieve political demands.

3 In both cases, the employees' collective refusal to work is weaponised against the boss. Without their labour, the bosses are unable to continue with the production of value and the facilitation thereof (as

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in the areas of logistics, management, and transportation, or reproductive labour such as education, childcare, healthcare, and domestic work).

4 Because bosses are ultimately reliant on the labour of their workers, by withholding their labour, workers can force the bosses to the negotiating table. Unions that are representative of workers can then bargain collectively to achieve their demands.

5 Therein lies the power of the working class over the ruling establishment, of which the bosses are a part.

6 In the absence of democratic checks and balances, state-capital collusion between the different sections of Hong Kong's ruling establishment have

been allowed to run rampant. Since the handover, workers' rights have been eroded under the government's neoliberal regime. Beijing's intensifying political repression will only result in the further exploitation and oppression of the Hong Kong people. Resisting the power of the business and political establishments both will become the duty of any union movement in Hong Kong. ■

THE 2019 ANTI-EXTRADITION LAW AMENDMENT BILL MOVEMENT

- 1 During the anti-ELAB movement, Hongkongers realised the potential of strikes as a means of applying economic pressure on the government.
- 2 The Tripartite General Strike on the 5th of August was of historical significance, being the first ever political strike in Hong Kong since 1967, in addition to being formulated as a grassroots and popular action, whereas the 1967 riots were incited by pro-Chinese Communist Party actors without the



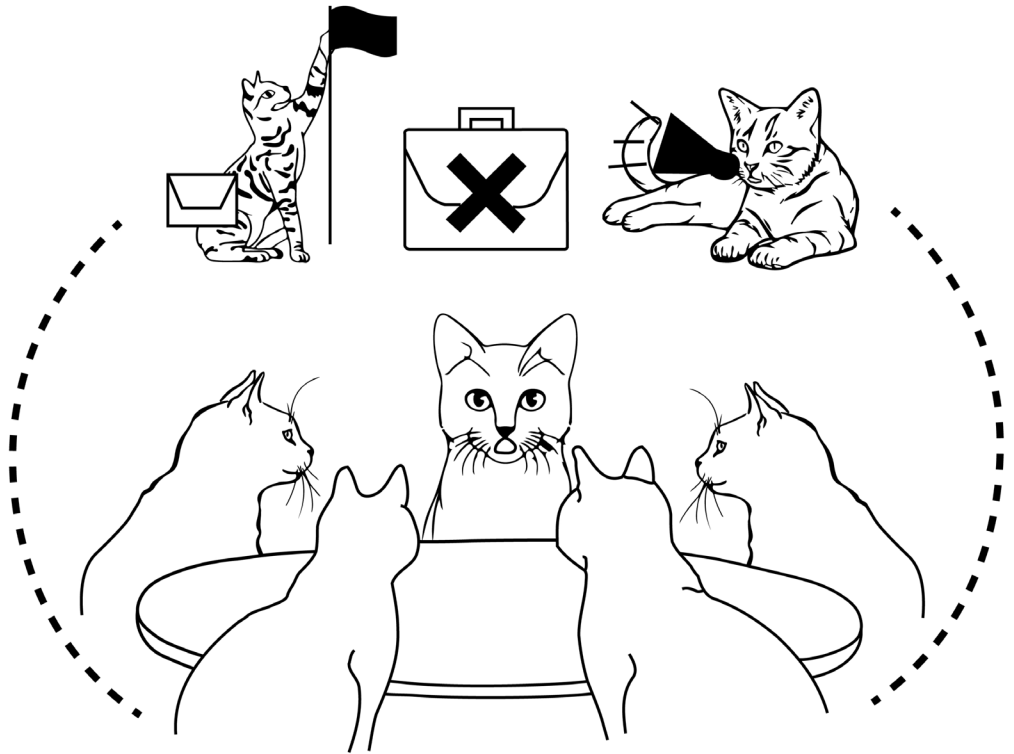
support of the working class.

3 Subsequent attempts at political strikes throughout the anti-ELAB movement had failed to achieve the same level of mass participation and impact.

4 Why were subsequent strikes not as successful?

Not enough workers were participating; instead of going on strike, workers were calling in sick or using their vacation days. One reason for this is because workers who are not unionised are vulnerable to retaliation by employers for participating in a strike.

5 The protagonists of any strike action — the workers themselves — were side-lined in the various strike actions that occurred during the anti-ELAB movement. Instead, anti-ELAB protesters attempted to replicate the effects of a general strike by immobilising the city's transport infrastructure. The inherent unsustainability of this approach meant that striking as a means of protest soon ran into a dead end. ■



THE ENVIRONMENT FOR LABOUR UNION ORGANISING IN HONG KONG

1 The economy of Hong Kong specialises in tertiary (service) industries. Ostensibly ‘white-collar’ office workers comprise the mainstream of the city’s workforce.

2 Hong Kong's working class — the colloquial term for which (打工族) encompasses both blue-collar workers and the salariat — lack a sense of class identity. Employees identify with bourgeois values of consumerism and materialism. The 'Lion Rock Spirit' exemplifies the bootstrapping, liberal capitalist ethos of self-empowerment and individualism. While the 'Lion Rock Spirit' has lost much of its outwards appeal in the face of socio-economic crisis and political disillusionment, the de-politicised notion that hardships can be overcome through hard work and individual grit remains entrenched in the local subconsciousness. This means that individual hardship is almost always framed as isolated instances of adversity rather than a structural issue created by the political and economic system.

3 Labour movement organising has been tainted by its historical association with the Chinese Communist Party and the pro-Beijing/pro-business trade union establishment; for example, in the case of the 1967 riots, or the collaboration by the Hong Kong Federation of Trade Unions with the pro-Beijing and pro-business establishment.

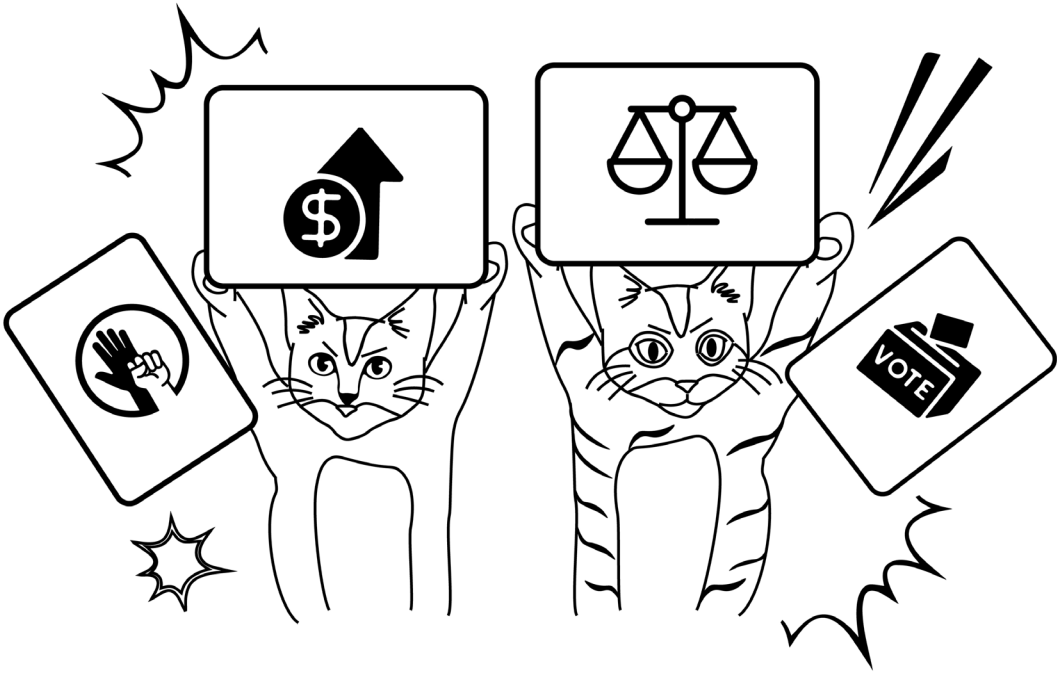
4 Therefore, the labour union movement in Hong Kong was weak when the anti-ELAB protests erupted. Protesters have tried to adopt the tactics of the labour movement, but doing so is neither feasible nor sustainable when there does not actually exist a labour movement which can carry out these tactics in support of the pro-democracy cause.

5 The objective of a strike is a protracted cessation of economic output and profit, which exerts immense political and financial pressure on the government. This is not something that can be achieved by paralysing transport infrastructure during the morning rush-hour so commuters cannot get to work, as they usually end up merely being late to work, or are forced to return to work the next day at worst. Rather, a general strike requires careful planning and coordination, where the striking workers have fully committed to a protracted struggle — in the form of workplace occupations and picket lines — and are prepared to endure the legal and physical counterattacks of the state, as well as the many personal and financial consequences of striking. ■

THE NEW UNION MOVEMENT

1 There has been a wave of new union organisations being established in the wake of the anti-ELAB movement.

Take for example the Hospital Authority Employees Alliance strike at the onset of the COVID-19 pandemic, the demands of which included protection for strikers against retaliation, closure of HK-mainland border, and provision of protective equipment for healthcare workers.



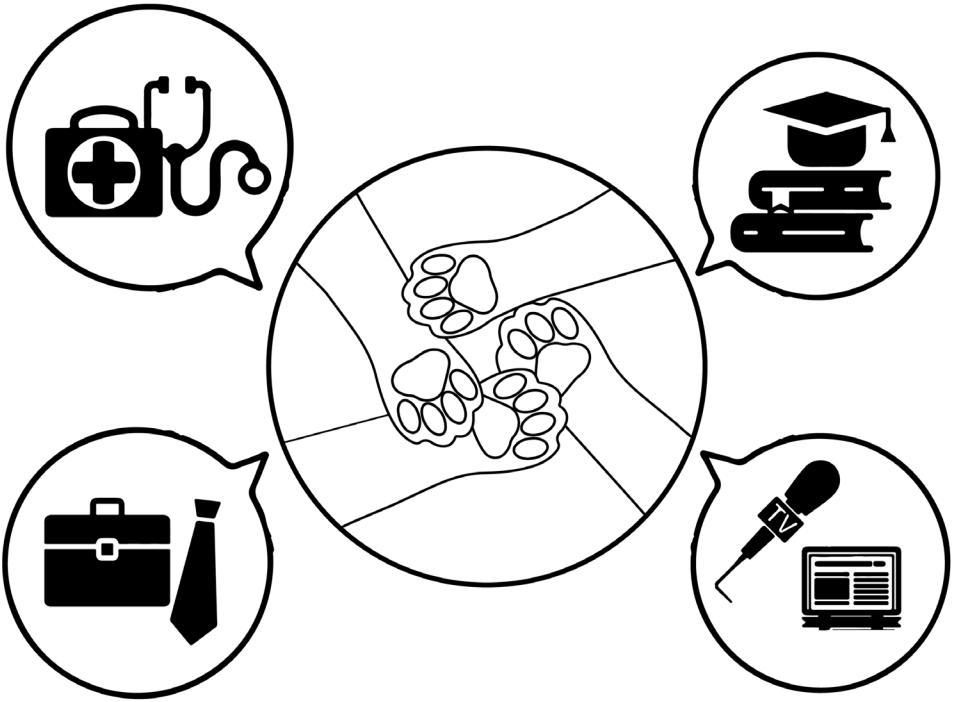
2 The politicisation of employees belonging to the salariat as well as the working class has resulted in the organisation of employees in sector-based or professional unions. They recognise that trade unions are a mode of organising and of combining collective power. But will these new unions expand their focus to socioeconomic issues as well, synthesising the hitherto-disparate political and livelihood struggles? ■

THE FUTURE OF THE NUM AND HONG KONG'S PRO-DEMOCRACY STRUGGLE

1 Can unions be relevant to the HK pro-democracy/anti-CCP struggle, whilst simultaneously fighting for workers' rights?

2 Yes! In fact, workers should not forget the fundamental feature of a union: that it allows people to come together based on their shared identity as employees, united against a shared adversary — the boss. If a union does not actively seek to protect its members, then it has failed in its purpose.

There must be nuance in the identification of the 'boss' as the enemy of Hong Kong's working class. Small business proprietors and entrepreneurs, whilst in the position of an employer, cannot be said to be equal in political or economic power with the city's corporations and conglomerates. The latter, being part of the ruling establishment, pose a threat to the democracy and livelihood of Hongkongers, where their oppression and exploitation of their employees is part and parcel of their collaborationism with Beijing in the pursuit of profit. Any exploita-



tion of workers by small business proprietors must be condemned, but it must be recognised that they are not the primary oppressors of the working class, and may in fact be sympathetic towards the pro-democracy movement — as indicated by the robustness of the Yellow Economic Circle, comprised mostly of small businesses openly supportive of the anti-ELAB movement.

3

That unions must also seek to support and participate in the pro-democracy movement is self-apparent; the authoritarian and illiberal takeover of Hong Kong by the CCP must be resisted by all conscientious members of society.

4 Issues of Livelihood and Democracy, the Industrial and the Political, are not mutually exclusive or opposed to each other. Rather, they are intertwined: the bosses who want to keep oppressing and exploiting workers are members of the pro-Beijing establishment selling out Hong Kong to the CCP for their own benefit. They can call upon the state's monopoly on violence to suppress the power of the working class; for example, when police are called in to break up strikes. Whether a person identifies first and foremost as a member of the working-class or a pro-democracy citizen of Hong Kong, the enemy is the same: the pro-Beijing, pro-Business ruling establishment.

5 Therefore, unions must fight for livelihood and political issues both if they are to survive.

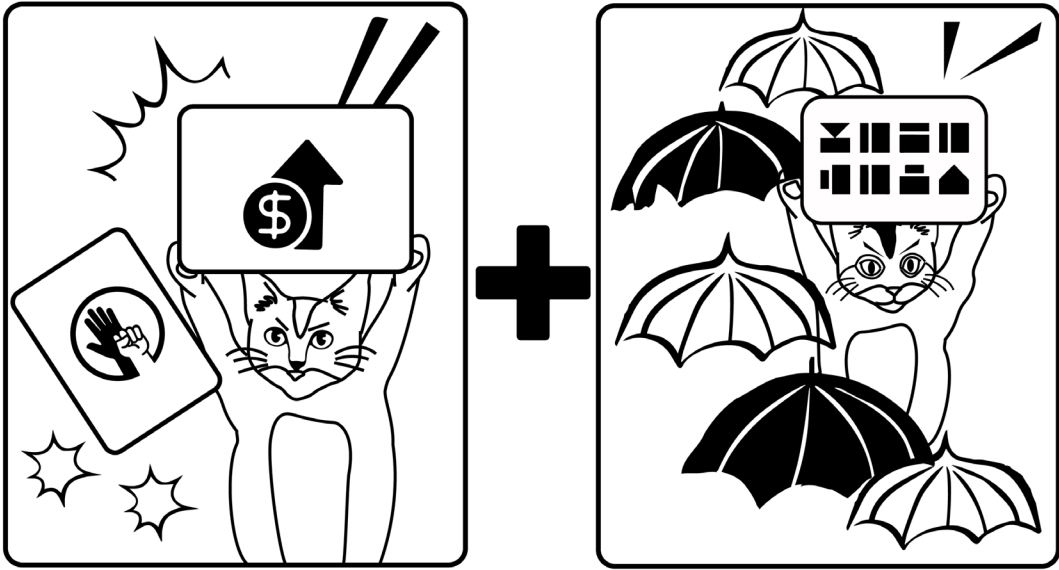
6 A consequence of the Umbrella Movement in 2014, the popular rejection of any central decision-making authority over the 2019 anti-ELAB movement was rooted in past experiences of nominally democratic organisations which had claimed to represent the people, but instead degenerated into bureaucratic entities. Today, how can Hong Kong's new trade unions sustain themselves and grow, and avoid such past mistakes?

7 There must be an emphasis on internal democracy and accountability: union representatives must be directly elected from the rank-and-file membership of the union to enjoy legitimacy.

8 All decision-making processes must be transparent and inclusive. The demands of the union, as well as decisions to strike or engage in other industrial action, should be made democratically. Hongkongers desire democracy and self-determination, and such values must be adhered to and exercised in the operation of the trade union.

9 Unionising can also ensure safety in numbers: individual employees can stand up to a more powerful boss when they unite with their fellow workers in a union. Similarly, Hong Kong's new unions must band together and engage in democratic discussion and strategizing, in order to carry on the pro-democracy struggle in the hostile post-NSL political landscape.

10 A central coordinating body that derives its authority and legitimacy through internal democracy and accountability will be able to plan and execute large-scale and long-term industrial actions: for example, a general strike to paralyse the economy and threaten the government, which the anti-ELAB movement and tried, and failed, to carry out. Simultaneously, the capacity for individual initiative and grassroots decision-making must be cultivated amongst the rank-and-file. ■



UNIONS AND HONG KONG SOCIETY

1 There are around 300,000 Migrant Domestic Workers primarily from Indonesia and the Philippines working in Hong Kong. They play a vital role not only in our economy but in our families, taking care of children, disabled people and the elderly, but this is not an accident. The Government is pursuing an ungenerous social welfare policy which means that workers must be hired by individuals to provide this care, which in other places is provided by the state.

2 As migrant domestic workers, they are subject to a different set of labour regulations that afford them

little protection against exploitative employers and employment agencies.

3 Are they not workers too, and do they not face oppression and exploitation at the hands of the HKSAR government as ordinary Hongkongers do? Are the immigrant workers from the Chinese mainland not victims of the rapacious bureaucratic-capitalism and authoritarianism of the CCP?

4 The new trade unions borne out of the anti-ELAB protests can show us what life is like in a Hong Kong liberated from the tyranny of capitalism and dictatorship. Only by sincerely acting out the values of democracy, egalitarianism, and social justice that we so passionately desire can Hongkongers sustain the movement for a better Hong Kong free from injustice and inequality.

5 Therefore, the New Union Movement must build a rapport with migrant workers and their well-established unions in order to better challenge the hegemony of state and capital from below. ■

LESSONS OF THE ANTI-ELAB MOVEMENT

1 The lack of a shared class identity within the working-class stymies long-term labour organising. A prerequisite for the execution of a general strike is a central coordinating body to organise and direct the city's unions to act, but the widespread distrust for hierarchical leadership, as evidenced by the individualist ethos of the 2019 anti-ELAB protest movement, premised on a legitimate aversion towards the anti-democratic tendencies of bureaucratization and monopoly of power that had marked the 2014 Umbrella Movement, makes this infeasible.

2 The challenge that faces the New Union Movement today is that of facilitating the development of democratic self-determination within a working-class that lacks class awareness. Though there exists an evident need to engage in both Political and Industrial struggles, there remains no clear strategy for Hong Kong's unions to simultaneously consolidate power across these two fronts. In the wake of the National Security Law, which threatens all political activism and organising with the charge of subversion and succession, unions are caught in a double bind, faced with a duty to engage in potentially

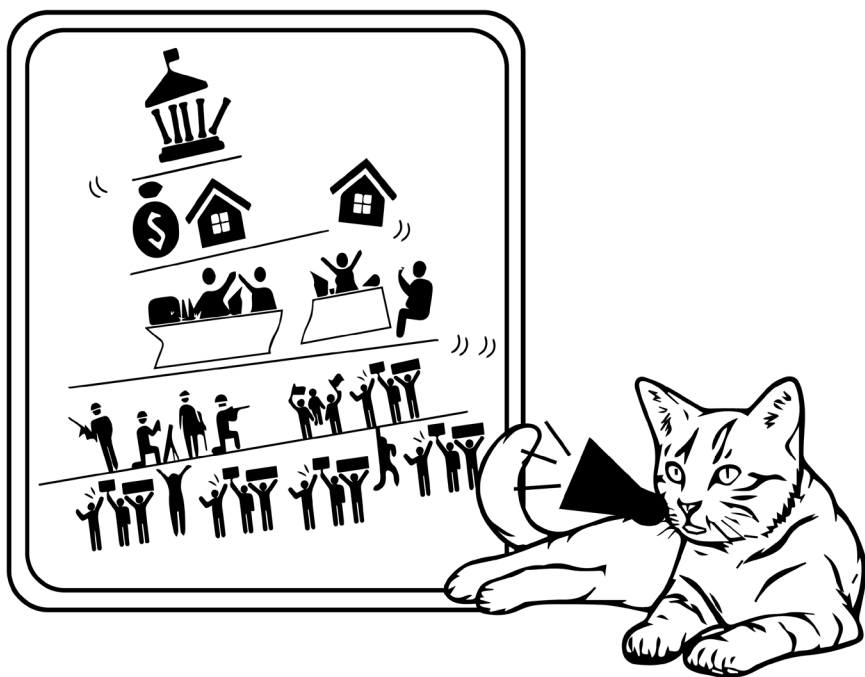
dangerous political work whilst struggling to remain within the bounds of legality to exercise their right to union activity. These are difficult questions, the answers to which will necessitate discussion amongst union members and organisers. ■

THE ECONOMIC FOUNDATIONS FOR DEMOCRACY

1 It must be recognised that the conflicts arising when employees resist an exploitative or unjust employer that necessitate the existence of workers' unions are inherent to, and latent in, the capitalist mode of production, rather than being anomalous departures from a hitherto functional and equitable economic system.

2 The concept of the Law of Value provides the framework for a critique of capitalism.

Essentially, the production of commodities involves several ingredients: raw materials, the tools to transform these raw materials into commodities,



and the workers to operate these tools. Usually, it is the employer who owns the raw materials and the tools; in other words, the workers do not own the means of production. The employer is reliant on their workers for the transformation of raw materials into commodities: through their labour, the workers add value to raw materials; for example, where a chef cooks a meal that is valued at a price many times the cost of its raw ingredients.

This paradigm remains valid in the service-oriented economy of Hong Kong: an office worker in a marketing department of a renowned brand adds value to the branded commodities by contributing their intellectual labour towards marketing and advertis-

ing campaigns. Although service-industry workers don't directly manufacture commodities in the way factory or agricultural workers do, the role they play in producing value is invaluable to and inextricable from the generation of profit; without salespersons to market services on behalf of their employers, the employer would make no profits. Like their counterparts in the factories and the fields, service workers remain subject to the inherent asymmetry of power between the employer and employee, with the constant possibility of exploitation and oppression that entails.

3

In order to turn a profit, employers must minimize their expenses. This means reducing the cost of ingredients to produce commodities: raw materials, tools, and labour. Cutting wages, avoiding pay raises, rescinding employee benefits and pensions, unpaid furloughs, layoffs, uncompensated overtime, disregard for workplace safety, and outsourcing production to contractors are all methods of reducing business costs and increasing productivity at the expense of employees' wellbeing. In the wake of the economic recession caused by the COVID-19 pandemic, all these methods have been utilised by employers in Hong Kong to remain in business on the backs of overexploited and disenfranchised workers.

4

Therefore, the outlook of employers and the outlook of employees are fundamentally opposed within the framework of capitalism. Employers seek to maximise profit by extracting the most value from the

production process at the lowest possible cost, while employees seek to protect their rights and secure a fair and dignified livelihood. As long as the asymmetrical relationship between the employer and employee persists under a system of capitalism uninhibited by government regulation and unopposed by a robust labour movement, the latent potential for exploitation and oppression by an employer of their employees — oftentimes realised in times of crisis where the niceties of paternalistic benevolence give way to the ruthless logic of profit and loss — shall remain a constant threat to the wellbeing of the working class.

What is profit, even? It is the uncompensated labour of the worker, who adds value to raw materials through the production process, but is not repaid in an amount corresponding to the true value (use- or exchange-) of the fruits of their labour, but instead receives the wage their employer chooses to pay them.

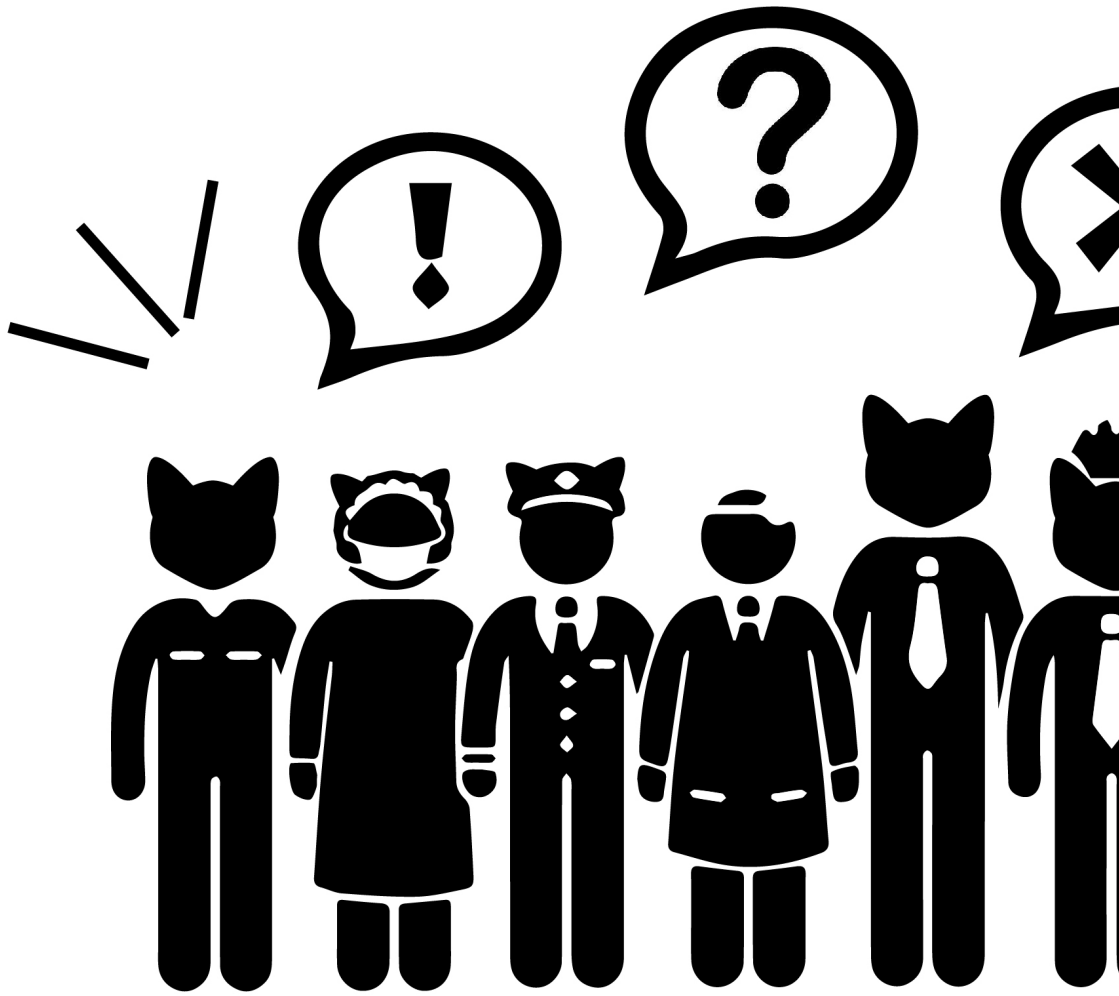
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During the pandemic, these conflicts between employer and employee have been exacerbated by the pro-business and anti-labour practices of the Hong Kong government, who, rather than reinforcing the social safety net by expanding welfare services, have instead directed taxpayer money to shoring up business and corporations. Although the sum of governmental financial assistance a business receives is corollary to the number of workers they employ, the employer is under no legal obligation to redistribute these funds equitably to their workers, nor are

they prohibited from laying-off employees as a condition for the funding. Therein lies the most recent instance of state-capital collusion (官商勾結) at the expense of the working class in a city run by, and for, capitalists and capitalism.

6

Hongkongers must examine their approach to unionism, and the pro-democracy struggle more generally, through an intersectional lens. At present, unions are an indispensable tool to safeguarding both political and workers' rights in the face of a rapacious and authoritarian ruling class. The Solidarity (Solidarność) workers' mass movement in 1980s Poland was able to survive repression by the authoritarian communist regime, eventually achieving democratic reforms and liberalisation, partly due to its centring of the workplace as the focus of political organisation and mobilisation. But even if the current political crisis is resolved by a sudden show of benevolence by our rulers that is completely out of line with their prior actions and stated intent — for example, if Beijing agrees to restore and respect Hong Kong's autonomy in full and allows genuine universal suffrage in the Chief Executive and Legislative Council elections — the contradictions of capitalism, amongst other societal ills not directly consequent to Beijing's overlordship over Hong Kong, will remain. Perhaps it is not too wild a flight of fantasy to assert that Hongkongers must, in the Revolution of Our Times, liberate themselves from all sources of injustice, or not be a liberated people at all. ■



**UNIONS AS INCUBATORS
FOR PARTICIPATORY
DEMOCRACY**



1 Trade unions and organised labour have always played pivotal roles in democratic revolutions throughout history. That Hong Kong lacks any sort of robust labour movement may well be a contributing factor to the slow going of the city's pro-democracy movement to date. But before unions can claim to be the vanguards of a democratic movement, they must first

become practitioners of democracy themselves.

2 Democracy does not merely denote the rule of the majority; rather, it is contingent upon the existence of political pluralism. A people aspiring towards democracy and self-determination must learn how to engage in participatory decision-making through consensus-building and compromise both, whilst protecting the rights and interests of political and other socioeconomic minorities.

3 Essential to the function of a union is the principle of internal democracy. This means that the union representatives who liaise with employers in disputes must be elected from within the membership via democratic process, and that the tactics and strategies the union adopts in its struggles must be decided upon through democratic consensus. In any democracy, dissent is inevitable, as people will express different opinions as to what they believe to be the best course of action is. Members must all abide by the institutions of the union — the rules of order that dictate how the decision-making process is to be undertaken in a fair, transparent, and democratic way, as well as codes of conduct that maintain an atmosphere of mutual respect and accountability between members — for the union to exist as a democratic body.

4 Monopolisation of the decision-making process by strongmen or cliques of unelected or unaccountable bureaucrats will result in the alienation of rank-and-file members from the union when they feel they

no longer have a voice within the direction of the union. The internal democracy of a union must be participatory, which seeks to include all members in the decision-making process in order to ensure that the union is controlled by the rank-and-file membership.

5

The union must present a safe space for criticism and reflection. Only through criticism and reflection can unions adapt their tactics to the ever-changing political situation. Such integral concepts to the 2019 anti-ELAB protest as 'No Schisms, No Disavowals' (不分化, 不割席) or 'No Central Leadership' (無大台) must not be allowed to become instruments to suppress criticism or internal dissent by cynical leaders interested in preserving personal power. The democratic decision-making mechanism of the union must provide means and protection for those who would like to present opposing viewpoints to the majority consensus, or complaints against how the union is being run, so the capacity for free speech, debate, and criticism remains present in a union.

6

A mentality of dependence and passivity remains prevalent amongst the Hong Kong working class, who look towards politicians and activists to act on their behalf instead of banding together to resist oppression and exploitation themselves. As such, union organisers should not blindly focus on increasing membership, but engage in political education with the rank-and-file to develop their class consciousness, political identity, and capacity for critical thinking and leadership.

7

In Hong Kong today, there are no opportunities for citizens to exercise power via democratic means: the Legislative Council is structurally biased towards the ruling establishment and the government; the independence of Hong Kong's legal system is compromised, thus defanging its ability to act as a check upon executive power; and the city's District Councils lack any real power to effect meaningful political change.

8

It is tempting for those supporting the pro-democracy cause to lapse into a siege mentality, wherein the threat of a powerful external enemy is used to justify moratoriums on dissent and democratic decision-making in the name of preserving internal unity and discipline. However, the stifling of debate and reflection within the pro-democracy movement is actively detrimental to the long-term sustainability of the movement, which is reliant not only on the commitment and support of the masses, but their involvement and participation as well, to which an atmosphere where any criticism is stigmatised and attacked is anathema. As incipient platforms for a new mode of grassroots organising and building popular power, Hong Kong's new unions must recognise the necessity of strong internal democratic institutions and customs to persist in the protracted struggle against the increasing authoritarianism and illiberalism of the Hong Kong government. ■

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