

Work, Organization, and Employment
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Global Perspectives on Workers' and Labour Organizations

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Work, Organization, and Employment

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Chapter 6

The Collective Resistance of China's Industrial Workers



Jenny Chan

Abstract This chapter focuses on the collective resistance of Chinese industrial workers in the contemporary context of the Party state-guided market reforms and capitalist globalization. It documents the major protests led by older socialist state workers, younger rural migrants, student interns, and dispatch workers in their respective struggles, resulting in the mixed outcomes of defeats and victories. The government at all levels is increasingly compelled to respond to workers' demands by giving some concessions to "maintain stability." It has not, however, recognized workers' rights to self-organization and mobilization. Leading workers rely heavily on their own to fight for sociopolitical and economic justice. In numerous strikes and protests, they disrupt the continuous workflow in tightly connected global production chains to bargain with employers, and corrupt officials, thereby shifting the dynamics between labor, capital, and the state.

Keyword State workers • Rural migrant workers • Interning student workers
Dispatch workers • The Chinese state • Trade unions • Collective resistance

6.1 Introduction

Before the founding of the Chinese Communist Party in 1921 or the involvement of Marxist intellectuals and students in labor organizing, peasants and an emergent working class of modern industries had attempted to create their own protest repertoires to secure collective rights and interests (Chesneaux 1968; Perry 2002). Elizabeth Perry (1993: 4–5) writes compellingly in *Shanghai on Strike*, "Labor politics begins with the laborers themselves: their geographical origins, gender, popular culture, educational attainments, work experiences, and the like. These are the features of a worker's milieu that structure lasting traditions of collective

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action.” Nearly a century later, Chinese workers now at the epicentre of export-oriented industrialization are struggling to win fundamental labor rights including the collective rights to self-organization. Bypassing the trade unions that are invariably dominated by management and affiliated with the only official body, the All-China Federation of Trade Unions, aggrieved workers have increasingly engaged in strikes and protests to fight for social and economic justice. This chapter assesses the workplace-based power of industrial workers in contemporary China.

When workers withdraw their capacity to labor at central points of transnational production, the collective action will cause huge losses not only to the company, but also to global buyers who are heavily dependent on it. Hence, these image-conscious buyers may push to settle in favor of workers. “Workplace bargaining power,” in the words of Beverly Silver (2003: 13), “accrues to workers who are enmeshed in tightly integrated production processes, where a localized work stoppage in a key node can cause disruptions on a much wider scale than the stoppage itself.” Through accounts of major worker actions, we can observe the changing relations between labor, capital, and the Chinese state. On maintaining social stability and enhancing economic growth, the government has skillfully forged multiple strategies both to thwart workers’ mobilization and respond creatively to it.

Using the historical and sociological perspectives, in the following, I trace the re-emergence of the labor market during China’s transition from state socialism to global capitalism since the late 1970s. With the advent of capital, urban workers in state-owned enterprises, and rural migrants mostly concentrated in nascent private and foreign-invested firms were subjected to the discipline of a despotic regime, resulting in more resistance to exploitation and massive layoffs. As the economy diversifies, employers seek further access to lower cost student interns (from vocational schools) and dispatch workers (from labor service agencies) to flexibly meet their production targets, while fragmenting the work force from making collective demands. Class conflicts and social discontents are growing. From the early to mid-2000, against the backdrop of deepening labor unrest, the Beijing leaders initiated a series of social insurance and minimum wage reforms to improve the basic livelihoods of the majority of the working people, thereby making strategic compromise in an attempt to achieve social stability (Gallagher and Dong 2011; Lee 2014). It remains to be seen whether, in an epoch of proliferating struggles, workers can expand the scope and range of their demands beyond immediate grievances to structural issues of genuine worker representation and democratization.

6.2 The Re-emergence of Labor Markets in Post-socialist China

The Chinese state faced serious challenges of political chaos and economic stagnation in the wake of Chairman Mao Zedong’s death in 1976. Even if a few officials called for political reform and “socialist democracy,” such as a delineation between

the roles of the party and the government, the impact was very limited (Goldman and MacFarquhar 1999: 10–16). Economic initiatives had received far more attention and greater social support. Reformist leaders of Beijing promoted a developmental strategy centering on the four modernizations, namely agriculture, industry, national defense, and science and technology predicated on “reform and opening.” Yet, even as the size and complexity of China’s working class grow, class contradictions sharpen, and social protest proliferates, the language of class has largely disappeared from Chinese mainstream discourse. As Ching Kwan Lee and Yuan Shen (2009: 110) demonstrate, under dual pressure from the state and government-funded academic institutions, many scholars who study workers in Post-Cultural Revolution China “shun class analysis and define away labor issues as those of mobility, migration, and stratification.” The word “class” connotes antagonism and confrontation in the Marxist sense, eliciting dark memories of violent social struggles throughout China from the mid-1960s to the early 1970s. It is an image that is out of step with the “Chinese dream” that China’s leaders proclaim. Its replacement in social analysis, the concept of “strata” elides class conflict and highlights social mobility predicated on enhanced human resource capital through continuing education and skills training. Policymakers and academics working in a social stratification paradigm analyze data on household income distribution, educational attainment, and occupational rankings to document the rise of a middle class, while downplaying deepening structures of class inequality.

The unfinished proletarianization of Chinese rural migrant workers, totaling most than 286.5 million as of early 2018, is a product of the legacy of socialist China and the capitalist transition of the Chinese economy. Four decades ago, in the vast countryside, with decollectivization and the dismantling of People’s Communes, surplus rural labor would be quickly absorbed in booming construction, manufacturing, and service sectors. They are the semi-proletariats, making wages by selling their labor power in the market while possessing land use rights as inalienable rights entitled to rural households (Selden 1993; Huang 2008). In fueling the urban-biased industrialization plans, the state soon liberalized the decades-old rules governing rural to urban labor migration, market entry, and urban employment. The government-guided export-oriented policy centered in the four newly established Special Economic Zones in coastal Guangdong and Fujian Provinces during the early 1980s. There, non-state and later state-owned units could hire and fire workers pouring in from the rural areas and their local counterparts to maximize profits (Solinger 1999; Sargeson 1999; Gallagher 2005; Andreas 2012).

As migrants, many faced discriminations and social exclusions at work and in their everyday lives. Female workers reported issues of sexual harassment and reproductive and sexual health problems (Chan 2001). Even after years of working in the city, the great majority of married migrants and their families retain secondary citizenship status, lacking equal access to important welfare, health, and retirement benefits, while their children are systemically denied opportunities to urban government-subsidized higher education (Ming 2014). The general assumption held by local officials and employers alike is that migrants can always choose to return to their hometowns to fall back on their land and familial resources whenever needed.

This helped perpetuate the extraordinarily low wages and low reproductive costs of the massive Chinese migratory labor force during the last two decades of the twentieth century (Hung and Selden 2017).

By pitting the younger rural migrants against the older urban workers, the state stepped up to slash the cradle to grave welfare benefits enjoyed by most state employees in the acceleration of market reforms. From the 1990s, when China prepared to enter the World Trade Organization, many ineffective, small- and medium-sized state firms began to lose loans from state banks as well as their relatively protected market position to rapidly growing private firms. By contrast, powerful state enterprises retained their monopoly positions in key sectors such as banking, energy, aerospace, telecommunications, and railroads. This government-led restructuring program posed profound impacts on the remaking of the Chinese working class at the turn of the new millennium (Blecher 2010, 2016).

With the exception of large state-owned corporations, the tenure job system and comprehensive welfare benefits disappeared as competition in the market intensified. In 1997, the government formally endorsed enterprise restructuring policies that had already begun. State and collective sector jobs as a share of urban employment fell sharply from “76% in 1995 to 41% in 2000 to only 27% in 2005” (Park and Cai 2011: 17). The “iron rice bowl” system that provided state sector workers with lifetime security was smashed, resulting in layoffs of some 60 million urban workers in the span of a few years (Hurst 2009; Kuruvilla et al. 2011). “After decades of restless change,” Barry Naughton (2010: 441) concludes, “the Chinese industrial system has settled into a relatively stable configuration during the first decade of the twenty-first century.” Despite state efforts to stabilize the economic system, I suggest that ownership and employment relations have remained in flux along multiple axes including formal and informal labor, direct and subcontracted employees, and urban and rural labor.

6.3 Anti-privatization Protests by Chinese State Workers

From the early 1990s, the Chinese government began releasing public security statistics on “mass incidents,” a category that extended across the ranks of workers, villagers, and urban citizens. The term “mass incident” is all-encompassing, possibly including riots, strikes, protests, sit-ins, rallies, demonstrations, group petitions, traffic blockades, and other kinds of social unrest (Selden and Perry 2010). The number of mass incidents each year increased from 8700 in 1993, the first year for which data is available, to 32,000 in 1999 (Tanner 2004: 138). The number “continued to increase at more than 20% a year” between 2000 and 2003 (Tanner 2005: 5). While the precise breakdown by worker-initiated collective actions was not publicly available, the sharp increase during the decade indicated in part the contentious state-labor relations.

Adversely affected rank-and-file state workers, including those laid-off and pensioners who found themselves bereft of benefits with privatization of their

former companies, staged large-scale protests. They held up banners displaying the big characters, "We Want Jobs," "We Want Food," and "We Need to Eat, We Need to Survive" (Chen 2000: 50). By making a moral claim to the socialist contract, if not outright a condemnation of socialism betrayed, some of these protesters secured modest wage or benefit gains, but there was no turning back the clock (Lee 2007; Solinger 2009; Gold et al. 2009; Phillion 2009).

What is clear is that some of the fiercest labor struggles have centered on the privatization of state firms and the consequential layoff of workers. In 2005, for example, the 36,000 workers Tonghua Steel Company, located in Changchun City, the capital of northeast China's Jilin province, were acquired by a private investor. Some 24,000 workers were to be laid off while the wages and benefits of the remaining 12,000 would be cut. According to Li Minqi (2016: 31), "State-owned assets, worth 10 billion Yuan (about 1.5 billion US dollars), were appraised to be only 2 billion Yuan (about 300 million US dollars). Jianlong, a powerful private company having connections with high-ranking officials in Beijing, actually paid only 800 million Yuan (about 130 million US dollars) and took over the factory." Thereafter strikes and protests broke out time and again. In July 2009, the leading steelworkers turned to violent action, including beating company general manager Chen Guojun to death after he threatened to fire all former Tonghua steelworkers. To restore social and economic order, the Jilin provincial government was eventually compelled to intervene by suspending the privatization plan. But such rare victories have had little overall impact on the direction and pace of enterprise restructuring (Rights & Democracy and China Labor Bulletin 2008).

The heart of the problem confronting worker defiance to privatization is the product of collusion among capital and the state, and sociopolitical processes that exclude workers from bargaining and separate them from each other. As Xi Chen (2017: 916) observes labor leaders "tend to 'do for' rather than 'do with' ordinary workers." Surveyed worker activists held "elitist attitudes" that led them to stop fellow workers from joining protests and strategic meetings pertaining to key questions such as asset transfers, mergers and acquisitions, privatizations and mass layoffs. Besides, workers themselves acknowledged that they lacked self-confidence to speak up to senior managers. Observing the distance between ordinary workers and protest leaders, government mediators moved to exploit the "exclusionary power structures" in ways that further undermined workers' solidarity. In recent years, while state workers including coalminers and iron and steel makers protested wage cuts and job losses resulting from government attempts to curb industrial overcapacity and pollution, provincial and lower-level governments stood firm in the restructuring agenda.

The slow death of the opposition of the old socialist working class has been accompanied by waves of protest led by a new cohort of rural migrant workers employed by private and international firms. Companies face increasing pressure to raise wages and improving conditions to retain workers, particularly a younger generation, who frequently change jobs in an attempt to get higher pay and benefits. But what if workers choose not to leave but getting organized to fight?

6.4 Chinese Rural Migrant Worker Resistance

The massive recruitment of rural migrant workers in the service of transnational capital has made many increasingly aware of their shared positions and led to various forms of protest. The workers can readily build solidarity based on pre-existing localistic networks and in some cases transcend them. On the shop floors, workers are alienated and individualized but Ching Kwan Lee (1998: 122) also observes: “Trusting friendships could be built among nonlocals, as women worked alongside each other and helped each other to survive the hostile environment that their class position condemned them to share.” The dynamic or elastic quality of localistic networks is important in our understanding of workers’ interpersonal relations and the formation of potential class alliances. Labor protests may succeed when worker subgroups transcend differences and nurture broader associations among themselves.

Localistic networks are a highly contested resource which can work both for the capitalists and for the workers. Management incorporates localism in the workplace to lower the cost of production and labor reproduction (the locals will help each other out). Moreover, they use pre-existing localistic and patriarchal relations to make class relations less overt. The workers are divided along native-place origins and thus a self-conscious working class becomes less likely. Unequal work tasks are allocated along native-place origins. For example, the Guangdong workers are systematically allocated easier positions on the assembly lines and granted more promotion opportunities than workers from other provinces (Lee 1998; Pun 2005). These selective applications of paternalistic policies deepen intra-class fragmentation, regional rivalries, and sociocultural exclusions. Localism or regionalism therefore dilutes class opposition between employers and workers. For migrant workers, native-place identities remain very important to most of them. Locals and kin are dependable and trustworthy. Localistic communities provide them support and social security far away from home (including economic, social, cultural, and emotional aspects).

The friendship emerging from interactions on production lines and in collective dormitories have transcended localistic divisions to some degree. For example, on 14 April 2014 at Taiwanese-owned Yue Yuen, the world’s largest footwear contractor producing for Adidas, Nike, Timberland, and other international brands, over 40,000 workers in Dongguan city of Guangdong Province went on a factory-wide strike for nearly two weeks to demand full payment of pensions and mandatory housing provident funds that were owed them (Ness 2016: Chap. 4; Schmalz et al. 2017). Most of them were rural migrants from all over the country. On the basis of workers’ monthly wages, Yue Yuen should pay social insurance premiums at 29.2% in accordance with local regulations. In reality, it cheated workers by paying far less than the legally required amount. The social insurance contribution was calculated using worker’s basic wage, which was 1810 yuan, *not* the worker’s total monthly wage including overtime premiums and subsidies (Hong Kong Confederation of Trade Unions 2015).

By law, both employers and employees are required to enroll in local social insurance plans, which include pensions, health insurance, work-related accident insurance, unemployment, and maternity insurance (collectively the five types of social insurance) as well as a mandatory housing fund. Nevertheless, a large funding gap remains across regions, as well as between those classified as urban residents and rural migrants (Carrillo Garcia 2016; Hsiao 2014; Frazier 2014). Drawing on household data from the 2005 and 2010 China Urban Labor Survey, Mary Gallagher and coauthors found that “social insurance coverage rates are much higher for employees who are local residents than for those who are migrants” (Gallagher et al. 2015: 224). In 2010, 88.5% of local resident employees enjoyed pension coverage and 85.8% had health insurance provided by their employers. By comparison, in the same year, only 23.8% of migrant employees had pensions and 21.8% health insurance (ibid.). These and other differences in basic rights protection continue to the present.

In the case of Yue Yuen, migrant workers were grossly under-insured. A core group of workers, who had left their rural homes more than a decade ago and accumulated long years of service while rising to the ranks of low- to mid-level managers, played a pivotal role in the fight against Yue Yuen management. Bypassing the pro-management company union, they marched to the municipal human resources and social security bureau and demanded the company provide state-mandated social insurance payments for all workers. They displayed large red banners emblazoned with white characters that announced their demands. In direct clash, Yue Yuen worker leaders and their supporters from labor non-governmental organizations were arrested by riot police. Later, they were released only after the massive strike was widely reported by both local and international media (Chan and Selden 2014).

In many incidents of labor confrontations, either employer or government officials require workers to elect representatives, generally limited to five, to engage in talks. Once worker representatives are elected, the company moves to take control, and this intervention marks the formal beginning of fragmentation and co-optation of worker power (Lee and Zhang 2013). Frequently, the worker representatives are identified as leaders and dismissed. Mutual protection and trust among “underground activists” and fellow workers are thus critical to the success of a collective action in the absence of visible leaders.

Yue Yuen management agreed to pay full, mandatory social security contributions in accordance with the law starting from 1 May 2014, though not to pay the “historical debts,” that is payments owed from previous years’ failure to pay legally required insurance payments. In post-strike meetings between the company and the local government, Guangdong Federation of Trade Unions Chairperson Huang Yebin emphasized the need for trade unions to protect workers’ rights and interests. Provincial and lower-level unions, despite or because of their institutional dependency on the Chinese state, frequently leveraged the power to mediate conflicts and to initiate bargaining on behalf of workers (Pringle 2017; Chan and Hui 2014). Those “with the nerve to ‘make troubles’” sometimes won the biggest gains by mobilizing stability-obsessed officials to resolve labor conflicts immediately (Chen 2013: 63).

6.5 Student Interns or Cheap Workers?

In China, student interns are neither classified as employees nor are recognized as trade union members. Their legal status remains that of students throughout the internships. Research evidence shows that interning students are exploited as cheap industrial workers in electronics, automobile, and other sectors (Brown and deCant 2014; DanWatch 2015). Indeed, recruitment through vocational schools is an efficient way to add tens of thousands of low-cost workers who can be mobilized by the local state and/or labor agencies, and terminated at will. As of 2014, vocational high school enrolment reached 18 million nationwide (Ministry of Education 2015). The official goal for 2020 is to recruit 23.5 million students—that is, 50% of the nation’s senior secondary student population—into three-year vocational programs (Ministry of Education 2010: Table 1). In other words, student interns are the reserve army of labor precisely when the manufacturing wages are rising and the supply of youthful workers is shrinking in China.

Under the current system, vocational high schools offer employment-oriented courses for eligible applicants who have completed nine years of basic schooling. A standard course lasts for three years at the senior secondary level. When the students are in their third and final year, internships are going to take place at the workplace. Based on extensive archival research and fieldwork, the largest number of student interns is reportedly working in non-state enterprises among which Taiwanese-owned Foxconn Technology Group is China’s largest industrial employer with one million workers (Chan 2017). In Foxconn’s integrated Digital Product Business Group (iDPBG) that exclusively served Apple, 28,044 “student interns from over 200 schools” were working alongside employees in Shenzhen in 2010. This was a sixfold increase from 4539 interns in 2007 (Foxconn Technology Group 2010a: 23). Nationwide, Foxconn used the labor of 150,000 student interns—15% of its entire million-strong Chinese workforce—during the summer of 2010 (Foxconn Technology Group 2010b: 2), dwarfing Disney’s College Program, often cited as one of the world’s largest internship programs with more than 50,000 cumulative interns over 30 years (Perlin 2012: 6).

“Foxconn cooperates with vocational schools to provide students with practical skills training that will enable them to find employment after they graduate from these programs,” a 2011 company statement claims (Foxconn Technology Group 2011). But the company said nothing about its workplace training content and skill evaluation methods. In practice, Foxconn not only recruits students regardless of their field of study, it also routinely recruits them much earlier than is legally allowed, in their first and second years rather than their final year of vocational high school. Foxconn student interns ranging in age from 16 to 18 were subjected to the same working conditions as regular workers, including alternating day and night shifts, 10–12 hour workdays, six to seven days a week during peak seasons, and with extensive overtime. The company internships were often extended to meet production needs, ranging from three months to a full year. In all these ways,

Foxconn systematically violated the letter and the spirit of the law governing interns (Smith and Chan 2015).

One compelling attraction of the intern program for Foxconn and other corporations is the fact that while interns are paid, they are cheap and expendable labor. In January 2011, new workers and student interns at Foxconn's "iPad city" in Chengdu were paid the same 950 yuan/month, but unlike regular workers, interns were not entitled to a 400 yuan/month skills subsidy even after passing a three-month probationary period. Foxconn justifies this tiered treatment by referring to the legal requirement to "pay reasonably for the labor of interns," wherein what constitutes "reasonable pay" went unspecified under the national regulations at that time. It was not until April 2016 did the central government make clear the widespread abuses of the internship system by promulgating the "Regulations on the Management of Vocational School Student Internships." Nevertheless, the new regulations also leave intact incentives for corporations to continue to prioritize internship labor as cheap labor, as in the provision that their pay be "*at least 80% of that of employees during the probationary period*" (italics added) (Ministry of Education et al. 2016). Because student interns are not adequately protected as employees—even as they perform work identical to that of co-workers—employers do not need to enroll them in government-administered social security. By dispensing with all of these benefits, Foxconn ultimately saves money.

How do companies like Foxconn sabotage student internship in their search for productive labor? Local governments, when drawing investment into their localities, set quotas and disbursed funds to vocational schools that fulfilled corporate targets for enrolling interns. Specifically, education bureaus identified schools suitable for linking to company internship programs. In central China, for example, the Henan provincial government effort on behalf of Foxconn bore all the hallmarks of a full-scale military mobilization, a people's war, waged by government on the economic front in the service of Foxconn (Chan et al. 2015). In fact, the interests shared by companies, vocational schools, and local governments are intricate. Rob Lederer, the executive director of the Electronic Industry Citizenship Coalition (EICC), an industry association with more than one hundred members around the world, acknowledged that "one large potential source of reliable, quality labor may be student workers" (EICC and REAP 2015: 2).

Besides electronics, mass recruitment of students as "trainees" and "apprentices" are similarly documented in the automobile sector (Zhang 2015). In the Honda factory strike of May and early June 2010, student interns and workers jointly demanded higher wages and better conditions by eventually paralyzing Honda's tightly integrated supply chains across China. Florian Butollo and Tobias ten Brink (2012: 426) reported that "foremen offer little in the way of instruction despite the fact that the work at the factory is considered to be a part of the interns' education." Student interns made up "the majority" (different sources give different percentages) of the 1800-person labor force at Honda's Nanhai plant, while they were paid a lower wage than regular employees (Lyddon et al. 2015). Despite the power asymmetry between managers and teachers on one side and workers and interns on the other, the strikers won a big wage increase for both workers and interns.

Importantly, in this case, interns and workers interacted as friends and colleagues going to work every day by company shuttle buses and living in the same factory dormitories. Such an environment can prove conducive to strategizing solidarity actions. But because interns are typically short term, solidarity can pose difficult challenges. Even worse, working on the line and living in the factory dormitories, the students must comply with the corporate internship program on pain of not graduating. Labor unfreedom is a cause of concern.

6.6 Subcontracted Workers and Work Inequalities

Besides student interns, agency or dispatch workers are flexibly channeled to labor-hungry workplaces on demand. In reviewing the expansion of labor dispatch services during the 1990s, Feng Xu (2014) found that the first such agencies were founded by local governments to deploy laid-off urban workers following the successive waves of layoffs of state sector workers. These agencies also created new sources of revenues for officials in charge of re-employment. With China's access to the World Trade Organization in 2001, private domestic firms and multinationals quickly joined the niche market of dispatch labor, absorbing the unemployed, rural migrants and fresh graduates. Government statistics showed that by 2011 there were 27 million (data from the Ministry of Human Resources and Social Security) to 37 million (data from the All-China Federation of Trade Unions) dispatch workers in enterprises throughout the country, and the number has been growing (Liu 2014: 14; Huang 2017: 248). Under the dispatch work relationship, "the contracting and managing entities are constructed to be severed from one another" (Huang 2017: 250). When the dispatch workers are injured, for example, neither the user firm nor the dispatching company seems to take the joint legal responsibility (Cairns 2015).

In dispute resolution, disgruntled workers can reject arbitration decisions and appeal to basic-level courts when they perceive arbitrators' awards to be unjust. Within 15 days of an arbitration ruling, workers have a right to apply for a trial of the original dispute. Such appeals have become increasingly common as aggrieved workers anticipate that "judges will grant them higher compensation than the amount of the arbitral awards," despite bearing the burden of having to pay legal fees up front (Chen and Xu 2012: 91). Drawing from the Supreme People's Court database, Philip Huang (2017: 248) highlights the rapid increase of lawsuits over "dispatch work" in basic-level courts, from 59 cases in 2012 to 248 cases in 2013, further to 1255 in 2014, prior to a slight decline to 1190 in 2015. The growth of caseloads is set against the background of rapid development of dispatch work as employers reap the benefits of lower wages, reduced benefits, and greater flexibility, and the weakness of employees caught between the agency and the company where they work (Chan 2009; Zhang 2015).

In an attempt to mitigate the precarity of dispatch workers, the 2014 Interim Provisions on Labor Dispatch stipulate a two-year transitional period for enterprises to lower the proportion of agency workers in their labor force to 10% or lower at any enterprise, but not to question the dispatch system itself (Liu 2014). The multi-tiered employment system is problematic not just from the perspective of subcontracted workers who lack job security, but also from that of regular employees, who encounter greater difficulty in making “collective demands on their employers” as they now must compete with dispatch laborers (Friedman and Lee 2010: 513). Fragmentation among workers and uneven access to labor market has weakened solidarity to some extent.

6.7 Assessing the Forces of Chinese Labor in Global Capitalism

Under reform and further opening, China has become a world factory and a major importer and exporter. Transnational corporations have exported capital in searching for higher profits, thereby circumventing tighter labor, social, and environmental regulatory systems within certain nations. The resulting “successive geographical relocation of capital” has been facilitated by efficient transportation and communications technologies, regional and international financial services, and access to immigrants and surplus labor which hold down wage levels and increase the difficulty of holding capital accountable (Silver 2003: 39; Hung 2009; van der Pijl 2015). The “race to the bottom,” however, has rarely proceeded without workers’ challenges at sites of new investment at home and abroad (Evans 2010; Atzeni 2014; Ness 2016).

A key point for a critical analysis of workers’ activism is: Labor struggles are shaped by class factors as well as labor market factors. This means that, for a member of the working class, the experiences of commodification in the market (that is, the sale of labor power in exchange for wages) and alienation and exploitation at the point of production can and should be connected. This is because labor as a commodity in the market is derived from the logic of capital accumulation rooted in the relations of production. Labor struggles can be viewed as early signs of class consciousness that could lead to a possible emergent labor internationalism in which the resistance of Chinese workers gained the support of students and scholars, workers, and consumers throughout the developed world who are associated as consumers with major products manufactured in China. This is the basis for the development of a labor-focused anti-sweatshop global campaign (Pun et al. 2016; Chan et al. 2016).

In China and almost every country, Marcel van der Linden (2016: 201) shows that “traditional labor movements are in trouble.” Organizing among various segments of labor and across different scales and geographies, nevertheless, worker activists and their supporters are struggling to make their ways forward

(Appelbaum and Lichtenstein 2016). In the course of China's rapid urbanization and industrialization, precisely when hundreds of millions of urban and rural workers were compelled to sell their labor power in exchange for wage in harsh conditions, worker organizers have taken legal and extra-legal means to reclaim their rights and dignity. "Global supply chains," in the assessment of Benjamin Selwyn (2015), "are not benign spheres of opportunity, but tools for increasing the exploitation of labor in both the Global North and the Global South." Chinese workers, not unlike their counterparts in other parts of the world, have been pushing the state to amend its legal framework and conflict resolution approach to protect worker-citizens who are exposed to profound uncertainty and insecurity (Seidman 2007; Lee 2016; Gallagher 2017).

Labor disputes and lawsuits across sectors and geographic spaces have continued to surge since the mid-1990s. Aggrieved workers "mobilized the law" by quoting specific clauses of legal protection when their rights were violated, such as non-payment of wages and social insurance benefits (Chan 2009; Gallagher 2005, 2017; Lee 2007; Liebman 2014). Official statistics show that, in 1996, 48,121 labor disputes were accepted for arbitration, the total spiraling to 120,191 in 1999, involving more than 470,000 laborers as numbers soared in the context of massive layoffs of state sector workers. The upward trend continued from 2000, reflecting widespread incidences of rights violations as the non-state and restructured state sector expanded. Labor cases further skyrocketed to 693,465, involving more than 1.2 million laborers nationwide in the economic crisis of 2008. Following the economic recovery, newly accepted arbitration cases fell to 600,865 in 2010 and further to 589,244 in 2011. In 2013, however, the total number of labor dispute cases rebounded (665,760), despite greater responsiveness on the part of the government and its trade union offices to resolve problems at the grassroots level (*China Labour Statistical Yearbook 2014 2015*: Table 8.1).

On "stability maintenance" and "social management," Ching Kwan Lee and Yonghong Zhang (2013) show the local Chinese state's proactive bargaining with protest leaders, including buying off troublemakers to contain and disperse mass protests. Where possible, government officials have engaged in "relational repression" to force protestors to abandon their demands through effective control over the important social relations of the core organizers, such as their work and families (Deng and O'Brien 2013). Mary Gallagher (2014) characterizes the deep intervention of the Chinese state, the rise of "the activist state," to mitigate labor unrest in which frontline officials have used their discretionary power, instead of going through more time-consuming legal bureaucratic procedures, to quickly restore industrial peace and harmony. In turning the street into a makeshift courtroom, government negotiators have joined hands with lawyers to arrive at settlements onsite, thus preventing labor grievances from escalating (Su and He 2010). Under this circumstance, state and corporate strategies to date have effectively restricted a nascent worker and pro-labor movement to the local level.

6.8 Labor Challenges to Chinese Union Reforms

China, not unlike East Asian authoritarian states in early decades of export-oriented industrialization, took repressive measures to suppress independent unionism. Differing from democratizing South Korea and Taiwan in the late 20th century, however, alternate trade union organization continues to be strictly forbidden in present-day China. By 2014, the centralized Chinese trade union federation claimed a total of 288 million union members, the largest union membership in the world (*China Statistical Yearbook 2015 2016*: Table 24–27). Wang Zhaoguo, chairman of the Beijing-based trade union federation from 2002 to 2013, aims to “ensure the interests and rights of workers” and “bring the benefits of economic development to all workers to promote social justice” (quoted in *China Daily* 2012). Official rhetoric aside, the lack of genuine union representation remains a fundamental challenge to labor, despite efforts pooled by workers and advocates to call for real union elections (Traub-Merz 2012; Friedman 2014; Kuruvilla and Zhang 2016).

The major official goals of building unions and promoting a workplace-based consultative and negotiation system are to reduce arbitration and litigation case-loads and to regulate the management of labor affairs at all levels. The 2014–2018 national trade union work plan stipulates that unions should “further promote collective bargaining with a view to protecting the legitimate rights and interests of workers and facilitating harmonious and stable labor relations” (All-China Federation of Trade Unions 2015). Putting the recent company union reforms in its regional context, in 2013, the Guangdong provincial government released for public discussion “Regulations on Enterprise Collective Consultations and Collective Contracts (Revised Draft).” The regulations specified that employees can initiate a “collective consultation process” and management must present a point-by-point written reply within 20 days of receiving the notice (The Standing Committee of Guangdong Provincial People’s Congress 2013). In response to strong opposition from major business associations, including large investors from Hong Kong across the border, however, the government weakened the draft provisions and on 25 September 2014 passed “Regulations on Enterprise Collective Contracts in Guangdong,” effective 1 January 2015 (The Standing Committee of Guangdong Provincial People’s Congress 2014). Article 18 stipulated that “at least 50% of the workforce of the company in question” must endorse the formal call for compulsory talks to take place, a formidable obstacle to worker actions. Aaron Halegua (2015) further comments that “if negotiations do happen, the regulation explicitly prohibits workers from engaging in a work stoppage or slowdown.” As a result, “there are no new tools to pressure employers to take bargaining seriously.”

Thus far discontented workers have repeatedly condemned and sought to circumvent management-controlled unions in efforts to organize to protect themselves. In close-knit production chains, workers “have the potential capacity to disrupt the interactions by exercising interdependent power”—the power to withdraw their consent and cooperation to high-speed production notably in periods of rollout of new models and in holiday seasons (Piven 2014: 226). Moreover, striking workers

have sometimes been able to compel the state to arbitrate grievances, helping to win wage gains or secure benefits that previously eluded them (Chen 2012; Lee 2014; Pringle 2017).

Different state units (such as the union organization and the police force) have responded to workers' strikes and protests in different ways, contingent in part on the responses of local and international labor organizations, the nature of worker demands, and above all, their own priorities and preferences for restoring industrial peace. On the whole, local officials continue to search for mechanisms for resolving social and labor conflicts that strengthen workers' rights as individuals, while preserving structures of authority, thereby maintaining a political monopoly of the party-state (Chen 2007, 2016; Perry 2014).

6.9 Conclusion

Class analysis in the classic Marxist sense is by no means obsolete. China's emergence as a global economic power and its transition from the ranks of the poor to lower middle-income status has been fueled by political economy transformations since the 1970s. Confronting corporate-led globalization under the auspices of the post-socialist Chinese state, the out-migration and semi-proletarianization of close to 300 million villagers have constituted a new labor force, simultaneously, tens of millions of older state workers had fallen from grace in bankruptcy, privatization, and restructuring (Li 2016). As employers prioritize profits, efficiency, and organization flexibility, they increasingly tap into lower-cost student interns and dispatch labor to cope with rising production needs, often at the sacrifice of the interests of regular or formal workers. In the face of injustices and oppressions, workers have improvised individual and collective responses to resist corporate and corporate-state abuses in the absence of effective union representation or leadership.

The proliferating labor struggles are primarily rooted in local terrain and driven by forces of global capital and the Chinese state striving to climb the global value chain. President Xi Jinping, who took the top position in 2013, has been alert to the fact that "many cracks in the facade of regime stability" have not only appeared but also deepened, notably the growth of labor and other kinds of social challenges, despite the durability and resilience of Chinese authoritarianism in the wake of the collapse of former communist-bloc countries since the late 1980s (Chen 2013: 63). Reform of Chinese trade unions at the grassroots level, particularly the expansion of union functions to secure the right to collective bargaining, attains ever greater urgency. "Realize the great Chinese dream, build a harmonious society," intones a government banner. The definition of that dream and the determination of who may claim it remains strongly contested.

Looking ahead, this research contends that structural obstacles to the emergence of a vibrant Chinese labor movement are *not* to be eliminated in the near future. Multinationals in some manufacturing sectors have already moved their operations

abroad to take advantage of lower wage levels (such as Vietnam, Laos, Cambodia, India, and Indonesia), while others are constructing new factories in inland Chinese cities with an eye to reducing labor costs, securing lucrative local government subsidies, and accessing to a fresh supply of young workers willing to accept lower wages. Will the current period of protest in localized and dispersed sites of resistance across China develop further through alliances across class lines and across the urban–rural divide into a more broadly based social movement, against the backdrop of accelerated capital relocation and deepened state intervention? The core question remains whether workers throughout coastal and interior China will succeed in strengthening their protests as part of a global labor movement. That would of course require not only the growth of Chinese labor struggles but labor struggles and support movements centered on the developed countries as well as the Global South.

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