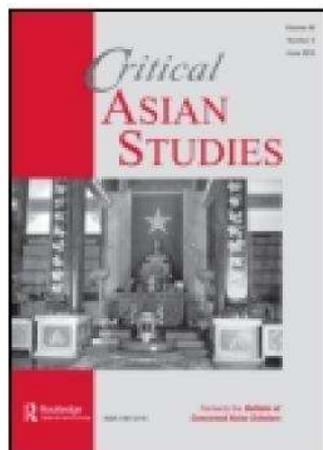


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CHINA'S RURAL MIGRANT WORKERS, THE STATE, AND LABOR POLITICS

Jenny Chan and Mark Selden

ABSTRACT: The proletarianization of rural migrants is distinctive to contemporary China's development model, in which the state has fostered the growth of a "semi-proletariat" numbering more than 200 million to fuel labor-intensive industries and urbanization. Drawing on fieldwork in Guangdong and Sichuan provinces between 2010 and 2014, supplemented with scholarly studies and government surveys, the authors analyze the precarity and the individual and collective struggles of a new generation of rural migrant workers. They present an analysis of high and growing levels of labor conflict at a time when the previous domination of state enterprises has given way to the predominance of migrant workers as the core of an expanding industrial labor force. In particular, the authors assess the significance of the growing number of legal and extra-legal actions taken by workers within a framework that highlights the deep contradictions among labor, capital, and the Chinese state. They also discuss the impact of demographic changes and geographic shifts of population and production on the growth of working-class power in the workplace and the marketplace.

With a shift in manufacturing from the developed countries of North America, Europe, and East Asia to China and other developing countries, China has become not only "the workshop of the world," but signs show that it is also becoming the epicenter of world labor unrest in the wake of privatization, global outsourcing, and transnational manufacturing. Yet even as the size and complexity of China's working class grows and class contradictions sharpen across society, the language of class has largely disappeared from Chinese discourse. As Ching Kwan Lee and Yuan Shen demonstrate, under dual pressure from the state and academic institutions, many scholars who study workers in post-socialist China "shun class analysis and define away labor issues as those of mobility, migration, and stratification."¹ The contemporary Chinese understanding is that the word *jieji* (class) connotes antagonism and confrontation in

the Marxist sense, eliciting dark memories of violent social struggles in the recent past. It is an image that is out of step with the “harmonious society” that China’s leaders proclaim. Its replacement in social analysis, the concept of *jie-ceng* (strata) elides class conflict and highlights social mobility.² Government policy-makers and academics analyze survey data on income distribution, educational attainment, and occupational prestige or rankings to document the rise of a middle class, or various middle class strata, in a rapidly developing nation that has achieved a modicum of wealth.³ The mainstream discourse highlights social mobility predicated on enhanced human resource capital in the image of the entrepreneur through continuing education and re-employment training while downplaying structures of inequality, changing social structures, and social conflict.

We emphasize that the proletarianization of rural migrants is distinctive to contemporary China’s development model, in which the state has fostered the growth of a “semi-proletariat” numbering more than 200 million to fuel labor-intensive industries and urbanization. Since the 1980s China has been encouraging private and foreign direct investment, expanding international trade, and reining in the state sector. William Hurst sharply observes that from the 1990s through the early 2000s, under intensified market competition, “state firms became more, rather than less, politicized through reform.”⁴ The “iron rice bowl” of life-long job security and accompanied economic and social gains was shattered following the dissolution or restructuring of state-owned industrial units.⁵ At the same time, with the promotion of urban and rural labor flow for the export-oriented economy, a new working class drawn overwhelmingly from the ranks of rural migrant workers (*nongmingong*) has emerged in step with rapid urbanization. As of 2013, 46.6 percent of China’s 269 million internal migrant workers were born after 1980, and the majority (60.6 percent) of these young people had completed nine years of formal education. An additional 20.5 percent are high school graduates.⁶ They are the mainstay of the new labor force.

In presiding over China’s emerging state capitalism, the state, above all at the provincial and municipal levels, has prioritized management controls with an emphasis on profit, labor flexibility, production efficiency, and competition across enterprises with multiple forms of ownership.⁷ Drawing on fieldwork in Guangdong and Sichuan provinces between 2010 and 2014, supplemented with scholarly studies and government surveys, we analyze the precarity and the individual and collective struggles of a new generation of rural migrant workers. In the cities where they live and work, they confront economic and social deprivation and share similar experiences. We assess the significance of the

1. Lee and Shen 2009, 110.

2. Pun and Chan 2008.

3. Anagnost 2008; Guo 2009; Chen and Goodman 2013.

4. Hurst 2009, 53.

5. Solinger 2009; Kuruvilla et al. 2011.

6. National Bureau of Statistics of the People’s Republic of China 2014 (2013 nian).

7. Gallagher 2005; Silver and Zhang 2009; Blecher 2010; Andreas 2012.

growing number of legal and extra-legal actions taken by workers within a framework that highlights the deep contradictions among labor, capital, and the Chinese state. We also look into the impact of demographic changes and geographic shifts of population and production on the growth of working-class power in the workplace and the marketplace.

State Capitalist Transformation and the New Generation of Migrant Workers

At the Third Plenum of the Eleventh Central Committee in December 1978, Deng Xiaoping and his allies promoted a developmental strategy centered on the Four Modernizations, namely, agriculture, industry, national defense, and science and technology. With China's accelerated economic reforms in the 1980s and 1990s, privatization, marketization, migration, urbanization, and globalization became hallmarks of the modernization project. High-speed growth spurs dreams of success, not least in the ranks of hundreds of millions of rural youth employed in global factories in the coastal areas and the cities. With the continued advance of rural-to-urban migration and the layoff of some 60 million state sector workers from the 1990s to the early 2000s, rural migrant workers simultaneously became the core of the new industrial working class and were exposed to market risks and uncertainty, notably in the 2008 world recession.⁸

Yet the second generation of Chinese rural migrants has not completely left the countryside or cut their rural ties. Indeed, these young migrants inhabit a certain limbo that may be understood as a form of incomplete proletarianization. The Chinese state defines and registers rural migrant workers as rural citizens in perpetuity. This includes those who were born, and even have spent their entire lives, in cities.⁹ The village-allocated subsistence plot of land and the entitlement of rights to cultivate it as a birthright remains intact¹⁰—arguably a form of insurance in the event of layoffs or return to the village, but of little interest to most of those who were born in and grew up in the coastal areas and the cities. It is a relic of the original accumulation strategy of the socialist period, based on the transfer of the rural surplus to industry and the cities at a time when villagers were rendered immobile and bonded to collective life in the decades following the establishment of the People's Republic.¹¹ The assumption was that reproduction of villagers, including raising and educating children and retirement, would take place in the rural areas. From the late 1970s, “wage work in the city,” comments Sally Sargeson, “became the means for self-actualization [of women migrants] in family and village.”¹² For nearly all it was transient;

8. Pun and Lu 2010; Hurst and Sorace 2011; Friedman 2014.

9. On the government implementation and evolution of China's *hukou* (household registration) system, see Cheng and Selden 1994; Whyte 2010; Selden and Wu 2011; Zhan 2011.

10. In March 2003, the central government implemented the Rural Land Contracting Law, which upholds the “thirty-year no-change rule” to household contracted farmland and provides cultivation rights to a plot of land for migrant workers including those who left the village years earlier.

11. Selden 1993; Lee and Selden 2008.



Disco, boutiques, supermarkets, and branded stores targeting young consumers are among the popular places frequented by workers living in the Foxconn dormitory zone in Shenzhen, China. (Credit: Jenny Chan)

many among the first generation of rural migrants drawn to the labor market into the 1990s returned to their villages to marry, settle in, and raise children.¹³ But with the new generation, the times have changed and many rarely return to settle in the villages of their registration.¹⁴

“Birds, don’t be silly, no one cares whether you’re tired from flying, people only care how high you fly,” mused a nineteen-year-old migrant working girl from central China’s Hubei.¹⁵ Working in Foxconn Technology Group, the Taiwanese-owned electronics manufacturer that is China’s largest industrial employer with 1.4 million employees, she hoped to secure a better life for her mother and herself in Greater Shanghai. Another young migrant worker in Beijing asserted, “If I had to live the life that my mother has lived, I would choose suicide.”¹⁶ Growing corn and wheat on tiny parcels of land and keeping a few pigs and chickens may not leave her hungry, but getting ahead and moving upward is near impossible if one seeks to eke out a living on the small family plot. Following China’s accession to the World Trade Organization in 2001, villagers experienced ever more intense market pressures, one of the factors accelerating migration. Despite the elimination of agricultural taxes and the installation of local insurance schemes, much of the countryside has remained stagnant as youth have left en masse for the cities and jobs in industry, construc-

12. Sargeson 1999, 219.

13. See also Lee 1998; Solinger 1999; Davin 1999; Rofel 1999; Chan 2001; Pun 2005; Jacka 2006; Murphy 2009; Kim 2013.

14. All-China Federation of Trade Unions 2010.

15. Unless otherwise stated, we draw on our worker and manager interviews from a larger ongoing research project on Foxconn’s production regime and rural migrant labor in China.

16. Yan 2008, 25.

tion, and services.

The children of post-Mao China have grown up with new and different hopes and expectations than their parents. Large enterprises help shape rosy dreams for working-class youth. Male and female middle school graduates—aged sixteen and above and in good physical and mental health—are invited to apply for work. A Foxconn recruitment slogan reads: “There’s no choosing your birth, but here you will reach your destiny. Here you need only dream, and you will soar!” A colorful poster exults, “Pool the whole country’s talent, paint splendid prospects.” A 2007 survey conducted in Beijing and other major cities found that 70 percent of the 4,637 rural migrant worker respondents working in manufacturing, services, and extractive and construction industries aspired to “receive technical training,” viewing it as the key toward fulfilling their dream of rising within the system, making a career, and developing their capabilities. The contrast is clear with first generation migrants who were born in the 1960s and described their primary concern as “making money” before returning to the countryside.¹⁷

The personal decisions of teenagers and young adults concerning migration, shaped by the urban-centered export-oriented industrialization, were consistent with the state’s goal of channeling labor migration to coastal industrial areas and, more recently, to high-tech production centers in inland provinces.¹⁸ Under the state-sponsored “go west” development plan, Chengdu, the provincial capital of Sichuan in southwestern China, for example, is currently home to more than two hundred Global 500 companies.¹⁹ Regional economic integration and stronger intergovernmental cooperation are priority goals for provincial and city governments. A notable example is the establishment in 2011 of the Chengdu–Chongqing Economic Zone (Cheng-Yu Jingji Qu), following the regional development of trade and industry over the preceding decade.²⁰ From coastal to central and western China, Foxconn gains local government support in terms of access to labor, land, and administrative services, including recruitment of workers and student interns. A Chengdu-based Foxconn human resources manager said, “the future of Foxconn has been tightly bound with Chengdu and Chongqing.” Similarly, Andrew Ross concludes from his research on global IT service outsourcing to China that “in Chengdu,” the gateway to consumer markets in southwestern regions, “it was impossible not to come across evidence of the state’s hand in the fostering of high-tech industry.”²¹ The rise of Foxconn and other large companies testifies to China’s success in establishing itself as a global electronics giant and exporter.

“Hand in hand, heart to heart, Foxconn and I grow together,” reads a bright red banner above the production line. Harsh discipline and strict factory discipline notwithstanding, Foxconn management—facing a young cohort of work-

17. China Youth and Children Studies Center 2007.

18. Lai 2002; Tian 2004; McNally 2004; Goodman 2004.

19. *Fortune* Live Media 2013.

20. Zhou and Wu 2013.

21. Ross 2006, 218.

ers with higher education and greater mobility—has sought new ways to motivate its workers, while imposing ever more demanding quotas. It presents a caring image through various kinds of employee activities, such as day trips, picnics, hiking, fishing, singing contests, pop concerts, dance shows, basketball tournaments, and annual partner matching parties on Valentine’s Day. These activities have increased notably since the string of employee suicides in spring 2010.²² But sports and entertainment programs aside, many workers voice frustration with boring repetitive work, long hours of compulsory overtime, and above all the inability to rise above the workshop floor through development of skills.

At Foxconn, and of course, not only there, every second counts toward profit. Posters on the Foxconn workshop walls intone: “Value efficiency every minute, every second.” “Achieve goals or the sun will no longer rise.” “The devil is in the details.” On the production line, protracted twelve-hour workdays, six or seven days a week during peak seasons, break the endurance and health of even the strongest. A young worker described herself as a cog in the labor process:

I serve as a cog in the visual inspection work station, which is part of the static electricity assembly-line. While the adjacent soldering oven delivers smartphone motherboards, both my hands extend to take the motherboard, then my head starts shifting from left to right, my eyes move from the left side of the motherboard to the right side, then stare from the top to the bottom, without interruption, and when something is off, I call out, and another human part similar to myself will run over, ask about the cause of the error, and fix it. I repeat the same task thousands of times a day. My brain rusts.

Her coworker similarly reported: “I take a motherboard from the line, scan the logo, put it in an anti-static bag, stick on a label, and place it on the line. Each of these tasks takes two seconds. Every ten seconds I finish five tasks.” Those five tasks are repeated throughout the work day. Each worker specializes in one task and performs repetitive motions at high speed, hourly, daily, for months on end.

“I soon found a job at Foxconn,” a twenty-two-year-old new graduate recalled, “only to learn that what the company valued most was discipline and obedience, not the leadership and interpersonal communication skills I had acquired in college.” It is the high aspirations of the young rural migrants that make the reality of work on the assembly line at Foxconn and other factories so frustrating.

An employee orientation instructor told stories of entrepreneurs like Apple chief Steve Jobs and Microsoft chairman Bill Gates to inspire new workers. Yet the reality of the workplace was mind numbing. A male iPad-assembly worker, 25, expressed his frustration:

I’m no longer able to muddle along at my job. Every month [without overtime work] I make only a little over a thousand yuan. If I marry, I will have to provide for kids, and it’s really not enough for that.... Most people in

22. Chan and Pun 2010; Pun and Chan 2012; Chan (Jenny) 2013; Pun et al. 2014.

my dorm are unmarried. Married people generally won't come here. The wages are too low.

In a large-scale survey, 72 percent of the 16,648 worker respondents in Foxconn Chengdu reported that their average income of a total of 2,257 yuan (approximately US\$360 in March 2012) did not “cover basic needs.”²³ In a detailed breakdown, a female worker interviewee showed her December 2011 Foxconn wage slip with the following deductions: social insurance, 124 yuan/month; housing provident fund, 77.5 yuan/month; factory dormitory rent, 110 yuan/month; for a total of 311.5 yuan. She said, “My biggest expenditures are food, sundry items, clothes and accessories, and cell phone charges, adding up to some 800 yuan.” “If it were not for overtime,” she emphasized, “I'd certainly feel the pressure.” In the event of critical illnesses or injuries, she would face a heavy financial burden. To cut housing costs, she and many of her coworkers “chose” to move to the collective factory dormitory, where social space is incorporated in the production system to facilitate just-in-time production.²⁴ The fulfillment of personal and familial needs in either the shared dorm room (usually six to twelve men or women) or the private rental market is very challenging for low-income workers, and the government provision of social services (ranging from affordable housing, medication, education, transportation, and childcare facilities) is far from adequate for rural migrants.

In recent years, with workers' persistent demands for pay raises and with state efforts to boost incomes, between 2008 and 2012, nominal statutory minimum wages increased annually by 12.6 percent on average,²⁵ except for a wage freeze in 2009 in the wake of the world recession when many workers were laid off and sent back to the countryside. In February 2013, the State Council, under the new leadership of President Xi Jinping and Premier Li Keqiang, issued a document entitled “Several Opinions on Deepening the Reform of the Income Distribution System” to address rising income inequality, in line with the broad developmental goals of “putting people first” and rebalancing efforts outlined in the two previous five-year plans beginning from 2005.²⁶ Noting rising labor unrest throughout the country, the state took steps to reduce rampant inequities,²⁷ for example, by encouraging cities to extend benefits to health and education to migrant workers and their children.²⁸

But signs indicate that increasing wages among workers are not translating rapidly into higher consumption or a sense of security. Household savings as a share of disposable income sharply increased from 16 percent in 1990 to 30 percent in 2007, according to a survey covering 122 rural counties and 77 cities across major Chinese provinces. High savings are essential for workers who lack

23. Fair Labor Association 2012, 5.

24. Pun and Chan 2013.

25. China Briefing 2013.

26. State Council of the People's Republic of China 2013.

27. The latest data in 2013 indicated that China's Gini is 0.47 (internationally, a Gini coefficient of 0.4 or above is considered high)—a level comparable to Nigeria, and slightly higher than that of the United States, all of which rank high in social inequality. See *The Economist* 2013.

28. Ming 2014.

adequate health insurance and pensions.²⁹ While employers are legally required to provide five types of social insurance (including old age pensions, medical insurance, work-injury insurance, unemployment benefits, and maternity insurance), the vast majority of those classified as rural migrants lack basic coverage of welfare benefits across the board.³⁰ In 2013, the government estimated that only 28.5 percent of 166 million rural migrant workers were covered by work-injury insurance; 17.6 percent, medical insurance; 15.7 percent, old age pensions; 9.1 percent, unemployment benefits; and 6.6 percent, maternity insurance.³¹ Even when migrant employees are insured, they are frequently unable to carry their benefits to new localities when they change jobs or accept a (forced) company transfer. While they are permitted to withdraw their own individual payments, they often cannot recoup those that employers made in their names.³² At the workplace level, trade unions manipulated by managers, many of whom double as trade union staff, always turn their back on labor disputants. Under these circumstances, workers have frequently used the law as a weapon and taken their bosses to arbitration to redress grievances.

Labor Disputes and Legal Challenges

From the late 1970s, China's leaders have striven to legitimize governance by replacing class struggle approaches with law, that is, to mediate conflict through the courts rather than in the streets. The government's promotion of the "rule of law" has inspired citizens to file claims through fast-expanding legal institutions and aggrieved workers can quote specific clauses of legal protection when their rights are violated.³³ Between 1978 and 1995, forty-nine labor laws and regulations were enacted, including the national Labor Law, which came into force on 1 January 1995.³⁴ As the state seeks to channel labor conflict to government-sponsored mediation and arbitration, Ching Kwan Lee observes that "the law has become the pivotal terrain of labor politics."³⁵

Arbitration committees are grassroots state organizations that bring together labor and management to resolve labor conflicts. The legal path of course can be costly and time consuming. And some disputes fall outside of the legal labor domain of the question of legality.³⁶ Workers know that government arbitrators do not accept demands such as those for wage increases above the legal minimum. Labor dispute cases are also rejected when workers cannot provide basic documentation indicating a contract defining an employment relationship—a situation that numerous workers confront, such as those who are hired in unlicensed or illegally run workshops and in the informal sector.

29. In addition, male workers need to save money to enhance their attractiveness as husbands—the gender imbalance amongst the current generation of young people means that there is a shortage of brides. See Wei and Zhang 2011.

30. All-China Federation of Trade Unions 2011.

31. National Bureau of Statistics of the People's Republic of China 2014 (2013 nian).

32. Frazier 2011.

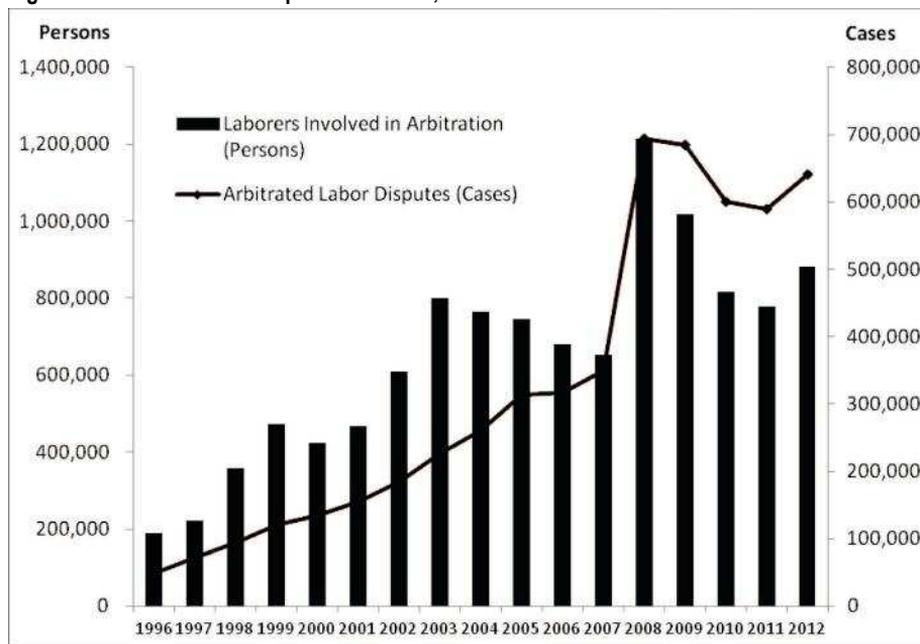
33. Diamant, Lubman and O'Brien 2005; Ngok 2008.

34. Thireau and Hua 2003.

35. Lee 2010, 76.

36. Harper Ho 2003.

Fig. 1. Arbitrated Labor Disputes in China, 1996–2012



Source: *China Labor Statistical Yearbook 2013* (2014, 348–49).

As conflicts over working conditions intensify, workers have sought various means to defend their rights and interests. Official statistics show that in 1996, 48,121 labor disputes were accepted for arbitration, the total rising sharply to 120,191 in 1999, involving more than 470,000 aggrieved 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 private sector expanded. Labor cases further skyrocketed to 693,465 involving more than 1.2 million laborers nationwide in the economic crisis of 2008. These were disputes over wage and insurance payments, illegal layoffs, and inadequate compensation payments (see fig. 1).

The Labor Contract Law, effective 1 January 2008, strengthens the deterrent effect of sanctions by specifying fines and penalties for enterprises that violate employment agreements and fail to provide overtime premiums and social security. Article 4 further requires employers to discuss enterprise rules (such as labor remuneration, working hours, rest and vacation, occupational safety and health, insurance and welfare, training, labor discipline, and work quota management) in a meeting of all employees or elected worker congresses, and to confirm the rules only following a “consulting process” with worker representatives or the trade union on an equal footing.³⁷ Moreover, the Labor Dispute Mediation and Arbitration Law, which came into force on 1 May 2008, extended

37. Despite strong opposition from the “sweatshop lobby” of transnational business, as represented by the American Chamber of Commerce, the US-China Business Council, and the European Union Chamber of Commerce, the National People’s Congress of China promulgated the Labor Contract Law in June 2007 (effective 1 January 2008), after three rounds of revisions. See Cooney et al. 2007.

the statute of limitations for filing cases from two months to one year so as to encourage workers to bring cases to arbitration. Unpaid workers were the greatest beneficiaries of the time limit extension for filing claims. Thereafter, newly accepted arbitration cases fell to 589,244 in 2011, then rebounded to 641,202 in 2012. In recent years, governments at all levels have directed workers to resolve conflicts through workplace-based mediation and other informal means, yet arbitration caseloads remained heavy.³⁸

Not only is the devil in the details of the law, however, what is critical is enforcement under circumstances in which local governments compete to secure and hold foreign investment in their domains. The state-capital nexus is powerful even as specific grievances surface in lawsuits and collective protest of various kinds. Research in 2009–2011 found that disgruntled workers again and again rejected arbitration decisions and appealed to higher courts when they perceived arbitrators' awards to be significantly below what they believed the labor law guaranteed them.³⁹ Within fifteen days of an arbitration ruling, workers have a right to apply for a trial of the original dispute. Such appeals have become increasingly common. If either side is dissatisfied with the verdict, it can appeal to a higher court, where a second trial is final. A former mid-level Foxconn human resources manager, in a lengthy interview, reflected on his "unequal legal battle" following his "unlawful dismissal" in April 2011. In his words:

I've done my best. The outcome, from my view, is negative. When we're forced to file a lawsuit, even if we win, we're actually losers. The true question is the lack of labor unity and collective strength...a genuine worker organization that builds workers' power. Workers' collective action and capacity building is fundamental to social progress and should complement the ongoing legal reforms.

Observers have widely recognized the limited enforcement of employment protections by local governments as a deficiency in dispute resolution and the fact that workers enjoy little institutional support.⁴⁰ Ching Kwan Lee also notes that "the law may not be effective in protecting citizens' rights" in the realm of social and economic rights. She writes, "still, many continue working through and around the law and its related trappings in the state apparatus."⁴¹ But as more workers become disillusioned by an ineffective dispute resolution system that protects management, social instability and class conflicts deepen.

In the face of mounting challenges from below, as Mary Gallagher suggests, "the state has struggled to maintain its labor system through more direct management of labor disputes."⁴² She characterizes "the activist state" in which China's officials make extensive use of their discretionary power to resolve major labor disputes, rather than institutionalizing the expanding labor legal system. The result is that, in many cases, workers' individual grievances are

38. Fu and Cullen 2011.

39. Chen and Xu 2012.

40. Harper Ho 2009; Wang et al. 2009; Chan 2009; Gallagher et al. 2014.

41. Lee 2007, 260.

42. Gallagher 2014, 87.

sometimes addressed while their self-organization is invariably repressed. Similarly, Ching Kwan Lee and Yonghong Zhang document the strategic intervention of government officials to fragment worker power by bargaining with the small number of elected worker representatives at the scene, thereby preventing labor conflict from escalating and discouraging workers from suing their bosses and/or local governments.⁴³ In short, in many instances, not only does the state repress the growing number of popular protests, it also mediates conflict through multiple venues, while preventing the establishment of autonomous worker organizations that might challenge either the privileges of capital or one-party rule.⁴⁴ But the growth of labor organizations such as worker centers and self-help groups⁴⁵ has shaped the contentious character of labor and state-labor relationships.

Collective Actions and Recent Trade Union Reforms

Labor's right to strike was recognized in China's constitution in 1975 and 1978, then revoked in 1982 and in subsequent constitutions. But this legislative change has not stopped workers from going on strike. In times of crisis workers have repeatedly taken multiple forms of collective actions to secure their rights and interests. From 1993 to 1999, the Ministry of Public Security reported an increase in "mass incidents" from 8,700 to 32,000, while the sub-data set of strikes, riots, marches, demonstrations, sit-ins, rallies, collective petitions, or other kinds of protests was not publicly available.⁴⁶ Researchers agree, however, that labor and social unrest has been growing, fueled in part by a younger and better-educated cohort of migrant workers who are less tolerant of injustice and highly motivated to demand higher wages and better benefits.⁴⁷

Rural migrant workers fighting to improve working conditions and living standards increasingly display mobilization capability. In April 2014, over 40,000 workers from all departments and branches at the world's largest footwear supplier, Taiwanese-owned Yue Yuen in Dongguan, Guangdong Province, demanded legally entitled social insurance. Halting production for twelve days, they compelled the municipal human resources and social security officials to mediate. On 1 May, senior management promised to provide insurance premiums in accordance with workers' actual wages. They refused, however, to pay the "historical debts," that is, unpaid welfare benefits owed to employees.⁴⁸ While striking workers frequently succeed in gaining victories at a single factory, they have faced formidable difficulties in extending successes throughout an industry or a municipality, still less in establishing worker-responsive unions.

43. Lee and Zhang 2013; Lee 2014.

44. Selden and Perry 2010; Lee and Hsing 2010.

45. Lee and Shen 2011; Chan (Chris) 2013 (Community); Xu 2013.

46. Tanner 2004.

47. Leung and Pun 2009; Pun et al. 2010; Chan 2011; Chan (Chris) 2013 (Contesting).

48. Yue Yuen workers bypassed the company union to organize the factory-wide strikes in April 2014. Activists called on Adidas, Nike, Timberland and other global footwear brand-buyers, in collaboration with Yue Yuen (and its parent Pou Chen Corp.), to pay health insurance and pensions owed to factory workers. See Sacom 2014 (Adidas).

There are exceptions in which powerful strikes inspire a wave of actions involving tens of thousands of workers in a region. Several of the most impressive cases involved foreign-owned firms. For example, in the Dalian Development Zone in Liaoning, northeast China, more than 20,000 workers went on strike from July to September 2005, affecting eighteen Japanese- and Korean-invested enterprises and winning big wage increases.⁴⁹ Workers at different companies in the same industrial zone often compare wages and benefits, and are ready to take action when the moment is right. In the Liaoning strike and in other cases, workers used mobile phone text messaging to mobilize and coordinate. In May and early June 2010, 1,800 workers and student interns at Honda (Nanhai) participated in a factory-wide strike to demand an 800 yuan per month pay raise; following a significant victory at Honda, auto workers at supplier factories of Toyota and Hyundai were emboldened to take their demands to managers, leading to a strike wave in the Pearl River Delta in Guangdong.⁵⁰ However, such multi-enterprise or region-wide strikes have been rare.

Chinese labor protests manifest the range of grievances and workers' demands for higher income, better working conditions, respect for their dignity, and social protection. To be sure, worker solidarity frequently dissipated when leaders were intimidated, arrested, bought off, or when state-brokered settlements provided workers with limited gains while leaving the power structure and fundamental patterns of inequity and injustice intact. In an attempt to restore "peace and order," Xi Chen points out that local officials have often acted on behalf of the company by adopting (illegal) measures to stop workers from taking their grievances—particularly collective grievances or petitions involving large numbers of workers—to higher levels of government. Their overriding concerns center on career advancement tied to the maintenance of "social stability" within their jurisdiction.⁵¹ Many workers confront managerial despotism and capitalist exploitation at the point of production. Eli Friedman and Ching Kwan Lee sum up that "the fundamental power imbalance" between labor and capital is "at the heart of poor working conditions."⁵² What then are the prospects for workers to gain effective trade union and collective bargaining rights?

Responding to worker actions, some local governments have created grassroots unions more responsive to worker grievances in an era of rampant social inequality and rising protest. From the mid 1990s, against the background of radical restructuring that resulted in the loss of at least 17 million union members in the state sector between 1997 and 2000,⁵³ some government leaders have supported expansion of unions and greater worker participation in their activities. By December 2009, "unions had been set up in 92 percent of the Fortune 500 companies operating in China," including the million-worker-strong Foxconn and the wholly Japanese-owned Honda subsidiary, and this trend has

49. Chen 2010.

50. Butollo and ten Brink 2012; Qiao 2013.

51. Chen 2012.

52. Friedman and Lee 2010, 514.

53. Traub-Merz 2012.



The banner on the ground reads, "What is the price of a human body?" Taiwanese demonstrators protested outside Hon Hai's Taipei headquarters on 28 May 2010, urging the company to respect life and improve treatment of its workers. They laid flowers to remember the Foxconn worker victims in China. (Credit: Wang Hao-zhong)

continued since.⁵⁴ As of January 2012, China had a total union membership of 258 million, by far the largest unionized workforce in the world.⁵⁵ Of these, 36 percent (94 million) were rural migrants, who comprised the fastest growing segment of the unionized workforce since the early 2000s.⁵⁶ The official slogan of the All-China Federation of Trade Unions (Acftu) is "When there's trouble, seek the trade union." But worker activists again and again found both official and company unions unresponsive to their plight and turned to strikes and other protest actions. Will the expanded trade unions prove any different? Will the local state prioritize worker interests over those of international and domestic capital?

In a high-profile case in August 2010, Kong Xianghong, vice-chair of the Guangdong Federation of Trade Unions, presided over the direct election of shop-floor union representatives at the Honda (Nanhai) auto factory and subsequent collective wage bargaining in 2011.⁵⁷ Many workers were disappointed, however, that the discredited union chair was permitted to remain as head of a partially reformed union and the two "elected" vice-chairs were top-level managers, reflecting continued managerial control. Moreover, while the company was forced to yield on the important wage issue under pressure from the Guangdong Federation of Trade Unions, it was able to ignore all other worker demands including those for women's rights and improved welfare benefits

54. Liu 2011, 157.

55. *China Labor Statistical Yearbook 2012* 2013, 405–6.

56. *Xinhua* 2012.

57. Wang and Shi 2014.

(paid maternity leave and a one-hour meal break among them). As a result, the union committee quickly lost the confidence of rank-and-file workers.⁵⁸ Neither at Honda nor through Guangdong has a fundamental change occurred in labor representation, though the state-run Acfu did expand union representation in many foreign enterprises that previously had no unions.

We have presented an analysis of high and growing levels of labor conflict at a time when the previous domination of state enterprises has given way to the predominance of migrant workers as the core of an expanding industrial labor force. To what extent have these developments contributed to attempts by workers, official trade unions, and their supporters to build a movement more responsive to worker interests? Union building with the active involvement of workers is everywhere a long and painstaking process and the political obstacles in China's transformation to state capitalism are formidable. Tim Pringle, in assessing the future of Chinese union reforms, stresses the need not only for "more accountable enterprise-level union chairpersons and committees" but "more supportive, interactive and, at times, directive relationships between the higher trade unions and their enterprise-level subordinates."⁵⁹ In 2012, Wang Tongxin, vice-chair of the Shenzhen Federation of Trade Unions, called for "power for the workers"⁶⁰ and supported a municipal government plan to facilitate direct union elections at 163 enterprises (each with more than 1,000 workers) whose union committees were up for reelection that year and shortly after. This suggests the possibility that a directly elected union leadership could emerge in some localities within a "party state-led model" of dispute mediation and unionization in Guangdong's workplaces.⁶¹ Whether the Shenzhen labor officials have moved ahead to implement a plan that could strengthen worker involvement and control of the unions, there are signs of growing workers' consciousness and coordination.⁶²

Our multiyear ethnographic research revealed no evidence that Guangdong union federation officials have restructured the Foxconn union, China's largest, to make it more accountable to workers. The special circumstances surrounding the Honda (Nanhai) trade union case suggest that it cannot be widely generalized, even at other large foreign-owned enterprises. Nevertheless, changes, including those pushed by workers and some media, are notable even in the "Foxconn Empire." From 1988 (when Foxconn set up its offshore factory in Shenzhen on the northern border of Hong Kong) through 2006, like many other enterprises, the company ignored its basic responsibility under Chinese law to set up a trade union. It was only after a June 2006 report in a British news-

58. Lau 2012.

59. Pringle 2011, 162.

60. Wang 2013.

61. Chan and Hui 2014.

62. For example, in June 2014, workers at a 600-person Hong Kong-invested shoe supplier in Shenzhen pooled efforts to reorganize its union to make it more accountable. The action won support from the International Trade Union Confederation, Trade Union Congress, and Students and Scholars Against Corporate Misbehavior (Sacom), among others. Workers demanded active participation in union activities in the face of counterattacks by management and upper-level union federations. See Sacom 2014 (Strongly).

paper exposed “iPod sweatshop” conditions in the Foxconn (Longhua) factory that produced the Apple iPod music player that the Chinese press took up issues of abusive treatment and illegally long working hours of migrant workers. Foxconn countered by establishing a management-run union throughout the company on the last day of 2006.⁶³ In response to Foxconn employee suicides in 2010, dubbed the “suicide express” in local Chinese media, Guo Jun, director of the democratic management department of the Actfu, criticized Foxconn’s management and labor administration.⁶⁴ Public relations responses aside, there is still no evidence of meaningful worker–management dialogue. There has, however, been growing criticism from below of Foxconn management and its control over the trade union. In September 2012, amid the factory riot (at the Taiyuan plant in Shanxi), a twenty-one-year-old Foxconn migrant worker called on senior management and the company union to act responsibly toward workers. His open letter to the Foxconn chief ends with three reminders:

1. Please remember, from now on, to treat your subordinates as humans, and require that they treat their subordinates, and their subordinates, and their subordinates, as humans.
2. Please remember, from now on, those of you who are riding a rocket of fast promotions and earning wages as high as heaven compared to those on earth, to change your attitude that Taiwanese are superior.
3. Please remember, from now on, to reassess the responsibilities of the company union so that genuine trade unions can play an appropriate role.⁶⁵

Clearly, Foxconn and other enterprises have begun to feel mounting labor pressures directed toward building a worker-centered union to address major worker grievances, including wages, benefits, work hours, and training and promotion opportunities. In response, Foxconn proclaimed that workers would hold genuine elections for union representation and stated that its union had expanded from four representatives in January 2007 to 23,000 representatives in December 2012, with membership reaching 93 percent of its 1.4 million total workforce in China.⁶⁶ A December 2013 Foxconn statement reiterated that “we have worked hard to enhance employee representation in the [union] leadership” and to raise employee awareness of the union’s role in “promoting worker rights.”⁶⁷ By July 2014, however, Foxconn had disclosed neither specifics for a plan for democratic union elections nor specified the rights and responsibilities of worker representatives.

Tensions among the state, capital, and labor have been building. In October

63. Taking immediate control of the newly formed union, Foxconn founder and CEO Terry Gou appointed his special personal assistant, Chen Peng, to become the union chairwoman. See IHLO (International Trade Union Confederation/Global Union Federation Hong Kong Liaison Office) 2007.

64. Hille 2010.

65. The open letter, in original Chinese, is on file with the authors.

66. Foxconn Technology Group 2013, 14.

67. Foxconn Technology Group’s seven-page statement dated 31 December 2013 is on file with the authors.

2013, the Guangdong Provincial People's Congress released "Regulations on Enterprise Collective Consultations and Collective Contracts (Revised Draft)" for public discussion with the goal of setting up an effective wage negotiation system so as to harmonize labor relations on principles of equality and mutual respect. The regulations specify that employees can initiate a collective bargaining process and management must present a point-by-point written reply within twenty days of receiving the notice (Article 25 of the Revised Draft).⁶⁸ But as of July 2014, in part due to joint opposition by the Hong Kong General Chamber of Commerce and other major business associations,⁶⁹ the legislation to establish collective negotiations is still pending. Chinese workers' struggles for social and economic protections, with support from concerned scholars and activists at home and abroad, continues under conditions in which worker militancy is growing yet institutional expressions of worker rights remain circumscribed.

Conclusions

In globalized China private firms and transnational corporations, which supply global brands, transfer direct pressure to frontline workers and staff. If suicide is understood as one extreme form of labor protest chosen by some to expose an oppressive production regime in which migrant workers are deprived of dignified work and lives, many more workers are choosing other courses. At key nodes of global production and during peak seasons, a critical mass of workers acting together is capable of disrupting the continuous work flow, if only temporarily.⁷⁰ In numerous ways, workers are taking autonomous actions to defend their rights and interests. These include the fundamental demand for meaningful union participation, but most often involves the pursuit of specific demands such as higher wages, benefits, and safer working conditions.

We observe several conditions that may be favorable to labor organizing. The large supplies of rural surplus labor that has allowed China's extraordinary industrial growth has given way to a contraction of labor supply as a result of rigorous birth planning and other factors associated with socioeconomic transformation. Demographic changes have slowed the growth of the working-age population at a time of general aging, increasing the marketplace bargaining power of workers.⁷¹ Chinese fertility is presently 1.6 children per woman, down from more than 6 children in the 1950s and 2.5 in the 1980s. The number of laborers aged twenty to twenty-four is projected to decline from 125 million people in 2010 to around 80 million in 2020.⁷² China's 2010 Population Census, moreover, showed that the age group 0–14 comprised 16.6 percent of total

68. The Standing Committee of Guangdong Provincial People's Congress 2013.

69. Corporate concerns center on the restriction of the employer's ability to implement company rules, the growth of trade union or employee-elected representatives' power, and the rising costs in negotiation over wages, production quotas, sick leave and annual leave, and other labor welfare benefits. See *The Bulletin* 2014; Li 2014.

70. Chan et al. 2013.

71. Davis 2014; Eggleston et al. 2013.

72. Gu and Cai 2011.

一、招工标准

1. 持本人二代身份证原件;
2. 年龄16周岁以上, 男女不限;
3. 学历: 初中以上学历;
4. 身心健康, 无影响团体健康之传染疾病、潜伏性疾病。

二、招工时间

即日起, 每周一至周六8: 00-16: 00 (如有变化, 另行通告)。

三、薪酬福利

月收入: A. 入职基本薪资不低于1550元/月, 综合收入1550-2500元/月。
B. 试用期满六个月起, 基本薪资不低于1650元/月; 再进行三个月考核, 考核合格者基本薪资不低于2000元/月, 综合收入2000-3300元/月。

招工声明

富士康招工不收任何费用, 谨防上当受骗!

“Pool the whole country’s talent, paint splendid prospects,” reads a colorful Foxconn recruitment poster (2011). According to the ad, a Foxconn worker in Shenzhen will receive (a) a basic monthly wage of 1,550 yuan; (b) after probation (six months), 1,650 yuan; after evaluation (three more months), 2,000 yuan. Total income, with overtime: 2,000 to 3,300 yuan/month. (Credit: Jenny Chan)

population, down 6.3 percent compared with the 2000 census data. All of these indicators suggest a reduction in the labor supply in coming decades.⁷³ China’s leaders have begun to recognize these demographic realities⁷⁴ and are trying to boost labor productivity through expanded investment in rural education and vocational skill training. At the same time, this has compounded worker frustration as rural migrants often find themselves excluded from training and promotion programs, trapped in permanent minimum-wage jobs.

Together with rising wages, some jobs are moving from coastal to lower-wage inland areas while others are moving to Vietnam, Cambodia, and other lower-

73. China conducts national censuses in the years ending in 0 (and 1% population census, known as mini-census, in the years ending in 5). See National Bureau of Statistics of the People’s Republic of China 2011.

74. Under the “selective two children policy,” which was endorsed by the Third Plenary Session of the 18th Communist Party of China in November 2013, couples are allowed to have two children if either parent is an only child. Previously, each spouse needed to be an only child to have a second child.

wage countries. Recent government statistics show that China's east coast is still the primary destination for rural migrant workers. As enterprises build new factories in regions with lower costs, however, central and western China have narrowed the gap in industrial employment in accord with national policy: in 2013, 162 million migrants worked in the eastern region, 57 million in the central region, and 50 million in the western region.⁷⁵ A substantial number of workers are being recruited from within or sent back to their home province, in some cases close to their hometowns, where they may draw on local social networks for support. With a greater sense of entitlement associated with belonging to a place, and perhaps greater social resources to bring to the fight for their interests, the result could be enhanced working-class power in factories and worker communities at a time of demographic trends favorable to workers.

As the backbone of the nation's industrial development, young workers today have higher expectations than the first wave of rural migrants. They aspire to develop technical skills, earn living wages, enjoy comprehensive welfare, and hold the full range of citizenship rights in the towns and cities they inhabit. "Realize the great Chinese dream, build a harmonious society," reads a government banner. To realize individual and national dreams, however, workers will have to secure justice and dignity, which in turn will require the institutionalization of worker power. In globally connected production, a new generation of migrant workers could shape Chinese and world labor politics.

75. National Bureau of Statistics of the People's Republic of China 2014 (Tujie 2013).

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