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**Socializing Labor Protest:
An Approach Towards Chinese Social Movement Unionism?**

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Abstract

In the context of the “new normal” of the Chinese economy, the relocation of capital, industrial upgrading, increasing labor costs, and the rising demand for social insurance, conflicts are intensified between employers and employees. Collective labor disputes such as strikes, demonstrations, and petitions, bring a lot of pressure and challenges to the government and the trade union.

For government, the priority is to develop the economy and safeguard the stability of society. As a result, the rights and interests of labor are ignored. For the ACFTU and its branches, the restrictions caused by its dual identities limits trade union autonomy and undermines its legitimacy, so it cannot win the workers’ trust and support when it intervenes in labor disputes, especially during collective actions.

In recent years, some labor NGOs support workers’ strikes through pushing collective bargaining, with some impressive results. At the same time, the development of civil society results in the extension of human rights and democracy movements to the labor sphere. So they appear at the strike site and provide support with their experience and resources. These activities have socialized labor protests, which can be regarded as an alternative of social movement unionism in the context of China. The case of the sanitation workers’ strike in this thesis describes a possibility of how Chinese social movement unionism could work.

It is too early to evaluate how far Chinese social movement unionism can develop, but the direction is clear that labor should establish its own subjectivity and utilize the societal power, fighting for both economic interests and industrial citizenship. The process of socializing labor protest is not easy, but the success of the sanitation workers’ strike provides a model for imagining a future labor movement.

Introduction

Since the economic reforms initiated by Deng Xiaoping in the late 1970s, China has seized the opportunity of industrial relocation by enterprises moving from advanced countries and regions, to develop low value-added industries on the mainland. The comparative advantages of cheap labor and low-cost land made China competitive in attracting Foreign Direct Investment (FDI). Special Economic Zones (SEZ) and Export Processing Zones (EPZ) were set up to support the manufacturing trade through preferential policies. In the past thirty years, China has become deeply integrated into the Global Production Chain (GPC), as the “world’s factory” with a high rate of economic growth (Kalish, 2003).

Guangdong Province, where the “economic opening-up and reform” policy was first implemented, can be taken as an example: It took twenty-two years to achieve the Gross Domestic Product (GDP) of 1 trillion RMB (141,135 million EUR) in 2000, starting from a GDP of 20 billion RMB (2,823 million EUR) in 1978. Furthermore, after just five more years, the GDP doubled to 2 trillion (282,270 million EUR) in 2005. Presently, Guangdong Province is one of the most developed areas in China with the GDP of 6.78 trillion RMB (956,895 million EUR)¹. The Pearl River Delta (PRD) region is the core region of Guangdong Province which encompasses major cities including Guangzhou, Shenzhen, Dongguan, Foshan, Huizhou, Zhuhai, Zhongshan, Jiangmen, and Zhaoqing. This area is the most active export-oriented economy in China.

The PRD region is the global production center of IT, garment, textile, toy and shoe industries. It is said that the PRD region provides “subsidies” (products attractive in price and quality) to American and European consumers to sustain

¹ See “Top 10 largest provincial economies in China 2014”
http://www.china.org.cn/top10/2015-03/12/content_35019181_10.htm

high living standards, because as a low-cost producer, “the China price of goods has exercised a major deflationary impact all over the world” (Palat, 2010). In this sense, the region is quite important to international economic development. For instance, the toys produced in Dongguan account for thirty percent of the total unit shipments in the world during the Christmas season and twenty percent of the sweaters and 10 per cent of the running shoes worn by consumers in the world market are also manufactured here². It is quipped that there is traffic congestion in Dongguan, there will be a shortage of products throughout the world.

China's “world factory” status relies on the hundreds of millions of peasant workers who migrate from the countryside. (Guo, Huang, 2014). Land reform in the rural areas ended the People’s Commune System, and the Household Contract Responsibility System allowed each family to keep their own lands. Practically, this reform created a surplus labor force as well as an increase in agricultural production in rural areas after the Household Contract Responsibility System was implemented in the late 1970s. These peasant workers are regarded as the “dividend” brought by land reform to fulfill the needs of industrialization and urbanization in cities. The current Prime Minister of China, Li Keqiang, offered praise to peasant workers for creating the Chinese economic miracle at a press conference in March 2015, after the 3rd Session of the 12th National People’ Congress.

Nevertheless, there is a lot of pain and many grievances behind this grand narrative. Pun Ngai (1999) describes them as the hidden “scream” and “nightmare”. At the beginning of the economic reform, because the social development level was low, national labor policies were lacking, and the legal system was not established, the rights and interests of peasant workers were

² See “China: Delta blues
<http://www.ft.com/intl/cms/s/0/a60413c2-7c46-11e3-9179-00144feabdc0.html#slide0>

neither considered nor well protected (Yue, 2006). There are abundant news and research reports revealing violations of law inside factories and dormitories.

For example, employers frequently would not sign labor contracts with workers and fail to buy social insurance for them. Once recruited, workers are required to work long shifts, often at least 10 hours per day and 6 days per week, without any holidays. It is common that workers are not paid on time. Usually employers dock one-month wages as a deposit against workers leaving without notice. Management of the assembly line and work groups is often tough, with workers always reprimanded even for small mistakes, such as working slowly or going to toilet more than twice during their shift. Sometimes, workers are punished by fines and are not treated fairly or respectfully (Chan, A, 2001).

There are often no health and safety protections in many workshops. In the early 1990s, there were many industrial fires; in one case, the Zhili toy factory fire in Shenzhen in 1993, more than 80 women workers died (Tan, 2000). Workers also suffer from the industrial injuries and occupational diseases. According to the calculation of one scholar, about 40 thousand fingers were cut every year in the PRD region (Xie, 2005). We can conclude that peasant workers have been exploited and oppressed in “sweatshops” for the last thirty years.

“Where capital goes, conflict follows”, is how Beverly Silver (2003) vividly describes the relationship between global capital and labor unrest in her insightful and impressive book <Forces of Labor>. China is of course not an exception. Although the central government and legislature have been willing to make labor policies and pass labor related laws, in order to regulate employer-employee relations under the framework of law, in practice, whether workers try to safeguard their labor rights individually or through collective protest, the conflicts between employers and employees have not ceased in the past thirty years. There are, for example, innumerable cases of peasant

workers having to fight for compensation for industrial injuries or occupational disease (Zheng, 2005). “Wildcat” strikes are also very frequent (Chan, CK, 2010).

In China's contemporary labor movement, the year of 2010 will be noted for its symbolic significance. Two extreme incidents declared the appearance of the new generation of peasant workers on the historical stage (Pun, 2011, Wang, 2011), when a series of suicides occurred in several Foxconn plants and a strike wave - starting from Honda factory in Guangzhou - shocked China and the world. Pun, Ngai (Pun, 2011) differentiates them from their parents' life experiences, arguing it is not appropriate to call them peasant workers, because they are so far removed from agriculture production and rural life. Indeed, some were even born in cities, shaped by urban values and hoping to establish roots in cities. So they see working in factories not as their purposes, but a way to better their lives.

An investigation conducted by the Sociology Department of Tsinghua University (2012) describes the characteristics of the new generation of migrant workers. To gain a better position from which to achieve their goals and dreams, they change jobs more frequently. Especially in the IT sector, the average time on the job is less than two years. These workers have a higher education level than their parents, and are familiar with the Internet and social media, which are convenient and useful for gaining information and knowledge needed in their daily lives. Unlike their parents, the new generation is not willing to endure bad working and living conditions. Once their rights or interests are infringed, they prefer collective actions as a response.

In contrast to the rights consciousness and capacity of the new generation of migrant workers, the first generation of peasant workers was regarded as more enduring and obedient. However, recent cases reveal that these first generation workers are powerful enough to launch strikes. Their motivation comes from the

pressure of the impending retirement, as the majority are around fifty years old, and beginning to realize they need pensions to support their families after retirement. Because of the lag in establishing the social protection system, and the weak implementation of legal labor standards, these peasant workers face the problems of employers embezzling, or not paying, social insurance contributions. An enormous strike of more than forty thousand workers at the Yue Yuan shoe factories in Dongguan in 2014, caused by the arrears of social security payments, signals the tremendous power of the first generation peasant workers.

Migrant workers' employment is heavily associated with the economic model. After decades of high-speed growth, the Chinese economy has arrived at a "New Normal" situation, a term initiated by the Chinese President Xi Jinping to describe the slowing down of economic growth. He requires local governmental leaders to adopt innovative strategies to upgrade the industrial structure in the "New Normal" situation. But in the PRD region, there are severe consequences for government, investors, and workers in this transition. The financial crisis in 2008 and the subsequent European debt crisis resulted in weakening consumption in the market, impacting manufacturing factories that rely on the export trade facing insufficient orders. This is one reason that a lot of companies fired workers. As the data from the Ministry of Human Resources and Social Security shows, the number of the laid-off peasant workers is up to 10 million. On the other hand, wage rates rose quickly in recent years, prompting more Taiwanese investments to move to Southeast Asia countries, including Vietnam, Indonesia, Cambodia and so on. The relocation, closure, and even bankruptcy of factories directly stimulated an increasing number of strikes over economic compensations in the PRD region.

Actually, the generational differences have not weakened the development of contemporary labor movement in China. Conversely, the combination of the two

generations of migrant workers reveals a vigorous picture of one strike after another. According to two working papers published by the China Labor Bulletin, an independent labor organization based in Hong Kong, the number of documented collective strike cases in China from 2011 to 2014 is more than 2000, with the major portion – 40% - occurring in Guangdong Province.

This statistic indicates vibrancy of labor activism in the PRD region. The main causes of these strikes include demands for increased salaries, social insurance payments, pursuing unpaid wages and severance compensation due to relocation. The scale, frequency and duration have all expanded, such that there is a strike happening every 1.5 days³, which will commonly, in the PRD region, involve thousands of workers and last several weeks. In this sense, striking has become normalized in the labor movement, and reveals several new characteristics, while the rights of striking is still not confirmed in the Constitution of China.

The increasing number of strike has tested the response of local governments and trade unions in the PRD region. To implement the goal of establishing “harmonious labor relations” initiated by the 18th National Congress of the Chinese Communist Party, the Standing Committee of the People’s Congress of Guangdong Province passed the < Guangdong Provincial Regulation on Collective Contracts for Enterprises> to guide collective bargaining and the signing of collective contracts between employers and employees.

As Guangdong Province is regarded as the place where the majority of labor disputes are concentrated, and the employer-employee relations are the most complicated (Wang, 2014), the legislative process of this regulation was not easy. The final version of the regulation is the result of several revisions, based

³ The calculation is provided by the former vice chairman of Guangdong Provincial Trade Union, Mr. Kong Xianghong, in the class of “Global Workers’ Rights” in Global Labor University (Berlin)

on solicitation of opinions from different constituencies. For instance, the Hong Kong Chamber of Commerce took out newspaper advertisements to appeal for the legislature to suspend the regulation, while several labor groups in Hong Kong released a statement criticizing the Chamber of Commerce for obstructing the passing of the regulation.

To enhance their recognition and legitimacy among workers, the Guangdong Provincial Federation of Trade Unions (GPFTU) took several measures to gain trust. First of all, the GPFTU launched an Internet platform - “Workers Online” - to listen to workers’ voice. Workers are encouraged to consult, complain, or appeal on the site, and union cadres – sometimes including union chairman - have to make timely responses to these questions. The “Workers Online” platform makes it easier for workers to access the trade union than before in the Internet age.

To deal with strike more flexibly, a particular emergency response group was organized by the GPFTU, which can guide and support local unions to tackle workers’ collective actions. The members of this group are experienced union cadres with expertise and skills, including the former Vice Chairman of the Guangdong Provincial Trade Union, Mr. Kong Xianghong, who played a significant role in handling Honda strike in 2010. As trade union is usually marginalized among governmental departments in dealing with strikes and also cannot get trusts from workers, this scheme may strengthen the voices and roles of trade union. But it does not mean trade union will always support workers’ appeals.

At the enterprise level, the employer-dominated trade union is universal. This kind of trade union is usually called “paper union”, because they are established in the campaigns launched by ACFTU that is trying to expand its branches from the State-Owned Enterprises (SOE) to the private sectors. Most of these trade

unions only exist in governmental documents while workers cannot find them in their daily work. It is so ironical that in most cases, the chairmen of these unions are the relatives of the bosses or the HR managers.

To change the typical situation whereby the employer controls the trade union, the provincial trade union is experimenting with direct democratic elections in 163 factories in Shenzhen since 2012. In this experiment, workers are allowed to vote directly to elect the union committee members and chair, with the goal of making them more independent (Wen, 2014). From the official trade union perspective, this reform measure was taken to strengthen union's power to mediate disputes at the workshop level and reduce the number of strikes.

More time will be needed to evaluate how this top-town reform works, but as the increasing number of strike shows, these measures cannot effectively stop workers' collective actions in the near term. On the other hand, an increasing number of staff from labor NGOs, labor scholars, labor lawyers, university students, feminists, and democratic movement campaigners become active in labor protests. They intervene in strikes to support workers' demands and use their experience and resources to help in organizing. They build solidarity with workers and assist in making suitable strategies. They also may help workers' collective bargaining with employers as counselors, and may accompany and encourage workers as they face difficult problems. This is an emerging phenomenon, based on the historical development of labor movement and civil rights movements. As dozens of cases demonstrate, these various issue-oriented agencies have the ability to influence the outcome of labor strikes through their organizing and mobilizing work.

Chapter 1

Research Framework and Methodology

1.1. Research question, arguments and hypothesis

This thesis will focus on these external activists, examining why they are interested in labor issues, what they can provide to labor protest, how they engage with workers and each other, and what is the significance and prospect of their intervention in the labor movement. Borrowing the concept of social movement unionism, in this thesis, I want to explore whether social movement unionism that is employed in countries like the US, South Africa, South Korea and the Philippines can be used to describe the labor movement in the context of China.

To answer this question, I have two arguments: one is that considering the characteristics of Chinese trade unions and the restrictions of the political system, the All China Federation of Trade Union (ACFTU) and its branches cannot undertake the mission of revitalizing labor movement; the other is that with the emergence and development of civil society, the intervention of different issued-oriented groups and activists in labor protest strengthens workers' powers in collective bargaining with employers.

So I make the hypothesis that the combination of labor and new social movement activism, but not the reform of trade union, can be regarded as the alternative of social movement unionism in China. I name this the socialization of labor protest.

Here socialization means a process of producing societal power which is an important resource of labor power. According to the discourse by Yuen Shen (2007), the meaning of society has two dimensions, including the active society in the view of Polanyi and the civil society in the view of Gramsci. From Polanyi's perspective, to counter the expansion of market, there will be a self-protection movement of society, meaning society itself will generate a series of regulations and institutions such as political party, trade union, cooperatives, labor

movement groups, or Chartist Movement to resist the invasion of market. So this kind of society that responds to market actively is called active society (Shen, 2007). Civil society discoursed by Gramsci is a public area and its counterpart is the state. In the civil society, citizen has independent rights and freedom. Various NGOs, voluntary groups, charity organizations, associations, community organizations and interest groups are the basic factors of civil society (Shen, 2007). Society with this dual meaning cannot be produced without the contribution of people at the bottom, especially the mobilization and involvement of labor. So labor protest is a very important impetus of producing society.

In the class structure, labor has to react against the invasion of the market and exploitation by capital and there will be a self-protection movement occurring; that is the performance of an active society. Civil society is the condition of the development of the working class, due to factors like citizenship and publicity. Only in a rightful society does it become possible for workers to engage in labor protest like strikes, sit-ins, petitions, marches or demonstrations as well as organize independent organizations to safeguard their rights and interest. But in an authoritarian state, the political space permitted by the system is rather narrow with a lot of restraints.

So in China, the working class cannot struggle with capitalists relying only on itself own. Without basic civil rights and industrial citizenship, such as freedom of association, collective bargaining rights, and the right to strike, most labor protests cannot achieve their ultimate goals. While social movement activism is a kind of complement of labor protest to expand its impact in the public sphere and increase pressure on the government and employers. In this sense, the socialization of labor protest is a possible approach to forge a civil society and generate an active society.

Following the hypothesis of the socialization of labor protest, I will review the

literatures researching new social movement and social movement unionism worldwide. Then going to the national experience, I want to introduce and explain the particular situations about trade union system and labor NGOs in China.

In the case study, I would like to introduce a sanitation workers' strike in the University Town of Guangzhou, examining its cause, process, and result. According to the case, I will analyze why labor NGO staff, progressive students, feminism campaigners, human rights lawyers, and democratic activists intervene in the strike and how they utilize their experience and resources to mobilize and support the strike. Finally, I will construct a model to depict the interaction between labor and social movement activism and point out the contribution and significance of socializing labor protest as well as its deficiencies.

1.2. Methods and Field Materials

I adopt the participant observation, interviews, and documentary method to collect research materials. Because I went to the strike site several times and talked to workers since it happened, I am familiar with the whole development of the strike. I collected a portion of the interviews with workers there. I also maintained close relationship with students who were active in the intervention and discussed strategies with labor NGO staff. So I have access to materials about the whole intervention process through their summaries. In addition, I collected all materials available on the Internet, like workers' open letter, students' statements, media reports, scholars' comments, and the debate records on social media. The number of these documentary materials is over forty.

Although it is difficult to collect more materials when I am in Germany, I invite a student in the Sociology Department at Sun Yet-san University to assist me in interviewing more workers' representatives. Finally the student assistant spends

more than one month on completing sixteen interviews, including nine workers, three of which are important bargaining representatives; six students, two of which are backbones following the whole process, and another two of which are very active in writing reports and comments on social medias; one NGO staff, who is in charge of assisting workers to organize and negotiate.

Having all these, I suppose I have collected enough materials about the strike to retell the process of the whole strike, which can be used to support the hypothesis and arguments of this thesis.

Chapter 2

Literature Review

2.1. Social movement unionism

To recover from the destruction of the Second World War, economic policies of Keynesianism were adopted generally in capitalist countries in the postwar period. The governments of America and European countries tightened the management of the macro-economy, investing in high and new technology industries, developing modern service sectors, and making social policies to ease class conflicts. Labor could enjoy steadily rising wages and welfares from both employers and governments (Hobsbawm, 1995, pp: 257-286).

In order to enhance international cooperation and reconstruct international financial order, Bretton Woods agreement was signed within forty-four countries, establishing the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD), which is part of World Bank (WB) today. As a result, the international monetary system was stabilized that capital could flow freely and free trade was developed, but it was also regulated by a series of rules, institutions and procedures. All these economic, financial and social adjustments made capitalism prosperous and stable, the so-called

'Golden Age' after the Second World War (Hobsbawm, 1995, pp: 257-286).

Because of the improvement of wages and social welfare, to some extent, the working class achieved a compromise with capitalists, which resulted in the reduction of strikes as well as a decline in trade union density. As a result, workers' real wage and job security were impacted increasingly (Silver, 2003). Meanwhile, the institutionalization of the labor movement (so that labor only can bargain in a sphere regulated by state and capital) made the working class lose the will of struggling for power. So the contradiction between labor and capital was not the key one in the society, and the forces of labor broadly questioned that the working class was no longer the revolutionary group from a Marxism perspective (Habermas, 1982; Burawoy, 1985; Berlanstein, 1993). Silver (2003) opines that the crisis of the labor movement casts a shadow on the importance of labor study, that is the "dual crisis" of labor movement and labor study.

While the emergence of "new social movement" in the middle 1960s, including the human rights movement, feminist movement, anti-discrimination movement, environmental movement and anti-war movement, is regarded as the alternative vehicle of social changes and the hope of future (Touraine, 1981:11-12; Habermas, 1981; Burawoy, 1985:5). These new social movements sketch a picture quite different from the labor movement, in that it does not focus on the fight for material resources, avoiding the grand narrative of class struggle, and giving up on a consolidated ideology or utopian goal. It bypasses the state and concentrates on a single issue. It is interested in the grassroots in order to gain the representativeness for the marginal population. The organization becomes miniaturized and localized and sustains itself through communication networks or casual social networks (Scott, 1990; Buechler, 1995). Habermas (1981) views that the new social movement is much more important than the labor movement in pursuing identity and significance. Touraine (1982: 11-12) also regards that in the post-industrial society, the new social movement replaces the working class

to become the main force to push for social revolution. All these discourses reveal the differences between labor movement and new social movement in conception, connotation and goal.

As the historic experience shows, the labor movement and new social movement cannot be regarded separated absolutely, but have innumerable links in many countries. In the era of globalization, the 'race to the bottom' caused by capitalism causes the explosion of labor protests in the emerging countries (Silver, 2003). This also provides a new chance for the weakening labor and trade union movement in the US and European to learn from the experience from the developing countries (Moody, 1997; Seidman, 2012), for instance, the emergence of the concept of social movement unionism, which is first applied by Rob Lambert and Eddie Webster in South Africa to describe the "Class/ Popular-Community" (Waterman, 2004).

In the late 1980s and early 1990s, Lambert (1989) and Scipes (1992) discussed the definition of social movement unionism in a series of papers and proposed more completed explanations. From their perspectives, the theory of social movement unionism comprises three key factors. Firstly, the appeal of working class and its organization can overtake the single economic one and combine with political and social demands. Secondly, social movement unionism shows the capacity of the working class to dominate its own organization democratically, refusing to be under the external control; Finally, the working class is willing to ally with other social movement groups equally, as a counterpart of the state.

While Lowell and Hurd (2001) opine that the essence of social movement unionism is rank-and-file participation, organizational mobilization and grassroots politics. Although there is still no consensus about the concept of social movement unionism in academia (Seidman, 2012), the advantages, like mobilizing broadly and not being institutionalized, make social movement

unionism appear in many literatures describing labor movement in different countries.

For instance, in South Africa, the Congress of South Africa Trade Union (COSATU) is the typical one symbolizing social movement unionism. Here trade union does not only focus on the labor issues in the workplace, but also struggles for universal appeals of human rights, equality and democracy, achieving radical social change. COSATU makes alliances with other social movement groups and political parties to end the apartheid system (Hirschsohn 1998:635).

Apart from the concern on social issues, the community-based mobilization is another main characteristic of social movement unionism (Seidman, 1994). In the Philippines, social movement unionism is labeled as militant left union. Taking the Kilusang Mayo Uno (KMU) which is regarded as the most radical labor center as an example, social movement unionism is not just struggling for union members, but extending to include the entire working class, like peasants, fisher folks and the urban poor (Scipes, 1992). As a kind of strategy, the Alliance of Progressive Labor, another labor center in the Philippines, regards the goal of social movement unionism is to recognize, organize and mobilize workers from different sectors who are usually ignored by traditional trade unions, in order to achieve the social transformation (Aganon, et, 2008).

While in the US, social movement unionism means the revitalization of labor and trade union movement via the innovation of working methods, emphasizing rank-and-file mobilization and activism (Lowell, Hurd, 2001). Those who are active in the social movement in 1960s became the leadership of the American Federation of Labor and Congress of Industrial Organization (AFL-CIO), pushing the transformation from business unionism to social movement unionism. And the activists from campus and workplace improve the organizing and mobilizing

work at the bottom (Lowell, Hurd, 2001). Both of these change the tendency of bureaucratization and de-militancy of the AFL-CIO in the past.

2.2. Trade Union in China

Now turning our attention from the global level to the regional level, in China, All China Federation of Trade Union (ACFTU) is the largest trade union in the world with more than 150 million members, but it is concluded here that the ACFTU cannot undertake the mission of revitalizing the trade union and labor movement in the age of globalization, because there were few strike cases in the past organized or led by trade unions. Workers struggle spontaneously, and trade unions' reactions are always lagging. Even if intervening, most of the time, the trade union appears as a third party to mediate, but not workers' representative. What is the reason for this?

Previous studies have shown that ACFTU is quite different from the western trade unions (Howell, 2008). The history of ACFTU can be traced to the Secretariat of China Labor Union founded by the Chinese Communist Party (CCP) in the early 1920s. It was a specific organization to assist the CCP to lead the labor movement at that time. When the CCP took power finally in the Communist Revolution, the ACFTU became the sole legal organization to represent the interest of the working class. In the past sixty years, the development of the ACFTU fluctuated in different ages and changed unceasingly to adapt to changing political and economic situations. It has reformed and adjusted its definition, role, and key emphasis in work all the time (You, 2010).

With the establishment of market economic system, workers' iron rice bowl was broken up in the State-Owned Enterprises (SOE). Production efficiency and economic growth became the prioritizing goals of the reform and development. Losing the protection of "state paternalism", workers' interests were ignored and

infringed upon.

At this time, the hidden conflict of dual identities of trade union in socialist country manifested itself gradually. It is a state apparatus as well as a workers' organization (Howell, 2008, Chen, 2003). The leaders of trade union are also members of the CCP, and have official roles in the People's Congress, the Chinese People's Political Consultative Conference (CPPCC), a political advisory body consisting of delegates from a range of political parties and organizations, as well as independent members, introducing this case, or even government, like a vice mayor (Taylor, Li, 2007). Chen Feng (2003) points out that, only when workers' interests do not violate the state policies, trade union is possible to stand with workers as a representative, otherwise, it only acts as a mediator to intervene in labor disputes. But if workers propose their economic appeals through collective actions, like striking, sit-in petition, demonstration and so on, trade union usually prefers evasion over intervention, while if workers make an organizational appeal, like founding an independent trade union or association, the ACFTU will absolutely stand with the state to stop and suppress these actions.

At the workplace level, the ACFTU has advocated a top-down campaign to establish trade unions in private and foreign-owned enterprises since 1999. The typical successful case is organizing workplace trade unions in twenty-two Wal-mart (China) shopping centers within four weeks in 2006 (Chan, A. 2006). While the coverage of workplace trade unions has expanded greatly in numbers, it is questionable to what extent these grassroots trade unions can operate democratically and independently to protect workers' interests.

The phenomenon that the chair of trade union is the boss' relative, or a Human Resource (HR) manager is difficult to change (Howell, 2008). Anita Chan (2009) opines that if there is no support from the outside, like upper official trade union

or Corporate Social Responsibility (CSR) organization, the workplace trade union cannot succeed, due to the lack of organizational experience and resources. Elaine Hui and Chris Chan (2015) have studied the restructuring of trade union in Honda factory in Guangzhou. Their analysis reveals that the strike-driven trade union reform is still impacted and restrained by the state and corporation. It is not easy for strike-driven trade unions to transform into institutionalized powers. According to his research on the democratic election of workplace trade union officers, Howell (2008) contends that even if the chairs and members of the workplace trade union committee are voted in democratically, they will be incorporated into the previous structure and the model of operation, leading to little change.

In this sense, ACFTU can be characterized as an extension of state power with the purpose of controlling labor and preventing the emergence of independent trade unions (Chen, 2003). So no matter the official trade union, or workshop trade union, it is impossible to build social movement unionism without the context of political reform and democratization. Furthermore, limited by its character and ideology, official trade unions are unable to cooperate with labor NGOs or other issue-based groups to protect workers' rights and interests.

2.3. Labor NGOs in China

Apart from the ACFTU system, there is another type of organizations focusing on labor issues. They are independent labor NGOs, which are regarded more like the western trade unions. Most of these labor NGOs are located in the PRD region, where there are the most labor disputes. The number of labor NGOs in the PRD region is speculated to be from twenty-five to thirty (He, Huang, 2008). The earliest NGOs were founded in the mid-1990s when workers suffered from terrible working conditions.

As mentioned before, the fire in Zhili factory in 1993 that caused 84 workers died

and other 40 workers hurt was the direct motivation for labor NGOs in Hong Kong to set up their branches in Mainland China in the process of seeking compensations for workers with scholars, foreign consumer organizations and trade unions. The Women Workers Network (WWN) was founded in 1996, and subsequently, the local labor NGOs were also fostered and developed (Chan, 2012). Because these labor NGOs are easy to approach and can respond to workers' needs in a timely manner (He, 2009), they can survive tenaciously in a narrow political space and tough environment.

In current research on labor NGOs, Jingwei He and Hui Huang (2008) divide the services provided by labor NGOs between "core and auxiliary" dimensions. Legal aid, legal training, drafting legal documents, and providing representatives in court belong to the core service, because all of these activities can improve workers' rights consciousness and abilities for safeguarding their interests. On the other hand, the culture and entertainment activities, such as holding parties, visiting injured workers in hospital, organizing worker clubs based on hobbies, and publishing labor literature are auxiliary services.

Chris Chan (2012) categorizes NGOs as community-based intervention and factory-based intervention according to the working method. The community-based intervention means setting up a labor service center in migrant workers' communities where workers can come to attend the activities organized by NGO staff, like legal aid, training program and other leisure activities. The center is also the place of organizing workers. While in factory-based interventions, NGO staff is deputized by transnational corporations to implement the Code of Conduct inside factories. They set up hotlines to receive workers feedback and complaints. Training in labor rights and standards is also an important part of the CSR campaign.

Yi Xu (2013) analyzes three types of mobilizations according to the service

provided by labor NGOs. They are mobilization by law, by culture and by campaign. Xu views that these three kinds of mobilization can explain the action logic of labor NGO and the response of government. She also argues that if there are no labor NGOs working on the grassroots level, there is no possibility of a potential and tremendous labor movement. So labor NGOs should create new strategies to support workers' struggles in a tense political atmosphere.

Because of the political restrictions, labor NGOs are not able to register as social groups, nor raise money publicly. The general way to overcome these difficulties is to operate as commercial companies which are allowed to register in administrations for industry and business. The main resources of funding are coming from foreign foundations, trade unions, labor organizations, research institutions, charity groups and so on (Chan, 2012).

In this sense, China labor NGOs are incorporated into the global campaign network in the context of globalization (Huang, 2012). But from government perspective, they feel worried and sensitive about the money labor NGOs get from abroad. The linkage with foreign forces became the main reason to monitor and oppress the activities and staff of labor NGOs (Xu, 2013).

In the past twenty years, labor NGOs have experienced several episodes of increased government inspections and repression. For instance, the electricity in the labor center or office gets shut off, or a landlord is not allowed to rent space to a labor NGO, or a labor NGO is inspected or questioned by the government officials under ridiculous pretenses, or labor NGO staff is threatened or even assaulted by company.

Although facing a lot of difficulties, labor NGOs have their own survival strategies. It may define itself as a constructive organization to assist government to deal with labor disputes. It is a complement of the government, not a trouble. It is

willing to cooperate with the state-run organizations, like the All China Federation of Trade Union, the Communist Youth League, or the Women's Federation (He, Huang, 2008). Another strategy adopted by some NGOs is to struggle against illegal companies and avoid direct conflict with government. This is a kind of self-censorship and de-politicization (Chan, 2012).

The strategies can sustain a restricted space for labor NGOs to operate in, but there is also criticism that these labor NGOs are anti-solidarity machines (Lee, Shen, 2011). Ching Kwan Lee and Yuan Shen (2011) opine that labor NGOs are incorporated, affiliated into the government or commercialized into the market, becoming a funding industry that they exist mostly to perpetuate their own existence through grants. This changes the original intention of labor NGOs, and is not good for workers' solidarity and collective power.

Chunyun Lee and Yi Duan (2014) introduce a new development of labor NGOs. To adapt to the change of workers' demands and with the deepening of campaigners' ideas, some labor NGOs are changing from service-oriented organizations to labor movement-type organizations. This has occurred in recent years alongside the surge of labor protest and is a possible tendency for the labor movement in the future.

Labor movement-type NGOs focus on workers' collective actions. They encourage and assist workers to push collective bargaining or reform workshop trade union. They organize meetings for workers to exchange experience and gain support for collective action. They want to not only pursue economic interests, but also improve the socioeconomic status of labor.

As estimated, there are at least 8 institutions transmitting to labor movement type labor NGOs and most of them are located in the PRD region. To survive, they limit themselves to a small staff and focus on economic struggles. They

want to communicate with government through a systemic platform. They appeal government to institutionalize labor protest by establishing a collective bargaining system in China. The further development of the labor movement will provide a broader space for them to survive.

From the civil society and citizenship theory perspective, the absence of the state and the failure of the market cause the emergence of labor NGOs. It is a movement for society to help itself. The migrant workers whose interests are violated organize themselves to establish independent labor NGOs. They are not only safeguarding and pursuing economic interest, but also “creating citizenship”, expanding political space and pushing social change, (Huang, 2012).

In this sense, labor NGOs are an important part of civil society. As a machine of mobilizing resources, labor NGOs can collaborate with scholars, lawyers, and the media to intervene in labor issues (Huang, 2007). Especially in the process of transition towards social movement-type labor NGOs, the impact of workers’ collective struggle will absolutely exceed the scope of industrial zones and factories and go into public areas.

For instance, strikes held by workers in the public sector may cause turbulence in social order. So social movement-oriented labor NGOs need to make alliances with other issue-based organizations and activists in the civil society to support workers’ protest. This communication and cooperation also can achieve a balance of interests between labor and the public.

This model can be summarized as the socialization of labor protest, which means labor NGOs together with other civil society organizations replace trade unions to organize and assist workers in struggle. Particularly, the goals of protest are not just for economic interests, but also including industrial

citizenship, or even the establishment of a new social system and the advocacy of a type of social value. In this sense, socializing labor protest can be viewed as a process of achieving social movement unionism in China.

Chapter 3

Case Study: A Sanitation Workers' Strike in the University Town of Guangzhou

3.1. Background: the development of the University Town of Guangzhou

The University Town of Guangzhou, which was built in 2003, is located in the Little Guwei Island in Panyu District, and covers an area of 17.9 Square Kilometers. The University Town is planned to be the center of talent development, scientific research and academic communication in Southern China, with 350,000 residents, including 200,000 students. In 2004, the first group of students moved there.

Before the establishment of the University Town, there were thirteen villages in the Little Guwei Island, three quarters of which were demolished by government to build teaching buildings and dormitories, and most villagers were requested to move out of the island. However, the compensation was too low to sustain new lives. The government paid villagers 400-800RMB (57 EUR-114EUR) per square meter of their houses while the market price was 1400RMB (198EUR) per square meter, meaning that it was difficult for these villagers to buy or rent new houses using the compensation fees. So some villagers were not willing to move and did not accept the money from the government.

To oppose the forced relocation, villagers started to safeguard their interests. They petitioned and engaged lawyers to sue the government. However, they did not have enough resources and power to resist the compelled demolitions. The media was forbidden to report the case, and as a result, most villagers were

pressured to sign agreements with the government and gave up their rights to hold the government accountable. Others who did not move were homeless, living in the new slums or old ancestral temples with bad living conditions.

In order to pacify these villagers, the government made three commitments - buying social insurances, reserving fifteen percent of lands and providing local job opportunities like road greening, traffic coordinating and cleaning. But as a matter of fact, the villagers found that the government only bought the social insurances for seven years, and they had to pay for the next eight years. While the fifteen percent of lands were also sold by officials and villagers did not share any profits.

Some villagers were recruited by the street office, the location of the sub-district government and became sanitation workers, so they could get the annual bonuses and holiday allowances, but in the second year, the sanitation work was privatized and these workers were outsourced to the GD Property Management Limited Company. As a result, all the bonuses and allowances were canceled and workers only received the minimum wage.

3.2. The cause of strike: contract termination without severance compensation

The GD company was responsible for the sanitation service in the University Town for nine years, until 2014, when it failed to win the successor bid for the “municipal cleaning project.” It meant that the GD company would terminate their sanitation service from the University Town at the end of August, and the winner of the bid, SC Property Management Company, would take over the job.

On the 4th of August in 2014, sanitation workers responsible for cleaning in the University Town got the news and worried about how the change of contracting company would influence their labor relations with their current employer, the

GD company. Because most workers are local villagers and they kept working there for nine years. Also, others who are not local residents are also working there for many years, along with their children studying in the local school. This means that they do not want to move with the company, but some of them did not realize that their labor contracts have been secretly amended, being prolonged until 31st of August, the expiration day of the sanitation service in the University Town, in order to avoid the economic compensation fees

Four days after the bid result came out, sanitation workers went to consult the GD company, the street office, and labor inspection office about the severance and compensation arrangement, but they did not receive any response. In the next few days, workers continued to express their worries and the GD company held a meeting on the 20th to announce the options the workers could choose: to either keep the job and move with the company or be fired voluntarily without any compensation. This result irritated the workers. They perceived the GD company did not want to negotiate with them and decided to start a strike the second day after the GD company offered their proposals.

3.3. The strike develops: unity and social support

On the 21st of August, more than two hundred sanitation workers held a banner in front of a commercial center in the University Town proclaiming “Working hard for nine years here / the contract is terminated /our seniority is ignored / we appeal to the government to help us” in order to attract more attention. Because that day was the first day of class for a nearby university, there were a lot of students walking by these workers. The news of the protest, with several photos of the scene, spread quickly through social media.

One independent student activist, C, went to the protest site as soon as he heard the news. He interviewed the workers carefully and documented the entire context. He sympathized with workers’ conditions and was determined to help

them. Then he went back to write down the story and appealed for more people to support the workers. An article <Sanitation Workers Were Striking for Their Rights on the First Day of School> was circulated on social media. The case was becoming a hot topic among those with interest in labor issues.

Once the protest began, the GD company made an announcement to reiterate its stance and refute the workers' demands. Meanwhile, staff from the street office and labor inspection office went to try and persuade workers to stop the strike. They also suggested that the workers apply for labor arbitration through the legal procedure. But workers understood that it would be difficult to succeed just by following the legal procedure, so they refused to accept this suggestion.

The strike continued a second day. Sanitation workers submitted an official document <Sanitation Workers' Appeals> to the GD company, the street office and the labor inspection office. In this document, workers proposed a deadline of three days to be given confirmation of the severance scheme, including the new work location, new contract terms, workload, work content, and salary. But the GD company did not accept these appeals.

Meanwhile, the student activist C published a series of articles, <I Am a University Student in the University Town, I Wish More Students to Focus on Sanitation Workers' Strike>, <Sanitation Workers' Ice Bucket Challenge>, <Urgent Attention: Sanitation Workers Are Protesting Loss of Nine Years Seniorities>, on social media, trying to mobilize more students to intervene. Finally, his appeals worked, and several dozens of students went to the strike site after reading the articles and began to interview more workers, collecting information about their living and working conditions. The reasons for the strike and appeals for support were heavily circulated again.

On the third day of the strike, the 23rd of August, a local labor NGO - The Service

Center for Migrant Workers, which is regarded as the earliest labor organization in Mainland China - began to intervene, after they received the workers' request for help. Several colleagues from the labor NGO went to the strike site to hold a collective meeting, and discussed the strategies and plans with about two hundred workers. They reached a consensus that collective bargaining was the best way to achieve their goals and that the workers should be more organized.

Labor NGO staff assisted workers to elect 18 representatives and delegated them to deal with specific matters. Among these 18 representatives, there was one general representative, five bargaining representatives and three financial audit representatives. They were responsible for the organizing, communication, bargaining, advocating, logistics and financial affairs. At this point, the workers' organizational structure was well established. It proved to be the most important resource of labor power to assure success in the strike.

The 25th of August was the deadline that workers requested the GD company to give a final response. In the morning, a staff member of the labor NGO, P, held a meeting with workers' representatives to discuss the strategy. They analyzed all the demands and set a bottom line requiring the GD company to commit to a suitable severance arrangement and permit the workers to continue to work in the University Town.

After the meeting, workers went to the GD company office to wait for a reply. But it was a waste of time, as the vice manager of the company continued evading the workers' demands and was unwilling to negotiate with them. So workers felt they had no alternative except struggling to the end. On the other hand, to strengthen the pressure, the student activist C released an open letter that evening, titled <What University Students Can Do to Support Sanitation Workers' Strike>, to appeal to students to join a signature campaign.

The continuous protest had drawn the attention of mainstream media. On the 26th of August, workers were brave enough to be interviewed and persist in raising their appeals. They told journalists that, if they did not struggle, other sanitation workers who came after them would also be treated unequally. However, due to the censorship system, mainstream media was banned from reporting news of the strike by the Propaganda Department of Communist Party.

In the afternoon, some workers' representatives went to the city and district level of the Federation of Trade Unions to submit a petition letter, hoping that the “workers’ family” would assist them to tackle this incident. But ultimately they were disappointed with the lack of response from the trade union.

On the other hand, the open letter released by the student activist C received a lot of reaction. More than one hundred students signed their names to express support. Further more, several university-based media continued to follow this case and forwarded reports and comments through their social media accounts.

On the 27th of August, to express anger with the government's inaction, sanitation workers launched a sit-in protest in front of the street office. All the workers gathered to pressure the officials to mediate. At the same time, the general representative received a call from the provincial federation of trade unions. Workers were informed that cadres from the district trade union would be coming to meet with them. In fact, no one appeared until three o'clock that afternoon. When the worker representative called back to the provincial federation of trade union, the receptionist said that he did not know what had happened.

The summer weather is very hot in Guangzhou, and workers could get sunstroke if they stayed for a long time in the open air. So student activists initiated a “water-sending” activity, appealing to each supporter to donate one bottle of

water. Then workers set up a bank account to receive money. At this time, the number of signatures on the support petition was more than seven hundred, with signers coming from about one hundred domestic and foreign universities, and included several well-known scholars.

Without any positive response from either the employer or government, the protest was bound to ramp-up. On the 28th of August, the sanitation workers gathered in front of the commercial center, sitting down and singing the national anthem. A high profile feminist campaigner, Z, and her partner came to the strike site to encourage the workers, eighty percent of whom are women. They brought some stickers made for the occasion, with slogans such as “GD Company, Stop Being Evil”, “Return My Seniority”, “ Nine Years Sweat and Blood, Thrown Away When Used Up”. Workers pasted these creative slogans on their faces and bodies to reinforce the impact of the message.

Another person who came to the strike site was a human-rights lawyer W. He was invited by a democratic movement activist L, to provide legal advice to the workers. The democratic movement activist L stayed with workers every day and reported the latest news on the social media and websites. He planned to introduce the human-rights lawyer W to serve as the workers’ legal counsel. Once the lawyer W arrived and started to talk to workers, several policemen showed up, intending to take him to the nearby police station by force.

Under the protection of workers, the two feminists were able to avoid being detained. With this sudden conflict, the scene became chaotic. Workers went to the police station and requested that the police must release the lawyer. A trade union cadre came to tell workers that the trade union would arrange a new lawyer to give legal aid to workers, but workers refused this suggestion and urged that the lawyer W must be freed. Finally, after several hours of being questioned, the lawyer W was released from the police station.

The workers' action kept accelerating. On the 29th of August, ten worker representatives went to the municipal government and provincial federation of trade unions to petition and submit an appeal letter. But they still did not get clear reply. Workers on the protest scene attempted to reach union leaders by contacting the Internet platform "Workers Online" (mentioned above), but the person answering was from an agency, not the trade union, and would only record the messages and transfer them to the trade union.

By now, some of the worker representatives and their families were facing more and more psychological pressure and harassment from the GD company. The weather was also not good, and sudden rains increased the difficulty of sitting outside. The protest arrived at its hardest time.

To be in solidarity with workers, students' were also increasing their supportive activities. The money donated to buy water reached more than 3,000 RMB (425 EUR). Apart from publishing reports and comments on the Internet to support the workers, students began to investigate the legal violations by the GD company. Evidence was gathered that showed the GD company had embezzled wages from hundreds of workers. Students disclosed this information to strengthen the pressure on the company.

The student activist C even applied, under a public access to information policy, to request the government publish the budget of the cleaning project in the University Town, the number of sanitation workers employed, the wage structure and to investigate the implementation of labor regulations by the GD company. This was a formal and official way to bring pressure to the government, alongside the direct action tactics. According to the <Regulations on the Disclosure of Government Information>, the government is required to reply in fifteen days.

Meanwhile, more and more students went to the strike scene to bring bottles of water, and interview workers face to face. They also taught workers to sing songs to encourage themselves, like <Solidarity is the Power>, and <Praising Labor>. Some students and activists published an independent and self-edited newspaper called <Cleaning the Road> to introduce the development of the protest. It was a progressive action to organize workers.

The 1st of September was the handover day between the GD and SC property management companies. Although the strike was ongoing, a group of sanitation workers employed by the new company started to do the cleaning work in the university town, which would weaken the impact of the strike. However, the sanitation workers of the GD company insisted that they would maintain the protest.

On that day, a report, <How to Protect Sanitation Workers' Rights>, written by a PHD candidate at Hong Kong Polytechnic University was published in the newspaper of the CPPCC. It is not easy to have a presence in such mainstream media.

The strike further benefitted from the publication of the second phase of the paper <Cleaning the Road> and an article <Where Are Social Workers> calling for social workers to come out to support sanitation workers. At this point, the number of signatures collected exceeded one thousand, and the money donated totally more than 4,000 RMB (557 EUR).

3.4. Strategy on both sides: collective bargaining and a successful negotiation

After coordination among different parties, the first round of collective bargaining was arranged to take place in the street office on the 2nd of September. Workers

gathered at seven o'clock on that morning to prepare for the coming negotiation. Labor NGO staff was invited as workers' consultant, to suggest the strategy. Some students also came to support and encourage workers.

The collective bargaining started at ten o'clock, but as soon as the workers and labor NGO staff entered the meeting room, the delegates of the GD company refused to accept the labor NGO colleagues as workers' consultants, or to have them attend the bargaining. The conflict lasted for several hours and neither of the parties wanted to compromise. As a result, the morning was wasted, and the bargaining did not actually proceed.

In the afternoon, government officials persuaded the company to accept the participation of the labor NGO staff, but collective bargaining between the GD company and workers was replaced by the mediation between government officials and workers. So in the second round, the delegates of the company did not appear, and government officials worked as mediators, proposing a scheme whereby each worker would get 1,000 RMB (141 EUR) per year, according to their length of service. But this plan was far from workers' expectations, so they refused to accept it. Government officials said they would continue to communicate with the GD company and start the mediation again.

One significant point that should be mentioned, is that apart from the labor NGO staff, cadres from the district trade union also sat on the workers' side and criticized the failure of GD company to protect workers' interests. At the same time, the investigation on the company's other legal violations continued, and another report was published that evening to pressure the GD company publicly.

The GD company continued to be absent from the third round of meetings, which was held on the afternoon of the 4th of September. The government officials conveyed a new proposal from the company to increase the money to

2,000 RMB (282 EUR) per year. The meeting lasted for three hours. Workers continued to demand that the company should pay severance compensations based on their seniority, as well as wages during the strike and reimbursement of social insurances and housing funds.

There was still no result that day. And students published the third phase of the newspaper <Cleaning the Road> to allow more workers to learn about the development of the negotiations and the external support.

On the forth meeting on the 5th of September, the government officials expressed their view that the company could pay 2,500 RMB (353 EUR) as the severance compensation, as well as the other requests, except regarding the housing funds. Although there was still a little difference in positions, this was significant progress. Workers wanted the company to keep up the dialogue and negotiate with them to achieve the final agreement.

Workers continued the sit-in protest on the 6th of September, which is a traditional festival day in China. Students brought some fruits and moon cakes to celebrate the holiday. The office of a prominent labor lawyer, and several labor NGOs in other cities, donated many bottles of drinking water. The atmosphere seemed unified and inspiring.

The fifth round of meeting started at three o'clock in the afternoon and lasted until eight o'clock in the evening. Finally, the GD company and workers made an agreement on the seniority compensation, social insurance and housing funds. In total, workers would get 3,000 RMB (418 EUR) per year based on the number of years worked, and the social insurances would be reimbursed. All the workers voted by a show of hands, agreeing with this proposal, and signed the official collective agreement on the 9th of September.

3.5. The ultimate victory: all workers can keep their jobs

The dispute between the GD company and workers had been solved at last, but just as the delighted workers were ready to sign new contracts with the SC company, another problem emerged. The new company planned to treat the workers unequally, allowing local villagers to begin working immediately while migrant workers would have to wait for the further notice. This violated the regulations on the bid document, requiring that all the former sanitation workers should be retained without exception.

Workers suspected this was retaliation, intending to destroy the workers' solidarity, as most workers representatives who were active in the strike were migrant workers. They reported this problem to the government and requested that all the workers must be returned to their jobs, or that otherwise, they would strike again. They appealed to the media and activists to keep focusing on the situation.

At this time, an article < Succeeding in the Strike, But Losing Their Jobs> was circulated among students to report the subsequent development of the protest. In this article, the author condemned the SC company for retaliating against the workers' representatives.

Without any response from the government, the sanitation workers continued their protest in front of the commercial center. They held several banners proclaiming "We Want to Return to Work, We Want to Live", " We Need a Job, We Need a Rice Bowl", "We are Family, No Matter whether Local or Migrant, Everyone Keeps Job", "Anti Heartless Company, Anti Greedy Boss, Anti Retaliation", "Long Live Workers' Solidarity". These comments expressed the workers' determination to work together and struggle together.

Students also acted quickly. The activist C launched an activity of "sending

letters to the Management Committee of the University Town” appealing to the government to intervene on behalf of the workers’ returning to their jobs. Some students followed C’s example and others called the street office and the mayor’s hotline to highlight this problem. A group calling itself the “Supervision Group for Sanitation Workers in the University Town of Guangzhou” announced an open letter on social media to urge the SC company to accept all workers without any retaliation. It also appealed to the government to work for the people.

Under the pressure of the workers’ solidarity, persistence and continuous protest, the SC company finally compromised and retained all the workers. On the 14th of September, after signing the registration forms, all workers returned to their work. In the subsequent days, workers voted for new representatives and delegated them to negotiate the new contract terms with the company. Both parties achieved agreement at last. Up to this point, the sanitation workers’ protest that lasted for more than one month ended with a workers’ victory.

Chapter 4

The Emergence and Growth of New Social Movements in China

There were four types of new social movement groups or activists involved in the University Town sanitation workers strike. They are labor NGOs, students, feminist campaigners, and democratic movement activists. This raises the question of why do these actors intervene in labor protests and what are the relations between labor and other social movement issues. So this section will briefly introduce the emergence and development of labor NGOs, feminist action groups, student-worker partnership, and the New Citizen Movement in China. This description will show that labor conflicts are becoming the structural points that link every other social movement in contemporary China. The forces of labor make workers the best potential allies to extend the impact of social movement

in an undemocratic system.

4.1. The development and transition of the first labor NGO in China

“The Service Center for Migrant Workers” which was founded in 1998 by a migrant worker and a lawyer is regarded as the first labor NGO in Mainland China. In its early days, its main service was assisting migrant workers as agent aid litem in courts. Although it charged little, sometimes workers who were in economic difficulty could not afford to pay, so the economic burden was taken on by the organization. The lack of other funding sources made the operation of the NGO difficult. But the situation changed when its head introduced the NGO’s service work at a “women legal-aid development conference” and attracted the attention of several foundations. Soon, the NGO started to cooperate with foreign foundations and got their funding. Since then, the NGO made a decision that provided free aid to migrant workers. The Service Center for Migrant Workers became a foundation-funded non-profit organization.

The NGO has roots in Guangzhou, but with the sponsorship of foreign foundations, it expanded its branch offices in other cities across the PRD region. This meant that social services could reach more disadvantaged workers. Projects conducted in the past dozen years include legal aid, labor law and other trainings and presentations, visiting workers facing injury or disease, occupational safety education, opening a labor center, supervision of CSR activities, and so on. Through these activities, this NGO has increased its impact in the whole PRD region and has become famous among workers, especially those in Panyu district in Guangzhou. In addition, this NGO has initiated several models of social service for migrant workers, like visiting workers facing industrial injury or occupational disease in hospital and establishing their networks. This model was learned by others and was adopted as the service model of in other NGOs. (Deng, Wang, 2004, Yue, Qu, 2007, CLB, 2013).

In recent years, this NGO has begun transforming itself again, from community service and safeguarding workers' legal rights individually to advocating collective bargaining. During the past several years, with the support of a famous labor lawyer and in coordination with the local trade union, the Service Center for Migrant Workers succeeding in assisting workers' collective actions, pushing the employers and employees to deal with labor disputes through collective bargaining. The head of this NGO now believes that only through a system of collective bargaining can workers achieve a voice on the job, and also views that the establishment of collective bargaining system is good for economic development. (Xing, Wang, 2012).

Learning from dozens of cases, the Service Center for Migrant Workers has created a model to support workers' collective action. For instance, holding meetings with workers, voting in workers representatives, training workers in collective bargaining, exchanging experiences, making plans of action, following the development of bargaining, acting as an adviser, mobilizing public support, and so on (CLB, 2015). To push for the establishment of a collective bargaining system, this NGO also launched a signature campaign to set up a collective bargaining code between employers and employees. Labor movement-type NGOs (Li, Duan, 2014), are defined as fostering communication between workers from different factories, supporting the growth of mutual aid between workers, fighting for more rights and advancement of workers' interests through collective bargaining, and improving the social and economic position of labor. By this definition, the Service Center for Migrant Workers absolutely embodies the labor movement-type NGO.

4.2. Student-worker partnership in China

When talking about the student-worker partnership, a mention of the role students played in the South Korea labor movement in 1970s and 1980s is indispensable. Hagen Koo (2001) detailed this history of students taking on work

in factories to advance the labor movement in his impressive book <Korean Workers: The Culture and Politics of Class Formation>. The biographical film <A Single Spark> (1995) tells a true story in 1970 that the young tailor Jeon Tae-il committed suicide by burning himself to protest against the horrible working conditions in the sweatshops in the Seoul Peace Market. His sacrifice drew attention to the terrible working conditions in South Korea. He was shouting “we are not machines, enforce the labor code” when he set himself on fire. His lament that he had hoped to have a university student friend helping him prompted many real university students to reflect. Many of them began to leave school to find jobs in factories. They lived and worked with real workers and developed their class-consciousness through education and daily communication with their coworkers. Finally, students’ hard work as organizers contributed to the emergence of a strong labor movement in South Korea.

Encouraged by the students of South Korea, some students in Mainland China organized anti-sweatshop campaigns, for instance, the Students Group Focusing on Coca-Cola Workers was founded in 2008 to investigate labor rights in Coca-Cola factories. The members of this group were all university students. They found jobs through the recruitment process and became assembly line workers. During work time, they interviewed coworkers and collected documentation of violations of labor law in the factories. They also wrote diaries to record their daily lives as workers. Usually, they worked for about one month, and then left these factories. Finally, they would publish a report to disclose the conditions inside the Coco Cola factories and launched a consumer campaign to pressure the Coco-Cola Corporation to supervise and improve labor conditions in its plants. This case was the first campaign targeting transnational corporations conducted by university students in Mainland China.

There is also a group of students in Beijing focusing on construction workers’ rights. They named their volunteer group “Safety Helmet,” which construction

workers wear every day. Every week, these students visit construction workers dormitories to distribute their newspaper <The Big Construction Site> which they published by themselves. They also have opened a library near the dormitories and organize activities for workers, so workers can come to read and watch movies. There are lectures, trainings and investigations about labor rights, workplace safety, and legal knowledge provided to workers. Sometimes, students campaign against violations of labor rights on construction sites, or assist workers in safeguarding their rights and interests individually. Since 2008, it is estimated that about one thousand students have engaged in this volunteer activity⁴.

In 2010, there was a tragic series of fourteen workers suicides at Foxconn Corporate, which is one of the largest manufacturers in the world. To find out the facts of these incidents, a group initiated by sociology scholars and university students decided to investigate the branch factories of Foxconn all around China. They interviewed workers outside the plants with questionnaires, and worked inside the factories to experience workers' real lives. At last, this group published several reports to disclose the labor conditions of Foxconn factories. They also collaborated with labor NGOs and trade unions in Hong Kong, Taiwan, and the US to campaign against Apple in order to get Apple to pressure Foxconn to improve labor protections.

The student activist C mentioned in the case study session also has experience working in Foxconn factory. This experience made him realize the hard conditions workers face, so he became determined to devote himself to labor movement. In 2012, the government built a new museum for migrant workers to praise their contributions to economic development. The exhibition theme was a grand narrative of triumph which the student C viewed as incomplete. It lacked

⁴ See <Southern Weekly> <http://www.infzm.com/content/30228>

mention of the sacrifice of migrant workers' and their grievances and sufferings. So he sent applications to request that the government departments should publish the program plan of the museum and exhibit labor histories seeking truth from facts.

More than that, he also founded a student group on campus to support campus workers' rights. He organized other students to inspect the labor conditions of cleaners, security guards, houseparent, and workers in canteens. After the inspection, he submitted a report to the president of the university, appealing to appeal to his conscience to treat these campus workers equally and responsibly. At last, under pressure, the university committed to improve wages and other social protections.

In the sanitation workers' strike wave in the main districts of Guangzhou, he also got involved deeply by inviting sanitation workers to have dinners with people's representatives, journalists, and students to publicize and expand the influence of the strike. This activity plus the application of publishing government information increased public pressure on the government and property management companies. He also helped a workers' representative who was fired after the strike to get his job back. In the past recent years, he succeeded in making workers' voice heard and expanding the influence of workers' protests in the public sphere.

Being encouraged by these student groups and activists, more and more students began focusing on labor issues. They founded student associations, reading groups, or issue-oriented organizations to discuss, research or even intervene in labor problems. It is still early to evaluate whether they can play as important a role in contemporary China as students have in South Korea, but their involvement is absolutely significant in creating a favorable public opinion of labor protest.

4.3. The youth feminist activists voice for women workers

Current research on the development of NGOs in Mainland China usually traces their origin to the World Conference on Women held in Beijing in 1995. This conference marked an important transition in the history of the Chinese women's movement. It not only brought the concept of Non-Governmental Organization (NGO) to China, but also proposed a new feminist discourse for the women's movement with terms like "gender equality", "empowerment for women", "mainstreaming social gender" and so on. Many development projects, research programs, and education curriculums were initiated after this conference. The first group of feminists included scholars doing gender research in universities and activists working for women's NGO projects⁵.

The Youth Feminist Action Group appeared with interesting ways to express feminist ideas in recent years. The first performance of this group was in 2012 when they campaigned against domestic violence through performance art using the theme of the "injured bride." This made an excellent impact in the media. The following "occupy the men's restroom" action happened in several big cities and became a hot topic of conversation. This action led to a motion at the CPPCC that year to change the proportion of male and female toilets in public facilities. In addition, the Youth Feminist Action Group focuses on issues including employment discrimination, education inequality, gender violence, sex workers' rights and so on.

Feminists realize that the problems faced by women workers combine the issues of labor and feminism. The activist Z who went to support sanitation workers' strike in the case study is one of the first people to talk about that feminists should expand their interests to labor. The activist Z focused on women workers'

⁵ See "The New Generation of Feminist" <http://view.inews.qq.com/a/20150208A000H300>

occupational diseases, and supported workers' representatives who were detained in a strike. She also launched a campaign with a labor NGO to fight against sexual harassment in factories and allow women to obtain leave for their menstruation periods.

To gain a deeper understanding of labor, she encouraged her collaborators to experience life in the factory. Her most impressive accomplishment was the launch of a petition campaign to appeal to CEO of Apple Corporate, Tim Cook to focus on labor rights in Apple's supply chains, because when he came out as a gay, he got a lot of approval for supporting the values of equality, justice, and diversity. In feminist Z's opinion, migrant workers working for Apple should be also treated with these values.

Chinese women workers are viewed as enduring a triple oppression from the authoritarian government, transnational capital, and patriarchy society (Pun, 2005). Thus, they are an aphasic group that has difficulty finding its voice and organizing resistance. Some labor NGOs design particular programs to support and empower women workers. The intervention of the Youth Feminist Action Group brings new methods and strategies to express and publicize women workers' struggles that will strengthen their impact in the public sphere.

4.4. The intervention of democratic movement activists in labor protest

In 2003, the civil rights movement began as a response to the Sun Zhi-gang incident. Sun was a graduated student, who had gone out to the street without bringing his temporary residence permit with him. As a result, he was detained by the police. Although the punishment he faced was fines, he was later found dead in the detention center. When the incident was reported on the newspaper, this was the turning point for public opinion.

A lot of migrant people had faced a similar experience of being detained

because they did not have their temporary residence permit in cities and that this case had resulted in Sun's death stimulated people's anger. As a response, three PHD candidates in Peking University submitted a petition to the Standing Committee of the National People's Congress to abolish the " Management Method for Internment and Repatriation". Because of the public focus and pressure, the system was finally cancelled by the central government. The success of this case pushed the development of public interest litigation. Since then, some volunteer lawyers have started to take on cases that protect civil rights, aiming to extend the political space in the structure of the Constitution and laws.

A case that was representative of this new push for civil rights, was when a group of voluntary lawyers agreed to help parents whose children were harmed by poisonous milk powder. More than one hundred lawyers provided these victims with free legal aid. These parents also organized themselves and established a website to support the struggle. The report on the toxic milk powder drew the attention of the government and public. People discussed and condemned the case, requesting the government to punish those responsible, the corporations.

The human rights lawyers played a very important role in this case, not only safeguarding the victims' rights, but also protecting social justice and rule of law. They offered their professional skills, and utilized the media and other social resources to broadcast the case. This kind of social mobilization expanded the action space and pressured the state to respond. In this sense, they contributed a lot to the growth of civil society in Mainland China.

The NGO "Public Alliance" which was founded by a lawyer who had been involved in the Sun Zhi-gang incident played important roles in the case above. The goal of the " Public Alliance" was to promote the public interest. So it

advocated a “New Citizen Movement” in recent years. For example, they organized people to investigate the illegal detention centers which were used to arrest petitioners and protesters, they appealed to abolish the “Reeducation Through Labor System”, they called for people to join in the people’s representative election, they organized meetings to discuss civil rights in different cities, they called for government officials to open their properties, they pushed for an equal education system for migrant children, and they appealed for people to take responsibilities as citizens and enforce their civil rights through a transition towards a constitutional political system. Overall they devoted themselves to the establishment of a well-functioning civil society. But the “New Citizen Movement” suffered severe repression by the government and several organizers and participants were prosecuted as criminals, and were sentenced to prison for several years. However the idea of being a new citizen is still advocated among democratic activists.

However, because of the attack of the state, some democratic activists began to reflect on the failure of the New Citizen Movement. They realized that the isolation from the people was a key factor. So to revitalize the campaign, they decided to make a coalition with the labor movement to push for a social transition. Some activists started to intervene in labor disputes with as human rights lawyers and citizen volunteers. They utilized their advantages to assist workers to organize and mobilize legal resources.

They encouraged striking workers to improve their confidence and abilities through criticizing policemen’s brutal or even illegal actions. The democratic activist L mentioned above was the pioneer of the intervention in labor protest. He was not only involved in this case but also in a series of significant strikes in the PRD region and has subsequently developed a strategy to work with labor NGO staff and workers together. Although their interventions will increase the sensitivity of labor issues to government, considering the dual goals of the labor

movement in current situation, it seems to be an inevitable road to go.

Chapter 5

A Socialized Protest: Sanitation Workers' Power

5.1. Sanitation workers' strikes in main districts in Guangzhou

From the end of 2012 to the beginning of 2013, there were several sanitation workers' strikes in different districts in Guangzhou. Their demands were for a wage raise and to receive a bonus to compensate for a wage reduction imposed by the property management company, which they'd made to increase the competitiveness of their bid under pressure of marketization reforms in the sanitation sector. As a result of this competitive pressure, sanitation workers faced problems of low social status, low wages and low social welfare benefits. Their working time is long and working intensity heavy. Workers spend most of their time on streets, which exposes them to the danger of traffic accidents.

Moreover, although sanitation work is a kind of simple physical duty, if the workers strike, it will impact the normal operation of the social life. So this series of strikes drew the attention of media and government. There were a lot of reports discussing the sanitation workers' working and living conditions. Government officials went to the scene to persuade workers to suspend the strike and organized forums to listen to the workers' demands. The Federation of Trade Unions of the Sanitation Sector also submitted an investigation report to the municipal trade union of Guangzhou, which analyzed the causes of these strikes and suggested how to deal with them.

At this point, the Committee of Urban Management, a governmental department which is responsible for enforcing city-management laws and regulations, committed to increase sanitation workers' wages. The municipal government also memorialized sanitation workers' wages and social welfare benefits in government conference documents to protect their interests. In cases such as

these, workers can get a quick response from government is because of the particular nature and importance of public sector services, which is also a source of sanitation workers' power.

5.2. The particularity of sanitation workers' strike in the University Town of Guangzhou

Although the aforementioned are all sanitation workers' strikes, the case study of this thesis is a little different from others that preceded it. The first difference is the location of the strike; the University Town of Guangzhou is far away from the city center, and most of the residents are students. But during the summer holiday, there are few students living there, which would limit the social influence of the sanitation workers' strike. The second difference is the cause of the strike. As opposed to demands for a wage raise, it is a contract dispute between workers and the GD company that is not as likely to raise people's sympathies and or focus criticism on the government. The third difference is the media restrictions. Several TV stations and newspaper media interviewed workers, but the Municipal Propaganda Department of Communist Party learned of it and forbade the publishing of any reports on the strike. Taking these three points into consideration, we can see the importance and significance of the intervention of social forces.

First of all, sanitation workers chose the best possible time to launch the protest. The 21st of August was the first day of the school term at the nearby university. The location of the protest was between the campus and the commercial center, where a lot of people passed by, making it easy to attract attention. Most importantly, students in this university had a tradition of caring for society. There have been many student campaigns about public policy, cultural conservation, gender equality and anti-employment discrimination. Students gained much experience from these influential activities. Moreover, campus media appears to be more independent and critical. So when messages and images of sanitation

workers protesting with banners were disseminated on social media, students interested in labor issues – such as the activist C and members of a labor reading group - acted first and quickly.

Secondly, with the assistance of labor NGO staff, sanitation workers established an organizational structure and quickly voted for their representatives. They achieved the solidarity which served as the basis of strike. The Service Center for Migrant Workers received a request for help from the strikers on the 22nd of August, and NGO staff went to the strike scene to assist them in holding the conference on the second day. Through this process, workers learned how to concentrate their demands and work together. This helped to overcome typical weakness of so-called “wild cat” strikes, which often lack organization, a system of representatives, and solidarity. From that day on, labor NGO staff went to hold meetings with workers every afternoon to discuss the development of strike and encourage them to stick it out.

Third, sanitation workers chose the most suitable strategy for collective bargaining, as suggested by labor NGO staff. If they accepted the advice of officials from the street office to follow the legal procedure, they may have fallen into a procedural trap where their cases would be divided, requiring a much longer time to go to court individually. By comparison, collective bargaining backed up by united power would be the fastest way to achieve the goals.

Fourth, the sanitation workers’ protest succeeded in creating a second public opinion sphere, beyond the mainstream media. As the strike was publicized through social media, the discussion attracted the attention of the Propaganda Department. Students, feminists, and democratic activists contributed a lot to this process. They interviewed workers on the strike scene, making timely reports, promoting discussion and debate. All these maximized the promotion of the protest. For instance, students introduced related issues by investigating

violations of law in other projects, keeping pressure on the government and company to respond. Feminists also utilized their experience with the news media and social networks to forward statements and reports that could mobilize people.

Fifth, based on their own organizational power, solidarity and determination, the sanitation workers – with additional intervention of social movement groups and activists - brought pressure on the government and company. For the government, the first consideration is always to maintain social stability, and they are concerned that acceleration of workers' protests would damage social order. Therefore the government does not want the strike to last for a long time. The pressure coming from workers is transformed to motivation for the government to safeguard societal stability. In order to finalize the protest, the government needs to pressurize both workers and the company to make compromises. For the company, a violation of law is a fact that they cannot evade. It faces dual pressures from both the government and workers, with the government's demand effectively pushing them to make a compromise with the workers.

To sum up, the case of sanitation workers' strike in the university town of Guangzhou reveals a set of interactions between labor and social movement forces which represents the socialization of labor protest. It can be regarded as a Chinese form of social movement unionism which appears that independent labor NGOs play a significant role in assisting workers to organize, mobilize, make strategies and to assist collective bargaining. Meanwhile, students, feminists, and democratic activists can contribute by disseminating information, promoting issues through media, extending more facts, deepening understanding of the strike and building social support. The coordination and collaboration of these parties may tend to strengthen workers' organizational power, amplifying their influence in the public sphere and increasing pressure on the government and trade union to mediate with company and settle with the

workers.

5.3. The resources of labor power

In the process of struggle, the workers' power is significantly weaker than the company's; therefore it is not suitable to adopt the concepts of "associational power" and "structural power" introduced by Wright (2002) to describe the resources of labor power. The associational power comes from workers' collective organizations, the typical of which are political party and trade union while the structure power results from the "position of workers within the economic system" (Silver, 2003).

To generate workers' associational power, "it requires (often lengthy) processes of organization and the development of collective actors who are capable of strategic action" (Schmalz, Weinmann, 2014). And the membership numbers is the key factor to evaluate the degree of associational power (MEW 16:196).

The structure power consists of market bargaining power and workplace bargaining power. The market bargaining power, that is the result of a tight labor market, includes "rare qualifications demanded by employers", "little unemployment" and the "capability to completely withdraw from the labor market and to live on other sources of income" (Silver, 2003: 13). Those workers who are highly integrated into the production process possess the workplace bargaining power to make employers' concessions, meaning that once they strike, the whole production chain will be impacted and the employers' costs will be risen dramatically (Wright, 2000; Silver, 2003; Schmalz, Weinmann, 2014).

Sanitation workers conduct the simplest physical labor, without any technology, and they are old to command bargaining advantage in the market. It is also impossible for them to organize an independent trade union to raise their demands. Apart from these limitations, there is also no "institutional power" to protect workers in the pro-capital political and economic environment of

contemporary China. Institutional power means workers can be protected by constitutional regulations, labor laws, industrial systems, or corporatist dialogue procedures. But in China, although there is a relatively well-developed legal system such as the legislation of <Labor Law>, <Labor Contract Law> and <Social Insurance Law>, the enforcement and effect of these laws are not good enough. Because local governments prioritize the economic growth, but often neglect the violations of workers' rights.

So in this thesis, I use the concept of "societal power" which is to describe the "sustainable cooperation with other social groups and organizations" as well as the "support of society for workers' and trade union demands" (Schmalz, Weinmann, 2014). In the Chinese context of "strong government, strong capital, and weak labor", the societal power can be generated through socializing labor protest. According to definition of societal power, labor is not just a part of the capital-working class structure, but a part of the state-civil society structure. The socialization power can influence the equilibrium of state-capital-labor relations to complement the disadvantage of labor and achieve a better result.

5.4. The dilemma of workers' collective action

Usually, the collective action of labor is restrained by four dilemmas, which are: organizational dilemma; strategic dilemma; public dilemma; and pressure dilemma respectively. The organizational dilemma means that workers tend to see their interests as individual, don't have strong group relationships, and lack organizing experience in most cases. So when strikes take place, they appear to be spontaneous and disorganized. The strategic dilemma means that workers improvise during a strike, often without making plans or strategies; as a result, workers' demands are diverse, making it difficult to focus on several key demands during negotiations with the employer.

The public dilemma means the impact or significance of a strike cannot be

discussed in the public arena. If a strike is limited within a factory, the social influence is not great enough to empower workers. Actually, a strike is not just a labor issue, it also relates to basic civil rights. In many market economy countries, citizen can enjoy the freedom of association, the right of collective bargaining, and the right to strike. So when it is possible to publicize labor protest, it may result in attaining more sympathy and support.

The pressure dilemma means that workers face difficulties in utilizing their associational power, structural power and institutional power to bring pressure on employers to compromise. Workers cannot organize independent trade unions, and most of them work in low-skill sectors, with weak bargaining ability in the labor market, so labor cannot show power against employers directly at the bargaining table. The typical practice is to march and demonstrate trying to ringing pressure on the government to safeguard social stability. But the arbitrary policies in China do not allow freedom of assembly and demonstration, and local government is pro-capital to pursue economic growth, so it is also very difficult for labor to forge collective power.

A successful strike relies on finding solutions to these four dilemmas. Whether workers can establish an organizational structure to lead the strike in a short time, whether they can make the most suitable strategies to guide the strike, whether the strike can get the attention and support of the public, whether workers have enough power to pressure the government and employers, all of these determine whether workers can be the final victors in the protest.

5.5. A model of socializing labor protest

As mentioned before, in the structure of “strong state, strong capital, weak labor”, labor cannot achieve the goal itself, but only with the intervention of social movement groups and activists. In the case of the sanitation workers’ strike, the experience that NGOs brought on labor issues and their expertise on assisting

collective bargaining helped to overcome the organizing dilemma and the strategic dilemma; The operation of new media tools and the moral legitimacy of the students allowed them to conquer the strategic dilemma and the public dilemma; The creativity of creative direct action, the knowledge of law, and the capacity of solidarity assistance permitted the feminist campaigner, human rights lawyer and democratic activist to surmount the public dilemma and pressure dilemma; Finally, the solidarity and persistence allowed workers to overcome the pressure dilemma to demonstrate their societal power. The diagram below shows the process of socializing labor protest in China.



Diagram 1: The Process of Socializing Labor Protest

Alan Touraine (2012) proposes the method of sociological intervention in his discourse on the Sociology of Action, which urges sociologists to not merely observe, but engage in social movement actively, revealing hidden social relations and creating sociological knowledge. Yuan Shen (2006) follows the method of sociological intervention, but goes further to develop a pair of concepts in his research on domestic factory workers – called “strong intervention” and “weak intervention” - which he believes reflect China’s realities.

The former method is used to engage in the less developed or undeveloped self-organizing groups while the latter method is used to engage in the more developed self-organizing groups. Although this method of sociological intervention is oriented towards disadvantaged groups and their direct actions towards empowerment, its origin is in the production of academic knowledge conducted by the sociologist. Touraine designs an entire procedure of interaction among the actors, while the sociologist works to motivate and record.

As differentiated from this process, the purpose of socializing labor protest is not the production of academic knowledge, but the achievement of workers' rights and interests. The social forces do not just encourage workers and record the whole process, but participate actively and jointly with the workers. This approach emphasizes workers' subjectivity and allows the social forces to play different roles as partners, strategists, resource providers and so on, for the purpose of helping workers succeed during a strike. In this sense, the socializing labor protest is deeper and more comprehensive than the method of sociological intervention.

Chapter 6

Conclusion

In the context of the "New Normal" situation of the Chinese economy, the relocation of capital, industrial upgrading, increasing labor costs, and the rising demand for social insurance, conflicts are intensified between employers and employees. Workers' demands are escalating from the minimum things guaranteed by law to higher expectations, beyond what is promised by law (Cai, 2010). Collective labor disputes such as strikes, demonstrations, and petitions, compel the transition of labor relations from the individual to the collective (Chang, 2014), which in turn brings a lot of pressure and challenges to the government and the trade union.

For government, the priority is to develop the economy and safeguard the stability of society. As a result, the rights and interests of labor are ignored. When workers adopt collective actions to struggle for their rights and interests, they may face severe repression and surveillance by the police. From the government's perspective, workers' protests are a threat to social stability, so it is difficult for government to preserve a stance of neutrality to mediate disputes between employers and employees.

Although ACFTU is advocating the establishment of collective bargaining system and some local trade unions gain great progress in dealing with strikes through collective bargaining, for instance, the establishment of collective bargaining system in Honda factories after strikes. But the rights of association and strike are absolutely not allowed in China. Without these two rights, collective bargaining system established by official trade union is difficult to last long and work successfully in promoting social stability. But Chinese government does not want to see the genuine collective bargaining system with freedom of association and strike, which is regarded to be out of control.

For the ACFTU and its branches, the restrictions caused by its dual identities limits trade union autonomy and undermines its legitimacy, so it cannot win the workers' trust and support when it intervenes in labor disputes, especially during collective actions. In addition, the legal right to strike is not confirmed in the Constitution, so there can be no procedures established to deal with strikes institutionally. To respond to workers' collective actions, the government and trade union only work case by case, but cannot form the rules that workers will accept and follow to express their appeals of demands.

Due to their grassroots character, some labor NGOs can observe changes in workers' demands and try to adjust their strategies to adapt to this change. In

recent years, they support workers' strikes through pushing collective bargaining, with some impressive results. In this process, these NGOs also are transitioning from providing service and focusing on protection of individual rights, to a more labor movement type of organizing.

At the same time, the development of civil society results in the extension of human rights and democracy movements to the labor sphere. Theoretically, civil society is the premise and condition of active society, and practically, nowadays, in China, citizenship movement and labor movement are both facing the suppression from the despotism of Chinese Communist Party. From this point, actors in the civil society such as feminist campaigners, progressive students, human rights lawyers, and democratic activists, need to make alliances with labor which is regarded as an important social force to push social changes in practically and historically. So they appear at the strike site and provide support with their experience and resources. These activities have socialized labor protests, which can be regarded as a kind of social movement unionism in the context of China.

Nowadays, China is experiencing the economic and social transition (Shen, 2008), labor protest has to undertake a double mission: On the one hand, workers need to struggle against the exploitation of capital in "sweatshops," seeking reasonable economic benefits and decent lives; on the other hand, they also need to fight for the freedom of association, the freedom of collective bargaining and the right to strike in the post-socialist state. Without the precondition of industrial citizenship, (Chen 2011), the formation of a new working class is full of difficulties. From this perspective, Chinese labor protest is a class struggle as well as citizenship struggle with the goal of producing active society and civil society respectively (Shen, 2008).

The case of the sanitation workers' strike in this thesis describes a possibility of

how Chinese social movement unionism could work. Independent labor NGOs may replace the trade union by playing a dominant role in organizing workers and assisting collective bargaining with employers. The advantages of progressive students, feminist campaigners, human rights lawyers and democratic activists improve the impact of labor protest in public area and bring pressure to the state, creating workers' social power, which helps overcome the organizational dilemma, the strategic dilemma, the public dilemma and the pressure dilemma of labor protest.

In a country where labor's associational power, structural power and institutional power are weak, it is necessary to accumulate societal power for labor to change a pro-capital political and economic structure. The collective bargaining campaign launched by labor NGOs and labor lawyers is a suitable strategy to unite all forces and support workers' struggles. It is an approach of socializing labor protest, and as several strike cases show, workers' consciousness has been improved gradually in the process.

But from the perspective of the state and capital, the socialization of labor protest challenges their control over labor. Moreover, ACFTU does not want to see the emergence of an independent workers' organization. Beyond this, the development of civil society faces a lot of restrictions in China (where even the words "civil society" are forbidden in publications), so the combination of labor and social movement activism will absolutely face joint repression from government, the trade union and capital.

It is too early to evaluate how far Chinese social movement unionism can develop, but the direction is clear that labor should establish its own subjectivity and utilize the societal power, fighting for both economic interests and industrial citizenship. The process of socializing labor protest is not easy, but the success of the sanitation workers' strike provides a model for imagining a future labor

movement.

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