

Chapter 11. Movement-oriented labour NGOs in China

In authoritarian China, there are no independent trade unions.¹ Unlike in democracies, China's workplace trade unions are subjected to employer manipulation, and higher-level unions are part of the state corporatist structure. Trade unions are state apparatuses that help suppress the collective organizing of workers.² Dysfunctional trade unions created space for the growth of labour non-governmental organizations (LNGOs), which play the critical role of supporting workers' resistance. LNGOs mostly target internal migrant workers, who have increasingly staged contentious actions. Since the 1990s, LNGOs have provided various services to workers.

Starting from 2010, during the Hu Jintao and Wen Jiabo (Hu-Wen) regime, MLNGOs - movement-oriented LNGOs - started to emerge in China. These involve themselves in workers' collective actions to promote workers' collective challenges to employers or the state by establishing common purposes and solidarities among them. Workers' resistance without the support of MLNGOs had long been characterized by legal mobilization through the mediation, arbitration, and litigation systems at an individual level, or by uncoordinated, unorganized, and spontaneous group actions at a collective level. MLNGOs were able to promote one type of 'modular collective action' among workers that was 'easily transferrable from one setting or circumstance to another' (Tarrow 2011: 41), deploying three tactics: election of worker representatives, collective negotiation with employers, and protest activities.

MLNGO-propelled modular collective action

First, MLNGOs facilitated workers in collective resistance electing extra-union representatives. This tactic helps establish leadership, mobilizing net-

1 This article draws partly on Hui, E.S. (2021) Movement-oriented labor organizations in an authoritarian regime: The case of China. *Human Relations*.

2 For more about the pro-government and pro-employer nature of China's trade unions, see Sio-ying Hui (2011) and Sio-ying Hui (2012).
https://doi.org/10.1080/00141801.2012.684050-17, 01/03/2024, 02:47:22
https://www.nomos-elibrary.de/agb

works, and connective structures among workers, all of which are crucial for movement mobilization. This type of election fostered a culture of democracy and self-autonomy among workers, in contrast with the undemocratic milieu of Chinese trade unions. Worker representatives are responsible for negotiations with the company, for dealing with government officials, for overseeing solidarity funds, for internal communication and mobilization, and for social media publicity, among other tasks. Elected worker representatives acted as ‘movement entrepreneurs’ (McCarthy and Zald 1973) - cadres, leaders, or organizers - who led the workers’ campaigns. Mobilizing networks and structures helped turn not-yet-committed workers into adherents who identified with the campaign’s goals or into constituents who were willing to offer resources to the campaign. The intervention of MLNGOs transformed workers from discrete, unorganized entities into more organized and coherent unities with visible leadership.

The second tactic of MLNGO-propelled modular collective action is collective negotiation. The foundation of this tactic is shared ideas among workers regarding the attribution of blame, action mobilization, and solution identification. With the help of MLNGOs, workers characterized their employers’ culpability, focused on building the collective power of workers, and advocated collective negotiation as a solution to labour disputes. Furthermore, MLNGOs provided workers with training and advice on collective bargaining. For instance, they arranged for people with knowledge of collective bargaining to talk to workers in collective disputes, advised workers on the division of labour in negotiation meetings, and organized mock collective bargaining for, and reviewed negotiation meetings with, worker representatives.

Third, collective negotiations were often coupled with workers’ protests to compel employers to compromise. MLNGOs motivated workers to protest by equipping them with human, material, cultural, and moral resources. For instance, they provided workers with human resources by dedicating their staff to assisting workers. They also offered cultural resources by educating workers about labour laws, organizing and mobilizing skills, and collective bargaining, and by guiding workers to deliberate on their leverage over employers and to assess potential challenges to their campaigns. Migrant workers constitute an underprivileged group who lack various types of resources. They are more likely to stage contentious actions when they acquire external resources from MLNGOs that ‘convince them that they can end injustices and find opportunities ... to use these resources’ (Tarrow 2011: 160).

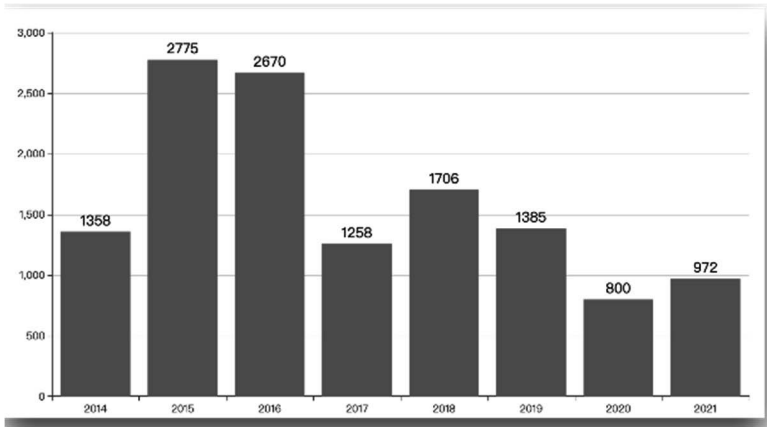
Due to their contributions to labour movements in China, MLNGOs have become the target of the government since Xi Jinping became the

president in 2013. The Xi regime has deployed several strategies to tighten control over civil society, including MLNGOs. The first is financial sapping. In 2017, the government enacted the Law on the Management of Foreign Non-Government Organizations' Activities, which stipulates that social organizations may receive financial support only from overseas NGOs which are registered in China (and therefore managed by both police and a supervisory unit from the government). MLNGOs used to receive overseas funding, but they now have difficulty obtaining financial resources, as many of their foreign donors are not registered in the country. The second control strategy used by the Xi government is welfarist incorporation, first implemented during the Hu-Wen era. The government sub-contracts services to the elderly, the disabled, youth, and more to non-profit organizations. It also sub-contracts welfare and educational services targeting workers to labour organizations that are deemed politically manageable. Since 2014, the Guangzhou government has sub-contracted public services through the venture philanthropy program (*gongyi touchuang*), spending 1.24 billion yuan on more than 800 projects by 2020. Through welfarist incorporation, the Xi administration has sought to restrict labour organizations to act apolitically rather than as labour organizers.

Third, the Xi government continues to use the official trade unions to interfere with and pre-empt independent labour activism. In 2018, the Jasic workers' endeavour to build a workplace union was severely suppressed by higher level trade unions. The party-controlled All-China Confederation of Trade Unions has incorporated workers' autonomous collective bargaining into its structures to control workplace bargaining. It has also endeavoured to co-opt labour activists. For example, one previous strike leader, after being arrested several times, was hired by the official union. Although he continued to help workers talk to employers individually, he started to promote the message that official unions will stand with workers as long as their actions are individual in nature and legal. In this way, he was discouraging workers from organizing collectively. Fourth, the Xi government has used consolidated repression to deal with uncooperative MLGOs and labour activists. In 2018, the government arrested the worker-leaders who attempted to unionize Jasic and more than 50 supporters. In 2019, four MLNGO activists and the former editor of the Collective Bargaining Forum were arrested. At the end of 2019 and in early 2020, a labour activist and two volunteers running a website to advocate for the rights of sanitation workers in Guangzhou were detained for 15 days. In September 2021, a labour activist who had supported workers with occupational diseases, together with a feminist activist, were arrested under the charge of 'inciting subversion of state power'.

Lastly, international labour groups (and other types of international entities) are often seen as ‘foreign hostile forces’ trying to infiltrate and create unrest in China. The Xi regime has taken measures to abort connections between international NGOs and domestic MLNGOs to weaken support to the latter. The Law on the Management of Foreign Non-Government Organizations’ Activities mentioned previously does not only affect LNGOs’ income, but also reduces connections and cooperation among international unions and labour groups and LNGOs in China, leaving the latter isolated. Another example is the document *Shanghai Federation of Trade Unions’ Key Points for Work on Connecting with Society*, issued by Shanghai Federation of Trade Unions in 2018. The document highlights stopping ‘enemy infiltration’ and ‘managing foreign NGOs’ as the Federation’s major areas of work. The Xi regime also compelled the Hong Kong government to enact the National Security Law in June 2020. This law targets collusion with foreign forces, among three other national security issues, and criminalizes actions that advocate for Hong Kong independence or call for other countries to take actions considered harmful to the city. The increasingly repressive political and legal environments in Hong Kong have compelled at least 29 trade unions to disband themselves (Reuters 2021), some of which had supported the work of MLNGOs in China.


As a result of the tightening political environment and the suppression of MLNGOs, collective labour actions seem to have decreased in China (see the graph below), dropping from 2670 cases in 2016 to 800 cases in 2020 and 972 cases in 2021. In the recent repressive period, workers in the widely reported cases were less organized, as compared to the Yue Yuen shoe-making workers strike (Reuters 2015) and Guangzhou’s sanitation workers strike in 2014 (Libcom 2014) both of which had the support of MLNGOs. They did not use the strategy of election of workers’ representatives and collective negotiation with employer.



*Number of workers' collective actions from 2014-2021.
From China Labour Bulletin.*

That said, labour resistance in China has witnessed some new developments. Even without the MLNGOs support, white-collar workers and service workers have taken greater initiatives to air their grievances recently (while previously manufacturing workers were the centre of labour conflicts). For example, in Beijing a delivery worker started several WeChat groups to discuss work safety and encourage mutual assistance among delivery workers. A delivery worker in Taizhou set fire to himself to protest the harsh working conditions for delivery drivers (Su 2021). A group of food delivery workers in Weinan protested by burning their uniforms in public CLB (2021). An online campaign, Worker Lives Matter, was launched to collect information on work hours in industries such as technology and finance (Bloomberg 2021). Its aim was to protest the 996 practices, meaning workers work from 9am to 9pm for six days a week, prevalent in these industries. All these show that workers' struggles never depend on external organizations only. As long as there is exploitation, workers will continue to stage extra-union, autonomous actions to advance their rights.

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