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REVIEW ARTICLE

Class or Citizenship? Debating Workplace Conflict in China

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ABSTRACT *While a new working class is in the process of remaking itself in China, the latest trend in labour studies has rejected the Marxist tradition which sees the social relations of production as the point of departure for analysing workplace conflict. According to the new current, influenced by post-structuralism, class is only one of the identities articulated by workers, and it can be understood only with reference to their discourses. By critically evaluating an important book by Ching Kwan Lee (*Against the Law: Labor Protests in China's Rustbelt and Sunbelt*), this article suggests that her approach generalising workers' protests with the notion of citizenship cannot satisfactorily explain the changing pattern of labour protests in China since 2004. By using fieldwork data and connecting the analysis of the social relations of production with the changing patterns of workers' struggle, this paper argues that migrant workers protests are a significant part of the emerging class conflict in China.*

KEY WORDS: Labour, migrant workers, class, protest, strike, China

With its immense population and booming economy, China has been at the centre of the debate on economic globalisation in recent years. Since the “open door” policy was launched by the government in 1978, China has risen to become a global manufacturing centre with an “unlimited” supply of low-cost and unorganised workers drawn from peasant families. The potential of Chinese migrant workers to challenge global capital, therefore, has a significant meaning for the global political economy and for labour politics.

While a new working class has been in the process of remaking itself in China, new labour studies, which has proliferated in the West, has turned away from the Marxist tradition. According to this new approach, “class” is just one of the “identities” workers articulate, and it can be understood only with reference to their language or discourse. One example of this approach is the book authored by Ching Kwan Lee

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(2007), *Against the Law: Labor Protests in China's Rustbelt and Sunbelt*, which has been highly acclaimed for its rich account of the human cost of China's remarkable economic growth and detailed analysis of Chinese labour politics. By critically evaluating this important new book this paper argues that such an approach is unsatisfactory in explaining and predicting the changing pattern of labour protests in China, especially after the emergence of labour shortages from 2003. The author argues that workplace conflict in China is linked to the social relations of production and its historical context, and that these factors should not be separated from each other. Whilst the orthodox Marxist reductionism that ignores the historical context risks teleology, the post-materialist approach that overlooks the social relations of production undermines the potential critical insights which class analysis offers. In contrast, by taking the social relations of production as a point of departure for analysing the patterns of workers' struggle, the author disputes Lee's argument that migrant workers are less class conscious than laid-off state workers and that migrant workers' protests in South China tend to be part of a citizenship rights movement. The author argues that migrant workers' protests are rooted in the production regime of capitalism and are a significant part of emerging class conflict.

The data in this article were collected primarily from the author's intensive fieldwork that began in 2005 in the Pearl River Delta (PRD) of Guangdong Province. This involved participatory observation of the work of labour-non-governmental-run workers' service centres and interviews with striking workers. Most of these interviews were conducted in the dormitories of the workers. This also facilitated the collection of documents from strikers. Media reports and interview transcripts of a number of other relevant research projects were also used in the research.

In the next section, the author will summarise the recent theoretical development in labour studies and highlight how a materialist-based class approach has been all too prematurely deemed obsolete. In section three, the major arguments of Lee's book, with its post-modern and post-structuralist roots, will be reviewed. By bringing the materiality of class consciousness into play, the author will elaborate his disagreements with Lee's argument that migrant workers are less class conscious than state workers in section four. In section five, he will expand the arguments against Lee's position that migrant worker protests are merely part of a citizens' movement, rather than having class characteristics, by highlighting the changing pattern of workers protests from 2004 to 2010. The arguments are summarised in the last section, together with a reiteration of the importance of adopting a class struggle approach in analysing how workplace conflicts have been transformed.

The "Class Debate" in Labour Studies

Labour studies has experienced two major waves of theoretical innovation since the 1960s. The first is the "history from below" movement, which was influenced by neo-Marxist labour history and industrial sociology in the 1960s; the second is the "discourse turn" in the 1980s, which took place due to post-structuralism.

In his classic work, *The Making of the English Working Class*, E. P. Thompson (1963) goes beyond orthodox labour movement studies, which concentrated on trade unions and political parties, and lays the path for his later head-on critique of

Althusser's "structuralist Marxism" in *Poverty of Theory* (Thompson, 1978b). Thompson highlights the role played by culture, social life and struggle in the formation of a self-conscious working class. Contesting structural Marxism, he rejects class as a "structure" or "category." Instead he suggests that class is a "historical phenomenon" which is embodied in the real context of class struggle. Thompson inspired a growing interest in the study of the social history of labour all over the world. The "from below" approach of what was called the "new labour history," resonated with scholars of industrial sociology. For example, Burawoy (1979) challenges Braverman (1974) for overlooking the "subjectivity" of workers. According to him, "[a]n understanding of capitalist control cannot, almost by definition, be reached without due attention to the 'subjectivity' components of work" (Burawoy, 1985: 24). Burawoy's work has generated a wave of micro-ethnographic workplace studies. By the 1980s, the "from below" approach of studying workers' social and working life prevailed in both contemporary and historical labour studies. Despite their rejection of economic reductionism and emphasis on the role of ideology and politics, both Thompson and Burawoy have remained attached to a Marxist view of class which places great importance on relations of production (see, for example, Burawoy, 1985; Thompson, 1978a).

The second theoretical turn has come from the challenges that were posed by post-modernism and post-structuralism in the 1980s. While post-modernism rejects "grand narratives" about social structure, post-structuralism abandons materialist analysis and sees social class as merely a linguistic discourse (Bradley, 1999; Thiel, 2007). These theories argue for the centrality of culture, ideology and politics in the rise of class politics in England (e.g. Jones, 1983), France (e.g. Gould, 1995) and the USA (e.g. Fantasia, 1988). Sewell (1980) declares that labour historians should reconstruct "the words, metaphors, and rhetorical conventions that [workers] used to think about their experience" (cited by Berlanstein, 1993: 4). Gould (1995) suggests that workers' participation-identity in the 1871 Paris Revolution was community-based rather than class-based. As a pioneer of this theoretical turn in England, Stedman Jones (1983) argues that the radicalism of workers during the Chartist movement was not a result of social and economic discontent. Rather, it was a product of political discourse. Joyce (1991) takes a similar approach and further challenges "the making of the working class" thesis by contending that it was "people" rather than "class" that was the main actor in workers' politics in Victorian England. In short, this theoretical turn used language and discourse, culture and ideology, to replace social relations of production as a starting point in the analysis of workers' politics.

The neo-Marxist school and the post-structuralist school have debated the concept of "class" since the 1990s (Berlanstein, 1992; Berlanstein, 1993). As both schools agree that subjectivity plays a pivotal role in labour politics, controversy rests on the relation of "subjectivity" to material and economic structures. While the neo-Marxist school insists politics and ideology are connected with, although not fully determined by, the economy (see Aminzade, 1981; Aminzade, 1993), the post-structuralist school generally downplays the importance of material factors (see Sewell, 1980; Sewell, 1993). The result is that materialist-based class analyses have been deemed obsolete, giving way to a focus on fragmented and contingent "identities."

Lee's (2007) work is just one example of this academic current but it is arguably the most significant intervention on the China case. The following assessment contends that it is precisely this theoretical negligence of the material and social relations of production that prevents Lee from being able to satisfactorily account for Chinese labour conflicts.

Lee's Account of Labour Politics in China

While many of the previous studies focus either on the labour process and migrant workers in global factories in South China (see Lee, 1998; Pun, 2005; Sargeson, 1999) or social protests by laid-off state enterprise workers (see Chen, 2000; Chen, 2003; Chen, 2006; Lee, 2000), in this book, Lee (2007) attempts to provide a more integrated portrayal of workers from these two worlds. Her findings are based on ethnographic research conducted from the early 1990s to the early 2000s. Lee (2007: 10-11) claims that her analysis of labour politics in contemporary China is based on three levels: the political economy of decentralised legal authoritarianism, the regulation and reproduction of labour and "insurgent identity."

With regard to the first level, Lee (2007: 11, 176) points out that while the central government's labour legislation attempts to balance economic growth and social stability, economic development and capital accumulation have become the predominant concern of the "decentralised" local government. Since the local labour bureaux and court officers have adopted a pro-capital approach in handling labour disputes, labour laws and regulations tend to be poorly monitored and enforced at the local level. This has sparked worker discontent regarding local officials and has led them to mimic their urban worker counterparts in "targeting" their actions at "local states."

In terms of the regulation and reproduction of labour, Lee argues that the availability of farm land in workers' home villages (as identified by the *Hukou* or household registration system) helps pacify disgruntled migrant workers, contributing to regulation and reproduction.

Arguably the most interesting part of Lee's book is her discussion of "insurgent identities." "Insurgent identity" refers to the collective identity of participants, as articulated by social unrest or conflict.¹ In analysing this, Lee borrows three concepts – proletariat, citizen and subaltern – from previous Western studies of class and identity. The concept of "proletariat" is from the Marxist tradition; "citizenship" comes from a new attempt to reconstruct the history of the labour movement as part of the civil rights movement; "subaltern" is inspired by post-colonial studies which perceive workers' struggles as those of marginal or suppressed groups who are subordinated by dominant forces in society. Lee sees class, citizens and subalterns as the basis of state workers' "insurgent identities" while migrant workers are viewed only as "citizens and subalterns," instead of proletarians.

In fact, the explanatory power of Lee's theory is dramatically undermined by analysing workers' struggles through the "identity" lens rather than through an analysis of class relations. Because of this theoretical deficit, Lee is unable to provide an adequate account of how the pattern of labour protests changed from 2003 to 2011. "Identity" is not necessarily contradictory to the approach of class analysis. However, it should be noted that Lee views "proletariat" as only one of the possible

identities articulated by workers during social protests, rather than a product of the process in which labour is integrated into the capitalist mode of production. Lee analyses the language, slogans and forms of protests of state workers and migrant workers and determines that state workers are more class-conscious than migrant workers. As far as the new migrant workers are concerned, Lee is sceptical that a new working class is in the making. Instead, she prefers the notions of citizenship and subaltern to that of class identity in explaining workers' protests in the south:

I found that class identity is more muted and ambivalent among migrant workers than among rustbelt [Northern state] workers, whereas claims made on the basis of equality before the law and of citizens' right to legal justice are impassioned and firm, as in the rustbelt. Workers also identify themselves as the marginalized and the subordinate in society, and therefore deserving of state paternalism and protection against employers and their insurgent accomplices. (Lee, 2007: 195.)

... I have tried to show how class identities have grown out of the socialist social contract among the older generation of workers, and have been muted among the younger migrant workforce. (Lee, 2007: 202.)

As a complement to the notion of weak class identity, Lee observes that industrial conflict concerning wages, disciplinary violence and occupational injuries are the three most common grievances of migrant workers that lead to litigation, arbitration and protests (Lee, 2007: 164). She states that "[migrant] worker solidarity peaks at the point of collective exit from the factory, occasioned by plant closure or relocation" (Lee, 2007: 175). Considering the official trade unions' weakness in representing workers' interest, the state's capacity to repress independent trade unions and the unlimited supply of cheap labour from rural regions, Lee argues that "Chinese workers can hardly be described as having much marketplace, workplace, or associational bargaining power" (Lee, 2007: 24). As will be shown, these arguments were not fully confirmed by the changing patterns of labour conflicts even at the time that Lee's book was published.

Class Consciousness and its Material Base

Lee's argument that state workers are more class conscious than migrant workers is considered weak for two related reasons. First, it is insufficient for Lee to use workers' rhetoric and language as a yardstick of their class consciousness. Second, class consciousness has a material basis and must be analysed in that context.

In this light, it is dubious that laid-off state workers are more class conscious than migrant workers, since their "class conscious" rhetoric and language is more a result of Mao-era political and ideological campaigns than of the antagonistic capitalist relations of production. It is true that unlike state workers, migrant workers rarely use the terms *gong ren jie ji* (working class) or *gong ren* (workers) to describe themselves (Lee, 2007: 195; 204), but this does not necessarily mean that they do not have class consciousness. Migrant workers tend to identify themselves as *ming gong/nong ming gong* (peasant workers), *wai lai gong* (outside workers), *da gong* (selling

labour to the bosses) or *da gong zai* (those who sell their labour). The difference between how state workers and migrant workers name themselves should not be understood as a difference in their class consciousness. Instead, it should be understood within specific political, cultural and historical contexts. *Gong ren jie ji* and *gong ren* are political terms that were imposed during the Mao era, whereas *ming gong*, *nong ming gong* and *wai lai gong* indicate the kind of social stigma attached to new categories of workers in the reform era. How workers label themselves, therefore, is only to be seen as an indication of class consciousness when considered in an appropriate context.

Thinking culturally about such terms, it should be noted that *da gong zai* (those who sell their labour to the bosses), a term commonly used by migrant workers to identify themselves, comes from Cantonese and has a very similar meaning to *gong ren* (workers). Pun (2005: 23-4) quoted a migrant worker:

We are not treated as human beings ... When the superior asks you to work, you have to work no matter when and where ... Who cares who you are? We are nobody, we are stuff ... What is *dagongzai*? *Dagongzai* is worth nothing. *Dagongzai* is only disposable stuff (*feiwu*).

Based on this type of worker self-understanding, Pun (2005: 24-5) suggests that “a new generation of migrant workers has rapidly developed a range of examples of class awareness and understanding in the workplace.”² This demonstrates that Lee’s argument that migrant workers’ struggles are grounded in their *identities* as “citizens” and “subalterns,” rather than in their class position, is unconvincing. In fact, Lee (2007: 196) seems aware that migrant workers’ class consciousness is burgeoning for she remarks that “although migrant workers do not explicitly invoke rhetoric of class there are palpable indications of an incipient class consciousness in formation.” Despite this, she then continues to use workers’ language as a barometer of their class consciousness. Based on the observation that migrant workers’ language is mostly framed “in terms of denial of human dignity, loss of personal autonomy, and employer dishonesty” (Lee, 2007: 196), she erroneously concludes that their “incipient class consciousness” is limited and their struggles are not grounded in class identity.

Unlike Lee, the author holds that class exists in workers’ experiences of the social relations of production. The strength of this approach is that it allows a connection between the relations of production and the workers’ subjective experience in a historical and cultural context. As described below, in a strike in August 2007 at a German-owned factory in Shenzhen, rank-and-file workers distributed a pamphlet calling for production workers to strike even after skilled workers, clerical and supervisory staff were satisfied with the concessions made by the factory. Their pamphlet stated, *inter alia*:³

Tongbaomen [compatriots], it is our most fragile moment as those *zhiyuan* (staff, referring to managers, clerical and skilled workers] have achieved their aims, and forgotten the interests of we **yuangong** [employees, referring to production workers]. **Yuangong** brothers and sisters from the whole factory, for the sake of our own interests, let’s unite together. Chairman Mao said: our revolution has not been successful, struggle should continue.

Another worker wrote the following to encourage others to insist on struggling:

To all of the *gongyou* [work mates]:

Think again about our *gongyou* who were arrested and even injured. There is no news [about them] by now. If we go back to work in this way, doesn't it mean those brave and sympathetic *gongyou* are sacrificed for nothing? We should seek justice for them!

These quotations reveal that if undue emphasis is placed on workers' language as the major signifier of their identities, workers' identities appear complicated and contradictory. Their identities switch from being nation-based (as indicated by the term *tongbao*) to production position-based (as indicated by *uangong*) within the same pamphlet. Therefore, these various claimed identities are better viewed as strategic bases of solidarity among workers; they have little to say about class relations. Without using class relations as a point of departure for the theorisation, scholars run the risk of engaging in superficial and uncritical analyses of the nature of workers' struggles (see Clarke, 1978). This is one of the major problems with Lee's approach to "insurgent identity," which largely focuses on the language workers use to identify themselves and the form of their protests.

My second contention is that class consciousness is not simply about what is expressed through language; it has a material basis. In his early studies on the protests of laid-off state workers, Chen (2000; 2003) noted, that Maoist rhetoric and terms, such as "*gong ren jie ji*" (working class), dominated their language. Yet, he remained sceptical about their class consciousness until, in his recent study of a campaign by previous state workers in privatised factories to take over the factory, Chen sees the possibility of formation of class consciousness of state workers (Chen, 2006). Chen (2006: 43) expounds:

While the class language of the Maoist past ... may appear in workers' private discourse criticizing their predicament, few protest actions are framed to articulate class antagonism. Moral economy protests by Chinese labour are often spontaneous and of short duration ... However ... with an aggressive implementation of privatization schemes in the years that followed, labour struggles have emerged in which moral economy demands are increasingly permeated by "class consciousness."

While Lee does not emphasise the materiality of class relations and class consciousness, Chen's conception of class demonstrates links between ideology and material social relations. Supporting Chen's position, the author holds that migrant workers' struggles are different from those of laid-off state workers. Migrant workers are mostly involved in an antagonistic relationship with the capitalist class. Except for some extreme cases, their demands could be satisfied only by interest concessions from the capitalists, such as a pay rise, compensation, contribution to social insurance and improvement of other working conditions. Laid-off state workers are not in the same materialist position, despite the fact that they have a much stronger reminiscence of the Maoist campaign of "class struggle" and better organisational resources in the form of trade union, workers' congress and stable urban

communities. For Lee, the “unmaking of Mao’s working class” happened after “the demise of the socialist employment system and rustbelt workers” were forced to exit from the class structure during the wave of privatisation in the late 1990s (Lee, 2007: 120). However, a capitalist “class structure” never existed in state socialist China because the “socialist employment system” in state-owned enterprises (SOEs) did not constitute a “class structure” that nurtured class consciousness and class formation. Clarke et al. (1993: 26) have a similar analysis concerning post-socialist Russia; they argue that “[t]he Soviet system of social production was more like the feudal than the capitalist mode of production,” and management and workers acted as a “labour collective” against higher state authorities rather than as antagonistic forces in a capitalist society (Clarke et al., 1993: 26).

Walder’s (1986) study also lends support to this position. His analysis of the social relations of production in Mao’s China questions the assertion that the making of the working class had taken place in the Mao period:

... the revolution has ushered in the unmaking of the Chinese working class. The process of growing political unity, collective organisation, and consciousness of common interests in opposition to other classes – a process described by E. P. Thompson ... as the “making” of the English working class early in the nineteenth century, and a process certainly well underway in China by the 1920s – was effectively reversed after 1949. (Walder, 1984: 41-2.)

Walder argues that the “unmaking” of the working class was an element of the socialist project. Thus, the waves of political and ideological campaigns that took place in the name of “class struggle” during the Mao era were without a material base; so-called “class struggle” was merely a top-down political agenda designed to mobilise the public (see Pun and Chan, 2008). Seen in this light, if a conscious working class in a capitalist mode of production was being unmade after 1949, as Walder suggests, then a new working class has been in the process of remaking itself since 1978. As in the 1920s, this working class, which was composed largely of migrant workers, had a material base and an oppositional capitalist class. Laid-off state workers who are the main subjects of the labour protests in the “rustbelt” could not have had exactly the same kind of labour-capital class consciousness that exists in capitalist societies, even though they claim themselves to be “working class.” In fact, they had little experience of capitalist relations of production and since being laid-off are remote from production. Furthermore, the target of their protests is the state rather than the capitalists who are the new factory owners. In other words, while laid-off state workers may be activist and angry, the language of “class” does not have a material base.

Following the approach that sees class formation or class consciousness as having its material base in production relations, it is paradoxical to propose that the laid-off state workers are more class conscious than the migrant workers in foreign and privately owned factories. In fact, Lee is aware that the so-called class consciousness of state workers is without a material base; but she has not incorporated this recognition into her conceptualisation of “class consciousness”:

state-sector workers’ class consciousness is achieved through their collective experiences of Maoist political campaigns and the institution of permanent

employment ... Reform dismantles both pillars of class experience and sharpens the reality of class subordination. In contrast, migrant workers' critique of class exploitation and alienation is grounded more in their encounter with market and capitalist forces (Lee, 2007: 196).

This theoretical negligence contributes to a failure to account adequately for the pattern of migrant workers' protest as she considers the major basis of protest and struggle to be found in workers' identities as citizens and subalterns, rather than their class position. As noted above, a more convincing approach is to analyse how the social relations of production have developed in a particular social and historical context.

In a nutshell, Lee's argument is part of the new intellectual current that downplays class analysis in China, just as it has been downplayed in the West since late 1970s (Pun and Chan, 2008). However, this intellectual current fails to provide a comprehensive picture of the changing pattern of migrant workers' struggles. Class formation is a "historical phenomenon" which is influenced by "traditions, value-systems, ideas, and institutional forms" and embodied in struggles in workplaces, communities and societies (Thompson, 1963: 10-11). Thompson suggests a notion of "class struggle without classes" which continues to inspire contemporary workplace studies:

... people find themselves in a society structured in determined ways (crucially but not exclusively in productive relations), they experience exploitation (or the need to maintain power over whom they exploit), they identify points of antagonistic interests, they commence to struggle around these issues and in the process of struggling discover themselves as classes (Thompson, 1978a: 49).

Thompson's thesis is that workers' protest is located in an antagonistic class relation. Through these struggles, class consciousness develops (Thompson, 1963). The implication is that instead of comparing migrant workers with their (laid-off) state-employed counterparts – two groups with very different historical and material foundations – the possibility of a more inclusive class consciousness should be explored by comparing migrant workers' struggles today with those in the earlier stage over the past few decades.

Class and Migrant Workers' Struggle

To downplay the class nature of workers' struggle and highlight "the multiple dimensions of labour politics and agency," Lee (2007: 28-30) adopted the concept of "livelihood struggles" to "encompass both collective resistance in the forms of petitions, protests, and strikes, and individual and familial survival strategies taking advantage of state redistribution and market opportunities." She also concludes that "decentralisation, cellular activism, and legalism" are common characteristics of collective mobilisation of different social groups in contemporary China, including state workers, migrant workers in foreign factories and peasants (Lee, 2007: 236). By doing this, Lee weakens her explanatory power regarding the changing patterns of migrant workers' protests. As the cases below demonstrate, since 2004 migrant

workers have become increasingly ready to take militant actions to demand improvement of wages and other working conditions, including factory-wide or cross-factory strikes, road blockages and demonstrations, and collective representative mechanisms (CLB, 2007). These actions demonstrate the class nature of their activism and their rising class consciousness.

Strikes in Dalian, 2005-10

As Chen's (2010) study shows, in July 2005 there was a wave of strikes by migrant workers from 18 Japanese and Korean electronic factories in Dalian, a coastal city in the northeast of China. These strikes were led by workers in a Japanese factory. Strikers successfully achieved a wage rise after the local trade union and the local government intervened. The strike then spread to more than 10 other Japanese-owned factories in the city (CLB, 2007; Zhan, 2005). This case reveals a ripple effect of migrant workers' strikes that was not seen in the past and the implication is that these protests had the potential to spread further across the community and city. Five years later, from May to August 2010, 70,000 workers in 73 Dalian enterprises staged another round of strikes, which ended with a significant pay raise of 34.5% (*Cai Xin Net*, 19 September 2010).⁴ The Dalian strikes hint at the possibility of a cross-factory strike and radicalisation of migrant workers' activism. This contradicts Lee's (2007: 236) thesis regarding "decentralization and cellular activism and legalism."

Strikes in the Pearl River Delta, 2007

The class nature of labour activism and rising class consciousness is even more noticeable in the Pearl River Delta (PRD). One strike that was widely reported was by 300 crane operators at a joint venture port in Shenzhen in early 2007. Their monthly salary was around 5300 to 8000 yuan plus insurance and benefits, which was much higher than the 700 yuan minimum wage mandated by law. The news that their counterparts in the Shekou port in the city gained a wage rise motivated more than 20 sub-contracted Shenzhen port workers to stage a short strike demanding a wage increase in late March. The crane operators demanded a monthly salary increase of 1000 yuan, increased bonuses and housing allowances and the establishment of a company trade union. The city Labour Bureau, Transport Bureau and Shenzhen Federation of Trade Unions came to the scene after the strike had begun. The trade union officials asked workers to elect representatives and promised that they would stop the company from taking revenge on the representatives. Negotiations took place with the presence of the trade union and state officials. Finally the workers accepted a compromise package of a 3% pay rise plus a 500 yuan working-at-night subsidy. The strike lasted for 33 hours and an enterprise trade union was formed afterward.⁵

This case illustrates another two salient characteristics of the changing pattern of migrant workers' protests. First, in the past, most workers' struggles involved demands that their wages and working conditions adhere to legal standards, but nowadays there are increasing numbers of protests in which workers are asking for reasonable working conditions well beyond the legal benchmark. Second, in the past

strikes seldom addressed the lack of representation of trade unions, but this has become one of the major concerns of workers' protests. These patterns and characteristics of strikes and labour protests exemplified by the above cases have been confirmed by many others since 2004.⁶ From interviews with workers and documents, it is evident that that workers' struggles have moved beyond the limits of "legalism" and have a tendency to surpass Lee's suggested "decentralization and cellular activism."

The following case drawn from my fieldwork in two German electronic factories in Shenzhen further manifests these characteristics. Shenzhen used to have two legal minimum wage rates before 2010, for workers inside and outside the Special Economic Zone (SEZ), respectively. The factories discussed here were outside the SEZ. The outside rate, which was 419 yuan per month in 2000, increased slightly every year to 480 yuan in 2004. However, as a response to the problem of labour shortage in the PRD and waves of labour strikes to demand wage increases, the local government had raised the legal minimum wage to 580 yuan in July 2005 and to 710 yuan in July 2006 (Chan, 2010a). This had fostered workers' expectations that the legal minimum wage rate would be increased significantly in 2007. However, the Shenzhen government did not adjust the rate as workers expected, which provoked another wave of strikes in August and September 2007. One of these strikes took place in two electronic factories owned by a German company. Each of the two plants had about 8000 workers.

In the German-owned factories, ordinary manual workers were called "*yuan gong*" (employees), while others, including managers, supervisors, engineers, technicians and office clerks, were called "*zhi yuan*" (staff). This division was manipulated by the management to weaken the solidarity of workers during the strike; this will be elaborated below. After two years of pay raises, the company tried to lower labour costs not only by freezing both *yuangong* and *zhiyuan* wages, but also by increasing the work intensity of "*yuan gong*" and limiting the overtime work of "*zhi yuan*," starting in 2006.

When workers became aware of the wage freeze and reduction in actual income due to overtime restrictions for technicians and supervisors, a public letter was posted in all workshops one Friday evening. The letter requested an increase in basic salaries and subsidies for accommodation and food, improvement in welfare, supply of hygienic drinking water and to include rank and file workers as trade union officials.

The following Monday morning, some skilled workers switched off the electricity in the plant and thousands of workers walked out to the highway. Labour Bureau officials and factory managers persuaded strikers to elect representatives for negotiations. The workers responded that they had no representatives. The police then dispersed the workers by force. In the afternoon, the management announced wage increases of 300 to 500 yuan for the staff, but only 30 yuan for manual workers. The supervisory staff was mostly satisfied with this offer and returned to work while the manual workers were very dissatisfied and continued their strike into the next day. The managers and supervisors tried to persuade workers to go back to work, but ordinary workers began to realise that the staff had "betrayed" them. On Tuesday evening, pamphlets were thrown down from the dormitory buildings denouncing the *zhi yuan* (staff), calling for solidarity among *yuan gong* (employees/workers) and demanding a basic salary of 810 yuan and better working conditions.

The strike continued for a third day. On the fourth day, the company announced that those who resigned within three days would get back their compensation and wages immediately, workers who returned to work would get an extra allowance, while others would be seen as “absent” or “quitting.” Eventually, 3000 workers resigned, despite the fact that the factory had raised workers’ wages as announced and improved conditions in dormitories and workplace. However, the demand for rank-and-file members to join the trade union committee had not been met with a positive response.

It should be noted that this case was part of a wave of strike occurrences that took place in Shenzhen in August and September 2007. Like the two cases described above, the demands made in this strike went beyond the legal benchmark and requested trade union reforms. Moreover, its ripple effect was palpable as workers from many large factories around this German plant had staged or prepared to stage strikes to demand wage increases. The management from these factories responded rapidly in satisfying workers’ demands.

Mushrooming strikes, 2010

According to the media, a new wave of strikes took place in China in mid-2010 (*Economist*, 31 July-6 August 2010; *The Observer*, 4 July 2010). The *Asian Weekly* (*Yazhouzhoukan*, No. 23, 2010), a Hong Kong-based magazine, reported that 18 strikes took place from late April to early June 2010. Since the Chinese media is sensitive about reporting strikes, the report does not provide a full picture of the strikes. However, by analysing the coverage of local and overseas media and conducting fieldwork in some of the industrial cities,⁷ the quantitative and qualitative changes in migrant workers’ strikes in the country and their class consciousness can be identified.

One of the strikes that attracted nationwide and international attention was staged by workers at the Honda automobile factory in Foshan in May 2010. The co-ordination, persistence and nature of workers’ demands in this strike were different from previous strikes. It was well organised, involved over 1800 workers and lasted for 17 days. It caused disruption of the production, not only in that particular factory, but also in three other Honda factories in other parts of China and led to a loss of 240 million yuan per day for the enterprise (*Jingji guanca bao*, 28 May 2010). The strikers were clear and specific about their demands, asking for a wage increase of 800 yuan, a seniority subsidy, a better promotion system, and a democratic reform of the enterprise trade union.

Since its establishment, all workers in this factory have been recruited from a small number of technical schools (*jixiao*) through an internship system. Part of the routine practice of the curriculum in these technical schools is to require that students spend the final year of their three-year programme doing a one-year internship in an industrial setting. After the students graduate, the factory will offer the interns formal employment. At the time of the strike, workers told me that about 80% of the workforce was composed of interns, with the other 20% being formal employees.

When the author conducted fieldwork in workers’ dormitories in May 2010, he was told that the company had escalated its pressure on workers, first by asking

interns to sign a document stating that they would not lead, organise or participate in any strikes (see *Takungpao*, 1 June 2010) and, second, by mobilising teachers from the technical schools to persuade workers to return to work. The second strategy seems to have been effective as some interns were worried that their schools would punish them by not issuing graduation certificates. However, some workers posted leaflets on a wall stating that: “you are traitors to China [*Hanjian*] if you submit the document!” Many interns faced a dilemma. One of the interns told us at midnight on 31 May: “we still don’t know if we will go back to work or not tomorrow. If our teachers come with us, it is difficult for us to refuse [to work], but we really don’t want to be traitors.”

In the morning of 31 May, many workers resumed work. However, about 40 workers refused and gathered in the open space inside the factory premises. That afternoon, about 200 people who claimed that they were district and town-level trade union officers entered the factory complex and tried to persuade workers to go back to work. After workers turned down the request, a physical confrontation took place between the strikers and trade union officers. A few of the strikers were hurt and sent to the hospital. Official sources did not reveal where the 200 had come from, but a reliable source said that they were actually mobilised by the local government.

The full-factory strike continued. Endeavouring to gain wider public support and stronger solidarity among workers, their representatives issued an open letter addressed to all workers in the factory and the public on 3 June (*Cai Xin Net*, 4 June 2010), which illustrates their activism and wider class solidarity. The open letter stated that:

We urge the company to start serious negotiations with us and accede to our reasonable requests. The company earns over 1000 million yuan every year and this is the fruit of our hard work ... We should remain united and be aware of the divisive tactics of the management ... Our struggle is not only for the sake of the 1800 workers in our factory, it is also for the wider interest of workers in our country. We want to be an exemplary case of workers safeguarding the rights [of all workers].

The violent incident noted above served as a critical turning point, after which the company and trade unions came under tremendous pressure to resolve the dispute. The result was a stronger initiative, including facilitating a shop-floor-based workers’ election and collective bargaining between elected representatives of the workers and the management on 4 June 2010. In the end, the parties reached an agreement to raise workers’ wages by 32.4% to 2044 yuan and student interns’ wages to around 1500 yuan (an increase of 70%).

This strike was acknowledged as a new stage in labour resistance in China (Lüthje, 2010) and appears to challenge Lee’s (2007: 175) generalisation that “Worker solidarity peaks at the point of collective exit from the factory, occasioned by plant closure or relocation.” The Honda case is significant because of its success at winning material gains from the management, its relatively long duration of 17 days, and the level of organisation involved compared to other strikes that occurred in the recent past. Equally important, the strikers went beyond their individual interests in pay raises to call for democratic trade union reform. Apart from these points, what is

worth special academic attention is the knock-on effect of the strike in the car industry and other industries. Auto workers from many car companies and suppliers have followed the example of their counterparts and struck to demand higher wages. According to an interview (12 August 2010) with Guangzhou Federation of Trade Union officials, from 20 June to early July 2010, strikes had taken place in four automobile factories in the city's Nansha district. In another Honda supplying factory, striking workers wrote a "letter to promote the strike" (*ba gong changyi shu*). The letter states that:

Colleagues, look around us, at Foxconn, Honda in Foshan, Toyota in Tianjin, [we] believe that the result is good as long as we can remain united to the last ... [We] demand the following better working conditions:

1. All employees' wages should be increased by 800 yuan;
2. Strikers should be paid their normal wages during the strike;
3. The company should not punish any strikers;
4. Reform the trade union and re-elect the trade union president; and
5. The company should sign a new labour contract with workers.

Note that this time the strike should continue until our demands are satisfied. Strike till the end! [*ba gong dao di*]."

The workers' demands resembled those made by the Foshan Honda workers. On 25 June, four days after the strike began, a written agreement was reached between representatives of the workers and the management. Monthly wages were increased by 550 yuan (400 yuan in basic wages and 150 in subsidies) and a bonus equivalent of four months of salary was granted. At about the same time, workers from a Honda factory in neighbouring Zhongshan also staged a strike requesting similar wage increases and a reform of the company's union. It was also reported that workers from a supplier to Hyundai in Beijing also launched a strike to demand higher wages. In addition, workers from two Toyota factories in Tianjin, Honda supplier Atsumitec Co. and Ormon (a supplier to Honda, Ford and BMW), followed the example of their counterparts and went on strike in June (*Cai Xin Net*, 23 June 2010). The link between these strikes is confirmed by Honda workers who say that a leader of the Zhongshan Honda strike contacted worker representatives in the Foshan factory in order to seek their advice.

Changing Characteristics of Labour Protests

Despite the increasing number of migrant workers' strikes in China, Anita Chan (2011) suggests that they are still small when compared to other Asian countries, such as Vietnam. But from a historical perspective, there has been considerable development with Chinese migrant workers' strikes in terms of their scale, co-ordination, demands and workers' consciousness. The author's analysis of the current wave of strikes, based on media reports and interviews with worker activists at the Honda factory, is that workers' protests have broken with earlier strikes in three important ways. First, while previous tides of strikes were concentrated in a

specific geographical area,⁸ the strike waves in May 2010 were widespread, including Beijing, Tianjin, Jiangsu, Henan, Yunnan, Chongqing (*Economist*, 31 July–6 August 2010; *Yazhouzhoukan*, No. 23, 2010). Second, the demand for a “real” workplace trade union has become more clearly and consistently articulated by the workers. Third, the workers’ demand to reform the trade union has also gained wider attention from the All China Federation of Trade Unions (ACFTU) and the central government at the policy level. This last element deserves more attention.

Following the Honda workers’ strike, the Chinese central and local governments sought to push forward reform of trade unions and to establish a better collective consultation system in workplaces. Commenting on the Honda workers’ strike, the official Xinhua news agency highlighted the urgency of advancing collective wage consultation in enterprises, so as to further safeguard workers’ legal rights and promote harmonious labour relations (*Takungpao*, 2 June 2010). On 5 June, the ACFTU (2010) demanded: “Further strengthen . . . workplace trade unions and give them full play,” while advocating the election of workplace trade unions committee members in accordance with regulations and the important role of workplace trade unions in ensuring the effective implementation of the Labour Law, Trade Union Law, the Labour Contract Law in enterprises. It also emphasised workers’ rights to information, participation, expression and monitoring in workplace trade unions.

Kong Xiang Hong, the vice president of the Guangdong Provincial Federation of Trade Unions (GDFTU), confirmed that the GDFTU would speed up the democratisation of unions so that members could elect their own presidents. He also announced a pilot scheme of democratic elections for workplace unions and workers’ training on the function and operation of trade unions in 10 factories, including the Honda factory (*Takungpao*, 14 June 2010). Wang Yang, the Guangdong CCP secretary emphasised that when handling workers’ grievances, workplace unions should position themselves as representatives of workers and help safeguard workers’ rights according to legal regulations (*Yangchengwanbao*, 13 June 2010).

Moreover, the Guangdong provincial government debated the second draft of the Regulations on the Democratic Management of Enterprises in August 2010 while the amended draft of the Shenzhen Collective Consultation Ordinance was under public consultation (*Guangdong China News*, 5 August 2010; *Hong Kong Commercial Daily*, 30 September 2010). At the central level, the government requested the local administration initiate a regulation to promote collective wage consultation. According to media reports, at about the time of the Honda events, thirteen provinces had issued documents to push forward collective wage consultation (*China News Net*, 9 June 2010).

All these new legal initiatives suggest that the Chinese government has realised the inadequacy of the individual rights-based legal approach in handling collective unrest and it is trying to strengthen the collective elements in the current legal framework. However, in reality, the Chinese government is undetermined and its attempt to move towards a collective interest-based legal framework had been halted by capital pressure. It has been reported that the business chambers of overseas investors were strongly against the legislation on collective negotiation (Hui and Chan, 2011). In Hong Kong, over 40 business associations published a petition while some of their representatives have paid official visits to the Guangdong government to voice their concerns (*Singtao News*, 27 September 2010). As a result, the Regulations on the

Democratic Management of Enterprises and the Shenzhen Collective Consultation Ordinance were delayed (*Wenweipo*, 18 September 2010). A new Enterprise Wage Ordinance (*qiye gongzi tiaoli*) had been drafted by the State Council in 2008 to regulate wage payments, determination and adjustment. The draft was sent to the State Council's Office on Legislation (*fa zhi ban*) in 2010. As in the cases of Guangdong and Shenzhen legislation, opposition from companies has delayed its announcement (Hui and Chan, 2011). Many central government-owned enterprises (*yang qi*) apparently did not support the law (*Zhongguochuang*, 27 May 2010).

The above cases of migrant workers' strikes have shown an emerging pattern, which includes a knock-on effect in terms of industries and geographical areas, greater possibilities for cross-factory and industry-wide strikes, moving beyond the legal benchmark to seek for decent wages and working conditions, a more clearly articulated demand for trade union reform, and better organisation and mobilisation among workers. This pattern shows that worker activism is not constrained by legal standards (such as the legal minimum wage policy) as Lee's citizenship movement thesis suggests; instead this pattern is reflective of the deep rootedness of workers' class position versus capital and linked to their class interest (such as decent wages and trade union reform). The class nature of workers' resistance is demonstrated in cross-industry and cross-factory solidarity, as seen in the Nansha Honda case. Such examples attest to the class solidarity and the significance of sharing and learning about class experience and struggle among strikers. Although the language of class was not always to the fore during migrant workers' strikes and there are always intra-class divisions to be manipulated by the capitalists (between the "*yuan gong*" and the "*zhi yuan*" in the 2007 German factory strike, and between the formal employees and the student interns in the 2010 Foshan Honda workers' strike), the higher level of solidarity among workers, particularly when compared with past strikes, has enabled them to secure more substantial concessions from the management.

In accounting for the recent waves of strikes in China, Silver's (2003) categorisation of labour unrest as being "Marx-type" and "Polanyi-type" appears convincing. Lee's (2007: 236) generalisation of social protests as a citizenship movement according to their forms of decentralisation, cellular activism and legalism fails to capture the nature of the unrest outlined above. In the context of contemporary China, "Marx-type" protests refer to class-interest-based struggles for better working conditions in foreign-, domestic-owned enterprises and post-privatised SOEs. "Polanyi-type" protests are the social-rights-based struggles against the gradual substitution of capitalist production over traditional or "socialist" modes. The former is against capital, but entails intervention from the state, while the latter targets state policies or officials. Migrant workers' strikes are typical examples of the first category, while peasant protests around the appropriation of collective land for commercial development and state workers' struggles around the privatisation of SOEs are better situated within the second category. Some migrant workers within the capitalist production regime might protest against local labour bureaux or labour courts for failure to protect their legal rights. Nevertheless their principal aspiration is to get concessions from the factory owners by pressing the state authorities to intervene. Except for extreme cases, all of their interests and rights can be satisfied only by concessions by their bosses. On the

other hand, although the peasant and pensioners' protests might also contain anti-capital sentiments, in the end it is the state or the SOEs, rather than the new capitalist class, that compensates them. Of course, there are other forms of protest which might not fit neatly into these two categories and there may be cases that fit both categories. None the less, these are the two general strands of social struggle that have taken place along China's road to capitalism. Lee (2007: 236) discusses the *commonality* of migrant workers' and laid-off state workers' struggles according to their forms of decentralisation, cellular activism and legalism, while this paper emphasises the *differences* in their positions in social relations of production, with migrant workers situated in capitalist production while laid-off state workers are not. As with Silver's conceptualisation, this locating of difference in social relations of production provides a better grasp of the historical transformation of the pattern of workers' protests in China, while Lee's theory based on "insurgent identity" is enlightening, but ultimately less coherent.

Conclusion

Lee (2007) has rightly pointed out the capacity of the Chinese state to serve workers' interests in labour regulation and pre-empt the rise of a more significant labour movement by constraining labour protests. This article does not discount Lee's profound contribution to the understanding of Chinese state and labour politics. However, Lee's theoretical inclination towards the new (post-1970s) trend in labour studies, which reconstructs the history of the working class as a "modern discourse," is flawed. This approach leads to class consciousness or class identity being studied with reference to workers' language instead of being directly based on class relations. Hence, workers' struggles are understood in terms of their non-class-based actions. Following this trend, Lee (2007: 29) replaces the notion of class struggle in Marxist labour studies with the more "fashionable" term of "livelihood struggle." Like replacing "class" with "identity," the term "livelihood struggle" *per se* is not simply to be rejected. Surely it can encompass different forms of people's struggle to improve living conditions; however, this innovation loses the important focus on the dialectical development of capital and labour relations.

In summary, this article has directed critical attention to the following theses by Lee. First, she contends that migrant workers are less class-conscious than laid-off state workers. In response, it is contended that this position is flawed and it is argued that class consciousness has a material basis and should be analysed in reference to the actual social relations, instead of in terms of the language used by workers. In light of this, the "class consciousness" of laid-off state workers who have hardly been exposed to a capitalist structure is shown to be the direct result of Maoist political and ideological campaigns. Thus, it is dubious that they are more class conscious than migrant workers.

Second, because of the proclaimed decentralised, cellular and legal characteristics of their protests, Lee attempts to generalise the nature of migrant workers' struggle as a citizenship movement rather than as class struggle. In response, it has been argued that decentralisation, cellular activism and legalism were a form of class struggle at a specific moment. Even though class actors do not use class language, interest antagonism between members of classes is still part of class struggle. Legality

is merely one of the strategies or resources workers employ to advance their interests and the form of their struggle has the potential go well beyond “decentralization and cellular activism.” As illustrated by the above-mentioned cases, even though labour laws have become more widely observed in China, when workers’ interests could not be addressed satisfactorily by the existing laws, they take action to demand more than what the law guarantees. Furthermore, although workers’ protests remained within the borders of the factory, company or community, they showed a historical trend of better planning, co-ordination and connection, as well as a wider knock-off effect.

Third, Lee (2007: 237) is also mistaken in suggesting that migrant workers’ protests are “protests against discrimination” by state officials. Although government officials are the target of migrant workers’ lobbying and would intervene, the fundamental antagonism lies within the labour-capital relations. There are three main resources that Chinese migrant workers can call upon in their workplace struggles: associational resources, such as trade unions or other forms of workers organisation, which are at the moment quite weak but crucial for the emergence of the labour movement; political resources, which involve appealing to the state and the legal system; and cultural resources, such as local networks (*laoxiang*) (Lee, 1998) or place-of-origin-based gangs (Chan, 2009). Seen in this light, state and legality is just one resource that migrant workers can use against capital, especially in the face of an inadequate or absent form of trade unionism.

Considering the limitations of Lee’s approach, it seems reasonable to propose bringing back an analysis of class relations and class conflict to form a theory about Chinese labour relations and the state’s development strategy (see So, 2003). To revitalise class analysis, it is vital to connect politics, ideology and the culture of workers’ struggles with workers’ economic base. In other words, the subjective basis of solidarity in workers’ collective actions, as inspired by both neo-Marxism and post-structuralism/post-modernism, remains important, but analysis should be extended to connect with the objective social relations of production. The concept of class relations is analytically prior to its political and ideological forms, but these two sides of class are not separated from each other in reality.

Notes

¹ Lee’s concept of “insurgent identity” was borrowed from Gould (1995) who rejected the notion that the Paris Commune of 1871 was a continuation of the class struggles of the 1848 revolution. Focusing on the collective identities framing during these two revolutions, Gould argued that while class played a pivotal role in the 1848 revolution, it was the community solidarity that functioned as a decisive force in 1871. The difference was due to the urban renovation project between 1852 and 1868 that removed workers from central to suburban Paris. It had caused the role of occupation-based social relations to be replaced by residential relations.

² At the same time, she also pointed out that “the ‘new working class’ ... is often deformed, or even killed, at the moment of its birth” by state mechanisms (Pun, 2005: 20). What is certain is that, as Pun (2005) and Lee (2007) both implied, the formation of a new working class in China is not yet complete.

³ The author is indebted to anonymous worker informants who showed me this pamphlet and other documents during the strike. The emphasis was added by the author.

⁴ This information was confirmed by the president of the Dalian Economic Development Zone Trade Union Federation who spoke in a conference in Renmin University in Beijing, September 2010.

⁵ The local media reported this case well, for example, see *Guangzhou Ribao* (8 April 2008). Insider interviews were also conducted under an ESRC-funded Non-governmental Public Action Programme

research project ("Post-Socialist Trade Unions, Low Pay and Decent Work: Russia, China and Vietnam") at the University of Warwick.

⁶ The strike cases, including those that took place in the German factories, as outlined below, have been analysed previously by the author (e.g. Chan, 2009; Chan, 2010a; Chan, 2010b; Chan and Pun, 2009; Chan et al., 2010).

⁷ The author carried out field research in the industrial zones of Foshan, Guangzhou, Shenzhen, Beijing and Qingdao from May to December 2010.

⁸ Apart from the PRD, as elaborated above, Chen (2010) also studied the role of trade unions in a wave of strikes that took place in the city of Dalian in 18 Japanese and Korean electronic factories.

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